

137-055-1080

Fees

- (1) As used in this rule, "reporting year" means October 1 of one year through September 30 of the following year.
- (2) As required by 45 CFR 302.33, the Oregon Child Support Program will assess:
 - (a) A \$1 application fee on behalf of each applicant whose family is not receiving assistance in the form of TANF cash assistance, Medicaid, or foster care services and who applies to the Oregon Child Support Program for support enforcement services;
 - (b) A \$35 annual fee for each support case where:
 - (A) The obligee, child, or a child attending school as defined in OAR 137-055-5110, has never received assistance under a state program funded under Title IV-A of the Social Security Act;
 - (B) At least \$550 of child support has been disbursed to the family in the reporting year; and
 - (C) Oregon is not providing services at the request of another state pursuant to 45 CFR 303.7.
- (3) The Department of Justice may collect the fee specified in subsection (2)(a) of this rule from each applicant by deducting it from any unassigned support receipted by the Department.
- (4) Notwithstanding any other provision of the Oregon Child Support Program administrative rules, and except as provided in section (5), the Department of Justice may collect the fee specified in subsection (2)(b) of this rule from each obligee or child attending school, if applicable, by deducting it from any unassigned child support receipted by the Department.
- (5) Fees specified in subsection (2)(b) of this rule may not be collected from an applicant or child attending school, if applicable, who is a resident of a foreign country.
- (6) Fees recovered pursuant to section (4) of this rule may be recovered on a pro rata basis from both the obligee and any child attending school if the provisions of OAR 137-055-5110 apply.
- (7) Once a fee has been collected, it will not be returned, even if the obligee, child, or a child attending school later receives TANF.

Stat. Auth.: ORS 180.345

Other Auth.: 45 CFR 302.33

Stats. Implemented: ORS 25.080, 25.150
Effective Date: January 1, 2022