

137-055-3460

Processing Modifications When Unable to Find a Party

(1) On any Oregon child support case, whenever Oregon law or administrative rule requires the administrator to process a modification of a support order to zero, and a State of Oregon court or the administrator has jurisdiction to modify the support order, the administrator shall proceed even in the event that the administrator cannot locate the obligee.

(2) For purposes of this rule, before the administrator can determine that the obligee cannot be found, the administrator must first submit a request to the State Parent Locator Service of the Division of Child Support and must allow the State Parent Locator Service at least 90 days to verify an address or employer for the party being sought.

(3) When the motion to modify the support order is for a modification to zero because the obligated parent is either receiving certain cash assistance as provided in ORS 25.245, or is incarcerated, or now has physical custody of the child(ren) named in the support order, and the administrator cannot locate the obligee, the administrator may serve by other methods as allowed in ORS 25.020(9)(a) or ORCP 7.D(6).

(4) Provisions in this rule regarding a motion to modify a support order to zero are also applicable to a motion to terminate support or, if the obligor is receiving certain cash assistance as provided in ORS 25.245, to a notice suspending support.

Stat. Auth.: ORS 180.345

Stats. Implemented: ORS 25.020(9)(a), 25.085, 25.245, and ORCP 7.D

Effective Date: April 1, 2009