

137-055-3620

Administrative Subpoena

- (1) The administrator and child support programs of other states that provide services pursuant to Title IV-D of the Social Security Act may issue administrative subpoenas pursuant to ORS 25.082.
- (2) Subpoenas issued by the administrator and child support programs of other states shall be in the form adopted by the United States Department of Health and Human Services for that purpose.
- (3) Administrative subpoenas issued under this rule may compel the release of financial records and other information needed to establish paternity or to establish, modify or enforce a support order.
- (4) Administrative subpoenas issued under this rule may be served on an individual or on a public or private entity.
 - (a) A public entity means an agency or office of any federal, state or local government.;
 - (b) A private entity means any business entity or organization however organized, including all profit and non-profit entities.
- (5) Subpoenas issued by the administrator pursuant to this rule may specify a time for compliance of not less than ten working days.
- (6) Subpoenas issued pursuant to this rule may be served by certified mail or personal service.
- (7) An administrative subpoena issued by the administrator or a child support program of another state may be enforced by an Oregon court or the administrator.
- (8) The administrator may enforce a subpoena by:
 - (a) Imposition of a civil penalty not to exceed \$250 imposed in the manner provided in ORS 183.745;
 - (b) Application to a court to compel compliance with the administrative subpoena; or
 - (c) Suspension of a license pursuant to OAR 137-055-3640 if the individual served with the subpoena is a party to a child support or paternity case.

Stat. Auth.: ORS 25.082 and 180.345

Stats. Implemented: ORS 25.082

Effective Date: October 1, 2003