

Accrual and Due Dates

(1) As used in this rule, “payment due date” means the due date or beginning pay date of an installment of support or, if no such date is listed, the date the judgment states it is effective.

(2) For any judgment requiring the payment in installments of child support or child and spousal support through the Child Support Program, in accordance with ORS 25.020, this rule delineates the manner in which the administrator will determine billing and accrual cycles.

(3)(a) When a support award does not specify the payment due date, the administrator will consider the payment due date to be the date listed in the administrative order or judgment document;

(b) When a support award specifies payments are to be made more frequently than monthly, the administrator will consider the last payment due date listed in the month to be the payment due date.

(4) When neither the support award nor the judgment contains the payment due date:

(a) If the judgment modifies a support order but does not specify the due date of the first modified payment, the administrator will consider the payment due date to be the first day of the first month after the order is signed;

(b) If the judgment terminates a support order but does not specify the effective date of the termination, the administrator will consider the date the termination was signed as the effective date of the termination.

(c) If the judgment requires payment of support by a person who is not currently ordered to pay support but does not state when payment is due, the administrator will adjust the case record to show the first payment due date to be the first day of the month following the date the judgment was signed.

(5) If the judgment modifies a support order:

(a) The support obligation will not be pro-rated for the month in which the payment due date falls, unless the judgment provides otherwise;

(b) If the modification payment due date is on or before the payment due date of the existing support order, the installment due for that month will be changed to the new amount;

(c) If the modification payment due date is after the payment due date of the existing order:

(A) If the judgment is signed prior to the payment due date of the existing support order, the installment due for that month will be changed to the new amount;

(B) If the judgment is signed after the payment due date of the existing support order, the installment due will be changed to the new amount effective the following month.

(6) When suspending or terminating a support obligation, including for a child attending school:

(a) If the support obligation terminates or is suspended on or before the payment due date for the month, no installment will be due for that month.

(b) If the support obligation terminates or is suspended after the payment due date for the month, the entire monthly installment will be due for that month.

(7) The Administrator will not apply any satisfaction to support that is not yet due as of the date the satisfaction is signed.

Stat. Auth.: ORS 180.345

Stats. Implemented: ORS 18.225, 25.020, 25.080 & 25.166

Effective: September 5, 2018