

137-055-5420

Application for Credit and Satisfaction for Child Support Owing While Obligor Received Cash Assistance

(1) The following applies to any application for credit and satisfaction under ORS 25.245:

(a) No credit or satisfaction will be given for periods for which the court or administrative law judge has previously declined to suspend the obligor's child support obligation in an action under ORS 25.245;

(b) No credit or satisfaction will be given for child support coming due before January 1, 1994, if the obligor received Oregon Title IV-A cash assistance, Oregon general assistance, Oregon supplemental Income Program cash assistance or Supplemental Security Income Program payments by the Social Security Administration;

(c) No credit or satisfaction will be given for child support coming due before October 6, 2001, if the obligor received Title IV-A cash assistance or general cash assistance from another state or Tribe;

(d) No credit or satisfaction will be given for months when the administrator had suspended accrual or where credit was already received.

(2) An application for credit and satisfaction may be made on a form provided by the administrator.

(3) The administrator will provide the application form to any person receiving services under ORS 25.080 who requests it or who raises concerns or questions regarding child support arrears incurred while receiving cash assistance.

(4) Upon receipt of a completed application, the administrator will serve any nonrequesting party notice that the application has been made. The administrator will include a form to object and request a hearing.

(5) If a party completes and returns the hearing request within 30 days of the date of service, the administrator will forward all relevant documents to the Office of Administrative Hearings to schedule a hearing and advise the parties of the time, place and manner of hearing.

(6) If no request for hearing is received, the administrator will submit an appropriate order to the administrative law judge for entry.

(7) Nothing in this rule precludes application directly to the court for the relief provided by ORS 25.245(7).

Stat. Auth.: ORS 25.020, 25.245, 180.345

Stats. Implemented: ORS 25.020 and 25.245
Effective Date: January 3, 2012