

Oregon Child Support Program:

Washington County District
Attorney's Office, Child Support
Division

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Overview—Oregon Child Support Program

- State-wide program run by the Oregon Department of Justice (DOJ)
 - Composed of:
 - Department of Justice Division of Child Support (DCS) field branch offices
 - District Attorney's (DA) offices
- DCS offices provide the services for:
 - All children for whom support rights are or have been assigned to the state
 - Cases where arrears are assigned or owed to the state
- DA offices provide the services for:
 - In all other cases
 - Unless the county DA's office and DOJ agree for a DCS office to assume the functions
 - Cooperative agreement between DOJ, DA, and county governing body
 - Central Services run by DOJ → Mail room, Customer Service, Intake, Central Registry, Financial Services Unit, Child Attending School Team, Incarcerated Parents Unit, Employer Services, Origin database



Services

- Establish paternity
- Establish and enforce child support orders
 - Current
 - Arrears
- Modify child support orders
 - Can modify judicial and administrative orders
 - Basis to modify:
 - 3 years have passed from last order
 - Substantial change in circumstances since last order
- Establish and enforce orders to provide health insurance coverage for dependent children
 - Private health care coverage
 - Reasonable in cost requirement
- Enforce spousal support orders if also enforcing child support
- Limited enforcement for spousal-only support
 - Requirement: Obligee receiving public assistance
 - Services dependent on if new case
 - Spousal Only Team through DCS
- Intergovernmental cases
 - Initiating
 - Responding



How to Apply for Services

- Either party can apply
 - Online
 - <https://www.doj.state.or.us/child-support/services/enroll-for-child-support-services/>
 - Mail-in application
 - <https://www.doj.state.or.us/child-support/resources/forms/>
 - Judicial judgments with application language
- Fees
 - \$1 – one time fee for processing application will be deducted from the first collection
 - \$35 – annual fee if family receiving support has never received TANF benefits; fee is withheld from child support payments after family receives \$550 during the federal fiscal year (10/1 – 9/30)



How to Apply for Services

- Process
 - Application received by Intake Team who will review application and open case in computer system
 - Assignment of case based on residence of parties
 - Factors: residency of obligor, residency of obligee, and support order
 - 2 out of 3
 - If all three different:
 - DCS cases = where obligor lives
 - DA cases = where obligee lives
 - Intergovernmental cases
 - Can either apply in the requesting party's home state or in the home state of where the obligor lives



How to Apply for Services – Continued

- Claim of Risk

- Claim can be made at any time that a child support case is open.
- Claim by party that there is a reason to not disclose information specified in OAR 137-055-1140(6) because the health, safety, or liberty of a party or child would unreasonably be put at risk by disclosure of such information.
- When a party makes a written and signed claim of risk for nondisclosure of information, the Child Support Program will make a finding of risk and order for nondisclosure of information unless the party does not provide a contact address.
- Contact address = must be in party's home state and releasable to other parties in legal proceedings



Information or Documentation Needed from Participants

- Application
 - Name, address, DOB, SSN, and employer of other party if known
 - Locate services available to assist
 - Birth certificate of child if born out of state
- To establish paternity
 - Declaration in Support of Establishing Parentage
 - Form will be sent to participant by the case manager
 - <https://www.doj.state.or.us/child-support/resources/forms/>
 - All three parties will need to be DNA tested.
- To establish child support order
 - Uniform Income and Expense Statement
 - Form will be sent to participant by the case manager
 - <https://www.doj.state.or.us/child-support/resources/forms/>
- To modify child support order
 - Same as above plus Modification Request form
 - Can either request case manager to send to participant or can pull from <https://www.doj.state.or.us/child-support/resources/forms/>



Payments

- How to make payments
 - Income Withholding Orders (IWO's)
 - IWO is presumptive method of payment
 - Alternative methods
 - Electronic Payment Withdrawals (EPW)
 - Personal payments
 - <https://www.doj.state.or.us/child-support/payments/how-paying-child-support-works/>
- How to receive payments
 - Checks
 - ReliaCard
 - Direct deposit



Enforcement

- Income Withholding Orders (IWO's)
- Property liens
- Credit reporting
- Passport denials
- Garnishments
 - Bank garnishments
 - Bodily injury claim garnishments
 - Lottery garnishments
- Tax refund intercepts
- Security release intercepts
- License suspensions
- Contempt



Suspension of Support

- Obligor receiving cash assistance is presumed unable to pay child support (ORS 25.245)
 - Rebuttable presumption
 - Child support shall cease accruing beginning with the support payment due on or after the date the obligor first begins receiving the cash payments.
 - Support resumes the first day of the month after the obligor's cash payments ended.
- Obligor incarcerated for more than 180 consecutive days is presumed unable to pay child support (ORS 25.247)
 - Rebuttable presumption
 - Child support shall cease accruing beginning with the first day of the first month that follows the obligor becoming incarcerated for a period of at least 180 consecutive days
 - Remains at zero accrual for 120 days after release.
 - It will automatically reinstate at 50% of the last court ordered amount on the first day of the first month that follows the 120th day after obligor's release
 - Within 60 days of the reinstatement, the order will be reviewed for modification.



Veterans Benefits and Social Security Benefits

- If child is receiving apportioned Veterans benefits, Survivors' and Dependents' Educational Assistance, or Social Security benefits due to obligor's eligibility, the obligor may request and receive a credit against their child support arrears.
 - Maximum credit allowed will be limited to the amount of the child support arrears.
 - OAR 137-055-5520



Q & A

- Questions?