



STATUTORY MINOR CORRECTION

DOJ 27-2020
CHAPTER 137
DEPARTMENT OF JUSTICE

FILED
02/05/2020 2:40 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: 2019 ORS chapter 416 renumbering

CONTACT: Lori Woltring
503-947-4367
lori.woltring@doj.state.or.us

1162 Court St NE
Salem, OR 97301

Filed By:
Lori Woltring
Rules Coordinator

AGENCY ATTESTS THE FOLLOWING CHANGES HAVE BEEN MADE, ACCORDING TO ORS 183.335(7):

Correcting statutory or rule references

AMEND: 137-055-3420

RULE TITLE: Periodic Review and Modification of Child Support Order Amounts

RULE SUMMARY: 2019 ORS chapter 416 renumbering

RULE TEXT:

- (1) "Periodic Review" means a proceeding initiated under ORS 25.287(1) to modify an existing order to comply with the child support guidelines.
- (2) The administrator will initiate a periodic review if 35 months have passed since the date the most recent support order took effect, and
 - (a) The family is currently receiving TANF; or
 - (b) The requesting party submits a written request to review or modify the order (signature is not required if it can be determined who submitted the request).
- (3) For purposes of a periodic review, a child support order is not in substantial compliance with the guidelines if it has been more than 35 months since the order took effect.
- (4) The administrator must complete the modification of the existing order within 180 days of receiving a written request for a periodic review, initiating the mandatory review, or locating the non-requesting party(ies), whichever occurs later.
- (5) The administrator is responsible for conducting a periodic review in this state or for requesting that another jurisdiction conduct a review pursuant to OAR 137-055-7190.
- (6) On receipt of a written request for a periodic review or when a mandatory periodic review is required, the administrator will notify the parties of the review in writing, allowing the parties 30 days to provide information that may affect the support calculation.
- (7) If there is an adult child on the case:
 - (a) A tier as defined in OAR 137-055-1020 may be included for the adult child; or
 - (b) The order may be modified to remove support provisions for the adult child but can be modified later to include support provisions for a child attending school if the adult child qualifies for support under ORS 107.108.
- (8) For all child support cases receiving support enforcement services under ORS 25.080, the Oregon Child Support Program will annually notify the parties:

- (a) Of their right to request a periodic review of the amount of support ordered; and
- (b) That the Oregon Child Support Program will perform a mandatory periodic review and adjustment if the family is currently receiving TANF.
- (9) If a request under this rule is denied, a party may contest the administrator's finding as provided in ORS 183.484.

STATUTORY/OTHER AUTHORITY: ORS 25.505, 180.345

STATUTES/OTHER IMPLEMENTED: ORS 25.080, 25.287, 25.321 to 25.343, 25.527, 107.135