

Appeal of Administrative Order of Child Support and Request for Hearing de Novo
(Request for a New Hearing)
INSTRUCTIONS for Packet No. 21

“Hearing de Novo” means, “new hearing.” Use this packet to ask the court to take a new look at what was ordered in the administrative order you received from the Division of Child Support or Family Law Division of the District Attorney’s Office. Please note that the Petition for Hearing de Novo should be filed with the court only **after** an Administrative Child Support Order is entered into the court register, **AND** it has been 60 days or less since its entry. Petitions filed **before** or **after** this time frame may be dismissed.

STEP 1

At the top of the form, put your name on the Petitioner line if you were the Petitioner in the child support case. Put your name on the Respondent line if you were the Respondent. Fill out the **Petition for Hearing de Novo on Administrative Child Support Order (PETITION)** completely except for where it says “*I certify this is a true copy.*” You will sign this line only on the copies you mail to the administrative agency and the other party.

STEP 2

Make copies of the Petition (one to mail to the administrative agency, one to mail to the other party or his/her attorney, one to mail to each unmarried child who is not emancipated but is at least 18 and under 21 years old, and another to keep for your records). Sign the copies you are mailing where it says: “*I certify this is a true copy.*” If you do not need to mail copies to a child attending school, you only need three copies.

STEP 3

Mail a copy of the Petition to the **administrative agency** that initiated the case (this will be either the Division of Child Support or the Family Law Division of the District Attorney’s Office), and to the **other party, or his/her attorney**, using regular first class mail. If your case involves an unmarried child who is not emancipated but is at least 18 and under 21 and is attending school, you must mail a copy to that child too. **Then fill out the Certificate of Mailing form.** You will use only one Certificate of Mailing form even though you will be mailing to more than one person/agency. You will need to list the addresses you used to mail the copies. The Child Support Agency’s branch office address may be found on the copy of the order you received and are appealing. Local addresses for offices of both Division of Child Support and Family Law Division of the District Attorney’s Office may be found on the website at <http://www.oregonchildsupport.gov/offices/pages/index.aspx>.

STEP 4

File both the original Petition and Certificate of Mailing with the court. There is a filing fee for this court action. You may ask the court to waive or defer payment of these fees by filing an “*Application for Waiver or Deferral of Fees*” or use the forms found on the Clackamas County Circuit Court website at <http://courts.oregon.gov/Clackamas/Pages/formsFeeDeferralWaiverRequests.aspx>. You must file your “*Application for Waiver or Deferral of Fees*” at the same time as you file the original Petition and Certificate of Mailing.

STEP 5

Attend all hearings. If you do not receive notice of a hearing, check with the court to find out the status of your Petition. Depending on the issues in your case, the judge may require you to fill out and submit a form called, “Uniform Support Affidavit.” This form is in Packet 6F and may be found on the OJD Family Law Website (www.ojd.state.or.us)