

APPEALING AN ADMINISTRATIVE CHILD SUPPORT ORDER



What this form does

This form will help you to ask the court to schedule a new hearing (“hearing de novo”) to review a child support order made by the Oregon Child Support Program or a county District Attorney.

TIMING: Your *Petition* **must** be filed within 60 days after the administrative order is entered in the court record (*see below*). If you file before the court has entered the *Order* or more than 60 days later, your *Petition* may be dismissed. Filing fees are not refundable.

STEP 1: FILLING OUT FORMS

Fill out the following form:

- *Petition for Hearing de Novo*

MAKE SURE YOU COMPLETE THE **COUNTY NAME** AT THE TOP OF THE FIRST PAGE!

- **Parties:** Petitioner and Respondent are the same as they are on the order you are appealing
- **Date of Entry:** Check the *Notice of Entry of Judgment* you received from the court. You can also call the court for the date of entry or check the court’s online case records here: <https://webportal.courts.oregon.gov/portal/>

Have your documents reviewed

You may want to have your documents reviewed before you file. For information about how to find a lawyer, contact the Oregon State Bar at <https://www.osbar.org/public>. If you are low-income, you might be able to get your documents reviewed for a smaller fee through the Oregon State Bar’s Modest Means program. Your local Legal Aid office might review documents for free if you qualify.

Make copies

Make 3 or more copies of the *Petition*. One copy for your records and one copy for each other party you need to serve (*see below for service information*):

- The Division of Child Support or District Attorney that made the *Order*
- The other party in the case (Petitioner or Respondent)
- The other party’s lawyer if they have one
- Each adult child you have with the other party who is 18, 19, or 20 years old and not married or emancipated. Note: you don’t need to serve any adult child who previously signed a *Waiver of Appearance* in the case

STEP 2: FILING AND SERVICE

File your forms

File the original *Petition* and a copy of the *Order* you are appealing with the court

You have to pay the filing fees when you file your papers. Go to www.courts.oregon.gov for the filing fee. If you are low income, you may ask the court to defer (postpone) or waive your filing fee. You must complete an ***Application and Declaration for Deferral or Waiver of Fees*** and an ***Order Regarding Deferral or Waiver of Fees*** and file them with your papers. If the fee is deferred, you will have to pay the fee later. If the fee is waived, you don't have to pay it. However, the judge may reconsider waived and deferred fees at the end of the case.

SERVICE

Send a copy of the *Petition* by first class mail or email to each recipient

STEP 3: THE HEARING

Make sure the court has your current contact information. You will receive a hearing notice when the hearing is scheduled. If you do not attend the hearing, your *Petition* may be dismissed.

I hereby declare that the above statements are true and complete to the best of my knowledge and belief. I understand they are made for use in court and I am subject to penalty for perjury.

Date

Signature (☐ Petitioner ☐ Respondent)

Email

Print Name

Contact Address

City, State, Zip

Contact Phone

Certificate of Service

I certify that on *(date)*: _____ I sent a true and complete copy of this
Petition to:

☐ District Attorney for *(county)*: _____ at *(address)*: _____

☐ Division of Child Support at: PO Box 14680, Salem, OR 97309

☐ The other party in this case *(address or email)*: _____

☐ the other party's attorney *(name)*: _____

☐ Adult children of the parties age 18, 19, or 20 years *(name)*: _____
(address or email): _____

Date

Signature

Name *(printed)*