

OREGON CHILD SUPPORT PROGRAM
NEW AND IMPROVED



PRESENTED BY

Oregon Child Support Program
Oregon Department of Justice

Oregon Judicial Department | State Family Law Advisory Committee

Family Law Conference

Salem, Oregon | May 10, 2019



DISCUSSION TOPICS



Online Access



Attorney
Accounts



Customer
Accounts



Online Application Process



Case Assignment



DISCUSSION TOPICS

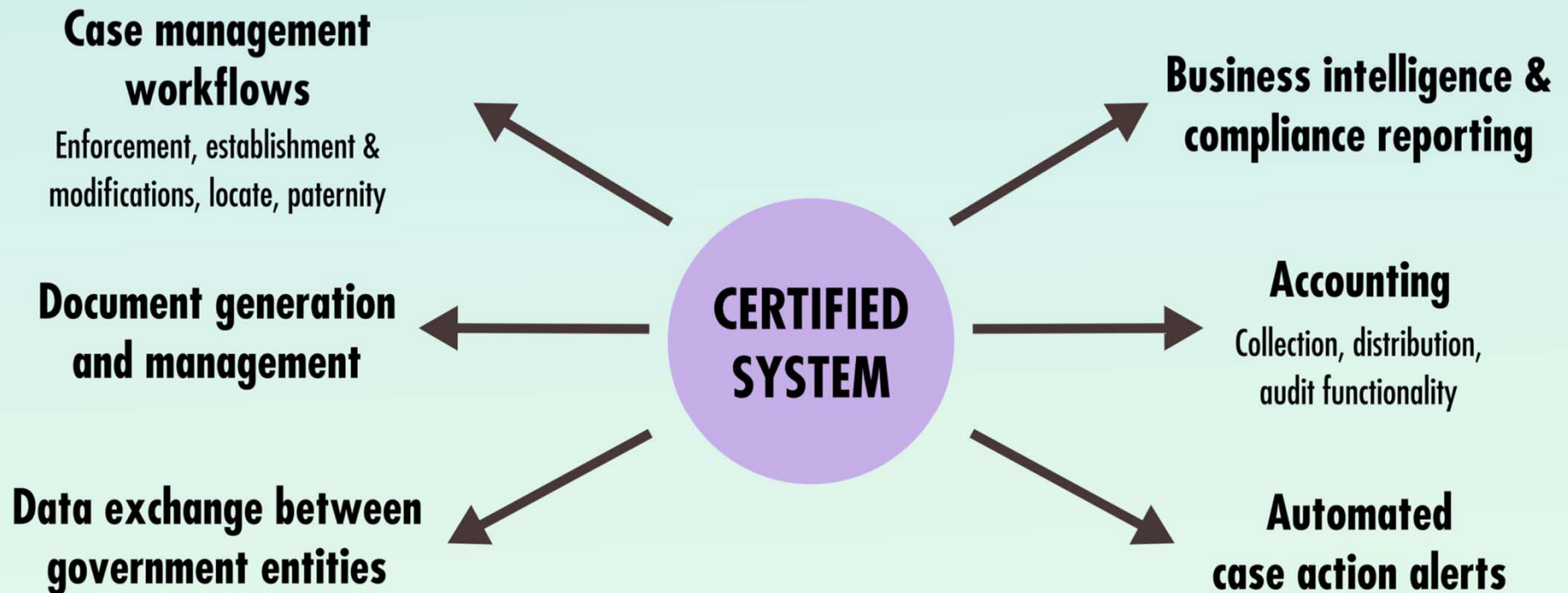
CONTINUED

- **Cash Medical**
- **Minimum Wage**
- **Satisfactions/
Interest**
- **\$0 Orders**
- **Incarcerated
Parents**
- **Rule Changes**
- **Legislation**

Origin: What's Next?

CERTIFICATION

A certified child support system must provide
a number of key components





DOJ Home / Child Support

What You Can Do Online

- Calculate support
- Obtain forms (including applying for services)
- Access guideline rules, the parenting time calculator, historical guidelines, and more
- Log into online accounts
- Make payments

CALCULATE SUPPORT »

MAKE PAYMENTS NOW »

Ease of Access: Customer and Attorney Accounts

Customers and attorneys can now access their accounts directly

- **Apply for services**
- **Online billing statements**
- **Communicate directly with case manager**
- **Attorney access**
 - **Link to the Bench Book**
 - **Child support statutes and Program rules**

Apply for Services Through an Online Account

- Create a new account to apply
- Apply through an existing participant account

ESCAPE THIS SITE Locations About Us Contact Us English

OREGON DEPARTMENT OF JUSTICE
Child Support
Supporting Parents to Support Children

Search
Choose to search: Child Support or All DOJ

ATTORNEY GENERAL	CHILD SUPPORT	CONSUMER PROTECTION	CHARITIES	VICTIMS & SURVIVORS	MEDIA
My Account Pay Support	Apply for Support	Calculators & Forms	Services	Resources	Employers Professionals System Project

DOJ Home / Child Support / Apply for Support Services

APPLY FOR SUPPORT

- How to Apply for Child Support Services
- Establish a New Child Support Order
- Establish Paternity
- Confidentiality in Unsafe Situations

Apply for Child Support Services

Applicants

- Locating a Parent
- Establishing Paternity
- Application Timelines
- Get Legal Help

- FAQs for Participants
- Medical Support
- Interstate Child Support Cases
- Services for Veterans
- Keeping Personal Information Confidential

Applying for Child Support Services

Child support services are available to both parents who pay and parents who receive support. Even if the other parent is living in another state, you can apply for services in Oregon. See Interstate Child Support Cases for more information. Caretakers or relatives who have physical custody of a child may also be entitled to child support services.







The Oregon Child Support Program provides assistance with the following services:

- Establishing paternity




Get Started

You may need the following to complete your application:

1. Personal Information about you and the other party

 Addresses
 Social Security Number(s)
 Employers
 Wages
 Marriage Information (if applicable)
 Support Order Information

2. Personal Information about the Child(ren)

 Social Security Number(s)
 Date(s) of Birth
 Place(s) of Birth

Please Note - The application will ask for information in a step-by-step process. You will be able to save your progress and continue at a later time. Provide as much information as possible for timely processing of your application. Upon submission, your application will be sent to the Oregon Child Support Program.

ANNUAL FEE

Federal law requires the Child Support Program to charge a \$25 annual fee for each case that has never received Temporary Assistance to Needy Families. The fee is charged once per federal fiscal year (October 1 - September 30) and is automatically deducted from the next child support payment after \$500 has been collected and paid to the family.

START APPLICATION >>

Inside Your Online Account



OREGON DEPARTMENT OF JUSTICE
Child Support
Supporting Parents to Support Children

Welcome Aaron

Payments | Documents | Messages

⚙️ | 👤 | 🚪 Log out

To Do

Payments +

Documents +

Messages +

Cases

CASE ID	PARENT WHO PAYS SUPPORT	PARENT/ PERSON WHO RECEIVES SUPPORT	STATUS	MONTHLY SUPPORT AMOUNT	ATTORNEY
4100000000			OPEN	\$235.00	Remove
4100000000			OPEN	\$0.00	Remove
4100000000			OPEN	\$0.00	Remove
4100000000			OPEN	\$303.00	Remove

Appointments

prev next today list

April 2019

month week day

Sun	Mon	Tue	Wed	Thu	Fri	Sat
31	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20

Applications

Enter New Message



Select Case

	Case Number	Parent Who Pays Support	Parent Who Receive Support	Status
<input checked="" type="radio"/>	41000 <input type="text"/>	<input type="text"/>	<input type="text"/>	OPEN
<input type="radio"/>	41000 <input type="text"/>	<input type="text"/>	<input type="text"/>	OPEN
<input type="radio"/>	41000 <input type="text"/>	<input type="text"/>	<input type="text"/>	OPEN
<input type="radio"/>	41000 <input type="text"/>	<input type="text"/>	<input type="text"/>	OPEN

Message / Concern

*All fields marked with * are required.*

Category*

Enforcement



Subcategory*

License suspension



Description *

Why was my client's license suspended?

962 characters remaining

Preferred Method of Message Response*

Online Account



Send Inquiries

RESET

SUBMIT

Access the Bench Book

[ESCAPE THIS SITE](#)[Locations](#)[About Us](#)[Contact Us](#)English



OREGON DEPARTMENT OF JUSTICE

Child Support

Supporting Parents to Support Children

Click here to search: Child Support or All DOJ

ATTORNEY GENERAL

CHILD SUPPORT

CONSUMER PROTECTION

CHARITIES

VICTIMS & SURVIVORS

MEDIA

My Account

Pay Support

Apply for Support

Calculators & Forms

Services

Resources

Enroll

Professionals

System Project

[DOJ Home](#) / [Child Support](#)

What We Do

The **Oregon Child Support Program** works with both parents to provide the financial and emotional support their children need to grow and thrive.

From the Director



Raising and supporting children isn't easy—and it's harder when you're on your own. Every day, the Oregon Child Support Program helps more than 400,000 parents provide the financial and emotional support their children need. The program processes more than \$1 million a day in medical and child support for our youngest and most vulnerable Oregonians and is one of the most cost-effective and efficient agencies in the state ... [read more](#)

Child Support Self-Assessment Report

[CALCULATE SUPPORT »](#)

[Learn about payment options »](#)

[Tools for Professionals](#)

[Child Support Guidelines and Calculations](#)

[Child Support Laws](#)

[Insurance Data Match](#)

Announcements

[Attorney New Account Registration »](#)

You work. Let EITC work for you!

The Earned Income Tax Credit, or EITC, is a benefit for working people with low to moderate income. EITC can be a boost to you, your family, and your community. Anyone with earnings of \$54,884 or less should see if they qualify at [IRS.GOV/EITC »](#) or visit a volunteer tax assistance site.



Visit [IRS.gov/EITC](#) to see if you qualify for this valuable tax credit.

Parenting Plans

Case Assignment

DOJ Division of Child Support

- The DOJ Division of Child Support provides services for children and families with current or former public assistance from DHS and OHA, and in 14 counties where local district attorneys do not provide services
- Cases assigned to specific offices by the address of the paying parent

District Attorney Offices

- District Attorney offices provide services for children and families who have never received public assistance and have requested child support services.
- Cases assigned to specific offices by the address of the receiving parent or person

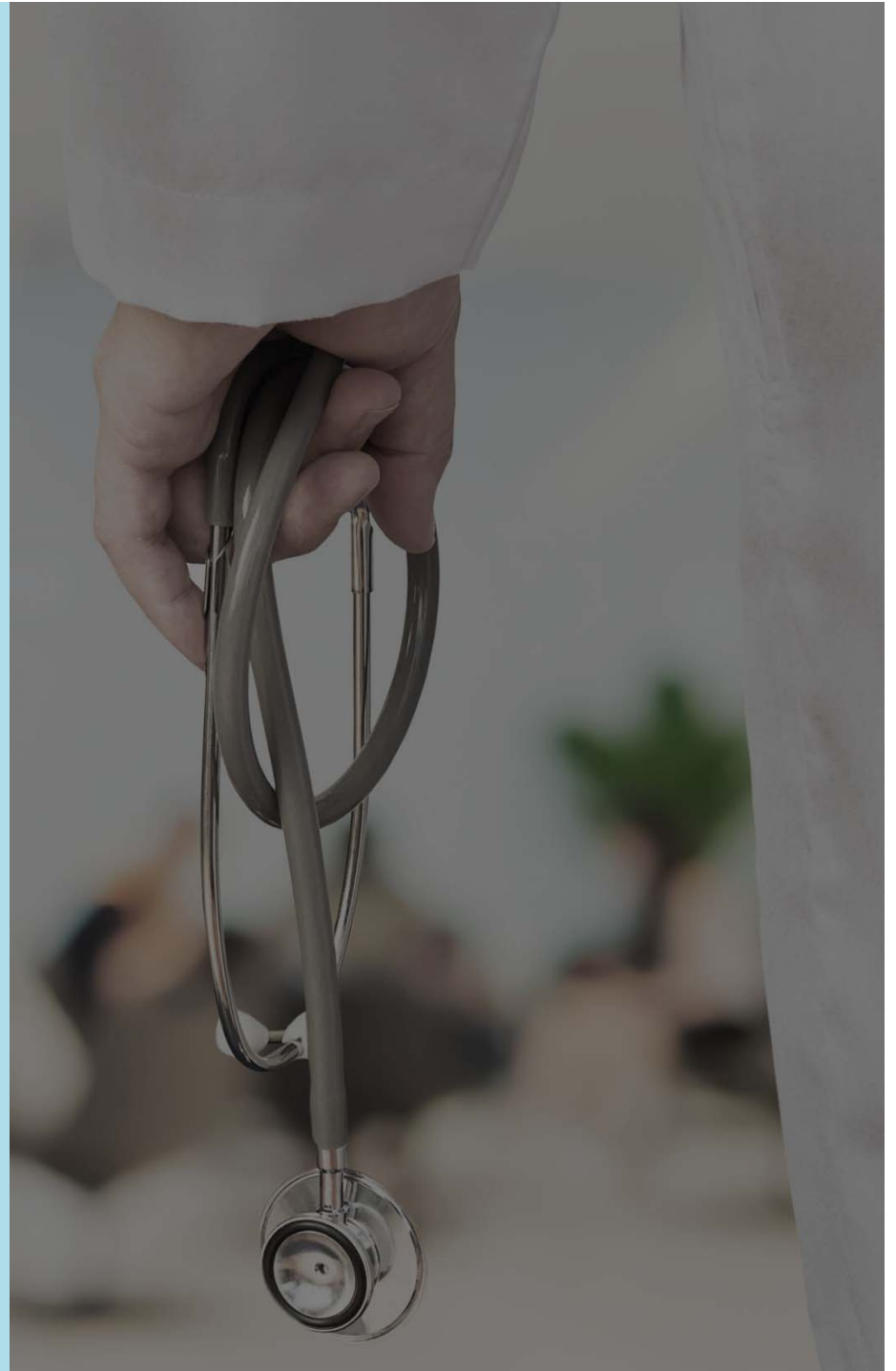
Let's Talk Cash Medical

- **Changing landscape at state & federal levels**
 - The Affordable Care Act
 - System Incompatibility
 - Medicaid Recovery
- **How we adapted**
 - OHA temporarily stopped making Medicaid referrals
 - No cash medical assignment
 - Changes to cash medical support orders



How We Are Handling Cash Medical Today

- ORS 25.321(1) “Cash medical support” means an amount that a parent is ordered to pay to defray the cost of health care coverage provided for a child by the other parent or a public body, or to defray uninsured medical expenses of the child
- Suggested language “Obligor is not ordered to pay cash medical support because there is no evidence of recurring uninsured medical expenses and the state is not asserting an assignment of cash medical support”



Actual vs. Potential Income

Advanced Heating and Air, 510 Crane Street Lake Elsinore CA 92530				EARNINGS STATEMENT		
EMPLOYEE NAME	SOCIAL SEC.ID	EMPLOYEE ID	CHECK No.	PAY PERIOD	PAY DATE	
Louise Andrews	XXX-XX-6667	062	370050	05/28/15-06/12/15	06/15/15	
INCOME	RATE	HOURS	CURRENT TOTAL	DEDUCTIONS	CURRENT TOTAL	YEAR-TO-DATE
GROSS WAGES	28.00	80	2,240.00	FICA MED TAX	32.48	324.80
				FICA SS TAX	138.88	1,388.80
				FED TAX	360.78	3,607.81
				CA ST TAX	106.76	1,067.57
				SDI	20.16	201.60
YTD GROSS	YTD DEDCTIONS	YTD NET PAY	TOTAL	DEDUCTIONS	NET PAY	
22,400.00	6,590.59	15,809.41	2,240.00	659.06	1,580.94	

Annual Income:
Parent's gross earnings and income from any source

Potential Income:
Parent's ability to earn based on relevant work history

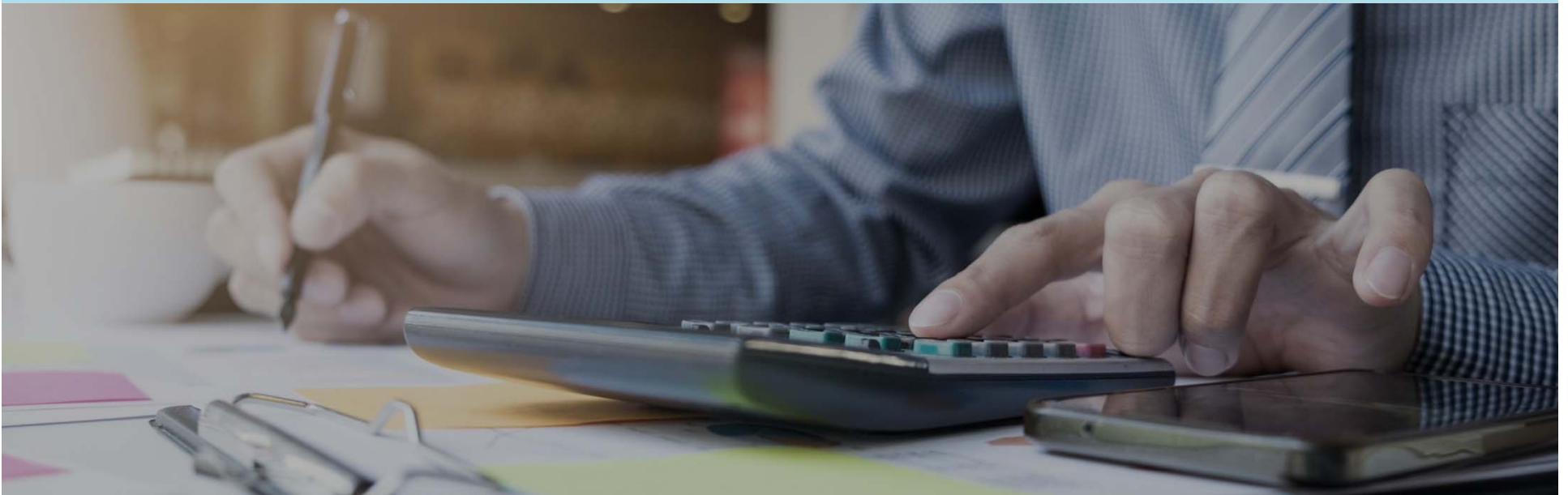
When and How to Impute Income

- If parent's occupational history is known but income is not, the Oregon Labor Market Information System can help in assessing employment opportunities and potential earnings
- Attribute income based on historical earnings to a person who has left a lucrative professional career – e.g., to work in a preferred field but at a lower rate of pay, or a spouse earns sufficient income



Imputing Income

- Income may be imputed based off verifiable work history
- Income may be imputed, at the lowest potential minimum wage in the state where the parent resides, in the absence of verifiable work history
- Income may not be imputed for parents unable to earn at their previous potential



Minimum Wage and Child Support

- **Oregon has a three-tiered minimum wage structure**
- **The Oregon Child Support Program always imputes the lowest statewide minimum wage**
- **Ensures the goal of establishing right-sized orders**

Satisfactions/Interest

- **ORS 18.228 – Satisfactions of Support Awards Payable to Department of Justice**
 - Satisfaction for support awards payable to the Oregon Department of Justice must be mailed to or delivered to the Department of Justice, not the court administrator
- **OAR 137-055-5080 – Adding Interest**
 - The Oregon Child Support Program will add interest to a case balance only if it has been established in a judgment or order entered by court

\$0 Orders

- **Establishing \$0 order against obligated parents who receive public assistance or who are incarcerated for 180 consecutive days or more**
- **When is it appropriate to enter a \$0 order?**
 - When a parent ordered to pay support is
 - (1) receiving certain types of assistance under ORS 25.245, like TANF, or
 - (2) qualifies as an incarcerated obligor under ORS 25.247, there is a rebuttable presumption that the parent is unable to pay support

When the Paying Parent is Incarcerated

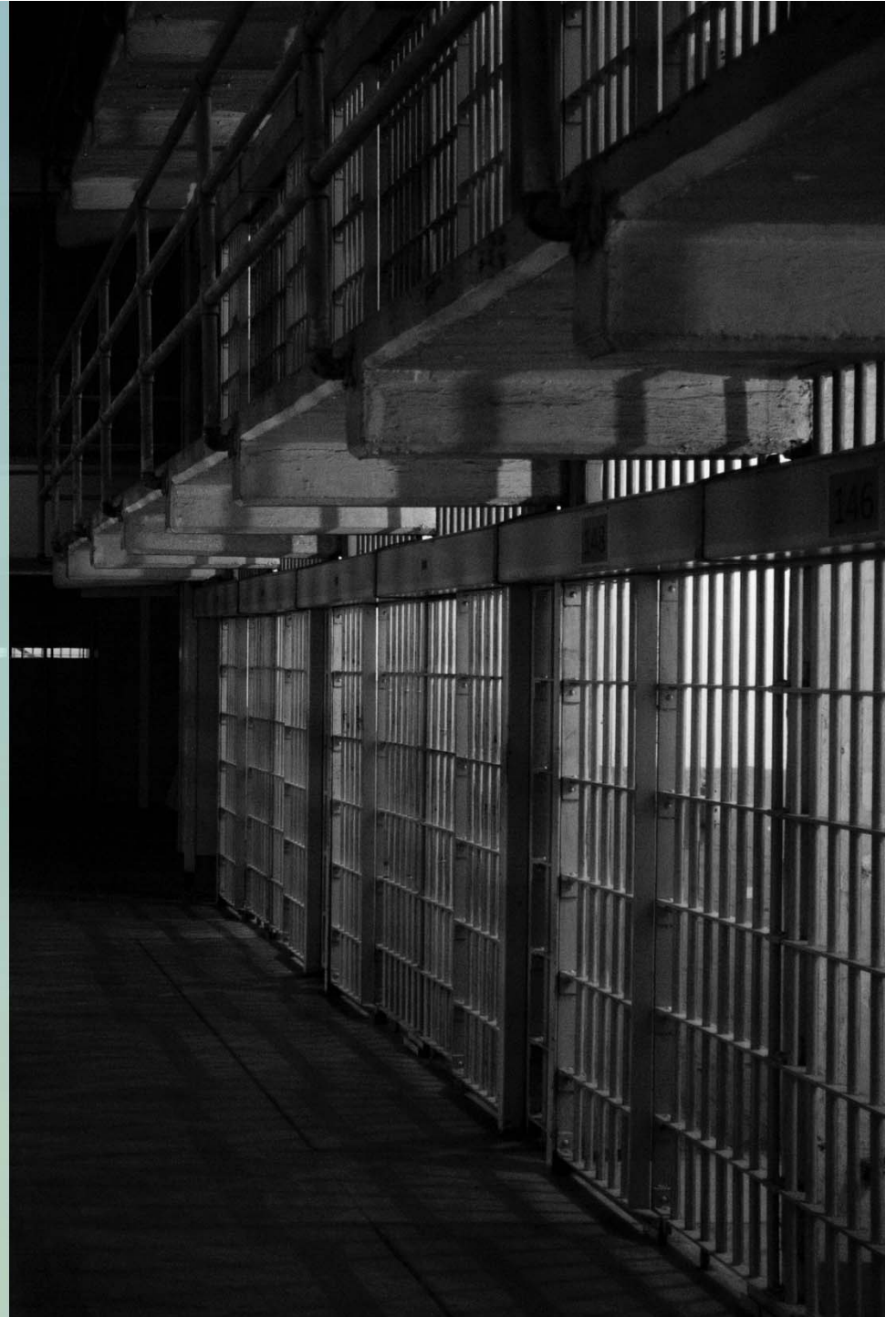
- **If a paying parent is incarcerated for at least 180 consecutive days, they are presumed unable to pay support (ORS 25.247)**
 - If there is no current order for support, an order requiring \$0 support may be entered for the duration of their incarceration
 - If there is already an order requiring the incarcerated parent to pay support, it may be suspended
 - Orders remain suspended for 120+ days after the incarcerated parent's release – reinstated at 50%

Incarcerated Obligors: Suspensions vs. Modifications

- **Prior to 01/01/2018, child support orders were modified to zero when a paying parent was incarcerated for at least 180 consecutive days from the date of a request for modification**
 - The prior support amount was reinstated by operation of law 60 days after the incarcerated parent's release
- **After 01/01/2018, child support orders may be suspended or credited when the paying parent is incarcerated for at least 180 consecutive days**
 - This permits retroactive credit against support balances
 - Support is reinstated at 50% of the prior amount on the first of the month following the 120th day after release
 - The Program will automatically initiate a modification to determine an appropriate support amount after the support order is reinstated

Incarcerated Obligors and Enforcement

- **Accruals suspended**
- **Presumed unable to pay**



Where Courts Should Send Orders

- **ChildSupportCaseIntake@doj.state.or.us**
- **OJD-DOJ interface coming soon one of these days**



Recent Policy and Rule Updates

- **Modification of a Support Order to Zero or Termination of a Support Order**
 - *OAR 137-055-3480*
- **Establishment or Modification for a Child Who is Approaching or Has Reached 18 Years of Age**
 - *OAR 137-055-3485*
- **Child Care Costs**
 - *OAR 137-050-0735*
- **Guidelines Review**
 - *New review coming soon*

Senate Bill 363 (2019)

- Creates a new provision in ORS Chapter 25 broadening circumstances for suspension of enforcement or holding support to prevent overpayments
- Amends ORS 25.125(2) to clarify circumstances that create an overpayment
- Amends ORS 25.125 to remove limitations on overpayments resulting from misapplied payments and account adjustments

(2) An overpayment in favor of the state is created when the Department of Justice, under ORS 25.020, has transmitted moneys *[received from, or on behalf of,]* **to** any person or entity, including but not limited to an obligor, an obligee or a collection agency, a child support agency of another state or an agency of this state, and:

[(a) The amount transmitted is more than the support obligation requires and the Department of Justice has returned the excess to the obligor under subsection (1) of this section;]

[(b) The Department of Justice has misapplied moneys received; or]

[(c)] **(a)** The amount transmitted is attributable in whole or in part to a tax refund offset collection all or part of which has been taken back by the Internal Revenue Service or the Department of Revenue[.]; **or**

(b) The Department of Justice performed an accounting adjustment that resulted in the refund, reallocation or redistribution of the amount transmitted to the state or any other person or entity.



Senate Bill 364 (2019)

- **ORS 25.010**
- **ORS 25.020**
- **ORS 25.084**
- **ORS 25.125**
- **ORS 25.166**
- **ORS 25.220**
- **ORS 25.247**
- **ORS 25.260**
- **ORS 25.287**
- **ORS 25.640**
- **ORS 25.790**
- **ORS 107.108**
- **ORS 107.135**
- **ORS 416.429**

**“Housekeeping” legislation for
minor fixes and adjustments**

A dark, atmospheric photograph of a river flowing through a rocky landscape. The river is calm, reflecting the overcast sky and the surrounding greenery. The banks are lined with large, dark rocks and lush green grass. In the background, a sandy beach and a forested hill are visible under a heavy, grey sky. The word "Questions?" is overlaid in white text in the center of the image.

Questions?



Thank You

Kate Cooper Richardson

Director | Oregon Child Support Program & Division of Child Support, DOJ

Dawn M. Marquardt

Deputy Director
Oregon Child Support Program, DOJ

Hope Hicks

Policy Development Manager
Division of Child Support, DOJ

Claudia Garcia Groberg

Attorney-in-Charge
Civil Recovery Section, DOJ

Michael J. Ritchey

Sr. AAG & General Counsel
Oregon Child Support Program, DOJ