

Appeal of Administrative Order of Child Support and Request for Hearing de Novo (Request for a New Hearing)

INSTRUCTIONS

Use this packet to ask the Circuit 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, and court filing fees are not refundable.

STEP 1

At the top of the form, write in the name of the party who is listed as Petitioner in this case. Write in the name of the party who is the Respondent in the case. Mark the appropriate box under each party's name to identify them as the obligee (person who is ordered to receive child support) or the obligor (person who is ordered to pay child support). 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 three (or more) 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.

Fill out the Certificate of Mailing form. You will use only one Certificate of Mailing form even though you will be mailing copies to more than one person/agency. You will need to list the addresses to where you mailed the copies. The Child Support Agency's branch office address may be found on the copy of the order you received and are appealing, or on the Oregon Department of Justice Child Support website:

<https://www.doj.state.or.us/child-support/locations/>.

STEP 4

File both the original Petition and Certificate of Mailing with the court. There is a filing fee for this court action. Check with the court clerk for the current fee. You may ask the court to waive or defer payment of the fee by filing an "*Application for Waiver or Deferral of Fees*" or use the forms found on the Oregon Court's website at <https://www.courts.oregon.gov/Pages/fees.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 in the mail within a week, check with the court to find out the status of your hearing. Depending on the issues in your case, the judge may require you to fill out and submit a form called, "Uniform Support Affidavit."

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CLACKAMAS

_____) Case No. _____
Petitioner,)
(Check one: Obligor Obligee)
vs.) PETITION FOR HEARING DE NOVO
) ON ADMINISTRATIVE CHILD SUPPORT ORDER
_____) ORS 25.513(6)
Respondent,)
(Check one: Obligor Obligee)
and)
STATE OF OREGON, Respondent.)

I am the Petitioner Respondent in this case.

I request a new hearing to appeal all or part of the Administrative Child Support Order dated _____, 20____, a copy of which is attached.

The Administrative Child Support Order was **entered** with the court on (date) _____, and not more than 60 days have passed since the date of entry with the court.

I request an appeal for the following reasons (explain why you're asking for a new hearing):

I will will not be represented by an attorney at the hearing.

Attorney Name: _____

Notice of the time and place of the hearing can be mailed to me at the address below:

Dated: _____, 20_____.

Signature of Party Requesting Hearing

Print Name

Contact Address

City, State, Zip

Contact Telephone

I certify that this is a true copy: _____
Signature of Petitioner Respondent

