

137-050-0700
General Provisions

(1) ORS 25.270 through ORS 25.280 require that child support be calculated according to a formula. The formula is known as the "Oregon Child Support Guidelines" ("guidelines" or "guideline") and is contained in OAR 137-050-0700 through OAR 137-050-0765 and in the "Obligation Scale" which is located in the appendix.

(2) Any change to the guidelines applies to all calculations prepared on or after the effective date of the change. The court, administrator, or administrative law judge may issue a final order based on a calculation prepared prior to the guidelines change. However, if support is recalculated after the new guidelines become effective, the calculation must be prepared using the new guidelines.¹

(3) Changes to these rules do not constitute a substantial change in circumstances for purposes of modifying a support order.

(4) Calculate support for a Child Attending School who is age 18, living with a parent, and attending high school in the same manner as support for a minor child.²

Stat. Auth.: ORS 25.270 – 25.290, 180.345

Stats. Implemented: ORS 25.270 – 25.290

Effective date: July 1, 2013

¹ Commentary: This language, new for 2013, is intended principally as a clearer statement of the existing policy. All support, past, present, and future, is computed using the current guidelines. An action in progress need not be delayed solely to recalculate support that was computed based on prior guidelines if, for example, it simply awaits the court's signature. However, if support needs to be recomputed in that action for another reason, the recomputation must be completed using the current guidelines.

² Commentary: An 18-year-old child living at home and finishing high school, though technically an adult, is likely to have substantially the same economic impact on the parents' households as s/he did immediately before turning 18. Therefore, for purposes of the guidelines, such a child is treated as a minor. This means, for instance, that parenting time credit is computed for a child in this circumstance, and that a parent receives an income deduction for a similarly situated non-joint child.