

## **137-055-6023**

### **Exceptions to Allocation, Distribution, and Disbursement**

(1) Notwithstanding OAR 137-055-6024, the Department may allocate support payments to multiple cases as directed when the obligor or a responding jurisdiction designates in writing the amounts to be allocated to each case if the designation is made at the time of payment.

(2) Notwithstanding OAR 137-055-6024, the Department will allocate support payments to fewer than all cases, rather than proportionately, when:

(a) The obligor designates in writing a specific case, or cases, for which payment is to be applied;

(b) The support payment resulted from a garnishment, issued pursuant to ORS chapter 18, on fewer than all cases

(c) The support payment resulted from the sale or disposition of a specific piece of property against which a court awarded a specific obligee a judgment lien for child support; or

(d) The obligor agrees to the release of a bond directed to a specific case, or cases, in response to a judicial order.

(3) An obligor or responding jurisdiction may not designate that a payment apply to a particular type of obligation within a case.

(4) The Department may allocate all or a portion of a voluntary payment designated for a specific support case, proportionately, to the obligor's support cases with unpaid balances, if the designated case was paid in full prior to receipt of the voluntary payment or becomes paid in full as the result of application of a portion of the voluntary payment.

(5) The Department may allocate all or a portion of a voluntary payment designated for a receivable or dishonored payment account, proportionately, to the obligor's support cases with unpaid balances, if the designated account was paid in full prior to receipt of the voluntary payment or becomes paid in full as the result of application of a portion of the voluntary payment.

(6) Notwithstanding OAR 137-055-6024, if an obligor is subject to a contempt judgment with probation terms that require a specific payment amount, and if the amount requested for each of the obligor's cases is received, all payments resulting from income withholding for that obligor shall be allocated to the court case for which they were withheld.

(7) Notwithstanding OAR 137-055-6021, OAR 137-055-6022, and OAR 137-055-6024, payments received as a result of an income withholding or garnishment order issued by a tribal court shall be allocated, distributed, and disbursed consistent with the tribal court's order.

Stat. Auth.: ORS 25.020, 180.345

Stats. Implemented: ORS 25.020

Effective: December 3, 2021