

137-055-7190

Review and Modification in Intergovernmental Cases

(1) Within 15 days of a party's request for a periodic review or a request for a modification based upon a change of circumstances, the administrator will determine in which jurisdiction the review will be sought. The administrator will follow the Uniform Interstate Family Support Act (UIFSA) provisions in ORS Chapter 110 in making this decision, including:

(a) If the controlling order is an Oregon support order and at the time of the request one of the parties or the child resides in this state, Oregon retains continuing, exclusive jurisdiction and will review and, if appropriate, modify the order unless the parties have consented in a record to modification in another jurisdiction pursuant to ORS 110.527.

(b) If the controlling order is an Oregon support order, one of the parties resides in another state, and the other party resides outside the United States, Oregon will review and, if appropriate, modify the order pursuant to ORS 110.632.

(c) If Oregon does not have the controlling order but all the parties have filed consents in a record in the jurisdiction which has the controlling order for Oregon to modify the order, Oregon will review and, if appropriate, modify the order.

(d) If an order has been registered for enforcement in Oregon and none of the parties or the child resides in the jurisdiction which issued the order, the jurisdiction where the non-requesting party resides will do the review.

(e) If a foreign country lacks or refuses to exercise jurisdiction to modify its child support order and Oregon has personal jurisdiction over all parties, Oregon may assume jurisdiction to modify the order pursuant to ORS 110.639.

(2) If the administrator determines that Oregon is not the appropriate reviewer, the administrator will:

(a) Determine and obtain the information needed;

(b) Complete any required forms; and

(c) Send all required documents to the reviewer within 20 calendar days of receipt;

(3)(a) If the reviewer is currently providing services for Oregon on the case, the administrator will transmit the documents to the appropriate office or agency working the case;

(b) If the request is the first contact with the reviewer for the case, the request must be sent to the reviewer's central registry.

Stat. Auth: ORS 25.080, 25.287 & 180.345

Stats. Implemented: ORS 25.080, 25.287, 110.500 to 110.677

Effective: September 5, 2018