

Child Support When You Are Afraid of the Other Parent –

Lots of parents want or need child support but worry about getting child support safely. This guide explains the process, describes options, and offers answers to common questions and concerns about safety when pursuing child support in Oregon.

Child Support and Notice to the Other Parent

When a parent enrolls in child support services and a case is opened, the other parent will receive a notice called a “Hello Letter.” The letter will contain the names of the parents, children, and information about the Oregon Child Support Program.

When and how will the other parent be contacted?

When a case opens, we notify the other parent by U.S. mail that the Oregon Child Support Program is now providing services. However, we will not send the Hello Letter if there is a question about who the parent of a child is.

How do I flag my case for family violence, so my contact information is not included in the notice or shared?

We will never include your contact information in the notice when a case is opened, but your information may need to be shared for legal reasons after a proposed child support order has been served or when an order is filed in court. We have options available to protect your personal information for legal proceedings.

The following options are available to help protect your information:

- **Claim of Risk** – This option protects your personal information from being released during a legal action. With this option, you provide us an **alternative mailing address** that is safe to be released to the other parent, also known as a contact address, for the Oregon Child Support Program to use for all legal documents.
- **Address Confidentiality Program (ACP)** – You may apply for this **free mail-forwarding** service if you are a victim of domestic violence, sexual assault, stalking, or human trafficking. The Oregon Department of Justice provides ACP participants with a substitute address to help shield their physical address.
- **Good Cause** – You can request “good cause” when the above options do not work in your situation, and it is not safe to pursue child support or establish a legal father for the child. You can claim good cause if helping the Oregon Child Support Program could bring harm to you or the child, or when you are working with a public or private social agency to help you decide about adoption. When good cause is claimed, we stop offering child support services and close the case.

Child Support and Paternity Testing

A genetic test, also known as a paternity or DNA test, may be required to determine who is the child's father.

Can I have a different time or testing location than the other parent?

Yes. The Oregon Child Support Program will not schedule you for genetic testing at the same time and location. You can always contact your child support case manager if you have additional questions.

Child Support and Your Address

Your address may be on forms sent to the other parent or the court.

How do I flag my case for family violence so my address isn't shared with the other parent, included in the national child support database, or included on court documents?

To flag your case for family violence, you can request a Claim of Risk, apply for the Address Confidentiality Program, or claim Good Cause (which will close your case).

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Child Support and In-Office Meetings

Will I be asked to meet with the other parent in the child support office?

No, we do not ask parents to come into the office at the same time. Also, we can handle many things without the need for an in-person meeting.

Can I participate in meetings by phone or videoconference?

Yes, we can schedule phone or videoconference appointments.

Can I schedule my meeting on a different day than the other parent?

Yes, we can schedule parents to come into the office on different days.

Can we meet in court instead?

The Oregon Child Support Program does most actions administratively, not in court. If you do not agree with the proposed child support amount, you have the right to request an administrative hearing. Administrative hearings are held by phone, not in person.

Child Support and the Courts

You may have to go to court to work out the details of the child support order.

What are the safety options for getting into and out of the courthouse without contact with the other parent?

- You can ask to have a law enforcement officer present. To do this, call the courthouse ahead of time, and explain that you have a hearing and are concerned for your safety. Let them know you would like an officer in the courtroom during your hearing.
- When the hearing is over, you can ask the judge to keep the other parent in the courtroom until you can leave the building or have a deputy walk with you to the entrance of the courthouse or to your car.

Are there waiting areas where I won't have to see the other parent?

- Physical space in some courtroom settings may be limited, and there is no guarantee there will be an area for you to stay completely separated from the other parent. However, if there is a protection or no-contact order in place, that person must stay a reasonable distance from you and not speak or interact with you. If something inappropriate occurs while at the courthouse, immediately contact a court employee.

Will security be notified about my safety concerns?

- You can ask to have a law enforcement officer present. To do this, call the courthouse ahead of time and explain you have a hearing and are concerned for your safety. Let them know you would like an officer in the courtroom during the hearing.
- Visit the OJD website for state court contact information.

Can I attend by phone or videoconference?

- Every court has a way for you to ask to appear by phone or video. This usually requires a written "motion." Contact your local court to get specific instructions. The request usually needs to be submitted well in advance of the hearing date. We recommend you provide specific details for your concerns in your request. You must send a copy of this request to the other parent, and they can tell the court they object to you appearing remotely. It is up to the judge to decide, and the judge may want you to appear in person.

Can I bring an advocate from a domestic violence program or a friend for support?

- An advocate or support person may come with you and stay in the courtroom during your case hearing. If you are planning to have them testify as a witness, they may be asked to stay outside of the courtroom until called.

- Usually, only parties to a case or a licensed legal representative may sit at the tables in front of the judge. However, some judges will allow an advocate or support person to sit with you. You can ask the judge at the start of your hearing if they will allow the person to sit with you. If the judge allows them to sit with you, they cannot speak on your behalf or participate in your case.

Child Support and Parenting Time (sometimes called visitation or custody)

Will the child support order include parenting time?

- No. Actions to establish a child support order that are started by the Oregon Child Support Program do not include requests to establish parenting time or custody. We cannot advise you about parenting time or custody matters. Those issues must be resolved by written agreement between the parents or by court order.
- If the order establishes parentage, the law says that the parent who has physical custody when the order is initiated has sole legal custody of the children unless or until a court has entered a custody order. [ORS 109.175]

Does the amount of time the children spend with each parent affect how much support must be paid?

- Yes, the amount of time each parent spends with their children can be factored into the calculation. When parents have a written agreement about parenting time, we will use the agreement to calculate child support.

What happens if I don't agree with the other parent on parenting time?

When the court order or written agreement is no longer current, or if there is a dispute in the number of overnights used in the child support guidelines calculation, the parents may:

- Submit a new signed parenting time agreement
- Obtain a new court order for parenting time
- Request an administrative hearing—an administrative law judge (ALJ) may determine actual parenting time for the purpose of calculating support

Child Support Orders and Collection

How will child support be collected?

In Oregon, most parents pay child support by payroll deduction. If granted an exception, the parent who pays support may choose an alternative method of payment, such as electronic payment withdrawal from their bank account, payment by check, or payment by money order.

What happens if the other parent does not pay?

Most child support in Oregon is collected voluntarily, but that's not always the case. When parents owe past-due support and don't pay through income withholding or other voluntary ways, the Oregon Child Support Program can take other actions to help collect the ordered support. These actions include intercepting federal and state tax refunds, liens against property, garnishing lottery winnings or bank accounts, suspending licenses and passports, credit reporting, and if appropriate, contempt actions.

Will I be notified before collection actions are taken?

When the Oregon Child Support Program is providing services, we will work with the other parent to comply with the support order by using all the tools available and appropriate for your case. We are not required to send advance notice of collection actions being taken. However, if you have a question about how we are addressing compliance for your order, you can contact your case manager, or Customer Service by phone at 800-850-0228 or email at ChildSupportCustomerService@doj.oregon.gov.

Domestic Violence and Child Support Resources

<https://www.doj.state.or.us/child-support/resources/domestic-violence/>

