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TESTIMONY ON SENATE BILL 822

For the Senate Committee On Judiciary and Ballot Measure 110 Implementation

March 29, 2021

Presented by:

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This testimony is presented in support of Senate Bill 822.

How This Bill Changes Current Law

Parents in the Oregon Child Support Program sometimes establish child support orders through a private action when a prior administrative order already exists. The new child support order might expressly terminate the prior order, or it might be silent about the status of the prior order. When the new order is silent about the prior order, ORS 25.095 permits the Oregon Child Support Program to file a notice to treat the prior order as modified by the newer one (in qualifying situations).

The parties—parents—sometimes take these actions without involving the Oregon Child Support Program and without legal representation. They are often unaware of the need to address the existing debt from the prior order. When the new order doesn't address the prior order, the debt that accrued under the earlier judgment must be enforced separately from and in addition to the debt owed under the newer judgment. This can be burdensome because it doubles or triples the number of enforcement actions taken against the parent who pays support. It is also burdensome to the program and the courts because multiple legal actions must be filed to enforce debt for a single family unit.

Senate Bill 822 amends ORS 25.095 to provide for the automatic consolidation of debt that accrued under multiple court cases into a single case when a judgment entered in that single case terminates and replaces all other judgments.

Key Points of Legislation

- Provides a simple process to consolidate debt among separate court cases for the same family unit in certain circumstances.
- Allows the program to collect child support obligations for the same family unit comprehensively when debt accrued under multiple court cases.
- Reduces workload for court and program staff.

Fiscal Impact

None

Benefits

Senate Bill 822 reduces confusion and delay for families resulting from multiple court orders. This legislation also will lessen burdens on both Oregon courts and the child support program by reducing the number of legal actions filed in court when unpaid child support is owed for a single family unit under more than one court case.

Recommended Action

The Oregon Department of Justice recommends committee approval of Senate Bill 822 because it will enable the Oregon Child Support Program to provide more efficient child support services to families.