House Bill 4121

Introduced and printed pursuant to House Rule 12.00. Presession filed (at the request of Chief Justice Martha L. Walters for Judicial Department)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced.**

Authorizes presiding judge of judicial district to appoint child support referee to process or hear certain child support or parentage matters. Prescribes procedure for rehearing following issuance of child support referee order. Directs clerk or court administrator to enter child support referee order in register.

A BILL FOR AN ACT

Relating to child support referees.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1)(a) The presiding judge of a judicial district may appoint one or more persons as child support referee.

(b) A child support referee appointed under this section:

(A) Must be qualified by training and experience in handling child support and parentage matters; and

(B) Serves at the pleasure of the presiding judge.

(c) The compensation of a child support referee appointed under this section shall be paid from moneys available for that purpose, including funds provided under Title IV-D of the Social Security Act.

(2) The presiding judge may direct that any child support or parentage case that is eligible to receive funding under Title IV-D of the Social Security Act, including any matters for contempt of court brought under ORS chapter 33 or arrest or bench warrants issued in those contempt cases, be processed or heard in the first instance by a child support referee in the manner provided for the processing and hearing of such cases by the court. At the conclusion of a hearing or, if no hearing is held, as soon as practicable upon issuing an order, the child support referee shall transmit to the court a child support order, including any findings of the child support referee.

(3) A child support referee's order becomes effective upon entry and is not appealable under ORS 19.205 or any other statute.

(4)(a) Notwithstanding subsection (3) of this section, the circuit court shall hold a hearing de novo on any matter heard by the child support referee if no later than 10 days following the date of the child support referee's order:

(A) A party requests a rehearing; or

(B) The circuit court, on its own motion, orders the rehearing.

(b) Notice of a rehearing under this subsection must be served on all parties of record in the matter.

(c) The circuit court shall conduct the rehearing no later than 45 days following the date

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

the rehearing is requested.

(d) The circuit court conducting the rehearing may admit any evidence considered by the child support referee or any other evidence presented to the court.

(5)(a) Except when a rehearing has been ordered under subsection (4) of this section, the clerk or the court administrator shall:

(A) Enter the child support referee order in the register of the circuit court;

(B) Note in the register whether the order creates a judgment lien under ORS 18.150; and

(C) If the clerk or the court administrator notes in the register that the order creates a judgment lien, make the notations in the lien record required under ORS 18.075.

(b) Upon entry in the register, the child support referee's order shall have all the force, effect and attributes of a judgment of the circuit court, including creation of a judgment lien under ORS chapter 18 and enforceability by contempt proceedings and pursuant to ORS 18.252 to 18.993.