



What Happens When You Request a Child Support Hearing

- Any party may request a hearing when the Division of Child Support (DCS) tries to establish, enforce, or change child support. The hearing is held by an independent and impartial judge at the Office of Administrative Hearings (OAH).
- OAH will mail you a Notice of Hearing with the date, time, and location of your hearing. On average, hearings last about 60 minutes. (Plan for up to 90 minutes.)

Tell OAH immediately if your address or phone number changes.

How to Prepare for Your Child Support Hearing

- You may represent yourself at the hearing or choose an attorney or any other person to represent you. (You may not choose a Department of Social and Health Services (DSHS) employee.) You are responsible for any fees charged by your attorney.
- DCS will be represented by a claims officer attorney. The claims officer will mail you a hearing packet which includes documents provided by the parties. Carefully read the hearing packet and have it with you at the time of the hearing.

- If you have documents you want the judge to see, immediately send them to OAH and to DCS. If the documents contain information you do not want the other parties to know (addresses, telephone numbers, Social Security numbers, bank account numbers, etc.), delete the information before sending the documents to OAH and DCS.

Examples of documents you may want the judge to see:

- Tax returns and W-2 forms
- Child Support Worksheets
- Court orders affecting your children
- Current pay stubs, benefit statements, or disability payment records
- Medical costs or health insurance costs for the children
- Proof of any support paid

Your hearing will be over the phone.

- If you have a restraining order, tell OAH and DCS immediately.
- If you need an interpreter, OAH will provide one for you at no cost. If you have a disability you may request an accommodation to help you participate in the hearing. You may request an interpreter or accommodation by calling the OAH office on your Notice of Hearing.
- If you need to request a change to the time or the date of your hearing, contact the claims officer and OAH as soon as possible. Only the judge can grant a change to your scheduled hearing time. Before a decision is made, the judge will want to know if the other parties agree or disagree with your request.
 - The judge will deny your request if you do not have a good reason.
 - If the judge changes the hearing time, keep the hearing packet to use during the rescheduled hearing.
 - If a new time is granted but child support has not been established, a party may ask the judge to issue a temporary child support order.
- You may ask to change your hearing to in-person with the judge. If you want to change how your hearing is held you must contact the OAH office listed on the Notice of Hearing.

- If you are interested in doing legal research, links are available at www.oah.wa.gov/LegalResearch.shtml and www.washingtonlawhelp.org.

Watch a video of a sample OAH hearing on

www.oah.wa.gov

(Available in English and Spanish)

- Here are options for reduced cost legal assistance:

| Resource Name | Phone Number | Website |
|---|--------------------------|---|
| CLEAR: In King County CLEAR: Outside King County | Call 211 888-201-1014 | www.resourcehouse.com/win211 |
| Veteran's Project | 855-657-8387 | http://nwjustice.org/veterans |
| WA State Bar Association | | http://www.wsba.org/Resources-and-Services/Find-Legal-Help |
| Moderate Means Program | 855-741-6930 | http://www.wsba.org/Legal-Community/Volunteer-Opportunities/Public-Service-Opportunities/Moderate-Means-Program |

You may contact the DCS claims officer if you would like to try to settle your case before the hearing, or if you have questions about the rules. The claims officer cannot give you legal advice.

How to Participate in Your Child Support Hearing

- Follow the instructions in the Notice of Hearing. The claims officer will call you on the date and time of the hearing. If you do not answer and participate, you may lose your right to a hearing. The hearing may go on without you.
 - The Notice may instruct you to provide the telephone number where you can be reached.
 - You must have good phone reception.
 - Please note that you must be able to receive calls from a blocked caller ID.
- The claims officer may talk with the parties to try to resolve the issues.
 - If the parties reach an agreement, the claims officer will call and ask the judge to approve the agreement.
 - If the parties do not reach an agreement, the claims officer will call and tell the judge that the parties are ready to begin the hearing.
 - The amounts discussed with the claims officer may be different than the amounts the judge orders when deciding your case.
- If you plan to use a witness, they will testify during your scheduled hearing time. Have the number where your witness can be reached. Tell your witness the time and date of the hearing and how to participate. Tell the witness their phone must have good reception and their phone must be able to receive calls from a blocked caller ID.
- The judge will record the hearing. The judge will begin by identifying the issues with the parties and describing what will happen during the hearing. The judge will review the hearing packet (and other documents received) and decide what to admit into evidence.
- The claims officer usually presents the DCS's case first. Each party may call their own witnesses and question the witnesses called by the other parties. Witnesses testify under oath or affirmation. The judge may also ask questions.
- After the hearing the judge will make a decision that will be mailed to you approximately 21 days after the close of the hearing record.
- If you disagree with the decision, instructions to appeal the decision will be at the end of the judge's order.