

COMMENT DUE DATE: February 17, 2022

Date: January 18, 2022

John Pettifer, Assistant General Counsel 405-255-9460
Holli Kyker, Policy Specialist 405-982-2217
Brandi Smith, Legal Secretary III 405-982-2703

It is important that you provide your comments regarding the **draft copy** of policy by the comment due date. Comments are directed to *STO.LegalServices.Policy@okdhs.org. The proposed policy is **PERMANENT**.

SUBJECT:

CHAPTER 2. ADMINISTRATIVE COMPONENTS

Subchapter 28. Office of Administrative Hearings: Child Support

340:2-28-2 [AMENDED]

340:2-28-4.2 [AMENDED]

340:2-28-17.2 [AMENDED]

340:2-28-24 [AMENDED]

340:2-28-26 [AMENDED]

340:2-28-29 [REVOKED]

(Reference WF 22-2C and 21-08)

SUMMARY:

The proposed rules are necessary to update, streamline, and improve the rules which delineate, and provide transparency to, certain functional aspects of the Office of Administrative Hearings: Child Support (OAH) operations. The administrative rules in Subchapter 28, as referenced, are OAH's administrative court rules. The requested amendments: (1) reflect changes in technology by eliminating fax filing and authorizing filing of portable digital file or *.pdf formatted documents through email; (2) clarify that documents may be rejected for filing if the threshold requirement of an open case through Oklahoma Human Services (OKDHS) Child Support Services (CSS) is not met; (3) enhance OAH's ability to respond to records requests; (4) streamline a portion of a rule, that falls more properly within the powers of CSS, as opposed to OAH; (5) remove a duplicative subsection; (6) eliminate the overly detailed portion of one term's definition and another term's entire definition that no longer appears within OAH's rules; (7) reflect changes in technology by eliminating fax filing and authorizing filing of portable digital file or *.pdf formatted documents through email.

PERMANENT APPROVAL: Permanent rulemaking is requested.

LEGAL AUTHORITY: Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes (56 O.S. §§ 162 and 237). 12 O.S. §§ 32.1, 2101 through 3011, and 3224 through 3237; 12 O.S. §§ 683 through 688; 56 O.S. §§ 237 through 237.9a; and OAC 340:2-28-1, et seq.

**Oklahoma Human Services
Rule Impact Statement**

To: Programs Administrator
Legal Services

From: Ron Baze, General Counsel

Date: December 15, 2021

Re: CHAPTER 2. ADMINISTRATIVE COMPONENTS
Subchapter 28. Office of Administrative Hearings: Child Support
340:2-28-2 [AMENDED]
340:2-28-4.2 [AMENDED]
340:2-28-17.2 [AMENDED]
340:2-28-24 [AMENDED]
340:2-28-26 [AMENDED]
340:2-28-29 [REVOKED]
(Reference WF 22-2C)

Contact: John Pettifer (405) 255-9460

A. Brief description of the purpose of the proposed rules:

Purpose.

The proposed rules are necessary to update, streamline, and improve the rules which delineate, and provide transparency to, certain functional aspects of the Office of Administrative Hearings: Child Support (OAH) operations. The administrative rules in Subchapter 28, as referenced, are OAH's administrative court rules. The requested amendments: (1) reflect changes in technology by eliminating fax filing and authorizing filing of portable digital file or *.pdf formatted documents through email; (2) clarify that documents may be rejected for filing if the threshold requirement of an open case through Oklahoma Human Services (OKDHS) Child Support Services (CSS) is not met; (3) enhance OAH's ability to respond to records requests; (4) streamline a portion of a rule, that falls more properly within the powers of CSS, as opposed to OAH; (5) remove a duplicative subsection; and (6) eliminate the overly detailed portion of one term's definition and another term's entire definition that no longer appears within OAH's rules.

Strategic Plan Impact.

The proposed amendments are necessary to update OAH's court rules to refine OAH's procedures regarding documents, as well as further streamlining the rules.

Substantive changes.

Oklahoma Administrative Code (OAC) 340:2-28-2 is amended to delete the overly detailed portion of one term's definition and another term's definition that no

longer appears in the rules. The amendment streamlines the rule without substantive change.

OAC 340:2-28-4.2 is amended to eliminate fax filing and authorize the filing of portable digital file or *.pdf formatted documents through email, to reflect changes in technology.

OAC 340:2-28-17.2 is amended to clarify that documents may be rejected for filing if the threshold requirement of an open case through OKDHS CSS is not met. The amendment memorializes current procedure.

OAC 340:2-28-24 is amended to enhance OAH's ability to be responsive to records requests.

OAC 340:2-28-26 is amended to streamline by eliminating a portion of the rule that falls more properly within the powers of CSS, as opposed to OAH. The amended rule also removes a duplicative subsection.

OAC 340:2-28-29 is revoked because of duplicative language governing dismissals, per 12 O.S. 683, et seq., and is unnecessary.

Reasons.

The proposed amendments to OAH's court rules and operational procedures are needed to enhance OAH's operational efficiency, reflect changes in technology, and further streamline the rules.

Repercussions.

No negative repercussions have been identified.

Legal authority. Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes (56 O.S. §§ 162 and 237). 12 O.S. §§ 32.1, 2101 through 3011, and 3224 through 3237; 12 O.S. §§ 683 through 688; 56 O.S. §§ 237 through 237.9a; and OAC 340:2-28-1, et seq.

Permanent approval. Permanent rulemaking approval is requested.

- B. A description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the costs of the proposed rule, and any information on cost impacts received by the Agency from any private or public entities:** The classes of persons mostly affected are CSS staff, child support obligors, and custodial persons to whom child support is to be paid. There are no identifiable costs associated with implementing the proposed rule(s).
- C. A description of the classes of persons who will benefit from the proposed rule:** The classes of person who will benefit by the proposed amendments are CSS staff, child support obligors, and custodial persons to whom child support is to be paid.
- D. A description of the probable economic impact of the proposed rule upon the affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee**

change: There are no identifiable costs nor fee changes associated with these proposed rules.

- E. The probable costs and benefits to the Agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the Agency:** There are no identifiable costs associated with the proposed rule revisions and repeals. The benefit to OKDHS and the classes of all affected persons is OAH's overall improved operational efficiency and the plain language revisions streamline the rules, increase compliance, and avoid delays. There is no identifiable impact upon state revenues.
- F. A determination whether implementation of the proposed rule will have an impact on any political subdivisions or require their cooperation in implementing or enforcing the rule:** There are no identifiable impacts on any political subdivisions nor is cooperation from any political subdivisions required in implementation or enforcement of the rules.
- G. A determination whether implementation of the proposed rule will have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:** There is no identifiable adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act.
- H. An explanation of the measures the Agency has taken to minimize compliance costs and a determination whether there are less costly or nonregulatory methods or less intrusive methods for achieving the purpose of the proposed rule:** There are no identifiable costs associated with the proposed rules, and, therefore, there are no less costly nor nonregulatory methods nor less intrusive methods for achieving the purpose of the proposed rule.
- I. A determination of the effect of the proposed rule on the public health, safety, and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety, and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:** There is no qualitative, identifiable effect or impact by the proposed rules on the public health, safety, and environment, if the rule is implemented.
- J. A determination of any detrimental effect on the public health, safety, and environment if the proposed rule is not implemented:** There is no qualitative, identifiable effect or impact by the proposed rules on the public health, safety, and environment, if the rule is not implemented.
- K. The date the rule impact statement was prepared and, if modified, the date modified:** Prepared: July 14, 2021; modified December 15, 2021.

**Oklahoma Human Services
Rule Impact Statement**

To: Programs Administrator
Legal Services

From: Ron Baze, General Counsel

Date: December 15, 2021

Re: CHAPTER 2. ADMINISTRATIVE COMPONENTS
Subchapter 28. Office of Administrative Hearings: Child Support
340:2-28-4.2 [AMENDED]
(Reference WF 21-08)

Contact: Cherrilyn McLane (405) 763-8134

A. Brief description of the purpose of the proposed rules:

Purpose.

The proposed rule revision is necessary to update, streamline, and improve the rules which delineate and provide transparency to certain functional aspects of the Oklahoma Human Services (OKDHS) Office of Administrative Hearings: Child Support (OAH) operations. Oklahoma Administrative Code (OAC) 340:2-28-4.2, is part of OAH's administrative court rules. The requested amendments reflect changes in technology by eliminating fax filing and authorizing filing of portable digital file or *.pdf formatted documents through email.

Strategic Plan Impact.

The proposed amendments are necessary to update OAH's court rules to refine OAH's procedures regarding documents, as well as further streamlining the rules.

Substantive changes.

OAC 340:2-28-4.2 is amended to eliminate fax filing and authorize the filing of portable digital file or *.pdf formatted documents through email, to reflect changes in technology.

Reasons.

The proposed amendment benefits OKDHS Child Support Services relieving them of doing "courtesy" electronic filings with OAH for other parties' filings and benefits private attorneys and pro se parties by allowing them to electronically file directly with OAH. OAH recently upgraded its case management software and can now offer this electronic filing option to litigants and their attorneys who are external OKDHS. The proposed amendments to OAH's court rules and operational procedures are needed to enhance OAH's operational efficiency, reflect changes in technology, and further streamline the rules.

Repercussions.

No negative repercussions have been identified.

Legal authority. Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes (56 O.S. §§ 162 and 237). 12 O.S. §§ 32.1, 2101 through 3011, and 3224 through 3237; 12 O.S. §§ 683 through 688; 56 O.S. §§ 237 through 237.9a; and OAC 340:2-28-1, et seq.

Permanent rulemaking approval is requested. The rules listed in this Rule Impact Statement were approved by the Governor as emergency rules on October 20, 2021 and were effective October 20, 2021.

- B. A description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the costs of the proposed rule, and any information on cost impacts received by the Agency from any private or public entities:** The classes of persons mostly affected are CSS staff, child support obligors, and custodial persons to whom child support is to be paid. There are no identifiable costs associated with implementing the proposed rule(s).
- C. A description of the classes of persons who will benefit from the proposed rule:** The classes of person who will benefit from the proposed amendments are CSS staff, child support obligors, and custodial persons to whom child support is to be paid.
- D. A description of the probable economic impact of the proposed rule upon the affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change:** There are no identifiable costs nor fee changes associated with these proposed rules.
- E. The probable costs and benefits to the Agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the Agency:** There are no identifiable costs associated with the proposed rule revisions and repeals. The benefit to OKDHS and the classes of all affected persons is overall improved operational efficiency in OAH, and the plain language revisions streamline the rules, increase compliance, and avoid delays. There is no identifiable impact upon state revenues.
- F. A determination whether implementation of the proposed rule will have an impact on any political subdivisions or require their cooperation in implementing or enforcing the rule:** There are no identifiable impacts on any political subdivisions nor is cooperation from any political subdivisions required in implementation or enforcement of the rules.

- G. A determination whether implementation of the proposed rule will have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:** There is no identifiable adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act.
- H. An explanation of the measures the Agency has taken to minimize compliance costs and a determination whether there are less costly or nonregulatory methods or less intrusive methods for achieving the purpose of the proposed rule:** There are no identifiable costs associated with the proposed rules, and, therefore, there are no less costly nor nonregulatory methods nor less intrusive methods for achieving the purpose of the proposed rule.
- I. A determination of the effect of the proposed rule on the public health, safety, and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety, and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:** There is no qualitative, identifiable effect or impact by the proposed rules on the public health, safety, and environment, if the rule is implemented.
- J. A determination of any detrimental effect on the public health, safety, and environment if the proposed rule is not implemented:** There is no qualitative, identifiable effect or impact by the proposed rules on the public health, safety, and environment, if the rule is not implemented.
- K. The date the rule impact statement was prepared and, if modified, the date modified:** Prepared: August 25, 2021; modified November 18, 2021; modified December 15, 2021.

SUBCHAPTER 28. OFFICE OF ADMINISTRATIVE HEARINGS: CHILD SUPPORT

340:2-28-2. Definitions

Revised 9-15-22

The following words and terms, when used in this Subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

"ALJ" means an administrative law judge in the Office of Administrative Hearings: Child Support.

"Authorized representative" means a person designated under law to act for another person or an entity, such as a guardian of a child or an executor of an estate.

"Child Support Enforcement Division" or **"CSED"** means the Child Support Enforcement Division of the Oklahoma Department of Human Services (OKDHS). District offices of CSED may be administered by OKDHS or through contract or cooperative agreements with district attorneys, Community Action Program (CAP) agencies, Native American tribal organizations, and others. As used in this Subchapter, CSED includes all of these district offices and their employees and agents.

"Custodian" means the person who has primary physical custody of the child(ren).

"Electronic filing" means the submission of documents to the Office of Administrative Hearings: Child Support through an electronic medium rather than the use of a paper document. ~~The electronic medium must be a secured system that leaves a computer trail so that the document may be traced to the signator and/or person filing the document.~~

"In camera" means before the ALJ without spectators.

"In forma pauperis affidavit" means a sworn declaration or statement of facts made by an indigent person seeking waiver of transcription costs and fees.

"IV-D" means Title IV, Part D, of the Social Security Act generally relating to child support. Title IV appears in the United States Code as Sections 601 through 687, Subchapter IV, Chapter 7, Title 42.

"IV-D case" means a child support case receiving IV-D services.

"Natural person" means a human being as opposed to an entity created by law.

"Noncustodial parent" means a parent who does not have primary physical custody of the child(ren).

"OAH" means the Office of Administrative Hearings: Child Support within the OKDHS Legal Division of OKDHS Services. [56 O.S. § 237.7]

"Obligor" means the person ~~who is~~ required to make payments under an order for support. [12 O.S. § 1170 and 56 O.S. § 237.7]

~~**"Payor"** means any person or entity paying monies, income, or earnings to an obligor. In the case of a self-employed person, the "payor" and "obligor" may be the same person. [12 O.S. § 1170 and 56 O.S. § 237.7]~~

"Pleading" means a formal document that contains statements or allegations that constitute a cause of action or defense.

"Pro se" means without a lawyer.

"Writ of mandamus" means a written order issued by a court to compel a lower court or government officer to perform mandatory or ministerial duties correctly.

340:2-28-4.2. Terms and location of Office of Administrative Hearings: Child Support

Revised 9-15-22

(a) The Office of Administrative Hearings: Child Support (OAH) is in session whenever there is a regularly- or specially-scheduled docket with participating district child support offices on days designated for administrative hearings. Pleadings, other documents, and orders may be filed ~~with, or presented to, the administrative law judge (ALJ) at the participating district child support offices, if the ALJ is physically present, on administrative hearing docket days.~~ On any business day, pleadings, other documents, and orders may also be filed at OAH located in the Sequoyah Building, 2400 North Lincoln Boulevard, Oklahoma City, Oklahoma. Filing may be accomplished through hand-delivery, postal or parcel delivery, ~~facsimile transmission,~~ and electronic transmission, if the available means are secure and compatible with OAH's docketing and case management software. A document filed through email is a portable digital file or is a *.pdf formatted file and is submitted to: Legal.OAH.Staff@okdhs.org. Electronic transmission, in this context, does not include ~~electronic messaging for example, email or text messaging.~~ The OAH mailing address is Oklahoma Department of Human Services, Attn: OAH, ~~P.O.~~ P.O. Box 25352, Oklahoma City, Oklahoma 73125-0352.

(b) Proceedings cannot commence unless and until an administrative case is opened through Oklahoma Department of Human Services Child Support Services.

340:2-28-17.2. Pleadings and motion practice

Revised 9-15-22

(a) Document signatures.

(1) **Signing pleadings.** Every pleading and motion filed with the Office of Administrative Hearings: Child Support (OAH) must be signed by an attorney of record, whose Oklahoma Bar Association (OBA) identification number must be stated, or when the party is not represented by an attorney, must be signed by the party. A pleading is any document that contains statements or allegations that constitute a cause of action or defense. Each pleading and motion must include the signer's address and phone number, if any. Pleadings need not be supported by affidavit except as provided for by rule or statute.

(2) **Signing other documents.** Other documents, such as legally-mandated administrative notices issued by Child Support Services (CSS) to notify obligors of proposed enforcement actions, do not require an attorney's signature.

(3) **Signatures submitted through electronic means.** Electronic mediums that attach an electronic signature are acceptable to meet signature requirements. In addition to electronic transmittals of documents and electronic signatures, signatures on any document transmitted by electronic means including, but not limited to, ~~facsimile,~~ scan, or email have the same force and effect as an original, physical signature, per Section 237.9a of Title 56 of the Oklahoma Statutes. This provision does not authorize filing documents through ~~email or text.~~

(b) Practice.

(1) Form, filing, and service.

(A) All documents, other than exhibits, are filed in the case, prior to consideration by an administrative law judge (ALJ). OAH retains all originals filed in paper form

and maintains electronic submissions, per state record requirements. A pleading or motion ~~must be~~ is filed prior to any administrative proceeding ~~being docketed~~.

(B) ~~Documents~~ Paper form documents filed in OAH, ~~in paper form~~, must be typewritten or legibly hand-written on white paper, size 8½ by 11 inches. All documents, other than exhibits, must contain a case style, which is a document heading containing the name of this administrative court, the parties' names, appropriate roles, and assigned case numbers. The party filing the initial request for action by OAH is generally designated as the petitioner or petitioner/plaintiff. The opposing party is usually named as the respondent or respondent/defendant. The custodian(s) must be listed, when not already included in the style as a party, under the case numbers. The case numbers listed in the style must include the OAH number and the Title IV-D, family group number (FGN), or CSS number. The associated district court case number is included, when available. Both conventional and "in re" styles are permitted. Parties are encouraged to maintain a consistent style, similar to one that may have been used in prior child support-related actions, between the same parties, provided the information is complete and accurate.

(i) When filed by an attorney, the name, OBA number, address, and preferred phone numbers must be shown on the document's signature page ~~of the document~~.

(ii) When filed by a party not represented by a lawyer, the party is considered a pro se party, and must sign his or her name and type or legibly print his or her name, mailing address, Zip code, and preferred phone numbers on the signature page of the document.

(C) All documents in a proceeding, other than exhibits, must be served on all other parties. Proof of service must be filed with OAH and establish that requirements for service are satisfied. A notice or order setting hearing ~~will provide~~ provides recipients with the hearing date and time ~~of the hearing~~ and when persons are instructed to appear:

(i) at a hearing's physical location ~~for hearing~~, the street address will be included; or

(ii) by video or ~~telephonic means~~ telephone, contact information and options are included.

(D) OAH may limit participation in hearings to video or ~~telephonic means~~ telephone in any notice or order setting hearing. OAH may also limit participation in hearings to video or ~~telephonic means~~ telephone through an order containing instructions in specific cases or through an administration order authorized by the Chief ALJ.

(E) A copy of all documents, other than exhibits, filed in OAH must be provided to all other pro se parties and attorneys of record. A certificate of mailing, delivery, or service must be filed with OAH.

(F) Upon failure to comply with the requirements in this Section, the ALJ may, among other sanctions, continue the cause of action until satisfactory compliance or deny the requested relief.

(G) Requests that do not comply with the requirements of (A) through (E) of this paragraph are considered only at the ALJ's discretion.

(H) Documents submitted through secure electronic means approved by OAH meet the requirement of original documents.

(2) Motions.

(A) This paragraph does not prohibit oral motions; however, written motions are preferred.

(B) All motions must state the legal basis supporting the relief or action requested, and ~~when known~~, whether the opposing party objects, when known.

(C) The ALJ determines if a hearing or oral argument is necessary on a motion and, if so, provides pro se parties and all attorneys of record with notice of the specific hearing date, time, and means.

(D) Initial and response briefs or responses that do not comply with this paragraph are considered only at the ALJ's discretion.

(3) Briefs.

(A) Reply and response briefs must be filed three-business days prior to any hearing. Each brief must be clearly styled to show:

(i) if it is in support of a motion, in opposition of a motion, or a reply brief;

(ii) the particular application or proceeding to which it relates; and

(iii) the party or parties on whose behalf it is presented.

(B) Initial and response briefs, when required, must not exceed 20 pages in length without prior ALJ permission.

(C) Reply briefs must be limited to five pages in length, without prior ALJ permission.

(D) No further briefs may be filed without ALJ permission.

(E) Briefs and responses that do not comply with this paragraph are considered only at the ALJ's discretion.

(4) Time extensions. Except at the ALJ's discretion, all requests for extensions of time must contain:

(A) the original due date for the response;

(B) the amount of additional time requested;

(C) the reason for the request;

(D) the current status of the case, including the next hearing date, when a hearing is scheduled; and

(E) a statement that a good faith effort was made to contact the opposing pro se party or the opposing party's counsel ~~was contacted~~ regarding the extension to which:

(i) and either opposing party consents;

(ii) or opposing party objects; or to the extension; or in the alternative, a statement that a good faith effort was made to comply but the opposing pro se party or the

(iii) opposing party's counsel party was unavailable.

(5) Counsel withdrawal. When submitting an application to withdraw and a proposed order allowing withdrawal, counsel must comply with the following:

(A) Every application to withdraw as counsel must contain:

(i) a statement of grounds for withdrawal;

(ii) the current case status, including the next hearing date, when a hearing is scheduled;

(iii) if new or substitute counsel was obtained by the client and entered an appearance; and

(iv) a certificate of mailing, delivery, or service to the client and to all other pro se parties and attorneys of record.

(B) Every proposed order allowing withdrawal must contain a statement of the case's current status, including the next hearing date, when a hearing is scheduled, and a certificate of mailing, delivery, or service to the movant's client, all other pro se parties, and attorneys of record.

(c) Rejection for Non-Compliance. The docketing clerks may reject documents for filing when this Section's requirements are not met or when there is no administrative case open through Oklahoma Human Services Child Support Services.

340:2-28-24. Case Record Management

Revised 9-15-22

(a) Audio or video recordings of hearings are the property of the Office of Administrative Hearings: Child Support (OAH); and are not available for copying, review, or transcription except as described in Oklahoma Administrative Code 340:2-28-23 or as otherwise authorized by law. OAH is not required to make or maintain ~~Video~~ video recordings of hearings ~~are not required to be made or maintained by OAH~~, even if hearings are conducted by electronic/digital video conferencing.

(b) OAH manages and disposes of case records according to the Oklahoma Statutes and all applicable Oklahoma Department of Human Services and Archives and Records Commission administrative rules and policy.

340:2-28-26. Case numbering

Revised 9-15-22

(a) Every case ~~to be heard or otherwise~~ addressed by an administrative law judge (ALJ) with the Office of Administrative Hearings: Child Support (OAH); must be assigned an OAH case number prior to the case being placed on the docket. OAH numbers are generally assigned within one-business day after the request is submitted to OAH by the district child support office. The case is assigned a number starting with the year the case is opened with OAH; and a chronological number of the case for that year within OAH.

~~(1) The office sending the case is responsible for transfers from one child support office to another by filing a Notice of Transfer or a Motion and Order for Transfer signed by an ALJ with OAH. The transfer must indicate both the office transferring the case and the office receiving the case by office name rather than county designation.~~

~~(2) Notices, motions, and orders referred to in this Section may be submitted by paper, or electronically through a secured electronic system approved by OAH.~~

(b) Documents are not accepted for filing by OAH unless the OAH number is clearly written on the document and the case number corresponds to the named parties assigned to ~~that~~ the case according to OAH records.

340:2-28-29. Dismissals [REVOKED]

~~All motions for dismissals or partial dismissals must be filed, either on paper or through electronic means approved by the Office of Administrative Hearings: Child Support (OAH)~~

with OAH. The administrative law judge (ALJ) determines whether a dismissal is granted according to relevant statutory and common law.