

62A-11-304.2 Issuance or modification of administrative order -- Compliance with court order -- Authority of office -- Stipulated agreements -- Notification requirements.

- (1) Through an adjudicative proceeding the office may issue or modify an administrative order that:
 - (a) determines paternity;
 - (b) determines whether an obligor owes support;
 - (c) determines temporary orders of child support upon clear and convincing evidence of paternity in the form of genetic test results or other evidence;
 - (d) requires an obligor to pay a specific or determinable amount of present and future support;
 - (e) determines the amount of past-due support;
 - (f) orders an obligor who owes past-due support and is obligated to support a child receiving public assistance to participate in appropriate work activities if the obligor is unemployed and is not otherwise incapacitated;
 - (g) imposes a penalty authorized under this chapter;
 - (h) determines an issue that may be specifically contested under this chapter by a party who timely files a written request for an adjudicative proceeding with the office; and
 - (i) renews an administrative judgment.
- (2)
 - (a) An abstract of a final administrative order issued under this section or a notice of judgment-lien under Section 62A-11-312.5 may be filed with the clerk of any district court.
 - (b) Upon a filing under Subsection (2)(a), the clerk of the court shall:
 - (i) docket the abstract or notice in the judgment docket of the court and note the time of receipt on the abstract or notice and in the judgment docket; and
 - (ii) at the request of the office, place a copy of the abstract or notice in the file of a child support action involving the same parties.
- (3) If a judicial order has been issued, the office may not issue an order under Subsection (1) that is not based on the judicial order, except:
 - (a) the office may establish a new obligation in those cases in which the juvenile court has ordered the parties to meet with the office to determine the support pursuant to Section 78A-6-1106; or
 - (b) the office may issue an order of current support in accordance with the child support guidelines if the conditions of Subsection 78B-14-207(2)(c) are met.
- (4) The office may proceed under this section in the name of this state, another state under Section 62A-11-305, any department of this state, the office, or the obligee.
- (5) The office may accept voluntary acknowledgment of a support obligation and enter into stipulated agreements providing for the issuance of an administrative order under this part.
- (6) The office may act in the name of the obligee in endorsing and cashing any drafts, checks, money orders, or other negotiable instruments received by the office for support.
- (7) The obligor shall, after a notice of agency action has been served on the obligor in accordance with Section 63G-4-201, keep the office informed of:
 - (a) the obligor's current address;
 - (b) the name and address of current payors of income;
 - (c) availability of or access to health insurance coverage; and
 - (d) applicable health insurance policy information.

Amended by Chapter 3, 2008 General Session
Amended by Chapter 382, 2008 General Session