

**BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS  
ON REFERRAL BY THE COMMISSIONER OF REVENUE**

In the Matter of:

K L. X

---

)  
)  
)  
)  
)

OAH No. 14-1778-CSS  
CSSD No. 001101750

**DECISION AND ORDER**

This matter involves an appeal by obligor K L. X of a Decision on Nondisclosure of Identifying Information that the Child Support Services Division (CSSD) issued in Mr. X's case on September 26, 2014. It does not involve child support or arrears. The formal hearing was held on November 24, 2014. Mr. X and the custodian, B R. H, appeared by telephone; Joe West, Child Support Specialist, represented CSSD. The hearing was recorded.

At the hearing, the matter was resolved by Ms. H providing a P.O. Box address. Mr. X's case file should reflect that he has permission to obtain Ms. H's non-physical mailing address. Because of this resolution, the underlying issue of full disclosure was not adjudicated, and Mr. X has not waived his right to challenge the September 26, 2014 Decision on Nondisclosure of Identifying Information.

If he does challenge CSSD's decision at a future date, the issue presented will be whether CSSD correctly decided that Ms. H or her daughter's health, safety, or liberty were unreasonably at risk if Ms. H's contact information is ever released.

Alaska Statute (AS) 25.27.275 authorizes CSSD to decide on an *ex parte* basis that a case party's identifying information will not be disclosed to another case party. The applicable statute governing this action states as follows in its entirety:

Upon a finding, which may be made *ex parte*, that the health, safety, or liberty of a party or child would be unreasonably put at risk by the disclosure of identifying information, or if an existing order so provides, a tribunal shall order that the address of the party or child or other identifying information not be disclosed in a pleading or other document filed in a proceeding under this chapter. A person aggrieved by an order of nondisclosure issued under this section that is based on an *ex parte* finding is entitled on request to a formal hearing, within 30 days of when the order was issued, at which the person may contest the order.<sup>[1]</sup>

---

<sup>1</sup> AS 25.27.275.

This proceeding involves only the issue of whether Ms. H's contact information kept on file by CSSD should be released. The scope of the inquiry in nondisclosure cases is very narrow and is limited simply to a determination of whether CSSD reasonably decided to disclose or not disclose the information. The person requesting the hearing, in this case Mr. X, has the burden of proving by a preponderance of the evidence that CSSD's decision to disclose the contact information was incorrect.<sup>2</sup>

**THEREFORE IT IS ORDERED:**

- CSSD may release Ms. H's nonphysical contact information, *e.g.*, a P.O. Box address.

DATED this 25<sup>th</sup> day of November, 2014.

*Signed*  
\_\_\_\_\_  
Rebecca L. Pauli  
Administrative Law Judge

**Adoption**

This Order is issued under the authority of AS 43.05.010 and AS 44.17.010. The undersigned, on behalf of the Commissioner of Revenue and in accordance with AS 44.64.060, adopts this Decision and Order as the final administrative determination in this matter.

Under AS 25.27.062 and AS 25.27.250, the obligor's income and property are subject to withholding. Without further notice, a withholding order may be served on any person, political subdivision, department of the State, or other entity.

Judicial review of this decision may be obtained by filing an appeal in the Alaska Superior Court in accordance with AS 25.27.210 and Alaska Rule of Appellate Procedure 602(a)(2) within 30 days after the date of this decision.

DATED this 17<sup>th</sup> day of December, 2014.

By: *Signed*  
\_\_\_\_\_  
Signature  
Jerry Burnett  
\_\_\_\_\_  
Name  
Deputy Commissioner  
\_\_\_\_\_  
Title

[This document has been modified to conform to the technical standards for publication.]

---

<sup>2</sup> 15 AAC 05.030(h).