

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

IN THE MATTER OF:)
)
L. L. S.)
)
) OAH No. 08-0020-CSS
) CSSD Case No. 001102672
_____)

DECISION

I. Introduction

L. L. S., an obligor on a child support order, filed a request for identifying information concerning E. C. III, the custodian of record. Mr. C. objected to disclosure of the information and filed an appeal, which the Division of Child Support Services referred to the Office of Administrative Hearings.

The administrative law judge conducted a hearing in the matter of January 31, 2008. Mr. C. and Ms. S. appeared, and the division was represented by David Peltier.

Based on the record and with the parties' consent at the hearing, the division's decision to release identifying information is reversed.

II. Facts

E. C. III is the custodian of his son, T. C. L. S. is the boy's mother. Ms. S. previously had personal problems that led to allegations of child abuse and neglect, and she placed her son with his father to avoid a foster care placement. She wishes to maintain contact with her son. Mr. C. has no objection to providing Ms. S. with a post office box mailing address for Ms. S. to use for contact with her son, but he objects to providing the family's physical location or telephone number. At the hearing, Ms. S. agreed that providing a post office box mailing address would be sufficient at this time, and she did not object to Mr. C.'s proposal.

III. Discussion

The division does not routinely disclose personal information. However, the division does not disclose information in response to a request without first providing an opportunity for the other party to establish grounds for non-disclosure.¹ In this case, following the request for

¹ See AS 25.27.275; 15 AAC 125.860.

disclosure, at the hearing the parties agreed to an alternative method of maintaining parental contact.

IV. Conclusion

The request for disclosure of a physical address and telephone number was withdrawn, and the division's decision to release that information should therefore be reversed.

V. Order

1. The Decision on Nondisclosure of Identifying Information dated December 8, 2007, is REVERSED.

2. Mr. C. shall provide a post office box mailing address for use by the division and Ms. S. in this matter.

DATED: March 12, 2008.

Signed _____
Andrew M. Hemenway
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 notices, 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 R. App. P. 602(a)(2) within 30 days after the date of this decision.

DATED this 7th day of April, 2008.

By: *Signed* _____
Signature
Andrew M. Hemenway _____
Name
Administrative Law Judge _____
Title

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