

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

IN THE MATTER OF	)	
	)	
J. V	)	Case No. OAH-09-0278-CSS
_____	)	CSSD Case No. 001155015

**ORDER DISMISSING CASE**

The custodian, J. M., appealed an Amended Administrative Child Support and Medical Support Order issued by the Child Support Services Division (CSSD) on March 5, 2009. CSSD moved to dismiss the case. A hearing on CSSD’s motion was held on June 1, 2009. The obligor, J. V., appeared by telephone. Erinn Brian represented CSSD by telephone. Ms. M. did not appear or show cause for her failure to appear; this action is therefore based on the record in accordance with 15 AAC 05.030(j).<sup>1</sup> The child is J. J. V. (DOB 00/00/05).

In her appeal, Ms. M. objected to the amount of credit that CSSD had allowed for direct payments to the custodian, and to credits made for health insurance. No other issues were identified.

According to 15 AAC 125.465(a), CSSD is required to make a decision regarding direct payments made before the order has been issued. An administrative appeal is not allowed from this decision, which is final for the purpose of appeal to the Superior Court.

According to 15 AAC 125.432, CSSD is required to apportion credit for healthcare insurance. An administrative appeal is not allowed from this decision, which is final for the purpose of appeal to the Superior Court.

There are no issues in this case that can be legally addressed at an administrative hearing. CSSD’s decisions on direct credit and credit for health insurance costs are ripe for appeal to the Superior Court. Therefore,

**IT IS HEREBY ORDERED** that this case be **DISMISSED** and that no further proceedings be scheduled in this matter. The Amended Administrative Child Support and

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<sup>1</sup> The Office of Administrative Hearings sent Ms. M. notice of the hearing by first class mail, and notice by certified mail to the out-of-state agency that initiated the support proceedings. Ms. M. did not provide a phone number to be contacted at for the hearing. The administrative law judge attempted to contact Ms. M. at the number on file for her, and at the number listed on her appeal form. There was no answer at either number.

Medical Support Order issued by the Child Support Services Division on March 5, 2009, will remain in effect.

DATED this 18<sup>th</sup> day of June, 2009.

By: Signed  
DALE WHITNEY  
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 8<sup>th</sup> day of July, 2009.

By: Signed  
Signature  
Dale Whitney  
Name  
Administrative Law Judge  
Title

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