

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

IN THE MATTER OF:)
)
K. L. C.)
)
) OAH No. 09-0345-CSS
) CSSD Case No. 001155501
_____)

DECISION AND ORDER

I. Introduction

This case concerns the obligation of K. L. C. for the support of her child J. C. (DOB 00/00/2000. The custodian of record is D. B.

The Child Support Services Division issued an amended administrative child support order establishing Ms. C.'s support obligation in the amount of \$432 per month on May 14, 2009. Ms. C. appealed and the administrative law judge conducted a telephonic hearing on July 16, 2009. Ms. C. and Mr. B. participated and Andrew Rawls represented the division.

II. Facts

Ms. C.'s appeal document notes that the division's amended support order erroneously included a 2008 Alaska Permanent Fund dividend and energy rebate in calculating her support obligation.¹ She submitted documentation showing that she had not received the 2008 dividend or energy rebate.² The division prepared revised calculations of her support obligation, omitting the dividend and rebate.³

III. Discussion

At the hearing, the parties agreed that the division's revised calculation for 2008 was correct. Because Ms. C.'s 2009 income will not be at least 15% greater than her 2008 income, the ongoing support obligation should remain the same in 2009. The parties agreed to entry of an order of support in the amount of \$403 per month for 2008 and 2009, based on the division's recalculations in the record, which are supported by the evidence.

¹ Ex. 8, p. 1.

² Ex. 8, p. 2.

³ Ex. 9.

IV. Conclusion

Based on the evidence in the record, and with the parties' consent, arrears and ongoing support are set at \$403 per month.

CHILD SUPPORT ORDER

The Amended Administrative Child Support and Medical Support Order dated May 14, 2009, is **AMENDED** as follows; in all other respects, that order is **AFFIRMED**:

1. Arrears are set at the rate of \$403 per month for the period from September 1, 2008, through July 31, 2009.
2. Amended ongoing child support is set at \$403 per month, effective August 1, 2009.

DATED: July 16, 2009.

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 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 10th day of August, 2009.

By: Signed

Signature
Andrew M. Hemenway

Name
Administrative Law Judge

Title

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