

# Administrative Hearings

## What is an Administrative Hearing?

An administrative hearing is a fact finding process, which is held at the child support enforcement agency. The administrative hearing is held in front of a CSEA Hearing Officer. The CSEA Hearing Officer is responsible for making neutral decisions regarding the issues before them.



One purpose of an administrative hearing is to establish paternity and/or establish a child support and medical support order. In addition, you can request an administrative hearing if you believe an error has been made.

At the administrative hearing, you should bring all necessary paperwork pertaining to the type of hearing that has been requested. It is important that you attend any administrative hearing at the child support agency in order to provide the hearing officer with accurate information. The hearing may still proceed if you do not appear.

## Types of Administrative Hearings

**1 Paternity Establishment** - Child support agencies generally determine paternity through genetic testing. Some child support agencies will conduct administrative hearings for paternity establishment.

**2 Child Support and Medical Support Order Establishment** - The hearing officer will utilize both parties' financial and other information to determine the amount of support to be paid in accordance with state law.

If no other financial information is available, the hearing officer has the authority to calculate income based on your earning potential. The agency has no authority to determine custody. In some counties, parenting time orders may be addressed.



If you disagree with the findings, you have **fourteen (14)** days from issuance of the order to object and request a court hearing.

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**3 Administrative Review and Adjustment** - At the completion of the administrative review and adjustment process, the child support agency will issue findings and recommendations for the child support amount. If you disagree with the findings and recommendations, you may request a hearing. The time frames to request a hearing are included in the findings and recommendations.

At the hearing you will be given the opportunity to provide documentation that supports your argument. The Hearing Officer will provide the results of the administrative hearing to you by mail. You can file an objection to the Hearing Officer's decision with the appropriate court within **fourteen (14)** days from the issuance of the Hearing Officer's decision.

**4 Emancipation and/or Termination** - During the emancipation and/or termination process the parties will be issued findings and recommendations regarding the child support order. If you disagree with the findings and recommendations, you may request an administrative hearing within **fourteen (14)** days from the issuance of the findings and recommendations.

If an administrative hearing is requested, the Hearing Officer will conduct the hearing and issue a written decision. Once the hearing decision is issued, both parties again have **fourteen (14)** days to review the decision and determine if they want to object by requesting a court hearing. If there is no objection, the hearing decision will be adopted as a final order. If a court hearing is requested, the court will schedule an objection hearing and the court will make the final decision.

**5 Mistake-of-Fact** - When a parent becomes delinquent in the payment of current support an Advance Notice of Default and Potential Action will be issued. The parent has the right to object to the Notice through a Mistake-of-Fact hearing. The request must be made within **fourteen (14)** days from issuance of the Advance Notice of Default.

At the hearing you will be given the opportunity to provide information to support your objection. The Hearing Officer will provide the parties with the results of the hearing by mail. Either party can file an objection to the Hearing Officer's decision with the appropriate court within **fourteen (14)** days from issuance of the decision.

Note: There are other reasons you can request a Mistake-of-Fact hearing.

## Do I Need An Attorney?

Either party has the right to bring an attorney to the administrative hearing. An attorney will not be appointed to you by the agency.