

STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF SUPPORT ENFORCEMENT

NOTICE OF SUPPORT DEBT AND DEMAND FOR PAYMENT

TO: **GEORGE J. FISHER**
ALEGREIA TR PARK
CARSON, WA 98610

REGARDING: **Vivian Fisher**

READ THIS NOTICE CAREFULLY. IT CONTAINS IMPORTANT INFORMATION ABOUT YOUR RIGHTS AND DUTIES.

The Department of Social and Health Services (DSHS), Office of Support Enforcement (OSE), acting as the Washington State Support Registry (WSSR) states:

1. a. ☒ A support order was entered in court on the **8/4/78 & 2/12/86**.
This order requires you to pay \$ **200.00** per month for support.
- b. ☐ A support order was entered in court on the _____.
This order requires you to pay \$ _____ per month and/or _____ % of your income per month for support.
Based on our information, OSE figures your support obligation to be \$ _____ per month. We will base our collection action on this amount. This does not change what you owe under your court order. You may request a review of this amount at the end of one year if your income changes. OSE figured this monthly amount in the following manner:

Current/future support ☒ is ☐ is not being collected by this office.

This order ☐ does ☒ does not require you to pay medical costs and/or provide medical insurance.

2. You owe a past due support debt of \$ **23800.00**. This amount includes:
 - a. Past due support (including maintenance/alimony) of \$ **23800.00** for the period(s):
3/86-6/88 & Judgment
 - b. Medical costs of \$ **N/A**
 - c. Interest, fees and other costs of \$ **N/A**



YOU MUST PAY THIS IN FULL, OR MAKE PAYMENT ARRANGEMENTS WITH OSE WITHIN 20 DAYS. YOU MUST PROVIDE MEDICAL SUPPORT AS ORDERED.

3. If you agree with the amount(s) stated and either:
 - a. Owe a back debt of at least one month's support, you must contact OSE within 20 days to sign a Wage Assignment; or
 - b. Are current in your support payments, you must send all future support payments to:

Office of Support Enforcement
Washington State Support Registry
P. O. Box 9009 MSP-11
Olympia, WA 98504

4. If you do not agree with the amount(s) stated, you should meet with or call the support officer listed below within 20 days.
 - a. Bring in any receipts, court orders or other proof that this amount is wrong.

- b. If you do not agree with the monthly amount in #1 (b) and/or #2, you may request a hearing with this office or go to court. If you choose to go to court, you must serve a notice of that action on the Office of the Attorney General or on OSE.
 - c. If you are unable to agree with the Support Officer on any section other than #1 (b) and/or #2, you may request a Conference Board.
 - d. You may, at any time, go to Court. If you do, you must serve a notice of the action on the Office of the Attorney General or on OSE.
5. You must make payments as stated, or take the proper action listed in #4 within 20 days.
- If you do not, OSE may take or withhold part or all of your wages, income, real estate, vehicles, or any other real or personal property.
- OSE will withhold up to 50% of your wages or send a Notice of Payroll Deduction or a Wage Assignment to your employer.
- THESE ACTIONS MAY BE TAKEN WITHOUT FURTHER NOTICE TO YOU.**
6. From the moment you or your agent is served with this Notice, you must make all support payments to OSE.
- If you are current in your support payments and are ordered to pay through WSSR, please continue to do so.
- If you pay through an agency or court in another state, you must notify OSE immediately of the name and address of the agency to which you pay so payments can be directed to OSE.
- If you do not pay through an agency or court in another state, after receiving this Notice, any payment made to anyone other than OSE, or the Support Registry, will be considered a gift. These gifts WILL NOT be credited to your support debt.
7. OSE cannot change, excuse, or forgive any support debt set by a court. Only a court can change what you are ordered to pay.
- Notice of any actions to change the Court order must be served on the Office of the Attorney General or on OSE.
8. **PLEASE INCLUDE ACCOUNT # 1792615 ON ALL PAYMENTS. THIS IS TO MAKE SURE THAT YOU RECEIVE PROPER CREDIT FOR ALL PAYMENTS.**
9. More information and legal authority for this action is listed on the back sides of this form. Your local bar association can tell you of any free legal service or lawyer referral service. Please contact them if you wish this information.
10. The WSSR possesses some or all of the following information: the social security number, residence address, and the name of the employer of the responsible parent; the social security number and residence address of the custodial parent; and the names, dates of birth and social security numbers of the dependent child(ren). Requests under WAC 388-14-030 for any of this information should be sent to the OSE office listed below.

Dated this **Twentieth day of June, 1988.**


Authorized Representative
OFFICE OF SUPPORT ENFORCEMENT

If you have questions, contact:
OFFICE OF SUPPORT ENFORCEMENT
5411 E. Mill Plain Road
PO Box 4269, MS; S53-2
Vancouver, Wa 98662

Support Enforcement Officer: **T. Burris**
Telephone number: **(206) 696-6631**

In reply, refer to D # **599747**

RCW 74.20A.040 NOTICE OF SUPPORT DEBT-SERVICE OR MAILINGS-CONTENTS-ACTION ON, WHEN. The secretary may issue a notice of a support debt accrued and/or accruing based upon RCW 74.20A.030, assignment of a support debt or a request for support enforcement services under RCW 74.20.040 (2) or (3), to enforce and collect a support debt created by a superior court order. Said notice may be served upon the debtor in the manner prescribed for the service of a summons in a civil action or be mailed to the debtor at his last known address by certified mail, return receipt requested, demanding payment within twenty days of the date of receipt. Said notice of debt shall include a statement of the support debt accrued and/or accruing, computable, on the amount required to be paid under any superior court order to which the department is subrogated or is authorized to enforce and collect under RCW 74.20A.030, has an assigned interest, or has been authorized to enforce pursuant to RCW 74.20.040 (2) or (3); a statement that the property of the debtor is subject to collection action; a statement that the property is subject to lien and foreclosure, distraint, seizure and sale, or order to withhold and deliver; and a statement that the net proceeds will be applied to the satisfaction of the support debt. Action to collect support debt by lien and foreclosure, or distraint, seizure and sale, or order to withhold and deliver shall be lawful after twenty days from the date of service upon the debtor or twenty days from the receipt or refusal by the debtor of said notice of debt.

RCW 74.20.101 PAYMENT OF SUPPORT MONEYS TO SUPPORT ENFORCEMENT AND COLLECTIONS UNIT-NOTICE-EFFECTS OF NONCOMPLIANCE. Whenever, as a result of any action, support money is paid by the person or persons responsible for support, such payments shall be paid through the support enforcement and collections unit of the state department of social and health services upon written notice by the department to the responsible person or to the clerk of the court, if appropriate, that the children for whom a support obligation exists are receiving public assistance or that the support debt has been assigned to the department.

After service on a responsible parent of a notice under this section or RCW 74.20A.040 or 74.20A.055, payment of moneys or in-kind providing for the support of the responsible parent's children which are not paid to the department shall not be credited against or set-off against any obligation to provide support which has been assigned to the department, whether the obligation has been determined by court order, or pursuant to RCW 74.20A.055 or is unliquidated.

RCW 26.23.050 SUPPORT ORDERS-NOTICE-PAYMENTS-ENFORCEMENT (3) If the support order does not include the provision ordering and directing that all payments be made to the Washington state support registry and a statement that a notice of payroll deduction may be issued if a support payment is past due, the office of support enforcement may serve a notice on the responsible parent stating such requirements and authorizations. Service may be by personal service or any form of mail requiring a return receipt.

RCW 26.23.110 PROCEDURES WHEN AMOUNT OF SUPPORT OBLIGATION NEEDS TO BE DETERMINED-NOTICE-HEARING. The department shall establish, by regulation, a process that may be utilized when a support order does not state the obligation to pay current and future support as a fixed dollar amount, or if there is a dispute about the amount of the support debt owed under a support order. This process is authorized in order to facilitate enforcement of the support order, and is intended to implement and effectuate the terms of the order rather than to modify those terms.

The process shall provide for a notice to be served on the responsible parent by personal service or any form of mailing requiring a return receipt. The notice shall contain an initial finding of the amount of current and future support that should be paid and/or the amount of the support debt owed under the support order. A copy of the notice of hearing shall be mailed to the person to whom support is payable under the support order.

The notice shall direct the responsible parent to appear and show cause at a hearing held by the department why the amount of current and future support to be paid and/or the amount of the support debt is incorrect and should not be ordered. The notice shall provide that the responsible parent has twenty days from the date of the service of the notice to request an administrative hearing or initiate an action in superior court. If the responsible parent does not request a hearing or initiate an action in superior court, the amount of current and future support and/or the amount of the support debt stated in the notice shall be subject to collection action.

If the responsible parent does not initiate such an action in superior court, and serve notice of the action on the department within the twenty-day period, the responsible parent shall be deemed to have made an election of remedies and shall be required to exhaust administrative remedies under this chapter with judicial review available as provided for in RCW 34.04.130.

The administrative hearing shall be a contested hearing under chapter 34.04 RCW and shall be conducted in accordance with the rules and regulation adopted by the department and the office of administrative hearings. A copy of the notice of hearing shall be mailed to the person to whom support is payable under the support order.

An administrative order entered in accordance with this section shall state the basis, rationale, or formula upon which the amounts established in the order were based. The amount of current and future support and/or the amount of the support debt determined under this section shall be subject to collection under this chapter and other applicable state statutes.

The regulation shall also provide for an annual review of the support order if either the office of support enforcement or the responsible parent requests such a review.

STATE OF WASHINGTON
BEFORE THE SECRETARY, DEPARTMENT OF SOCIAL AND HEALTH SERVICES

OBJECTION/REQUEST FOR HEARING

TO: OFFICE OF SUPPORT ENFORCEMENT
5411 E. Mill Plain Road
PO Box 4269, MS: S53-2
Vancouver, Wa 98662

FROM: _____
YOUR NAME

YOUR STREET ADDRESS, P.O. BOX, RRM

CITY STATE ZIP CODE

REGARDING: Vivian Fisher

I hereby object to the Notice served on me. I request a hearing. My current mailing address is listed above. I realize I must tell the Department of any change of address. I know that later certified mailings to my last known address will be legal service of any notices or Decision and Order relating to this action. I object to this Notice for the following reasons:

DATED THIS _____ DAY OF _____ 19____.

YOUR SIGNATURE

PLEASE READ PAGE 2 OF THIS FORM. IT EXPLAINS HOW TO FILL OUT THIS FORM.

In reply, refer to D # 599747

INSTRUCTIONS

If you wish to request a hearing you must serve this Objection on OSE either by certified mail or in person. This must be done within twenty (20) days of the date of service of the Notice on you.

Notice of the date, place and time of your hearing will be sent to you within 14 days of your request. If you do not appear at the hearing a Default Order will be entered. This order will set child support at the amount listed in the Notice you received. All information about your hearing will be sent to your last known address by certified mail. It is important that you pick up all certified mail sent to you from now on.

This form must be completed if you wish to object to the Notice. You must also complete the financial affidavit and send it with this Objection. You may contact your Support Officer from 8:00 am until 5:00 pm, Monday through Friday. You may be able to settle your concerns with the Officer without going through a hearing.

If you wish to be contacted to try to settle this matter before the hearing, please complete the correct blank below. This contact does not stop your right to a hearing should you and your Officer not agree on terms.

- ☐ Please contact me at _____ between the hours of _____ a.m.
Telephone Number
 and _____ p.m. on _____
day(s) of week
- ☐ I will be in the Office of Support Enforcement on _____
Month Day Year
 between the hours of _____ a.m. and _____ p.m.

Office of Support Enforcement
**INFORMATION CONCERNING RESPONSIBILITIES AND RIGHTS OF A PARENT WHO HAS
 LEGAL LIABILITY FOR THE FINANCIAL SUPPORT OF DEPENDENT CHILD(REN)**
 (Read Both Pages Carefully)

It is the Department of Social & Health Services' responsibility to ensure that responsible parents provide adequate financial support for their dependents according to the law. We intend to be fair in our application of those laws. We cannot change the laws and in some cases you may feel that the law itself is unfair. The Department does intend to ensure that the law is fairly applied to your situation. With your good faith and cooperation we should be able to do that. In most cases, you will have to pay child support. You should understand that our primary obligation is to establish and collect child support. We do not wish to take collection action against any individual who has valid legal defenses or any individual who has been involved in our process through error. Please bring these matters to our attention at the earliest possible opportunity and inform us of your defenses. If you are willing to pay child support to the best of your ability for your children, or for your step-children, then most problems can be worked out.

The Department has determined that you are a responsible parent. A responsible parent is one who is responsible for the support of a dependent child or children. A responsible parent includes natural fathers and mothers, adoptive fathers and mothers and step-parents. The statute defines "step-parent" as the present spouse of the mother, father or adoptive parent of a dependent child. A person remains a step-parent until the marriage relationship is terminated by death or dissolution of the marriage.

The Office of Support Enforcement of the Department of Social and Health Services is responsible for identifying and contacting responsible parents for the purpose of establishing and collecting child support. It has a responsibility to investigate cases and determine whether or not support payments are being made in accordance with the amount set by Superior Court order. If there is no Superior Court order for support, it is the responsibility of the Office of Support Enforcement to initiate action to determine the amount of your obligation for the support of your child(ren). It is the responsibility of the Office of Support Enforcement to initiate enforcement action, including compulsory collection process, to ensure payment. These duties are imposed upon the Department by State and Federal law.

You have either been served with: (1) a Notice of Support Debt and Demand for Payment, or (2) a Notice and Finding of Financial Responsibility. The first type of notice pertains to a debt created by a Superior Court order. The second type of notice is issued when the amount of the obligation to support has not been set out in a Superior Court order.

1. COURT ORDERED CASES

If the Superior Court of the State of Washington or an equivalent court of another state has ordered a responsible parent to pay a certain amount of support money for a dependent child, that is the amount which must be paid. However, some support orders by the Superior Court are for various reasons no longer valid, enforceable or recognized.

If the Superior Court order has already set the amount which you are required to pay, the Office of Support Enforcement is required by law to enforce that amount. The Office of Support Enforcement does not have the power to modify your support liability under the Court Order to either increase or decrease the amount you must pay. Only the Court has this power. If you feel that the Court order must be modified, it is your responsibility acting through your attorney to obtain such modification. You are required by law to give notice to the Office of the Attorney General representing the Department at the time of institution of any action to modify this support order.

However, if you feel that you have not been properly credited with all payments which you believe you have made in accordance with that order and if you are willing to make payments of current support in the future and, if necessary, make monthly payments on any arrears that are owed, then you and the Office of Support Enforcement should be able to resolve this matter to our mutual satisfaction. Your first step should be to contact the support enforcement officer listed on the bottom left-hand corner of the Notice of Support Debt and Demand for Payment. That individual may have authority to give you credit for payments, if you can prove that these payments were made prior to service of the Notice. You should assemble your receipts, cancelled checks, copies of court orders, and any other documentary evidence that you have. If your only evidence is that the custodian of the child(ren) or some other person received these payments or witnessed these payments being made, get a written, sworn statement from that witness. All of your evidence should be forwarded to or brought to the support enforcement officer within twenty days of the date you were served with this notice. If you cannot gather the materials in that period of time, contact the support enforcement officer, make arrangements for payment of the current support as required, and obtain a continuance of this matter which will allow you additional time to assemble your documents. You may be asked at this time to sign a Waiver of the Statute of Limitations if the arrears debt in controversy is very old. This Waiver would be necessary to avoid harm to the right of the Department or the party the Department represents.

If you do not pay the current support pending the resolution of a controversy on the amount of the arrears, or if you unreasonably delay in assembling and presenting your materials, collection action may be taken. If you cannot reach an agreement with the support enforcement officer and you do not seek relief from a Conference Board, you must seek relief in Superior Court. A hearing examiner does not have authority to decide these disputes.

2. NON-COURT ORDERED CASES

If there is no Superior Court order for support in your case, then it is within the authority of the Department of Social and Health Services to set your support obligation. State law (RCW 74.20A.055) authorizes the Department

to serve a Notice and Finding of Financial Responsibility upon you, stating the amounts of the needs of the child(ren) the Department represents. This commences the legal process by which your support obligation is established.

You have twenty days from the date you were served with the Notice and Finding of Financial Responsibility to make an objection. Thereafter, a hearing may be held before a hearing examiner who will determine the amount that you should pay for current/further support, the amount of the past/accrued debt and the amount of payments to repay the past/accrued debt. In some cases, the Notice served upon you is based only on the needs of the child. You have a right to have your ability to pay considered before a final determination is made as to your obligation.

If you disagree with the amounts set forth in the Notice, there are two steps you can take in attempting to resolve the amount of your support obligations(s).

The first step is to contact the support enforcement officer assigned to your case. Make your written objection to preserve your rights to a hearing, but also provide that person with full information as to your earnings, property and any other information which would show your ability or your inability to pay. If you are willing to pay the amount of support indicated on the scale of minimum contributions, it may be possible to work out a consent order establishing the amount of your obligation(s) without the need for a hearing.

The second step, if it is not possible to agree on a consent order, is to pursue your request for a hearing and go to that hearing on your objection and have the hearing examiner set your obligation. The hearing examiner is required to consider the scale of minimum contributions, but is authorized to set amounts lower than the scale of minimum contributions when exceptional circumstances are proven at the hearing.

If you do not make an objection within the twenty days immediately following the date you were served with the Notice and Finding of Financial Responsibility, the Office of Support Enforcement is authorized to commence collection action against you based upon your failure to contest that notice. If this is the case, collection action may be taken without any consideration of your ability to pay. If you can show good cause for your failure to make an objection within twenty days, WAC 388-11-055 and RCW 74.20A.055 provide that you still can have a hearing. In requesting a late hearing, please make reference to that regulation when petitioning for an untimely hearing and state the reasons you believe to be good cause for your failure to request a hearing during the twenty-day period. This untimely hearing request is not granted automatically. You may be required to pay temporary current/future support during the pendency of the hearing, review of the hearing, and during any appeal to the courts.

If you are not satisfied with the decision of the hearing examiner, you can petition for review of that decision by the Secretary. This petition must be made within thirty days of the entry of the hearing examiner's decision. If after receiving that review decision, you are still dissatisfied, you may appeal to the Courts. RCW 34.04 provides for judicial review of contested cases decided by administrative agencies. Please note that collection action by the Office of Support Enforcement based upon the decision of the hearing examiner or the Secretary is not automatically stopped by your appeal to Superior Court. You or your attorney should contact the Attorney General's Office representing the Department once the appeal is actually filed to arrange for temporary support payments during the pendency of the appeal or for a stay of collection action.

3. CONFERENCE BOARD

It is best for both you and the Office of Support Enforcement to reconcile any differences by meeting at the earliest opportunity. If you and the individual assigned to your case display mutual cooperation, the matter usually can be worked out. The support enforcement officer will apply the requirements of the law to the facts of your case and provide you with any relief authorized by law. The support enforcement officer cannot, however, go beyond lawful authority. If you cannot, for some reason, resolve the matter with the support enforcement officer, you should ask to speak to the support enforcement officer's supervisor. If you still cannot resolve the matter, then you also have an opportunity to request a Conference Board.

A Conference Board is a review, investigation and resolution process which is independent from the office handling your case. The Conference Board enables you to discuss your unresolved differences with higher management authorities who have the authority to overrule prior decisions. The Conference Board is not required by the Constitution or any statute and is not a substitute for any hearing required by statute or by the Constitution. It is not a contested case and cannot be reviewed by the court of law. It is a method by which many good faith disputes can be resolved, policies can be explained and facts can be clarified.

If the support enforcement officer or his supervisor has made an error, a Conference Board can and will correct that error.

If you require help in the determination of your legal rights in this process, any of our field offices will provide you, on request, with copies of the statutes and regulations or forms which apply to your particular case. Our personnel cannot give you legal advice. We do not represent you, but we encourage you to seek professional legal advice of your own choice. We will, however, make every effort to explain the situation and to make materials available to you or your attorney.

In addition to the Conference Board and the administrative hearing processes described above, you always have the right to seek relief from both Federal and State courts. If we can provide any further information or assist you in any matter, please contact the Office of Support Enforcement responsible for your case.

IN THE DISTRICT COURT IN AND FOR THE
COUNTY OF GARFIELD AND STATE OF COLORADO
Civil Action No. 9113

COPY

In re the Marriage of
VIVIAN FISHER,
Petitioner,
and
GEORGE JAMES FISHER,
Respondent.

DECREE OF
DISSOLUTION OF MARRIAGE

THIS MATTER was heard on its merits July 19, 1978,
the Petitioner appearing personally and by Robert B. Emerson,
her attorney of record, and the Respondent not appearing
personally or by counsel. The Court has examined the record,
heard the evidence and statements of counsel and, based
thereon, makes the following findings:

1. The Court has jurisdiction over the parties and
the subject matter of this action.
2. Petitioner has been a resident of the State for 90
days preceding the commencement of this proceeding.
3. The marriage of the parties is irretrievably
broken.
4. The Petitioner is a fit and proper person to have
custody of the minor children of the parties and it would be
in the best interests of said children if the Petitioner
were granted custody.
5. That the Petitioner has established a need for
support of said children and has established the ability of
Respondent to pay child support.
6. That the Petitioner has waived spousal maintenance.
7. That the Petitioner has need for the 1973 Kirkwood
mobile home, model number 1201612307, serial number 206,
jointly owned by the parties, the 1973 Plymouth automobile,
serial number VH23C3G225291, and the personal property of
the parties, currently located in said mobile home, located
at 0106 County Road 104, Carbondale, Colorado.

RECORDER'S NOTE: PORTIONS OF
THIS DOCUMENT POOR QUALITY
FOR FILMING

IT IS HEREOF, ORDERED AND DECREED that:

1. A decree of dissolution entered, and the marriage between the parties hereby dissolved.

2. That the custody of the minor children of the parties, Silence Denise and Dreama Jean, be granted to the Petitioner, Vivian Fisher, subject to the right of reasonable visitation of the Respondent as long as he is not intoxicated at the time of said visitation.

3. That the Respondent is ordered to pay into the Registry of the Court the sum of \$100.00 as child support for the minor children of the parties on the 5th and 20th of each month, (\$200 total per month), beginning July 20, 1978, and continuing until the emancipation of said children or until further order of this Court.

4. The Petitioner is hereby granted all personal property currently located in the mobile home at 0406 County Road 104, Carbondale, Colorado.

5. Petitioner is hereby granted the mobile home referred to above subject to the outstanding encumbrance against it. The Respondent is hereby ordered to execute the necessary documents conveying title to said mobile home to the Petitioner, or, in the absence of said documents, this Order shall convey the Respondent's interest in said mobile home to the Petitioner.

6. Petitioner is hereby granted the mobile home referred to above subject to the outstanding encumbrance against it. The Respondent is hereby ordered to execute the necessary documents conveying title to said mobile home to the Petitioner, or, in the absence of said documents, this Order shall convey the Respondent's interest in said mobile home to the Petitioner.

RECORDER'S NOTE: THIS
DOCUMENT ILLEGIBLE AT
TIME OF RECORDING.

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RECORDER'S NOTE: PORTIONS OF
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FOR FILMING

IT IS FURTHER ORDERED that this Court retain such jurisdiction over this action as is provided by law.
DATED this 4th day of May, 1978, nunc pro tunc July 19, 1978.

BY THE COURT:

[Signature]
District Judge

Approved as to Form:

[Signature]
Robert B. Emerson
Attorney for Petitioner
P. O. Box 948
Carbondale, Colorado 81623
Telephone No. 963-3700
Registration No. 001123

JUDICIAL COURT OF GARFIELD COUNTY
FILED
May 7, 1979
By *Karen J. Lenn*
Clerk
Deputy

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RECORDER'S NOTE: PORTIONS OF
THIS DOCUMENT POOR QUALITY
FOR FILMING

COPY

DISTRICT COURT, GARFIELD COUNTY, STATE OF COLORADO

Case No. 9113

JUDGMENT

In re the marriage of:
Vivian Fisher, Petitioner

and

George James Fisher, Respondent

Upon the verified Motion of Petitioner for a judgment for arrearages of child support payments and the entire record herein, the Court finds that the Petitioner, is entitled to judgment of \$18,200.00 in its favor against the Obligor, George James Fisher, for child support arrearages from 7/20/78 through 2/86. Respondent should have paid \$18,200.00 and actually paid \$-0- during that time.

Further that execution may enter forthwith.

Done and Ordered this 12 day of February, 1986,
at Glenwood Springs, Colorado.

BY THE COURT:

Judge J. E. DeVilbiss

STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF SUPPORT ENFORCEMENT

NOTICE OF SUPPORT DEBT AND DEMAND FOR PAYMENT

TO: GEORGE J. FISHER
ALEGREIA TR PARK
CARSON, WA 98610

REGARDING: Vivian Fisher

READ THIS NOTICE CAREFULLY. IT CONTAINS IMPORTANT INFORMATION ABOUT YOUR RIGHTS AND DUTIES.

The Department of Social and Health Services (DSHS), Office of Support Enforcement (OSE), acting as the Washington State Support Registry (WSSR) states:

1. a. ☒ A support order was entered in court on the 8/4/78 & 2/12/86.
This order requires you to pay \$ 200.00 per month for support.
- b. ☐ A support order was entered in court on the _____
This order requires you to pay \$ _____ per month and/or _____ % of your income per month for support.
Based on our information, OSE figures your support obligation to be \$ _____ per month. We will base our collection action on this amount. This does not change what you owe under your court order. You may request a review of this amount at the end of one year if your income changes. OSE figured this monthly amount in the following manner:

Current/future support ☒ is ☐ is not being collected by this office.

This order ☐ does ☒ does not require you to pay medical costs and/or provide medical insurance.

2. You owe a past due support debt of \$ 23800.00. This amount includes:

a. Past due support (including maintenance/alimony) of \$ 23800.00 for the period(s):
3/86-6/88 & Judgment

b. Medical costs of \$ N/A

c. Interest, fees and other costs of \$ N/A

YOU MUST PAY THIS IN FULL, OR MAKE PAYMENT ARRANGEMENTS WITH OSE WITHIN 20 DAYS. YOU MUST PROVIDE MEDICAL SUPPORT AS ORDERED.

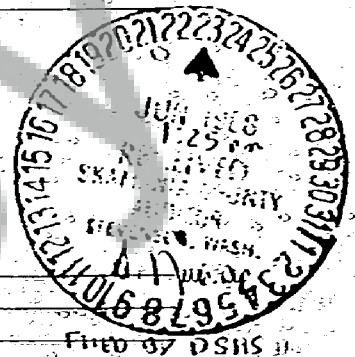
3. If you agree with the amount(s) stated and either:

- a. Owe a back debt of at least one month's support, you must contact OSE within 20 days to sign a Wage Assignment; or
- b. Are current in your support payments, you must send all future support payments to:

Office of Support Enforcement
Washington State Support Registry
P. O. Box 9009 MSP-11
Olympia, WA 98504

4. If you do not agree with the amount(s) stated, you should meet with or call the support officer listed below within 20 days.

- a. Bring in any receipts, court orders or other proof that this amount is wrong.



- b. If you do not agree with the monthly amount in #1 (b) and/or #2, you may request a hearing with this office or go to court. If you choose to go to court, you must serve a notice of that action on the Office of the Attorney General or on OSE.
 - c. If you are unable to agree with the Support Officer on any section other than #1 (b) and/or #2, you may request a Conference Board.
 - d. You may, at any time, go to Court. If you do, you must serve a notice of the action on the Office of the Attorney General or on OSE.
5. You must make payments as stated, or take the proper action listed in #4 within 20 days.
- If you do not, OSE may take or withhold part or all of your wages, income, real estate, vehicles, or any other real or personal property.
- OSE will withhold up to 50% of your wages or send a Notice of Payroll Deduction or a Wage Assignment to your employer.
- THESE ACTIONS MAY BE TAKEN WITHOUT FURTHER NOTICE TO YOU.**
6. From the moment you or your agent is served with this Notice, you must make all support payments to OSE.
- If you are current in your support payments and are ordered to pay through WSSR, please continue to do so.
- If you pay through an agency or court in another state, you must notify OSE immediately of the name and address of the agency to which you pay so payments can be directed to OSE.
- If you do not pay through an agency or court in another state, after receiving this Notice, any payment made to anyone other than OSE, or the Support Registry, will be considered a gift. These gifts **WILL NOT** be credited to your support debt.
7. OSE cannot change, excuse, or forgive any support debt set by a court. Only a court can change what you are ordered to pay. Notice of any actions to change the Court order must be served on the Office of the Attorney General or on OSE.
8. **PLEASE INCLUDE ACCOUNT # 1792615 ON ALL PAYMENTS. THIS IS TO MAKE SURE THAT YOU RECEIVE PROPER CREDIT FOR ALL PAYMENTS.**
9. More information and legal authority for this action is listed on the back sides of this form. Your local bar association can tell you of any free legal service or lawyer referral service. Please contact them if you wish this information.
10. The WSSR possesses some or all of the following information: the social security number, residence address, and the name of the employer of the responsible parent; the social security number and residence address of the custodial parent; and the names, dates of birth and social security numbers of the dependent child(ren). Requests under WAC 388-14-030 for any of this information should be sent to the OSE office listed below.

Dated this **Twentieth** day of **June**, 1988.


Authorized Representative
OFFICE OF SUPPORT ENFORCEMENT

If you have questions, contact:
OFFICE OF SUPPORT ENFORCEMENT
5411 E. Mill Plain Road
PO Box 4269, MS: S53-2
Vancouver, WA 98662

Support Enforcement Officer: **T. Burris**
Telephone number: **(206) 696-6631**

In reply, refer to D # **599747**

RCW 74.20A.040 NOTICE OF SUPPORT DEBT SERVICE OR MAILINGS CONTENTS ACTION ON, WHEN. The secretary may issue a notice of a support debt accrued and/or accruing based upon RCW 74.20A.030, assignment of a support debt or a request for support enforcement services under RCW 74.20.040 (2) or (3), to enforce and collect a support debt created by a superior court order. Said notice may be served upon the debtor in the manner prescribed for the service of a summons in a civil action or be mailed to the debtor at his last known address by certified mail, return receipt requested, demanding payment within twenty days of the date of receipt. Said notice of debt shall include a statement of the support debt accrued and/or accruing, computable, on the amount required to be paid under any superior court order to which the department is subrogated or is authorized to enforce and collect under RCW 74.20A.030, has an assigned interest, or has been authorized to enforce pursuant to RCW 74.20.040 (2) or (3); a statement that the property of the debtor is subject to collection action; a statement that the property is subject to lien and foreclosure, distraint, seizure and sale, or order to withhold and deliver; and a statement that the net proceeds will be applied to the satisfaction of the support debt. Action to collect support debt by lien and foreclosure, or distraint, seizure and sale, or order to withhold and deliver shall be lawful after twenty days from the date of service upon the debtor or twenty days from the receipt or refusal by the debtor of said notice of debt.

RCW 74.20.101 PAYMENT OF SUPPORT MONEYS TO SUPPORT ENFORCEMENT AND COLLECTIONS UNIT NOTICE EFFECTS OF NONCOMPLIANCE. Whenever, as a result of any action, support money is paid by the person or persons responsible for support, such payments shall be paid through the support enforcement and collections unit of the state department of social and health services upon written notice by the department to the responsible person or to the clerk of the court, if appropriate, that the children for whom a support obligation exists are receiving public assistance or that the support debt has been assigned to the department.

After service on a responsible parent of a notice under this section or RCW 74.20A.040 or 74.20A.055, payment of moneys or in-kind providing for the support of the responsible parent's children which are not paid to the department shall not be credited against or set-off against any obligation to provide support which has been assigned to the department, whether the obligation has been determined by court order, or pursuant to RCW 74.20A.055 or is unliquidated.

RCW 26.23.050 SUPPORT ORDERS NOTICE PAYMENTS ENFORCEMENT (3) If the support order does not include the provision ordering and directing that all payments be made to the Washington state support registry and a statement that a notice of payroll deduction may be issued if a support payment is past due, the office of support enforcement may serve a notice on the responsible parent stating such requirements and authorizations. Service may be by personal service or any form of mail requiring a return receipt.

RCW 26.23.110 PROCEDURES WHEN AMOUNT OF SUPPORT OBLIGATION NEEDS TO BE DETERMINED NOTICE HEARING. The department shall establish, by regulation, a process that may be utilized when a support order does not state the obligation to pay current and future support as a fixed dollar amount, or if there is a dispute about the amount of the support debt owed under a support order. This process is authorized in order to facilitate enforcement of the support order, and is intended to implement and effectuate the terms of the order rather than to modify those terms.

The process shall provide for a notice to be served on the responsible parent by personal service or any form of mailing requiring a return receipt. The notice shall contain an initial finding of the amount of current and future support that should be paid and/or the amount of the support debt owed under the support order. A copy of the notice of hearing shall be mailed to the person to whom support is payable under the support order.

The notice shall direct the responsible parent to appear and show cause at a hearing held by the department why the amount of current and future support to be paid and/or the amount of the support debt is incorrect and should not be ordered. The notice shall provide that the responsible parent has twenty days from the date of the service of the notice to request an administrative hearing or initiate an action in superior court. If the responsible parent does not request a hearing or initiate an action in superior court, the amount of current and future support and/or the amount of the support debt stated in the notice shall be subject to collection action.

If the responsible parent does not initiate such an action in superior court, and serve notice of the action on the department within the twenty-day period, the responsible parent shall be deemed to have made an election of remedies and shall be required to exhaust administrative remedies under this chapter with judicial review available as provided for in RCW 34.04.130.

The administrative hearing shall be a contested hearing under chapter 34.04 RCW and shall be conducted in accordance with the rules and regulation adopted by the department and the office of administrative hearings. A copy of the notice of hearing shall be mailed to the person to whom support is payable under the support order.

An administrative order entered in accordance with this section shall state the basis, rationale, or formula upon which the amounts established in the order were based. The amount of current and future support and/or the amount of the support debt determined under this section shall be subject to collection under this chapter and other applicable state statutes.

The regulation shall also provide for an annual review of the support order if either the office of support enforcement or the responsible parent requests such a review.

STATE OF WASHINGTON
BEFORE THE SECRETARY, DEPARTMENT OF SOCIAL AND HEALTH SERVICES

OBJECTION/REQUEST FOR HEARING

TO: OFFICE OF SUPPORT ENFORCEMENT
5411 E. Mill Plain Road
PO Box 4269, MS: S53-2
Vancouver, Wa 98662

FROM:

YOUR NAME

REGARDING: Vivian Fisher

YOUR STREET ADDRESS, P.O. BOX, RRM

CITY

STATE

ZIP CODE

I hereby object to the Notice served on me. I request a hearing. My current mailing address is listed above. I realize I must tell the Department of any change of address. I know that later certified mailings to my last known address will be legal service of any notices or Decision and Order relating to this action. I object to this Notice for the following reasons:

DATED THIS

DAY OF

19

YOUR SIGNATURE

PLEASE READ PAGE 2 OF THIS FORM. IT EXPLAINS HOW TO FILL OUT THIS FORM.

In reply, refer to D # 599747

INSTRUCTIONS

If you wish to request a hearing you must serve this Objection on OSE either by certified mail or in person. This must be done within twenty (20) days of the date of service of the Notice on you.

Notice of the date, place and time of your hearing will be sent to you within 14 days of your request. If you do not appear at the hearing a Default Order will be entered. This order will set child support at the amount listed in the Notice you received. All information about your hearing will be sent to your last known address by certified mail. It is important that you pick up all certified mail sent to you from now on.

This form must be completed if you wish to object to the Notice. You must also complete the financial affidavit and send it with this Objection. You may contact your Support Officer from 8:00 am until 5:00 pm, Monday through Friday. You may be able to settle your concerns with the Officer without going through a hearing.

If you wish to be contacted to try to settle this matter before the hearing, please complete the correct blank below. This contact does not stop your right to a hearing should you and your Officer not agree on terms.

- ☐ Please contact me at _____ between the hours of _____ a.m.
Telephone Number
 and _____ p.m. on _____
day(s) of week
- ☐ I will be in the Office of Support Enforcement on _____
Month Day Year
 between the hours of _____ a.m. and _____ p.m.

Office of Support Enforcement
INFORMATION CONCERNING RESPONSIBILITIES AND RIGHTS OF A PARENT WHO HAS
LEGAL LIABILITY FOR THE FINANCIAL SUPPORT OF DEPENDENT CHILD(REN)
 (Read Both Pages Carefully)

It is the Department of Social & Health Services' responsibility to ensure that responsible parents provide adequate financial support for their dependents according to the law. We intend to be fair in our application of those laws. We cannot change the laws and in some cases you may feel that the law itself is unfair. The Department does intend to ensure that the law is fairly applied to your situation. With your good faith and cooperation we should be able to do that. In most cases, you will have to pay child support. You should understand that our primary obligation is to establish and collect child support. We do not wish to take collection action against any individual who has valid legal defenses or any individual who has been involved in our process through error. Please bring these matters to our attention at the earliest possible opportunity and inform us of your defenses. If you are willing to pay child support to the best of your ability for your children, or for your step-children, then most problems can be worked out.

The Department has determined that you are a responsible parent. A responsible parent is one who is responsible for the support of a dependent child or children. A responsible parent includes natural fathers and mothers, adoptive fathers and mothers and step-parents. The statute defines "step-parent" as the present spouse of the mother, father or adoptive parent of a dependent child. A person remains a step-parent until the marriage relationship is terminated by death or dissolution of the marriage.

The Office of Support Enforcement of the Department of Social and Health Services is responsible for identifying and contacting responsible parents for the purpose of establishing and collecting child support. It has a responsibility to investigate cases and determine whether or not support payments are being made in accordance with the amount set by Superior Court order. If there is no Superior Court order for support, it is the responsibility of the Office of Support Enforcement to initiate action to determine the amount of your obligation for the support of your child(ren). It is the responsibility of the Office of Support Enforcement to initiate enforcement action, including compulsory collection process, to ensure payment. These duties are imposed upon the Department by State and Federal law.

You have either been served with: (1) a Notice of Support Debt and Demand for Payment, or (2) a Notice and Finding of Financial Responsibility. The first type of notice pertains to a debt created by a Superior Court order. The second type of notice is issued when the amount of the obligation to support has not been set out in a Superior Court order.

1. COURT ORDERED CASES

If the Superior Court of the State of Washington or an equivalent court of another state has ordered a responsible parent to pay a certain amount of support money for a dependent child, that is the amount which must be paid. However, some support orders by the Superior Court are for various reasons no longer valid, enforceable or recognized.

If the Superior Court order has already set the amount which you are required to pay, the Office of Support Enforcement is required by law to enforce that amount. The Office of Support Enforcement does not have the power to modify your support liability under the Court Order to either increase or decrease the amount you must pay. Only the Court has this power. If you feel that the Court order must be modified, it is your responsibility acting through your attorney to obtain such modification. You are required by law to give notice to the Office of the Attorney General representing the Department at the time of institution of any action to modify this support order.

However, if you feel that you have not been properly credited with all payments which you believe you have made in accordance with that order and if you are willing to make payments of current support in the future and, if necessary, make monthly payments on any arrears that are owed, then you and the Office of Support Enforcement should be able to resolve this matter to our mutual satisfaction. Your first step should be to contact the support enforcement officer listed on the bottom left-hand corner of the Notice of Support Debt and Demand for Payment. That individual may have authority to give you credit for payments, if you can prove that these payments were made prior to service of the Notice. You should assemble your receipts, cancelled checks, copies of court orders, and any other documentary evidence that you have. If your only evidence is that the custodian of the child(ren) or some other person received these payments or witnessed these payments being made, get a written, sworn statement from that witness. All of your evidence should be forwarded to or brought to the support enforcement officer within twenty days of the date you were served with this notice. If you cannot gather the materials in that period of time, contact the support enforcement officer, make arrangements for payment of the current support as required, and obtain a continuance of this matter which will allow you additional time to assemble your documents. You may be asked at this time to sign a Waiver of the Statute of Limitations if the arrears debt in controversy is very old. This Waiver would be necessary to avoid harm to the right of the Department or the party the Department represents.

If you do not pay the current support pending the resolution of a controversy on the amount of the arrears, or if you unreasonably delay in assembling and presenting your materials, collection action may be taken. If you cannot reach an agreement with the support enforcement officer and you do not seek relief from a Conference Board, you must seek relief in Superior Court. A hearing examiner does not have authority to decide these disputes.

2. NON-COURT ORDERED CASES

If there is no Superior Court order for support in your case, then it is within the authority of the Department of Social and Health Services to set your support obligation. State law (RCW 74.20A.055) authorizes the Department

to serve a Notice and Finding of Financial Responsibility upon you stating the amounts of the needs of the child(ren) the Department represents. This commences the legal process by which your support obligation is established.

You have twenty days from the date you were served with the Notice and Finding of Financial Responsibility to make an objection. Thereafter, a hearing may be held before a hearing examiner who will determine the amount that you should pay for current/further support, the amount of the past/accrued debt and the amount of payments to repay the past/accrued debt. In some cases, the Notice served upon you is based only on the needs of the child. You have a right to have your ability to pay considered before a final determination is made as to your obligation.

If you disagree with the amounts set forth in the Notice, there are two steps you can take in attempting to resolve the amount of your support obligations(s).

The first step is to contact the support enforcement officer assigned to your case. Make your written objection to preserve your rights to a hearing, but also provide that person with full information as to your earnings, property and any other information which would show your ability or your inability to pay. If you are willing to pay the amount of support indicated on the scale of minimum contributions, it may be possible to work out a consent order establishing the amount of your obligation(s) without the need for a hearing.

The second step, if it is not possible to agree on a consent order, is to pursue your request for a hearing and go to that hearing on your objection and have the hearing examiner set your obligation. The hearing examiner is required to consider the scale of minimum contributions, but is authorized to set amounts lower than the scale of minimum contributions when exceptional circumstances are proven at the hearing.

If you do not make an objection within the twenty days immediately following the date you were served with the Notice and Finding of Financial Responsibility, the Office of Support Enforcement is authorized to commence collection action against you based upon your failure to contest that notice. If this is the case, collection action may be taken without any consideration of your ability to pay. If you can show good cause for your failure to make an objection within twenty days, WAC 388-11-055 and RCW 74.20A.055 provide that you still can have a hearing. In requesting a late hearing, please make reference to that regulation when petitioning for an untimely hearing and state the reasons you believe to be good cause for your failure to request a hearing during the twenty-day period. This untimely hearing request is not granted automatically. You may be required to pay temporary current/future support during the pendency of the hearing, review of the hearing, and during any appeal to the courts.

If you are not satisfied with the decision of the hearing examiner, you can petition for review of that decision by the Secretary. This petition must be made within thirty days of the entry of the hearing examiner's decision. If after receiving that review decision, you are still dissatisfied, you may appeal to the Courts. RCW 34.04 provides for judicial review of contested cases decided by administrative agencies. Please note that collection action by the Office of Support Enforcement based upon the decision of the hearing examiner or the Secretary is not automatically stopped by your appeal to Superior Court. You or your attorney should contact the Attorney General's Office representing the Department once the appeal is actually filed to arrange for temporary support payments during the pendency of the appeal or for a stay of collection action.

3. CONFERENCE BOARD

It is best for both you and the Office of Support Enforcement to reconcile any differences by meeting at the earliest opportunity. If you and the individual assigned to your case display mutual cooperation, the matter usually can be worked out. The support enforcement officer will apply the requirements of the law to the facts of your case and provide you with any relief authorized by law. The support enforcement officer cannot, however, go beyond lawful authority. If you cannot, for some reason, resolve the matter with the support enforcement officer, you should ask to speak to the support enforcement officer's supervisor. If you still cannot resolve the matter, then you also have an opportunity to request a Conference Board.

A Conference Board is a review, investigation and resolution process which is independent from the office handling your case. The Conference Board enables you to discuss your unresolved differences with higher management authorities who have the authority to overrule prior decisions. The Conference Board is not required by the Constitution or any statute and is not a substitute for any hearing required by statute or by the Constitution. It is not a contested case and cannot be reviewed by the court of law. It is a method by which many good faith disputes can be resolved, policies can be explained and facts can be clarified.

If the support enforcement officer or his supervisor has made an error, a Conference Board can and will correct that error.

If you require help in the determination of your legal rights in this process, any of our field offices will provide you, on request, with copies of the statutes and regulations or forms which apply to your particular case. Our personnel cannot give you legal advice. We do not represent you, but we encourage you to seek professional legal advice of your own choice. We will, however, make every effort to explain the situation and to make materials available to you or your attorney.

In addition to the Conference Board and the administrative hearing processes described above, you always have the right to seek relief from both Federal and State courts. If we can provide any further information or assist you in any matter, please contact the Office of Support Enforcement responsible for your case.

IN THE DISTRICT COURT IN AND FOR THE
COUNTY OF GARFIELD AND STATE OF COLORADO
Civil Action No. 9113

COPY

In re the Marriage of
VIVIAN FISHER,
Petitioner,
and
GEORGE JAMES FISHER,
Respondent.

DECREE OF
DISSOLUTION OF MARRIAGE

THIS MATTER was heard on its merits July 19, 1978,
the Petitioner appearing personally and by Robert B. Emerson,
her attorney of record, and the Respondent not appearing
personally or by counsel. The Court has examined the record,
heard the evidence and statements of counsel and, based
thereon, makes the following findings:

1. The Court has jurisdiction over the parties and
the subject matter of this action.
2. Petitioner has been a resident of the State for 90
days preceding the commencement of this proceeding.
3. The marriage of the parties is irretrievably
broken.
4. The Petitioner is a fit and proper person to have
custody of the minor children of the parties and it would be
in the best interests of said children if the Petitioner
were granted custody.
5. That the Petitioner has established a need for
support of said children and has established the ability of
Respondent to pay child support.
6. That the Petitioner has waived spousal maintenance.
7. That the Petitioner has need for the 1973 Kirkwood
mobile home, model number 1201612387, serial number 206,
jointly owned by the parties, the 1973 Plymouth automobile,
serial number VH23CJG225291, and the personal property of
the parties, currently located in said mobile home, located
at 0106 County Road 104, Carbondale, Colorado.

RECORDER'S NOTE: PORTIONS OF
THIS DOCUMENT POOR QUALITY
FOR FILMING

IT IS HEREOF, ORDER

ED AND DECREED that:

1. A decree of dissolution entered, and the marriage between the parties hereby dissolved.

2. That the custody of the minor children of the parties, Silence Denise and Dream JoAnn, be granted to the Petitioner, Vivian Fisher, subject to the right of reasonable visitation of the Respondent as long as he is not intoxicated at the time of such visitation.

3. That the Respondent is ordered to pay into the Registry of the Court the sum of \$100.00 as child support for the minor children of the parties on the 5th and 20th of each month, (\$200 total per month), beginning July 20, 1978, and continuing until the emancipation of said children or until further order of this Court.

4. The Petitioner is hereby granted all personal property currently located in the mobile home at 0406 County Road 104, Carbondale, Colorado.

5. Petitioner is hereby granted the mobile home referred to above subject to the outstanding encumbrance against it. The Respondent is hereby ordered to execute the necessary documents conveying title to said mobile home to the Petitioner, or, in the absence of said documents, this Order shall convey the Respondent's interest in said mobile home to the Petitioner.

6. Petitioner is hereby granted the mobile home referred to above subject to the outstanding encumbrance against it. The Respondent is hereby ordered to execute the necessary documents conveying title to said mobile home to the Petitioner, or, in the absence of said documents, this Order shall convey the Respondent's interest in said mobile home to the Petitioner.

RECORDER'S NOTE: THIS DOCUMENT ILLEGIBLE AT TIME OF RECORDING.

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RECORDER'S NOTE: PORTIONS OF THIS DOCUMENT POOR QUALITY FOR FILMING

IT IS FURTHER ORDERED that this Court retain such jurisdiction over this action as is provided by law.
DATED this 4th day of May, 1978, nunc pro tunc July 19, 1978.

BY THE COURT:

[Signature]
District Judge

Approved as to Form

[Signature]
Robert B. Emerson
Attorney for Petitioner
P. O. Box 948
Carbondale, Colorado 81623
Telephone No. 963-3700
Registration No. 001123

FILED IN COURT OF GARFIELD COUNTY
Case No. _____
Dated: May 7, 1979
By: *[Signature]*
Clerk
Deputy

RECORDER'S NOTE: PORTIONS OF
THIS DOCUMENT POOR QUALITY
FOR FILMING

COPY

DISTRICT COURT, GARFIELD COUNTY, STATE OF COLORADO

Case No. 9113

JUDGMENT

In re the marriage of:
Vivian Fisher, Petitioner

and

George James Fisher, Respondent

Upon the verified Motion of Petitioner for a judgment for arrearages of child support payments and the entire record herein, the Court finds that the Petitioner, is entitled to judgment of \$18,200.00 in its favor against the Obligor, George James Fisher, for child support arrearages from 7/20/78 through 2/86. Respondent should have paid \$18,200.00 and actually paid \$-0- during that time.

Further that execution may enter forthwith.

Done and Ordered this 12 day of February, 1986,
at Glenwood Springs, Colorado.

BY THE COURT:

J. E. DeVilbiss
Judge