

405.450 Dispute hearings -- Appeal -- Payment during pendency of appeal -- Contested obligation amount during modification review.

- (1) A hearing officer appointed by the secretary shall conduct dispute hearings in the county of the child or parent's residence or any other location acceptable to the parent, which shall be scheduled within sixty (60) days of the parent's request for a hearing. The dispute hearing proceedings shall be conducted in accordance with KRS Chapter 13B.
- (2) The parent's obligation to pay minimum monthly support shall be stayed until his receipt of the final order.
- (3) The parent or the cabinet may file an appeal in the Circuit Court in the county of the parent's or the child's residence in accordance with KRS Chapter 13B.
- (4) The parent shall, during the pendency of his appeal from the final order, absent a showing of indigency or need exceeding the child's need, pay the minimum monthly support obligation to the cabinet, which shall, if the parent's appeal is successful, return his money together with interest at the legal rate for judgments.
- (5) If the cabinet elects to conduct the modification review as specified in KRS 405.430 (6), either party may contest the adjustment to the obligation amount within thirty (30) days after the date of the notice of the adjustment by requesting a review under subsection (1) of this section and, if appropriate, a request for adjustment of the order as permitted by this chapter.

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 255, sec. 24, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 318, sec. 354, effective July 15, 1996. -- Amended 1986 Ky. Acts ch. 487, sec. 12, effective July 15, 1986. -- Created 1984 Ky. Acts ch. 144, sec. 7, effective July 13, 1984.