IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF CLACKAMAS

In the Matter of ☐ the Marriage of:	)	
	)	
_____,	)	Case No. _____
Petitioner,	)	
and	)	☐ PETITIONER'S ☐ RESPONDENT'S
	)	MOTION AND ORDER TO TRANSFER CASE
_____,	)	
Respondent.	)	

UTCR 5.050 Information

☐ Oral argument is requested.
☐ Estimated time: _____
☐ Court reporting services are requested (Requesting party pays)

Motion

Based on the attached Certificate, ☐ Petitioner ☐ Respondent, who is the moving party in a modification proceeding, or who submits this motion as a preliminary matter before initiating a modification proceeding, requests that this court grant an Order transferring certified copies of files, records and prepared transcripts of testimony, if any, in the above-referenced case to the Circuit court in _____ County, this being the county in which ☐ Petitioner ☐ Respondent now resides or in which property of ☐ Petitioner ☐ Respondent is now located. This motion is not made for the purpose of delay.

Statement of Points and Authorities

For cases in which the moving party seeks modification or enforcement of a child support order and brings a motion to transfer: ORS 25.100(1) provides that the court may, upon motion of a party, order that certified copies of the files, records and prepared transcripts of testimony in a proceeding where an order or decree has been entered pursuant to ORS 107.095, 107.105, 108.120, 109.155, 416.400 to 416.470, 419B.400, 419C.590, or ORS chapter 110, be transmitted to the clerk of the circuit court of any county in this state in which the obligee or obligor now resides, or in which property of the obligor is now located.

For cases involving a custody / parenting time modification, in which a party to the modification proceeding brings a motion to transfer: ORS 107.449 (1) provides that in a modification case under ORS 107.135 (1) that is not otherwise covered by ORS 25.100 (1), the Court which entered the original judgment may order the matter transferred to an auxiliary circuit court for the purpose of hearing the modification case, based upon convenience of the parties. This transfer may occur upon motion of a party to the modification proceeding, requesting transfer to the circuit court of a county in Oregon where either party resides.

Certificate of Document Preparation. You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

☐ I selected this document for myself and I completed it without paid assistance.

☐ I paid or will pay money to _____ for assistance in preparing this form.

DATED this _____ day of _____, 20_____.

_____
☐Petitioner ☐Respondent, Signature

ORDER

☐ **Allowed.**
☐ Fees/costs for transfer of files, records and transcripts to be paid by ☐Petitioner ☐Respondent
☐ Other: _____
☐ **Denied.**

DATED this _____ day of _____, 20_____.

_____
Circuit Court Judge

_____
Print Name

Submitted by:

_____
Petitioner ☐ Respondent, Signature Print Name

_____
Address or Contact Address City, State, Zip Telephone or Contact Telephone

I certify that this is a true copy.: _____, ☐ Petitioner ☐ Respondent, Signature