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	)	
	)	
_____,	)	GENERAL JUDGMENT OF SEPARATION
Respondent	)	
and	)	
	)	
☐ _____,	)	
Child who is 18, 19, or 20 years of age,	)	
unmarried and unemancipated.	)	
(ORS 107.108)	)	

1. **This matter came before the Court:**
   - ☐ On the motion and affidavit of Petitioner, the default of Respondent having been found.
   - ☐ On the motion of Petitioner, the default of Respondent having been found, and Respondent being represented by a guardian ad litem or another person described in Rule 27.
   - ☐ On the motion and affidavit of Petitioner, Respondent having filed a Waiver of Further Appearance.
   - ☐ On the stipulations of the parties, as shown by the signatures below.
   - ☐ At a hearing held _____, at which the following persons were present:
     (*date*)
   - ☐ Petitioner ☐ Petitioner's attorney _____
   - ☐ Respondent ☐ Respondent's attorney _____

2. Findings. The Court considered the: ☐ Affidavit ☐ Affidavit and stipulations ☐ Evidence presented and found that:

A. ☐Irreconcilable differences between the parties have caused a temporary or unlimited breakdown of their marriage/domestic partnership.
☐The parties have entered into an agreement (the terms of this judgment) suspending for a period of not less than one year their obligation to live together as husband and wife/domestic partners, as evidenced by the parties' signatures on pages 12 and 13 of this judgment.
☐Irreconcilable differences exist between the parties and the continuation of the marriage/domestic partnership preserves or protects their legal, financial, social or religious interests.

B. ☐<u>Spouses Only</u>: ☐Petitioner ☐Respondent was a resident of or was domiciled in the state of Oregon at the time the Petition for Separation was filed.

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☐ Domestic Partnership Only: One or both of the parties to this case currently live in the county where this petition has been filed, or ☐neither party currently resides in Oregon but the petition has been filed in the county where ☐Petitioner or ☐Respondent last resided.

C. **Children of the Marriage/Domestic Partnership.** The following children were born to/ adopted by the parties before or during this marriage/domestic partnership (*list name(s), date of birth(s) and age(s)*):

Name	Date of Birth	Age
	Do not list. Provided in CIF.	
	Do not list. Provided in CIF.	
	Do not list. Provided in CIF.	
	Do not list. Provided in CIF.	

☐ Petitioner ☐ Respondent is not the father, or paternity has not been established, of the children (list names):_____

_____

born during the marriage/domestic partnership on the following date(s):_____

_____

_____

☐ Neither party is now pregnant.
☐ Petitioner ☐ Respondent is now pregnant. ☐ Petitioner ☐ Respondent is not the parent of the child/ren due _____ (*date*).

D. **Child Custody Jurisdiction.** (*Check appropriate boxes*)

I. ☐ Oregon has jurisdiction under the Uniform Child Custody Jurisdiction and Enforcement Act to hear the ☐ custody ☐ parenting time issue because:

☐ Oregon is the child/ren's home state (i.e., the child/ren have lived here continuously for the six month period immediately before this case was filed).

☐ Other reason: _____

_____

II. ☐ Oregon does not have jurisdiction under the Uniform Child Custody Jurisdiction Act because:

_____

_____

E. **Child/ren Who Are At Least 18 and Under 21 Years of Age.**

_____ (child/ren's name) is 18, 19, or 20years of age, is unmarried and unemancipated and has:

☐ Waived further appearance in these proceedings.
☐ Signed and stipulated to the terms of judgment evidenced by the signature below.
☐ Fully participated in the proceedings and the judgment effectively binds him/her to the terms.

NOW, THEREFORE, IT IS HEREBY ORDERED:

The terms of this judgment are effective immediately. The parties are hereby legally separated as of the date this Judgment is signed, to continue for the period of time specified in Section 17 below.

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3. Parenting Plan.

Custody of the child/ren is awarded as follows:

☐ Petitioner is awarded sole custody of the following child/ren:_____

_____

☐ Respondent is awarded sole custody of the following child/ren:._____

_____

☐ The parties have agreed to joint custody of the following child/ren: _____

_____

with parenting time as described in the attached parenting plan, labeled "Exhibit 1".

☐ Petitioner ☐ Respondent shall have parenting time with the child/ren in accordance with ☐ the attached parenting plan, labeled "Exhibit 1."

☐ Petitioner ☐ Respondent shall have reasonable parenting time with the child/ren upon giving reasonable notice to the other parent. Minimum parenting time, in case of disagreement, shall be:_____

_____

_____

☐ Additional page(s) attached, labeled "Paragraph 3-Parenting Plan Continued ."

☐ Petitioner ☐ Respondent shall not have parenting time because this would endanger the health and safety of the child/ren.

☐ Parenting time shall be supervised by _____. ☐ Any cost of the supervision shall be paid by ☐ Petitioner ☐ Respondent ☐ Other: _____

☐ Petitioner and Respondent shall each provide contact addresses and contact telephone numbers to the other and notify each other of any emergency circumstances or substantial changes in the child/ren's health.

☐ Neither parent shall move to a residence more than 60 miles further distant from the other parent without giving the other parent reasonable notice of the change of residence and providing a copy of such notice to the court, or ☐ the requirement of ORS 107.159 regarding notice of move is suspended for good cause found.

4. Child Support, including Cash Medical Support. The support calculation worksheet, on which the support amount was calculated, is labeled "Exhibit ____," and is attached and incorporated into this judgment.

Complete <u>either</u> (a) or (b) below:

(a) ☐ Cash child support must be paid by ☐ Petitioner to Respondent (or) ☐ Respondent to Petitioner beginning on the ☐ first or ☐ _____ of the month following the date of the judgment and continuing on the same day of each month thereafter. The total payment per month is $_____ for _____ children.

The cash child support:

☐ Is the amount presumed to be appropriate under the support guidelines.

☐ Is different from the presumed appropriate amount of $_____ because (list reasons) _____.

(b) ☐ No cash child support is ordered in this judgment because:

☐ An order, ☐ including medical support, for child support in the monthly amount of $_____ has already been ordered in Circuit Court case number _____ in _____ County, Oregon.
☐ Other reason: _____

5. Medical Support. Complete section (a) or (b) below. Also complete section (c) or (d) below.

Complete (a) or (b):

(a) Private Health Care Coverage is Appropriate and Available.

☐ Petitioner ☐ Respondent ☐ Both Petitioner and Respondent has/have appropriate private health care coverage available for the parties' child/ren through an employer, spouse, domestic partner or other source. ☐ Petitioner ☐ Respondent ☐ Both Petitioner and Respondent is/are ordered to obtain and/or maintain this coverage throughout the period of the support obligation for the benefit of the parties' child/ren.

☐ Health care coverage is not ordered in this judgment because it has already been ordered in another case as described in section 4(b) above.

(b) No Private Health Care Coverage is Appropriate or Available.

☐ Neither Petitioner nor Respondent has appropriate private health care coverage available for the parties' child/ren. ☐ Petitioner ☐ Respondent ☐ Both Petitioner and Respondent must provide appropriate private health care coverage for the child/ren when such coverage becomes available to them at a reasonable cost through any source.

☐ The custodial parent shall enroll or maintain the child/ren in public health care coverage.

Complete (c) or (d):

(c) Cash Medical Support Ordered.

☐ Because the parent receiving cash child support is ordered to maintain private health care coverage and the parent paying cash child support is not ordered to maintain private health insurance, in addition to cash child support ☐ Petitioner ☐ Respondent must pay $_____ for cash medical support to ☐ Petitioner ☐ Respondent, or

☐ Because neither parent has appropriate private health care coverage available for the parties' child/ren: ☐ Petitioner must pay cash medical support in the monthly amount of $_____ to Respondent and/or ☐ Respondent must pay cash medical support in the monthly amount of $_____ to Petitioner.

(d) Cash Medical Support Not Ordered.

☐ Cash medical support is not ordered for the following reasons:

☐ The parent paying cash child support is also providing health care coverage.

☐ Section (e) below requires the parties to share the cost of the child/ren's uninsured medical expenses.

☐ Petitioner's ☐ Respondent's gross monthly income is at or below the Oregon minimum wage for full-time employment.

☐ Other reason: _____

_____

(e) **Responsibility for Uninsured Health Expenses.**

After the custodial parent pays the first $250 per year per child, ☐ Petitioner must pay _____% and Respondent must pay _____% of the reasonably incurred uninsured health, accidental, dental, orthodontic, and optical costs incurred by the child/ren, including costs for prescriptions. This obligation is ☐ in addition to ☐ instead of any cash medical support ordered above in paragraph 2 as part of the child support award.

6. Length of Child Support.

Unless the child becomes self-supporting, emancipated, or married:

☐ The support ordered in paragraphs 2 and 3 above for each child shall continue until the child reaches eighteen (18) years of age.

☐ The support ordered in paragraphs 2 and 3 above for each child shall continue until the child reaches age 21 if the child qualifies for support as a child attending school as defined by Oregon law.

NOTICE ABOUT PERIODIC REVIEWS

If you are receiving child support services through the Department of Justice, either parent may request that the Department of Justice/Division of Child Support review the amount of support ordered after three years from the date the order took effect or at any time upon a substantial change of circumstances.

7. Payment of Child Support

Pursuant to ORS 25.378(1), an income withholding order shall be issued to enforce the child support obligation unless an exception is indicated below.

☐ **Exceptions to withholding.** Income withholding is not ordered at this time because there is no support arrearage, the paying parent has not previously been granted an exemption from withholding, and:

☐ The parents, and the State, if support rights are assigned, have agreed in writing to an alternative arrangement; or

☐ Good cause not to require withholding is found because there is proof of timely payment of previously-ordered support and income withholding would not be in the best interests of the child.

All payments of child support shall be made (check either (a) or (b) below):

(a) ☐ To the Oregon Department of Justice, Child Support Accounting Unit, P.O. Box 14506, Salem, Oregon, 97309 or ☐ by electronic payment withdrawal (EPW) or electronic funds transfer (EFT).

(b) ☐ Pursuant to the above exception, directly to ☐ Petitioner's ☐ Respondent's checking or savings account. A receipt of deposit shall be kept by the parent paying support as proof of payment. A canceled check is also prima facie evidence that payment has been made. The person receiving support shall provide the paying parent with current deposit slips and/or bank name, account name and account number.

NOTICE OF INCOME WITHHOLDING

This child support order is enforceable by income withholding under ORS 25.378 to 25.390, 25.414 to 25.372 and 25.375. Withholding shall occur immediately, whenever there is an arrearage at least equal to the support payment for one month, whenever the obligated parent requests such withholding, or whenever the obligee requests withholding for good cause. The District Attorney or, as appropriate, the Division of Child Support of the Department of Justice, will assist in securing such withholding. Exceptions may apply in some circumstances.

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8. Dependents for Tax Purposes.

☐ Petitioner ☐ Respondent shall be entitled to claim the following child(ren) as dependent(s) for tax purposes beginning the year this judgment is entered (*list names*): _____

_____

_____,

OR

☐ Other *(specify)*: _____

_____

_____

9. Life Insurance Coverage for Child/ren.

☐ Petitioner ☐ Respondent shall obtain and maintain life insurance on him/herself for the benefit of the parties' child/ren throughout the period of the support obligation if he/she is insurable. The coverage shall be in the amount of $_____.

NOTICE ABOUT PARENTING TIME AND CHILD SUPPORT

The terms of child support and parenting time (visitation) are designed for the child's benefit and not the parents' benefit. You must pay support even if you are not receiving parenting time. You must comply with parenting time and visitation orders even if you are not receiving child support.

Violation of child support orders and visitation or parenting time orders is punishable by fine, imprisonment or other penalties.

Publicly funded help is available to establish, enforce, and modify child support orders. Paternity establishment services are also available. Contact your local district attorney, the domestic relations court clerk, or the Department of Justice at 1-800-850-0228 or 503-378-5567 for information.

Publicly funded help may be available to establish, enforce, and modify parenting time or visitation orders. Forms are available to enforce parenting time or visitation orders. Contact the domestic relations, civil court clerk or courthouse facilitator for information.

10. Spousal Support and Life Insurance.

☐ No spousal support or spousal life insurance is ordered in this case.

☐ The terms indicated on the inserted Supplement to Judgment shall be in effect.

11. Real Property Distribution.

☐ Neither Petitioner nor Respondent has any interest in any real property located in this or in any other state.

☐ Petitioner ☐ Respondent has/have an interest in real property located at the address of _____

_____

☐ This property shall be distributed as follows:_____

_____

_____

☐ Additional page labeled "Paragraph 11 - Real Property Distribution continued" attached.

☐ The legal description of the property is attached as "Exhibit _____" and incorporated into this Judgment.

☐ Petitioner ☐ Respondent shall be responsible for the preparation, signing and recording of a deed, transferring the real property as required by this judgment.

☐ Distribution of this property is not within the jurisdiction of this court.

12. Personal Property Distribution (including motor vehicles).

☐ The Petitioner and Respondent have divided between them all personal effects, household goods and other personal property they own separately or together, and each shall be awarded those items now in their possession.

☐ The Petitioner is awarded the following personal property:_____

_____

_____

_____

☐ Additional page labeled "Paragraph 12 - Petitioner's Personal Property Distribution continued" attached.

☐ The Petitioner is awarded his/her retirement benefits, pension plan, profit-sharing plan, deferred compensation plan, and/or stock option plan held by Petitioner's current or past employer, free of any interest in the Respondent.

☐ The Respondent is awarded the following personal property:_____

_____

_____

_____

☐ Additional page labeled "Paragraph 12 - Respondent's Personal Property Distribution continued" attached.

☐ The Respondent is awarded his/her retirement benefits, pension plan, profit-sharing plan, deferred compensation plan, and/or stock option plan held by Respondent's current or past employer, free of any interest in the Petitioner.

13. Distribution of Debts.

☐ The debts shall be paid as follows:

Name of Creditor (who money is owed to)	What debt is for	Amount	Who shall pay (Petitioner or Respondent)

☐ Additional page attached, labeled "Paragraph 13 continued".

Each party shall be responsible for the payment of all debts incurred by him or her individually since the date of the separation; all debts which are distributed to him or her by the court; and all debts which are secured by property distributed to that party. Also, if any creditor asks the spouse/domestic partner not responsible for a debt to pay all or a portion of it, and he or she does so, the spouse/domestic partner responsible for that debt shall reimburse the other spouse/domestic partner for any monies he/she paid to the creditor after the date this judgment was entered.

The date of separation (*when you began living apart*) was: _____

14. Transfer of Property and Debts.

Within thirty (30) days of the date of this judgment, each party shall execute, acknowledge and deliver whatever documents are necessary to accomplish the distribution of debts and property ordered by the court. The judgment shall operate to convey title to the party awarded the property if the other party fails to comply with this requirement.

15. Former Name.

☐ Petitioner's ☐ Respondent's former name of _____ is restored.

16. Duration.

The length of the separation shall be ☐ unlimited ☐ for a period of _____.
(*length of time*)

17. Additional Provisions: _____

_____

☐ Additional page attached labeled "Paragraph 16 - Additional Provisions continued".

18. Court Costs and Fees.

A. Deferred Costs and Fees

Any court costs and service fees (if service was completed by the Sheriff) that were deferred (required to be paid at a later date) by the court shall be paid by:

☐ Petitioner
☐ Respondent.
☐ Both parties equally
☐ Other:_____.

B. Costs and Fees Paid by the Parties

☐ Each party shall be responsible for paying his/her own court costs and service fees for this case.
☐ To be paid by both parties equally
☐ Petitioner ☐ Respondent shall reimburse the other spouse for his/her court costs and service fees for this case.
Other: _____.

Judgment shall be entered according to the cost and fee allocation listed above.

19. Information Required by ORS 25.020 and ORS 107.085.

☐ Based on a finding that the health, safety, or liberty of ☐ Petitioner ☐ Respondent or a child, _____, would unreasonably be put at risk by disclosure of the following information, ☐ Petitioner ☐ Respondent has been allowed not to disclose this information.
☐ Otherwise:

	Petitioner	Respondent
Full Name		
Former Legal Name(s)	*Don't List. Provided in CIF.*	*Don't List. Provided in CIF.*
Age		
Contact Address		
Contact Phone Number		
Social Security Number	*Don't List. Provided in CIF.*	*Don't List. Provided in CIF.*
Drivers License Number	*Don't List. Provided in CIF.*	*Don't List. Provided in CIF.*

	Petitioner	Respondent
Employer Name	*Don't List. Provided in CIF.*	*Don't List. Provided in CIF.*
Employer Address	*Don't List. Provided in CIF.*	*Don't List. Provided in CIF.*
Employer Telephone	*Don't List. Provided in CIF.*	*Don't List. Provided in CIF.*

Both parties shall inform the Court and the Department of Justice (P.O. Box 14506, Salem, Oregon 97309) in writing of any change in the above information required by ORS 25.020 within ten (10) days of such change, unless a finding of unreasonable risk has been made in this case. If the court has ordered that a party be allowed not to disclose information by means of this Judgment in Paragraph 20 above, the Department of Justice or the District Attorney shall not disclose the information in the preceding section to the other parent.

Date of marriage/domestic partnership: _____.
Place of marriage/domestic partnership: _____.

20. Money Award. Child Support Obligation ☐ included ☐ not included.
Spousal Support ☐ included ☐ not included.

Additional information	**PETITIONER**	**RESPONDENT**
Full Name		
Address or Contact Address		
Attorney's Name, Telephone Number and Address (if applicable)		
Year of Birth		
Last Four Digits of Driver License Number and State of Issuance		
Last Four Digits of the Debtor's Social Security Number		
The following information is to be provided by any party entitled to receive a money award (a "judgment creditor") as listed in this Judgment.		
Others Entitled to Portions of Judgment Payable to PETITIONER	The following person(s) or public bod(ies) are known by Petitioner to be entitled to a portion of a payment made on the judgment (other than Petitioner's attorney): ☐ None or ☐ _____ _____	

Others Entitled to Portions of Judgment Payable to RESPONDENT	The following person(s) or public bod(ies) are known by Respondent to be entitled to a portion of a payment made on the judgment (other than the Respondent's attorney): ☐ None or ☐ _____ _____

Type of Judgment		**Amount of Judgment**
Child Support Award	WHO PAYS ☐ Petitioner ☐ Respondent	$_____☐ per month, of which $_____ is cash medical support. Starting on ☐ the first day of the month following the date of the judgment, **or** (date)_____, and continuing per the terms of paragraph 4 of this judgment. Nine percent (9%) per annum simple interest will accrue on any unpaid installments as they become due.
	WHO RECEIVES ☐ Petitioner ☐ Respondent	
Spousal Support Award	WHO PAYS ☐ Petitioner ☐ Respondent	$_____ per month. Starting on ☐ the first day of the month following the date of the judgment, **or** (date)_____, lasting until (date)_____, or the death of either party, whichever comes first; **or** 1. A lump sum payment of $_____ to be paid by (date): _____ Nine percent (9%) per annum simple interest will accrue on any unpaid installments as they become due.
	WHO RECEIVES ☐ Petitioner ☐ Respondent	
SPOUSAL SUPPORT PAYMENTS ARE TAXABLE TO THE OBLIGEE SPOUSE AND DEDUCTIBLE TO THE OBLIGOR SPOUSE. ALL PAYMENTS TERMINATE UPON THE DEATH OF EITHER PARTY.		
Property Division (if applicable)	WHO PAYS ☐ Petitioner ☐ Respondent	1. $_____ per month, starting on the ☐ first day or ☐ Other: _____ of the month following the date of the judgment until the total amount of $_____ is paid in full; **or** 2. A lump sum payment of $_____ to be paid by: _____ (date).
	WHO RECEIVES ☐ Petitioner ☐ Respondent	

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☐Prejudgment Interest (Note: ORS 21.607(1) disallows interest on fees that have been deferred.)	WHO PAYS ☐ Petitioner ☐ Respondent WHO RECEIVES ☐ Petitioner ☐ Respondent	$_____
Postjudgment Interest (Note: ORS 21.607(1) disallows interest on fees that have been deferred.)	WHO PAYS ☐ Petitioner ☐ Respondent WHO RECEIVES ☐ Petitioner ☐ Respondent	Nine percent (9 %) per annum simple interest on the unpaid balance of the total judgment amount(s) of $_____. Interest accrues from the date the judgment is entered and continues until fully paid.
Accrued Arrears (if any, on judgments to be paid on a periodic basis)	WHO PAYS ☐ Petitioner ☐ Respondent WHO RECEIVES ☐ Petitioner ☐ Respondent	1. $_____ per month, starting on the ☐ first day or ☐ Other: _____ of the month following the date of the judgment until the total amount of $_____ is paid in full; **or** 2. A lump sum payment of $_____ to be paid by: _____ (date).
Costs and Service Expenses (e.g., filing fees, hearing fees, trial fees, process fees)	WHO PAYS ☐ Petitioner ☐ Respondent WHO RECEIVES ☐ Petitioner ☐ Respondent	$_____
Attorneys Fees (if any)	WHO PAYS ☐ Petitioner ☐ Respondent WHO RECEIVES ☐ Petitioner ☐ Respondent	$_____

DATED this _____ day of _____, 20_____

_____
Circuit Court Judge

_____
Print Name

APPLICATION FOR FULL CHILD SUPPORT PROGRAM SERVICES: By signing below, I apply for child support services, including enforcement, from the Child Support Program(CSP). Check the box in Paragraph 7(a) if you are requesting accounting and disbursement services only. (Note: If you never received TANF, tribal TANF or AFDC in any state, an annual $25 fee will apply if over $500 is collected and distributed to the family each year.)

_____ _____

☐ Petitioner, Signature Date

_____ _____

☐Respondent, Signature Date

☐ **All parties have agreed (stipulated) to the terms of this judgment. Sign before a Notary Public or Court Clerk only.**

_____

Petitioner, Signature

State of _____)
County of _____)

This instrument was acknowledged before me on_____, 20____, (date)

by _____ (name of person).

_____
Notary Public for _____/Court Clerk
My Commission Expires:_____

_____

Respondent, Signature

State of _____)
County of _____)

This instrument was acknowledged before me on_____, 20_____, (date)
by _____ (name of person).

_____
Notary Public for _____/Court Clerk
My Commission Expires:_____

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☐ If applicable, child who is at least 18 and under 21 years of age, has agreed (stipulated) to the terms of this judgment: (*sign only your name*)

_____

Child, Signature

State of _____)
County of _____)

This instrument was acknowledged before me on_____, 20_____, (date)
by _____ (name of person).

_____
Notary Public for _____/Court Clerk
My Commission Expires:_____

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.

Submitted by:

_____

☐ Petitioner ☐ Respondent, Signature Print Name

_____

Contact Address City, State, Zip Contact Telephone

Certificate of Mailing. I certify that I mailed a copy of this judgment and attachments thereto by U.S. Mail with postage paid to the other party at the following address: _____ on the following date: _____.

_____

☐ Petitioner ☐ Respondent, Signature Print Name

I certify that this is a true copy:

_____

☐ Petitioner ☐ Respondent, Signature