

HOW TO FILE A MODIFICATION IN CLACKAMAS COUNTY CIRCUIT COURT

Orders to Show Cause Re Modification may be filed between the hours of 9 am to noon, and 1 pm to 4 pm, any day of the week that the court is open. When you are ready to have the court sign your ORDER, please follow these steps:

File your papers

1. Present the Motion, Affidavit, and Order to Show Cause, along with other necessary documents described in your instruction packet, to the clerk at the Civil Cases window on the first floor of the courthouse. The clerk will take your documents for filing, provide you with a service copy, and give you a payment slip to take to the Cashier.

Pay Fees

2. Unless you have a Fee Waiver Order, all fees, are due in full and must be paid at the time you file your paperwork with the court. Fees are subject to change. Please verify the current filing fees by visiting the Court's website at www.courts.oregon.gov/clackamas under the "Fees" tab or contact the Civil Case Unit at (503) 655-8447, ext. 3. If using a sheriff for service, please contact the county sheriff whom you will be asking to complete service for their current service fees.

NOTE: *If you are the respondent in this case and have never before paid a first appearance fee, you will be required to pay a current first appearance fee in addition to the appropriate fee for the action you are presently filing.*

Extra Copy for Child Support

3. If child support is involved, be sure to request an additional copy of your paperwork from the Civil Cases window clerk, and leave that copy of the papers with the Family Court Specialist on the ground floor. She will send it to the appropriate child support agency for you.

Have the Other Party Served

4. Once you have completed these steps, you must immediately arrange to have the other party served with a true copy of the papers you just filed. Service may be done either by the **Civil Sheriff** in the county and state where the other party works or resides, or by a third party. In Oregon, the Sheriff currently charges \$36 for service and will file a Certificate of Service with the Court. A third party is someone who is **not** a party to this case. Make sure that the third party fills out the Affidavit of Service form (found in your packet) and then file it with the Court after service is complete.

IMPORTANT INFORMATION

If the other party files a written response with the court within 30 days from the date he/she is served with the paperwork, or anytime thereafter, so long as he/she has not yet been found in default, the court will schedule the case for hearing. A Notice of Scheduled Court Proceeding will be mailed to you at the address you have on file. It is your responsibility to update your address with the court directly. Mail will not be forwarded.

If a hearing is scheduled, you must call the CALENDARING UNIT two business days before your hearing to confirm the date and time. Please call (503) 655-8643 and press option two for Civil and Domestic Calendaring.