

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CLACKAMAS

In the Matter of the Marriage of:

Petitioner,
and

Respondent.

Case No. _____

MOTION FOR ORDER TO SHOW CAUSE RE
ENFORCEMENT OF PARENTING TIME

1. Motion

Petitioner Respondent requests that the court Order the parties to appear at the Clackamas County Courthouse in Oregon City, Oregon, to show cause why parenting time should not be enforced in the following way(s) based on the violation of parenting time or substantial violations of the parenting plan detailed in the attached affidavit:

a. Modifying the provisions of the parenting plan by:

(1) Specifying a detailed parenting time schedule, as follows: _____

 (2) Imposing additional terms and conditions on the parenting time schedule as follows: _____

 (3) Ordering the following additional parenting time, if in the best interests of the child, to compensate for wrongful deprivation of parenting time: _____

- _____
b. Ordering the party who is violating the parenting plan to post bond or security.
c. Ordering either or both parties to attend counseling or educational sessions focusing on the impact of violating the parenting plan on children.
d. Awarding the prevailing party his/her expenses incurred in enforcing the parenting plan, including but not limited to attorney fees, filing fees and court costs.
e. Terminating, suspending, or modifying spousal support.
f. Terminating, suspending, or modifying child support if the Court finds that parenting time has been denied or interfered without good cause, and other requirements of ORS 107.431 are met.
g. Scheduling a hearing for modification of custody.

2. Order Establishing Parenting Time.

A copy of the Order or Judgment establishing the parenting time is attached to this Motion.

NOTICE: Review the Confidential Information Form (CIF) information sheet. If the copy of the order or judgment establishing parenting time you are attaching to this motion contains protected information, you must redact – black out or erase – that information from the copy.

3. Points and Authorities.

This request is based on ORS 107.434 which requires an expedited hearing and authorizes various remedies for violations of parenting plans.

4. 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 document.

DATED this _____ day of _____, 20_____.

 Petitioner Respondent, Signature

Submitted by:

 Petitioner Respondent, Print Name

Address or Contact Address

City, State, Zip

Telephone or Contact Telephone

I certify that this is a true copy: _____

Petitioner Respondent, Signature

Notice About Sanctions

The remedies the Court may impose as a result of this motion to enforce a parenting plan are listed on pages 1 and 2 of this document, in Section 1, paragraphs “a” through “g”.

When pleaded and shown in a separate legal action, violation of court orders, including parenting time and visitation orders, may also result in a finding of contempt, which can lead to fines, imprisonment, or other penalties, including compulsory community service.

Notice About Mediation

Mediation of the parenting plan enforcement issues may be required in your county. A separate Order will be issued if mediation is required.

The Court may waive the mediation requirement if one of the parties can show a good reason. You may file a written request asking that the Court waive mediation. Forms are available through the Oregon Judicial Department at www.ojd.state.or.us/familylaw and through your local Circuit Court.