

8 Step Roadmap to Dissolution (Divorce)

This roadmap is a guide to aid in completing the paperwork for dissolution of marriage or registered domestic partnership (RDP). By following this step-by-step roadmap, you can more effectively navigate the court system to reach a judgment in your case. The legal process is complicated. If you are representing yourself, then you are your own lawyer. The content of this roadmap is intended for informational purposes only and may not contain complete statements of the law. It is not legal advice. If you need advice about your case, you will need to ask a lawyer. Court staff cannot give legal advice. This roadmap is designed for the person who started the case (Petitioner).

8 Steps to a Dissolution

1. Issues to Consider
2. Getting Started
3. Temporary Orders
4. Document Review
5. Filing
6. Service
7. Finding the Right Path to Judgment
8. Things to do after your divorce Judgment is finalized

Step 1: ISSUES TO CONSIDER

The following is a road map of the legal process for filing your court case. This “map” provides information and links to websites for resources to assist you. It may also be helpful to review the list of [Frequently Asked Questions \(FAQ’s\)](#). First, consider if you have children. There are online resources to create a [parenting plan](#) or [calculate child support](#). Review the Oregon State Bar [website](#) for information about property and debt considerations. If you have real property, retirement accounts, spousal support, or other extenuating circumstances not listed here, you are strongly advised to consult a lawyer, as these factors may complicate your case.

Are there children involved?

Yes

No

[Parenting Plan](#)
(Custody and Parenting Time)

[Child Support](#)

[See Property and Debts](#)

[Safety Issues](#)

[Do you live long distance from the other parent?](#)

Is there an existing Order?

Yes - Get a copy of signed order

No - [Calculate support](#) by visiting Division of Child Support

Property and Debts

Visit the [Oregon State Bar Website](#) for more information

More information at:
[OregonLawHelp.org](#)

Step 2: GETTING STARTED

Before getting started, you may want to review the [legal terms glossary](#) to better understand terms you'll see and hear as you go through the legal process. Take the time to review this step to help you get organized and gather the forms and tools you'll need to start your case.

Check off the boxes as you complete each

TASKS TO COMPLETE STEP 2:

- Review the [GLOSSARY OF TERMS](#) for legal terminology and definitions
- Forms are available online at the [Family Court Assistance Office site](#), the Family Court Assistance Office or the Cashiers on the [2nd floor of the courthouse](#)
- Complete the **required** [Focus on Children/Mediation Orientation](#) class (if minor children are involved)

Start your case by selecting the correct [forms](#):

The [forms menu](#) lists the different types of PACKETS the court offers to dissolve your marriage or RDP. Each packet includes all of the forms, as well as any special forms that are required depending on your circumstance.

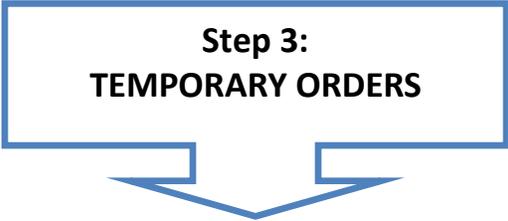
REQUIRED FORMS:

- Petition for Dissolution
- Certificate re: Pending Child Support Proceedings and/or Existing Child Support Orders/Judgments (*if children involved*)
- UTCR 2.130 CIF (*one for each party*)
- Notice of CIF Filing
- Summons (with attached Automatic Statutory Restraining Order)
- Record of Dissolution of Marriage

OPTIONAL FORMS:

- [Application for Waiver or Deferral of Fees](#)

Remember...Forms are [free to download online!](#)



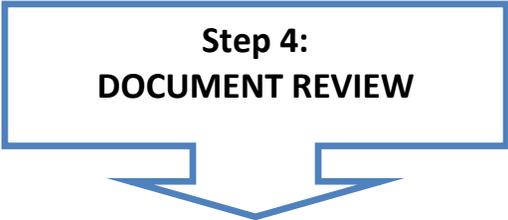
**Step 3:
TEMPORARY ORDERS**

For more information and instructions on how to request temporary orders, please visit the [Family Court Assistance Office](#) or consult a lawyer.

You may be entitled to certain temporary orders to help resolve issues while this case is pending, such as support, safety, property, or issues regarding your children. While some [forms are available online](#) or directly from the [Court](#), you may need the assistance of an attorney to prepare other forms or to determine what temporary orders might be appropriate in your case.

REMINDER: You will need to file your case *before* you can seek temporary orders.

If you have a restraining order in place because of a safety related issue, or need to seek a restraining order, information about the orders can be obtained [here](#).



**Step 4:
DOCUMENT REVIEW**

You are strongly encouraged to have your documents reviewed by a lawyer or by the [Family Court Assistance Office](#).

Resources to consider for Document Review:

- [Family Court Assistance Office](#)
- [Oregon State Bar](#)
- [Legal Aid Services of Oregon](#)

Step 5: FILING

The following steps will help you understand the process for filing your beginning documents with the court.

Remember...it's your responsibility to keep the court informed of the correct address

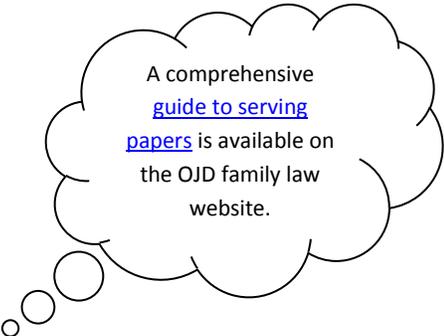
TASKS TO COMPLETE STEP 5:

- Make 2 sets of copies of each completed form
- Filing Fee Options:
 - Be prepared to pay the filing fee; OR
 - Apply for a fee waiver or deferral by completing the [Application for Waiver or Deferral of Fees](#) and attending an [Ex Parte Hearing](#)
- File your original forms with the [cashiers](#)
- The cashier will stamp each form, keep the originals and return your stamped/conformed copies
- Keep one set for your records

If either you or the respondent is receiving certain types of public assistance (Temporary Assistance to Needy Families or the Oregon Health Plan), you are also required to send a copy of the petition to the [Division of Child Support](#) and you will need 3 copies of the Petition. In certain circumstances, a 4th copy is needed for service on a [Child Attending School](#) (CAS) [ORS 107.108](#)

Step 6: SERVICE

A certificate of service form is provided in the [packet](#). You may also use the form provided by your Process Server or [Sheriff's Office](#). Review the packet instructions for information about the standard methods of service. If you are not able to have the Respondent served by any of the methods listed above, you may ask a judge to allow you to use another service method. The judge might allow you to publish or post the documents.



A comprehensive [guide to serving papers](#) is available on the OJD family law website.

TASKS TO COMPLETE STEP 6:

- Have someone 18 years or older (not you) serve the Respondent (your spouse/partner) the other set of copies.
- Have your server complete and sign the Certificate of Service form. File this form with the court.
- Serve any children who are required to be part of the proceeding by Oregon Law (ORS 107.108) and they are 18, 19 or 20 years of age using the same process as described for the Respondent.
- If you receive TANF or OHP, serve a copy of the petition on the [Division of Child Support](#).
- Complete and sign the Certificate of Mailing/Delivery to the Division of Child Support. File this form with the cashiers at the court.

REQUIRED FORMS:

- Certificate of Service

OTHER FORMS YOU MAY NEED:

- Acceptance of Service
- Certificate of Service on 18, 19, or 20 year old child
- Certificate of Mailing/Delivery to the Division of Child Support

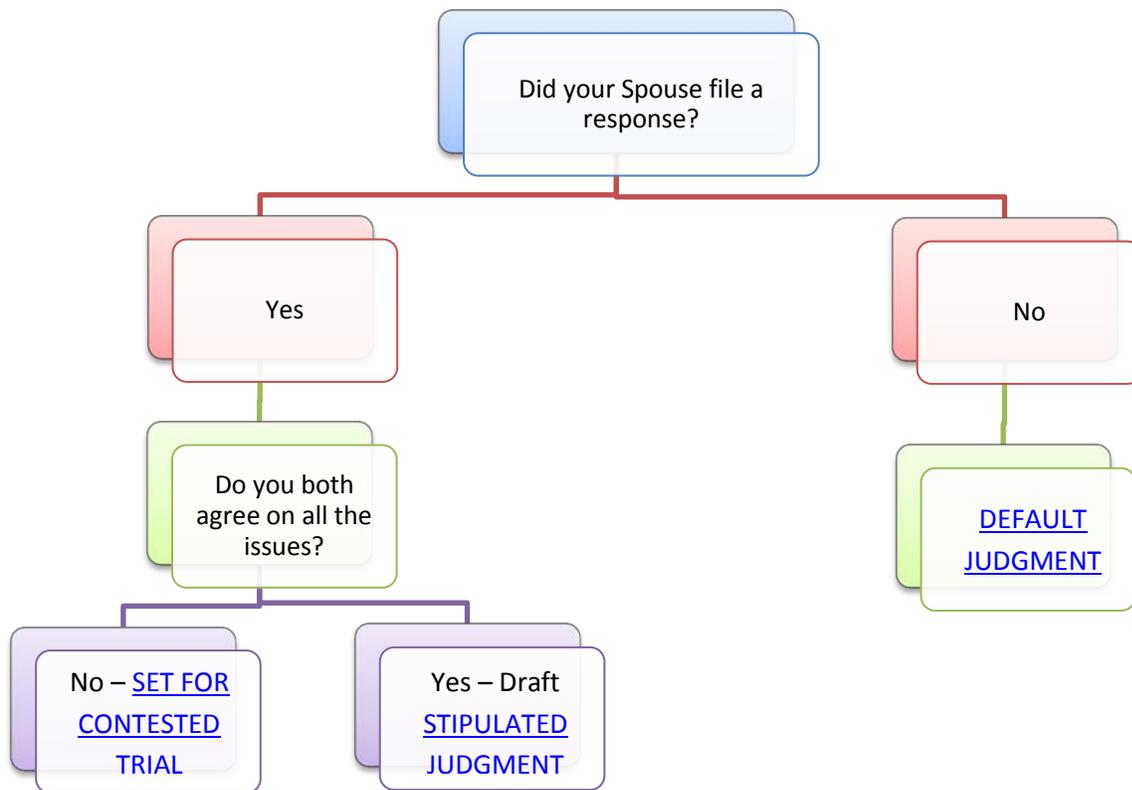
Note:

The Respondent has 30 days from the date he/she has been served to file a Response with the court. If a response has not been filed, you can still continue with your divorce.

**Step 7:
FINDING THE RIGHT PATH TO
JUDGMENT**

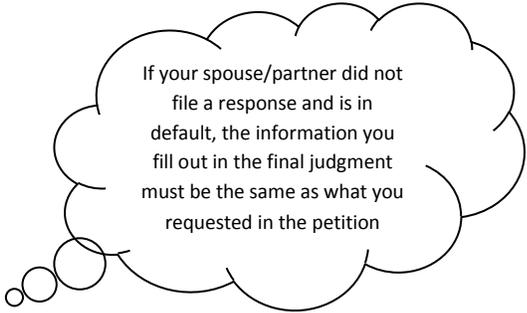
The Judgment finalizes your divorce and contains all of the issues decided in mediation, hearing, or through your agreement. There are multiple ways to reach your divorce judgment. Follow the flow chart below to find which of the ways best fits your case. Each judgment will have different tasks needed to complete it, once you have chosen the correct judgment read the necessary steps to finalize your case.

Using the flow chart below, find which judgment you will need – on the following pages are instructions for each judgment type. **YOU ONLY NEED TO FOLLOW THE STEPS FOR THE APPROPRIATE JUDGMENT**





Default Judgment without a Court hearing



If your spouse/partner did not file a response and is in default, the information you fill out in the final judgment must be the same as what you requested in the petition

TASKS TO COMPLETE DEFAULT:

- Have your documents reviewed by a lawyer or the [Family Court Assistance Office](#)
- If not already filed, bring the Certificate of Service form(s) (see step 6)
- Bring the original forms referenced above to an [Ex Parte hearing](#)
(To attend an Ex Parte hearing, check in at 8:00AM with the cashiers on the 2nd floor of the Lane County Circuit Court)

REQUIRED FORMS:

- Ex Parte Motion for Order of Default; and Declaration in Support
- Order of Default
- Declaration Supporting General Judgment of Dissolution
- General Judgment of Dissolution

OTHER FORMS YOU MAY NEED:

- [Child Support Worksheets](#)
- Parenting Plan
- Focus on Children Certificate of Completion
- [Application for Waiver or Deferral of Fees](#) (If you are still unable to pay the fees you must reapply)



Uncontested or Stipulated Judgment

TASKS TO COMPLETE UNCONTESTED OR STIPULATED JUDGMENT:

- Have your documents reviewed by a lawyer or the [Family Court Assistance Office](#)
- If not already filed, bring the Certificate of Service form(s) (see step 6)
- Bring the original forms referenced above to an [Ex Parte hearing](#) with either the signed waiver of appearance or signed and stipulated judgment by the Respondent
(To attend an Ex Parte hearing, check in at 8:00AM with the cashiers on the 2nd floor of the Lane County Circuit Court)

REQUIRED FORMS:

- Declaration Supporting General Judgment of Dissolution
- General Judgment of Dissolution

OTHER FORMS YOU MAY NEED:

- Respondents Waiver of Further Appearance and Consent to Entry of Judgment
- [Child Support Worksheets](#)
- Parenting Plan
- Focus on Children Certificate of Completion/Mediation orientation Certificate of Completion
- [Application for Waiver or Deferral of Fees](#) (If you are still unable to pay the fees you must reapply)



CONTESTED/TRIAL JUDGMENT

When a response is filed and parties are not in full agreement, a trial before a judge may be necessary.

The Court's calendaring department will send trial notice by mail. The Court offers a pamphlet about how to prepare and what to expect at trial. Domestic relations cases are set within six months from the date the petition or show cause is being filed. If child custody and parenting time are not resolved, the parties must attend mediation orientation. It may be possible to settle issues in mediation and avoid having the court impose a parenting plan. If other issues such as division of property, debts, retirement, or support remain unresolved then the case will continue to trial.

TASKS TO COMPLETE CONTESTED/TRIAL JUDGMENT:

- Consider consultation with a lawyer
- Read the Court's [Trial Preparation Pamphlet](#)
- Contact Court's [calendaring department](#)
- Attend [mediation orientation](#) (if minor children involved)
- Attend [trial](#) (you must personally attend unless otherwise authorized by court)

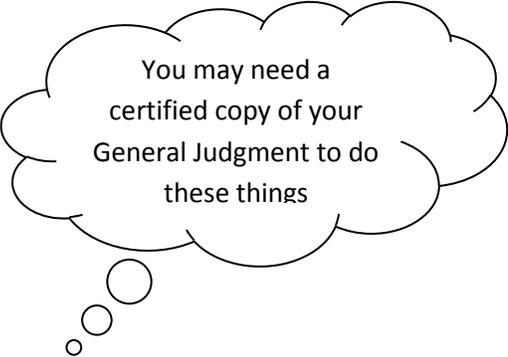
REQUIRED FORMS:

- General Judgment of Dissolution

OTHER FORMS YOU MAY NEED:

- [Child Support Worksheets](#)
- Parenting Plan
- [Uniform Support Declaration](#)
- [Statement of Assets and Liabilities](#)
- Notice of Proposed Judgment or Order per [UTCRC 5.100](#)

Step 8
Things to do after dissolution
is finalized



You may need a certified copy of your General Judgment to do these things

Review the checklist below to make sure you have completed all the necessary steps to wrap up all the loose ends after your court case has concluded and you have a judgment.

- Change your beneficiaries on your insurance
- Update your [Will or Trust](#)
- Change the titles of any property (i.e. cars, [house](#), etc.) awarded in the judgment
- Change your name with [Social Security](#), [Department of Motor Vehicles](#), employment, etc.
- If child support is involved and you didn't submit an extra copy of the judgment along with the original at the time the judgment was filed, take a court certified copy of the judgment to the [Child Support Program](#) for help collecting the support.
- Verify that any [qualified domestic relations orders](#) (QDROs) required to transfer a retirement account have been submitted to the plan administrator for processing.
- Notify your employer to make changes as necessary to beneficiaries of retirement, health, and/or death benefits.
- Contact current credit card companies to confirm card holders and account names.
- Contact your child's school to notify them of any additional household addresses for school notices and report cards.

COPYRIGHT NOTICE. Copyright 2014, this Roadmap was developed by the Lane County Family Law Advisory Committee for the use and benefit of the Oregon Judicial Department, all rights reserved. You may reproduce or copy this material for personal use or non-profit educational purposes but not for resale or other for-profit distribution unless you have permission from: Lane County Family Law Advisory Committee. (Revised 2016)