

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_

In the Matter of  the Marriage of:

\_\_\_\_\_  
Petitioner,

and

\_\_\_\_\_  
Respondent.

Case No. \_\_\_\_\_

MOTION & DECLARATION IN SUPPORT OF  
ORDER TO SHOW CAUSE RE:  
ENFORCEMENT OF PARENTING TIME

**1. Motion**

Petitioner  Respondent requests that the court Order the parties to appear on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. in Room \_\_\_\_\_ of the \_\_\_\_\_ County Courthouse in \_\_\_\_\_, 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. Declaration.**

The following facts support my Motion for Enforcement of the Parenting Plan. The other party violated my parenting time, or substantially violated the parenting plan, in the following way(s): \_\_\_\_\_

\_\_\_\_\_

Additional page labeled “Details About Parenting Plan, continued.”

I request that the Court order the remedies I selected in my Motion because: \_\_\_\_\_

\_\_\_\_\_

*If you asked the court to modify the parenting plan provisions or schedule a hearing for modification of custody in your motion, you must provide the following information.*

**Information Required by the UCCJEA.** List the places where the minor child/ren of the parties have lived in the last five years and the names of the people they lived with at that time.

Dates	County, State	Parent(s)/Caretaker	Current Address/Contact Address of Parent/Caretaker	Which Children

Additional page attached; see section labeled “UCCJEA Information continued.”

I  have  have not participated in any litigation concerning the custody, visitation, parenting time or placement of the child/ren in this or any other state. I have participated in the following litigation:

Name of Court	State	Case No.	Date	Result

I do not know of any other domestic violence, custody, visitation, parenting time or placement proceeding involving the child/ren, or of any other court case which could affect this case, pending in this or any other state  except for: \_\_\_\_\_

*(identify court, case number and the kind of proceeding)*

I do not know any person other than the other party who has physical custody of the child/ren or who claims to have custody, visitation or parenting time rights  except for: \_\_\_\_\_

*(list name and address)*

**I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and subject to penalty for perjury.**

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

- \_\_\_\_\_  
 Petitioner Signature  
 Respondent Signature

\_\_\_\_\_  
 Print Name

**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.

Submitted by:

\_\_\_\_\_  
 Print Name  Petitioner  Respondent  Attorney for Petitioner or Respondent  OSB No. *(if applicable)*

\_\_\_\_\_  
 Address or Contact Address City, State, Zip Telephone or Contact Telephone Number

**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](http://www.ojd.state.or.us/familylaw) and through your local Circuit Court.