

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

In the Matter of the Marriage of:

Case No. _____

Petitioner,

and

PETITION AND DECLARATION IN SUPPORT
OF ORDER TO SHOW CAUSE
RE: ENFORCEMENT OF PARENTING TIME

Respondent.

1. Petition.

Petitioner 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 Declaration:

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 or 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 with 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 Petition.

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.

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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. Information Required by the UCCJEA.

a. The Court that issued the Order I am asking this Court to enforce did did not identify the jurisdictional basis it relied upon when it exercised jurisdiction over the child/ren. The basis was:

(fill out if the court did identify the jurisdictional basis)

b. The Order that I am asking the Court to enforce has has not been vacated, stayed or modified. The name of the court, case number and nature of the proceeding is as follows: _____

(fill out if the Order has been vacated, stayed or modified)

c. No proceeding involving domestic violence, custody or any other issue regarding the child/ren has been started that could affect this proceeding, except: _____

(List court, case number and nature of proceeding)

d. The present physical address of the child and the other party is: _____

e. The Order I am asking the court to enforce has has not been registered and confirmed under the UCCJEA. The date and place of registration are as follows: _____

(Fill out if order has been registered and confirmed)

DECLARATION

I am the Petitioner Respondent in this proceeding and I make this Declaration to support my Petition 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 Petition 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 petition 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 <http://www.ojd.state.or.us/familylaw> and through your local Circuit Court.