

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

In the Matter of the Marriage or Registered Domestic Partnership (RDP) of:

Case No: _____

and Petitioner

**GENERAL JUDGMENT OF
SEPARATION OF**
 MARRIAGE **RDP**

Respondent

and MONEY AWARD

and

Unmarried children 18, 19, or 20 years old (*full names*) _____

This document was presented to the court:

- On the motion and declaration of Petitioner, the default of Respondent having been found
 and Respondent being represented by a guardian ad litem or other person described in Oregon Rules of Civil Procedure, Rule 27
- On the stipulation of the parties, as shown by the signatures at the end of this *Judgment*
- After a hearing held _____ (*date*), at which the following persons were present:
 - Petitioner Petitioner's attorney _____
 - Respondent Respondent's attorney _____
 - Other _____

Children 18, 19, or 20 Years of Age

- Waived further appearance in these proceedings: (*names*) _____
- Fully participated in the proceedings and are bound by the terms of this judgment:
(*names*) _____
- Signed and stipulated to the terms of this judgment as shown by the signatures below

FINDINGS:

1. The court considered the Declaration Stipulations Evidence presented and finds that: (*Check all that apply*)
 - A. Irreconcilable differences have caused the breakdown of this marriage or registered domestic partnership
 The parties have entered into an agreement (the terms of this judgment) suspending for at least one year their rights and obligations as spouses or domestic partners, as shown by their signatures on this judgment
 - B. At the time the *Petition* was filed:
Marriage Only: At least one spouse lived in the county in which the *Petition* was filed
Registered Domestic Partnership Only:
 at least one partner lived in the county in which the *Petition* was filed,
or
 neither partner lived in Oregon and the *Petition* was filed in the county where { Petitioner Respondent} last resided

2. Party and Marriage/RDP Information:

Date of Marriage /RDP: _____

Place of Marriage/RDP: _____ (County, State)

Current age of parties: Petitioner _____ Respondent _____

3. Children of the Parties (Children conceived, born, or adopted during or prior to the marriage/RDP and any children otherwise legally recognized as children of both parties)

Name	Year of Birth	Age

Additional page attached titled "Findings 3 – Children of the Parties"

Petitioner Respondent is not the father of, or paternity has not been established for, the children: (names) _____

Neither party is now pregnant (or)

Petitioner Respondent is now pregnant

The other party is not the parent of the child due (date) _____

4. Child Custody Jurisdiction

Oregon has jurisdiction under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) to decide custody and parenting time matters because:

Oregon is the children’s home state (all of the minor children have lived here continuously for the six month period immediately before this case was filed)

Other: _____

Oregon does not have jurisdiction under the UCCJEA because: _____

The
The court grants judgment as follows:

The parties are legally separated as of the date this Judgment is signed, to continue for the period of time specified in Section 8B below. The terms of this judgment are effective upon entry in the court register.

CHILDREN

NOTICE ABOUT PARENTING TIME AND CHILD SUPPORT

The terms of child support and parenting time (visitation) are designed for the child's benefit and not the parents' benefit. You must pay support even if you are not receiving parenting time. You must comply with parenting time and visitation orders even if you are not receiving child support.

Violation of child support orders and visitation or parenting time orders may result in fines, imprisonment, or other penalties.

Help may be available to establish, enforce, and modify child support orders. Paternity establishment services are also available. Contact your local district attorney, the domestic relations court clerk, or the Department of Justice at 1.800.850.0228 or 503.378.5567 for information.

Help may be available to establish, enforce, and modify parenting time or visitation orders. Forms are available to enforce parenting time or visitation orders. Contact your local court for information.

1. Custody and Parenting Time

Custody of the children is awarded as follows:

Petitioner and Respondent have **joint** custody of the following children: _____

Petitioner is awarded **sole** custody of the following children (*names*): _____

Respondent is awarded **sole** custody of the following children (*names*): _____

Parenting time is awarded

as described in the attached **Parenting Plan**, labeled Exhibit _____ **or**

to Petitioner Respondent as follows _____

Parenting time will be supervised by _____

Any cost of supervision must be paid by Petitioner Respondent

Other: _____

Petitioner Respondent is not awarded parenting time because it would endanger the health and safety of the children

Relocation

- Neither parent may move more than 60 miles farther away from the other parent without giving the other parent reasonable notice of the change of residence and providing a copy of such notice to the court, **or**
- The requirement of ORS 107.159 regarding notice of relocation is suspended for good cause

Contact Information

- Petitioner and Respondent must each provide contact addresses and contact telephone numbers to the other and notify each other of any emergencies or substantial changes in the children’s health
- Good cause exists to suspend the obligation of the parties to provide contact information to each other

Parental Authority under ORS 107.154

- The non-custodial parent’s authority under ORS 107.154 is suspended for good cause

2. Child and Medical Support and Life Insurance for Children

A. Child Support

Existing Child Support Obligation

(list court/agency, case number, and date of prior child support orders and judgments): _____

- No action is taken by this judgment regarding any prior child support order or judgment
- This judgment **does not** replace any existing child support order or judgment. Payment amount and schedule remain as ordered on *(date of order or judgment):* _____
 - any arrears accumulated under the continued order or judgment remain due
- This judgment **replaces** the existing child support obligation because the existing orders and judgments were issued by an Oregon court or agency, one of the parents or children receiving support still resides in Oregon, and circumstances have changed since the orders were entered. Support is due as detailed in the “Support Order” section below.
 - any arrears accumulated under the continued order or judgment remain due
- Other:

Presumed Inability To Pay Under ORS 25.245

- The parent who would pay support is presumed to be unable to pay because that parent:
 - receives cash payments from a **public assistance** program including TANF or SSI
 - is (or is expected to be) **incarcerated** (in jail or prison for at least 6 months) and has income less than \$200 per month
- The presumption **has not been rebutted** and **no** child support (including cash medical support) is ordered

The presumption **has been rebutted**, and support **is ordered** as detailed in the "Support Order" section below for the following reasons: _____

Support Order

No support is ordered for reasons other than the presumption of inability to pay or continuation of an existing order or judgment (*explain*): _____

or

Support must be paid:

By Petitioner Respondent

To Petitioner Respondent

Adult Child Attending School (*name*): _____

On the first *or* _____ day of each month

Starting the month following entry of this judgment *or*

the date of service of this *Petition*

The total monthly amount due is: \$ _____ (*Child Support Worksheets are attached and incorporated, labeled Exhibit _____*)

This amount is:

the amount presumed to be appropriate under the support guidelines

different from the presumed appropriate amount of \$ _____ because the presumed amount is unjust or inappropriate (*explain*): _____

B. Medical Support

Medical support has already been ordered in another case as listed in Section 2A, above *or* from _____ county. The court case # is _____ and the Child Support Program (CSP) # is _____

The existing order is **not** changed

The existing order is terminated. Medical support is ordered as follows.

i. Private Health Insurance:

is appropriate and available to (*check one or both*)

Petitioner Respondent **and**

both parents have agreed to provide coverage **or**

Petitioner Respondent is ordered to keep insurance throughout the period of the child support obligation

is not appropriate or available to either parent

The parent awarded custody must enroll the children in public health insurance until private health insurance becomes available **and**

The first parent with access to appropriate private health insurance for the children is ordered to provide it.

ii. Cash Medical Support

Cash Medical Support **is** ordered in the amount of \$ _____ per month because no private health insurance is available to either parent. Cash Medical Support is payable by the parent ordered to pay child support on the same schedule.

The paying parent is ordered to provide Cash Medical Support only when not providing private health insurance for the children

- Cash Medical Support **is not** ordered because:
 - Support is presumed to be unavailable for the reason marked above and the presumption has not been sufficiently rebutted
 - The parent paying child support has income at or below Oregon's minimum wage for full-time employment, so cash medical support should not be ordered
 - The children's medical needs will be met by the *Uninsured Medical Expenses* provision below
 - Other (*explain*): _____

CHANGES TO HEALTH INSURANCE AVAILABILITY

Both the payor and the recipient of child support **must** notify the Division of Child Support (DCS) in writing of any change in the availability of private health insurance within **10 days** of the change if collection services are provided by DCS.

iii. Uninsured Medical Expenses

- Uninsured medical expenses are not awarded
- or**
- Petitioner must pay _____% and Respondent must pay _____% of the unreimbursed costs of the children's reasonable medical, dental, and vision care. This does not include ordinary nonprescription expenses like bandages, vitamins, and copays for regular checkups, which the parents must provide for the children in proportion to their parenting time. This obligation is in addition to any child support **and** will be **offset** by any cash medical support ordered above.
- or**
- This obligation is **in addition** to any child support and cash medical support ordered above

C. Payment

NOTICE OF INCOME WITHHOLDING

This child support order is enforceable by income withholding under ORS 25.378 to 25.390, 25.414 to 25.372 and 25.375. Withholding shall occur immediately whenever there is an arrearage at least equal to the support payment for one month, whenever the obligated parent requests such withholding, or whenever the obligee requests withholding for good cause. The District Attorney or, as appropriate, the Division of Child Support of the Department of Justice, will assist in securing such withholding. Exceptions may apply in some circumstances.

- Income withholding** is not ordered at this time because there is no support arrearage, the paying parent has not previously been granted an exemption from withholding **and**
 - The parents (or the State, if support rights are assigned) have agreed in writing to an alternative arrangement which is approved by the court; **or**
 - Good cause not to require withholding is found because there is proof of timely payment of previously ordered support and income withholding would not be in the best interests of the child

In all cases, select one of the following:

All support payments must be made to the Department of Justice, Child Support Accounting Unit, P.O. Box 14506, Salem, Oregon, 97309

or

An exception to income withholding applies as noted above. All support payments must be deposited to the recipient's checking or savings account. The receiving parent is ordered to provide the paying parent with current deposit slips or bank name, account name, and account number.

Or

Other (*explain*) _____

Adult Child Attending School

Support for an adult child attending school as defined by ORS 107.108 must be paid by the Division of Child Support directly to the child unless good cause exists for payment to be made another way

GOOD CAUSE exists not to pay support directly to a child attending school
Payments must be made to Petitioner Respondent in the amount of
\$ _____ per month

D. Length of child support

Support ends when the last child becomes self-supporting, emancipated, or married,

or (check one):

- reaches age 18, or if the child qualifies as a child attending school under ORS 107.108, age 21
- reaches age 18

E. Tax Dependents

Parties are advised that this judgment is not binding on the IRS and will not provide a defense if the parties fail to comply with IRS regulations in any given tax year

As between the parties, Petitioner Respondent may claim the following children as dependents for tax purposes beginning with the **tax** year this judgment is entered. The other parent must complete any IRS waivers or forms necessary to accomplish this judgment in each tax year and must not file contradictory tax returns.

List names: _____

or

Other (*specify*): _____

F. Life Insurance Coverage for Children

The party paying support must carry life insurance for the benefit of the parties' children throughout the period of the support obligation if he or she is insurable. The coverage must be at least \$ _____. The party paying support must provide to the party receiving support a true copy of the policy. The party paying support must also provide to the party receiving support written notice of any action that will reduce the benefits or change the designation of the beneficiaries under the policy.

or

Neither party is ordered to carry life insurance for the benefit of the parties' children

3. Additional Provisions _____

Additional page attached titled "Section 3 – Additional Provisions"

NOTICE ABOUT PERIODIC REVIEWS

If you are receiving child support services through the Department of Justice, either parent may request that the Department of Justice/Division of Child Support review the amount of support ordered after three years from the date the order took effect or at any time upon a substantial change of circumstances.

SPOUSAL/PARTNER SUPPORT

There is an existing Limited Judgment for temporary spousal/partner support. Temporary support under the limited judgment ends as of the date of entry of the General Judgment, but any arrears accrued under the Limited Judgment remain enforceable under the Limited Judgment.

4. Spousal or Partner Support and Life Insurance

A. Support

- No spousal/partner support or life insurance for the benefit of either party is ordered in this case **or**
- Spousal support must be paid by Petitioner to Respondent (*or*) Respondent to Petitioner

Type of support and amount ordered (<i>check all that apply</i>):	Monthly Or Total	Based on the following factors (<i>explain</i>):
<input type="checkbox"/> transitional \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	
<input type="checkbox"/> compensatory \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	
<input type="checkbox"/> maintenance \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	

B. Payments

Payments must be made:

on the first *or* _____ day of each month **beginning** the month following entry of this judgment *or* the date of service of this *Petition*

or

in a lump sum in the amount of \$ _____ by _____ (*date*)

Payments will end upon the death of either party or: _____

_____, whichever is sooner

All payments of spousal/partner support must be made:

To the Department of Justice, Child Support Accounting Unit, P.O. Box 14506, Salem, Oregon, 97309. Petitioner requests that collection, accounting, disbursement, and enforcement services be provided through the Department of Justice.

or

Directly into _____'s bank account. The paying spouse/partner should keep a receipt of deposit as proof of payment. The person receiving support must provide the person paying support with current deposit slips or bank name, account name, and account number.

C. Withholding

If enforcement services are provided through the State of Oregon's Department of Justice, the support order is enforceable by income withholding under ORS 25.311

D. Life Insurance

The party paying support must carry life insurance for the benefit of the other party throughout the period of the support obligation if he or she is insurable. The coverage must be at least \$_____. The party paying support must provide to the party receiving support a true copy of the policy. The party paying support must also provide to the party receiving support written notice of any action that will reduce the benefits or change the designation of the beneficiaries under the policy.

or

Neither party is ordered to carry life insurance for the benefit of the other party

PROPERTY AND DEBTS

5. Real Property

Neither party has any interest in any real property in Oregon or any other place
 Both parties have *or* { Petitioner Respondent has} an interest in real property

at: (*address*) _____

This property is awarded as follows: _____

Additional page attached titled "Section 5- Real Property"

The legal description of the property is attached as Exhibit _____ and incorporated into this Judgment

Petitioner Respondent is responsible for preparing, signing, and recording a deed transferring the real property as required by this judgment

Other: _____

6. Personal Property

The Petitioner and Respondent have divided between them all personal property that they own separately or together, and each is awarded those items now in their possession

except that:

A. The Petitioner is awarded the following personal property: _____

Additional page attached titled "Section 6A-Petitioner's Personal Property"

The Petitioner is awarded all retirement benefits, pension plans, profit-sharing plans, deferred compensation plans, and stock options held by Petitioner's current and past employers, free of any interest by the Respondent

B. The Respondent is awarded the following personal property: _____

Additional page attached labeled "Section 6B-Respondent's Personal Property"

The Respondent is awarded all retirement benefits, pension plans, profit-sharing plans, deferred compensation plans, and stock options held by Respondent's current and past employers, free of any interest by the Petitioner

7. **Distribution of Debts** The debts will be paid as follows:

Name of creditor (who money is owed to)	What the debt is for	Amount	Who pays (Petitioner or Respondent)

Additional page attached titled "Section 7-Distribution of Debts"

Unless otherwise specified above, each party is responsible for the payment of all debts incurred by him or her individually since the date of separation, all debts distributed to him or her by the court, and all debts which are secured by property distributed to that party. If any creditor asks the party not responsible for a debt to pay any portion of it, and he or she does so, the party responsible for that debt must reimburse the paying party for any amount paid to the creditor after the date this judgment is entered.

Debts are divided between the parties as of (*date*): _____

Transfer of Property and Debts

Within thirty (30) days of the date of this judgment, each party must execute, acknowledge and deliver whatever documents are necessary to accomplish the distribution of debts and property ordered by the court. This judgment operates to convey title to the party awarded the property if the other party fails to comply with this requirement.

8. **Other Provisions**

A. Former Name

Petitioner's Respondent's former name of _____ is restored (*use FULL name – first, middle, last*)

B. Duration

The length of the separation is unlimited for a period of _____

C. Additional Provisions: _____

Additional page attached titled "Section 8C - Additional Provisions"

D. Court Costs and Fees, Whether Paid Or Deferred

Each party is responsible for paying his or her own court costs and service fees

Petitioner Respondent will reimburse the other party \$_____ for costs and fees

Judgment is awarded to the State of Oregon for deferred costs or fees of \$ _____
 Other: _____

9. Information Required by ORS 25.020 and 107.085

As required by UTCR 2.130, a *Confidential Information Form* has been completed for each party and filed with the court. The CIF contains all information required by ORS 25.020 and 107.085 that is identified as confidential by UTCR 2.130

Both parties must inform the Court and the Department of Justice (P.O. Box 14506, Salem, Oregon 97309) in writing of any change in the information within ten (10) days of such change. The Department of Justice or the District Attorney shall not disclose the information in the CIF to the other party.

Money Award Support Obligation included not included

	PETITIONER	RESPONDENT
Full Name		
Contact Address		
Year of Birth		
Social Security # (last 4 digits)		
Driver License # (last 4 digits) and State		
Lawyer Name, Address, Phone #		

NOTE: a party RECEIVING a money award is the JUDGMENT CREDITOR; a party PAYING a money award is the JUDGMENT DEBTOR

➤ *If an adult child is awarded support to be paid directly to the child **AND** there is no support awarded for minor children of the parties, or if the judge tells you that the adult child is a Judgment Creditor, fill out this box:*

<input type="checkbox"/> The adult child named (<i>full name and contact address</i>) _____ _____ is a judgment creditor on this judgment Adult child's lawyer's name, address, phone #: _____ _____
--

The following information must be provided by any party entitled to receive a money award as listed in this Judgment

	The following person or public body is known to be entitled to a portion of a payment made on the judgment (other than payee's lawyer):
Petitioner	<input type="checkbox"/> None <i>or</i> <input type="checkbox"/> Name: _____ _____
Respondent	<input type="checkbox"/> None <i>or</i> <input type="checkbox"/> Name: _____ _____
Adult Child Name: _____	<input type="checkbox"/> None <i>or</i> <input type="checkbox"/> Name: _____ _____

Type of Judgment		Amount	Beginning / Ending
<input type="checkbox"/> Child Support	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$ _____ per month for cash medical support and \$ _____ per month for child support	Beginning: <input type="checkbox"/> the first <i>or</i> <input type="checkbox"/> _____ day of the month following entry of this judgment <i>or</i> <input type="checkbox"/> the date of service of the <i>Petition (date)</i> _____ <i>or</i> <input type="checkbox"/> Other _____ and due on the same day of each month thereafter
	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Adult Child		Ending when the last child turns <input type="checkbox"/> 18 <i>or</i> <input type="checkbox"/> 21 (if the child remains a Child Attending School)
<input type="checkbox"/> Spousal/ Partner Support	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$ _____ per month	Beginning: <input type="checkbox"/> the first <i>or</i> <input type="checkbox"/> _____ day of the month following entry of this judgment <i>or</i> <input type="checkbox"/> the date of service of the <i>Petition (date)</i> _____ <i>or</i> <input type="checkbox"/> Other _____ and due on the same day of each month thereafter

Type of Judgment		Amount	Beginning / Ending
			Ending the earlier of: (date) _____ or the death of either party
		or	
		A lump sum of \$ _____	Paid by (date): _____
<input type="checkbox"/> Property Division	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$ _____ per month until a total of \$ _____ is paid	Beginning the (day) _____ of the month following entry of judgment
		or	
		A lump sum of \$ _____	Paid by (date): _____

<input type="checkbox"/> Prejudgment Interest	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$ _____	
<input type="checkbox"/> Postjudgment Interest	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	9% per year simple interest on the unpaid balance of the total judgment amount of \$ _____	Interest accrues from the date the judgment is entered and continues until the judgment is fully paid

<input type="checkbox"/> Court Costs and Service Fees already paid	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	Checked party reimburses the other party's costs and fees of: \$ _____ Directly to the awarded party
<input type="checkbox"/> Deferred Court Costs and Service Fees	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	Checked party must pay deferred costs and fees of: \$ _____ To the State of Oregon through this court

Judge Signature:

Certificate of Readiness

This proposed judgment is ready for judicial signature because (*check all that apply*):

- Service is not required under UTCR 5.100 because the other party has been found in **default** or an order of default is being requested with this proposed judgment; because this judgment is submitted **ex parte** as allowed by statute or rule; or this judgment is being submitted in **open court** with all parties present.
- Each party affected by this judgment has **stipulated** to or approved the judgment, as shown by the signatures on the judgment.
- I have **served** a copy of this judgment and written notice of the 7-day objection period set out in UTCR 5.100 on all parties entitled to service (*complete service information below*). **And:**
 - No objection has been served on me within that time frame.
 - I received objections that I could not resolve with the other party despite reasonable efforts to do so. I have filed with the court a copy of the objections I received and indicated which objections remain unresolved.
 - After conferring about objections, the other party agreed to file any remaining objection with the court.

Certificate of Service under UTCR 5.100

I certify that on (*date*): _____ I placed a true and complete copy of this proposed *Judgment* in the United States mail to (*name*) _____ at (*address*) _____

Submitted by: Petitioner Respondent

Signature

Print Name

Certificate of Document Preparation. Check all that apply:

- I chose this form for myself and completed it without paid help
- A legal help organization helped me choose or complete this form, but I did not pay money to anyone
- I paid (or will pay) _____ for help choosing, completing, or reviewing this form

I understand that I am subject to penalty for perjury for giving false information to the court. All factual information in this Judgment is true to the best of my knowledge and belief. I agree to the terms of this Judgment. I understand that this Judgment is enforceable by the court.

Petitioner, Signature

Date

Petitioner, Name (printed)

Respondent stipulates (agrees) to the terms of this judgment

Respondent, Signature

Date

Respondent, Name (printed)

Child 18, 19, or 20 years of age, stipulates (agrees) to the terms of this judgment

Child, Signature

Date

Child, Name (printed)

Optional: APPLICATION FOR FULL CHILD SUPPORT PROGRAM SERVICES

By signing below, I apply for child support services, including enforcement, from the Child Support Program(CSP).

Check here: if you are requesting only accounting and disbursement services and not enforcement services.

Note: If you never received TANF, tribal TANF or AFDC in any state, an annual \$25 fee will apply if over \$500 is collected and distributed to the family each year.)

 Petitioner, Signature

Date

 Respondent, Signature

Date

 Adult Child, Signature

Date
