

Summary Dissolution of Marriage/Domestic Partnership
ORS 107.485 – ORS 107.500
INSTRUCTIONS

Notice about these instructions and forms.

These instructions are not a complete statement of the law. They cover basic procedure for an uncomplicated divorce case. For legal information, please talk to a lawyer or visit your local law library. Each court has local rules, programs and procedures that may not be explained in these instructions. Information about how to contact your local court may be found at the Oregon Judicial Department website: <http://www.courts.oregon.gov>.

This packet contains forms and instructions to help you obtain a divorce through a procedure called **Summary Dissolution of Marriage/Domestic Partnership**. "Summary" means "without a hearing" and "dissolution of marriage" means "divorce." **Not everyone is eligible for a divorce through this procedure.** Check carefully the eligibility list in the next section to determine whether you may use the summary dissolution procedure to get a divorce. **The instructions are broken down into four basic steps listed below.**

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When filling out the forms, follow these directions:

- You are the named “petitioner” on all court forms and the other party is the “respondent.” Use full names (first, middle or middle initial, last) and print the names the same on all forms.
- The clerk will give you a case number when you file your papers. Make sure to put this on all copies and originals.
- Make yourself a copy of any document you are filing with the court. File the original with the court clerk.
- Keep the court informed of your current address so you get notice of any court dates. **You are not required to use your residential address on any court form.** You may use a contact address where you regularly check in. If you use a contact address, the court will assume that you will receive all notices sent to that address.

ELIGIBILITY TO USE THE SUMMARY DISSOLUTION PROCEDURE

You are eligible to use this packet of forms if all the following statements are true for you:

A. Residency

Spouses: You **OR** the other party are a resident of Oregon and have been continuously for the past six months before filing the petition for dissolution.

Domestic Partners: You and the other party were Oregon residents at the time of the registration of your domestic partnership. The petition for dissolution may be filed in the county where **either** party currently resides or last resided.

B. Length of Marriage/Partnership

You have been married or in a registered domestic partnership with the other party for no more than **ten (10) years**.

C. Children

You and the other party have **no minor children** born to or adopted by you and the other party during or before the marriage/partnership. You and the other party do not have any child between the ages of 18 to 21 years attending school as defined in ORS 107.108. Neither party is pregnant.

D. Real Property

Neither you nor the other party owns any interest in real property (land or buildings) in Oregon or elsewhere. (Mobile homes on rented land are not real property.)

E. Personal Property

The personal property that you and the other party own, individually or together, is worth **less than \$30,000** after deducting any money you owe on that property (like a car loan).

F. Debts

The unpaid debts that you and the other party, individually or together, incurred during the marriage/partnership **do not exceed \$15,000**.

G. Spousal Support

You, as the petitioner, give up all rights to spousal support (alimony).

H. Temporary Orders

You, as the petitioner, give up all rights to any temporary orders as part of this dissolution proceeding (such as support payments or exclusive use of marital property) except restraining orders and orders that allow exclusive use of the residence under the Family Abuse Prevention Act (ORS 107.700 to 107.730) or under the Elderly Persons and Persons With Disabilities Abuse Prevention Act (ORS 124.005 to 124.040).

I. Other Divorce Actions

You are not aware of any other pending (not yet decided) divorce, annulment, or separation proceedings involving your marriage and filed in Oregon or in any other state.

STEP 1: STARTING YOUR CASE

Fill out the forms

Fill out the forms listed under *Step 1: Starting Your Summary Dissolution Case* on page 1 of these Instructions. Read the Confidential Information Form (CIF) instructions before filling out the other forms.

Have your documents reviewed

You may have your documents reviewed by a lawyer or a courthouse facilitator. Contact your local court for local resource and facilitator information. For information about how to find a lawyer, call the Oregon State Bar Lawyer Referral Service. If you are low income, you might get your documents reviewed for a smaller fee through the Oregon State Bar's Modest Means program, or you may call your local Legal Aid office.

Make copies

Make at least two photocopies of all the documents you filled out, one for your records and another to serve on the other party.

File the forms with the court

File the original Step 1 forms with the court, EXCEPT the *Summons* and *Declaration/Acceptance of Service*. The court clerk will ask you for a filing fee when you go to file the papers. Call the court to find out how much the fee will be. If you feel you cannot pay this fee, ask the court if you may apply for a fee waiver or fee deferral. You will need to fill out a fee waiver or deferral form and file this document with the court too. If the fee is waived, you do not have to pay it. If the fee is deferred, you will not have to pay the fee now, but you may be required to pay it later.

The clerk will give you a number of forms when you file your papers. You will need two copies of each form. You need to keep one copy for yourself and have the other copy served on the other party. (See the section "Serving the Other Party" below.)

Serving the other party

The other party has to be served (have papers delivered or given to) with the papers given to you by the court clerk AND with true copies of the Petition and the Summons. To certify the Petition and Summons as true copies, you will need to sign your name at the bottom of the forms on the line that says "I certify that this is a true copy."

If the other party is willing to accept service (they don't have to agree with the papers, just be willing to accept them), have the other party sign the *Acceptance of Service* form in front of a notary or court clerk, then file the *Acceptance of Service* with the court. If the other party signs this form, you don't have to have someone else serve the papers on the other party.

If the other party is not willing to accept service, you will have to use a process server, the Sheriff's office, or someone who is over the age of 18, and Oregon resident, and not a party to the proceedings, to serve the other party. **You cannot serve the other party yourself since you are a party.** After service is complete, have the person who served the other party complete the *Certificate of Service* and promptly file it with the court.

STEP 2: (FOR PARTIES WHO FILED BEFORE JANUARY 1, 2012 – APPLYING FOR WAIVER OF 90 DAY WAITING PERIOD.

If you filed your case before January 1, 2012, Oregon law requires a 90 day waiting period between the time the other party was served and the time the court can hold a final hearing on your case or sign the final judgment. However, if both parties stipulate (agree) to the judgment or there are grounds for a waiver based on emergency or necessity, you can ask the court to waive the 90 day period. Where you

don't have your spouse's agreement to the judgment, the Judge usually will not consider waiving the waiting period until at least 30 days have passed from the day your spouse was served. To request a waiver, fill out the forms listed under *Step 2: Applying for Waiver of 90 Day Waiting Period* on page 1 of these instructions. You will submit these forms with other paperwork required under either Step 3 or Step 4, below.

STEP 3: FOR PARTIES WHO HAVE NOT STIPULATED (AGREED) —
WAITING FOR A RESPONSE; TAKING A DEFAULT;
SUBMITTING GENERAL JUDGMENT OF SUMMARY DISSOLUTION

Check to see if a response has been filed

Oregon law gives the other party 30 days from when they were served to respond to your petition. If you have not received a response after 30 days, check with the court to see if a response has been filed.

If no response has been filed

You can ask the court for a default order and submit a completed *General Judgment of Dissolution*. **The information you fill out in the general judgment must be the same as what you requested in the Petition.** Generally, once the Order of Default is signed, it's too late for the other party to contest what you requested in your Petition. To ask the court for a default order, fill out the *Motion and Declaration in Support of Order for Default Judgment of Dissolution* form (do not fill out the bottom part of the form under the word "Order"). Submit this form to the Court along with your completed *General Judgment of Dissolution*. You may do this anytime after the 30 days have passed as long as no response has been filed.

STEP 4: FOR PARTIES WHO HAVE AGREED –
SUBMITTING STIPULATED GENERAL JUDGMENT OF SUMMARY DISSOLUTION

If both parties come to agreement

You must complete the *Stipulated General Judgment of Summary Dissolution*. Start by marking the box at the top right-hand corner of page 1 that says "Stipulated General Judgment of Summary Dissolution. Both you and the respondent (the other party) must sign the judgment.

ADDITIONAL INFORMATION

In some cases, the court may have questions about your case and may require additional written information or schedule a hearing at which you and the other party must appear. Normally, however, a hearing is not held and the judge will sign the papers without requiring you or the other party to appear in court.

Once the judge has signed the *General or Stipulated General Judgment of Summary Dissolution*, the court clerk will send you and the other party a notice that the Judgment has been signed and entered into the court records. When the Judgment is signed, you are legally divorced. Once you have received the notice, you may contact the court to obtain a copy of the Judgment. A fee may be charged. Keep the notice from the court that the Judgment has been signed for your records.

8. By filing this petition, I acknowledge I am bound by the terms of the statutory restraining order prohibiting either party from disposing of marital assets, a copy of which I have received and read, and understand that this restraining order is effective immediately upon service of this petition and the summons upon the Respondent.

9. Neither party is now pregnant.

10. **Spousal Support and Life Insurance.**

I give up all rights I may have to spousal support and waive any right to temporary orders as part of this proceeding, except those under ORS 107.700 to 107.730 (the Family Abuse Prevention Act) or ORS 124.005 to 124.040 (the Elderly Persons and Persons With Disabilities Abuse Prevention Act).

11. **Real Property.**

Neither Petitioner nor Respondent has any interest in any real property.

12. **Personal Property (combined net value of \$30,000 or less, including motor vehicles and retirement accounts).**

The Petitioner and Respondent have divided between them all personal effects, household goods, and other personal property they own separately or together, and neither should claim those items now in possession of the other.

The Petitioner should be awarded: an equitable distribution of the parties' personal property, or the following personal property: _____

Additional page attached; see section labeled "12. Petitioner-Personal Property continued."

The Petitioner should be awarded his/her retirement benefits, pension plan, profit-sharing plan, deferred-compensation plan, and /or stock option plan free of any interest of the Respondent.

The Respondent should be awarded: an equitable distribution of the parties' personal property, or the following personal property: _____

Additional page attached; see section labeled "12. Respondent-Personal Property continued."

The Respondent should be awarded his/her retirement benefits, pension plan, profit-sharing plan, deferred-compensation plan, and /or stock option plan free of any interest of the Petitioner.

13. **Distribution of Debts. (under \$15,000)**

There are no outstanding debts of this marriage/domestic partnership.

The debts should be paid as follows:

///
///
///
///

Name of Creditor (who debt is owed to)	What debt is for	Amount	Who should pay (Petitioner or Respondent)

Additional page attached, labeled, "13. Debts continued."

Each party should be responsible for the payment of all debts incurred by the parties individually since the date of the separation (*write date*), _____, all debts which are distributed to that party by the court, and all debts which are secured by property distributed to that party. If any creditor requires a party to pay all or a portion of a debt for which the other party is responsible by order of the court in this action, and he or she does so, the party responsible for that debt shall reimburse the paying party for any monies he/she pays to the creditor after the date a final judgment is entered.

14. Transfer of Debts and Property.

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

15. Former Name. Petitioner's Respondent's former name of _____ should be restored.

16. Information Required by ORS 107.085. Disclosure of the following information would unreasonably put to risk the health, safety, or liberty of Petitioner Respondent for the following reasons: _____

Otherwise:

	Petitioner	Respondent
Full Name		
Former Legal Name(s)	Not listed here. Listed in UTCR 2.130 CIF form.	Not listed here. Listed in UTCR 2.130 CIF form.
Age		
Address or Contact Address		
Telephone Number		

	Petitioner	Respondent
Social Security Number	Not listed here. Listed in UTCR 2.130 CIF form.	Not listed here. Listed in UTCR 2.130 CIF form.
Driver License Number	Not listed here. Listed in UTCR 2.130 CIF form.	Not listed here. Listed in UTCR 2.130 CIF form.

17. Court Costs and Fees.

A. Deferred Costs and Fees

Each party should be responsible for paying his or her own deferred court costs and service fees for this case.

Any court costs and service fees (if service completed by the Sheriff) that are deferred (required to be paid at a later date) by the court should be paid by: Petitioner Respondent

Both parties equally. Other: _____

B. Costs and Fees Paid by the Parties

Each party should be responsible for paying his or her own court costs and service fees for this case.

To be paid by both parties equally

Petitioner Respondent should reimburse the other party for his or her court costs and service fees for this case.

Other: _____

Judgment should be entered according to the cost and fee allocation listed above.

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 hereby declare that the above statements are true to the best of my knowledge and belief, and that I understand they are made for use as evidence in court and I am subject to penalty for perjury.

Date

Signature

Name (printed)

Contact Address

City, State, ZIP

Contact Phone

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

Case No: _____

Petitioner
and

Respondent

**SUMMONS FOR FAMILY LAW
CASE**

- Marriage**
 **Registered Domestic
Partnership (RDP)**
 Unmarried & Unregistered

To (name): _____

Home Address:

Work Address:

Your spouse, partner, or child's parent has filed a *Petition* asking for:

- Separation of your marriage or registered domestic partnership (RDP)
 Divorce or dissolution of your registered domestic partnership (RDP)
 Child Support, custody, or parenting time

NOTICE TO RESPONDENT: READ THESE PAPERS CAREFULLY!

You must “appear” in this case or the other side will win automatically. To “appear,” you must file a legal paper called a “*Response*” or a motion. *Response* forms are available through the court at the address above or online at www.courts.oregon.gov. Talk to a lawyer for information about appearing by motion.

Your *Response* must be filed with the court clerk at the court listed above **within 30 days of the day you received this *Summons***, along with the required filing fee (go to www.courts.oregon.gov for fee information). It must be in proper form and you must show that the Petitioner's lawyer (or the Petitioner if he or she does not have a lawyer) was formally served with a copy of the *Response* according to the service rules. Service rules are included in *Instructions for Respondents*, available at www.courts.oregon.gov.

If you have questions, see a lawyer immediately. If you need help finding a lawyer, you can call the Oregon State Bar's Lawyer Referral Service at 503.684.3763 or toll free in Oregon at 800.452.7636, or go to www.oregonstatebar.org.

[Attach to Summons per ORS 107.093(5)]

**NOTICE OF STATUTORY RESTRAINING ORDER
PREVENTING THE DISSIPATION OF ASSETS
IN DOMESTIC RELATIONS ACTIONS**

REVIEW THIS NOTICE CAREFULLY. BOTH PARTIES MUST OBEY EACH PROVISION OF THIS ORDER TO AVOID VIOLATION OF THE LAW. YOU HAVE THE RIGHT TO A HEARING. SEE INFORMATION BELOW.

TO THE PETITIONER AND RESPONDENT:

Under ORS 107.093 and UTCR 8.080, Petitioner and Respondent must not:

Insurance Policies

(1) Cancel, modify, terminate or allow to lapse for nonpayment of premiums any policy of health insurance, homeowner or renter insurance, or automobile insurance that one party maintains to provide coverage for the other party or a minor child of the parties, or any life insurance policy that names either of the parties or a minor child of the parties as a beneficiary.

Insurance Beneficiaries

(2) Change beneficiaries or covered parties under any policy of health insurance, homeowner or renter insurance, or automobile insurance that one party maintains to provide coverage for the other party or a minor child of the parties, or any life insurance policy.

Property

(3) Transfer, encumber (*i.e., mortgage, lien, borrow against*), conceal, or dispose of property in which the other party has an interest, in any manner, without written consent of the other party or an order of the court, except in the usual course of business or for necessities of life.

Expenses

(4) Make extraordinary expenditures without providing written notice and an accounting of the extraordinary expenditures to the other party.

EXCEPTIONS:

Paragraphs (3) and (4) do not apply to payment by either party of:

- (a) Attorney fees in this action;
- (b) Real estate and income taxes;
- (c) Mental health therapy expenses for either party or a minor child of the parties; or
- (d) Expenses necessary to provide for the safety and welfare of a party or a minor child of the parties.

EFFECTIVE DATE:

The above provisions are in effect immediately upon service of the *Petition* and *Summons* on the respondent. They remain in effect until a final judgment is issued, until the petition is dismissed, or until further order of the court.

RIGHT TO REQUEST A HEARING

Either Petitioner or Respondent may request a hearing to modify or terminate one or more terms of this restraining order, by filing with the court the *Request for Hearing re: Statutory Restraining Order* form specified in Form 8.080.3 in the UTCR Appendix of Forms.

**RECORD OF DISSOLUTION
OF MARRIAGE, ANNULMENT OR
REGISTERED DOMESTIC PARTNERSHIP**

The petitioner or legal representative of the petitioner is responsible for completing the personal information on this form and shall present this form to the clerk of the court with the petition. In all cases the completed record shall be a prerequisite to the granting of the final judgment.

Case number: _____
 Judgment type: Dissolution of marriage Annulment Dissolution of registered domestic partnership(RDP)

Spouse / Partner A

1. Spouse/Partner A – Legal name: (first, middle, last, suffix) 2. Last name at birth: (not required for RDP)
 3. Residence or legal address: (street and number) (city or town) (county) (state)
 4. Other legal last names used:
 5. Date of birth: (mm/dd/yyyy) 6. Birthplace: (state, territory or foreign country)

Spouse / Partner B

7. Spouse/Partner B – Legal name: (first, middle, last, suffix) 8. Last name at birth: (not required for RDP)
 9. Residence or legal address: (street and number) (city or town) (county) (state)
 10. Other legal last names used:
 11. Date of birth: (mm/dd/yyyy) 12. Birthplace: (state, territory or foreign country)

Marriage / Declaration

13. Date of marriage / filing of RDP declaration: (mm/dd/yyyy) 14. Date couple last resided in same household: (mm/dd/yyyy)
 15a. Place of marriage/RDP: (city, town or location) 15b. County: 15c. State or foreign country:
 16. Number of children under 18 in this household as of the date in item 14:
 Number: _____ None 17. Petitioner:
 Spouse/Partner A Spouse/Partner B Both

Attorney

18a. Name of petitioner's attorney: (print) 18b. Address: (street and number or rural route number, city or town, state, ZIP code)
 19a. Name of respondent's attorney: (print) 19b. Address: (street and number or rural route number, city or town, state, ZIP code)

Judgment

20. Marriage/RDP declaration of the above named persons was dissolved on: (mm/dd/yyyy) 21. Date judgment becomes effective: (mm/dd/yyyy)
 22. Number of children under 18 whose physical custody was awarded to:
 ___ Spouse/Partner A ___ Spouse/Partner B ___ Joint (shared custody) ___ Other (specify) _____ No children
 23. County of decree: 24. Title of court: **Circuit**
 25. Signature of court official: 26. Title of court official: 27. Date signed: (mm/dd/yyyy)

Information below will not appear on the certified copies of the record.

Spouse / Partner A

28. Spouse A's Social Security number: (not required for RDP)				29. Spouse B's Social Security number: (not required for RDP)					
30. Number of this marriage/RDP – first, second, etc.:		31. If previously married or in a RDP date last marriage/RDP ended:		32. Hispanic origin: Cuban, Mexican, Puerto Rican		33. Race(s): Black, White, etc.		34. Education – Specify only highest grade completed:	
Marriage	RDP	By death, divorce, dissolution or annulment (specify below)	Date: (mm/dd/yyyy)	List all that apply (specify below)		List all that apply (specify below)		Elementary/Secondary: (grades 0-12)	College: (1-4 or 5+)
30a.	30b.	31a.	31b.	32a.	33a.	34a.	34b.		
30c.	30d.	31c.	31d.	32b.	33b.	34c.	34d.		

Spouse / Partner B

Children's Names (Last, First, Middle)

Date of Birth	Social Security Number

Please attach an additional sheet if there are more than five children involved in the proceeding.

I hereby declare that the above statements are true to the best of my knowledge and belief and that I understand they are made for use as evidence in court and are subject to penalty for perjury.

Date: _____ Signature: _____

Type or Print Name: _____

COMPLETED AND SUBMITTED BY:

Petitioner Respondent Co-Petitioner _____

Child who is at least 18 and under 21: _____

Other: _____

NOTE TO COURT STAFF: Unless ordered or authorized under UTCR 2.130, this Confidential Information Form is not available to the opposing party or his/her attorney, or to the public; except for the state.

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

_____)
_____)
_____) Petitioner Co-Petitioner,
and _____)
_____) Respondent Co-Petitioner.
_____)
_____) Child At Least 18 But Under 21
_____) Other _____)

Case No.: _____

**FAMILY LAW CONFIDENTIAL INFORMATION
FORM (CIF)**
 Amended CIF

**This document is not accessible to the public
or other parties. Exceptions may apply. See
UTCRC 2.130.**

**ATTENTION COURT STAFF: THIS IS A RESTRICTED-ACCESS
DOCUMENT.**

The information below is about: Petitioner Respondent Co-Petitioner _____

Child at least 18 but under 21: _____

Other: _____

Name (Last, First, Middle): _____

The names of the parties and the children, as well as the children's ages, are NOT confidential.

Former Legal Name(s) (if applicable):
Date of Birth:
Social Security Number:
Driver License (Number and State):
Employer's Name, Address, and Telephone Number:

Children's Names (Last, First, Middle)

Date of Birth	Social Security Number

Please attach an additional sheet if there are more than five children involved in the proceeding.

I hereby declare that the above statements are true to the best of my knowledge and belief and that I understand they are made for use as evidence in court and are subject to penalty for perjury.

Date: _____ Signature: _____

Type or Print Name: _____

COMPLETED AND SUBMITTED BY:

Petitioner Respondent Co-Petitioner _____

Child who is at least 18 and under 21: _____

Other: _____

NOTE TO COURT STAFF: Unless ordered or authorized under UTCR 2.130, this Confidential Information Form is not available to the opposing party or his/her attorney, or to the public; except for the state.

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

_____)
)
 _____)
 Petitioner Co-Petitioner,)
)
 and)
)
 _____)
 Respondent Co-Petitioner.)
)
)
 _____)
 Child At Least 18 But Under 21)
 Other _____)

Case No.: _____

NOTICE OF FILING OF
 CONFIDENTIAL INFORMATION FORM (CIF)
 AMENDED CIF

NOTICE: Confidential Information Form Has Been Filed

- Uniform Trial Court Rule (UTCRC) 2.130 requires that parties to domestic relations cases place certain information about themselves and other parties in a CIF when such information is required in a document filed with the court.
- The CIF is not available for public inspection except as authorized by law.
- Parties are allowed to see a CIF that contains information about them.
- A party who wants to see a CIF that contains information about another party must ask for permission from the court or the other party by following the procedures set out in UTCRC 2.130.

I am the (check one box):

Petitioner Respondent Co-Petitioner _____
 Child at least 18 but under 21: _____
 Other: _____

I filed Confidential Information Forms with the court about the following parties to this case

(complete a section for each party for whom you have filled out a CIF):

1) Name (Last, First, Middle): _____
 Petitioner Respondent Co-Petitioner Adult Child Other: _____

Confidential Personal Information contained in CIF (check all that apply):

party's social security number, party's date of birth, children's social security number,
 children's date of birth, employer's name, address, and telephone number, driver license number,
 former legal name(s).

2) Name (Last, First, Middle): _____
 Petitioner Respondent Co-Petitioner Adult Child Other: _____

Confidential Personal Information contained in CIF (check all that apply):

- party's social security number, party's date of birth, children's social security number,
- children's date of birth, employer's name, address, and telephone number, driver license number,
- former legal name(s).

3) Name (Last, First, Middle): _____
 Petitioner Respondent Co-Petitioner Adult Child Other: _____

Confidential Personal Information contained in CIF (check all that apply):

- party's social security number, party's date of birth, children's social security number,
- children's date of birth, employer's name, address, and telephone number, driver license number,
- former legal name(s).

4) Name (Last, First, Middle): _____
 Petitioner Respondent Co-Petitioner Adult Child Other: _____

Confidential Personal Information contained in CIF (check all that apply):

- party's social security number, party's date of birth, children's social security number,
- children's date of birth, employer's name, address, and telephone number, driver license number,
- former legal name(s).

Dated this _____ day of _____, 20____

Signature

Print Name

Contact Address

City, State, Zip

Contact Telephone

Information about the Confidential Information Form (CIF)

What is a CIF?

Most court files may be viewed by the public. Uniform Trial Court Rule (UTCRC) 2.130 requires certain confidential personal information to be protected from public disclosure. That is done by providing the information in a separate form. After you file your papers, the court keeps the form separate from the part of the court file that may be viewed by the public. The form is UTCRC Form 2.130.1, known as the Confidential Information Form, or CIF.

What information does a CIF make confidential?

The information protected by the CIF is social security numbers, birth dates, driver license numbers, and former legal names. Also protected are the name, address, and telephone number of a party's employer.

The CIF should only be used to protect the information described above. There may be other information in your court papers that you do not want the public to be able to see, such as bank account or credit card numbers. The separate process for protecting that information is described in UTCRC 2.100, which can be read at:

<http://courts.oregon.gov/OJD/programs/utcr/pages/utcrules.aspx>

How do I know when I need to put information in the CIF?

When a document filed with the court requires you to include information protected by a CIF, that information must **only** be provided to the court in a CIF and must not be listed in any other document to be filed. Where you would otherwise provide the information in the document to be filed you must make a note that the information has been provided in the CIF. For example, if a document requires a party's full social security number to be listed, you must not list the social security number, but must instead make a note on the document that the information has been filed under UTCRC 2.130. **The online court forms already have that note on the form.**

Do I need to file more than one CIF?

In most cases, yes. You must fill out a CIF for yourself, and if the documents you are filing with the court require confidential personal information about the other party, you must also fill out a separate CIF with the other party's information. If your case involves children, you should include their information in *your* CIF. You do not need a separate CIF for your children.

If there is CIF information you do not know when you file your papers, or if the information changes during your case, you must file an amended CIF that provides the new or updated information.

The CIF rule requires you to redact – black out or erase – confidential personal information from any attachments to documents you file with the court and to make a note on the attachment that the information has been provided in the CIF. The only exception is when you are required to attach a court-certified document. Documents that are required to be court certified should not be altered in any way.

Does the other party get copies of a CIF I file?

You are not required to serve the CIFs on the other party, though you may share a CIF with the other party if you chose to do so. You *are* required to serve the other party with UTCR Form 2.130.2, which is a notice that a CIF has been filed. You must also file a certificate with the court showing that you served the other party with the notice that a CIF was filed.

There are steps the other party and other people can go through to ask the court to allow them access to a CIF that you have filed. UTCR 2.130 explains that process in detail, and also describes the circumstances under which the court must deny a request by someone else to view a CIF you have filed.

The CIF rule (UTCR 2.130) can be read at:

<http://courts.oregon.gov/OJD/programs/utcr/pages/utcrrules.aspx>

and you can find additional information about the rule and family law processes at:

<http://courts.oregon.gov/OJD/OSCA/JFCPD/Pages/FLP/Index.aspx>

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

Case No: _____

and

Petitioner
Respondent

CERTIFICATE OF SERVICE

(ORCP 7D(2))

- (a) Personal Service
 (b) Substitute Service
 (c) Office Service
 (d) Service by Mail

I, (name) _____, declare that I am a resident of the state of _____ . I am a competent person 18 years of age or older. I am not a party to or lawyer in this case, and not the employee of a party. I certify that the person served is the person named below. I served true copies of the original (check all that apply):

- Petition and Summons
 Information about mediation
 Notice of Confidential Information Form (CIF) Filing
 Notice of Statutory Restraining Order Preventing Dissipation of Assets
 Order to Show Cause re: Modification with Motion and Declaration
 Information about continuing insurance coverage (COBRA)
 Uniform Support Declaration
 Other information provided by the court clerk (name all forms or documents served) _____
 Other (name all forms or documents served) _____

by (check a, b, c, or d and complete all information):

(a) **Personal Service** on (date) _____, at _____ a.m./p.m., to { Petitioner Respondent} (name) _____ in person at the following address _____ in the County of _____, State of _____.

(b) **Substitute Service** on (date) _____, at _____ a.m./p.m., by delivering them to the following address _____ in the County of _____, State of _____ . Delivered to (name) _____, who is a person age 14 or older and who lives there.

(Complete the section below only if the server also did the follow-up mailing required by ORCP 7D(2)(b). If a person other than the server did the follow-up mailing, that person must complete a separate Certificate of Service Mailing.)

On (date) _____, I personally deposited a true copy of the same documents served with the U.S. Postal Service, via first class mail, in a sealed envelope, postage paid, addressed to the party to be served: Petitioner Respondent (name) _____, at the party's home address listed above, together with a statement of the date,

time and place that the documents were hand-delivered to the party's dwelling (residence).

(c) **Office Service** on (date) _____, at _____ a.m./p.m., by delivering them to the office of the party to be served, located at: (address) _____, during normal working hours for that office, where I left the documents with (name) _____, who is a person apparently in charge, to give the documents to the party to be served. (Complete the section below only if the server also did the follow-up mailing required by ORCP 7D(2)(c). If a person other than the server did the follow-up mailing, that person must complete a separate Certificate of Service Mailing.)

On (date) _____, I personally deposited a true copy of the same documents served with the U.S. Postal Service, via first class mail, in a sealed envelope, postage paid, addressed to the party to be served: Petitioner Respondent (name) _____, at the party's: home address at: _____, **OR** business address above, together with a statement of the date, time and place that the documents were hand-delivered to the party's office.

(d) **Service by Mail, Return Receipt Requested** on (date) _____, I personally deposited **two** true copies with the U.S. Postal Service. **One** by first class mail, and the **other** by certified or registered mail, Return Receipt Requested, or by express mail, postage paid, addressed to the party to be served: Petitioner Respondent (name) _____, at the party's home address located at: _____ (address). (NOTE: If mailed Return Receipt Requested, the return receipt must be attached to this Certificate of Service.)

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 hereby declare that the above statements are true to the best of my knowledge and belief, and that I understand they are made for use as evidence in court and I am subject to penalty for perjury.

Date

Signature of Server

Print Name

If person serving is NOT a sheriff or sheriff's deputy, address and phone number of server:

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

Case No: _____

Plaintiff/Petitioner

v.

**ACCEPTANCE OF
SERVICE**

Defendant/Respondent

I am the Plaintiff/Petitioner Defendant/Respondent in this matter.

On (date) _____ I received a true copy of (check all that apply):

- | | |
|------------------------------------|---|
| <input type="checkbox"/> Petition | <input type="checkbox"/> Summons |
| <input type="checkbox"/> Claim | <input type="checkbox"/> Information on mediation |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Other: _____ |

And for Domestic Relations cases:

- Notice of Statutory Restraining Order Preventing Dissipation of Assets
- Notice of CIF (*Confidential Information Form*) Filing
- Information on continuation of insurance coverage (COBRA)
- Order to Show Cause re: Modification with Motion and Declaration
- Statement of Assets and Liabilities
- Uniform Support Declaration
- Other forms: _____

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 hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use in court and I am subject to penalty for perjury.

Date

Signature

Name (printed)

Address

City/State/Zip

Telephone

NOTICE OF PROPOSED JUDGMENT OR ORDER

To be sent to all other parties before submitting proposed Judgment or Order to the court for signature. Send the Judgment or Order to the other party with this Notice at least 7 days before submitting it to the court. This does not apply to judgments submitted with a Motion for Order of Default or after and Order of Default has been granted.

This notice is to inform you that you can object to the attached proposed *Judgment or Order*.

Uniform Trial Court Rule (UTCRC) 5.100¹ allows you to object to the proposed judgment or order. If you have no objections, you can sign the last page and return it to me.

If you do object to any of the terms of the judgment or order, you may:

1) Contact me within 7 days of the date of this notice. If you contact me and we are not able to resolve your objections after reasonable efforts, I will include your objections with the proposed judgment or order when I submit it to the court.

or

2) Submit your objections directly to the court. If you intend to submit your objections directly to the court, notify me within 7 days of the date of this notice so that I can inform the court of your intentions when I submit the proposed judgment or order. If you do object to the proposed order or judgment, you must contact me within 7 days of the date of this notice.

Date

Signature

Name (printed)

Address

City/State/Zip

Phone

¹ <http://courts.oregon.gov/OJD/programs/utcr/pages/utcrules.aspx>

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. _____

GENERAL JUDGMENT OF SUMMARY
DISSOLUTION OF MARRIAGE/DOMESTIC
PARTNERSHIP; and MONEY AWARD

STIPULATED GENERAL JUDGMENT OF
SUMMARY DISSOLUTION OF MARRIAGE/
DOMESTIC PARTNERSHIP;
and MONEY AWARD

This matter came before the Court:

- On the motion and declaration of Petitioner, the default of Respondent having been found.
- On the motion and affidavit of Petitioner, Respondent having filed a Waiver of Further Appearance.
- On the stipulations of the parties, as shown by the signatures below.
- The court, having noted that this matter was filed before January 1, 2012, has waived the 90 day waiting period based on the following: the parties have entered into a stipulated (agreed to) judgment, or Other: _____
- At a hearing held _____, at which the following persons were present:
 (Date)
- Petitioner Petitioner's attorney _____
- Respondent Respondent's attorney _____

Findings. The Court considered the: Verified Petition Affidavit Stipulations Evidence presented and found that:

- A. Irreconcilable differences have caused the irremediable breakdown of this marriage/registered domestic partnership.
- B. Spouses Only: Petitioner Respondent has/have been a resident of and domiciled in the state of Oregon for the six month period immediately prior to filing.
Domestic Partnerships Only: Both parties no longer residing in Oregon, this matter was filed in the county of last residence of Petitioner Respondent.
- C. There are no unemancipated children under the age of 18 to this marriage, AND no child of this marriage is age 18 to 21 and a "child attending school" as defined in ORS 107.108.
- D. The parties have not been married or registered domestic partners for more than 10 years.
- E. Neither party is now pregnant.
- F. Neither party has any interest in real property.
- G. Petitioner has given up all rights s/he may have to spousal support and waives any right to temporary orders as part of this dissolution proceeding, except those under ORS 107.700 to 107.730 or ORS 124.005 to 124.040.

NOW, THEREFORE, IT IS HEREBY ORDERED:

The terms of this judgment are effective immediately. The marital status of the parties shall terminate on the date this judgment is signed by the judge.

1. Spousal Support and Life Insurance.

Neither party shall pay spousal support, spousal life insurance or spousal medical coverage.

2. Personal Property (combined net value of \$30,000 or less, including motor vehicles and retirement accounts).

The Petitioner and Respondent, having divided all personal effects, household goods and other personal property they own separately or together, each shall be awarded those items now in their possession.

The Petitioner is awarded the following personal property:

Additional page attached; see section labeled "2. Petitioner-Personal Property continued."

The Petitioner should be awarded his/her retirement benefits, pension plan, profit-sharing plan, deferred-compensation plan, and /or stock option plan, free of any interest of the Respondent.

The Respondent is awarded the following personal property: _____

Additional page attached; see section labeled "2. Respondent-Personal Property continued."

The Respondent should be awarded his or her retirement benefits, pension plan, profit-sharing plan, deferred-compensation plan, and /or stock option plan, free of any interest in the Petitioner.

3. Distribution of Debts. (under \$15,000)

There are no outstanding debts of this marriage/domestic partnership.

Each of the parties is ordered to pay debts as follows:

Name of Creditor (who money is owed to)	What debt is for	Amount	Who shall pay (Petitioner or Respondent)

Additional page attached, labeled "3. Debts continued."

Each party is responsible for the payment of all debts incurred by the parties individually since the date of the separation _____ (date of separation), all debts which are distributed to that party

by the court, and all debts which are secured by property distributed to that party. If any creditor requires a party to pay all or a portion of a debt for which the other party is responsible by order of the court in this action, and he or she does so, the party responsible for that debt shall reimburse the paying party for any monies he/she paid to the creditor after the date this judgment was entered.

The date of separation (when the parties began living apart) was: _____.

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

5. Former Name. Petitioner's Respondent's former name of _____ is restored.

6. Court Costs and Fees.

A. Deferred Costs and Fees.

Each party shall be responsible for paying his or her own deferred court costs and service fees for this case.

Any court costs and service fees (if service was completed by the Sheriff) that were deferred by the court shall be paid by: Petitioner Respondent Both parties equally Other: _____

B. Costs and Fees Paid by the Parties.

Each party shall be responsible for paying his or her own court costs and service fees for this case.

To be paid by both parties equally

Petitioner Respondent shall reimburse the other party for his or her court costs and service fees for this case.

Other: _____.

Judgment is entered according to the cost and fee allocation listed above.

7. Information Required by ORS 107.085.

Based on a finding that the health, safety, or liberty of Petitioner Respondent would unreasonably be put at risk by disclosure of the following information, Respondent Petitioner has been allowed not to disclose this information.

Otherwise:

	Petitioner	Respondent
Full Name		
Former Legal Name(s)	Not listed here. Listed in UTCR 2.130 CIF form.	Not listed here. Listed in UTCR 2.130 CIF form.
Age		
Address or Contact Address		

	Petitioner	Respondent
Social Security Number	Not listed here. Listed in UTCR 2.130 CIF form.	Not listed here. Listed in UTCR 2.130 CIF form.
Driver License Number	Not listed here. Listed in UTCR 2.130 CIF form.	Not listed here. Listed in UTCR 2.130 CIF form.

Date of marriage/registered domestic partnership: _____

Place of marriage/registered domestic partnership: _____

MONEY AWARD. Child Support or Spousal Support is not included.

Additional information required by ORS 18.042	PETITIONER	RESPONDENT
Full Name		
Address or Contact Address		
Attorney's Name, Telephone Number and Address (if applicable)		
Year of Birth		
Final Four Digits of Driver License Number and State of Issuance		

The following information is to be provided by any party entitled to receive a money award (a "judgment creditor") as listed in this Judgment.

Others Entitled to Portions of Judgment Payable to PETITIONER	<p>The following person(s) or public bod(ies) are known by Petitioner to be entitled to a portion of a payment made on the judgment (other than Petitioner's attorney):</p> <p><input type="checkbox"/> None or <input type="checkbox"/> _____</p> <p>_____</p> <p>_____</p> <p>_____</p>
Others Entitled to Portions of Judgment Payable to RESPONDENT	<p>The following person(s) or public bod(ies) are known by Respondent to be entitled to a portion of a payment made on the judgment (other than the Respondent's attorney): <input type="checkbox"/> None or <input type="checkbox"/> _____</p> <p>_____</p> <p>_____</p> <p>_____</p>

Type of Judgment	Amount of Judgment	
Property Division (if applicable)	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$_____ per month, starting on the <input type="checkbox"/> first day or <input type="checkbox"/> Other: _____ of the month following the date of the judgment until the total amount of \$_____ is paid in full; or A lump sum payment of \$_____ to be paid by: _____ (date).
	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	
Prejudgment Interest (Note: ORS 21.607(1) disallows interest on fees that have been deferred.)	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	
	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	
Postjudgment Interest (Note: ORS 21.607(1) disallows interest on fees that have been deferred.)	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	Nine percent (9%) per annum simple interest on the unpaid balance of the total judgment amount(s) of \$_____. Interest accrues from the date the judgment is entered and continues until fully paid.
	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	
Accrued Arrears (if any, on judgments to be paid on a periodic basis)	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$_____ per month, starting on the <input type="checkbox"/> first day or <input type="checkbox"/> Other: _____ of the month following the date of the judgment until the total amount of \$_____ is paid in full; or A lump sum payment of \$_____ to be paid by: _____ (date).
	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	
Costs and Service Expenses (e.g., filing fees, trial fees, process fees)	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$_____
	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	

///
 ///
 ////
 ///

Attorneys Fees (if any)	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$ _____
	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	

DATED this _____ day of _____, 20_____.

Circuit Court Judge

Print Name

Both parties have agreed (stipulated) to the terms of this judgment:

Petitioner (signature)

State of _____)
County of _____)

This instrument was acknowledged before me on _____, 20_____, (date)_____

by _____ (name of person(s)).

Notary Public for _____/Court Clerk
My Commission Expires:_____

Respondent (signature)

State of _____)
County of _____)

This instrument was acknowledged before me on _____, 20_____, (date)_____

by _____ (name of person(s)).

Notary Public for _____/Court Clerk
My Commission Expires:_____

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

Case No: _____

Petitioner
and

Respondent

**EX PARTE MOTION FOR
ORDER OF DEFAULT and
DECLARATION IN SUPPORT**

Motion

Based on the attached *Declaration*, Petitioner requests that this court grant an *Order* entering the default of Respondent and directing entry of judgment.

Statement of Points and Authorities

ORCP 69 requires the court or clerk to enter an order of default on a showing by affidavit or declaration that a party against whom a judgment is sought has been served with Summons or is otherwise subject to the jurisdiction of the Court and has failed to plead or otherwise defend within the time set by law.

Declaration

Respondent was served with the *Summons, Petition* and other documents required by law in _____ County, State of _____, on (date) _____ and has not made an appearance within the time required by law.

Respondent has not provided me with written notice of intent to appear.

or

Respondent provided me with written notice of intent to appear **and** I filed and served written notice of intent to apply for default at least 10 days before filing this motion, or fewer days as permitted by the court.

Respondent is not now, and was not at the time of the service of the *Petition* and *Summons*, incapacitated, a minor, a financially incapable person, a protected person, or a Respondent in a fiduciary protective proceeding, as defined by ORS 125.005,

and (check one of the following):

The Respondent **is not** now, and was not at the time of service of the *Petition* and *Summons*, in active military service of the United States. *Provide facts supporting this statement:* _____

The Respondent **is** now, or was at the time of service of the *Petition* and *Summons*, in active military service of the United States. Respondent has waived his or her rights under the Servicemembers' Civil Relief Act, as shown by the attached waiver, labeled Exhibit _____ .

I am unable to determine whether or not Respondent is now, or was at the time of the service of the *Petition* and *Summons*, in active military service of the United States.

Provide any facts you do know: _____

I request the relief specified in the attached *Judgment*.

Costs and fees are allowable under ORS 107.105(1)(j) or 107.490(4).

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 hereby declare that the above statements are true to the best of my knowledge and belief, and that I understand they are made for use as evidence in court and I am subject to penalty for perjury.

Date

Signature

Name (printed)

Contact Address

City, State, ZIP

Contact Phone

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

Case No: _____

Petitioner

and

**ORDER ON MOTION
FOR DEFAULT**

Respondent

Based on the motion and declaration of the Petitioner in this case,

- The court **DENIES** the *Ex Parte Motion for Order of Default* because:
- the respondent was not properly served with the *Petition* and *Summons* or other necessary documents, or no proof of service has been filed with the court.
 - the respondent has filed an appearance.
 - the respondent is now or was, at the time of service of the *Petition* and *Summons*, in active military service of the United States and has not waived protection under the Servicemembers Civil Relief Act.
 - the respondent is now, or was, at the time of service of the *Petition* and *Summons*, incapacitated, a minor, a financially incapable person, a protected person, or a Respondent in a fiduciary protective proceeding, as defined by ORS 125.005.
 - Other: _____

- The court **GRANTS** the *Ex Parte Motion for Order of Default* and directs entry of judgment because the court finds that:
- 1) The respondent was properly served with the *Petition* and other necessary documents and has not filed an appearance,
 - 2) The respondent is not now and was not, at the time of service of the *Petition* and *Summons*, incapacitated, a minor, a financially incapable person, a protected person, or a Respondent in a fiduciary protective proceeding, as defined by ORS 125.005, **and**
 - 3) The respondent:
 - is not now and was not, at the time of service of the *Petition* and *Summons*, in active military service of the United States, *or*
 - is in active military service of the United States and has waived protection against default judgments under the Servicemembers Civil Relief Act.

Certificate of Readiness under UTCR 5.100

This proposed judgment is ready for judicial signature because service is not required under UTCR 5.100 because this judgment is submitted ex parte as allowed by statute or rule

Judge Signature:
