

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

In the Matter of: _____)
)
) Case No. _____)
)
) Petitioner,)
) and)
)) PETITIONER'S DECLARATION IN SUPPORT
)) OF MOTION FOR ORDER OF DEFAULT AND
)) ENTRY OF JUDGMENT BY DEFAULT
)
)
) Respondent.)

I, _____, am the Petitioner in this proceeding.

1. The respondent was served with a true copy of the Summons and Petition for Custody and Parenting Time on the _____ day of _____, 20____, in _____ County, State of _____. Respondent has failed to appear by filing a motion or answer or to otherwise defend within the time prescribed by law.

2. *Check one of the following:*

- A. The Respondent **is not** now, and was not at the time of the service of the Summons and Petition, in the active military service of the United States.
- B. The Respondent **is** now, or was at the time of the service of the Summons and Petition, in the active military service of the United States.
 (*check if applicable*) The Respondent has waived his/her rights under the Service-members' Civil Relief Act, as shown by the attached affidavit, labeled as Exhibit _____.
- C. After diligent efforts, I am unable to determine whether or not the Respondent is now, or was at the time of the service of the Summons and Petition, in the active military service of the United States.
 (*check if applicable*) I have requested, but have not yet received, a determination from the Department of Defense regarding Respondent's military status.

3. **REQUIRED:** The following facts support my declaration regarding Respondent's military status:

see attached DMDC certificate (*recommended*)

4. To the best of my knowledge and belief, Respondent is not now and was not at the time of the service of the Summons and Petition a minor, incapacitated, a financially incapable person, a protected person, or a Respondent in a fiduciary protective proceeding, as defined by Oregon law.

5. **REQUIRED** (choose one of the following options):

I have not received written notice of Respondent's intent to appear.

I have received written notice of Respondent's intent to appear. I therefore filed and served Respondent with written notice of my intent to apply for an order default on _____ (date) which is a date at least ten days before I filed this motion.

6. I request entry of an order of default and that my judgment by default be signed.

7. The relief I am requesting is a General Judgment under ORS 109.103. The specific relief I am requesting, including amounts due, is set out in the accompanying General Judgment under ORS 109.103. The General Judgment conforms to the relief claimed in the Petition under ORS 109.103 filed in this matter.

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.

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 IS SUBJECT TO PENALTY FOR PERJURY.

DATED this _____ day of _____, 20_____.

Signature

Print Name

Address or Contact Address

City, State, Zip

Telephone or Contact Telephone

I certify that this is a true copy.
(do not sign this line on the original)

Petitioner, Signature