

CORRECTING A CLERICAL ERROR IN A JUDGMENT



What this forms does

This form will help you to ask the court to correct a judgment from a court if the wording of the judgment does not match the Money Award or accurately state what the judge ordered

You cannot use this form to change (“modify”) the terms of the judgment. Forms for modification may be available at www.courts.oregon.gov/forms

STEP 1: FILLING OUT FORMS



Fill out the following form:

- *Motion to Correct Clerical Error in Judgment and Declaration in Support*
MAKE SURE YOU COMPLETE THE **COUNTY NAME** AT THE TOP OF THE FIRST PAGE!

- **Parties:** Petitioner and Respondent are the same as they are on the judgment you are correcting



Have your documents reviewed

You may want to have your documents reviewed before you file. For information about how to find a lawyer, contact the Oregon State Bar at <https://www.osbar.org/public>. If you are low-income, you might be able to get your documents reviewed for a smaller fee through the Oregon State Bar’s Modest Means program. Your local Legal Aid office might review documents for free if you qualify.



Make copies

Make one copy of the *Motion and Declaration* to serve on the other party (*see below*) and one copy for your records

STEP 2: FILING AND SERVICE



File your forms

File the **original** form with the court. There is no filing fee for this *Motion*.



SERVICE

Mail a copy of the *Motion and Declaration* by first class mail to the other party's lawyer. Mail the document directly to the other party if they don't have a lawyer. If the other party was found in default, you do not have to serve that party.

You must also mail copies to any adult children (18, 19, or 20) who were not found in default or waived appearance

Once you have mailed the copies, complete the *Certificate of Service* that is included on the form and file it with the court

STEP 3: THE CORRECTED JUDGMENT

If the court grants your motion, the court will enter a corrected judgment into the court register. You will receive a notice when the judgment is entered.

If the corrected judgment changed **child support or spousal support**, the court will send a copy to the Division of Child Support. You can also send a copy if you want to.

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

Case No: _____

and Petitioner

Respondent

**MOTION TO
CORRECT CLERICAL
ERROR IN JUDGMENT
and DECLARATION IN SUPPORT**

No filing fee

and

Unmarried children 18, 19, or 20 years old (per ORS 107.108) (*full names*)

Motion

I am the Petitioner Respondent in this case

The judgment signed on (*date*) _____ in this case contains an error as explained below

The error occurs:

- in the money award section
- in page or section: _____

Statement of Points and Authorities

ORCP 71A provides that clerical mistakes in judgments, orders, or other parts of the record and errors therein arising from oversight or omission may be corrected by the court at any time on its own motion or on the motion of any party and after such notice to all parties who have appeared, if any, as the court orders.

Declaration

The error that needs to be corrected is (*list page number or section and explain the error*):

I ask the court to enter a corrected judgment

I hereby declare that the above statements are true and complete 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

Print Name

Contact Address

City, State, Zip

Contact Phone

Certificate of Mailing

Service is not required by ORCP 9 because the other party was found in default

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

Date

Signature

Name (printed)