

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. _____

PETITION FOR GOVERNING CHILD
SUPPORT JUDGMENT

I, _____, being first duly sworn, say I am the Petitioner I represent the State of Oregon in this proceeding and state as follows:

Petition

1. I petition State of Oregon petitions the court for an order requiring the parties to appear and show cause why the court should not issue a governing child support judgment with controlling terms and other provisions as requested below.
2. I state State of Oregon states that there exist two or more child support judgments involving the same obligor and the same time period, copies of which are attached hereto and incorporated herein by reference, as follows:

Exhibit #	Agency Case #	Court Case #	County	Entry/ Effective Date	Amount of Child Support Ordered	Payment Start Date
1						
2						
3						
4						

Additional sheets attached as "Attachment #2-Multiple Judgments."

3. I petition State of Oregon petitions the court for a determination that the presumption (see Instructions) is rebutted for the following reasons:

- a. The last-issued child support judgment should be set aside under the provisions of ORCP 71 for the following reason(s):
 - i. The mistake, inadvertence, surprise, or excusable neglect of Petitioner: *(describe details):*

ii. There is newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under Rule 64F (*Describe details*): _____

iii. The fraud, misrepresentation or other misconduct of Respondent (*Describe details*): _____

iv. The judgment is void for the following reasons (*Describe details*): _____

v. The judgment has been satisfied, released or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment should have prospective application (*Describe details*): _____

or

b. The last-issued child support judgment was issued without prior notice to the issuing court, administrator or hearing officer that: there was a pending support proceeding involving the child/ren, or there existed another child support judgment involving the child/ren, in this state or any other jurisdiction, or

c. The last-issued child support judgment was issued after an earlier child support judgment and did not enforce, modify or set aside the earlier child support judgment in accordance with ORS 25.089.

4. I petition State of Oregon petitions the court for a determination that the terms of the last-issued child support judgment are the controlling terms and supersede contrary terms of each earlier-issued child support judgment, except that: (*choose none, one or both*):

the last-issued child support judgment is silent about cash child support, and thus the cash child support terms of the preceding judgment issued next in time continue (See Exhibit # _____), and/or

the last-issued child support judgment is silent about medical support, and thus the medical support terms of the preceding judgment issued next in time continue (See Exhibit # _____).

5. *If you have filled out Paragraph 3, complete Paragraph 5.* I have asserted The State of Oregon has asserted in Paragraph 3 that the presumption can be rebutted. I therefore request The State of Oregon therefore requests that the controlling terms with respect to cash child support and medical support, including health insurance and cash medical support, be determined to be as follows:

i. As contained in the earlier-issued judgment dated _____
(See Exhibit # _____), or

///
///
///

ii. As follows (describe cash child support and medical support provisions you would agree to): _____

6. **FILING CERTIFIED COPIES WITH COURT/ADMINISTRATOR.** Unless the court orders another party to do so, I agree State of Oregon agrees to assume responsibility for filing a certified copy of this Governing Child Support Judgment with each court and/or the agency that issued an earlier child support order or judgment. It is understood that the failure to file a certified copy (if required to do so by the Governing Child Support Judgment) will subject the party to monetary sanctions, including but not limited to attorney fees, costs and disbursements.

Points and Authorities

This petition is based on ORS 25.091 which provides that any party to one or more child support judgments or the administrator of the Child Support Program may file a petition with the court for a governing child support judgment when two or more child support judgments exist involving the same obligor and child/ren and the same period of time.

WHEREFORE, Petitioner requests a Governing Support Judgment granting the relief asked for above, and other equitable relief that the court thinks is just.

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.

DATED: _____, 20____ Signature _____

STATE OF _____)
 _____) ss.
 County of _____)

I, _____, being duly sworn, say that I am the Petitioner in this matter and that the foregoing petition is true and correct to the best of my knowledge.

_____ Petitioner (signature) _____ Print Name

_____ Address or Contact Address _____ City _____ State _____ Zip Code

_____ Telephone or Contact Telephone

SIGNED AND SWORN to before me this _____ day of _____, 20____,
 by _____.

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

Submitted by:

Signature

Print Name

Address or Contact Address

City, State, Zip

Telephone or Contact Telephone

I certify that this is a true copy:

Petitioner, (signature)