

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: _____

Petitioner

and

Respondent

**PETITION FOR SEPARATION
OF MARRIAGE RDP**
Filing fees at ORS 21.155 (marriage) &
21.135 (RDP)

Claim { is is not } subject to
mandatory arbitration

➤ I need an interpreter: Spanish ASL other: _____

Date of marriage or registration of RDP: _____

Place of marriage or registration of RDP: _____ (County, State)

Petitioner and Respondent have no children together under the age of 21

1. (Check one)

My spouse or partner and I have differences that are so great that our marriage/RDP cannot be repaired

My spouse or partner and I have an agreement that will be filed with the court suspending all rights and obligations as husband and wife/domestic partners for a period of at least one year

2. Duration

The separation should be unlimited **or** _____
(fill in amount of time or end date)

3. Residency

Marriage Only: At least one spouse currently lives in the county in which this *Petition* is being filed

Registered Domestic Partnership Only:

At least one partner currently lives in the county in which this *Petition* is being filed
or

Neither partner currently lives in Oregon and this *Petition* is being filed in the county where { Petitioner Respondent } last resided

4. Pregnancy

Neither party is now pregnant

Petitioner Respondent is pregnant (and) the other party is is not the parent of this child. The expected date of the child's birth is _____

5. By filing this petition, I acknowledge that I am bound by the terms of the **Statutory Restraining Order (SRO)** prohibiting either party from disposing of marital/partnership assets. I understand that this restraining order is effective as soon as this *Petition* and the *Summons* are served on Respondent.

SPOUSAL/PARTNER SUPPORT

6. Support

- No spousal/partner support is requested **or**
- Spousal/partner support should be paid by Petitioner to Respondent (*or*)
 - Respondent to Petitioner

<i>Type of Support:</i>	<i>Payment Terms:*</i>	<i>Based on these factors:</i>
<i>Transitional</i> \$ _____	<input type="checkbox"/> monthly payments beginning the month following: ➤ <input type="checkbox"/> entry of this judgment <i>or</i> ➤ <input type="checkbox"/> the date of service of this <i>Petition</i> ➤ <input type="checkbox"/> <i>or</i> _____ Ending*: Or <input type="checkbox"/> lump sum payable by (date): _____	
<i>Compensatory</i> \$ _____	<input type="checkbox"/> monthly payments beginning the month following: ➤ <input type="checkbox"/> entry of this judgment <i>or</i> ➤ <input type="checkbox"/> the date of service of this <i>Petition</i> ➤ <input type="checkbox"/> <i>or</i> _____ Ending*: Or <input type="checkbox"/> lump sum payable by (date): _____	
<i>Maintenance</i> \$ _____	<input type="checkbox"/> monthly payments beginning the month following: ➤ <input type="checkbox"/> entry of this judgment <i>or</i> ➤ <input type="checkbox"/> the date of service of this <i>Petition</i> ➤ <input type="checkbox"/> <i>or</i> _____ Ending*: Or <input type="checkbox"/> lump sum payable by (date): _____	

**All monthly payments are due by the 1st of the month. All payments end on the death of either party (unless an earlier event is specified above)*

Choose ONE option:

All support payments should be made directly into recipient's checking or savings account. The spouse or partner receiving support must provide the paying spouse or partner with either current deposit slips or bank name, account name, and account number.

To the Department of Justice, Child Support Accounting Unit, PO Box 14506, Salem, OR, 97309. The Department of Justice should provide collection, accounting, and disbursement services. (*NOTE: services are only available through DOJ if the receiving party is on public*)

assistance or if your county provides services locally. DOJ will notify you if your case does not qualify for services. Talk to a lawyer for more information.)

7. Life Insurance

- The party paying support should carry life insurance for the benefit of the other party throughout the period of the support obligation. The coverage should be in the amount of \$ _____

PROPERTY AND DEBTS

8. 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) _____

Additional page attached titled "Section 8 - Real Property"

- The legal description of the real property is attached as Exhibit _____ and incorporated in this petition

This property should be distributed: equitably, **or** as follows: _____

9. Personal Property

(Retirement benefits can be divided. See a lawyer if you want to do that)

- The Petitioner and Respondent have divided between them all personal property that they own. This includes all personal effects, household goods, motor vehicles, pets, and other items of property. Neither party should claim items now in the possession of the other.

or

- Petitioner and Respondent should be awarded an equitable distribution of the parties' personal property. This includes retirement benefits, pension plans, profit-sharing plans, deferred-compensation plans, and stock option plans held by the parties.

or

- The parties' personal property should be divided as follows, with equitable distribution of any property not listed:

Petitioner should be awarded the following personal property: _____

Additional page attached titled "Section 9 - Petitioner's Personal Property"

- Petitioner should be awarded all of Petitioner's retirement benefits, pension plans, profit-sharing plans, deferred-compensation plans, and stock option plans held by Petitioner's employer, free of any interest by Respondent.

Respondent should be awarded the following personal property: _____

Additional page attached titled "Section 9 - Respondent's Personal Property"

Respondent should be awarded all of Respondent's retirement benefits, pension plans, profit-sharing plans, deferred-compensation plans, and stock option plans held by Respondent's employer, free of any interest by Petitioner.

10. Distribution of Debts 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 titled "Section 10, Distribution of Debts"

Each spouse or partner should be responsible for the payment of all debts incurred individually since the date of their separation, all debts distributed to him or her by the court, *and* all debts secured by property distributed to him or her

Debts should be divided as of (*date*): _____

Transfer of Debts and Property

Each party should be ordered to complete all property transfers required by the judgment within 30 days of the date of judgment. Each 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 if either party fails to comply with this requirement.

11. Former Name

My former name of _____ should be restored
(write the FULL name – first, middle, and last)

12. Information required by ORS 107.085

Age of Petitioner: _____ Age of Respondent: _____
Respondent's contact address: _____

A Confidential Information Form (CIF) has been completed and filed with the court clerk containing all information required by ORS 107.085 that is identified as confidential by UTCR 2.130 for: Petitioner Respondent

13. Pending Cases

List any other domestic relations case that has been started but not yet finished in any state between the parties (*including spousal/partner support, dissolution (divorce), annulment, separation, or modification*)

Name or County of Court or Agency	State	Case No.	Involves: (check all that apply)
			<input type="checkbox"/> Dissolution, annulment, or separation <input type="checkbox"/> Spousal/partner support <input type="checkbox"/> Restraining Order
			<input type="checkbox"/> Dissolution, annulment, or separation <input type="checkbox"/> Spousal/partner support <input type="checkbox"/> Restraining Order

14. Existing Orders or Judgments

List any existing order or judgment in this or any other state between the parties **and** attach a copy of the signed order or judgment (including dissolution (divorce), annulment, separation, modification, or restraining/protective orders)

Name or County of Court or Agency	State	Case No.	Date Signed	Involves: (check all that apply)
				<input type="checkbox"/> Dissolution, annulment, or separation <input type="checkbox"/> Spousal/partner support <input type="checkbox"/> Restraining Order
				<input type="checkbox"/> Dissolution, annulment, or separation <input type="checkbox"/> Spousal/partner support <input type="checkbox"/> Restraining Order

Additional information attached

15. Court Costs and Fees for this case (whether paid or deferred)

- Each party should be responsible for paying his or her own costs and fees
- Costs and fees should be paid by both parties equally
- Respondent should reimburse Petitioner for costs and fees paid
- Other: _____

I request a Judgment granting the relief asked for above, and other equitable relief that the court finds just.

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

_____ Email

_____ Name (printed)

_____ Contact Address

_____ City, State, ZIP

_____ Contact Phone