GUIDE TO COMPLETING YOUR FAMILY LAW PACKET

CLATSOP COUNTY CIRCUIT COURT FAMILY RESOURCE CENTER



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GENERAL INFORMATION

- To Contact the Family Resource Center
 - Email: <u>CLTFamilyResourceCenter@ojd.state.or.us</u>
 - During business hours: 503-325-8555 Option 6 and then select 3
 - After business hours: 503-325-8555 ext 23213

If you would like to schedule an appointment to review your documents, please fill out a <u>Document Review Appointment Scheduling Form</u>

DISCLAIMER

- This Family Resource Center is for people who are representing themselves in a Family Law court action
- All cases are serious
- You are advised to consult with a lawyer
- We are not lawyers
 - We cannot represent you
 - We cannot give you legal advice or help you with legal strategy
 - We cannot tell you what legal actions you should take
 - We cannot fill out any forms for you



DISCLAIMER

- We CAN explain what forms are available
- We CAN provide you with some generic forms
- We CAN try to answer your basic questions about court procedure
- We MAY be able to offer information on other legal resources in the court and in the community



DISCLAIMER

- We assume no responsibility for the accuracy or legal effects of the information contained in any written or verbal instructions or forms staff may give you
- It is your responsibility to choose and prepare your own forms
- Any meetings or conversations you have with us are NOT confidential
- Please be aware that we may also assist the opposing party in your case by answering questions about the forms and procedures



INSTRUCTIONS

- Please read the instructions in your packet
 - This information was created by the Judicial Law Department and contains legal information that may be helpful to you
- There is a Table of Contents in the instructions and names the specific sections of the packet
- If your case involves children you will be required to take a one-time <u>parent education class</u> prior to the Judgment being signed. There is information in your packet about the approved classes.



PARENT EDUCATION CLASS

- If your Domestic Relations Case involves Child Custody, Parenting Time, or Visitation you MUST attend an approved Parent Education Class and provide proof of attendance to the Court
- If you have any questions or concerns regarding this court requirement:
 - Please call: 503-325-8555 option 6

FILING

 Once you have have completed your paperwork and are ready to file your Family Law case, schedule an appointment with the Family Resource Center for document review

 Please note, throughout the process you must keep your address and phone number current with the Court to ensure that you receive all necessary notifications

SCHEDULING AN APPOINTMENT

- Appointments range from 15 minutes to 1 hour
- We will do our best to accomplish everything at your appointment, but please be aware that we may need to schedule an additional appointment if more time is needed

SCHEDULING AN APPOINTMENT

- To schedule an appointment complete a <u>Document Review Appointment Scheduling Form</u>
- Information to include on the <u>Document Review Appointment Scheduling Form</u>:
 - Your name
 - If applicable, your case number
 - Your email address and phone number
 - Indicate if you need an interpreter and for which language
 - What specific documents you want to review
 - Any dates within the next five business days in which you are unavailable
 - Any additional information we need to know to better help you during your appointment

SCHEDULING AN APPOINTMENT

- You can return the completed <u>Document Review Appointment Scheduling Form</u>:
 - In Person: Clatsop County Circuit Court 749 Commercial Street Astoria OR 97103 at either the Customer Service Windows or the Drop Box located on the main level
 - By Mail: Clatsop County Circuit Court PO Box 835 Astoria OR 97103
 - Email: <u>cltfamilyresourcecenter@ojd.state.or.us</u>
- We will email you with your appointment time within the next two business days
 - If you do not have an email address, we will call you
- If you need to cancel or reschedule, please email or call us as soon as possible so we can assist someone else during that time



File the <u>Petition</u> and accompanying documents along with the filing fee and get a case number and service copies

- Have the other party served
 - The other party has 30 days to respond once served

THE PROCESS

- If the other party responds:
 - The Court will set your case for trial with a Judge
 - If your case includes Custody and Parenting Time and the other side does not agree, you will be assigned to Court Appointed Mediation
 - If you come to an agreement in Mediation, a Judgment will need to be filed with the Court
 - If you cannot come to an agreement in Mediation, you will need to attend your scheduled trial date
- If the other party does not respond, you may file a <u>Motion for Default and General Judgment</u> beginning the 31st day after the other party was served

FILLING OUT THE FORMS - DO'S

- If at any time you have questions, refer to the instructions in your packet
- Use blue or black ink only
- Print clearly and legibly
- Fill in "Clatsop" County at the top of any form that has a blank
- Use full names for both parties in the heading (first, middle, last) (Please see page 19 for examples)

FILLING OUT THE FORMS – DO'S

- You will always be the "Petitioner," the person filing the case
- The opposing party will always be the "Respondent," the person responding to the case
- Use full names, including full middle names
- Fill out documents as completely as possible
- If you own a home or land, attach a legal description of your property to the Petition and Judgment

<u>Example</u>

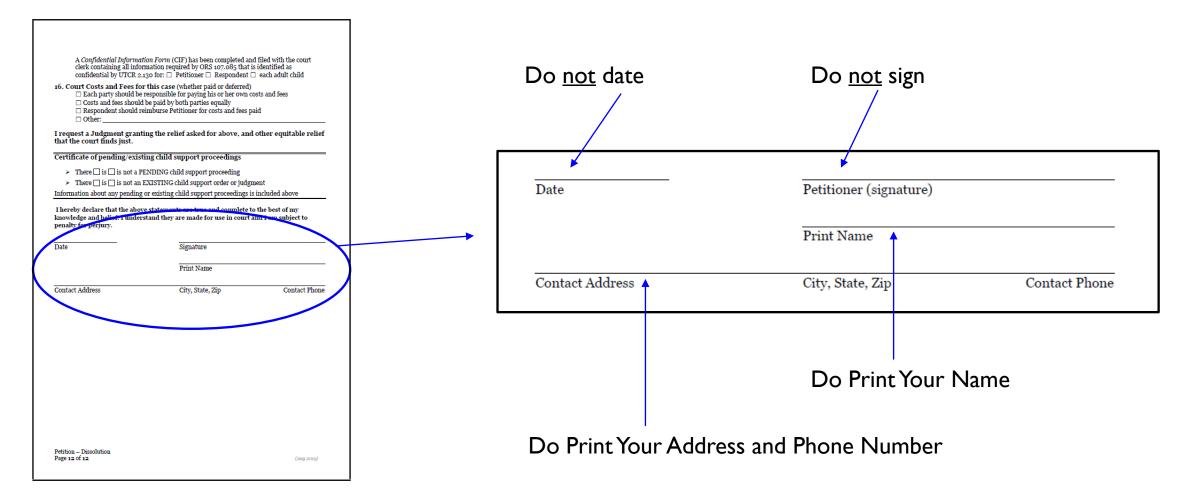
BY THE CURCUT COURT OF THE STATE OF OREGON FOR THE COUNTY OF			
Unmarried children 18, 19, or 20 years old (per OKS 107/100) (Juli names) I need an interpreter: Spanish Russian other:			
Date of marriage/RDP:			
2. Residency <u>Marriage Only</u> : □ At least one spouse currently lives in Oregon and that same spouse has lived in Oregon continuously for 6 months prior to filing this Petition. At least one spouse currently lives in the county where this Petition is sheing filed.		——— Your Name	"Clatsop"
Registered Domestic Partnership Only: At least one partner currently lives in Oregon and that same partner has lived in Oregon continuously for 6 months prior to filing this Petitian. At least one partner currently lives in the <u>county</u> where this Petition is being filed			
OF ○ Neither partner currently lives in Oregon and this Petition is being filed in the <u>county</u> where {□ Petitioner □ Respondent} last lived			
3. Children of Petitioner and Respondent conceived, born, or adopted during or prior to the marriage/RDP and any children otherwise legally recognized as children of both parties: Name Age		IN THE CIRCUIT COURT OF FOR THE COUNTY OF	
	•	In the Matter of the Marriage or Registered Domestic	Partnership (RDP) of:
☐ Additional children listed on page attached titled "Section 3 – Additional Children"			Case No:
Petition – Dissolution Case No Page 1 of 10 (Dec 2017)		Petitioner	PETITION FOR DISSOLUTION OF MARRIAGE RDP
The Opposing Party's Na	mo		Filing fees at ORS 21.155 (marriage) & 21.135 (RDP)
The Opposing Fally's Na		Respondent	Claim { is is not } subject to mandatory arbitration

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FILLING OUT THE FORMS – DON'TS

- Do not cross out or write "N/A" on any part of the documents
 - When you think something does not apply to you, simply leave it blank
- Do not make copies of your documents prior to having them reviewed
 - The Family Resource Center will provide you copies to serve the other party with after you file or email the documents for you to print out for service
- Do not sign or date any of the forms
 - However, do print your name and provide your address and phone number at the end of any forms that ask for it (Please see page 21 for an example)

<u>Example</u>



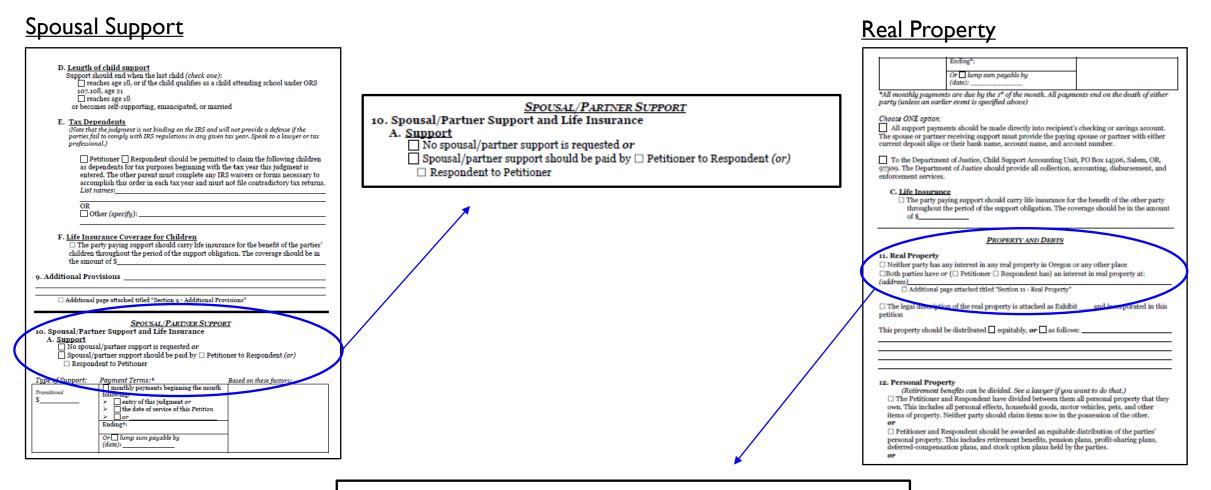
- The <u>Petition</u> tells the Court and the opposing party what you are asking for
- Complete each section (Please see page 25 for examples)
 - If a section does not apply to your situation, you can skip it
- Sections:
 - Spousal Support
 - Real Property
 - Personal Property
 - Distribution of Assets
 - Former Name
 - Court Costs and Fees

The process if both parties are in agreement:

- The Petitioner will need to complete the petition and accompanying documents and file the case
 - Complete the Petition and accompanying documents (the forms in Step I)
 - When you <u>schedule your appointment</u> with the FRC, let the FRC know that both parties are in agreement and want to submit a <u>"Stipulated" General Judgment</u> that both parties will sign
- After the case is filed, the Respondent can then accept service, and then both parties should sign the "Stipulated" General Judgment



- Spousal Support (Please see page 25 for an example)
 - If you check "no": the entire section is blank
 - If you check "yes": pick the type of support (see instructions) and fill in the information that corresponds with the chosen type of support
 - If spousal support is requested, you must fill out a <u>Uniform Support Declaration Form</u>
- Real Property (Please see page 25 for an example)
 - If either party has real property (home or land) you MUST attach a description of the property to the Petition and the Judgment in the case



11. 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)*

 \Box Additional page attached titled "Section 11 - Real Property"

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

- Personal Property (Please see page 27 for an example)
 - If you and the opposing party have already divided your things: check the appropriate box
 - If you and the opposing party have not divided your things: list what and how the things will be divided in the space provided
 - If any party has retirement benefits, you may want to consult an attorney
- Distribution of Debts (Please see page 27 for an example)
 - Whether or not you have debts, you need to provide a date for "Debts should be divided as of (insert date)"

Personal Property

12. 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 12 - 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 12 – 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.

ersonal 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 the 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. 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. The parties' personal property should be divided as follows, with equitable distribution of any property not listed: Petitioner should be awarded the following personal prop Additional page attached titled "Section 12 - Petitioner's Personal 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 proper Additional page attached titled "Section 12 – Respondent's Personal Pr Respond t should be awarded all of Respondent's retirement ber ts, pension plans, profit-sharing plans, deferred-compensation plans, and stock Respondent's employer. The second state by Residence Debts should be paid as follows: What debt is for | Amount | Who should pay (Petitioner or 13. Distribution of Debts Name of Creditor (who debt is owed to) Additional page attached titled "Section 13 - 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 Debts should be divided as of (date);

Distribution of Debts

Fill in date

Debts should be divided as of (date): _

台

Former Name

- If you took the other party's name when married and you want to change your name to any former legal name, fill in the full name you would like restored
- Court Costs and Fees
 - Select who will be responsible for the fees

(Please see page 29 for an example)

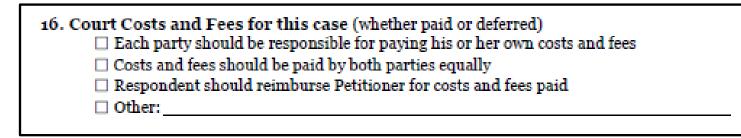
Former Name & Court Costs and Fees

Transfer of Debts and Property Each party should be ordered to complete all property transfers requi 30 days of the date of judgment. Each should execute, acknowledge, a documents are necessary to accomplish the distribution of debts and p court. The judgment should operate to convey title if the either party is	nd deliver whatever property ordered by the
requirement.	
14. Former Name	
My former name of	should be restored
(write the FULL name – first, middle, and last)	
15. Information required by ORS 107.085	
Age of Petitioner: Age of Respondent:	
Respondent's contact address:	

Insert Full Name You Would Like Restored Here

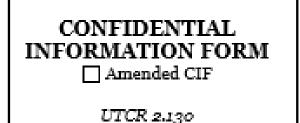
14. Former Name □ My former name of	should be restored
--	--------------------

Court Costs and Fees



CONFIDENTIAL INFORMATION FORMS (CIF'S)

- All documents in Family Law cases are public record, with some exceptions
- The Confidential Information Forms (CIF's) are an exception and are not public record
- You will need to fill out (2) CIF's
 - (I) CIF for your information, the Petitioner (Please see page 31 for an example)
 - (I) CIF for the opposing party's information, the Respondent (Please see page 32 for an example)
- Both CIF's must be filled out
 - Fill in the CIF's with the information that you know to the best of your ability



<u>CIF for Petitioner:</u>		IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF			
				Case No:	
		and Pe	etitioner	INFOR	NFIDENTIAL MATION FORM Amended CIF
		Respondent			
Check if you are the					UTCR 2.130
		Unmarried children age 18, 19, or 20 years (old (per ORS 10	07.108)	
Petitioner or the Respondent	┝	Submitted by: 🗌 Petitioner 🗌 Respond	dent 🗌 other	:	
		Information about (name): (first, middle, last)			
Check the "Petitioner" box		(first, middle, last) Petitioner	Kesponder	nt 📋 other:	
		Date of Birth:	Social Securi	ty Number:	
and print your name on the		Driver License (Number and State):			
line above		Former Legal Names:			
	1	Employer's Name, Address, and Phone:			
Fill in the Petitioner's $<$		Minor children of the parties:			
information		Name:	Date of	Birth:	Social Security Number:
mormation					
		Additional page attached			

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CIF for Respondent:	IN THE CIRCUIT COUR FOR THE COUNTY			
			Case No:	
	and	tioner	CON	FIDENTIAL MATION FORM Amended CIF
	Respo	ndent		
Check if you are the	Unmarried children age 18, 19, or 20 years old	l (per ORS 10		UTCR 2.130
Petitioner or the Respondent —	Submitted by: Petitioner Responder	nt 🗌 other:		
	Information about (name): (first, middle, last)			
Check the "Respondent" box	Date of Birth: Se	ocial Securit	v Number-	
•	Driver License (Number and State):	John Decurry	y roumber.	
and print your name above				
	Former Legal Names: Employer's Name, Address, and Phone:			
Fill in the Respondent's 🧹				
information	Minor children of the parties: Name:	Date of I	Birth:	Social Security Number:
	Additional page attached			

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NOTICE OF FILING OF CONFIDENTIAL INFORMATION FORM

- After filling out the CIF's, fill out a <u>Notice of Filing of Confidential Information Form</u>
- This form is public record
- This form tells the opposing party that CIF's were filed with the Court
- Check the appropriate boxes to indicate what information you provided for each party on the CIF's
 - Petitioner Section: Check the boxes that correspond with the information you provided about yourself in the CIF
 - Respondent Section: Check the boxes that correspond with the information you provided about the opposing party in the CIF

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NOTICE OF FILING OF CONFIDENTIAL INFORMATION FORM (CIF)

Amended CIF

Notice of Filing of CIF

	FOR THE COUNTY OF	
	Petition	Case No:
	and	NOTICE OF FILING OF CONFIDENTIAL INFORMATION FORM (CIF)
and	Responde	
Unmar	ried children 18, 19, or 20 years old (per ORS	107.108) (full names)
		court about the following parties to this case as 2.130 (Use first, middle, last names below):
1)	My Mano.	
	Petitioner Respondent Other	:
	Containing (check all that apply): Social Security Number (SSN) Date of employer's name, address, and phone nur	Birth (DOB) □ children's SSN □ children's DOB
	tormerlagel pames	
2)	Wante:	
	Petitioner Respondent Other:	
_	Containing (check all that apply): SSN DOB children's SSN children's children's Context SSN driver license number former	dren's DOB 🗌 employer's name, address, and phone r legal names
3)	Name:	
	Petitioner Respondent Other:	X
	Containing (check all that apply): SSN DOB children's SSN children's children's former	dren's DOB 🗌 employer's name, address, and phone r legal names
4)	Name:	
	□ Petitioner □ Respondent □ Other:	
	Containing (check all that apply): SSN DOB children's SSN children's Contained the children's chil	dren's DOB 🔲 employer's name, address, and phone r legal names
Date	Sig	nature
	Na	me (printed)

Your Section:

Check if you are the Petitioner or Respondent

Check the boxes of any information you provided on your CIF

1) My Name:

Petitioner Respondent Other:

- Containing (check all that apply):
- employer's name, address, and phone number 🔲 driver license number

former legal names

Other Party's Section:

Check if they are the Petitioner or Respondent

Check the boxes of any information you put on their CIF

2) Name:

Petitioner
 Respondent
 Other:

Containing (check all that apply):

SSN DOB children's SSN children's DOB employer's name, address, and phone 34

number 🔲 driver license number 🔲 former legal names

CASES INVOLVING CHILDREN

If your case involves children, pay special attention to the following sections in the Petition and additional child specific forms:

Sections:

- Custody and Parenting Time
- Child Support
- Additioanl Forms:
 - Uniform Support Declaration
 - Certificate of Mailing to Division of Child Support

CASES INVOLVING CHILDREN

- List the children's full names and their ages (Please see page 37 for an example)
- Other Case Information (Please see page 38 for an example)
 - List any other domestic relations case that has been started but not yet finished in any state between the parties
 - List any existing order or judgment in this or any state between the parties and attach a copy of the signed order or judgment
 - Any No-Contact Order (criminal or other) that prohibits Respondent from exercising parenting time
- UCCJEA Information (Please see pages 39 and 40 for examples)
 - List the places where the children have lived within the last five years
 - List the names of the people the children have lived with within the last five years
 - List current contact addresses of the people the children have lived with

Children's Full Names and Ages

n the Matte	er of the Marriage or Registe	ered Domestic Par	tnership (RDP) of:	
			Case No:	
	and	Petitioner		R DISSOLUTIO
				RS 21.155 (marriage) & 135 (RDP)
sd.		Respondent		is not } subject to ory arbitration
nmarried.	children 18, 19, or 20 years	old (per ORS 107)	(A) (full names)	
	eed an interpreter: \Box Sp			
		_	_	
	rriage or registration of F			
lace of m	arriage or registration of l	RDP:		(County, State)
		1.00		
. Reside Marriag	e Only: □ At least one sp Oregon continuously for	ouse currently li 6 months prior t	ves in Oregon and o filing this Petition	that same spouse has
A Reside <u>Marriag</u> lived in current! <u>Register</u> □At conti in the <u>or</u> □ Ne wher	ncy te Only: At least one sp Oregon continuously for ly lives in the <u>county</u> when red <u>Domestic Partnership</u> least one partner current nuously for 6 months pri- e <u>county</u> where this <u>Petitic</u> either partner currently live e [<u>Petitioner</u> Respon-	ouse currently li 6 months prior t re this Petition is 0 Only: ly lives in Oregon or to filing this P on is being filed one in Oregon an indent} last lived	ves in Oregon and o filing this Petition being filed. a and that same pa etition. At least one d this Petition is be	that same spouse has . At least one spouse rtner has lived in Ore partner currently live ing filed in the <u>county</u>
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 Reside <u>Marriag</u> lived in currenti <u>Register</u> <u>At</u> conti in the <u>or</u> <u>Ne</u> wher the children <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Children</u> <u>Childre</u>	ncy <u>e Only</u> : At least one sp Oregon continuously for ly lives in the <u>county</u> when red <u>Domestic Partnership</u> least one partner currently nuously for 6 months prior <u>e county</u> where this <u>Petition</u> e <u>county</u> where this <u>Petition</u> e <u>()</u> <u>Petitioner</u> Respon- n of Petitioner and Respon- (PRDP and any children ()	to use currently li 6 months prior t re this Petition is 0 Only: ly lives in Oregon or to filing this P on is being filed was in Oregon an indent} last lived indent conceived	ves in Oregon and o filing this Petition being filed. a and that same pa etition. At least one d this Petition is be born, or adopted d	that same spouse has a. At least one spouse rtner has lived in Ore partner currently live ing filed in the <u>county</u> luring or prior to the tren of both parties.

Children of Petitioner and Respondent conceived, born, or adopted during or prior to the marriage/RDP and any children otherwise legally recognized as children of both parties:

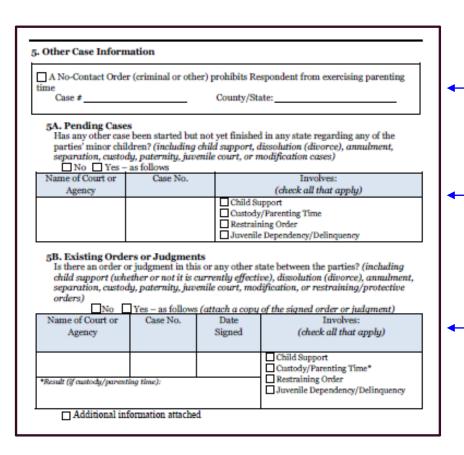
Name		Age	
•			
Additional children listed on	page attached titled "Section 3 – Ad	lditional Child	ren"

Insert Child's Full Name Here

Insert Child's Age Here

37

Other Case Information



 If it applies, check the box and fill in Case number and County/State

 Complete if you have any other cases started but not yet finished in any state that involve the parties' minor children

 Complete if you have an order or judgment in Oregon or any other state between the parties.

Attach a copy of the signed order or judgment

UCCJEA Information

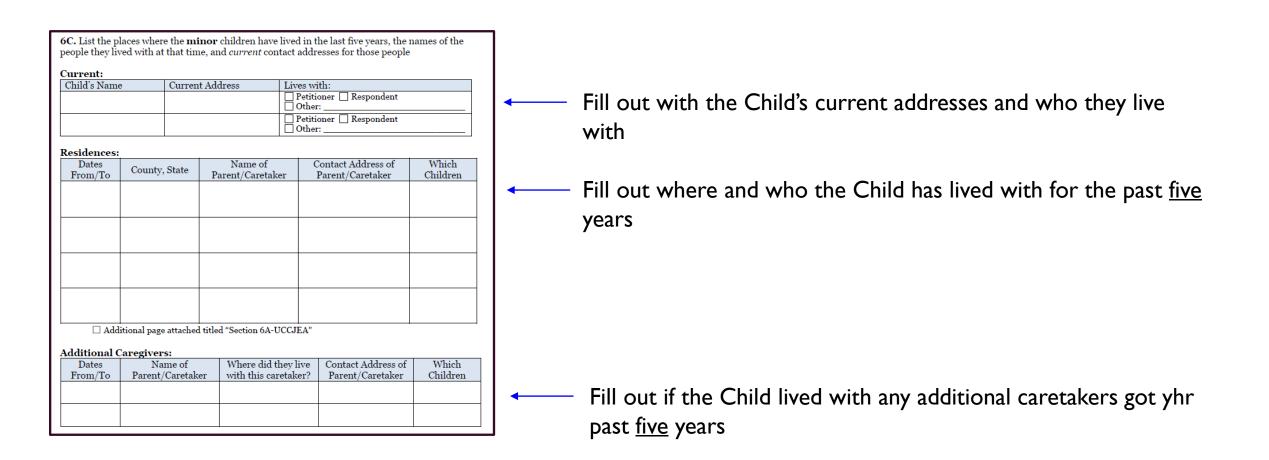
sitation) of the mine re filed but dismisse	or childre ed or den	ied by the court, and a	at you participate	ed in (include any that
Name of Court	State	Case No.	Date of final	Result
			decision	(include names of
				affected children)
1	sitation) of the mine re filed but dismiss in the Petitioner an	sitation) of the minor childre re filed but dismissed or den n the Petitioner and Respon	sitation) of the minor children named in this case th re filed but dismissed or denied by the court, and ar n the Petitioner and Respondent in this case.)	sitation) of the minor children named in this case that you participate re filed but dismissed or denied by the court, and any filed by or ago in the Petitioner and Respondent in this case.) Name of Court State Case No. Date of final

 List any other cases about custody or parenting time of the
minor children named in this case

61	(including enfor of parental right	cement of is, or gua	R legal proceeding that domestic violence or p rdianship involving an s follows:	rotective orders, o	adoption, termination
[Name of Court	State	Case No.	Type of Case	Affected Children
Γ					
┝					
L					

 List any other legal proceedings that may affect the outcome of this case

UCCJEA Information - Continued



Custody and Parenting Time (Please see page 43 for examples)

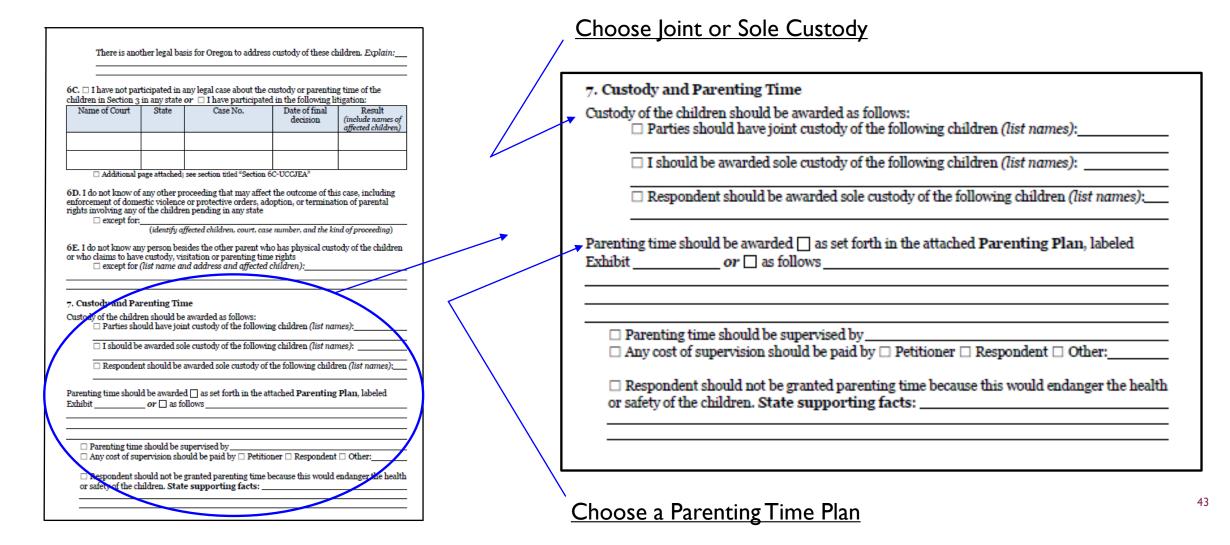
- In the Custody section: choose either "Joint Custody" or "Sole Custody"
- For the Parenting Time section, you can do any of the following:
 - Use the parenting plan provided by the State, see Family Law Parenting Plan; or
 - Use the parenting plan provided by the County, see Family Parenting Plans; or
 - Create your own parenting plan
 - If you decide to create your own plan: check the "as follows" box

Custody and Parenting Time (continued)

- There are several State forms available to consult depending on your situation
 - We highly recommend that you consult the <u>State Parenting Plan Forms</u>
 - The State forms are detailed and may contain information you are not thinking about at this time
 - If you are requesting supervised parenting time, see the Safety Focused Guides
 - Additional State Parenting Plan Guides, including the Safety Focused guides are available at: <u>https://www.courts.oregon.gov/programs/family/children/pages/parenting-plans.aspx</u>



Custody and Parenting Time



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Child Support

- You must complete a <u>Child Support Calculation</u> and attach it to the back of your <u>Petition</u>, even if you are not asking for child support
 - To complete the <u>Child Support Calculation</u> you will need to know the number of overnights each parent will have (see your parenting plan)
- Access the <u>Child Support Calculator</u> at:
 - <u>https://justice.oregon.gov/guidelines/</u>
 - Fill the appropriate information into the calculator and print the child support worksheet when you are finished
 - Enter the <u>Child Support Calculation</u> information based on what you want the final Judgment to be or what you are requesting

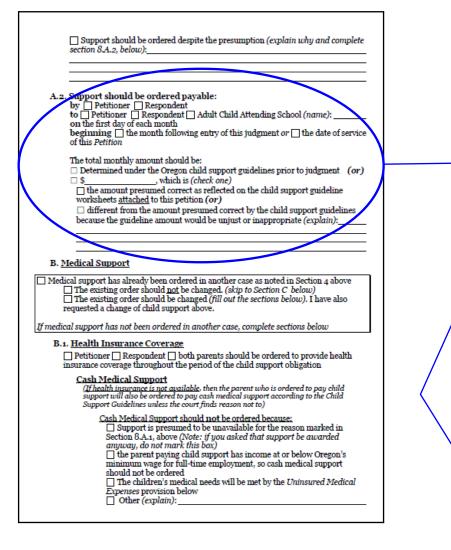
Child Support (continued)

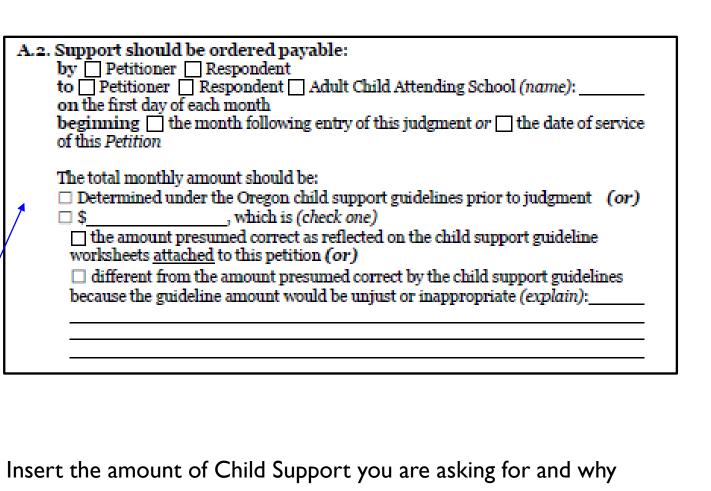
- If you request a child support amount that is different than the <u>Child</u> <u>Support Calculator</u> amount:
 - You must explain why you are asking for a different amount
 - You must explain how you determined the different amount
 - If you do not give an explanation your case may be delayed until you provide one

Child Support (continued)

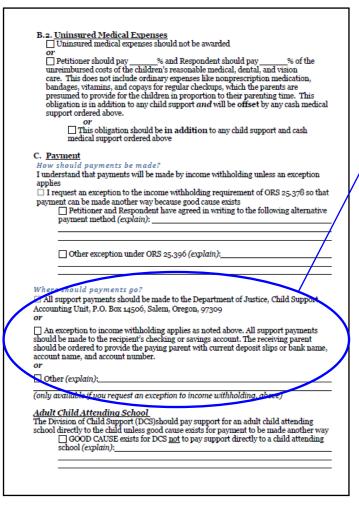
- Check the appropriate box for "Where should payments go?": through the Child Support Department of Justice or directly from the other party to you
- Pick how long child support will last: until the child is 18 or until the child is 21
- List who claims the child for tax dependent purposes
- The party paying child support must carry life insurance for the benefit of the children throughout the period of the child support obligation
 - The minimum life insurance amount is \$10,000

Child Support Amount





Child Support



Where should payments go?

 All support payments should be made to the Department of Justice, Child Support Accounting Unit, P.O. Box 14506, Salem, Oregon, 97309

or

An exception to income withholding applies as noted above. All support payments should be made to the recipient's checking or savings account. The receiving parent should be ordered to provide the paying parent with current deposit slips or bank name, account name, and account number.

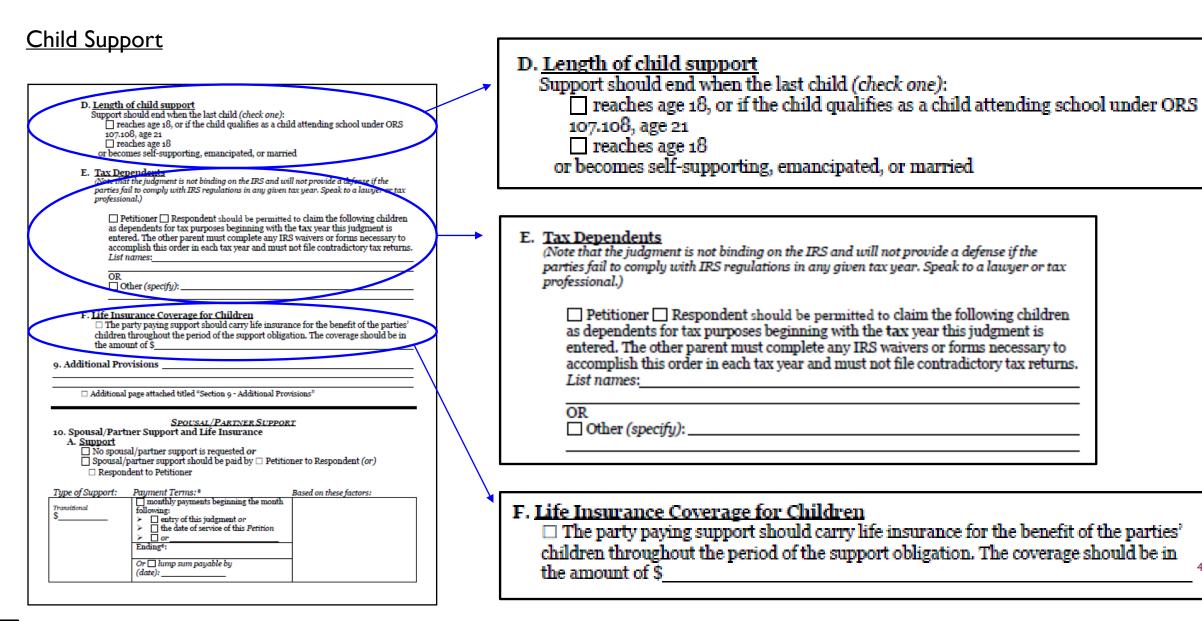
or

Other (explain):

(only available if you request an exception to income withholding, above)

Choose how you will receive Child Support payments





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49

Uniform Support Declaration

If you are asking for child or spousal support, you must fill out and file this form

		THE STATE OF OREGO	N
		Case No:	
and	Petitioner	UNIFORM S DECLARA	
	Respondent	CSP No.:	
Unmarried children age 18, 19, or 20 y	ears old (per 0	DRS 107.108)	
I am the petitioner respondent			
 Number of children 			
 Number of children Joint minor children (Joint adult children (a i. Joint adult chil 	ge 18, 19, or :	20)	
	the joint chil	of only one party) Idren spend with me (per ye written agreement	
Sources of income			
-	Wages/Salar	y: (monthly, before taxes)	
	per hour	hours/week	
		Subtotal A:	\$
(Complete table below u	vith monthlu a	werages, before taxes. Explair	n "other" amounts)
Tips:		Bonuses/Commission	
Workers Comp:		Interes	t:
Social Security:		Annuity	7:
Unemployment:		Trus	
Disability:		Dividends	5:
TANF:		Other:	4
Other:		Other:	
Other:		Other:	
Expense reimbu		diem allowance that reduce personal living expenses	s:
		Subtotal E	s: \$
Gross mont	hly incom	e TOTAL (add Subtotal A +	B) \$
 Spousal/partner support Received by me (from b. Paid by me (to anyone 			\$ \$
 Health insurance Premium to cover just 	me		\$

CERTIFICATE OF MAILING OR DELIVERY TO DIVISION OF CHILD SUPPORT

<u>Certificate of Mailing Or Delivery to Division of Child Support</u></u>

- This form is required if you have children and receive public assistance
- Fill out everything in the form
- Do not Sign or Date
- The FRC will give further instructions regarding this form after you file your case

(Please see page 52 for an example)

Certificate of Mailing Or Delivery to Division of Child Support

	E CIRCUIT COURT OF TH OR THE COUNTY OF			
and	Petitioner	Case No CERTIFICATE OF MAILING OR DELIVERY TO DIVISION OF CHILD SUPPORT	-	
first-class mail a true c local branch office of t	opy of the <i>Petition</i> in the a ne Department of Justice, I	I □ hand-delivered or □ mailed by bove domestic relations case to the Division of Child Support at		
	nd they are made for use perjury.	e true to the best of my knowledge e as evidence in court and I am tenature { Petitioner] Respondent		 —— Do <u>not </u> sign
	N	Jame (printed)		

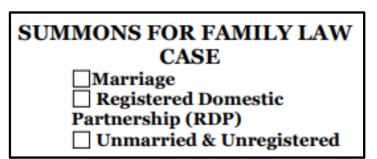
SUMMONS

Summons

- Only complete the 1st page
- Do not sign or date
- Fill in "To": the party that will be served and where they are most likely to be located

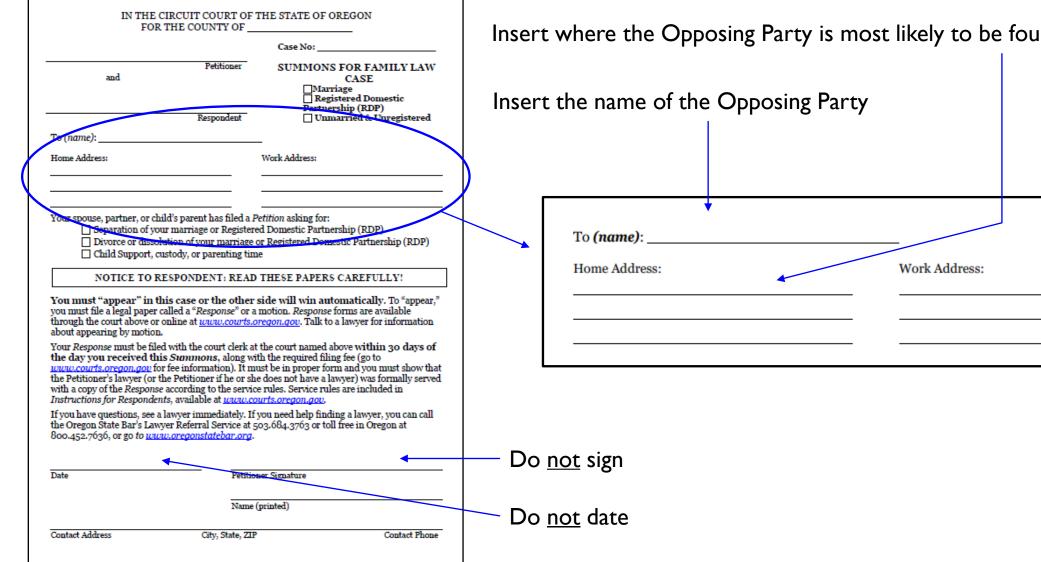
(Please see page 54 for an example)

台



Summons

台



Insert where the Opposing Party is most likely to be found

54

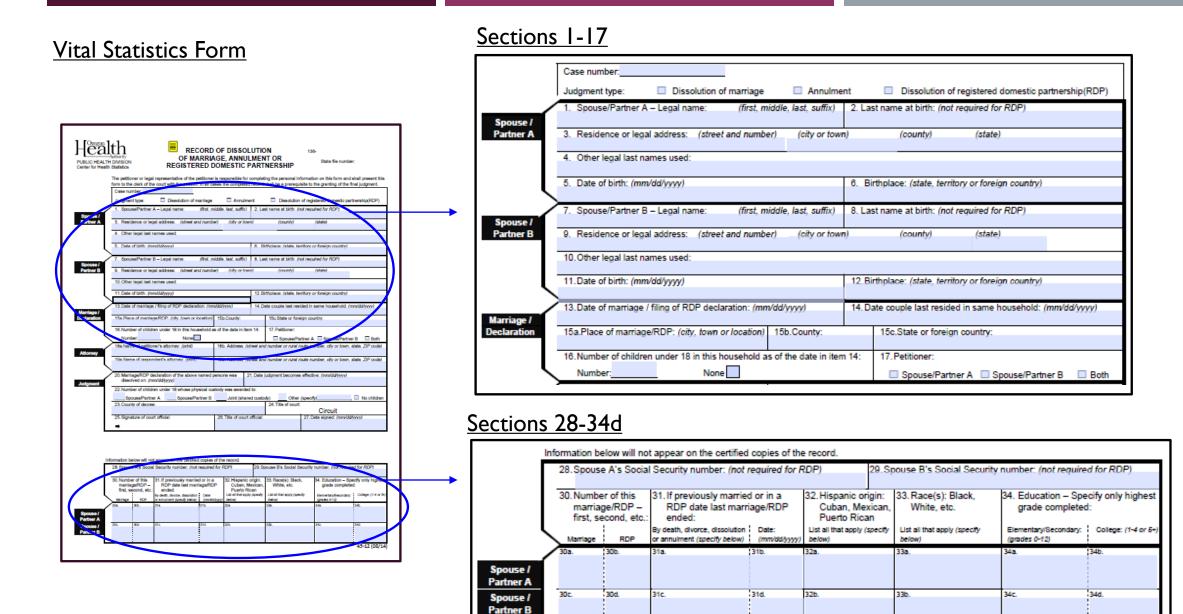
RECORD OF DISSOLUTION OF MARRIAGE, ANNULMENT, OR REGISTERED DOMESTIC PARTNERSHIP

Record of Dissolution, Annulment or Registered Domestic Partnership

- This form is often referred to as a <u>Vital Statistics Form</u>
- Fill out the <u>Vital Statistics Form</u> if you are filing a dissolution, annulment or separation
 - Fill out <u>all</u> the information in Sections 1-17 and Sections 28-34d
- The <u>Vital Statistics Form</u> must be completed when you file your case
- When your case is final, the Court will mail the form to the appropriate recipient (Please see page 56 for an example)







SERVICE (STEP 2)

- Do not attempt to serve the other party until you have filed your case and have been assigned a case number
- Service must be performed within 63 days after filing your Petition and accompanying documents with the Court
- Once service is complete, the soonest you can take any further action in the case is the 31st day after the other party has been served



SERVICE (STEP 2)

- Serving the opposing party
 - You cannot serve the opposing party yourself
 - A Sheriff's office can serve the opposing party
 - A process server can serve the opposing party
 - A competent person, not a party to the case, at least 18 years of age, and a resident of Oregon can serve the opposing party
- The person serving the opposing party must be willing to fill out the <u>Certificate of</u> <u>Service Form</u>, which states that the opposing party was served

58

(Please see page 59 for an example)

Certificate of Service Form

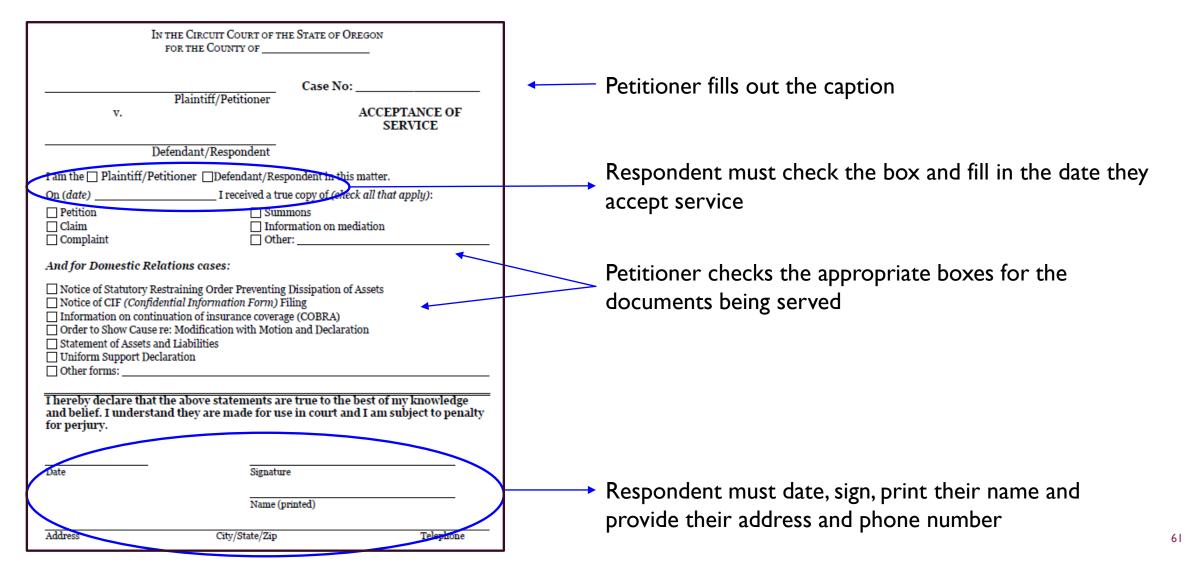
IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF	, at the party's home address listed above, together with a statement of the date, time and place that the documents were hand-delivered to the party's dwelling (residence).
Case No: 	(c) □ Office Service on (date), ata.m./p.m., by delivering them to the office of the party to be served, located at: (address) office, where I left the documents with (name), 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.)
Image: Construct of the service Image: Construct of the service <td>□ On (<i>date</i>), 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 (<i>name</i>), at the party's: □ home address at:</td>	□ On (<i>date</i>), 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 (<i>name</i>), at the party's: □ home address at:
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	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.
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):	(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.)
Other information provided by the court clerk (name all forms or documents served) Other (name all forms or documents served)	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.
by (check a, b, c, or d and complete all information): (a) □ Personal Service on (date), ata.m./p.m., to	Date Signature of Server
{ Petitioner Respondent} (name) in person at the following address in the County of, State of	Print Name
(b) \Box Substitute Service on (date) at $a = m/n m by$	If person serving is NOT a sheriff or sheriff's deputy, address and phone number of server:
delivering them to the following address, at attribute the following address in the County of, State of, Delivered to (name) (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 (<i>date</i>), 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 (<i>name</i>)	
Certificate of Service (Family Case) Page 1 of 2 (Aug 2019)	Certificate of Service (Family Case) Page 2 of 2 (Aug 2019)

SERVICE (STEP 2)

(Please see page 61 for an example)

- If the Respondent is willing to sign an <u>Acceptance of Service Form</u>:
 - Fill out the form caption
 - Check the appropriate boxes
 - The Respondent must date the form
 - The Respondent must sign the form
 - The Respondent must provide their contact information at the bottom of the form
- Signing an Acceptance of Service Form only means that the Respondent has accepted the papers
- Signing an Acceptance of Service Form does not mean that the Respondent agrees with the terms requested in the papers

Acceptance of Service Form



DEFAULT ORDER AND JUDGMENT (STEP 3)

- The Responding party has 30 days from the date of service to file an Answer/Response with the Court
- If the Respondent takes no action in the case, then on the 31st day after the Respondent was served the Petitioner should schedule an appointment with the FRC to finish and close the case
 - The Petitioner will need to complete the following documents before attending their appointment:
 - Ex Parte Motion for Order of Default and Declaration in Support (If the Respondent is not in the Military: Page 1-Paragraph 2 cannot be left blank) (Please see page 63 for an example)
 - Order on Motion for Default (Please see page 64 for an example)
 - Declaration Supporting General Judgment of Dissolution (Please see page 68 for an example)
 - General Judgment (The General Judgment must match exactly what you asked for in your Petition) (Please see page 71 for an example)
 - Reminder: Do not sign or date your forms

Ex Parte Motion for Order of Default and Declaration in Support

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF
and Petitioner and Respondent Respondent Case No: Case No: EX PARTE MOTION FOR ORDER OF DEFAULT and DECLARATION IN SUPPORT
Motion Based on the attached <i>Declaration</i> , Petitioner requests that this court grant an <i>Order</i> 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 <i>Summons, Petition</i> and other documents required by law inCounty, State of, on (<i>date</i>) and has not made an appearance within the time required by law.
 Respondent has not provided me with written notice of intent to appear. <i>or</i> 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 <i>Petition</i> and <i>Sammons</i> , incapacitated, a minor, a financially incapable person, a protected person, or a Respondent in a fiduciary protective proceeding, as <u>defined by ORS 125,005</u> .
<pre>prod (check one of the following):</pre>
☐ The Respondent is now, or was at the time of service of the <i>Petition</i> and <i>Summons</i> , 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

□ 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*:

Explain how you know the Respondent is not or was not in the military

Order on Motion for Default

	Case No:
Petitioner and	ORDER ON MOTION FOR DEFAULT
Respondent	
itioner's Motion for Order of Default and Entr	y of Judgment is:
□ granted	
☐ denied	
	This proposed judgment is ready for judicial

Complete the caption

RESOLVING YOUR CASE

- There are three ways your case can resolve:
 - By agreement between the parties <u>(stipulation)</u>
 - By <u>default</u> if the Respondent doesn't respond
 - Or by a Judge <u>in a hearing</u>
- When one of the above situations has occurred, you will create and submit a general judgment
- You must also file a <u>Declaration Supporting General Judgment</u> when you file a general judgment
- When the general judgment is signed by the Judge, your case is finalized

STIPULATED GENERAL JUDGMENT

- If at any time you and the opposing party come to a full agreement, you can submit a "Stipulated" <u>General Judgment</u>
- Both parties will need to sign the "Stipulated" <u>General Judgment</u>
- Schedule an appointment with the FRC to review your Judgment prior to either party signing it
- If your "Stipulated" <u>General Judgment</u> is signed by the Judge, the trial will be cancelled and your case will be closed



JUDGMENT AFTER HEARING

- If the parties are not able to come to an agreement, there with be a trial held with the Judge.
- The Judge will often make a document with their rulings on it and order a party to submit the final judgment.
- That party should:
 - Complete a general judgment to match the Judge's rulings and schedule an appointment with the FRC to review the judgment and go over the process of how to submit the judgment to the Court



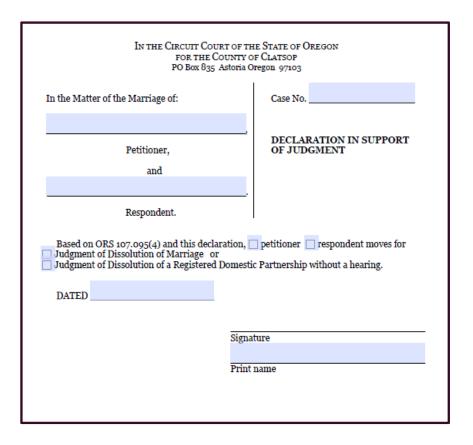
DECLARATION IN SUPPORT OF JUDGMENT

DECLARATION IN SUPPORT OF JUDGMENT

- Please note: This is a <u>Clatsop County Form</u>. If you printed this form from the State website or from Next Steps after using Guide and File, you will need to use this form instead.
- Complete each section that applies.
 - If your case does not involve children, skip numbers 7-11.

(Please see page 69 - 71 for examples)

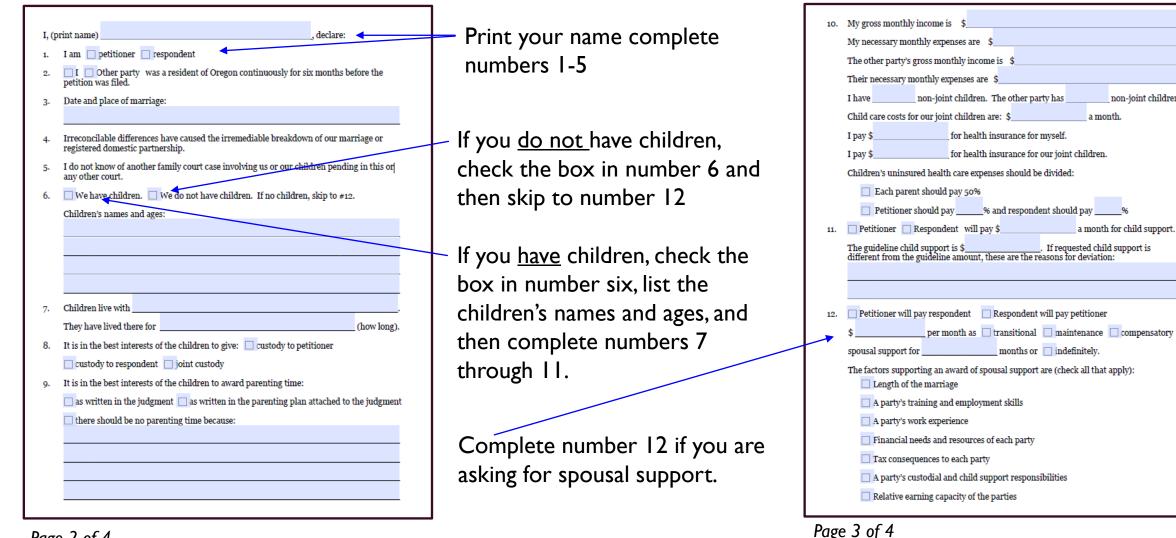
Declaration in Support of Judgment



<u>Please note</u>: This is Clatsop County form. If you have a Declaration Supporting General Judgment from Guide and File or the State website, you will need to print out and use this form instead.

Complete the form. You may skip numbers that you are not asking for

Declaration in Support of Judgment

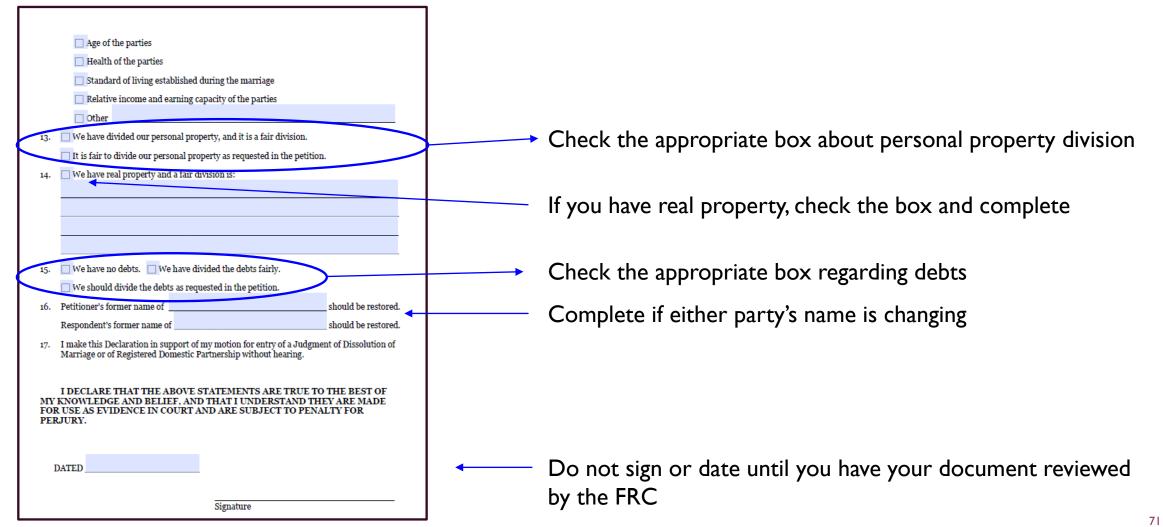


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non-joint children.

a month.

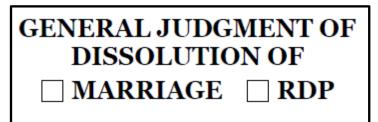
Declaration in Support of Judgment



Page 4 of 4

GENERAL JUDGMENT

- A <u>General Judgment</u> is the document the Judge signs to make your case final
 - Check the boxes that fit your case situation
- Section A
 - Check all the boxes that apply
- Section AI and beyond



- If the other party did not respond and you are asking for a default order, transfer what was on your Petition to the Judgment
- If you and the opposing party are in agreement, complete the Judgment based on your agreement
- If you have been directed by the Judge after a hearing, complete the Judgment based on the information given by the Judge

(Please see page 77 for an examples)

- If your Judgment includes a <u>Money Award/Support Obligation</u>, fill out the section completely
 - If there is a support obligation, fill out all relevant information relating to the Petitioner and the Respondent
 - Look for the second box in the section requesting the name of the party that is entitled to receive a money award from the Judgment, and fill out all relevant information
 - If there is not a support obligation, leave both sections blank, but do check the box that a money award is not included

(Please see page 78 - 79 for examples)

- Possible money awards in the Judgment include:
 - Child Support/Cash Medical Support
 - Spousal/Partner Support
 - Property Division
 - Court Costs and Service Fees Already Paid
 - Deferred Court Costs and Service Fees

- For the Money Award/Support Obligation, check the appropriate boxes corresponding to:
 - The type of Judgment being awarded
 - Who pays the money award
 - Who receives the money award
 - The money award amount
 - The beginning and end date of the money award

- The <u>Certificate of Readiness</u> shows why your proposed judgment is ready for the Judge to review.
 (Please see page 80 for an example)
 - Check the boxes that apply.
 - Do not send a service copy: At your document review, the FRC will provide further directions about this process.
- If your case involves children and a child support order, there is an optional application for full child support program services available at the end of the General Judgment (Please see page 81 for an example)
 - By signing this portion of the General Judgment you are applying for child support services from the child support program, including enforcement services

- After your <u>General Judgment</u> is signed by the Judge, your case is final, and the FRC will provide a free certified copy of the General Judgment to each party.
 - Contact the FRC to email you a copy of the General Judgment, or
 - Pick the copies up at the customer service window

 If your General Judgment was not signed, email the FRC to make an appointment to resubmit your documents

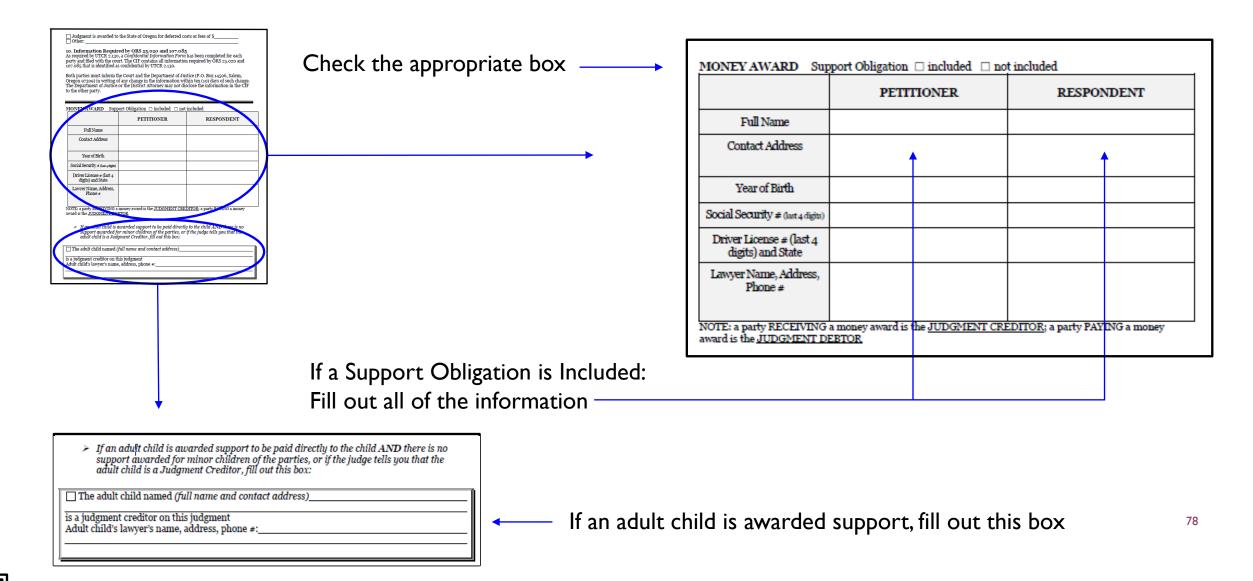


<u>General Judgment</u>

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF	Section A: Check the Appropriate Box
This document was presented to the court: On the motion and declaration of Petitioner, the <u>default</u> of Respondent having been found and Respondent being represented by a <u>guardian ad litem</u> or other person described in Oregon Rules of Civil Procedure, Rule 27 On the <u>stipulation</u> of the parties, as shown by the signatures at the end of this <i>Judgment</i> After a <u>hearing held</u> (<i>date</i>), at which the following persons were present: Petitioner Petitioner's attorney Respondent © Respondent's attorney Other	FINDINGS: A. The court considered the □ Declaration □ Stipulations □ Evidence presented and finds that: (Check all that apply)
 Children 18, 19, or 20 Years of Age Waived further appearance in these proceedings: (names) Fully participated in the proceedings and are bound by the terms of this judgment: (names) Signed and stipulated to the terms of this judgment as shown by the signatures below FINDINGS: A. The court considered the □ Declaration □ Stipulations □ Evidence presented and finds that: (Check all that anply) I. □ Irreconcilable differences have caused the irremediable breakdown of this marriage or registered domestic partnership II. At the time the Petition was filed: Marriage Only: □ At least one spouse lived in Oregon and that same spouse had lived in Oregon continuously for 6 months prior to the filing of the Petition. At least one spouse lived in the county in which the Petition was filed. Registered Domestic Partnership Only: □ At least one partner lived in Oregon and that same partner had lived in Oregon continuously for 6 months prior to the filing of the Petition. At least one partner lived in the county in which the Petition was filed. 	Section AI and beyond: Begin transferring the information based on <u>how your case will resolve</u>

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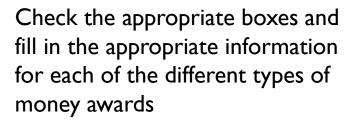
General Judgment: Money Award/Support Obligation



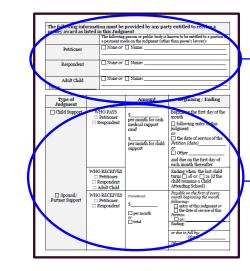
General Judgment: Money Award/Support Obligation - Continued

If a Support Obligation is included, fill in the information for any party entitled to receive a money award

The following information must be provided by any party entitled to receive a money award as listed in this Judgment			
	The following person or public body is known to be entitled to a portion of a payment made on the judgment (other than payee's lawyer):		
Petitioner	□ None or □ Name:		
Respondent	□ None or □ Name:		
Adult Child Name:	□ None or □ Name:		



Type of Judgment		Amount	Beginning / Ending
□ Child Support	WHO PAYS Petitioner Respondent 	S per month for cash medical support and S per month for child support	Beginning the first day of the month following entry of this judgment or the date of service of the Petition (date) or or due on the first day of each month thereafter
	WHO RECEIVES Petitioner Respondent Adult Child		Ending when the last child turns 18 or 21 (if the child remains a Child Attending School)
□ Spousal/ Partner Support	WHO RECEIVES Petitioner Respondent	Transitional \$ or total	Payable on the first of every month beginning the month following: entry of this judgment or the date of service of this Petition or: Ending: or due in full by: (date): Other:



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General Judgment: Certificate of Readiness

<u>Certificate of Readiness</u> This proposed judgment is ready for judicial signature because (check all that apply): Service is not required under UTCR 5.100. The other party has been found in default or an order of default is being requested with this proposed judgment; this judgment is submitted ex parte as allowed by statute or rule; or this judgment is being submitted in open court with all parties present.		Check all boxes that apply.
Each party affected by this judgment has stipulated to or approved the judgment, as shown by the signatures on the judgment.		
 ☐ I have served a copy of this judgment and written notice of the 7-day objection period set out in UTCR 5.100 on all parties entitled to service (complete service information below). And: ☐ No objection has been served on me within that time frame. ☐ I received objections that I could not resolve with the other party despite reasonable efforts to do so. I have filed with the court a copy of the objections I received and indicated which objections remain unresolved. ☐ After conferring about objections, the other party agreed to file any remaining objection with the court. 		
<u>Certificate of Service under UTCR 5.100</u> I certify that on <i>(date)</i> : I placed a true and complete copy of		
this proposed Judgment in the United States mail to (name)		Do not send a service copy until <u>after</u> your
at (address)		document review appointment with the FRC.
Submitted by: Petitioner Respondent		
Signature Print Name		Check the appropriate box and print your name.
	•	Do not sign.

General Judgment: Child Support Program Services

Date	Petitioner Signature			
	Print Name			
Contact Address	City, State, Zip	Contact Phone		
Respondent stipulates (agree	s) to the terms of this judgment			
Date	Respondent Signature			
	Print Name			
Contact Address	City, State, Zip	Contact Phone		
] Child 18, 19, or 20 years of ag	City, State, Zip e, stipulates to the terms of this judgment Adnit Child Signature	Contact Phone		
] Child 18, 19, or 20 years of ag	e, stipulates to the terms of this judgment	Contact Phone		
Contact Address Child 18, 19, or 20 years of ag Date Contact Address	e, stipulates to the terms of this judgment Adult Child Signature	Contact Phone Contact Phone Contact Phone		
Child 18, 19, or 20 years of ag Date Contact Address Dytional: MALICATION By Joining below, I apply for Support Program (CSP), If or	e, stipulates to the terms of this judgment Adult Child Signature Print Name	Contact Phone RAM SERVICES nent, from the Child FDC in any state, an		
Child 18, 19, or 20 years of ag Date Contact Address Dytional: MALICATION By Joining below, I apply for Support Program (CSP), If or	e, stipulates to the terms of this judgment Adult Child Signature Print Name City: State Zin FOR FULL CHILD SUPPORT PROG child support services, including enforce	Contact Phone RAM SERVICES nent, from the Child FDC in any state, an)	

Remember: Do not sign or date your general judgment until you attend your document review with the FRC. You <u>can</u> print your name and contact information.

S	ign	Da	ite
By signing below, I apply f Support Program (CSP). If	N FOR FULL CHILD SUP or child support services, inclu- you never received TANF, tri over \$500 is collected and di	uding enforcement, from th bal TANF or AFDC in any	e Child state, an
Petitioner Signature		Date	
Respondent Signature		Date	
Adult Child Signature	7	Date	7

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AT ISSUE NOTICE AND MEDIATION

- If the Respondent files a <u>Response</u>, your case will be set for trial and you will receive an <u>At Issue Notice</u> from the Court's Calendaring Department
 - Complete and return the form to the Court by the due date given on the form

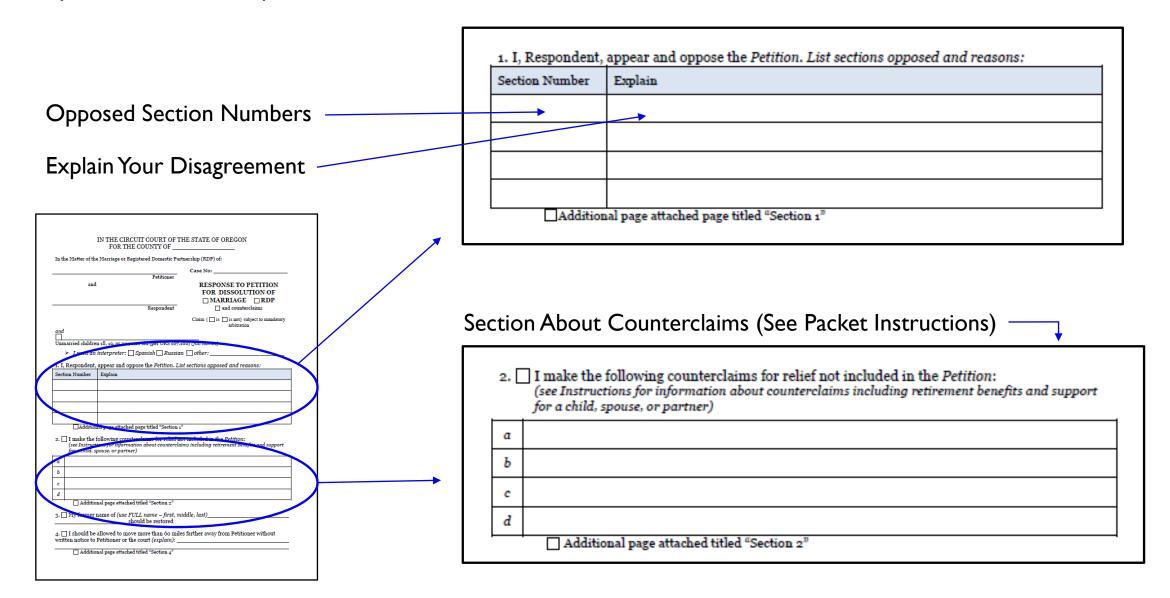
- If Parenting Time or Custody are an issue in your case, you will be also be assigned to court appointed mediation
 - You will receive a mediation orientation packet one week after the Response was filed
 - Complete the mediation orientation requirements and return the necessary forms to the Court by the due date on the forms

RESPONSE TO DIVORCE, SEPARATION, OR UNMARRIED PARENTS

- RESPONSE TO PETITION RESPONSE TO PETITION FOR DISSOLUTION OF FOR SEPARATION OF ☐ MARRIAGE □ MARRIAGE □ RDP $\square RDP$ and counterclaims and counterclaims RESPONSE TO PETITION Look at the <u>Petition</u> you were served FOR CUSTODY AND PARENTING TIME AND CHILD SUPPORT and counterclaims Claim is not subject to mandatory arbitration
- State the section number(s) you oppose, if any
- Explain why you disagree with what the opposing party is asking for in the Petition
- Refer to the instructions for information about counterclaims, including retirement benefits and child, spousal, or partner support
- Contact the FRC to schedule a document review

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Response to Divorce, Separation, or Unmarried Parents



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MODIFICATIONS TO A JUDGMENT

- You are able to change the provisions of a prior Judgment related to spousal/partner support, child support, child custody, and parenting time
- The Petitioner and Respondent are the same as when the original Judgment was filed
- The case number will be the same as the original Judgment case number

MODIFICATIONS TO A JUDGMENT

- Use full names (first, middle, last) as they were at the time the case was originally filed
- If a name has changed since the original Judgment was filed, the new name may be shown in the heading
 - Write as: "<u>NKA (Now Known As) insert new name</u>"
 - Write the new name directly under the party's prior name

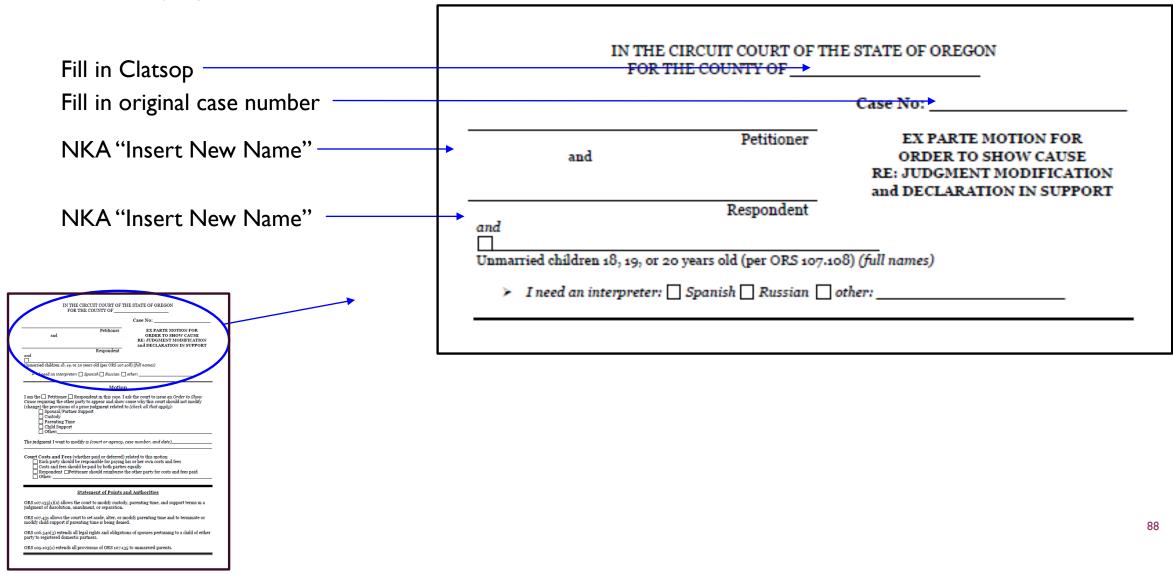
(Please see page 88 for example)

MODIFICATIONS TO A JUDGMENT

- You must list the Court or Agency, case number, and Judgment date of the Judgment you wish to modify
- Under Declaration: check the appropriate box
- Check only the section(s) you are asking to modify and only complete those section(s)
 (Please see page 89 and 90 for examples)
- If you are asking to modify child support, you must complete a <u>Child Support Calculation</u> and a <u>Uniform</u> <u>Support Declaration</u>



Modification of a Judgment



Modification of a Judgment: Motion

FOR TH	IRCUIT COURT OF TH IE COUNTY OF	E STATE OF OREGON
		Case No:
and	Petitioner	EX PARTE MOTION FOR ORDER TO SHOW CAUSE RE: JUDGMENT MODIFICATION and DECLARATION IN SUPPORT
	Respondent	
and		
Unmarried children 18, 19, or 20	years old (per ORS 107.10	8) (full names)
 I need an interpreter: 	Spanish 🗌 Russian 🗌 o	other:
	Motion	
I am the Petitioner Resp Cause requiring the other part (change) the provisions of a pr Spousal/Partner Su Custody Parenting Time Child Support Other:	y to appear and show c ior judgment related to	is the court to issue an Order to Show ause why this court should not modify (check all that apply):
The judgment I want to modify	y is (court or agency, co	ase number, and date)
Costs and fees should b	esponsible for paying h	is or her own costs and fees
☐ Each party should be r ☐ Costs and fees should l ☐ Respondent ☐Petition ☐ Other:	esponsible for paying h	is or her own costs and fees equally e other party for costs and fees paid
Each party should be r Costs and fees should l Respondent Petition Other:	esponsible for paying h be paid by both parties i her should reimburse th atement of Points an ourt to modify custody.	is or her own costs and fees equally e other party for costs and fees paid
☐ Each party should be r ☐ Costs and fees should l ☐ Respondent ☐ Petition ☐ Other: ORS 107.135(1)(a) allows the c judgment of dissolution, annu	esponsible for paying h be paid by both parties her should reimburse th atement of Points an ourt to modify custody, Iment, or separation. to set aside, alter, or mo	is or her own costs and fees equally e other party for costs and fees paid <u>d Authorities</u> parenting time, and support terms in a dify parenting time and to terminate or
☐ Each party should be r ☐ Costs and fees should 1 ☐ Respondent ☐ Petition ☐ Other: ORS 107.135(1)(a) allows the court to judgment of dissolution, annu ORS 107.431 allows the court to modify child support if parent	esponsible for paying h be paid by both parties , her should reimburse th atement of Points an ourt to modify custody, liment, or separation. to set aside, alter, or mo ing time is being denied gal rights and obligation	is or her own costs and fees equally e other party for costs and fees paid <u>d Authorities</u> parenting time, and support terms in a dify parenting time and to terminate or

ION		The judgment I want to modify is (court or agency, case number, and date)
w fy	/	Original Judgment Court or Agency
		Original Judgment Case Number
in a e or		Original Judgment Date

Modification of a Judgment: Declaration

Complete any section you are asking to change. Be sure to complete all the parts of that section.

Declaration The other party is not in active military service of the United States and is not incapacitated, a minor, a protected person, or a respondent (as defined by ORS 125.005) Other (explain): Spousel rartner support Spousel/Partner support Spousel/Partner support Spousel/Partner support	Complete the Declaration	Declaration Declaration The other party is not in active military service of the United States and is not incapacitated, a minor, a protected person, or a respondent (as defined by ORS 125.005) Other (explain):
god dutti		Spousal/Partner Support: Spousal/Partner support should be terminated or changed to (explain the changes you want)
Children A No-Contact Order (criminal or other) prohibits Respondent from exercising parenting time Case # County/State: The following children are affected by this request (names and ages of children)	As an example, if you were asking to change Spousal/	Because (specifically describe substantial change in circumstances)
The following children are anected by this request (<i>names and dges of children</i>) Custody and Parenting Time UCCJEA Information (Uniform Child Custody Jurisdiction and Enforcement Act) This court has jurisdiction to modify custody, or parenting time under the UCCJEA (ORS 109.741 – 109.751) because An Oregon court made the original order and the children (or at least one parent) still live in Oregon Other reason (explain)	Partner Support, check the appropriate boxes and fill in the information requested. Complete for any section you	Effective date - The new support order should be effective as ofthe date this <i>Motion</i> is served on the other party (<i>or</i>) Other
1A. List the places where any of the named children has lived in the last five years, the names of the people they lived with at that time, and <i>current</i> contact addresses for those people	are requesting to change.	90

- Additional information about Clatsop County Family Court is available at:
 - https://www.courts.oregon.gov/courts/clatsop/programs-services/Pages/family-court.aspx
- All of the Oregon State forms we offer are available online at:
 - <u>https://www.courts.oregon.gov/forms/Pages/default.aspx</u>
- All of the Clatsop County forms we offer are available online at:
 - <u>https://www.courts.oregon.gov/courts/clatsop/help/Pages/forms.aspx</u>
- Child Support Calculator:
 - <u>https://justice.oregon.gov/guidelines</u>

- If you have legal questions, please contact an attorney
- Oregon Lawyer Referral Services: 800-452-7636
- The Oregon State Bar: <u>www.osbar.org</u>

- Oregon Law Center: 503-640-4115 or 877-296-4076
- Oregon Law Center Website: <u>https://oregonlawhelp.org/</u>

- The Harbor:
 - 801 Commercial Street (Lower Level) Astoria, OR 97103
 - Office Number: 503-325-3426
 - Hotline Number (24/7 Crisis Support Line): 503-325-5735
 - Fax Line: 503-325-7101
 - Email: info@harbornw.org

- The Harbor offers the following services:
 - Domestic and sexual assault response team emergency services
 - Confidential emergency shelter space
 - Safety planning
 - Support groups
 - Accompaniment to court and the hospital
 - Additional resources for support and care

THE END

GUIDE TO COMPLETING YOUR FAMILY LAW PACKET - REVISED 9-2021 JL

