

FILING FOR DISSOLUTION (DIVORCE)

CO-PETITIONERS, NO MINOR CHILDREN



What these forms do

This set of forms will help you to get a divorce (legally called a “dissolution of marriage”) if you have no children under 21. If you have *only* children over 18 and under 21 who are in school, use the *Dissolution with Adult Children Only* forms (*not yet available. Talk to a lawyer if you only have children 18, 19, or 20*).

TALK TO A LAWYER BEFORE USING THESE FORMS IF:

- You are part of a **same-sex couple** AND:
 - You are married, have a civil union, or registered in another state
 - You are married, have a civil union, or registered in another state in addition to Oregon
 - You registered as domestic partners in Oregon ***before February 4, 2008***
 - You are unsure if your partnership is a Registered Domestic Partnership (RDP)
 - If you want partner support and either party lives in (or may move to) another state
- You want to *divide* the **retirement benefits** of either party
- Either party is a debtor in a current **bankruptcy** case

Important Contact Information

Oregon Judicial Department - <http://courts.oregon.gov>

Oregon State Bar Lawyer Referral Service - www.oregonstatebar.org

Phone: 503.684.3763 or toll-free in Oregon at 800.452.7636



If you are deployed or about to be deployed, contact the Oregon State Bar Military Assistance Panel (www.osbar.org/docs/ris/militaryflier.pdf) for information about special rights and rules that may apply to you.

Symbols used in this form:



Important Note



STOP! You may not be able to use this form



Caution! You may need a lawyer



Concerns money



Timing requirement



Notice about these instructions and forms

These instructions are not a complete statement of the law. They cover basic procedures for simple dissolution cases with no children under 21. If you have complicated issues or questions about the law, talk to a lawyer.

All of the necessary forms should be online. If you cannot find a form, ask your local court.

Each court has local rules, programs, and procedures that may not be explained in these instructions. Refer to the Supplementary Local Rules for your county. These rules are available online or at your local court or law library. Forms and information about your local court are on the Oregon Judicial Department website.



Information about Dissolution

- ❖ **Petition and Judgment** - A dissolution case starts with a “petition,” which tells the court what you want. That’s why you are called the “**co-petitioners**.” The case ends with a “judgment,” which is the court’s final decision. The judgment is the document that finalizes your case and contains your rights and responsibilities. Your dissolution is effective once the judge signs the judgment. *(See “The Judgment” section for more details about the terms of your judgment)*
 - **NOTE:** the general judgment in this case will create rights and responsibilities that may be permanent. Custody, parenting time, and support orders often can be modified later, but property orders usually can’t. Talk to a lawyer if you have questions about these issues.



- ❖ Keep the court informed of your current address so you get notice of all court dates. **You don’t have to use your home address on any court form.** You may use any contact address where you regularly check in, as long as it is in the same state as your home. The court will assume that you receive all notices sent to that address. **It is YOUR responsibility to let the court know if you move or want to get mail at a different address.**

ADULT CHILDREN AS PARTIES



- **Adult Children:** If you and the other party have any children together who are **18, 19, or 20 years old**, each child is a “necessary party” to this case until his or her 21st birthday. Each child **must** be included in your filings and properly served with all documents. A child may later waive the right to be part of the case, but this must be done formally after you file. If you fail to properly serve an adult child, your case may be delayed until you do.

TABLE OF FORMS

1. Starting your Case *(See the last box of this table for additional forms you may need)*

- Co-Petition for Dissolution of Marriage/RDP
- Record of Dissolution of Marriage, Annulment or Registered Domestic Partnership
- Notice of Statutory Restraining Order Preventing Dissipation of Assets
- Confidential Information Form (CIF) *(one for each party and each adult child)*
- Notice of CIF Filing

Optional:

- Fee Deferral or Waiver Application and Declaration

2. Resolving your Case

By Agreement:

- Declaration in Support of Judgment
- Stipulated General Judgment of Dissolution of Marriage/RDP

Additional forms you may need: *(More information is in the Instructions below)*

- Waiver of Further Appearance and Consent to Entry of Judgment *(for adult children)*
- Legal Description of any jointly owned real property.

STEP 1: STARTING YOUR CASE



Keep In Mind:

- Talk to a lawyer if you or Respondent is already in bankruptcy. The court may not be able to proceed with your case until the bankruptcy is resolved.
- **Registered Domestic Partners** should see a lawyer if partner support is requested and either party might move out of state. If the new state does not recognize RDPs, you may have trouble collecting partner support.
 - ✓ Note: Only same-sex couples can have Registered Domestic Partnerships.
- It is possible to divide retirement benefits. See the “Property and Debts” section for important information. You may lose this right if you do not include it in your *Petition*.



Legal Questions

➤ Where to File

- Marriage – you must file in a county where either you or your spouse lives at the time you file. One spouse must have lived in Oregon for at least 6 months before the *Petition* is filed.
- RDP – you must file in a county where either you or your partner lives. If neither of you lives in Oregon but your RDP was registered here, you can file in the county where either of you last lived.

By filing your *Petition*, you agree to follow the terms of an automatic restraining order. The order is effective once the papers have been filed with the court. If you don't follow the order, you can be held in contempt of court and subject to penalties.

- You must attach a copy of the restraining order (called “**Notice of Statutory Restraining Order Preventing the Dissipation of Assets in Domestic Relations Actions**”) to the *Petition*.
- The statutory restraining order prevents *either party* from:
 - Dissipating (transferring, selling, destroying, removing, disposing of) real or personal property.
 - Making changes to insurance policies without the agreement of the other party.
 - Making extraordinary expenditures (unusual or high-dollar payments or purchases). Expenditures that are necessary for the safety or welfare of the parties, ordinary business activities, or related to this court case are allowed.

➤ **Name Change**

If you changed your last name when you got married or registered as domestic partners and want to change it back to a former legal name, you can request that on your *Petition*. **NOTE:** You *cannot* use this form to change your name to a name you have never used before.

- **RDPs:** If you changed your name through a separate name-change judgment and want to change it back, you should also file for another judgment to do that. Do not rely on the dissolution judgment to be effective for all purposes, especially federal records like Social Security, Medicare, and immigration. Talk to a lawyer if you have concerns.



Filling Out The Forms

➤ **You are both “Co-Petitioners.” You should list your names in the same order on ALL forms throughout this case.**

- Use full names (first, middle or middle initial, last) and print names the same way on all forms – *first, middle, last*.



➤ **Do not put Social Security numbers on your *Petition*.** Social Security numbers must be given to the court but kept confidential from the public and the other party. Use the “*Confidential Information Form*” (*CIF*) to protect your identifying information.

- Fill out one *CIF* for each party.
- The *Notice of Filing of Confidential Information Form* must be filled out and copy given to both parties.

Fill out the following forms

- *Co-Petition for Dissolution of Marriage/RDP*
 - *Record of Dissolution of Marriage, Annulment or Registered Domestic Partnership*
 - *Confidential Information Form (CIF)* (one for each party and each adult child)
 - *Notice of Filing of Confidential Information Form*
-

SUPPORT

There are three different categories of spousal or partner support in Oregon:

- **Transitional** support is to help you get work-related education and training.
- **Compensatory** support may be ordered if you significantly contributed to the education, training, job skills, career, or earning capacity of your spouse or partner.
- **Maintenance** may be ordered for your general support.

Either party may request and be awarded support. More than one type of support may be awarded. Any award may be ongoing or for a particular period of time (such as 3 years, while in school, up to a certain amount, etc.).

For more information on factors the judge will consider when making the award, see [ORS 107.105](#).

- **NOTE:** Support is also available to **Registered Domestic Partners**. If either partner might leave the state or declare bankruptcy, you should see a lawyer.



Spousal and partner support are taxable income to the recipient. Spousal support is deductible to the person making payments (payor). RDPs should see a tax professional about support.

Life Insurance: The court can order a party to carry life insurance if that party is ordered to pay spousal/partner support. Life insurance in connection with a support obligation is for the benefit of the person receiving support.



PROPERTY AND DEBTS

You need to tell the court how you want to divide your property and debts. You should be as specific as possible and include everything you and the respondent own or owe. If any property or debts are not included in your judgment, you cannot return to court to make changes later except in very limited circumstances.



Either party may be entitled to part of the respondent's retirement benefits (including pensions). If you do not address retirement benefits in your judgment, you will lose the right to claim your share except in very limited circumstances.

These forms will not *divide* a party's retirement benefits. Talk to a lawyer first if you want to claim a portion of the respondent's retirement benefits.

For detailed information about property, see [Appendix A](#).



Have your documents reviewed

You may want to have your documents reviewed before you file. For information about how to find a lawyer, call the Oregon State Bar at the numbers on [Page 2](#). 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. Facilitators might also be available for free in your court but you may have to make an appointment. Call your court for information.



Make copies

Make one copy of **all** of the completed forms for your records. See Step 2 for additional copies you will need.

STEP 2: FILING



File your forms

File all of the **original** forms with the court clerk. The clerk will give you a **case number** when you file. Put the case number on all copies and originals.



You have to pay the filing fees when you file your papers. Go to <http://courts.oregon.gov> for the filing fee.

- If you are low income, you may ask the court to defer (postpone) or waive your filing fee. You must complete an ***Application and Declaration for Deferral or Waiver of Fees*** and an ***Order Regarding Deferral or Waiver of Fees*** and file them with your papers. If the fee is deferred, you will have to pay the fee later. If the fee is waived, you don't have to pay it. However, the judge may reconsider waived and deferred fees at the end of the case.

The clerk may give you some papers. A copy of these papers should be given to both co-petitioners. There will be information on mediation, parent education class, and continuation of health coverage information.

STEP 3: RESOLVING YOUR CASE

If you have both agreed to all of the issues, fill out and file:

- ***Declaration in Support of Judgment***
- ***Stipulated General Judgment of Dissolution of Marriage/RDP***

Note: The *Judgment* must be signed by both parties before being submitted to the court.



THE JUDGMENT



A ***Stipulated General Judgment of Dissolution of Marriage/RDP*** must be signed by a judge. One of you may be ordered to fill out the judgment form and give it to the court to be signed. **NOTE:** you must include the legal description of any real property that will be transferred from one party to another, or from both parties' names to one party's name. You can get the legal description from the County Recorder's Office in the county where the property is located (it is NOT the tax identification number).

The judgment finalizes your dissolution and contains all of the issues decided in the mediation, arbitration, trial, or agreement.

- **NOTE:** The *General Judgment* may affect earlier temporary orders done by Limited Judgment. Talk to a lawyer if you have questions.

Your dissolution is finished and effective the date the *Judgment* is signed by the judge. **NOTE:** the terms of your judgment are not enforceable until the court enters the judgment. You will receive a *Notice of Entry of Judgment*.

NOTE: Every document you file must have a mailing address where you will receive documents related to this case. You do NOT need to use your home address. You can use any contact address in the same state as your home. You are responsible for checking your contact address. Notify the court and the other party in writing if your contact address changes.

Appendix A - Property and Debts

- **Real Property** – Include property that you own together or separately *and* property owned before the marriage/RDP.
 - Include land, houses, mobile homes, and other structures *attached to or built on land*. Also include partial rights to land like the right to fish, farm, cut timber or mine minerals. This does not mean *personal* property like clothes, jewelry, furniture, cars, etc.
 - Identify the property by address, map, lot, or plat number, or any other method that is specific enough to identify the property.
 - When completing the *Judgment*, use the full legal description of the property that is on the deed or tax records. If you improperly describe the property, you may not be able to enforce your judgment.
 - **You should speak with a lawyer if:**
 - any party is a debtor in a current bankruptcy proceeding.
 - there is a joint credit account such as a home equity line of credit on any real property. This judgment is *not* binding on the lender and may not prevent the other party from using the credit line, even after the judgment.
 - anyone other than you and the other party has any interest in the real property either now or in the future. For example:
 - ◇ if your title is only for life or for a fixed period of time
 - ◇ if anyone has a right-of-first-refusal to buy the property
 - ◇ if anyone else’s name is on the title
 - ◇ if anyone else’s name is on a loan that the property is collateral for. These people *must* be joined to the case or the court may not have authority to award that property.
 - you are concerned about the other party selling real property located in Oregon. You can put a hold on the title of the property during the case (called “lis pendens”).



If **ANY** property was used to secure a loan, debt, mortgage, or other encumbrance, it is important that you speak with a lawyer. Future bankruptcy filings by either party may create problems for the other party in spite of this judgment. This is especially important for same-sex couples, as bankruptcy and IRS laws are federal and may not recognize the debt award of this judgment.

- **Personal Property** is anything you own together or separately that *is not* real property. This includes property owned before the marriage.
- If you want certain things *plus* equitable distribution of the rest, mark both boxes in the appropriate section and list the specific property you want in the space provided. **BE AWARE** that if you do not include enough information and the other party does not respond, you may have to serve the other party with corrected paperwork before you can get a *Judgment*.

Debts - The court will divide your debts. Use this table to list all debts in either or both of your names. Include debts that existed before your marriage/partnership; debts that you each or both incurred during your marriage/partnership; and debts that you each incurred after separation. If any debt includes amounts incurred both during the marriage/partnership *and* after separation, write in the “Who pays” column who should pay how much (see example). Talk to a lawyer if you have questions about who should pay which debts.

Example:

<i>Name of Creditor (who money is owed to)</i>	<i>What debt is for</i>	<i>Amount</i>	<i>Who pays</i>	
			<i>Name</i>	<i>Name</i>
<i>Chase Bank</i>	<i>Credit Card</i>	<i>\$10,000</i>		<i>X</i>
<i>Wells Fargo</i>	<i>Home Equity Credit Line (petitioner added \$10,000 after separation)</i>	<i>\$20,000</i>	<i>\$15,000</i>	<i>\$5,000</i>
<i>Local Lender</i>	<i>Petitioner’s car loan</i>	<i>\$4,500</i>	<i>X</i>	

Attach this page to the Petition if your list of debts is longer than the table in the Petition

Name of Creditor (who money is owed to)	What debt is for	Amount	Who pays	
			Name	Name



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

136-

State file number:

The petitioner or legal representative of the petitioner is responsible for completing the personal information on this form and shall present this form to the clerk of the court with the petition. In all cases the completed record shall be a prerequisite to the granting of the final judgment.

Case number: _____
 Judgment type: Dissolution of marriage Annulment Dissolution of registered domestic partnership(RDP)

Spouse / Partner A

1. Spouse/Partner A – Legal name: (first, middle, last, suffix) 2. Last name at birth: (not required for RDP)
 3. Residence or legal address: (street and number) (city or town) (county) (state)
 4. Other legal last names used:
 5. Date of birth: (mm/dd/yyyy) 6. Birthplace: (state, territory or foreign country)

Spouse / Partner B

7. Spouse/Partner B – Legal name: (first, middle, last, suffix) 8. Last name at birth: (not required for RDP)
 9. Residence or legal address: (street and number) (city or town) (county) (state)
 10. Other legal last names used:
 11. Date of birth: (mm/dd/yyyy) 12. Birthplace: (state, territory or foreign country)

Marriage / Declaration

13. Date of marriage / filing of RDP declaration: (mm/dd/yyyy) 14. Date couple last resided in same household: (mm/dd/yyyy)
 15a. Place of marriage/RDP: (city, town or location) 15b. County: 15c. State or foreign country:
 16. Number of children under 18 in this household as of the date in item 14:
 Number: _____ None 17. Petitioner:
 Spouse/Partner A Spouse/Partner B Both

Attorney

18a. Name of petitioner's attorney: (print) 18b. Address: (street and number or rural route number, city or town, state, ZIP code)
 19a. Name of respondent's attorney: (print) 19b. Address: (street and number or rural route number, city or town, state, ZIP code)

Judgment

20. Marriage/RDP declaration of the above named persons was dissolved on: (mm/dd/yyyy) 21. Date judgment becomes effective: (mm/dd/yyyy)
 22. Number of children under 18 whose physical custody was awarded to:
 ___ Spouse/Partner A ___ Spouse/Partner B ___ Joint (shared custody) ___ Other (specify) _____ No children
 23. County of decree: 24. Title of court: **Circuit**
 25. Signature of court official: 26. Title of court official: 27. Date signed: (mm/dd/yyyy)

Information below will not appear on the certified copies of the record.

Spouse / Partner A

28. Spouse A's Social Security number: (not required for RDP)				29. Spouse B's Social Security number: (not required for RDP)					
30. Number of this marriage/RDP – first, second, etc.:		31. If previously married or in a RDP date last marriage/RDP ended:		32. Hispanic origin: Cuban, Mexican, Puerto Rican		33. Race(s): Black, White, etc.		34. Education – Specify only highest grade completed:	
Marriage	RDP	By death, divorce, dissolution or annulment (specify below)	Date: (mm/dd/yyyy)	List all that apply (specify below)		List all that apply (specify below)		Elementary/Secondary: (grades 0-12)	College: (1-4 or 5+)
30a.	30b.	31a.	31b.	32a.	33a.	34a.	34b.		
30c.	30d.	31c.	31d.	32b.	33b.	34c.	34d.		

Spouse / Partner B

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

In the Matter of the Marriage or Registered Domestic Partnership (RDP) of:

Case No: _____

Co-Petitioner
And

**CO-PETITION FOR DISSOLUTION
OF MARRIAGE RDP**

Filing fees at ORS 21.155 (marriage) &
21.135 (RDP)

Co-Petitioner
and

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

Date of marriage/RDP: _____

Place of marriage/RDP: _____ (*County, State*)

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

2. Residency

Marriage Only: 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 being filed.

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 *Petition*. At least one partner currently lives in the county where this *Petition* is being filed.

or

Neither partner currently lives in Oregon and this *Petition* is being filed in the county where { Co-Petitioner _____ } last lived.

3. Pregnancy and Rebuttable Presumption of Paternity

Name and age of any child conceived or born during this marriage/RDP who is NOT the child of both parties _____

Neither party is now pregnant.

Co-Petitioner _____ is pregnant, and the other party

is is not the parent of this child. The expected date of the child's birth is _____.

The parties have no unemancipated children together under the age of 18, **and** no children together who are between the ages of 18 to 21 that are "children attending school" as defined in ORS 107.108.

4. By filing this petition, we acknowledge that we are bound by the terms of the Statutory Restraining Order (SRO) prohibiting either party from disposing of marital/partnership assets. We understand that this restraining order is effective as soon as this *Petition* is filed with the court.

SPOUSAL/PARTNER SUPPORT

5. Support

- No spousal/partner support is requested **or**
 Spousal/partner support should be paid by Co-Petitioner _____ to
 Co-Petitioner _____

Type of support and amount requested (<i>check all that apply</i>):	Monthly Or Total	Based on the following factors (<i>explain</i>):
<input type="checkbox"/> transitional \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	
<input type="checkbox"/> compensatory \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	
<input type="checkbox"/> maintenance \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	

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

Payments

- Payments should begin the month following the entry of the judgment in this case *or*
 _____ (date)
or
 in a lump sum by _____ (date)

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 their bank name, account name, and account number.

6. 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

7. Real Property

Neither party has any interest in any real property (together or separate) in Oregon or any other place.

Both parties have *or* { Co-Petitioner _____ 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: _____

Additional page attached titled "Section 8 - Real Property"

8. Personal Property

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

The Co-Petitioners 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

Co-Petitioners 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:

Co-Petitioner _____ should be awarded the following personal property: _____

Additional page attached titled "Section 9 - _____ Personal Property"

Co-Petitioner _____ should be awarded all of his/her retirement benefits, pension plans, profit-sharing plans, deferred-compensation plans, and stock option plans held by his/her employer, free of any interest of the other party.

Co-Petitioner _____ should be awarded the following personal property: _____

Additional page attached titled "Section 9 - _____ Personal Property"

Co-Petitioner _____ should be awarded all of his/her retirement benefits, pension plans, profit-sharing plans, deferred-compensation plans, and stock option plans held by his/her employer, free of any interest of the other party.

9. 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 (Name)

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.

10. Former Name

Co-Petitioner _____'s former legal name of _____
_____ should be restored.

11. Information required by ORS 107.085

Name of Co-Petitioner: _____ Age _____
Contact address: _____
Contact Phone Number: _____

Name of Co-Petitioner: _____ Age _____
Contact address: _____
Contact Phone Number: _____

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: Each Co-Petitioner Each Adult Child

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

13. Existing Cases

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

Name of Court or Agency	Case No.	Involves: <i>(check all that apply)</i>
		<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. Court Costs and Fees for this case (whether paid or deferred)

- Costs and fees should be paid by both parties equally
- _____ should reimburse _____ for costs and fees paid
- Other: _____

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

We hereby declare that the above statements are true and complete to the best of our knowledge and belief. We understand they are made for use in court and are subject to penalty for perjury.

Date

Co-Petitioner (signature)

Print Name

Contact Address

City, State, Zip

Contact Phone

Date

Co-Petitioner (signature)

Print Name

Contact Address

City, State, Zip

Contact Phone

[Attach to Summons per ORS 107.093(5)]

**NOTICE OF STATUTORY RESTRAINING ORDER
PREVENTING THE DISSIPATION OF ASSETS
IN DOMESTIC RELATIONS ACTIONS**

REVIEW THIS NOTICE CAREFULLY. **BOTH PARTIES MUST OBEY EACH PROVISION OF THIS ORDER TO AVOID VIOLATING THE LAW.** YOU HAVE THE RIGHT TO A HEARING. SEE INFORMATION BELOW.

TO THE PETITIONER AND RESPONDENT:

Under ORS 107.093 and UTCR 8.080, Petitioner and Respondent must not:

Insurance Policies

(1) Cancel, modify, terminate, or allow to lapse for nonpayment of premiums, any policy of health insurance, homeowner or renter insurance, or automobile insurance that one party maintains to provide coverage for the other party or a minor child of the parties, or any life insurance policy that names either of the parties or a minor child of the parties as a beneficiary.

Insurance Beneficiaries

(2) Change beneficiaries or covered parties under any policy of health insurance, homeowner or renter insurance, or automobile insurance that one party maintains to provide coverage for the other party or a minor child of the parties, or any life insurance policy.

Property

(3) Transfer, encumber (*i.e., mortgage lien, borrow against*), conceal, or dispose of property in which the other party has an interest, in any manner, without written consent of the other party or an order of the court, except in the usual course of business or for necessities of life.

Expenses

(4) Make extraordinary expenditures without providing written notice and an accounting of the extraordinary expenditures to the other party.

EXCEPTIONS:

Paragraphs (3) and (4) do not apply to payment by either party of:

- a. Attorney fees in this action
- b. Real estate and income taxes
- c. Mental health therapy expenses for either party or a minor child of the parties
- d. Expenses necessary to provide for the safety and welfare of a party or a minor child of the parties

EFFECTIVE DATE:

The above provisions are in effect immediately upon service of the *Petition* and *Summons* on the respondent. They remain in effect until a final judgment is issued, until the petition is dismissed, or until further order of the Court.

RIGHT TO REQUEST A HEARING

Either Petitioner or Respondent may request a hearing to modify or terminate one or more terms of this restraining order by filing with the Court the *Request for Hearing re: Statutory Restraining Order* form specified in Form 8.080.3 in the UTCR Appendix of Forms



Department of Consumer and Business Services
Insurance Division

P.O. Box 14480, Salem, OR 97309-0405
Phone: 503-947-7891, Fax: 503-378-4351
350 Winter St. NE, Salem, OR 97301-3883
Email: dcbs.inmail@state.or.us
www.insurance.oregon.gov

Notice to parties in a suit for marriage dissolution or legal separation regarding continuation of health coverage

If you or your spouse have filed for divorce or legal separation and currently hold group health insurance coverage through your spouse, your coverage may end when the court grants your divorce or separation. Oregon law offers options that may enable you to continue your coverage. This notice outlines continued coverage options available under Oregon law. Federal law commonly known as COBRA may also enable you to continue coverage. *Note:* You must act promptly to continue coverage.

Applying for individual coverage may also be an option. Insurers can no longer deny enrollment to individuals because of health or pre-existing conditions. You may be eligible to enroll in a plan through healthcare.gov or directly from an insurer. If you apply for coverage through healthcare.gov, you may qualify for financial assistance.

For more information about Oregon and federal law, consult your health insurer, the plan administrator for your insurance coverage, the employer through whom your insurance is provided, or your attorney.

The following is a summary of options under Oregon law:

1. Continuation of existing coverage for a divorced or legally separated spouse who is 55 years of age or older (ORS 743.600 to 743.602). If you are a divorced or legally separated spouse and if you are 55 years of age or older when the dissolution or legal separation occurs, you may continue your existing group coverage until you obtain other group coverage or become eligible for Medicare. In order to continue coverage, you must do both of the following:

- A. You must notify the group health insurance plan administrator in writing of the dissolution or legal separation within 60 days of the entry of the decree of divorce or legal separation.
- B. You must elect to continue and pay for the group coverage. You must make the election on a form provided by the plan administrator.

Note: This provision applies only if your coverage is provided through an employer who employs 20 or more employees or if your coverage is provided by a group health insurance plan that covers 20 or more employees.

2. Continuation of existing coverage for a divorced spouse when federal law does not provide for continued coverage (ORS 743.610). If you are not able to continue your group health coverage under federal law (COBRA), you may continue your existing group coverage upon dissolution of your marriage for a period not exceeding nine months. The following requirements apply:

- A. You must have been continuously covered by the group policy for at least three months prior to your divorce.
- B. You must ask the insurer or the group policyholder, in writing, to continue your coverage. You must also pay the required premiums.
- C. You must make your request by the latter of the following dates:
 - (1) Ten days after the date that your coverage under the group policy as a qualified family member ends;
 - or
 - (2) Ten days after the date on which the employer or group policyholder gives notice of the right to continue coverage.

3. Apply for individual coverage. If you were covered by a group health plan and you lost that coverage because of a legal separation or divorce, you may qualify for a special enrollment and be eligible to purchase an individual plan through healthcare.gov or from an insurer. To qualify for this special enrollment:

(1) Apply through healthcare.gov and pay your premium within 60 days of the date you lost your group coverage;

or

(2) Apply for individual coverage from an insurer within 60 days of the date you lost your group coverage.

Remember: The longer you wait to apply, the later your coverage will start. Financial help is available only if you apply for insurance through healthcare.gov. Your insurance agent can also help you apply through healthcare.gov.

*Prepared by Insurance Division, Department of Consumer and Business Services, under ORS 107.092.
Revised January 9, 2015. Distributed by the Office of the State Court Administrator.*

Information about the Confidential Information Form (CIF)

What is a CIF?

Most court files may be viewed by the public. Uniform Trial Court Rule (UTCRC) 2.130 requires certain confidential personal information to be protected from public disclosure. That is done by providing the information in a separate form. After you file your papers, the court keeps the form separate from the part of the court file that may be viewed by the public. The form is UTCRC Form 2.130.1, known as the Confidential Information Form, or CIF.

What information does a CIF make confidential?

- The information protected by the CIF is **social security numbers, birth dates, driver license numbers, and former legal names**. Also protected is the **name, address and telephone number of a party's employer**.
- The CIF should only be used to protect the information described above. There may be other information in your court papers that you do not want the public to be able to see, such as bank account or credit card numbers. The separate process for protecting that information is described in UTCRC 2.100. The instructions and forms can be viewed here: [UTCRC 2.100 Instructions](#) and [UTCRC 2.100 Long Form](#).

How do I know when I need to put information in the CIF?

When you file a document with the court that requires you to include the protected information listed above, that information must **only** be provided to the court in a CIF, and must not be listed in any other document to be filed. Where you would otherwise provide the information in the document to be filed, you must make a notation that the information has been provided in the CIF. For example, if a document requires a party's full social security to be listed, you must not list the social security number, but must instead write in the document that the information has been "separately filed under UTCRC 2.130." **The online court forms already include this notation where necessary.**

Do I need to file more than one CIF?

- In most cases, yes. You must fill out a CIF for yourself, and if the documents you are filing with the court require confidential personal information about the other party, you must also fill out a separate CIF with the other party's information. If your case involves minor children you should include their information in *your* CIF. You do not need a separate CIF for your minor children. You will; however, need to fill out a separate CIF for any children between you and the other party who are unmarried, and between the ages of 18 and 21. These children are considered legal parties to the case.
- If there is CIF information you do not know when you file your papers, but you learn it at a later and file a document that requires it; or if the information changes during your case, you must file an amended CIF that provides the new or updated information.
- The CIF rule requires you to redact – black out or erase – confidential personal information from any attachments to documents you file with the court, and to make a note on the attachment that the information has been provided in the CIF. The only time you must not segregate confidential personal information from a document, is when you are required to attach a court certified copy of a document. Documents that are required to be court certified must not be altered in any way.

Does the other party get copies of a CIF I file?

- You are not required to serve the CIFs on the other party, although you may share a CIF with the other party if you chose to do so. You *are* required to fill out UTCRC Form 2.130.2 Notice of Filing CIF and file it with the court. A copy of this Notice must be mailed or delivered to all parties to the case. A certificate of service must be filed with the court, showing the date the notice was mailed or delivered, and to whom. The Notice may be also served by process server, Sheriff, or third party. In this case, the proof of service form should list the Notice of Filing CIF as a document that was served.
- There are steps the other party and other people can go through to ask the court to allow them access to a CIF that you have filed. UTCRC 2.130 explains this process in detail. The CIF rule can be read at [UTCRC 2.130 CIF Rule and Forms](#).

Please Note: If your case already contains confidential personal information that was previously filed, those documents are not affected by this rule. The court is under no obligation to remove confidential personal information from any document; regardless of when it's filed. If you would like to remove confidential information from a document that's already been filed with the court, you will need to follow a separate process that is described in UTCRC 2.110(4), which you can read more about here: [UTCRC 2.110 Protected Personal Information Procedures](#). The form is available here: [UTCRC 2.110 Form](#)

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

Case No: _____

and

Co-Petitioner
Co-Petitioner

**CONFIDENTIAL
INFORMATION FORM**

Amended CIF

UTCRC 2.130

Unmarried children age 18, 19, or 20 years old (per ORS 107.108)

Submitted by: _____ (name)

Information about (name): _____
(first, middle, last)

Date of Birth:	Social Security Number:
Driver License (Number and State):	
Former Legal Names:	
Employer's Name, Address, and Phone:	

Minor children of the parties:¹

Name:	Date of Birth:	Social Security Number:

Additional page attached

¹ The names of parties and children, and children's ages are not confidential. This form can only be viewed by the party who files it unless the court orders otherwise.

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

Case No: _____

_____ Co-Petitioner
and

_____ Co-Petitioner

**CONFIDENTIAL
INFORMATION FORM**

Amended CIF

UTCR 2.130

Unmarried children age 18, 19, or 20 years old (per ORS 107.108)

Submitted by: _____ (name)

Information about (name): _____
(first, middle, last)

Date of Birth:	Social Security Number:
Driver License (Number and State):	
Former Legal Names:	
Employer's Name, Address, and Phone:	

Minor children of the parties:¹

Name:	Date of Birth:	Social Security Number:

Additional page attached

¹ The names of parties and children, and children's ages are not confidential. This form can only be viewed by the party who files it unless the court orders otherwise.

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

Case No: _____

and Co-Petitioner

**NOTICE OF FILING OF
CONFIDENTIAL
INFORMATION
FORM (CIF)**

and Co-Petitioner

Amended CIF

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

I filed Confidential Information Forms with the court about the following parties to this case as required by Uniform Trial Court Rule (UTCRC) 2.130 (*Use first, middle, last names below*):

1) My Name: _____

1st Co-Petitioner

Containing (check all that apply):

- Social Security Number (SSN) Date of Birth (DOB) children's SSN children's DOB
 employer's name, address, and phone number driver license number
 former legal names

2) Name: _____

2nd Co-Petitioner

Containing (check all that apply):

- SSN DOB children's SSN children's DOB employer's name, address, and phone number
 driver license number former legal names

3) Name: _____

Adult Child

Containing (check all that apply):

- SSN DOB children's SSN children's DOB employer's name, address, and phone number
 driver license number former legal names

4) Name: _____

Adult Child

Containing (check all that apply):

- SSN DOB children's SSN children's DOB employer's name, address, and phone number
 driver license number former legal names

Date

Signature

Name (printed)

Contact Address

City, State, ZIP

Contact Phone

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

Case No: _____

Petitioner

and

Respondent

**WAIVER OF FURTHER
APPEARANCE AND CONSENT
TO ENTRY OF JUDGMENT**

and

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

I am the respondent the petitioner

I waive my right to further appear in this case. I agree to entry of judgment based on the requests in the *Petition* or *Motion to Modify Judgment*.

Or

I am an unmarried child age 18, 19, or 20 of the parties (*name*): _____

and

I waive my right to further appear in this case. I agree to entry of judgment based on the requests in the *Petition*, *Motion to Modify Judgment*, or the *General Judgment* submitted by the parties. I am aware that I may have the right to an award of child support if I qualify as an Adult Child Attending School under ORS 107.108. I waive my right to support other than as requested, ordered, or agreed to by the Petitioner and Respondent.

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.

Date

Signature

Name (printed)

Contact Address

City, State, ZIP

Contact Phone

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

In the Matter of the Marriage or Registered Domestic Partnership (RDP) of:

_____ Co-Petitioner

And

_____ Co-Petitioner

Case No: _____

**DECLARATION
SUPPORTING STIPULATED
GENERAL JUDGMENT
OF MARRIAGE RDP**

The statements made in the Petition remain true and accurate *except (write N/A if no changes)*:

Section Number	Explain

Co-Petitioner _____ is pregnant, and the other party **is** **is not** the parent of this child. The expected date of the child's birth is _____.

Co-Petitioner _____ is not the father of, or paternity has not been established for, the children: *(names)* _____, born to Co-Petitioner _____ on _____ *(dates)*.

We ask the court to enter judgment without a hearing under ORS 107.095(4) *because*:
 Both parties have stipulated (agreed) to the terms of the *Judgment*.

We hereby declare that the above statements are true and complete to the best of our knowledge and belief. We understand they are made for use as evidence in court and we are subject to penalty for perjury.

Submitted by :

_____ Date

_____ Signature

_____ Name (printed)

_____ Contact Address

_____ City, State, Zip

_____ Contact Phone

Date

Signature

Name (printed)

Contact Address	City, State, Zip	Phone	Contact Phone
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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CLACKAMAS

In the Matter of the Marriage or Registered Domestic Partnership (RDP) of:

Case No: _____

And Co-Petitioner

**GENERAL JUDGMENT OF
DISSOLUTION OF**

MARRIAGE **RDP**

and MONEY AWARD

Co-Petitioner

and

Unmarried children, 18, 19, or 20 years old (full names)

This document was presented to the court:

On the Co-Petition and stipulation of the parties, as shown by their signatures at the end of this *Judgment*.

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:

1. The court considered the Declaration and stipulations presented and finds that: (*Check all that apply*)

A. Irreconcilable differences have caused the irremediable breakdown of this marriage or domestic partnership.

B. 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.

OR

neither partner lived in Oregon and the *Petition* was filed in the county where
{ Co-Petitioner _____ } last resided.

C. The parties have no unemancipated children together under the age of 18, **and** no children together who are between the ages of 18 to 21 that are “children attending school” as defined in ORS 107.108,

2. Party and Marriage/RDP Information:

Date of Marriage /RDP: _____

Place of Marriage/RDP: _____ (County, State)

Name and age of parties: _____

3. Pregnancy and Rebuttal to Presumption of Paternity

Neither party is now pregnant (or)

Co-Petitioner _____ is now pregnant.

The other party is is not the parent of the child due (date) _____

Co-Petitioner _____ is not the father of, or paternity has not been established for, the children: (names) _____, born to Co-Petitioner _____ on _____ (dates).

The court grants judgment as follows:

The marriage or RDP is legally dissolved as of the date this Judgment is signed. The terms of this judgment are effective upon entry in the court register.

SPOUSAL/PARTNER SUPPORT

1. Spousal or Partner Support

No spousal/partner support or life insurance for the benefit of either party is ordered in this case **or**

Spousal support must be paid by Co-Petitioner _____ to Co-Petitioner _____.

Type of support and amount ordered (check all that apply):	Monthly Or Total	Based on the following factors (explain):
<input type="checkbox"/> transitional \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	
<input type="checkbox"/> compensatory \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	
<input type="checkbox"/> maintenance \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	

2. Payments

Payments must be made:

on the first day of each month, **beginning** the month following entry of this judgment **or** _____ (date).

or

in a lump sum in the amount of \$ _____ by _____ (date).

Payments will end upon the death of either party or: _____
_____, whichever is sooner

All payments of spousal/partner support must be made:

Directly into _____'s bank account. The paying spouse/partner should keep a receipt of deposit as proof of payment. The person receiving support must provide the person paying support with current deposit slips or bank name, account name, and account number.

3. Life Insurance

The party paying support must carry life insurance for the benefit of the other party throughout the period of the support obligation if he or she is insurable. The coverage must be at least \$ _____. The party paying support must provide to the party receiving support a true copy of the policy. The party paying support must also provide to the party receiving support written notice of any action that will reduce the benefits or change the designation of the beneficiaries under the policy.

or

Neither party is ordered to carry life insurance for the benefit of the other party.

PROPERTY AND DEBTS

4. Real Property

Neither party has any interest in any real property in Oregon or any other place,

or

Both parties have *or* { Co-Petitioner _____ has} an interest in real property at: (address): _____

This property is awarded as follows: _____

Additional page titled "Section 4 – Real Property" attached

The legal description of the property is attached as Exhibit _____ and incorporated into this Judgment.

Co-Petitioner _____ is responsible for preparing, signing, and recording a deed transferring the real property as required by this judgment.

Other: _____

5. Personal Property

The Co-Petitioners have divided between them all personal property that they own separately or together, and each is awarded those items now in their possession, *except that:*

A. Co-Petitioner _____ is awarded the following personal property: _____

Additional page attached titled "Section 5A- _____ Personal Property"

Co-Petitioner _____ is awarded all retirement benefits, pension plans, profit-sharing plans, deferred compensation plans, and stock options held by his/her current and past employers, free of any interest by the other party.

B. Co-Petitioner _____ is awarded the following personal property: _____

Additional page attached titled "Section 5B-_____ Personal Property"

Co-Petitioner _____ is awarded all retirement benefits, pension plans, profit-sharing plans, deferred compensation plans, and stock options held by his/her current and past employers, free of any interest by the other party.

6. Distribution of Debts The debts will be paid as follows:

Name of creditor (who money is owed to)	What the debt is for	Amount	Who pays (name)

Additional page attached titled "Section 6-Distribution of Debts"

Unless otherwise specified above, each party is responsible for the payment of all debts incurred by him or her individually since the date of separation, all debts distributed to him or her by the court, and all debts which are secured by property distributed to that party. If any creditor asks the party not responsible for a debt to pay any portion of it, and he or she does so, the party responsible for that debt must reimburse the paying party for any amount paid to the creditor after the date this judgment is entered.

Debts are divided between the parties as of (*date*): _____

7. Transfer of Property and Debts

Within thirty (30) days of the date of this judgment, each party must execute, acknowledge, and deliver whatever documents are necessary to accomplish the distribution of debts and property ordered by the court. This judgment operates to convey title to the party awarded the property if the other party fails to comply with this requirement.

8. Former Name

Co-Petitioner _____ 's former name of _____ restored (*use FULL name – first, middle, last*).

9. Additional Provisions: _____

Additional page attached titled "Section 9 - Additional Provisions"

10. Court Costs and Fees, Whether Paid Or Deferred

- Co-Petitioner _____ will reimburse the other party \$ _____ for costs and fees.
- Fees have already been paid, and no reimbursement is required.
- Judgment is awarded to the State of Oregon for deferred costs or fees of \$ _____
- Other: _____

Information Required by ORS 25.020 and 107.085

As required by UTCR 2.130, a *Confidential Information Form* has been completed for each party and filed with the court. The CIF contains all information required by ORS 25.020 and 107.085 that is identified as confidential by UTCR 2.130.

Both parties must inform the Court and the Department of Justice (P.O. Box 14506, Salem, Oregon 97309) in writing of any change in the information within ten (10) days of such change. The Department of Justice or the District Attorney shall not disclose the information in the CIF to the other party.

Money Award Support Obligation included not included

	CO-PETITIONER	CO-PETITIONER
Full Name		
Contact Address		
Year of Birth		
Social Security # (last 4 digits)		
Driver License # (last 4 digits) and State		
Lawyer Name, Address, Phone #		

NOTE: a party RECEIVING a money award is the JUDGMENT CREDITOR; a party PAYING a money award is the JUDGMENT DEBTOR

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):
Co-Petitioner _____	<input type="checkbox"/> None or <input type="checkbox"/> Name: _____ _____
Co-Petitioner _____	<input type="checkbox"/> None or <input type="checkbox"/> Name: _____ _____

Type of Judgment		Amount	Beginning / Ending
<input type="checkbox"/> Spousal/ Partner Support	WHO RECEIVES <input type="checkbox"/> _____	\$ _____ per month	Beginning: <input type="checkbox"/> the first <i>or</i> <input type="checkbox"/> _____ day of the month following entry of this judgment <i>or</i> <input type="checkbox"/> Other _____ and due on the same day of each month thereafter
		Ending the earlier of: (date) _____ or the death of either party	
		or	
		A lump sum of \$ _____	Paid by (date): _____
<input type="checkbox"/> Property Division	WHO RECEIVES <input type="checkbox"/> _____	\$ _____ per month until a total of \$ _____ is paid	Beginning the (<i>day</i>) _____ of the month following entry of judgment
		or	
		A lump sum of \$ _____	Paid by (<i>date</i>): _____
<input type="checkbox"/> Pre-judgment Interest	WHO RECEIVES <input type="checkbox"/> _____	\$ _____	
<input type="checkbox"/> Post-judgment Interest	WHO RECEIVES <input type="checkbox"/> _____	9% per year simple interest on the unpaid balance of the total judgment amount of \$ _____	Interest accrues from the date the judgment is entered and continues until fully paid.
<input type="checkbox"/> Court Costs and Service Fees already paid	WHO PAYS <input type="checkbox"/> _____	Checked party reimburses the other party's costs and fees of: \$ _____ Directly to the awarded party	

<input type="checkbox"/> Deferred Court Costs and Service Fees	WHO PAYS <input type="checkbox"/> _____	Checked party must pay deferred costs and fees of: \$ _____ To the State of Oregon through this court
--	--	---

Judge Signature:

Certificate of Readiness

This proposed judgment is ready for judicial signature because *(check all that apply)*:

Each party affected by this judgment has **stipulated** to or approved the judgment, as shown by the signatures on the judgment.

Submitted by:	
_____	_____
Signature	Print Name

We understand that we are subject to penalty for perjury for giving false information to the court. All factual information in this Judgment is true to the best of our knowledge and belief. We agree to the terms of this Judgment. We understand that this Judgment is enforceable by the court.

Co-Petitioners stipulate (agree) to the terms of this judgment

Co-Petitioner, Signature

Date

Co-Petitioner, Name (printed)

Co-Petitioner, Signature

Date

Co-Petitioner, Name (printed)

Child 18, 19, or 20 years of age, stipulates to the terms of this judgment

Child, Signature

Date

Child, Name (printed)