

REQUESTING AN ADDITIONAL COURT



What these forms do

These forms will help you ask the court to name a different county's court as an "additional court" for purposes of modifying or enforcing a family judgment (support, custody or parenting time, etc.). You can ask for an additional court if the original court is no longer convenient. "Additional" means the new county *shares* power with the original county. Only one county at a time will handle a matter.

You may want to ask for an additional court if one or both parties has moved out of the county where your case was filed or if other important people like witnesses no longer live there. You can also request an additional court in any county where the party paying support has property.

Important Contact Information

Oregon Judicial Department - www.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.

STEP 1: FILLING OUT FORMS



Fill out the following forms:

- *Motion to Establish Additional Court Venue and Declaration in Support*

- **MAKE SURE YOU COMPLETE THE COUNTY NAME AT THE TOP OF THE FIRST PAGE OF EACH FORM!** Use the county that currently has your case.



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 number on [Page 1](#). 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 may 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** the forms for your records, and one copy of the *Motion and Declaration* to serve on the other party (*see below*)

STEP 2: FILING AND SERVICE



File your forms

File all the **original** forms with the court clerk in the county where your case is currently handled. Ask the court how they handle motions for additional court venue. When you file your *Motion*, some courts will set a later hearing for you and the other party to appear. Other courts have rules requiring an objecting party to file paperwork in response to your motion.

- There is no filing fee for this *Motion*



SERVICE

You must officially notify the other party of your *Motion*. Mail a true copy of the *Motion and Declaration* by first class mail to the other party's lawyer. If the other party is not represented, you can mail the papers to the party directly. If the judge makes specific orders about service, follow what the judge says. Follow the same steps to serve any 18, 19, or 20 year old children who have not signed a *Waiver of Appearance*. Once you have mailed the copies, complete the *Certificate of Service* that is included on the forms and file it with the court.

NOTE: If you already included your *Motion and Declaration* in the packet of papers that was served on the other party to start a modification or enforcement action, you do not have to mail the *Motion and Declaration* again.

The other party can object to your request. The court will consider your *Motion* and any objections received. You can ask the court how they handle these matters.

STEP 3: THE ORDER

If the judge grants your request, the current court will notify the new court. Contact your current court to find out how long it should take. The new court will notify you of future court dates. Until your modification or enforcement action is complete, all further questions should be directed to the court in the new county.

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

Case No: _____

and

Petitioner
Respondent

**MOTION TO ESTABLISH
ADDITIONAL COURT VENUE
and DECLARATION IN SUPPORT**

No filing fee

Motion

I am the ☐ Petitioner ☐ Respondent in this case

Check all that apply

- ☐ I filed (or plan to file) for enforcement or modification of an order or judgment about support or other payment of money
☐ I filed a motion to modify a General or Supplemental Judgment about child custody or parenting time

I want this case to be handled in another county. I ask the court to establish additional court venue in the following county:

(county where you want future proceedings to be held): _____

Statement of Points and Authorities

Oregon Revised Statute (ORS) 25.100 permits designation of additional venue in another court if a party to certain family judgments is seeking modification or enforcement of an order or judgment for the payment of money in certain family law cases. Additional venue may lie in any court where the obligee or obligor resides or where property of the obligor is located.

ORS 107.449 permits designation of additional venue in another court based on the convenience of the parties if a party to a modification of domestic relations judgment that is not otherwise covered by ORS 25.100(1) makes that request. Additional venue may lie where either party resides.

Declaration/Certificate

I want the proceedings to occur in the new county because: *(check all that apply)*

- ☐ *for proceedings involving support or other payment of money*
The county where additional venue is requested is appropriate because:
☐ Petitioner ☐ Respondent resides there
☐ property of the paying party is located there

- ☐ *for proceedings involving child custody or parenting time*
The county where additional venue is requested is appropriate because:

☐ Petitioner ☐ Respondent resides there

The county where additional venue is requested is more convenient for the parties because (*explain*): _____

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

Date

Signature

Print Name

Contact Address

City, State, Zip

Contact Phone

Certificate of Mailing

☐ Service mailing is not required because this motion was filed at the same time as other documents initiating a modification or enforcement action and served as required

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

Date

Signature

Name (printed)