

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

Case No: _____

Petitioner

and

☐ PETITIONER'S ☐ RESPONDENT'S
**ORDER TO APPEAR AND SHOW CAUSE
RE: TEMPORARY RELIEF
PURSUANT TO LINN COUNTY SLR 8.005
[NOT FOR USE IN A MODIFICATION OF JUDGMENT]**

Respondent

and

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

BASED UPON the Motion and Declaration of the ☐ Petitioner ☐ Respondent on file herein; the request for an Order to Show Cause is hereby:

☐ allowed

☐ denied

NOW, THEREFORE, IT IS HEREBY ORDERED that the ☐Petitioner ☐Respondent shall appear herein within fourteen (14) days from the date this Order is served upon them, to show cause, if any there be, why an Order in conformity with said Motion should not be entered herein, except no person is required to respond prior to the date allowed by law for them to respond to the summons in this case.

Dated

CIRCUIT COURT JUDGE

**[x] Attachment: Exhibit 1 –copy of the Linn County Supplemental Local Rule 8.005
Temporary Relief Hearing explaining the procedures which must be followed.**

Notice to ☐ Petitioner ☐ Respondent

**IF YOU WISH TO CONTEST THE REQUEST FOR TEMPORARY RELIEF FILED BY THE
OTHER PARTY YOU MUST FILE A WRITTEN REPLY BY FOLLOWING THE PROVISIONS
LISTED IN THE ATTACHED LINN COUNTY SUPPLEMENTAL LOCAL RULE 8.005. IF YOU
DO NOT FILE A RESPONSE THIS REQUEST FOR RELIEF WILL BE GRANTED.**

If you file a response to this Order to Show Cause for Temporary Relief, a copy must be sent to the other party or parties or if they have a lawyer then a copy must be sent to the lawyer(s). Certification that a copy of the response was served on the other parties or their lawyer must also be provided to the court.

If you have legal questions, you may want to talk with an attorney immediately. If you need help finding an attorney you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll free in Oregon at (800) 452-7636.

Certificate of Readiness under UTCR 5.100

This proposed order is ready for judicial signature because service is not required under UTCR 5.100 or because this order is submitted ex parte as allowed by statute or rule.

Certificate of Document Preparation. You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

- ☐ I selected this document for myself and I completed it without paid assistance.
- ☐ I paid or will pay money to for assistance in preparing this form.

DATED: _____, 20_____.

Submitted by:

☐ Petitioner ☐ Respondent, Signature

Print Name

Contact Address

City, State, Zip

Contact Telephone

SLR8.005 TEMPORARY RELIEF HEARINGS(1) Temporary Relief Hearings:

All temporary relief motions shall be show cause motions, except as provided by ORS 107.097, and shall be handled as follows:

- (a) Motions for temporary relief shall be accompanied by an Affidavit or Declaration of the party setting forth the justification for the requested relief and their Uniform Support Declaration, if child support, spousal support or the interim payment of debt(s) are requested. The Order to Show Cause shall require the filing of a response within fourteen (14) days following service, if the adverse party wishes to contest the relief sought, except that no respondent shall be required to file a response before the time required by law to respond on the summons in the case.
- (b) A copy of the Supplementary Local Rule 8.005 shall be served on the adverse party along with true copies of the Motion, Affidavit or Declaration and Order to Show Cause, and the Uniform Support Declaration of the moving party, if applicable.
- (c) If the adverse party requests or objects to interim child support, interim spousal support, or the interim payments of debts, the adverse party must file a Uniform Support Declaration with their response unless it was previously filed with the motion.
- (d) The Motion, Affidavit, and Order to Show Cause shall be filed with the Trial Court Administrator before being submitted to a judge.
- (e) The Response shall admit and/or deny the relief sought and shall set forth any additional motions for temporary relief. The Response shall be accompanied by an Affidavit or Declaration setting forth the justification for the relief opposed or sought by the responding party.
- (f) Within ten (10) days following service of the Response and Responding Affidavit of the moving party, either or both parties may submit a Supplemental Affidavit or a Declaration in support of their respective positions.
 - (i) If service of the Response is made by mailing, the date of service shall be considered to be three days after the date of mailing, excluding days when the U.S. Postal Service does not deliver mail.
 - (ii) If service is made electronically, the date of service shall be the date the electronic filing system sends the email to the selected service contacts in the action pursuant to the provisions of UTCR 21.100 (5).
- (g) Except for good cause shown, no further pleadings, including amended pleadings, documents, affidavits, or declarations are required or permitted, except the wage stubs and tax returns as needed for proof of income that are attached to the Uniform Support Declaration.
- (h) Temporary relief shall be determined without testimony, based upon the affidavits or the Declarations of the parties. Failure to submit an Affidavit or Declaration or the Uniform Support Declaration, if required, may result in an adverse ruling or denial of relief. There is no requirement, however, to file a supplemental Affidavit or Declaration. On matters of custody and parenting time only, upon written motion filed within ten (10) days from the date of the Court's letter ruling, a *de novo* review hearing maybe be requested to review the ruling.
- (i) The Court's interim rulings are in effect as of the date specified by the Judge in the ruling letter, or if not specified then the date the Temporary Order or the Limited Judgment are entered into the court register.