

# Motion and Order for Continuance Forms and Instructions

## Instructions

The attached forms are to be used by a Petitioner in a Dissolution, or other family law case who wants to ask for more time when a case is in jeopardy of being dismissed by the court because the Petitioner has been unable to serve the Respondent, pay the fees, or complete the appropriate action in the time required by trial court rule. Do not use this packet if a response has been filed and/or the case is set for trial.

### I. General Instructions

**A. Use black ink and print or type when you fill out your forms.**

**B. Always file the original forms with the clerk.** Be sure and make yourself an extra copy of any document before you file it with the clerk.

**C. Case heading.** On each document, fill out the case caption exactly as it appears in the original case filing, including the case number.

**D. Address information.** On the document you are asked for your address and telephone number. You must give a contact address and telephone, which may be your own. However if you do not wish the other side to know your address, you may give the address of some person who can be relied upon to get mail and messages to you promptly.

**E. Representing yourself.** We strongly recommend that you seek legal advice and representation to protect yourself. If you are unable to hire an attorney, an explanation of the process you will go through is described below.

### II. Completing the forms

Fill out the Motion completely. Fill out the case caption of the Order, the judge will complete the rest. Make a copy of the documents for your record.

### III. Review of Document

You may contact the Family Court Assistance Office to review your document by calling 541-682-4302.

## **IV. Completion**

You will need to attend an Ex parte hearing to have a judge make a decision on your motion. Ex parte takes place Monday through Friday from 8:30 to 8:50 a.m., it is a hearing where judges are available to sign documents and you do not need an appointment to attend. Check in first with the cashiers on the second floor of the courthouse.

If the judge grants your motion, you will need to complete the appropriate action within the time granted by the judge in the order.

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

In the Matter of:	)	
	)	Case No. _____
_____	)	
Petitioner,	)	PETITIONER'S EX PARTE MOTION
and	)	FOR ORDER OF CONTINUANCE
	)	(UTCRC 7.020(3)(b), SLR 5.061(7))
_____	)	
Respondent.	)	

I, \_\_\_\_\_, the Petitioner in this proceeding, moves the Court for an Order continuing this matter as a pending case based on the following:

1. The Petition in this proceeding was filed on \_\_\_\_\_, 20\_\_.
2.  Respondent was served on \_\_\_\_\_ 20\_\_ . The method of service was: \_\_\_\_\_. **OR**  The Respondent has not been served.
3. There  have  have not been previous motions to continue filed in this proceeding.
4. I need more time to continue the case for the following reason: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I request the court continue this case an additional \_\_\_\_\_ days.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address or Contact Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Telephone or Contact Telephone

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

In the Matter of: )  
 )  
 ) Case No. \_\_\_\_\_  
\_\_\_\_\_) )  
 ) Petitioner, ) ORDER OF CONTINUANCE  
and ) )  
 ) )  
\_\_\_\_\_) )  
 ) Respondent. )

It is hereby ordered that Petitioner's request is:

- Granted. This case is continued an additional \_\_\_\_\_ days from the date of this order
- It is further ordered: \_\_\_\_\_
- Denied. \_\_\_\_\_

DATED

\_\_\_\_\_  
Circuit Court Judge

**Certificate of Readiness under UTCR 5.100**

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