

# Generic Motion and Order Forms

## Jackson County Circuit Court

These forms can be used to ask the court to order something when other forms don't apply.

### Filling out and submitting the forms

- **Fill out the following forms (see below for more information):**
  - *Ex Parte Motion & Declaration in Support of Motion to*
  - *Order on Motion to*
  - *Certificate of Readiness* (Not required in Small Claims cases)
- **Parties & Case Number** – the parties and the case number stay the same on this *Motion* as they are in the existing case. If the other party filed the *Petition/Complaint*, then you are still the Respondent/Defendant, even if you are the one filing this motion.

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### Have your documents reviewed

You may have your documents reviewed by a lawyer or a court facilitator before you file. For information about how to find a lawyer, call the Oregon State Bar at 1-800-452-7636. If you are low-income, you may get your documents reviewed for a smaller fee through the Oregon State Bar's Modest Means program or call your local Legal Aid office at 541-779-7292. For Court Facilitators call 541-776-7171 ext. 35034.

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- **Make a copy** of all forms for your records. In many cases, a copy of the Motion/Declaration and Order must be mailed or delivered to the other party. If you did mail/deliver the Motion, then fill out the Certificate of Service sections.
  - **File**, after a waiting period if it applies, the original *Motion & Declaration* and *Order* with attached *Certificate of Readiness* (if needed) with the court clerk.

### Motion and Order

- The "Motion" is the document filed asking the court for a particular action and supplying the reason why it should be ordered.
- The "Order" is a proposed order completed by the filing party that is consistent with the Motion. The Judge will either check granted or denied and sign the document.

### Certificate of Readiness

- A Certificate of Readiness tells a Judge why an Order or Judgment is ready to be signed. There are usually at least three main options on the form:
  - (1) Service is not required because:
    - The other party is in Default (= other party has not appeared on the case – meaning not filed a response/answer) or
    - It is an Ex Parte matter (meaning a judge can decide based on one party filing without notifying the other party) or
    - It is submitted in Open Court (during a hearing or trial)
  - (2) Stipulated = parties agree
  - (3) A copy was served on the other party and after waiting 7 days (10 if mailed) either the:
    - The filing party received no objections, or the parties could not work out the objections.

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

\_\_\_\_\_ Case No: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff/Petitioner

v.

**MOTION AND DECLARATION IN  
SUPPORT OF MOTION TO:**

\_\_\_\_\_

\_\_\_\_\_  
Defendant/Respondent

I am the  Plaintiff/Petitioner  Defendant/Respondent in the above action. I move the court for an Order to: \_\_\_\_\_

For the following reason(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**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 as evidence in court and I am subject to penalty for perjury.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (printed)

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

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

\_\_\_\_\_  
Contact Phone

**Certificate of Service:**

A copy of this Motion and Declaration was  mailed  delivered to: \_\_\_\_\_ (name)

at: \_\_\_\_\_ (address) on:

\_\_\_\_\_ (date)

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

\_\_\_\_\_ Case No: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff/Petitioner

v.

**ORDER ON MOTION TO:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Defendant/Respondent

I am the  Plaintiff/Petitioner  Defendant/Respondent in the above action. I move the court for an Order to: \_\_\_\_\_

IT IS HEREBY ORDERED ADJUDGED that the above motion is:

- Granted
- Denied

\_\_\_\_\_

Submitted by: <input type="checkbox"/> Plaintiff/Petitioner <input type="checkbox"/> Defendant/Respondent <input type="checkbox"/> Other: _____	
_____ Signature	_____ Name (printed)

