

CHANGING (“MODIFYING”) JUDGMENTS BY STIPULATION



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.

NOTE: If you only want to change child support, contact the Department of Justice, Division of Child Support (www.oregonchildsupport.gov).

What these forms do

This set of forms will help you to ask the court to change (“modify”) support, custody, or parenting time if you already have a **Judgment** from a court. If a change in custody or parenting time is ordered, the court may also change the amount of child support or end it.

- **Military Deployment:** If you need a modification because a parent is being deployed by the military, you must use a different packet of forms. Special rules and rights apply in those cases. Go to www.courts.oregon.gov/forms for the correct forms.
- **Adult Children:** If you have adult children 18, 19, or 20 years old, they are “**necessary parties**” to this case. They **MUST** be included as parties and properly served with all documents. Each 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. Talk to a lawyer if you have any concerns.
- **Child Attending School:** If you have an adult child (*see above*), the court may order child support for that child as long as the child is attending school. The court may order child support and medical support to be paid by either or both parents. There is NO parenting plan or parenting time credit for a Child Attending School. See ORS 107.108 for more information.



Information About Modifications

- **Where to File** - You normally should file in the circuit court that entered the ***Judgment*** you are trying to modify.
 - Talk to a lawyer or court staff if you want your modification heard in a different county.
 - If you want to modify a ***Judgment*** from another state, talk to a lawyer. Oregon courts may not be able to modify the ***Judgment***.
- **Case Number** –Your case number is the same as the one on your old ***Judgment***.
- **Parties** – The parties are the same as on the ***Judgment*** you want to modify. If you were the “Respondent” in that case, then you are still the “Respondent” now, even if you are the one requesting the modification.
 - If any of the children in your old ***Judgment*** are now 18, 19, or 20 years old, you will need to add those children to the case as “necessary parties.”
- **Contact Information** - Keep the court and all other parties informed of your current address so you get notice of all court dates. **You are not required 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. If you use a contact address, the court will assume that you receive all papers sent to that address. **It is YOUR responsibility to let the court and other parties know if you move or want to get mail at a different address.**
- **Notary** – Some forms have to be notarized or signed in the presence of a court clerk. You will need your picture ID for this. Many banks provide notary services.



STEP 1: FILLING OUT FORMS

Fill out the following forms:

- ***Ex Parte Motion for Stipulated Supplemental Judgment Re: Modification and Declaration in Support***
- ***Supplemental Judgment Modifying a Domestic Relations Judgment***
 - **Possible Attachments:** Parenting Plan, Child Support Worksheets (required by the UTCR if child support is involved)
- ***Confidential Information Form (CIF) and Notice of Filing of CIF*** (if either party’s employer has changed)
- ***Certificate of Mailing to DCS*** (if either parent is receiving public assistance and the parties are requesting a change in child support)

Parenting Plan

A parenting plan is required if you want to change custody or parenting time. If you are *only* trying to change child support, you do not need to submit a parenting plan. The plan sets out the schedule and may include rules for each parent's time with the child. You can describe your parenting plan in the ***Supplemental Judgment*** or attach it as a separate page.

Deschutes County has ***Sample Parenting Plans***. The sample parenting plans can be downloaded at <https://www.courts.oregon.gov/courts/deschutes/help/Pages/Parenting-Plans.aspx>. There is also a sample ***Safety Focused Parenting Plan*** on this website. This can help you develop a parenting plan if you have safety concerns for your children. You can use these plans whole or as a guide to develop your own.

Moving

Neither parent may move more than 60 additional miles away from the other parent without giving him or her and the court notice of the move (unless your ***Judgment*** waived that requirement). You may ask the judge to waive this requirement by checking the appropriate box on the ***Supplemental Judgment***.

Custody

Refer to ORS 107.137 for factors a court will consider in awarding custody. The most important factor is ***always*** the best interest and welfare of the ***child***.

Child Support

Calculating Child Support

Child support can only be changed if there has been a significant change of circumstances or a change in custody or parenting time since the original order.

The amount of child support is determined by the Child Support Guidelines. The Guidelines have worksheets to help you estimate what support may be ordered. The Division of Child Support (DCS) also has an interactive calculator at www.oregonchildsupport.gov that can give you an idea of what child support may be ordered. You may also be able to ask a facilitator at your local court for help estimating child support. Submit the worksheet or calculator printout with your forms.

- **NOTE:** If you request a child support amount that is ***different*** from what the calculator or worksheet says, you ***must*** explain why and how you reached that amount. If not, your case may be delayed until you provide an explanation for the difference.

Payment of Child Support

Support is usually withheld from the payor's (the person who has to pay support) paycheck. The court may allow an exception to the income withholding requirement if you qualify under [ORS 25.396](#) and if you request an exception. If the court grants an exception to income withholding, payment can be deposited into the receiver's bank account. If you are ***paying*** child support directly to the other parent, you should keep proof of every payment, including a receipt if you pay cash.

Health Insurance

The ***Supplemental Judgment must*** address health insurance for any minor child involved in your case if your existing order does not.

Cash Medical Support

In addition to child support, the court may order “Cash Medical Support.” Cash Medical Support is to help pay for health insurance and out-of-pocket medical expenses. If neither parent has health insurance available, the court must order Cash Medical Support unless the judge finds reasons not to. The judge **cannot** order Cash Medical Support in some situations.

Adult Children (18-21)

If you have any child with the respondent who is 18, 19, or 20 years old who is not married or emancipated, that child is a necessary party to this case. He or she **must** be added as a party in the case caption and has the right to participate.

If an adult child is attending school at least half-time according to the school’s standards, that child is considered a “**child attending school**.” A child attending school is entitled to child support until age 21. The child must sign the **Supplemental Judgment** if support is ordered.



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 reduced fee through the Oregon State Bar’s Modest Means program. Your local Legal Aid office might review documents for free if you qualify. Facilitators are available for free at the Deschutes County Circuit Court, but you have to make an appointment. Call the Family Law Facilitator at 541-388-5300 x2620 between 8:00 am and 2:00 pm to schedule an appointment.



Make copies

Make one copy of **all** of the forms for your records, and one copy for the other party.

If you or the other party are receiving public assistance (in relation to a child), you must also serve by mail or personally deliver a copy of the **Motion and Declaration** to the Division of Child Support (**Division of Child Support, Department of Justice, 150 NW Pacific Park Lane Suite 201, Bend, Oregon 97703**). Fill out and file the **Certificate of Mailing or Delivery to DCS** after you mail or deliver the copy of the **Motion**.

STEP 2: FILING AND RESOLVING YOUR CASE



File your forms

File all of the original forms at the **Deschutes County Circuit Court at 1100 NW Bond Street, Bend, Oregon 97703**. You will have to pay the filing fee when you file your papers. Go to <http://www.courts.oregon.gov/Pages/fees.aspx> 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 now. However, the judge may reconsider waived and deferred fees at the end of the case.

THE SUPPLEMENTAL JUDGMENT



To finalize the changes to the old ***Judgment***, a ***Supplemental Judgment*** must be signed by a judge. If both parties agree on all of the issues, the ***Supplemental Judgment*** may be prepared by either party as long as it is reviewed and signed by both parties. If you are modifying parenting time, your signatures ***must*** be notarized.

Your modification is effective the date the ***Supplemental Judgment*** is signed by a judge and enforceable the date it is entered into the court register. You will receive a notice when the ***Supplemental Judgment*** is entered into the court register.

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

Case No: _____

and

Petitioner
Respondent

**EX PARTE MOTION FOR
STIPULATED SUPPLEMENTAL
JUDGMENT
RE: MODIFICATION and
DECLARATION IN SUPPORT**

and

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

➤ I need an interpreter: Spanish Russian other: _____

Motion

I am the Petitioner Respondent in this case. Based on the attached **Declaration** and the stipulations of the parties, I ask the court to grant a *Supplemental Judgment Modifying a Domestic Relations Order* modifying (changing) the provisions of a prior judgment related to (check all that apply):

- Spousal/Partner Support
- Custody
- Parenting Time
- Child Support
- Other: _____

The judgment I want to modify is (court or agency, case number, and date) _____

Court Costs and Fees (whether paid or deferred) related to this motion

- Each party should be responsible for paying his or her own costs and fees
- Costs and fees should be paid by both parties equally
- Respondent Petitioner should reimburse the other party for costs and fees paid
- Other: _____

Statement of Points and Authorities

ORS 107.135(1)(a) allows the court to modify custody, parenting time, and support terms in a judgment of dissolution, annulment, or separation

ORS 107.431 allows the court to set aside, alter, or modify parenting time and to terminate or modify child support if parenting time is being denied

ORS 106.340(3) extends all legal rights and obligations of spouses pertaining to a child of either party to registered domestic partners

ORS 109.103(1) extends all provisions of ORS 107.135 to unmarried parents

Declaration

The other party is not in active military service of the United States and is not incapacitated, a minor, a protected person, or a respondent (as defined by ORS 125.005)

Other (*explain*): _____

Spousal/Partner Support:

Spousal/Partner support should be terminated **or** changed to (*explain the changes you want*) _____

Because (*specifically describe substantial change in circumstances*) _____

Effective date - The new support order should be effective as of the date this *Motion* is served on the other party (*or*) Other _____

Children

A No-Contact Order (criminal or other) prohibits Respondent from exercising parenting time

Case # _____ County/State: _____

The following children are affected by this request (*names and ages of children*) _____

Custody and Parenting Time

1. UCCJEA Information (Uniform Child Custody Jurisdiction and Enforcement Act)

This court has jurisdiction to modify custody, or parenting time under the UCCJEA (ORS 109.741 – 109.751) because

An Oregon court made the original order and the children (or at least one parent) still live in Oregon

Other reason (*explain*) _____

1A. List the places where any of the named children has lived in the last five years, the names of the people they lived with at that time, and *current* contact addresses for those people

Current:

Child's Name	Current Address	Lives with:
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other: _____
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other: _____

Residences:

Dates From/To	County, State	Name of Parent/Caretaker	Contact Address of Parent/Caretaker	Which Children

Additional page attached titled "Section 6A-UCCJEA"

Additional Caregivers:

Dates From/To	Name of Parent/Caretaker	Where did they live with this caretaker?	Contact Address of Parent/Caretaker	Which Children

1B. Other than the judgment I want to modify,

I **have not** participated in any case about the custody or parenting time of the named children in any state **or** I **have** participated in the following case:

Name of Court	State	Case No.	Date of final decision	Result <i>(include names of affected children)</i>

Additional page attached; see section titled "Section 1B-UCCJEA"

1C. I do not know of any other legal proceeding that may affect the outcome of this case, including enforcement of domestic violence or protective orders, adoption, termination of parental rights, or guardianship involving any of the children pending in any state

except for: _____
(*identify court, case number and the kind of proceeding*)

1D. I do not know any person besides the other parent who has physical custody of the children or who claims to have custody, visitation or parenting time rights

except for (*list name and address*): _____

2. A change in custody or parenting time is in the **best interest** of the children because (*explain in detail*) _____

Additional page attached; see section titled "Section 2-Best Interests"

2A. **Custody** should be changed as follows

Petitioner Respondent should have sole custody of (*names*) _____

 Parties have agreed to joint custody of (*names*) _____

Modification of **custody** is appropriate because circumstances have changed significantly since the prior judgment (*explain in detail*) _____

Additional page attached; see section titled "Section 2a-Circumstances"

2B. **Parenting Time** should be changed as follows (*check all that apply*)

according to the attached Parenting Plan labeled Exhibit _____ **or**
 as follows _____

Parenting time should be supervised by _____
Cost of supervision should be paid by:
 Petitioner Respondent Other _____

Other terms _____

Petitioner Respondent should not have parenting time because it would endanger the health or safety of the children (*state supporting facts*) _____

Additional page attached; see section titled "Section 2B-Endangerment"

3. Relocation - Petitioner Respondent should be allowed to move more than 60 miles further distant from the other party without advance written notice because good cause exists (*explain*) _____

4. Contact Information - Petitioner Respondent **should not** be required to provide contact information to the other party *because* _____

Child Support and Medical

Pending Child Support Cases

No other child support case is pending in any state

Another child support case is pending in another court or agency

Name of court or agency: _____ Case #: _____

Existing Child Support Cases

No other child support orders or judgments exist (besides the order I want to modify)

Another child support order or judgment exists (besides the order I want to modify)

Name of court or agency: _____ Case #: _____

Date signed: _____

1. Child support should be **terminated** (stopped) based on the change of custody requested above

2. Child support should be changed as follows based on the requested change of custody or substantially changed circumstances (*explain in detail*) _____

2A. Child Support (*including Cash Medical Support, see instructions*) **is presumed to be unavailable** because the parent who would pay (*check all that apply*):

receives cash payments from a **public assistance** program including TANF or SSI

is (or is expected to be) **incarcerated** (in jail or prison for at least 6 months) and has income less than \$200 per month

Support should be ordered despite the presumption because (*explain why and complete the section below*): _____

2B. Support should be ordered payable:

by Petitioner Respondent

to Petitioner Respondent Adult Child Attending School (name): _____

on the first day of each month

beginning the month following entry of this judgment or the date of service of this *Motion*

2C. The total monthly amount should be \$_____, which is (check one):

the amount presumed correct under the Oregon child support guidelines, worksheets are included with this *Motion* (**or**)

different from the amount presumed correct by the child support guidelines because the guideline amount would be unjust or inappropriate (*explain*) _____

(The reasons must also be shown on the support worksheets you submit with this Motion)

3. Payment – I understand that payments will be made by income withholding unless an exception applies

3A. I request an exception to the income withholding requirement of ORS 25.378 so that payment can be made another way because good cause exists

Petitioner and Respondent have agreed in writing to the following alternative payment method (*explain*) _____

Other exception under ORS 25.396 (*explain*) _____

3B. Payment should be made to:

All support payments should be made to the Department of Justice, Child Support Accounting Unit, P.O. Box 14506, Salem, Oregon, 97309

Or

An exception to income withholding applies as noted above. All support payments should be made to the recipient's checking or savings account. The receiving parent should be ordered to provide the paying parent with current deposit slips or bank name, account name, and account number.

or

Other (*explain*) _____

(only available if you request an exception to income withholding, above)

3C. Adult Child Attending School

Support for an **adult child attending school** as defined by ORS 107.108 should be distributed by the Department of Justice directly to the child

or

Good cause exists to pay support for an adult child attending school to the:

Petitioner Respondent and NOT to the child (*explain*) _____

4. Length of Child Support - Child support should end when the last child (*check one*):

reaches age 18, or if the child qualifies as a child attending school under ORS 107.108, age 21

reaches age 18

or becomes self-supporting, emancipated, or married

5. Medical

<input type="checkbox"/> The original judgment provided for medical costs and <input type="checkbox"/> that order should NOT be changed (<i>skip to section 5B</i>) <input type="checkbox"/> that order should be changed as follows (<i>complete the sections below</i>)
<input type="checkbox"/> The original judgment did NOT provide for medical costs (<i>complete sections below</i>)

5A. Health Insurance Coverage:

Petitioner Respondent both parents should be ordered to provide health insurance coverage throughout the period of the child support obligation

Cash Medical Support

(If health insurance is not available, then the parent who is ordered to pay child support will also be ordered to pay cash medical support according to the Child Support Guidelines unless the court finds reason not to)

Cash Medical Support should not be ordered because:

Support is presumed to be unavailable for the reason marked in Section 2A, above (*Note: if you asked that support be awarded anyway, do not mark this box*)

the parent paying child support has income at or below Oregon's minimum wage for full-time employment, so cash medical support should not be ordered

The children's medical needs will be met by the *Uninsured Medical Expenses* provision below

Other (*explain*): _____

5B. Uninsured Medical Expenses

Uninsured medical expenses should be terminated (stopped)

or

Petitioner should pay _____% and Respondent should pay _____% of the unreimbursed costs of the children's reasonable medical, dental, and vision care. This does not include ordinary expenses like nonprescription medication, bandages, vitamins, and copays for regular checkups, which the parents are presumed to provide for the children in proportion to their parenting time. This obligation is in addition to any child support **and** will be **offset** by any cash medical support ordered above.

or

This obligation should be **in addition** to any child support and cash medical support ordered above

6. Life Insurance for the Children

The party paying support should carry life insurance for the benefit of the parties' children throughout the period of the support obligation. The coverage should be in the amount of \$ _____

(or)

The life insurance provision should be terminated (stopped)

7. Tax Dependents

Petitioner Respondent may claim the following children as dependents for tax purposes beginning with the **tax** year this judgment is entered. The other parent should be ordered to complete any IRS waivers or forms necessary to accomplish this in each tax year and ordered not to file contradictory tax returns.

List names: _____

OR

Other (specify): _____

** Parties are advised that this judgment is not binding on the IRS and will not provide a defense if the parties fail to comply with IRS regulations in any given tax year. Parties are advised to speak to a tax specialist.*

Certificate of pending/existing child support proceedings

- There is is not a PENDING child support proceeding
- There is is not an EXISTING child support order or judgment

Information about any pending or existing child support proceedings is included above

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

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

Case No: _____

Petitioner

and

Respondent

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

Amended CIF

and

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: _____

Petitioner Respondent Other: _____

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: _____

Petitioner Respondent Other: _____

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: _____

Petitioner Respondent Other: _____

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: _____

Petitioner Respondent Other: _____

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 DESCHUTES

Case No: _____

Petitioner
and

Respondent

**CONFIDENTIAL
INFORMATION FORM**

Amended CIF

UTCR 2.130

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

Submitted by: Petitioner Respondent other: _____

Information about (name): _____
(first, middle, last) Petitioner Respondent other: _____

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 DESCHUTES

Case No: _____

_____ Petitioner

and

_____ Respondent

**CONFIDENTIAL
INFORMATION FORM**

Amended CIF

UTCRC 2.130

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

Submitted by: Petitioner Respondent other: _____

Information about (name): _____
(first, middle, last) Petitioner Respondent other: _____

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 DESCHUTES

Case No. _____

Petitioner

and

Respondent

**CERTIFICATE OF MAILING OR
DELIVERY TO DIVISION OF
CHILD SUPPORT**

I certify that on *(date)* _____, I hand-delivered **or** mailed by first-class mail a true copy of the proposed *Supplemental Judgment* in the above domestic relations case to the local branch office of the Department of Justice, Division of Child Support at *(list address)*: _____
150 NW Pacific Park Ln Ste 201
Bend, OR 97703

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 { Petitioner Respondent }

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

**SUPPLEMENTAL JUDGMENT
MODIFYING A
DOMESTIC RELATIONS
JUDGMENT**

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

This *Supplemental Judgment* modifies the following provisions of a prior *Judgment*:

- Spousal/Partner Support
 Custody Parenting Time Child Support
 Other: _____

This matter came before the court on the motion and declaration of

- Petitioner Respondent

No response to the *Order to Show Cause re: Modification* was received from the non-moving party

The non-moving party is not in active military service of the United States and is not incapacitated, a minor, a protected person, or a respondent (as defined by ORS 125.005)

A hearing was held _____ (date), at which the following were present:

- Petitioner Petitioner's attorney
 Respondent Respondent's attorney
 Other: _____

The parties have stipulated (agreed) to the terms of this judgment as shown by their signatures at the end of this *Judgment*

Children 18, 19, or 20 Years of Age

- Waived further appearance: (names) _____
 Fully participated in the proceedings (names) _____
 Signed and stipulated to the terms of judgment shown by the signature at the end of this *Judgment*

THE COURT FINDS:

The court considered the declaration response evidence presented and found that:

- a substantial change in circumstances has occurred since the last judgment or order, justifying a change in **support or custody**
 the requested change in **custody or parenting time** is in the children's best interest

Jurisdiction

This court has jurisdiction to modify the following judgment (list court or agency, case number, and date): _____

Because: (check all that apply)

Only spousal/partner support is at issue in this Modification action

Child Support

the judgment above was issued by a court in Oregon and one of the parents or a child receiving support under the prior judgment still resides in Oregon, **or**

Other reason (*explain*) _____

Custody or Parenting Time under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)

the judgment above was issued by a court in Oregon and one of the parents or a child affected by the custody or parenting time provisions still resides in Oregon, **or**

Other reason (*explain*) _____

Oregon does not have jurisdiction under the UCCJEA because: _____

THE COURT ORDERS the following modifications to a prior judgment:

1. Spousal/Partner Support

Spousal/Partner support is terminated **or** changed as follows: _____

Findings supporting termination: _____

Effective date – changes are effective as of (*date*) _____

2. Custody and Parenting Time

a) Petitioner Respondent is granted sole custody of: (*names*) _____

Parties have agreed to joint custody of: (*names*) _____

b) Parenting Time is changed according to the attached Parenting Plan labeled Exhibit _____ **or**

as follows: _____

Petitioner Respondent must not have parenting time because it would endanger the health or safety of the children

Parenting time must be supervised by: _____
Cost of supervision will be paid by Petitioner Respondent Other: _____

- c) Petitioner Respondent is allowed to move more than 60 miles farther away from the other party without advance written notice because good cause exists
- d) Petitioner Respondent is not required to provide contact information to the other party

3. Child Support and Medical Costs

a) Petitioner's Respondent's child support obligation to children (*names*) _____
_____ is **terminated** based on the change of custody *or*
(explain other reason for termination) _____

b) Child support is **changed** as follows based on the requested change of custody or substantially changed circumstances

Support must be paid:

by Petitioner Respondent

to Petitioner Respondent Adult Child Attending School

on the first day of each month

beginning the month following entry of this judgment *or* the date of service of this motion (*date:* _____)

The monthly **amount** due is: \$ _____ (*Child Support Worksheets are attached and incorporated, labeled Exhibit _____*)

This amount is:

the amount presumed to be appropriate under the support guidelines

different from the presumed appropriate amount *because:* _____

c) **Income withholding is not** ordered at this time because there is no support arrearage, the paying parent has not previously been granted an exemption from withholding **and**

The parents (or the State, if support rights are assigned) have agreed in writing to an alternative arrangement which is approved by the court; **or**

Good cause not to require withholding is found because there is proof of timely payment of previously-ordered support and income withholding would not be in the best interests of the child

In all cases, select one of the following:

All support payments must be made to the Department of Justice, Child Support Accounting Unit, P.O. Box 14506, Salem, Oregon, 97309

Or

An exception to income withholding applies as noted above. All support payments must be deposited to the recipient's checking or savings account. The receiving parent is ordered to provide the paying parent with current deposit slips or bank name, account name, and account number.

Or

Other (explain) _____

Child Attending School

Support for an adult child attending school as defined by ORS 107.108 must be paid directly to the child unless good cause exists for payment to be made another way

GOOD CAUSE exists not to pay support directly to a child attending school
Payments must be made to Petitioner Respondent in the amount of
\$ _____ per month

NOTICE OF INCOME WITHHOLDING

This child support order is enforceable by income withholding under ORS 25.378 to 25.390, 25.414 to 25.372 and 25.375. Withholding shall occur immediately, whenever there is an arrearage at least equal to the support payment for one month, whenever the obligated parent requests such withholding, or whenever the obligee requests withholding for good cause. The District Attorney or, as appropriate, the Division of Child Support of the Department of Justice, will assist in securing such withholding. Exceptions may apply in some circumstances.

- d) **Length of Child Support:** Child support will end when the last child (*check one*)
 reaches age 18, or if the child qualifies as a child attending school under ORS 107.108, age 21
 reaches age 18
or becomes self-supporting, emancipated, or married

- e) **Tax Dependents***

Petitioner Respondent may claim the following children as dependents for tax purposes beginning with the **tax** year this judgment is entered. The other parent must complete any IRS waivers or forms necessary to accomplish this order in each tax year and must not file contradictory tax returns.

List names: _____

OR

Other (specify): _____

** Parties are advised that this judgment is not binding on the IRS and will not provide a defense if the parties fail to comply with IRS regulations in any given tax year. Parties are advised to speak to a tax specialist.*

- f) **Life Insurance**

Petitioner Respondent must carry life insurance for the benefit of the children in the amount of \$ _____ throughout the period of the support obligation if he or she is insurable

Petitioner Respondent is no longer required to provide life insurance

- g) **Medical Costs**

Medical costs and insurance have been addressed in a prior judgment and are not being changed

1. Health Insurance Coverage

Petitioner Respondent is ordered to keep insurance for the children throughout the period of the child support obligation

2. Cash Medical Support

Cash Medical Support **is** ordered in the amount of \$ _____ per month because health insurance coverage is not available to either parent. Cash Medical Support is payable in addition to child support by the parent ordered to pay child support, and on the same schedule.

Cash Medical Support **is not** ordered because:

Support is presumed to be unavailable for the reason marked above and the presumption has not been sufficiently rebutted

The parent paying child support has income at or below Oregon’s minimum wage for full-time employment

The children’s medical needs will be met by the *Uninsured Medical Expenses* provision below

Other (*explain*): _____

CHANGES TO HEALTH INSURANCE AVAILABILITY

Both the person paying and the person receiving child support **must** notify the Division of Child Support (DCS) in writing of any change in the availability of health insurance within **10 days** of the change if collection services are provided by DCS.

h) Uninsured Medical Expenses

Petitioner must pay _____% and Respondent must pay _____% of the unreimbursed costs of the children’s reasonable medical, dental, and vision care. This does not include ordinary nonprescription expenses like bandages, vitamins, and copays for regular checkups, which the parents must provide for the children in proportion to their parenting time. This obligation is in addition to any child support **and** will be **offset** by any cash medical support ordered above.

or

This obligation is **in addition** to any child support and cash medical support ordered above

(or)

orders regarding uninsured medical expenses are terminated

4. Additional changes: _____

NOTICE ABOUT PARENTING TIME AND CHILD SUPPORT

The terms of child support and parenting time (visitation) are designed for the child’s benefit and not the parents’ benefit. You must pay support even if you are not receiving parenting time. You must comply with parenting time and visitation orders even if you are not receiving child support.

Violation of child support orders and visitation or parenting time orders is punishable by fine, imprisonment or other penalties.

Publicly funded help is available to establish, enforce, and modify child support orders. Paternity establishment services are also available. Contact your local district attorney, the domestic relations court clerk, or the Department of Justice at 1.800.850.0228 or 503.378.5567 for information.

Publicly funded help may be available to establish, enforce, and modify parenting time or visitation orders. Forms are available to enforce parenting time or visitation orders. Contact the domestic relations, civil court clerk or courthouse facilitator for information.

NOTICE ABOUT PERIODIC REVIEW AND MODIFICATION OF CHILD SUPPORT ORDERS

If your child support case is handled by the District Attorney or the Department of Justice Division of Child Support, this agency will review your child support order if at least three years have passed since the order was entered, modified, or last reviewed. *This review will take place only if a parent requests.*

The purpose of the review is to see if the amount ordered is still within the guidelines for child support set out in Oregon law. The review could result in an increase or decrease in the support amount, depending on the parents’ financial circumstances and the needs of the child.

This “periodic review” service is provided at no cost to parents, but is available only for cases handled by the District Attorney or the Department of Justice.

The support agency handling your case will also review your support order for compliance with the guidelines whenever a substantial change in circumstance has occurred. You can request this “change in circumstance” modification from the support agency. But *any* support order (not just orders handled by the District Attorney or Department of Justice) can be modified because of a change in circumstance, so a private attorney is also able to assist you with this. You may also represent yourself.

5. Any terms in the prior *Judgment* not changed by this *Supplemental Judgment* remain in effect.

6. Court Costs and Fees (whether paid or deferred)

- Each party is responsible for paying his or her own costs and fees
- Costs and fees will be paid by both parties equally
- Respondent Petitioner must reimburse the other party for costs and fees paid
- Other: _____

7. Information Required by ORS 25.020(8)(a)

As required by UTCR 2.130, a *Confidential Information Form (CIF)* has been completed for each party and filed with the court. The CIF contains all information required by ORS 25.020(8)(a).

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 preceding section to the other party.

8. Money Award* Support Obligation included

**only complete this section if there is a change to child or spousal/partner support*

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

➤ *If an adult child is awarded support to be paid directly to the child **AND** there is no support awarded for minor children of the parties, or if the judge tells you that the adult child is a Judgment Creditor, fill out this box:*

<input type="checkbox"/> The adult child named (<i>full name and contact address</i>) _____ _____ is a judgment creditor on this judgment Adult child's lawyer's name, address, phone #: _____ _____
--

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):
Petitioner	<input type="checkbox"/> None or <input type="checkbox"/> Name: _____ _____
Respondent	<input type="checkbox"/> None or <input type="checkbox"/> Name: _____ _____
Adult Child Name: _____	<input type="checkbox"/> None or <input type="checkbox"/> Name: _____ _____

Type of Judgment		Amount	Beginning / Ending
<input type="checkbox"/> Child Support	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$ _____ Per month for child support	Beginning the first day of the month following: <input type="checkbox"/> entry of this judgment <i>or</i> <input type="checkbox"/> the date of service of the <i>Order to Show Cause</i> (date) _____ <i>or</i> <input type="checkbox"/> Other _____ and due on the first day of each month thereafter
	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Adult Child	and \$ _____ per month for cash medical support	
<input type="checkbox"/> Spousal/ Partner Support	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$ _____ 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"/> the date of service of the <i>Order to Show Cause</i> (date) _____ <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"/> Prejudgment Interest	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$ _____	
<input type="checkbox"/> Postjudgment Interest	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	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 the judgment is fully paid

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

Judge Signature:

Certificate of Readiness under UTCR 5.100

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

Service is not required under UTCR 5.100. The other party has been found in **default** or an order of default is being requested with this proposed judgment; this judgment is submitted **ex parte** as allowed by statute or rule; or this judgment is being submitted in **open court** with all parties present.

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

I have **served** a copy of this judgment and the *Notice of Proposed Judgment or Order* on all parties entitled to service. **And:**

No objection has been served on me within the 7-day time frame.

I received objections that I could not resolve with the other party despite reasonable efforts to do so. I have filed with the court a copy of the objections I received and indicated which objections remain unresolved.

After conferring about objections, the other party (*name*) _____ agreed to file any remaining objection with the court.

Certificate of Service under UTCR 5.100

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

Submitted by: Petitioner Respondent

Signature

Print Name

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

Date

Petitioner Signature

Print Name

Contact Address

City, State, Zip

Contact Phone

Respondent stipulates (agrees) to the terms of this judgment

Date

Respondent Signature

Print Name

Contact Address

City, State, Zip

Contact Phone

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

Child, Signature

Date

Child, Name (printed)

*If this judgment changes **parenting time** AND you did not have a trial, this form **MUST BE NOTARIZED** or sworn before a clerk of the court.*

The parents have agreed (stipulated) to the changes to parenting time as indicated by their signatures below

Petitioner, Signature

Date

Petitioner, Name (printed)

State of _____, County of _____

Signed or attested before me on _____ (date) by _____ (name)

Signature of notarial officer

My commission expires: _____

Title (and rank, if military officer)

Respondent, Signature

Date

Respondent, Name (printed)

State of _____, County of _____

Signed or attested before me on _____ (date) by _____ (name)

Signature of notarial officer

My commission expires: _____

Title (and rank, if military officer)

Optional: APPLICATION FOR FULL CHILD SUPPORT PROGRAM SERVICES:

By signing below, I apply for child support services, including enforcement, from the Child Support Program (CSP). If you never received TANF, tribal TANF or AFDC in any state, an annual \$35 fee will apply if over \$550 is collected and distributed to the family each year.

Petitioner, Signature

Date

Respondent, Signature

Date

Adult Child, Signature

Date