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

_____ **Case No:** _____
Petitioner

and

GENERAL JUDGMENT OF CUSTODY AND PARENTING TIME AND CHILD SUPPORT

_____
Respondent

and

_____
Unmarried Children 18, 19, or 20 years old *(full names)*

This document was presented to the court:

☐ On the motion and declaration of Petitioner, the default of Respondent having been found
  ☐ and Respondent being represented by a guardian ad litem or other person described in Oregon Rules of Civil Procedure, Rule 27

☐ On the stipulation of the parties, as shown by the signatures at the end of this *Judgment* or by *Waiver of Further Appearance*

☐ After a hearing held _____(*date*), at which the following persons were present:
  ☐ Petitioner ☐ Petitioner's attorney _____
  ☐ Respondent ☐ Respondent's attorney _____
  ☐ Other _____

Children 18, 19, or 20 Years of Age

☐ Waived further appearance in these proceedings: *(names)* _____

☐ Fully participated in the proceedings and are bound by the terms of this judgment: *(names)*_____

☐ Signed and stipulated to the terms of this judgment as shown by the signature below

FINDINGS under ORS 107.105**:**

The court considered the: ☐ Declaration ☐ Stipulations ☐ Evidence presented and finds that:

A. The parties were not married to each other at the time the *Petition* was filed

B. Children of the Parties *(list only children legally recognized as children of both parties together; do not list children either party has with another person)*

Name	Year of Birth	Age

☐Additional page attached titled "Findings B – Children of the Parties"

C. Child Custody Jurisdiction

☐ Oregon has jurisdiction under the Uniform Child Custody Jurisdiction and Enforcement Act

(UCCJEA) to decide custody and parenting time matters because:

☐ Oregon is the children's home state (all of the children have lived here continuously for the six month period immediately before this case was filed)

☐ Other:_____

_____

☐ Oregon does not have jurisdiction under the UCCJEA because:

_____

_____

D. Parentage has been established for the children listed in Section B

The court grants judgment as follows:

The terms of this judgment are effective upon entry in the court register

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 may result in fines, imprisonment, or other penalties.

Help may be available to establish, enforce, and modify child support orders. Parentage 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.

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 your local court for information.

1. Custody and Parenting Time

Custody of the children is awarded as follows:

☐ Petitioner and Respondent have **joint** custody of the following children: _____

_____

☐ Petitioner is awarded **sole** custody of the following children *(names)*:_____

_____

☐ Respondent is awarded **sole** custody of the following children *(names)*: _____

_____

Parenting time is awarded

☐ as described in the attached **Parenting Plan**, labeled Exhibit _____ ***or***

☐ to ☐ Petitioner ☐ Respondent as follows _____

_____

_____

_____

_____

☐ Parenting time will be supervised by _____

☐ Any cost of supervision must be paid by ☐ Petitioner ☐ Respondent

☐ Other: _____

☐ Petitioner ☐ Respondent must not have parenting time because this would endanger the health and safety of the children

2. Relocation

☐ Neither parent may move more than 60 miles further distant from the other parent without giving the other parent reasonable notice of the change of residence and providing a copy of such notice to the court

or

☐ The requirement of ORS 107.159 regarding notice of relocation is suspended for good cause

3. Contact Information

☐ Parents must both provide contact addresses and contact telephone numbers to each other and notify each other of any emergencies or substantial changes in the children's health

☐ Good cause exists to suspend the obligation of the parties to provide contact information to each other

4. Parental Authority under ORS 107.154

☐ The non-custodial parent's authority under ORS 107.154 is suspended for good cause

5. Child and Medical Support and Life Insurance for Children

A. <u>Child Support</u>

<u>Existing Child Support Obligation</u>

(*list court/agency, case number, and date of prior child support orders and judgments:* _____

_____

☐ No action is taken by this judgment regarding any prior child support order or judgment

☐ This judgment **does not** replace any existing child support order or judgment. Payment amount and schedule remain as ordered on *(date of order or judgment)*:_____

☐ any unpaid child support is still owed

☐ This judgment **replaces** the existing child support obligation because the existing orders and judgments were issued by an Oregon court or agency, one of the parents or children receiving support still resides in Oregon, and circumstances have changed since the orders were entered. Support is due as detailed in the "Support Order" section below.

☐ any unpaid child support is still owed

☐ Other:

Presumed Inability To Pay Under ORS 25.245

☐ The parent who would pay support is presumed to be unable to pay because that parent:
☐ 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)

☐ The presumption **has not been rebutted** and **no** child support (including cash medical support) is ordered

☐ The presumption **has been rebutted**, and support **is ordered** as detailed in the "Support Order" section below for the following reasons:_____
_____

Support Order

☐ **No support** is ordered for reasons other than the presumption of inability to pay or continuation of an existing order or judgment
(explain):_____

or

☐ **Support must be paid:**

By ☐ Petitioner ☐ Respondent

To ☐ Petitioner ☐ Respondent
☐ Adult Child Attending School *(name)*:_____

On the first day of each month

Starting ☐ the month following entry of this judgment *or*
☐ the date of service of this *Petition*

The total 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 of $_____ because the presumed amount is unjust or inappropriate *(explain)*: _____
_____

B. Medical Support

☐ Medical support has already been ordered in another case ☐ as listed in Section 5A, above *or* ☐ from _____county. The court case # is _____ _____ and the Child Support Program CSP# is _____
☐ The existing order is not changed
☐ The existing order is terminated. Medical support is ordered as follows.

i. Health Insurance Coverage

Parties are ordered to keep insurance through the period of the child support obligation as follows:
☐ Petitioner ☐ Respondent ☐ both parties *or*
☐ whichever party has insurance available at reasonable cost first

ii. Cash Medical Support

☐ Cash Medical Support is ordered in the amount of $_____ per month because health insurance coverage is not available at reasonable cost. Cash Medical Support is payable by the parent ordered to pay child support on the same schedule.

☐ The paying parent is ordered to provide Cash Medical Support only when not providing private health insurance for the children

☐ 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, 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)*: _____

CHANGES TO HEALTH INSURANCE AVAILABILITY

Both the payor and the recipient of 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.

iii. Uninsured Medical Expenses

☐ Uninsured medical expenses are not awarded

Or

☐ 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

C. Payment

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.

☐ **Income withholding** is not ordered at this time because there is no support arrearage ***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)*_____
_____

Adult Child Attending School
The Division of Child Support will pay support for an adult child attending school 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

D. Length of child support

Support ends when the last child becomes self-supporting, emancipated, or married, ***or*** *(check one)*:

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

E. Tax Dependents

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

As between the parties, ☐ 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 judgment in each tax year and must not file contradictory tax returns.
List names:_____
_____
or
☐ Other *(specify)*: _____
_____

F. Life Insurance Coverage for Children

☐ The party paying support must carry life insurance for the benefit of the parties' children throughout the period of the support obligation if he or she is insurable. The coverage must be at least $_____. The party paying support must provide to the party receiving support a true copy of the policy. The party paying

support must also provide to the party receiving support written notice of any action that will reduce the benefits or change the designation of the beneficiaries under the policy.

(or)

☐ Neither party is ordered to carry life insurance for the benefit of the parties' children

6. Additional Provisions _____

_____

_____

_____

☐ Additional page attached titled "Section 6"

NOTICE ABOUT PERIODIC REVIEWS

If you are receiving child support services through the Department of Justice, either parent may request that the Department of Justice/Division of Child Support review the amount of support ordered after 3 years from the date the order took effect or at any time upon a substantial change of circumstances.

7. Court Costs and Fees Whether Paid or Deferred

☐ Each party is responsible for paying his or her own court costs and service fees

☐ Petitioner ☐ Respondent will reimburse the other party $_____for costs and fees

☐ Judgment is awarded to the State of Oregon for deferred costs or fees of $_____

☐ Other: _____

8. Information Required by ORS 25.020

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 that is identified as confidential by UTCR 2.130.

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 may not disclose the information in the CIF to the other party.

Money Award

☐ Support obligation included ☐ and child support must be paid to Dept. of Justice

	PETITIONER	RESPONDENT
Full Name		
Contact Address		
Year of Birth	*Year:* ____ ____ ____ ____	*Year:* ____ ____ ____ ____
Last 4 digits Social Security #	*Last 4 digits:* ____ ____ ____ ____	*Last 4 digits:* ____ ____ ____ ____
Last 4 digits Driver License # and State	*Last 4 digits:* ____ ____ ____ ____ *State:* _____	*Last 4 digits:* ____ ____ ____ ____ *State:* _____
Lawyer Name, Address, Phone #		

NOTE: a party RECEIVING a money award is the JUDGMENT CREDITOR; a party PAYING a money award is the JUDGMENT DEBTOR.

- *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:*

☐ The adult child named *(full name and contact address)*_____
_____
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	☐ None *or* ☐ Name: _____ _____
Respondent	☐ None *or* ☐ Name: _____ _____
Adult Child Name: _____	☐ None *or* ☐ Name: _____ _____

Type of Judgment		Amount	Beginning / Ending
Child Support	WHO PAYS ☐ Petitioner ☐ Respondent	$_____ per month for cash medical support ***and*** $_____ per month for child support	Beginning the first day of the month following entry of this judgment *or* ☐ the date of service of the *Petition* *(date)*_____ *or* ☐ Other _____ and due on the first day of each month thereafter
	WHO RECEIVES ☐ Petitioner ☐ Respondent ☐ Adult Child		Ending when the last child turns ☐ 18 *or* ☐ 21 (if the child remains a Child Attending School)
☐ Prejudgment Interest	WHO RECEIVES ☐ Petitioner ☐ Respondent	$_____	
Post-judgment Interest	WHO RECEIVES ☐ Petitioner ☐ 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
☐Court Costs and Service Fees paid	WHO PAYS ☐ Petitioner ☐ Respondent	Checked party reimburses the other party's costs and fees of: $_____ Directly to the awarded party	
☐ Deferred Court Costs and Service Fees	WHO PAYS ☐ Petitioner ☐ Respondent	Checked party must pay deferred costs and fees of: $_____ To the State of Oregon through this court	

Judge Signature:

_____ _____

Certificate of Readiness

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 on a previously filed waiver of appearance.

☐ I have **served** a copy of this judgment and written notice of the 7-day objection period set out in UTCR 5.100 on all parties entitled to service *(complete service information below)*. ***And:***

☐ No objection has been served on me within that 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 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

_____ _____

Email Print Name

_____

Contact Address City, State, ZIP Contact Phone

☐ Respondent stipulates (agrees) to the terms of this judgment

_____ _____

Date Respondent Signature

_____ _____

Email Print Name

_____

Contact Address City, State, Zip Contact Phone

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

_____ _____

Date Adult Child Signature

_____ _____

Email Print Name

_____

Contact Address City, State, Zip Contact Phone