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

In the Matter of ☐ the Marriage of:	)	Case No. _____
	)	
_____,	)	☐ PETITIONER'S ☐ RESPONDENT'S
Petitioner,	)	☐ STATE OF OREGON'S
	)	
and	)	☐ EX PARTE MOTION
	)	☐ FOR ORDER TO SHOW CAUSE
_____,	)	TO CORRECT CLERICAL ERROR IN
Respondent.	)	JUDGMENT (ORCP 71A)

MOTION

I, ☐ Petitioner ☐ Respondent ☐ State of Oregon (where support rights have been assigned to the State), request that:

1. *Choose one*:

☐ *(Ex Parte Motion Only)* the court correct a clerical error in the following judgment document: _____(title of judgment document), entered on _____ (date).

☐ *(Ex Parte Motion For Order to Show Cause)* the court issue an Order to Show Cause requiring ☐ Petitioner ☐ Respondent to appear in Circuit court in the _____ County courthouse in _____, Oregon, to show cause why this court should not grant the following relief concerning a clerical error in the following judgment document: _____ _____ (title of document); entered on:_____ _____(date).

2. As described below, the clerical error is that information in the body of the judgment described above does not match information in the "Money Judgment" or "Money Award" portion of the judgment document, and this difference is due to excusable omission or oversight of the parties.

3. REQUIRED DESCRIPTION OF CLERICAL ERROR (*attach additional sheets if necessary)*:

The body of the judgment ☐ correctly ☐ incorrectly states (*attach additional sheets if necessary)*: _____
_____
_____
_____
_____

The "money judgment" or "money award" portion of the judgment ☐ correctly ☐ incorrectly

states (*attach additional sheets if necessary)*: _____

_____

_____

_____

_____

_____

4. REQUESTED RELIEF *(Check the appropriate box below)*:

☐ The body of the judgment or ☐ The "money judgment" or "money award" portion of the judgment should be corrected to read as set forth in the attached "SUPPLEMENTAL JUDGMENT CORRECTING JUDGMENT OR MONEY AWARD (ORCP 71A)."

Points and Authorities

ORCP 71A provides that clerical mistakes in judgments, orders, or other parts of the record and errors therein arising from oversight or omission may be corrected by the court at any time on its own motion or on the motion of any party and after such notice to all parties who have appeared, if any, as the court orders.

In Sea-Air Handling Services, Inc. v. Reed, 327 Or 25 (1998), the Supreme court stated that "in the absence of anything to the contrary in the record, a judgment entered in the register is regarded as stating an 'absolute verity'". The purpose of correcting a clerical error is to make the record speak the truth and conform it to what actually occurred. Marriage of Hopkins, 102 Or App 655, 658 (1990) (citing Hubbard v. Hubbard, 213 Or 482, 487 (1958)).

DATED this _____ day of _____, 20_____.

_____

☐ Petitioner ☐ Respondent ☐ State of Oregon, Signature Print Name

_____

Address or Contact Address City, State, Zip Telephone or Contact Telephone

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.

_____

☐ Petitioner ☐ Respondent, Signature Print Name

_____

Address or Contact Address City, State, Zip Telephone or Contact Telephone

I certify that this is a true copy:

_____

☐ Petitioner ☐ Respondent, Signature