

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

In the Matter of the Marriage of:

)	Case No. _____
Petitioner,)	
and)	GOVERNING CHILD SUPPORT JUDGMENT (SUPPLEMENTAL JUDGMENT)
)	
Respondent.)	

1. This matter came before the court:

- a. On the Petition of Petitioner Respondent the State of Oregon;
- b. On the court's own motion;
- c. At a hearing held on _____ (date), at which the following persons were present:
 - Petitioner Petitioner's Attorney _____
 - Respondent Respondent's Attorney _____
 - Other: _____

2. **Findings:** The court considered the: Documents on file herein Evidence presented Other: _____, and found that:

a. There exist two or more child support judgments involving the same obligor and child/ren and the same time period, copies of which are attached hereto and incorporated herein by reference, as follows:

Exhibit #	Agency Case #	Court Case #	County	Entry/Effective Date	Amount of Child Support Ordered	Payment Start Date	Additional Information about Judgment
1							
2							
3							
4							

Additional sheets attached as "Attachment #2(a)-Multiple Judgments."

- b. The presumption that the terms of the last-issued child support judgment are the controlling terms and supersede contrary terms of each earlier-issued child support judgment has been rebutted as follows:
- i. The last-issued child support judgment should be set aside under the provisions of ORCP 71 for the following reason(s):
1. The mistake, inadvertence, surprise, or excusable neglect of Petitioner Respondent;
 2. There is newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under Rule 64F;
 3. The fraud, misrepresentation or other misconduct of Petitioner Respondent;
 4. The judgment is void;
 5. The judgment has been satisfied, released or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is not longer equitable that the judgment should have prospective application.
- ii. The last-issued child support judgment was issued without prior notice to the issuing court, administrator or hearing officer that: there was a pending support proceeding involving the child/ren, or there existed another child support judgment involving the child/ren, in this state or any other jurisdiction.
- iii. The last-issued child support judgment was issued after an earlier child support judgment and did not enforce, modify or set aside the earlier child support judgment in accordance with ORS 25.089.
- c. Notice has been provided to all affected parties as required by law.

IT IS HEREBY ORDERED AND ADJUDGED that:

1. CONTROLLING TERMS. (*Choose one.*)

a. The terms of the last-issued child support judgment dealing with cash child support and medical support (including health insurance and cash medical support) are the controlling terms and supersede contrary terms of each earlier-issued child support judgment (See Exhibit # _____).

b. The terms of the last-issued child support judgment are the controlling terms and supersede contrary terms of each earlier-issued child support judgment, except that:

the last-issued child support judgment is silent about cash child support, and thus the monetary support terms of the preceding judgment issued most recently continue (See Exhibit # _____).

the last-issued child support judgment is silent about medical support, and thus the medical support terms of the preceding judgment issued most recently continue (See Exhibit # _____).

c. The presumption that the terms of the last-issued child support judgment are the controlling terms having been rebutted, or a substantial change in circumstance having been established by Petitioner Respondent, the controlling terms with respect to cash child support and medical support shall be as follows:

i. As contained in the earlier-issued judgment dated _____
 (See Exhibit # _____).

ii. Modified as follows: _____

The effect of this modification on all preceding judgments identified in Paragraph 2(a) above is that all terms contained therein regarding cash child support and medical support are hereby terminated as of the date this judgment is entered, and all other terms that do not relate to cash child support and/or medical support are hereby affirmed, except as follows: _____

2. EFFECTIVE DATE of CONTROLLING TERMS. The effective date of each controlling term in each of the child support judgments identified in Paragraph 2(a) above is as follows:

Exhibit #	Controlling Term	Effective Date	Other
1	Cash Child Support		
	Medical Support		
2	Cash Child Support		
	Medical Support		
3	Cash Child Support		
	Medical Support		
4	Cash Child Support		
	Medical Support		

Additional sheet attached as “Attachment #2-Effective Dates.”

3. ARREARS and/or CREDITS. *Check one.*

The court having determined the validity and effective dates of the judgments identified in Paragraph 2(a) above, monetary support arrears and/or credits for overpayments is reconciled as follows:

Exhibit #	Effective Dates for Accrual of Child Support (Mo/Yr)	Amount of Child Support Arrearage	Credits for Overpayments	Per Annum Interest Not Already Included

Additional sheets attached as “Attachment #3 - Arrears/Credits.”

OR

The court having determined that one or more of the judgments identified in Paragraph 2(a) above are Agency orders and/or that the Administrator possesses the necessary record of support payments to determine arrears, the establishment of arrears is deferred to the Administrator in a separate proceeding to be commenced by:

Petitioner Respondent State of Oregon Other _____

4. FILING CERTIFIED COPIES WITH THE COURT OR THE CHILD SUPPORT PROGRAM ADMINISTRATOR.

Petitioner Respondent Other: _____ shall file a certified copy of this Governing Child Support Judgment with each court and/or the agency that issued an earlier child support judgment. A party who fails to file a certified copy as required by this judgment is subject to monetary sanctions, including but not limited to attorney fees, costs and disbursements.

5. Money Award. Child Support Obligation included not included.

Full Name		
Address or Contact Address		
Attorney's Name, Telephone Number and Address (if applicable)		
Year of Birth		
Last Four Digits of Driver License Number and State of Issuance		
Last Four Digits of the Support Obligor's Social Security Number		

The following information is to be provided by any party entitled to receive a money award (a "judgment creditor") as listed in this Judgment.

Others Entitled to Portions of Judgment Payable to PETITIONER	The following person(s) or public bod(ies) are known by Petitioner to be entitled to a portion of a payment made on the judgment (other than Petitioner's attorney): <input type="checkbox"/> None or <input type="checkbox"/> _____ _____
Others Entitled to Portions of Judgment Payable to RESPONDENT	The following person(s) or public bod(ies) are known by Respondent to be entitled to a portion of a payment made on the judgment (other than the Respondent's attorney): <input type="checkbox"/> None or <input type="checkbox"/> _____ _____

Type of Judgment		Amount of Judgment
Child Support Award	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$_____ <input type="checkbox"/> per month, of which \$ is cash medical support. Starting on <input type="checkbox"/> the first day or (day) _____ of the month following the date of the judgment
	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	

Prejudgment Interest (Note: ORS 21.607(1) disallows interest on fees that have been deferred.)	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$ _____
	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	
Postjudgment Interest (Note: ORS 21.607(1) disallows interest on fees that have been deferred.)	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	Nine percent (9 %) per annum simple interest on the unpaid balance of the total judgment amount(s) of \$ _____. Interest accrues from the date the judgment is entered and continues until fully paid.
Accrued Arrears (if any, on judgments to be paid on a periodic basis)	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	1. \$ _____ per month, starting on the <input type="checkbox"/> first day or <input type="checkbox"/> Other: _____ of the month following the date of the judgment until the total amount of \$ _____ is paid in full; or 2. A lump sum payment of \$ _____ to be paid by: _____ (date).
	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	
Costs and Service Expenses (e.g., filing fees, hearing fees, trial fees, process fees)	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$ _____
	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	

///
 ///
 ///
 ///
 ///
 ///
 ///
 ///
 ///
 ///
 ///
 ///

Attorneys Fees (if any)	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$ _____
	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	

DATED this _____ day of _____, 20____.

Circuit Court Judge

Print Name

APPLICATION FOR CHILD SUPPORT PROGRAM SERVICES: By signing below, I apply for child support services from the Child Support Program(CSP). (Note: If you never received TANF, tribal TANF or AFDC in any state, an annual \$25 fee will apply if over \$500 is collected and distributed to the family each year.)

 Petitioner Signature

Date

 Respondent Signature

Date

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.

Dated this _____ day of _____, 20____.

Submitted by:

 Petitioner Respondent State of Oregon, Signature

Print Name

Address or Contact Address

City, State, Zip

Telephone or Contact Telephone

///

///

///

Certificate of Mailing. I certify that I mailed a copy of this judgment and attachments thereto by U.S. Mail with postage paid to the other party at the following address: _____
on the following date:_____.

Petitioner Respondent State of Oregon, Signature Print Name

I certify that this is a true copy:

Petitioner Respondent State of Oregon, Signature