

FILING FOR DISSOLUTION (DIVORCE)



What these forms do

This set of forms will help you to get a divorce (legally called a “dissolution of marriage”) if you have no children under 21. If you have *only* children over 18 and under 21 who are in school, use the *Dissolution with Adult Children Only* forms (*not yet available. Talk to a lawyer if you only have children 18, 19, or 20*).

TALK TO A LAWYER BEFORE USING THESE FORMS IF:

- You are part of a **same-sex couple** AND:
 - You are married, have a civil union, or registered in another state
 - You are married, have a civil union, or registered in another state in addition to Oregon
 - You registered as domestic partners in Oregon ***before February 4, 2008***
 - You are unsure if your partnership is a Registered Domestic Partnership (RDP)
 - If you want partner support and either party lives in (or may move to) another state

- You want to *divide* the **retirement benefits** of either party

- Either party is a debtor in a current **bankruptcy** case

If Both Parties Already Agree

If you agree on all of the issues, you can file as Petitioner and the respondent can accept service of the *Petition* and sign a completed *Judgment* form. The respondent can also choose not to file a *Response*. If no response is filed, judgment will be entered based on what is in the *Petition* after you file a *Motion for Order of Default* (see “By Default” section below).

You can also file as Co-petitioners. Talk to a lawyer if you want to file as Co-petitioners.

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.

**Symbols used
in this form:**



Important Note



STOP! You may not be able to use this form



Caution! You may need a lawyer



Concerns money



Timing requirement



Notice about these instructions and forms

These instructions are not a complete statement of the law. They cover basic procedures for simple dissolution cases with no children under 21. If you have complicated issues or questions about the law, talk to a lawyer.

All of the necessary forms should be online. If you cannot find a form, ask your local court.

Each court has local rules, programs, and procedures that may not be explained in these instructions. Refer to the Supplementary Local Rules for your county. These rules are available online or at your local court or law library. Forms and information about your local court are on the Oregon Judicial Department website.



Information about Dissolution

- ❖ A dissolution case starts with a “petition,” which tells the court what you want. That’s why you are called the “**petitioner.**” The other person is the “**respondent.**” The case ends with a “judgment,” which is the court’s final decision. The judgment is the document that finalizes your case and contains your rights and responsibilities. Your dissolution is effective once the judge signs the judgment.
 - **NOTE:** the final judgment in this case will create rights and responsibilities that may be permanent. Support orders often can be modified later, but property orders usually can’t. Talk to a lawyer if you have questions about these issues.


- ❖  Keep the court informed of your current address so you get notice of all court dates. **You don’t have 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. The court will assume that you receive all notices sent to that address. **It is YOUR responsibility to let the court know if you move or want to get mail at a different address.**

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TABLE OF FORMS

1. Starting your Case *(See the last box of this table for additional forms you may need)*

- ___ Petition for Dissolution of Marriage/ RDP
 - ___ Summons
 - ___ Record of Dissolution of Marriage, Annulment or Registered Domestic Partnership
 - ___ Notice of Statutory Restraining Order Preventing Dissipation of Assets
 - ___ Confidential Information Form (CIF) *(one for each party)*
 - ___ Notice of CIF Filing
- Optional:*
- ___ Fee Deferral or Waiver Application and Declaration

2. Notifying the Other Party

- ___ Acceptance of Service *(if possible)*
- ___ Certificate of Service

3. Temporary Orders

4. Resolving Your Case

By Agreement:

- ___ Declaration in Support of Judgment
- ___ General Judgment of Dissolution of Marriage/ RDP

Or

By Default:

- ___ Ex Parte Motion for Order of Default and Declaration in Support
- ___ Order on Motion for Default
- ___ Declaration in Support of Judgment
- ___ General Judgment of Dissolution of Marriage/ RDP

Or

By Hearing:

- ___ General Judgment of Dissolution of Marriage/ RDP

Additional forms you may need: (More information is in the Instructions below)

- ___ Uniform Support Declaration
- ___ Statement of Assets and Liabilities
- ___ Waiver of Personal Service
- ___ End-of-case Fee Waiver Application & Declaration

STEP 1: STARTING YOUR CASE



Keep In Mind:

- Talk to a lawyer if you or Respondent is already in bankruptcy. The court may not be able to proceed with your case until the bankruptcy is resolved.
- **Registered Domestic Partners** should see a lawyer if partner support is requested and either party might move out of state. If the new state does not recognize RDPs, you may have trouble collecting partner support.
- ✓ Note: Only same-sex couples can have Registered Domestic Partnerships.
- You may be entitled to part of the respondent's retirement benefits. See the "Property and Debts" section for important information. You may lose this right if you do not include it in your *Petition*.



Legal Questions

➤ Where to File

- Marriage – you must file in a county where either you or your spouse lives at the time you file. One spouse must have lived in Oregon for at least 6 months before the *Petition* is filed.
- RDP – you must file in a county where either you or your partner lives. If neither of you lives in Oregon but your RDP was registered here, you can file in the county where either of you last lived.

➤ Statutory Restraining Order

By filing your *Petition*, you agree to follow the terms of an automatic restraining order. The order is effective once the papers have been served on the respondent (*see below for service information*). If you don't follow the order, you can be held in contempt of court and subject to penalties.

- You must attach a copy of the restraining order (called "***Notice of Statutory Restraining Order Preventing the Dissipation of Assets in Domestic Relations Actions***") to the *Summons* and serve it on the respondent.
- The statutory restraining order prevents *either party* from:
 - Dissipating (transferring, selling, destroying, removing, disposing of) real or personal property.
 - Making changes to insurance policies without the agreement of the other party.
 - Making extraordinary expenditures (unusual or high-dollar payments or purchases). Expenditures that are necessary for the safety or welfare of

the parties, ordinary business activities, or related to this court case are allowed.

➤ **Name Change**

If you changed your last name when you got married or registered as domestic partners and want to change it back to a former legal name, you can request that on your *Petition*. **NOTE:** You *cannot* use this form to change your name to a name you have never used before.

- **RDPs:** If you changed your name through a separate name-change judgment and want to change it back, you should also file for another judgment to do that. Do not rely on the dissolution judgment to be effective for all purposes, especially federal records like Social Security, Medicare, and immigration. Talk to a lawyer if you have concerns.



Filling Out The Forms

➤ **You are the “Petitioner” on ALL forms throughout this case, and your spouse or partner is the “Respondent.”**

- Use full names (first, middle or middle initial, last) and print names the same way on all forms – *first, middle, last*.

➤ **Mandatory Arbitration** - If the **ONLY** disagreement between you and the respondent is about property, mark in the caption that the claim **IS** subject to mandatory arbitration.

- If you disagree about any issue **OTHER** than property, mark that your claim **IS NOT** subject to mandatory arbitration.

Claim { <input type="checkbox"/> is <input type="checkbox"/> is not } subject to mandatory arbitration
--



➤ **Do not put Social Security numbers on your *Petition*.** Social Security numbers must be given to the court but kept confidential from the public and the other party. Use the “*Confidential Information Form*” (*CIF*) to protect your identifying information.

- Fill out one *CIF* for each party.
- The *Notice of Filing of Confidential Information Form* must be served on the respondent with your other documents. See below for information about service.



➤ **If the other party does not respond**, you may be able to get a judgment by default (*see “Resolving Your Case,” below, for more information*). As you fill out your *Petition*, you must include enough information that the respondent knows what you are asking for. If you do not include specific requests, the court will not be able to enter a judgment by default until after you serve amended (changed) paperwork on the respondent.

- **NOTE:** this often happens with property awards, and debt allocations. See the Appendices for specific information.

Fill out the following forms

- *Petition for Dissolution of Marriage/RDP*
- *Summons*
- *Record of Dissolution of Marriage, Annulment or Registered Domestic Partnership*
- *Confidential Information Form (CIF)*
- *Notice of Filing of Confidential Information Form*

In some cases you will need additional paperwork before the court can enter a judgment. See the Appendices for more information about when you need each form.

- ◇ *Uniform Support Declaration* – See [Appendix A](#)
- ◇ *Statement of Assets & Liabilities* - See [Appendix C](#)

SUPPORT

There are three different categories of spousal or partner support in Oregon:

- **Transitional** support is to help you get work-related education and training.
- **Compensatory** support may be ordered if you significantly contributed to the education, training, job skills, career, or earning capacity of your spouse or partner.
- **Maintenance** may be ordered for your general support.

Either party may request and be awarded support. More than one type of support may be awarded. Any award may be ongoing or for a particular period of time (such as 3 years, while in school, up to a certain amount, etc.).

If you and Respondent do not agree on support, you need to submit a *Uniform Support Declaration*. See [Appendix A](#) for more information.

For more information on factors the judge will consider when making the award, see [ORS 107.105](#).

- **NOTE:** Support is also available to **Registered Domestic Partners**. If either partner might leave the state or declare bankruptcy, you should see a lawyer.



Spousal and partner support are taxable income to the recipient. Spousal support is deductible to the person making payments (payor). RDPs should see a tax professional about support.

Life Insurance: The court can order a party to carry life insurance if that party is ordered to pay spousal/partner support. Life insurance in connection with a support obligation is for the benefit of the person receiving support.



PROPERTY AND DEBTS

You need to tell the court how you want to divide your property and debts. You should be as specific as possible and include everything you and the respondent own or owe. If any property or debts are not included in your judgment, you cannot return to court to make changes later except in very limited circumstances.

If you don't know what to ask for in your *Petition*, you can request "equitable relief." This means that the judge will decide what is fair if your case goes to trial. You should talk to a lawyer if you intend to do this.

You will probably have to serve new documents on the respondent before you can get a final judgment if:

- you are not specific in your *Petition* about how you want the court to divide property and debts (including if you asked for equitable relief)
- or*
- what you put in the *Judgment* is different from what you asked for in the *Petition*



You may be entitled to part of the respondent's retirement benefits (including pensions). If you do not address retirement benefits in your judgment, you will lose the right to claim your share except in very limited circumstances. These forms will not *divide* a party's retirement benefits. Talk to a lawyer first if you want to claim a portion of the respondent's retirement benefits.

For detailed information about property, see [Appendix B](#).

STATEMENT OF ASSETS AND LIABILITIES

If your case goes to trial you will need a *Statement of Assets and Liabilities*. See [Appendix C](#) for more information and formats that you can use.



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 numbers on [Page 2](#). If you are low-income, you might be able to get your documents reviewed for a smaller fee through the Oregon State Bar's Modest Means program. Your local Legal Aid office might review documents for free if you qualify. Facilitators might also be available for free in your court but you may have to make an appointment. Call your court for information.



Make copies

Make one copy of **all** of the completed forms for your records. See Step 2 for additional copies you will need.

STEP 2: FILING AND SERVICE



File your forms

File all of the **original** forms *except* the *Summons* and *Notice of Statutory Restraining Order* with the court clerk. The clerk will give you a **case number** when you file. Put the case number on all copies and originals. See below for a list of the forms you will need to copy to serve on the respondent.



You have to pay the filing fees when you file your papers. Go to <http://courts.oregon.gov> 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. However, the judge may reconsider waived and deferred fees at the end of the case.

The clerk may give you some papers. A copy of these papers must be included with the *Petition* that you serve on Respondent (see below regarding service). **NOTE:** You are not required to serve the *List Of Documents Parties May Have To Give Each Other (ORS 107.089)* on Respondent, but if you do, then you both have to follow it.

Make a copy of the following forms to serve on the respondent:

- *Petition*
- *Summons*
- *Notice of CIF Filing*
- *Notice of Statutory Restraining Order Preventing the Dissipation of Assets in Domestic Relations Actions*
- *Uniform Support Declaration* and *Statement of Assets and Liabilities* (if you are filing these documents with your *Petition*) (see [Appendices A and C](#) for information)
- Any other forms your local court requires you to serve on Respondent



SERVICE

You must officially notify Respondent that you have filed a case. This is called “service.”

Acceptance of Service – If it is safe for you to give the respondent the papers yourself, you will need an ***Acceptance of Service*** form. If the respondent signs an *Acceptance of Service*, no other kind of service is required. Signing the *Acceptance of Service* does not

mean the respondent agrees with anything in your *Petition*, only that he or she received the papers. **You must file the papers with the court before you give the copies to the respondent.**



Formal Service

If the respondent does not want to sign the *Acceptance of Service*, you must use another method. There are four ways you can serve. Service must be done *after* your *Petition* is filed.

****3 CRITICAL POINTS****

1. If you serve before you file, you will have to pay to serve the papers again
2. You *CANNOT* serve the papers yourself
3. If Respondent has a lawyer, you should also send a courtesy copy of the papers to the lawyer

1. **Personal Service:**

- a. **By Process Server:** Take a copy of your papers to the sheriff's office in the county where Respondent is located and have a sheriff's officer serve the papers. The sheriff's office charges a fee for service. You can also hire a private process server of your choice.
- b. **By a Non-Party:** Have a competent* person 18 years or older who is a resident of Oregon **and who is not a party** to the case (Petitioner or Respondent), **nor** the lawyer of a party, serve the papers. The server cannot be an employee of any party. If the respondent is outside of Oregon, the server can be a resident of the state where the respondent is. If you have safety concerns, have the sheriff perform service.

*competent means a person who can understand, remember, and tell others about an event.

A *Certificate of Service* must be filed with the court by whoever serves the respondent. The certificate must include the date of service and the name of the person served.

2. **Substituted Service:** The process server may leave the papers at the respondent's residence (where he or she normally lives) with someone 14 or older who lives there. The process server must also mail a copy of the papers (with a statement of the date, time, and place that the papers were served) to the respondent by first class mail. Make sure the process server completes a *Certificate of Service*. The date of service is the day the first class mailing is put in the mail.
3. **Office Service:** The process server may leave the papers with someone *in charge* of the respondent's office or normal workplace. The process server must also mail a copy of the papers (with a statement of the date, time, and place that the papers were served) to the respondent by first class mail. Make sure the process server completes a *Certificate of Service*. The date of service is the day the first class mailing is put in the mail.

4. **By Mail:** First, the process server must send the papers to the respondent's home or business address by first class mail. Second, the server must send a copy by certified mail, return receipt requested. The process server **must** file proof of service with the court, including the signed green card, date of receipt, and item number along with a *Certificate of Service*. If the green card is not returned or if someone other than the respondent signed for it, then service by mail was not effective and you must try another type of service. The date of service is the day the respondent signs the returned green card.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY						
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<table border="1"> <tr> <td>A. Received by (Please Print Clearly)</td> <td>B. Date of Delivery</td> </tr> <tr> <td>C. Signature X</td> <td><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</td> </tr> <tr> <td>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</td> <td></td> </tr> </table>	A. Received by (Please Print Clearly)	B. Date of Delivery	C. Signature X	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
A. Received by (Please Print Clearly)	B. Date of Delivery						
C. Signature X	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee						
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No							
1. Article Addressed to:							
	3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.						
2. Article Number (Copy from service label)	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes						
PS Form 3811, July 1999	Domestic Return Receipt 12295-00-90-0952						

Proof of Service

The Certificates are your proof of service. An original *Certificate of Service* or *Acceptance of Service* must be filed with the court for your case to proceed, regardless of the method of service.



If proof of service is not received within **63 days** of filing your *Petition*, the court may send you a notice of dismissal. Your case may be dismissed if you do not provide proof of service within 28 days of the notice.

If you are not able to have Respondent served by any of the methods listed above, you may ask a judge to allow you to use another service method. The judge might allow you to publish or post the documents. Forms to make this request are available online at www.courts.ojd.gov.

STEP 3: TEMPORARY ORDERS



You can ask the court to make temporary orders after you file the *Petition*. Temporary orders are effective as soon as a judge signs the order. They last until a judge changes the terms, signs *General Judgment*, or dismisses the case. For example, either party may request an order for spousal/partner support, or an order about temporary use of property. To make any of these requests, you must file a “motion” (request) asking the court to do what you want. You may need a lawyer to file these requests.

- **NOTE:** The *General Judgment* may affect earlier temporary orders done by Limited Judgment. Talk to a lawyer if you have questions.

Go to <http://courts.oregon.gov> for the forms to request temporary orders. The forms may not cover all temporary orders you need. Talk to a lawyer for more information.

Domestic Violence

All courts have restraining order forms for cases involving domestic violence. A judge will usually hear your request within a day or two of filing. Check with your local court for filing times and procedures.

Refer to <http://courts.oregon.gov/fapa> for Family Abuse Prevention Act (FAPA) forms and information.

Forms for other types of protective order are available at <http://courts.oregon.gov>

STEP 4: RESOLVING YOUR CASE

There are three ways your case can be resolved: by agreement between the parties, by default if the respondent doesn't respond, or by a judge in a hearing.



By Agreement

It is always better to resolve issues yourselves, since you know what's important to you. Once the case goes to a judge, it is out of your control. If you can't resolve the issues on your own, or if it is not safe for you to talk to Respondent, the court may provide options to help you, including mediation and arbitration. Some courts may require that you mediate before you have a hearing. Check your court's Supplementary Local Rules for more information.

Mediation: A mediator is a person trained to help people resolve disagreements. Mediation is confidential. You may ask to meet with the mediator alone if you are uncomfortable meeting with the other party for any reason. Check with your local court clerk to see if there is a fee for this service. Mediators are *not* judges – they cannot impose their decisions on you. Their job is to help *you* reach an agreement. This may be your last chance to retain control over the outcome of the case. Agreements incorporated into a *Judgment* are fully enforceable (*see below*).

If mediation has not yet been ordered in your case and you would like to request it, you may file a ***Request for Mediation*** form. You may also request that the court waive mediation requirements if you have a good reason by filing a ***Motion and Declaration for Waiver of Mediation***. Talk to your court if you have safety concerns.

Arbitration: If you disagree only about how to divide your property, the court may send you to an arbitrator. The court may also ask the arbitrator to resolve spousal/partner support issues. An arbitrator is appointed by the court to meet with both parties and their lawyers (if any) and to make a decision about how property should be divided. Both parties are required to pay for this service unless the court orders otherwise. If either of you disagrees with the arbitrator's decision, you can ask the court for a trial, which requires payment of additional fees. If a trial is not requested, the arbitrator's decision is final unless both of you agree on another resolution.

If you and Respondent have agreed to all of the issues, fill out and file:

- ***Declaration in Support of Judgment***
- ***General Judgment of Dissolution of Marriage/RDP***

Note: The *Judgment* must be signed by both parties before being submitted to the court



By Default

Respondent has 30 days to respond to your *Petition*. The time starts running from the day *after* the date of service. The response must be in writing and must be filed with the court and mailed to you. If the respondent does not file a response within 30 days, you may request an *Order of Default*.

Default means that you are asking the judge to award you what you asked for in your *Petition* because the respondent did not file a response. Look at [Oregon Rules of Civil Procedure](#) (ORCP) rule 69 for more detailed information.

- NOTE: If the respondent has given you written notice that he or she intends to appear, you have to give written notice that you intend to apply for a default order at least 10 days before you file your motion. See [Uniform Trial Court Rule 2.010](#) for the form your notice must be in. File your notice of intent with the court and serve it on the other party.

The judge may not grant a default if the respondent is incapacitated, a minor, a financially incapable person, a protected person, or a respondent in a fiduciary protective proceeding, as defined by [ORS 125.005](#).



You must also show that the respondent is not in active military service before the court can enter an order of default. This is part of the *Ex Parte Motion for Order of Default & Declaration in Support*. If the respondent is in active military service, you cannot get an order of default unless the servicemember waives protection under the Servicemembers Civil Relief Act (SCRA). This federal law starts at 50 U.S.C. App 501. Your local law librarian can help you find it, or go to www.law.cornell.edu* (under *Get the Law* click *U.S.Code*, then click *Appendix to Title 50*). This law has strict rules about what “active military service” means. This protection does not apply to all servicemembers at all times.



If the respondent is in the military, you should see a lawyer before trying to get an order of default. If a default is not done properly, the respondent can re-open the case after returning from service. **Be aware** that if you knowingly make false statements about the respondent’s status, you may face both federal and state penalties.

If you know the respondent is *not* in the military, you must state *facts* that explain how you know.

If you have the respondent’s Social Security Number or date of birth, go to the Department of Defense website (www.dmdc.osd.mil/appj/scra/scraHome.do) to find out if the respondent is in active service. This site can give you a free statement of service status that you can print out (called a “certificate of service” on the website). Attach this statement, or a printout of the screen (by pressing the

* This is an outside site maintained by Cornell University. The Oregon Judicial Department is not responsible for any information on this site. Links may have moved.

“print screen” button on your keyboard), to your motion. You can also call 571.372.1100 for military verification. Put the date and the name of the person you spoke with on your motion. If you don’t have the Social Security Number or date of birth, commercial sites may be able to provide information.

If you don’t know whether the respondent is in the military and have checked the website, or don’t have the necessary information, mark “I am unable to determine whether this person is in military service” and add any facts that you *do* know. The judge will decide whether to grant the default.

➤ **If Respondent is in the military**



If Respondent is in active military service of the United States and has not responded to the *Petition*, the court won’t go ahead with your case until one of the following things happens:

- (1) Respondent is no longer in active military service,
- (2) Respondent waives, in writing, the right to avoid default, or
- (3) the judge holds a special hearing in your case.

Talk to a lawyer if Respondent will not sign the waiver and you do not want to wait for military service to end. The SCRA rules are technical and complex. Contact the Oregon State Bar for help (contact information is on [Page 2](#)).

* * * * *

Requesting a Default - fill out the following forms:

- ***Ex Parte Motion for Order of Default and Declaration in Support***
- ***Order on Motion for Default***
- ***Declaration in Support of Judgment***
- ***General Judgment of Dissolution of Marriage/RDP***

Read your *Petition* CAREFULLY! The ***Declaration in Support of Judgment*** allows you to note any information that has changed since you filed the *Petition*. Read **each** section of the *Petition* you filed and note any changes in the spaces provided. You must complete the rest of the *Declaration* in all cases.



After you make yourself a copy of the completed forms, file the originals with the court any time *after* 30 days from the date of service. You must file the *Motion for Order of Default* by the **91st day** after you filed the *Petition* (NOT the proof of service!). If not, your case may be dismissed.

The court will send you notice when your judgment has been entered.



By Trial

Conferences with the Judge

Many courts will schedule a “status,” “pretrial,” or “settlement” conference if a response has been filed. These meetings usually take place with a judge with both parties present, along with their lawyers (if any). You must attend any conferences that are scheduled unless you have received permission from the judge not to attend. At the conference, the judge may talk to you about how your

case is going to be handled, consider requests for temporary orders, or set future court dates.

- Many courts require that you mediate or arbitrate before you can get a hearing. See the **Mediation** and **Arbitration** sections above in the BY AGREEMENT section.



NOTE: You must give the other party an opportunity to review the judgment before you submit it to the court. See [UTCR 5.100](#) for information.

The State Family Law Advisory Committee has written a guide that may help you prepare for trial. This guide is NOT a substitute for legal advice! The rules of court can be technical and complex, and you may damage your case if you are not properly informed. If your case goes to trial, you are strongly advised to talk to a lawyer. To read the guide, go

to: http://courts.oregon.gov/OJD/docs/OSCA/cpsd/courtimprovement/familylaw/TrialBrochureFINAL1-12-06_000.pdf

THE JUDGMENT



Regardless of how you resolve your case, a ***General Judgment of Dissolution of Marriage/RDP*** must be signed by a judge. One of you may be ordered to fill out the judgment form and give it to the court to be signed.

The judgment finalizes your dissolution and contains all of the issues decided in mediation, arbitration, trial, or by agreement.

- **NOTE:** The *General Judgment* may affect earlier temporary orders done by Limited Judgment. Talk to a lawyer if you have questions.

If the respondent DID NOT file a response, the information you fill out in the judgment should be *exactly* the same as what you requested in the *Petition*.

If the respondent DID file a response, the information should be the *exactly* the same as what was decided in mediation, arbitration, hearing, trial, or through your agreement. All parties must review the *Judgment* before you submit it to the court. You must send the *Judgment* document along with the *Notice of Proposed Judgment or Order* to the respondent.

The respondent can object to the *Judgment*. If that happens, you have to discuss the objections and attempt to resolve them before you submit the *Judgment* to the court. If you are not able to resolve the objections, the respondent can either send you a written statement explaining the objections, or they can submit the objections directly to the court. You must complete the *Certificate of Readiness* section of the *Judgment* to tell the judge whether there are outstanding objections. See [UTCR 5.100\(1\)](#) for more information about notice and objections.¹

If the respondent is responsible for preparing the judgment, the respondent must send the proposed judgment to you before submitting it to the court. Then you can review it and object to it within 7 days of the date it was sent to you. If you and the respondent are not able to resolve your objections after reasonable efforts, you can either send a written explanation of your objections to the respondent or directly to the court. You must notify the respondent of your intentions so that they can advise the judge that there are outstanding issues. The judge may make a decision after reviewing the documents, or the court may contact you with further information.

If you are responsible for preparing the final judgment, make a copy for yourself and one for Respondent (unless you got an *Order of Default*). File the original with the court. **If your case involves spousal/partner support, file an extra copy of the judgment with the court.**

¹ <http://courts.oregon.gov/OJD/programs/utcr/pages/utcrrules.aspx>

Your dissolution is finished and effective the date the *Judgment* is signed by the judge. NOTE: the terms of your judgment are not enforceable until the court enters the judgment. You will receive a *Notice of Entry of Judgment*.

NOTE: Every document you file must have a mailing address or contact address where you will receive documents related to this case. You do NOT need to use your home address. You are responsible for checking your contact address. Notify the court in writing if your contact address changes.

Appendix A – Uniform Support Declaration

You may need to complete a *Uniform Support Declaration (USD)* if you and Respondent do not agree on an amount for spousal/ partner support.

You can file yours with the *Petition*. If you don't file it with your *Petition* and you need one, you must provide it to the court and serve a copy on the respondent at least 14 days before the hearing.

If you are NOT requesting spousal/ partner support, do not file the *USD*. If Respondent requests support, then you must file a *USD* at least 14 days before the hearing, and serve a copy on the respondent.

Tips for filling out the USD:

- Fill out *both* the *Declaration* and *Schedule 1*. Attach all of the documents that the *Declaration* and *Schedule* ask for.
- Use your *actual, present* expenses. Estimates are fine as long as they are realistic and you have no way of confirming the amount.
 - Some items may not apply to you – mark those spaces “N/A” (Not Applicable), but complete *every* item that does apply.
 - If your amounts are unusual or likely to change soon, include a brief explanation of why (if you are temporarily living with a relative, or if one party moved out and is no longer contributing to shared expenses). Include an estimate of what you believe your expenses will be after the situation changes.
- If you have an expense that is not listed, add it, along with a brief explanation.
- If you anticipate any major changes (birth of a new baby, a layoff, a car payment or mortgage being paid off), note these as well. Do NOT include fears or possibilities – only things you know or reasonably expect will happen.
- Household items means things like paper towels, cleaning supplies, light bulbs, storage containers.
- If you are attending school, include your tuition payments, supplies and books, and any other necessary school-related costs.

The *Uniform Support Declaration* is Form 8.010.5 and can be found here: <http://courts.oregon.gov/OJD/programs/utcr> in the *Appendix of Forms*.

Certificate of Mailing – the *Uniform Support Declaration* includes a Certificate of Mailing at the bottom of the form. Once the *USD* is completed, copy the entire form and all attachments and mail them to the respondent. THEN fill out the Certificate of Mailing and file the original with the court. Keep a copy of all documents for your own records.

Appendix B - Property and Debts

➤ **Real Property** – Include property that you own together or separately *and* property owned before the marriage/ RDP.

- Include land, houses, mobile homes, and other structures *attached to or built on land*. Also include partial rights to land like the right to fish, farm, cut timber or mine minerals. This does not mean *personal* property like clothes, jewelry, furniture, cars, etc.
- Identify the property by address, lot, map, or plat number, or any other method that is specific enough to identify the property.
- When completing the *Judgment*, use the full legal description of the property that is on the deed or tax records. If you improperly describe the property, you may not be able to enforce your judgment.
- **You should speak with a lawyer if:**
 - any party is a debtor in a current bankruptcy proceeding.
 - there is a joint line of credit, such as a home equity line of credit, on any real property. This judgment is *not* binding on the lender and may not prevent the other party from using the credit line, even after the judgment.
 - anyone other than you and Respondent has any interest in the real property either now or in the future. For example:
 - ◇ if your title is only for life or for a fixed period of time
 - ◇ if anyone has a right-of-first-refusal to buy the property
 - ◇ if anyone else's name is on the title
 - ◇ if anyone else's name is on a loan that the property is collateral for. These people *must* be joined to the case or the court may not have authority to award that property.
 - you are concerned about the other party selling real property located in Oregon. You can put a hold on the title of the property during the case (called "lis pendens").



If **ANY** property was used to secure a loan, debt, mortgage, or other encumbrance, it is important that you speak with a lawyer. Future bankruptcy filings by either party may create problems for the other party in spite of this judgment. This is especially important for same-sex couples, as bankruptcy and IRS laws are federal and may not recognize the debt award of this judgment.

➤ **Personal Property** is anything you own together or separately that *is not* real property. This includes property owned before the marriage.

➤ If you want certain things *plus* equitable distribution of the rest, mark both boxes in the appropriate section and list the specific property you want in the space provided. **BE AWARE** that if you do not include enough information and the other party does not respond, you may have to serve the other party with corrected paperwork before you can get a *Judgment*.

Debts - The court will divide your debts. Use this table to list all debts in either or both of your names. Include debts that existed before your marriage/partnership; debts that you each or both incurred during your marriage/partnership; and debts that you each incurred after separation. If any debt includes amounts incurred both during the marriage/partnership *and* after separation, write in the “Who pays” column who should pay how much (see example). Talk to a lawyer if you have questions about who should pay which debts.

Example:

Name of Creditor (who money is owed to)	What debt is for	Amount	Who pays	
			Petitioner	Respondent
<i>Chase Bank</i>	<i>Credit Card</i>	<i>\$10,000</i>		<i>X</i>
<i>Wells Fargo</i>	<i>Home Equity Credit Line (petitioner added \$10,000 after separation)</i>	<i>\$20,000</i>	<i>\$15,000</i>	<i>\$5,000</i>
<i>Local Lender</i>	<i>Petitioner’s car loan</i>	<i>\$4,500</i>	<i>X</i>	

Attach this page to the Petition if your list of debts is longer than the table in the Petition

Name of Creditor (who money is owed to)	What debt is for	Amount	Who pays	
			Petitioner	Respondent

Appendix C – Statement of Assets and Liabilities

You will need to file a *Statement of Assets and Liabilities* if the respondent files a *Response* and you have not reached an agreement as your trial date nears. Each party's *Statement* must be filed with the court and served on the other party at least 14 days before your trial. Check your local court's Supplemental Local Rules, Chapter 8 for other time limits and requirements.

Most courts prefer that you complete ONE joint form so that you don't have one form listing "house 1" and the other calling it "123 Main St." Your *Statement* should name the asset as specifically as possible. You and Respondent should do everything you can to agree on the value of your assets and liabilities. Then list who the court should give each entry to. You can use one of the formats below.

If you and Respondent agree on the value of each entry, use this format. You do NOT have to agree about who gets each asset – only about what the assets are worth.

Assets	Value	Petitioner's Claim	Respondent's Claim	Court Award
1998 blue Ford Ranger	\$5,000	Petitioner	Respondent	
Home - 123 Main St.	\$250,000	Respondent	Respondent	
Liabilities				
Mortgage on 123 Main St, Chase Bank	\$120,000	Respondent	Respondent	

(Here, the Petitioner and Respondent both want the Ford Ranger, but agree that Respondent should get the house and be responsible for the mortgage. Leave the last column blank for the judge.)

If you cannot agree on the value of each entry, use this format.

Asset	Petitioner's value	Petitioner's claim	Respondent's value	Respondent's claim	Court Award
1998 blue Ford Ranger	\$5,000	Petitioner	\$15,000	Petitioner	

(Here, the parties disagree about the value of the truck, but agree that Petitioner should get it. Leave the last column blank for the judge.)

Appendix D – Statutory Restraining Order

[Attach to Summons per ORS 107.093(5)]

NOTICE OF STATUTORY RESTRAINING ORDER PREVENTING THE DISSIPATION OF ASSETS IN DOMESTIC RELATIONS ACTIONS

REVIEW THIS NOTICE CAREFULLY. BOTH PARTIES MUST OBEY EACH PROVISION OF THIS ORDER TO AVOID VIOLATING THE LAW.

SEE INFORMATION ON YOUR RIGHT TO A HEARING BELOW.

TO THE PETITIONER AND RESPONDENT:

Under ORS 107.093 and UTCR 8.080, neither Petitioner nor Respondent may:

Insurance Policies

(1) Cancel, modify, terminate, or allow to lapse for nonpayment of premiums, any policy of health insurance, homeowner or renter insurance, or automobile insurance that one party maintains to provide coverage for the other party or a minor child of the parties, or any life insurance policy that names either of the parties or a minor child of the parties as a beneficiary.

Insurance Beneficiaries

(2) Change beneficiaries or covered parties under any policy of health insurance, homeowner or renter insurance, or automobile insurance that one party maintains to provide coverage for the other party or a minor child of the parties, or any life insurance policy.

Property

(3) Transfer, encumber, conceal, or dispose of property in which the other party has an interest, in any manner, without written consent of the other party or an order of the court, except in the usual course of business or for necessities of life.

(A) Paragraph (3) does not apply to payment by either party of:

- (i) Attorney fees in this action;
- (ii) Real estate and income taxes;
- (iii) Mental health therapy expenses for either party or a minor child of the parties; or
- (iv) Expenses necessary to provide for the safety and welfare of a party or a minor child of the parties.

Expenses

(4) Make extraordinary expenditures without providing written notice and an accounting of the extraordinary expenditures to the other party. This does not apply to payment of expenses necessary to provide for the safety and welfare of a party or a minor child of the parties.

EFFECTIVE DATE:

The above provisions are in effect immediately upon service of the *Petition* and *Summons* on the respondent. They remain in effect until a final judgment is issued, until the petition is dismissed, or until further order of the court.

RIGHT TO REQUEST A HEARING

Either Petitioner or Respondent may request a hearing to modify or revoke one or more terms of this restraining order by filing with the court the *Request for Hearing re: Statutory Restraining Order* form specified in Form 8.080.2 in the UTCR Appendix of Forms.

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

In the Matter of the Marriage or Registered Domestic Partnership (RDP) of:

Case No: _____

Petitioner
and

**PETITION FOR DISSOLUTION
OF MARRIAGE RDP**
Filing fees at ORS 21.155 (marriage) &
21.135 (RDP)

Respondent

Claim { is is not } subject to mandatory
arbitration

➤ I need an interpreter: Spanish Russian other: _____

Date of marriage/RDP: _____

Place of marriage/RDP: _____ (County, State)

The Petitioner and Respondent have no children together under the age of 21

1. My spouse or partner and I have differences that are so great that our marriage/RDP cannot be repaired

2. Residency

Marriage Only: At least one spouse currently lives in Oregon **and** that same spouse has lived in Oregon continuously for 6 months prior to filing this *Petition*. At least one spouse currently lives in the county where this *Petition* is being filed.

Registered Domestic Partnership Only:

At least one partner currently lives in Oregon **and** that same partner has lived in Oregon continuously for 6 months prior to filing this *Petition*. At least one partner currently lives in the county where this *Petition* is being filed

or

Neither partner currently lives in Oregon and this *Petition* is being filed in the county where { Petitioner Respondent } last lived

3. Pregnancy

Neither party is now pregnant

Petitioner Respondent is pregnant (and) the other party is is not the parent of this child. The expected date of the child's birth is _____

4. By filing this petition, I acknowledge that I am bound by the terms of the Statutory Restraining Order (SRO) prohibiting either party from disposing of marital/partnership assets. I understand that this restraining order is effective as soon as this *Petition* and the *Summons* are served on Respondent.

SPOUSAL/PARTNER SUPPORT

5. Support

- No spousal/ partner support is requested *or*
 Spousal/partner support should be paid by Petitioner to Respondent (*or*)
 Respondent to Petitioner

Type of support and amount requested (<i>check all that apply</i>):	Monthly Or Total	Based on the following factors (<i>explain</i>):
<input type="checkbox"/> transitional \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	
<input type="checkbox"/> compensatory \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	
<input type="checkbox"/> maintenance \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	

or
 in an amount to be determined when the case is finalized

6. Payments

Payments should be made:

- on the first *or* _____ day of each month
beginning the month following entry of this judgment *or* the date of service of this *Petition*

or
 in a lump sum by _____ (*date*)

Payments should end upon the death of either party *or*: _____
 _____, whichever is sooner

Choose ONE option:

All support payments should be made directly into recipient's checking or savings account. The spouse or partner receiving support must provide the paying spouse or partner with either current deposit slips or their bank name, account name, and account number.

or

To the Department of Justice, Child Support Accounting Unit, PO Box 14506, Salem, OR, 97309. The Department of Justice should provide all collection, accounting, and disbursement, services. (*NOTE: services are only available through DOJ if the receiving party is on public assistance or if your county provides services locally. DOJ will notify you if your case does not qualify for services. Talk to a lawyer for more information.*)

7. Life Insurance

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

PROPERTY AND DEBTS

8. Real Property

- Neither party has any interest in any real property in Oregon or any other place
- Both parties have *or* { Petitioner Respondent has } an interest in real property at:
(address) _____

Additional page attached titled "Section 8 - Real Property"

- The legal description of the real property is attached as Exhibit _____ and incorporated in this petition

This property should be distributed: equitably, *or* as follows: _____

9. Personal Property

(Retirement benefits can be divided. See a lawyer if you want to do that)

- Petitioner and Respondent have divided between them all personal property that they own. This includes all personal effects, household goods, motor vehicles, pets, and other items of property. Neither party should claim items now in the possession of the other.

or

- Petitioner and Respondent should be awarded an equitable distribution of the parties' personal property. This includes retirement benefits, pension plans, profit-sharing plans, deferred-compensation plans, and stock option plans held by the parties.

or

- The parties' personal property should be divided as follows, with equitable distribution of any property not listed:

Petitioner should be awarded the following personal property: _____

Additional page attached titled "Section 9 - Petitioner's Personal Property"

- Petitioner should be awarded all of Petitioner's retirement benefits, pension plans, profit-sharing plans, deferred-compensation plans, and stock option plans held by Petitioner's employer, free of any interest by Respondent.

Respondent should be awarded the following personal property: _____

Additional page attached titled "Section 9 - Respondent's Personal Property"

- Respondent should be awarded all of Respondent's retirement benefits, pension plans, profit-sharing plans, deferred-compensation plans, and stock option plans held by Respondent's employer, free of any interest by Petitioner.

10. Distribution of Debts Debts should be paid as follows:

Name of Creditor (who debt is owed to)	What debt is for	Amount	Who should pay (Petitioner or Respondent)

Additional page attached titled "Section 10, Distribution of Debts"

Each spouse or partner should be responsible for the payment of all debts incurred individually since the date of their separation, all debts distributed to him or her by the court, *and* all debts secured by property distributed to him or her

Debts should be divided as of (*date*): _____

Transfer of Debts and Property

Each party should be ordered to complete all property transfers required by the judgment within 30 days of the date of judgment. Each should execute, acknowledge, and deliver whatever documents are necessary to accomplish the distribution of debts and property ordered by the court. The judgment should operate to convey title if either party fails to comply with this requirement.

11. Former Name

My former name of _____ should be restored
(Write the FULL name – first, middle, and last)

12. Information required by ORS 107.085

Age of Petitioner: _____ Age of Respondent: _____
Respondent's contact address: _____

A Confidential Information Form (CIF) has been completed and filed with the court clerk containing all information required by ORS 107.085 that is identified as confidential by UTCR 2.130 for: Petitioner Respondent

13. Is any other divorce, annulment, separation, or spousal/partner support case started in any state? No (*or*) Yes - case number, court name, state, and type of case: _____

Additional information attached titled "Section 13 - Other Domestic Relations Cases"

14. Is there any existing order in any state that restrains one of the parties from contact with the other party? No (*or*) Yes - case number, court name, state, and type of case: _____

Additional information attached titled "Section 14 - Other Protective Order Cases"

15. Court Costs and Fees for this case (whether paid or deferred)

- 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 should reimburse Petitioner for costs and fees paid
- Other: _____

I request a Judgment granting the relief asked for above, and other equitable relief that the court finds just

Certificate of Document Preparation. Check all that apply:

- I chose this form for myself and completed it without paid help
- A legal help organization helped me choose or complete this form, but I did not pay money to anyone
- I paid (or will pay) _____ for help choosing, completing, or reviewing this form
- Guide & File selected and completed this form and I did not pay anyone to review the completed forms

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

Petitioner (signature)

Print Name

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

**SUMMONS FOR FAMILY LAW
CASE**

- Marriage
 Registered Domestic
Partnership (RDP)
 Unmarried & Unregistered

To (name): _____

Home Address:

Work Address:

Your spouse, partner, or child's parent has filed a *Petition* asking for:

- Separation of your marriage or registered domestic partnership (RDP)
 Divorce or dissolution of your registered domestic partnership (RDP)
 Child Support, custody, or parenting time

NOTICE TO RESPONDENT: READ THESE PAPERS CAREFULLY!

You must “appear” in this case or the other side will win automatically. To “appear,” you must file a legal paper called a “*Response*” or a motion. *Response* forms are available through the court at the address above or online at www.courts.oregon.gov. Talk to a lawyer for information about appearing by motion.

Your *Response* must be filed with the court clerk at the court listed above **within 30 days of the day you received this *Summons***, along with the required filing fee (go to www.courts.oregon.gov for fee information). It must be in proper form and you must show that the Petitioner’s lawyer (or the Petitioner if he or she does not have a lawyer) was formally served with a copy of the *Response* according to the service rules. Service rules are included in *Instructions for Respondents*, available at www.courts.oregon.gov.

If you have questions, see a lawyer immediately. If you need help finding a lawyer, you can call the Oregon State Bar’s Lawyer Referral Service at 503.684.3763 or toll free in Oregon at 800.452.7636, or go to www.oregonstatebar.org.

**RECORD OF DISSOLUTION
OF MARRIAGE, ANNULMENT OR
REGISTERED DOMESTIC PARTNERSHIP**

136-

State file number:

The petitioner or legal representative of the petitioner is responsible for completing the personal information on this form and shall present this form to the clerk of the court with the petition. In all cases the completed record shall be a prerequisite to the granting of the final judgment.

Case number: _____
 Judgment type: Dissolution of marriage Annulment Dissolution of registered domestic partnership(RDP)

Spouse / Partner A

1. Spouse/Partner A – Legal name: (first, middle, last, suffix) 2. Last name at birth: (not required for RDP)
 3. Residence or legal address: (street and number) (city or town) (county) (state)
 4. Other legal last names used:
 5. Date of birth: (mm/dd/yyyy) 6. Birthplace: (state, territory or foreign country)

Spouse / Partner B

7. Spouse/Partner B – Legal name: (first, middle, last, suffix) 8. Last name at birth: (not required for RDP)
 9. Residence or legal address: (street and number) (city or town) (county) (state)
 10. Other legal last names used:
 11. Date of birth: (mm/dd/yyyy) 12. Birthplace: (state, territory or foreign country)

Marriage / Declaration

13. Date of marriage / filing of RDP declaration: (mm/dd/yyyy) 14. Date couple last resided in same household: (mm/dd/yyyy)
 15a. Place of marriage/RDP: (city, town or location) 15b. County: 15c. State or foreign country:
 16. Number of children under 18 in this household as of the date in item 14:
 Number: _____ None 17. Petitioner:
 Spouse/Partner A Spouse/Partner B Both

Attorney

18a. Name of petitioner's attorney: (print) 18b. Address: (street and number or rural route number, city or town, state, ZIP code)
 19a. Name of respondent's attorney: (print) 19b. Address: (street and number or rural route number, city or town, state, ZIP code)

Judgment

20. Marriage/RDP declaration of the above named persons was dissolved on: (mm/dd/yyyy) 21. Date judgment becomes effective: (mm/dd/yyyy)
 22. Number of children under 18 whose physical custody was awarded to:
 ___ Spouse/Partner A ___ Spouse/Partner B ___ Joint (shared custody) ___ Other (specify) _____ No children
 23. County of decree: 24. Title of court: **Circuit**
 25. Signature of court official: 26. Title of court official: 27. Date signed: (mm/dd/yyyy)

Information below will not appear on the certified copies of the record.

Spouse / Partner A

28. Spouse A's Social Security number: (not required for RDP)				29. Spouse B's Social Security number: (not required for RDP)					
30. Number of this marriage/RDP – first, second, etc.:		31. If previously married or in a RDP date last marriage/RDP ended:		32. Hispanic origin: Cuban, Mexican, Puerto Rican		33. Race(s): Black, White, etc.		34. Education – Specify only highest grade completed:	
Marriage	RDP	By death, divorce, dissolution or annulment (specify below)	Date: (mm/dd/yyyy)	List all that apply (specify below)		List all that apply (specify below)		Elementary/Secondary: (grades 0-12)	College: (1-4 or 5+)
30a.	30b.	31a.	31b.	32a.	33a.	34a.	34b.		
30c.	30d.	31c.	31d.	32b.	33b.	34c.	34d.		

Spouse / Partner B

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

_____)
 Petitioner Co-Petitioner,)
 and)
 _____)
 Respondent Co-Petitioner.)
 _____)
 Child At Least 18 But Under 21)
 Other _____)

Case No.: _____

**FAMILY LAW CONFIDENTIAL INFORMATION
FORM (CIF)**

Amended CIF

**This document is not accessible to the public
or other parties. Exceptions may apply. See
UTCRC 2.130.**

**ATTENTION COURT STAFF: THIS IS A RESTRICTED-ACCESS
DOCUMENT.**

The information below is about: Petitioner Respondent Co-Petitioner _____

Child at least 18 but under 21: _____

Other: _____

Name (Last, First, Middle): _____

The names of the parties and the children, as well as the children's ages, are NOT confidential.

Former Legal Name(s) (if applicable):
Date of Birth:
Social Security Number:
Driver License (Number and State):
Employer's Name, Address, and Telephone Number:

Children's Names (Last, First, Middle)

Date of Birth	Social Security Number

Please attach an additional sheet if there are more than five children involved in the proceeding.

I hereby declare that the above statements are true to the best of my knowledge and belief and that I understand they are made for use as evidence in court and are subject to penalty for perjury.

Date: _____ Signature: _____

Type or Print Name: _____

COMPLETED AND SUBMITTED BY:

Petitioner Respondent Co-Petitioner _____

Child who is at least 18 and under 21: _____

Other: _____

NOTE TO COURT STAFF: Unless ordered or authorized under UTCR 2.130, this Confidential Information Form is not available to the opposing party or his/her attorney, or to the public; except for the state.

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

_____))
 _____))
 Petitioner Co-Petitioner,)
 and)
 _____))
 Respondent Co-Petitioner.)
 _____))
 Child At Least 18 But Under 21)
 Other _____))

Case No.: _____

**FAMILY LAW CONFIDENTIAL INFORMATION
 FORM (CIF)**
 Amended CIF

**This document is not accessible to the public
 or other parties. Exceptions may apply. See
 UTCR 2.130.**

**ATTENTION COURT STAFF: THIS IS A RESTRICTED-ACCESS
 DOCUMENT.**

The information below is about: Petitioner Respondent Co-Petitioner _____

Child at least 18 but under 21: _____

Other: _____

Name (Last, First, Middle): _____

The names of the parties and the children, as well as the children's ages, are NOT confidential.

Former Legal Name(s) (if applicable):
Date of Birth:
Social Security Number:
Driver License (Number and State):
Employer's Name, Address, and Telephone Number:

Children's Names (Last, First, Middle)	Date of Birth	Social Security Number

Please attach an additional sheet if there are more than five children involved in the proceeding.

I hereby declare that the above statements are true to the best of my knowledge and belief and that I understand they are made for use as evidence in court and are subject to penalty for perjury.

Date: _____ Signature: _____

Type or Print Name: _____

COMPLETED AND SUBMITTED BY:

Petitioner Respondent Co-Petitioner _____

Child who is at least 18 and under 21: _____

Other: _____

NOTE TO COURT STAFF: Unless ordered or authorized under UTCR 2.130, this Confidential Information Form is not available to the opposing party or his/her attorney, or to the public; except for the state.

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

_____)
 Petitioner Co-Petitioner,)
 and)
 _____)
 Respondent Co-Petitioner.)
 _____)
 Child At Least 18 But Under 21)
 Other _____)

Case No.: _____

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

NOTICE: Confidential Information Form Has Been Filed

- Uniform Trial Court Rule (UTCRC) 2.130 requires that parties to domestic relations cases place certain information about themselves and other parties in a CIF when such information is required in a document filed with the court.
- The CIF is not available for public inspection except as authorized by law.
- Parties are allowed to see a CIF that contains information about them.
- A party who wants to see a CIF that contains information about another party must ask for permission from the court or the other party by following the procedures set out in UTCRC 2.130.

I am the (check one box):

Petitioner Respondent Co-Petitioner _____
 Child at least 18 but under 21: _____
 Other: _____

I filed Confidential Information Forms with the court about the following parties to this case

(complete a section for each party for whom you have filled out a CIF):

1) Name (Last, First, Middle): _____
 Petitioner Respondent Co-Petitioner Adult Child Other: _____

Confidential Personal Information contained in CIF (check all that apply):

party's social security number, party's date of birth, children's social security number,
 children's date of birth, employer's name, address, and telephone number, driver license number,
 former legal name(s).

2) Name (Last, First, Middle): _____
 Petitioner Respondent Co-Petitioner Adult Child Other: _____

Confidential Personal Information contained in CIF (check all that apply):

- party's social security number, party's date of birth, children's social security number,
- children's date of birth, employer's name, address, and telephone number, driver license number,
- former legal name(s).

3) Name (Last, First, Middle): _____
 Petitioner Respondent Co-Petitioner Adult Child Other: _____

Confidential Personal Information contained in CIF (check all that apply):

- party's social security number, party's date of birth, children's social security number,
- children's date of birth, employer's name, address, and telephone number, driver license number,
- former legal name(s).

4) Name (Last, First, Middle): _____
 Petitioner Respondent Co-Petitioner Adult Child Other: _____

Confidential Personal Information contained in CIF (check all that apply):

- party's social security number, party's date of birth, children's social security number,
- children's date of birth, employer's name, address, and telephone number, driver license number,
- former legal name(s).

Dated this _____ day of _____, 20____

Signature

Print Name

Contact Address

City, State, Zip

Contact Telephone

Information about the Confidential Information Form (CIF)

What is a CIF?

Most court files may be viewed by the public. Uniform Trial Court Rule (UTCRC) 2.130 requires certain confidential personal information to be protected from public disclosure. That is done by providing the information in a separate form. After you file your papers, the court keeps the form separate from the part of the court file that may be viewed by the public. The form is UTCRC Form 2.130.1, known as the Confidential Information Form, or CIF.

What information does a CIF make confidential?

The information protected by the CIF is social security numbers, birth dates, driver license numbers, and former legal names. Also protected are the name, address, and telephone number of a party's employer.

The CIF should only be used to protect the information described above. There may be other information in your court papers that you do not want the public to be able to see, such as bank account or credit card numbers. The separate process for protecting that information is described in UTCRC 2.100, which can be read at:

<http://courts.oregon.gov/OJD/programs/utcr/pages/utcrrules.aspx>

How do I know when I need to put information in the CIF?

When a document filed with the court requires you to include information protected by a CIF, that information must **only** be provided to the court in a CIF and must not be listed in any other document to be filed. Where you would otherwise provide the information in the document to be filed you must make a note that the information has been provided in the CIF. For example, if a document requires a party's full social security number to be listed, you must not list the social security number, but must instead make a note on the document that the information has been filed under UTCRC 2.130. **The online court forms already have that note on the form.**

Do I need to file more than one CIF?

In most cases, yes. You must fill out a CIF for yourself, and if the documents you are filing with the court require confidential personal information about the other party, you must also fill out a separate CIF with the other party's information. If your case involves children, you should include their information in *your* CIF. You do not need a separate CIF for your children.

If there is CIF information you do not know when you file your papers, or if the information changes during your case, you must file an amended CIF that provides the new or updated information.

The CIF rule requires you to redact – black out or erase – confidential personal information from any attachments to documents you file with the court and to make a note on the attachment that the information has been provided in the CIF. The only exception is when you are required to attach a court-certified document. Documents that are required to be court certified should not be altered in any way.

Does the other party get copies of a CIF I file?

You are not required to serve the CIFs on the other party, though you may share a CIF with the other party if you chose to do so. You *are* required to serve the other party with UTCR Form 2.130.2, which is a notice that a CIF has been filed. You must also file a certificate with the court showing that you served the other party with the notice that a CIF was filed.

There are steps the other party and other people can go through to ask the court to allow them access to a CIF that you have filed. UTCR 2.130 explains that process in detail, and also describes the circumstances under which the court must deny a request by someone else to view a CIF you have filed.

The CIF rule (UTCR 2.130) can be read at:

<http://courts.oregon.gov/OJD/programs/utcr/pages/utcrrules.aspx>

and you can find additional information about the rule and family law processes at:

<http://courts.oregon.gov/OJD/OSCA/JFCPD/Pages/FLP/Index.aspx>

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

Case No: _____

Plaintiff/ Petitioner

v.

**ACCEPTANCE OF
SERVICE**

Defendant/ Respondent

I am the Plaintiff/ Petitioner Defendant/ Respondent in this matter.

On (date) _____ I received a true copy of (check all that apply):

- | | |
|------------------------------------|---|
| <input type="checkbox"/> Petition | <input type="checkbox"/> Summons |
| <input type="checkbox"/> Claim | <input type="checkbox"/> Information on mediation |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Other: _____ |

And for Domestic Relations cases:

- Notice of Statutory Restraining Order Preventing Dissipation of Assets
- Notice of CIF (*Confidential Information Form*) Filing
- Information on continuation of insurance coverage (COBRA)
- Order to Show Cause re: Modification with Motion and Declaration
- Statement of Assets and Liabilities
- Uniform Support Declaration
- Other forms: _____

Certificate of Document Preparation. Check all that apply:

- I chose this form for myself and completed it without paid help
- A legal help organization helped me choose or complete this form, but I did not pay money to anyone
- I paid (or will pay) _____ for help choosing, completing, or reviewing this form

I hereby declare that the above statements are true 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

Name (printed)

Address

City/ State/ Zip

Telephone

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

Case No: _____

and

Petitioner
Respondent

CERTIFICATE OF SERVICE
(ORCP 7D(2))

- (a) Personal Service
- (b) Substitute Service
- (c) Office Service
- (d) Service by Mail

I, (*name*) _____, declare that I am a resident of the state of _____ . I am a competent person 18 years of age or older. I am not a party to or lawyer in this case, and not the employee of a party. I certify that the person served is the person named below. I served true copies of the original (*check all that apply*):

- Petition and Summons
- Information about mediation
- Notice of Confidential Information Form (CIF) Filing
- Notice of Statutory Restraining Order Preventing Dissipation of Assets
- Order to Show Cause re: Modification with Motion and Declaration
- Information about continuing insurance coverage (COBRA)
- Uniform Support Declaration
- Other information provided by the court clerk (*name all forms or documents served*) _____
- Other (*name all forms or documents served*) _____

by (*check a, b, c, or d and complete all information*):

(a) **Personal Service** on (*date*) _____, at _____ a.m./p.m., to { Petitioner Respondent } (*name*) _____ in person at the following address _____ in the County of _____, State of _____.

(b) **Substitute Service** on (*date*) _____, at _____ a.m./p.m., by delivering them to the following address _____ in the County of _____, State of _____ . Delivered to (*name*) _____, who is a person age 14 or older and who lives there.

(Complete the section below only if the server also did the follow-up mailing required by ORCP 7D(2)(b). If a person other than the server did the follow-up mailing, that person must complete a separate Certificate of Service Mailing.)

On (*date*) _____, I personally deposited a true copy of the same documents served with the U.S. Postal Service, via first class mail, in a sealed envelope, postage paid, addressed to the party to be served: Petitioner Respondent (*name*) _____, at the party's home address listed above, together with a statement of the date,

time and place that the documents were hand-delivered to the party's dwelling (residence).

(c) **Office Service** on (date) _____, at _____ a.m./p.m., by delivering them to the office of the party to be served, located at: (address) _____, during normal working hours for that office, where I left the documents with (name) _____, who is a person apparently in charge, to give the documents to the party to be served. (Complete the section below only if the server also did the follow-up mailing required by ORCP 7D(2)(c). If a person other than the server did the follow-up mailing, that person must complete a separate Certificate of Service Mailing.)

On (date) _____, I personally deposited a true copy of the same documents served with the U.S. Postal Service, via first class mail, in a sealed envelope, postage paid, addressed to the party to be served: Petitioner Respondent (name) _____, at the party's: home address at: _____, **OR** business address above, together with a statement of the date, time and place that the documents were hand-delivered to the party's office.

(d) **Service by Mail, Return Receipt Requested** on (date) _____, I personally deposited **two** true copies with the U.S. Postal Service. **One** by first class mail, and the **other** by certified or registered mail, Return Receipt Requested, or by express mail, postage paid, addressed to the party to be served: Petitioner Respondent _____ (name), at the party's home address located at: _____ (address). (NOTE: If mailed Return Receipt Requested, the return receipt must be attached to this Certificate of Service.)

Certificate of Document Preparation . Check all that apply:
 I chose this form for myself and completed it without paid help.
 A legal help organization helped me choose or complete this form, but I did not pay money to anyone.
 I paid (or will pay) _____ for help choosing, completing, or reviewing this form.
 TurboCourt selected and completed this form and I did not pay anyone to review the completed form.

I hereby declare that the above statements are true to the best of my knowledge and belief, and that I understand they are made for use as evidence in court and I am subject to penalty for perjury.

Date

Signature of Server

Print Name

If person serving is NOT a sheriff or sheriff's deputy, address and phone number of server:

NOTICE OF PROPOSED JUDGMENT OR ORDER

To be sent to all other parties before submitting proposed Judgment or Order to the court for signature. Send the Judgment or Order to the other party with this Notice at least 7 days before submitting it to the court. This does not apply to judgments submitted with a Motion for Order of Default or after and Order of Default has been granted.

This notice is to inform you that you can object to the attached proposed *Judgment* or *Order*.

Uniform Trial Court Rule (UTCRC) 5.100¹ allows you to object to the proposed judgment or order. If you have no objections, you can sign the last page and return it to me.

If you do object to any of the terms of the judgment or order, you may:

1) Contact me within 7 days of the date of this notice. If you contact me and we are not able to resolve your objections after reasonable efforts, I will include your objections with the proposed judgment or order when I submit it to the court.

or

2) Submit your objections directly to the court. If you intend to submit your objections directly to the court, notify me within 7 days of the date of this notice so that I can inform the court of your intentions when I submit the proposed judgment or order. If you do object to the proposed order or judgment, you must contact me within 7 days of the date of this notice.

Date

Signature

Name (printed)

Address

City/ State/ Zip

Phone

¹ <http://courts.oregon.gov/OJD/programs/utcr/pages/utcrrules.aspx>

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

In the Matter of the Marriage or Registered Domestic Partnership (RDP) of:

Petitioner

and

Respondent

Case No: _____

**DECLARATION
SUPPORTING GENERAL
JUDGMENT OF DISSOLUTION
OF MARRIAGE RDP**

The statements made in the Petition remain true and accurate *except*:

Section Number	Explain

Additional page attached

Petitioner Respondent is pregnant (and) the other party is is not the parent of this child. The expected date of the child's birth is _____

I ask the court to enter judgment without a hearing under ORS 107.095(4) *because*:

- Respondent has not appeared and an *Order of Default* has been entered
- Respondent has stipulated (agreed) to the terms of the *Judgment*

Certificate of Document Preparation. Check all that apply:

- I chose this form for myself and completed it without paid help
- A legal help organization helped me choose or complete this form, but I did not pay money to anyone
- I paid (or will pay) _____ for help choosing, completing, or reviewing this form

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.

Submitted by Petitioner Respondent

Date

Signature

Name (printed)

Contact Address

City, State, Zip

Contact Phone

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

In the Matter of the Marriage or Registered Domestic Partnership (RDP) of:

Case No: _____

and
Petitioner

Respondent

**GENERAL JUDGMENT OF
DISSOLUTION OF**
 MARRIAGE RDP

 and MONEY AWARD

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

FINDINGS:

1. The court considered the Declaration Stipulations Evidence presented and finds that:
 - A. Irreconcilable differences have caused the irremediable breakdown of this marriage or domestic partnership
 - B. At the time the *Petition* was filed:
 - Marriage Only: At least one spouse lived in Oregon and that same spouse had lived in Oregon continuously for 6 months prior to the filing of the *Petition*. At least one spouse lived in the county in which the *Petition* was filed.
 - Registered Domestic Partnership Only:
 - At least one partner lived in Oregon and that same partner had lived in Oregon continuously for 6 months prior to the filing of the *Petition*. At least one partner lived in the county in which the *Petition* was filed.
 - or**
 - neither partner lived in Oregon and the *Petition* was filed in the county where { Petitioner Respondent} last resided
 - C. The parties have no children together under the age of 21

2. Party and Marriage/RDP Information:

Date of Marriage / RDP: _____

Place of Marriage/RDP: _____ (County, State)

Current age of parties: Petitioner _____ Respondent _____

3. Pregnancy

- Neither party is now pregnant (*or*)
- Petitioner Respondent is now pregnant.
The other party is is not the parent of the child due (*date*) _____

~~The~~ _____

The court grants judgment as follows:

The marriage or RDP is legally dissolved as of the date this Judgment is signed. The terms of this judgment are effective upon entry in the court register.

SPOUSAL/PARTNER SUPPORT

There is an existing Limited Judgment for temporary spousal/ partner support. Temporary support under the limited judgment ends as of the date of entry of the General Judgment, but any arrears accrued under the Limited Judgment remain enforceable under the Limited Judgment.

1. Spousal or Partner Support

- No spousal/ partner support or life insurance for the benefit of either party is ordered in this case *or*
- Spousal support must be paid by Petitioner to Respondent (*or*) Respondent to Petitioner

Type of support and amount ordered (<i>check all that apply</i>):	Monthly Or Total	Based on the following factors (<i>explain</i>):
<input type="checkbox"/> transitional \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	
<input type="checkbox"/> compensatory \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	
<input type="checkbox"/> maintenance \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	

2. Payments

Payments must be made:

- on** the first *or* _____ day of each month
beginning the month following entry of this judgment *or* the date of service of this *Petition*
- or*
- in a lump sum in the amount of \$ _____ by _____ (*date*)

Payments will end upon the death of either party or: _____
_____, whichever is sooner

All payments of spousal/partner support must be made:

Directly into _____'s bank account. The paying spouse/partner should keep a receipt of deposit as proof of payment. The person receiving support must provide the person paying support with current deposit slips or bank name, account name, and account number.

or

To the Department of Justice, Child Support Accounting Unit, P.O. Box 14506, Salem, Oregon, 97309. Petitioner requests that collection, accounting, and disbursement services be provided through the Department of Justice. (NOTE: services are only available through DOJ if the receiving party is on public assistance or if your county provides services locally. DOJ will notify you if your case does not qualify for services. Talk to a lawyer for more information)

3. Withholding

If enforcement services are provided through the State of Oregon's Department of Justice, the support order is enforceable by income withholding under ORS 25.311

4. Life Insurance

The party paying support must carry life insurance for the benefit of the other party 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 other party

PROPERTY AND DEBTS

5. Real Property

Neither party has any interest in any real property in Oregon or any other place
 Both parties have *or* { Petitioner Respondent } has an interest in real property

at: (address) _____

This property is awarded as follows: _____

_____ Additional page attached titled "Section 5- Real Property"

The legal description of the property is attached as Exhibit _____ and incorporated into this Judgment

Petitioner Respondent is responsible for preparing, signing, and recording a deed transferring the real property as required by this judgment

Other: _____

1. Personal Property

The Petitioner and Respondent have divided between them all personal property that they own separately or together, and each is awarded those items now in their possession *except that:*

A. The Petitioner is awarded the following personal property: _____

_____ Additional page attached titled "Section 6A-Petitioner's Personal Property"

The Petitioner is awarded all retirement benefits, pension plans, profit-sharing plans, deferred compensation plans, and stock options held by Petitioner's current and past employers, free of any interest by the Respondent

B. The Respondent is awarded the following personal property: _____

Additional page attached titled "Section 6B-Respondent's Personal Property"

The Respondent is awarded all retirement benefits, pension plans, profit-sharing plans, deferred compensation plans, and stock options held by Respondent's current and past employers, free of any interest by the Petitioner

2. Distribution of Debts The debts will be paid as follows:

Name of creditor (who money is owed to)	What the debt is for	Amount	Who pays (Petitioner or Respondent)

Additional page attached titled "Section 7-Distribution of Debts"

Unless otherwise specified above, each party is responsible for the payment of all debts incurred by him or her individually since the date of separation, all debts distributed to him or her by the court, and all debts which are secured by property distributed to that party. If any creditor asks the party not responsible for a debt to pay any portion of it, and he or she does so, the party responsible for that debt must reimburse the paying party for any amount paid to the creditor after the date this judgment is entered.

Debts are divided between the parties as of (*date*): _____

3. Transfer of Property and Debts

Within thirty (30) days of the date of this judgment, each party must execute, acknowledge, and deliver whatever documents are necessary to accomplish the distribution of debts and property ordered by the court. This judgment operates to convey title to the party awarded the property if the other party fails to comply with this requirement.

4. Former Name

Petitioner's Respondent's former name of _____
_____ is restored (*use FULL name – first, middle, last*)

5. Additional Provisions: _____

Additional page attached titled "Section 10 - Additional Provisions"

6. 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: _____

7. Information Required by ORS 25.020 and 107.085

As required by UTCR 2.130, a *Confidential Information Form* has been completed for each party and filed with the court. The CIF contains all information required by ORS 25.020 and 107.085 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 shall not disclose the information in the CIF to the other party.

Money Award Support Obligation included not included

	PETITIONER	RESPONDENT
Full Name		
Contact Address		
Year of Birth		
Social Security # (last 4 digits)		
Driver License # (last 4 digits) and 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

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: _____ _____

Type of Judgment		Amount	Beginning / Ending
<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>Petition (date)</i> _____ <i>or</i> <input type="checkbox"/> Other _____ and due on the same day of each month thereafter
		or	Ending the earlier of: (date) _____ or the death of either party
		A lump sum of \$ _____	Paid by (date): _____
<input type="checkbox"/> Property Division	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$ _____ per month until a total of \$ _____ is paid	Beginning the (<i>day</i>) _____ of the month following entry of judgment
		or	
		A lump sum of \$ _____	Paid by (<i>date</i>): _____
<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 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

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

- Service is not required under UTCR 5.100 because the other party has been found in **default** or an order of default is being requested with this proposed judgment; because 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.
- 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: <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	
_____ Signature	_____ Print Name

Certificate of Document Preparation. Check all that apply:

- I chose this form for myself and completed it without paid help
- A legal help organization helped me choose or complete this form, but I did not pay money to anyone
- I paid (or will pay) _____ for help choosing, completing, or reviewing this form

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.

Petitioner, Signature

Date

Petitioner, Name (printed)

Respondent stipulates (agrees) to the terms of this judgment

Respondent, Signature

Date

Respondent, Name (printed)

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

Case No: _____

Petitioner
and

Respondent

**EX PARTE MOTION FOR
ORDER OF DEFAULT and
DECLARATION IN SUPPORT**

Motion

Based on the attached *Declaration*, Petitioner requests that this court grant an *Order* entering the default of Respondent and directing entry of judgment.

Statement of Points and Authorities

ORCP 69 requires the court or clerk to enter an order of default on a showing by affidavit or declaration that a party against whom a judgment is sought has been served with Summons or is otherwise subject to the jurisdiction of the Court and has failed to plead or otherwise defend within the time set by law.

Declaration

Respondent was served with the *Summons, Petition* and other documents required by law in _____ County, State of _____, on (date) _____ and has not made an appearance within the time required by law.

Respondent has not provided me with written notice of intent to appear.

or

Respondent provided me with written notice of intent to appear **and** I filed and served written notice of intent to apply for default at least 10 days before filing this motion, or fewer days as permitted by the court.

Respondent is not now, and was not at the time of the service of the *Petition* and *Summons*, incapacitated, a minor, a financially incapable person, a protected person, or a Respondent in a fiduciary protective proceeding, as defined by ORS 125.005,

and (check one of the following):

The Respondent **is not** now, and was not at the time of service of the *Petition* and *Summons*, in active military service of the United States. *Provide facts supporting this statement:* _____

The Respondent **is** now, or was at the time of service of the *Petition* and *Summons*, in active military service of the United States. Respondent has waived his or her rights under the Servicemembers' Civil Relief Act, as shown by the attached waiver, labeled Exhibit _____.

I am unable to determine whether or not Respondent is now, or was at the time of the service of the *Petition* and *Summons*, in active military service of the United States.

Provide any facts you do know: _____

I request the relief specified in the attached *Judgment*.

Costs and fees are allowable under ORS 107.105(1)(j) or 107.490(4).

Certificate of Document Preparation. Check all that apply:

- I chose this form for myself and completed it without paid help.
- A legal help organization helped me choose or complete this form, but I did not pay money to anyone.
- I paid(or will pay) _____ for help choosing, completing, or reviewing this form.
- TurboCourt selected and completed this form and I did not pay anyone to review the completed form.

I hereby declare that the above statements are true to the best of my knowledge and belief, and that 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

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

Case No: _____

Petitioner

and

**ORDER ON MOTION
FOR DEFAULT**

Respondent

Based on the motion and declaration of the Petitioner in this case,

- The court **DENIES** the *Ex Parte Motion for Order of Default* because:
- the respondent was not properly served with the *Petition* and *Summons* or other necessary documents, or no proof of service has been filed with the court.
 - the respondent has filed an appearance.
 - the respondent is now or was, at the time of service of the *Petition* and *Summons*, in active military service of the United States and has not waived protection under the Servicemembers Civil Relief Act.
 - the respondent is now, or was, at the time of service of the *Petition* and *Summons*, incapacitated, a minor, a financially incapable person, a protected person, or a Respondent in a fiduciary protective proceeding, as defined by ORS 125.005.
 - Other: _____
- _____

- The court **GRANTS** the *Ex Parte Motion for Order of Default* and directs entry of judgment because the court finds that:
- 1) The respondent was properly served with the *Petition* and other necessary documents and has not filed an appearance,
 - 2) The respondent is not now and was not, at the time of service of the *Petition* and *Summons*, incapacitated, a minor, a financially incapable person, a protected person, or a Respondent in a fiduciary protective proceeding, as defined by ORS 125.005, **and**
 - 3) The respondent:
 - is not now and was not, at the time of service of the *Petition* and *Summons*, in active military service of the United States, *or*
 - is in active military service of the United States and has waived protection against default judgments under the Servicemembers Civil Relief Act.

Certificate of Readiness under UTCR 5.100

This proposed judgment is ready for judicial signature because service is not required under UTCR 5.100 because this judgment is submitted ex parte as allowed by statute or rule

Judge Signature:

