



# SIXTH JUDICIAL DISTRICT

## CIRCUIT COURTS

UMATILLA COUNTY  
216 SE 4<sup>th</sup> ST  
PENDLETON OR 97801  
(541) 278-0341

UMATILLA COUNTY  
915 SE COLUMBIA DR  
HERMISTON OR 97838  
(541) 667-3020

MORROW COUNTY  
100 COURT ST / PO BOX 609  
HEPPNER OR 97836  
(541) 676-5264

### FAMILY LAW RESOURCES LIST

You have spent money to buy paperwork to file for Divorce, Custody or Modification of Custody, Parenting Time, and/or Child Support. If you hired an attorney, he or she would prepare these forms for you, but you are acting as your own attorney and filling out this paperwork.

Please read and follow all of the instructions carefully. Make sure all of the documents required in the instructions are filled out and included with your Petition, Motion, or Response. The Court might not accept your paperwork if any of the required documents are NOT filled out and attached to the Petition. Be sure to include:

- **Legal Description of Real Property** (e.g., home – usually available from the Tax Assessor for the county where the property is located.
- **Vehicle VIN#s.**
- **If minor children:** Submit a **Parenting Plan.**

### WEBSITES

Family Law Website ..... <http://courts.oregon.gov/familylaw>  
 Local Umatilla/Morrow County Website ... <http://courts.oregon.gov/Umatilla/pages/familylaw.aspx>  
 Division of Child Support Calculator ..... [www.oregonchildsupport.gov/calculator/index.shtml](http://www.oregonchildsupport.gov/calculator/index.shtml)  
 On-line Co-Parenting Class (also available in Spanish)\* ..... <http://online.divorce-education.com/>  
 Legal Aid Website ..... <http://oregonlawhelp.org>  
 Lawyer Referral Service..... <http://www.osbar.org/public/>  
 Department of Defense (verify active military service) [www.dmdc.osd.mil/appj/scra/scraHome.do](http://www.dmdc.osd.mil/appj/scra/scraHome.do)

### PHONE NUMBERS

Umatilla County Civil Sheriff: Pendleton.....541-278-6284 Hermiston.....541-667-3011  
 Morrow County Civil Sheriff: .....541-676-5317  
 Child Support Enforcement: Umatilla County ...541-278-6281 Morrow County...541-676-5301  
 Child Support Program / Salem Office:..... 1-800-850-0228  
 Child Support Division, Dept of Justice / Local Office:.....541-276-6932  
 (Pendleton Address: 800 SE Emigrant Suite 100, Pendleton, OR 97801)  
 Tel-Law: ..... 1-800-452-4776  
 Legal Aid<sup>1</sup> 365 SE 3<sup>rd</sup> St, Pendleton OR 97801 .....541-276-6685 or 1-800-843-1115  
 Lawyer Referral Service:..... 1-800-452-7636

### Domestic Violence

Pendleton	Hermiston	Boardman	Milton-Freewater
541-276-3322	541-567-0424	541-379-1108	541-938-8266

<sup>1</sup> Also serves Morrow County; outreach to ARC in Hermiston each month; call the Pendleton office in advance to set an appointment (all locations).

**\*\*NO LEGAL ADVICE PROVIDED\*\***

To benefit from this class, you should bring the appropriate court forms packet for your case:

- Packet 1A – Summary Dissolution (Please ensure you meet all requirements before selecting this form)
- Packet 1B – Dissolution for Petitioners with Children
- Packet 1C – Dissolution for Petitioners without Children
- Packet 3 – Unmarried Parents Establishing Custody, Parenting Time, and Child Support
- Packet 9A – Co-Petitioners **with** Children
- Packet 9B – Co-Petitioners **without** Children

You can purchase the forms packets from the court, or download the forms for free from the Oregon Judicial Department Forms Website: <http://courts.oregon.gov/Umatilla/pages/FormsDomRel.aspx>

Instructors will go through Packet 1B, which will provide the information needed to use the other packets. Each class is under two hours, and focuses on getting your forms ready to file with the court.

Space is limited so come early. Be sure to bring a pen/pencil to write with, and have as much of the forms completed as possible before you come. You may also want to bring sticky notes and paper clips.

**Classes are held in both locations on the scheduled dates.**

**2015 Dates**

**Hermiston:** 1st Floor Conference Room 121 915 SE Columbia Dr.  
 Stafford Hansell Government Center Hermiston OR 97838

January 8	February 5	March 5	April 2	May 7	June 4
July 9	August 6	September 3	October 1	November 5	December 3

**Pendleton:** Room 316 (3<sup>rd</sup> Floor) 216 SE 4<sup>th</sup> St.  
 Umatilla County Courthouse Pendleton, OR 97801

January 27	February 24	March 24	April 21	May 26	June 23
July 21	August 25	September 29	October 27	November 24	December 22

Presenter: Family Court Facilitator  
 Telephone: 541-278-0341 Ext. 240 (Pendleton)  
 541-667-3028 (Hermiston – Thursday only)

# Modification of Custody, Parenting Time and Child Support

## Instructions for Packet 4A

**Notice about these instructions and forms.**

*These instructions are not a complete statement of the law. They cover basic procedure for uncomplicated cases in which there has already been a judgment in a divorce, legal separation, or unmarried custody proceeding that a party now wishes to modify. For legal information, please talk to a lawyer or visit your local law library. Each court has local rules, programs and procedures that may not be explained in these instructions.. **Information about how to contact your local court may be found at the Oregon Judicial Department website: <http://www.courts.oregon.gov>.***

This set of forms and instructions will allow you to ask the court to modify a custody, parenting time, and/or child support order or judgment. The court may terminate a party’s obligation to pay child support if a change of custody is ordered, or adjust child support up or down if there has been a change in circumstances since the last child support order or judgment which warrants a modification.

Your request for modification should be filed in the circuit court that entered the judgment you are asking the court to modify. If either party lives in a different judicial district in Oregon than the one that entered that judgment, you may request that the case be transferred. If you want an Oregon court to modify a judgment from another state, we strongly urge you to consult with a lawyer. An Oregon court may not have jurisdiction to modify the out-of-state judgment.

The instructions are broken down into 3 basic steps. The forms that go with each step are listed below.

Steps	Page (Instructions)
1. Starting your Case	2
<p>Ex Parte Motion for Order to Show Cause Regarding Modification of Judgment            Affidavit in Support of Motion for Order to Show Cause re: Modification of Judgment            Either of the following (<i>consult your court clerk or facilitator</i>):            Order to Show Cause Regarding Modification of Judgment - Written Response Required            Order to Show Cause Regarding Modification of Judgment - Personal Appearance Required            Certificate re: Pending Child Support Proceedings and/or Existing Child Support Orders/Judgments            Confidential Information Form (CIF)            Notice of CIF Filing            Certificate of Document Preparation            Certificate of Mailing            Affidavit/Acceptance of Service</p> <p>NOTE: If a request to terminate or modify child support is being made, some courts require that the following documents be filed with the above documents: <i>Uniform Support Declaration</i> (see Packet #6F), and <i>Child Support Calculation Worksheets</i> (See “Child Support” on page 3). Check with your court clerk or facilitator.</p>	
2. Waiting for a Response; Taking a Default	6
<p>Ex Parte Motion for Order of Default and Entry of Judgment by Default; and Order            Affidavit in Support of Motion for Order of Default and Entry of Judgment by Default            (<i>continued on next page</i>)</p>	

Supplemental Judgment Modifying Judgment Re: Custody, Parenting Time, Child Support, and Order re: Jurisdiction (ORS 107.174)

Attachments: Parenting Plan, Parenting Class Certificate of Completion and, if a request to terminate or modify child support is being made: *Uniform Support Declaration* (see Packet #6F), *Child Support Calculation Worksheets* (See “Child Support” on page 3)

**When filling out the forms, follow these directions:**

- The case heading includes your case number and the parties to the court case. If you are filing in the circuit court that entered the judgment you are attempting to modify, the case number and names of “Petitioner”, “Respondent”, or “Co-Petitioners” will stay the same. If the judgment you are asking the court to modify was entered in another court, you will be given a new case number, but the names of “Petitioner”, “Respondent”, or “Co-Petitioners” will stay the same. If you originally filed as Co-Petitioners but are no longer filing together, the person requesting the modification will be the Petitioner and the other parent will be the Respondent.
- Make sure to put the same information in the caption on all copies and originals of documents you file with the court.
- Some forms have to be notarized or signed in the presence of a court clerk. You will need your picture ID for this. Many banks provide notary services.
- Many forms say on the bottom, “I certify that this is a true copy,” and provide a place to sign. Don’t sign this line on the original form or on your own copy. You need to sign this line only on the copies that are served on the other parent.
- Make yourself a copy of any document you are filing with the court. File the original with the court clerk.
- Keep the court informed of your current address so you get notice of all court dates. **You are not required to use your residential address on any court form.** You may use a contact address where you regularly check in. If you use a contact address, the court will assume that you will receive all notices sent to that address.

**STEP 1: STARTING YOUR CASE**

**Legal Issues to Consider.**

This type of case starts with a “motion” which lists the items you are asking the court to order in the “judgment”. The judgment is the document that finalizes your case, and contains your rights and responsibilities. Oregon law provides that a number of issues must be addressed in the judgment. Before you fill out the motion, you should think about how you want to handle these issues.

**Parenting Plan.** A parenting plan is required for cases involving a minor child. The plan sets out the schedule and rules for each parent’s time with the child. The parenting plan may include safety provisions for the child if domestic violence, substance abuse, child abuse or other circumstances are involved in your case.

A mediator can help parents create a parenting plan. Information about parenting plans may also be available through your court’s parent education program, the courthouse facilitator, or your local law library. **The Oregon Judicial Department and the State Family Law Advisory Committee have created a “Basic Parenting Plan Guide for Parents” with information about how to develop a plan, information about alternative schedules, and ages and stages of your child[ren] which should be considered in creating a plan. A sample parenting plan form is included in the Guide. The Guide may be downloaded from the OJD Family Law Website at <http://www.courts.oregon.gov/familylaw>. There is also a “Safety Focused Parenting Plan Guide” on this website to help you develop a parenting plan where there are safety concerns for your children.**

If the parents don’t agree on a parenting plan, a judge will order a parenting plan for you.

Oregon law (ORS 107.159) prevents either parent from moving more than 60 additional miles away from the other parent without giving him or her and the court notice of the move. You may ask the judge to waive this requirement by checking the last box in the parenting plan section of the petition.

For information about child custody, you may call Tel-Law (1-800-452-4776) tape 902, or visit [www.osbar.org](http://www.osbar.org).

**Child Support. IMPORTANT! Oregon law requires that the petitioning party submit a CERTIFICATE stating whether there are any pending child support proceedings or existing child support orders involving the parties' child[ren]. To comply with this requirement, fill out and submit the form called "CERTIFICATE re: PENDING CHILD SUPPORT PROCEEDINGS and/or EXISTING CHILD SUPPORT ORDERS/JUDGMENTS" in this packet. You will be required to attach certified copies of any pre-existing child support orders (certified copies may be obtained from the clerk of the issuing court).**

You may request that the court terminate or modify a child support obligation, make a change in the parent responsible for it, or change the amount. The amount of support, if ordered, will be determined by the Child Support Guidelines. The Guidelines have worksheets to help you figure out who should pay support and how much it should be. Information about child support, including the Guidelines and Worksheets, is on the Internet at:

[http://www.dcs.state.or.us/oregon\\_admin\\_rules/guidelines.htm](http://www.dcs.state.or.us/oregon_admin_rules/guidelines.htm).

This website also has a Child Support Calculator which may help you to calculate the amount of child support which should be paid: <http://www.dcs.state.or.us/calculator>. Your local court facilitator, legal aid office or child support program may **also** be able to help you calculate the amount of support.

**Cash Medical Support.** In addition to cash child support, Oregon law may require the payment of cash medical support. If neither party has private health insurance for the child(ren) or if the health insurance is to be provided only by the parent that receives cash child support, the court is required to order cash medical support unless the court finds there are reasons not to order it. The purpose of cash medical support is to help contribute to the cost of health insurance and the cost of uninsured medical expenses. A party who makes no more than Oregon minimum wage for full-time employment cannot be ordered to pay cash medical support.

Oregon law requires the court to make sure that payment for the child(ren)'s uninsured medical expenses are addressed in the judgment. Although you may request that each party share the out-of-pocket medical expenses that exceed \$250.00 per child per year, it may not be appropriate to request both the payment of cash medical support and the sharing of uninsured medical expenses. That is because one of the purposes of cash medical support is to help pay for the cost of uninsured medical expenses.

**Unmarried Children at Least 18 and Under 21 Years of Age.** Under Oregon law unmarried children who are at least 18 and under 21 years of age are necessary parties to all family law cases involving support. The Petition forms that deal with support will have a line to write in the child's name, including them in the heading. The Judgment forms will have a place indicating how the child has been involved in the case, and if applicable, a place to sign underneath Petitioner and Respondent signatures agreeing to the judgment. As a party to the case, these children must be legally served with all the required documents. After they are served, children **may** sign a Waiver of Further Appearance and Consent to Entry of Judgment form found in Packet 6J if the child does not choose to participate further in the case. Also note that on both the Petition form and the Judgment form you must select whether support stops at age 18 or whether it continues until age 21 if the child continues to attend school.

**Insurance.** Oregon law requires that the judgment address the issue of health insurance for any minor child involved in your case, and for payment of uninsured medical expenses. It also must provide for security for the payment of support, such as life insurance. In the health care coverage section, you must mark any of the options that apply to your family's situation. There are two major categories involved in determining health care coverage for the children: private, such as insurance available through employment, and public, such as the Oregon Health Plan.

If either you, your spouse/partner, or both of you have private health care coverage available for the children, you must fill out the "PRIVATE HEALTH CARE COVERAGE IS APPROPRIATE AND AVAILABLE" section. If *neither* you nor your spouse/partner have private insurance available for the children, you will fill out the section called: "NO PRIVATE INSURANCE IS APPROPRIATE OR AVAILABLE." Regardless of insurance availability, everyone must complete the section called: "RESPONSIBILITY FOR UNINSURED HEALTH EXPENSES." It may be appropriate to equally divide the expenses if no cash medical support is ordered or for the custodial parent to pay most or all of the uninsured expenses if cash medical support is being paid to that parent.

A party who makes no more than Oregon minimum wage for full-time employment cannot be ordered to pay for health care coverage. A party making no more than minimum wage, however, can be ordered to provide health coverage if it is available at no cost.

**If Both Parents Already Agree.**

If both parents agree on all issues to change either custody or parenting time, and/or child support, the forms in Packet 4C may be filed. Practice varies in the different courts, so you should contact your court or courthouse facilitator to determine which forms may be used and to help you with this process.

**Filling out the Forms.**

To get the modification case started, fill out the first set of forms, file them with the clerk and have the other parent “served” (have the papers delivered to the other parent).

Fill out the following forms.

- *Ex Parte Motion for Order to Show Cause re: Modification of Judgment (MOTION)*
- *Affidavit in Support of Motion for Order to Show Cause re: Modification of Judgment (AFFIDAVIT)*
- *Certificate Re: Pending Child Support Proceedings and/or Existing Child Support Orders/Judgments Certificate of Document Preparation*
- *Certificate of Mailing (if you or the other parent is or has received public assistance)*
- *Confidential Information Form (CIF). If there are CIFs already filed in the original court proceeding but the information has changed, you will need to file another CIF and check the box at the top of the form that shows it is an amended CIF.*
- *Notice of CIF Filing*

**Confidential Personal Information.**

**Please read the Confidential Information Form (CIF) information sheet. Certain personal information required by your paperwork will be protected from public disclosure.**

• IMPORTANT: Consult with your court clerk or court facilitator to determine which of the following forms you will be required to fill out. Some courts require the other parent to personally appear at a hearing, while others only require a written response.

- a. *Order to Show Cause re: Modification of Judgment - Written Response Required [ORDER]* —  
— Some courts also require a “NOTICE ABOUT WRITTEN RESPONSE” to be attached to this form. Check with your local court or facilitator to see if one is required in your county.
- b. *Order to Show Cause re: Modification of Judgment - Personal Appearance Required [ORDER]*

NOTE: If a request to terminate or modify child support is being made, some courts require that the following documents be filed with the above documents. Check with your court clerk or facilitator:

- *Child Support Calculation Worksheet(s)* - See “Child Support” on page 3.
- *Uniform Support Declaration* (Packet #6F)

**Make copies.**

Make one copy of all of the forms for your records, and one copy of the MOTION, AFFIDAVIT AND ORDER to serve on (deliver to) the other parent.

If you request that the court end the obligation to pay child support because of a requested change in custody, or change the amount of child support owed because of a change in parenting time or other circumstance, you are required to send a copy of the motion to the Division of Child Support branch office in your county.

The branch office address may be found at [http://www.dcs.state.or.us/office\\_info/offices.htm](http://www.dcs.state.or.us/office_info/offices.htm) or in the “Local Family Law Practices and Programs” form for your local court. Fill out and file the *Certificate of Mailing* after you have mailed the motion.

### **Have your documents reviewed.**

You may have your documents reviewed by a lawyer or a courthouse facilitator (if your court has one) before you file. For information about how to find a lawyer, call the Oregon State Bar Lawyer Referral Service. If you are low income, you may have your documents reviewed for a smaller fee through the Oregon State Bar's Modest Means program, or you may call your local Legal Aid office. Contact numbers are listed in the additional resources section at the end of these instructions, and in the "Local Family Law Practices and Procedures" for your court which may be attached to these instructions.

### **File the forms.**

File all of the original forms that are listed above with the court clerk. The court clerk will ask you for a filing fee when you file your papers. Check with your local court to learn the amount of the filing fee. If you feel you can't afford to pay the fee, you may ask the court to waive or defer your filing fee. Use Packet #10 of these forms, or check with your local court to see if they require a different form. Note, however, that even if your filing fee is deferred, most courts will require that you pay it at a later date.

The clerk may give you a number of handouts when you file your papers. The handouts usually include a notice regarding mediation, family law guidelines and services, family law resource list, and possibly, information about local parent education classes. The clerk will give you two copies of each handout: one for you and one to be served on the other parent.

The clerk may also schedule a time for a hearing in your case. If a hearing is scheduled, you must appear at the time and place of the hearing unless the other parent signs a Stipulation to Amend Parenting Time Order (see Packet 4C).

### **Parenting Classes.**

Many courts require that parents of minor children go to a parent education class. If your court has a program and the local court rules require that you attend, sign up for the class right away. Some courts will not allow you to finalize your case until you have completed the class and filed a certificate of completion with the court.

### **Check Back.**

The ORDER must be signed by a judge before you serve the other parent. You may have to check back with the court after you have filed the papers to see if a judge signed the ORDER. Ask the court clerk or facilitator how long you may have to wait, usually 7-10 days. If the ORDER was signed and the following information is not on the service copy of the ORDER you made for the other parent, place the symbols "/s/" on the judge's signature line, along with the name of the judge and fill in the date that the order was signed. Sign the lines on the service copies of the MOTION, AFFIDAVIT and ORDER where they say, "I certify that this is a true copy." You are now ready to have the other party served.

If the ORDER was not signed, find out from the judge's staff, the courthouse facilitator or the court clerk why the paperwork was not signed.

### **Have the Other Parent Served.**

You are required to have the other parent served (have papers delivered to) with:

- Copies of any documents given to you by the clerk, and
- Certified copies of the MOTION, AFFIDAVIT and ORDER. You may certify the copies by signing your name where it says "I certify this is a true copy".

- If you are requesting that child support be terminated or modified, you will also be required to serve on the other parent and/or file the following documents either at the beginning of your case, before a hearing or before entry of judgment. Check with your court clerk or facilitator: (a) *Uniform Support Declaration* (see Packet #6F); and/or (b) *Child Support Calculation Worksheet(s)* - See "Child Support" on page 3.

If the other parent is willing to accept service, s/he must fill out the Acceptance of Service form, sign it in front of a notary or court clerk, then file it with the court. It is not necessary that the other parent agree with what is in the papers, just that he/she is willing to acknowledge receipt of them.

If the other party will not complete the Acceptance of Service form, YOU CANNOT SERVE THE PAPERS YOURSELF. You may have service completed by the Sheriff in the county where the other parent lives, by a private process server, or by another individual who is a competent person 18 years or older, an Oregon resident (or of the state where service is made) and not a party nor an attorney for a party. Caution should be used before asking a friend or

relative to serve the papers if the other parent might react angrily or violently. An Affidavit of Service must be filed with the court after service has been made.

The best way to serve the other party is to have the person serving the papers hand them directly to the respondent (personal service). If personal service cannot be done, there are other ways to serve the papers including “substitute service,” “office service,” and “service by mail” — see the Table below. You may ask the Sheriff or a private process server about these other options or consult an attorney.

<b>Standard Methods of Service</b>	
<b>Personal Service</b>	Delivery of papers directly to the other party
<b>Substitute Service</b>	Delivery of papers to a person <u>living</u> at the other party’s home who is at least 14 years old, PLUS mailing of the documents to the other party’s home address by first class regular mail
<b>Office Service</b>	Delivery of papers to a person who appears to be in charge at the other party’s place of employment (who has a business duty to give the documents to the other party), done during working hours, PLUS mailing of the document to the home or business address of the other party by first class regular mail
<b>Service by Mail (Return Receipt Requested)</b>	Delivery by mailing the documents certified or registered, return-receipt requested, or by Express mail, PLUS mailing of documents to home or business address of the other party by first class regular mail.

If you are not able to have the other parent served by any of the methods described above, you may ask a judge to allow you to use another service method. The judge might allow you to publish, post or mail the documents. In order to make this request, check with your local court for the appropriate form or use Packet 6A-Alternative Form of Service.

**Serving Children Who are Necessary Parties.** Because all unmarried children at least 18 and under 21 years of age are necessary parties to the case, they must also be served. Follow the same steps for serving the other parent for serving children who are parties to the case.

**STEP 2: WAITING FOR A RESPONSE; TAKING A DEFAULT**

Oregon law gives the other parent 30 days to respond in writing to your motion. ORS 107.135(11). The time starts running from the date of service. The written response is required even if the court also requires the other parent to personally appear at a hearing. The written response must be filed with the required filing fee. The other parent may ask the court to waive or defer the fee.

**If the Other Parent is in the Military.**

If the other parent is in the active military service of the United States and has not responded to the motion, you may have to go through some extra steps. The court won’t go further with your case until one of the following things has happened: (1) the other parent is no longer in the active military, (2) the other parent has waived his or her rights using the Waiver of Right to Stay of Proceedings form, or (3) the judge holds a special hearing in your case. You may get a Waiver of Right to Stay of Proceedings form from the courthouse facilitator or use Form #6G. You may need to talk to an attorney if the other parent is not willing to sign the waiver.



### **Check for Response.**

The other parent should mail or deliver a copy of his or her response to you when it is filed with the court. If you haven't received a copy of a written response after 30 days (from the date of service), you may check with the court clerk to see if one has been filed. If no response has been filed, **the court may either** enter judgment ordering the items you requested in your motion, or it may require you to file a request for default. A "default" means that you may ask the court to enter a judgment giving you the items you asked for in your motion, with no input from the other parent. You should check with your court to determine whether you will need to request entry of a default order. If a response has been filed, you will not be allowed to request a default and you will need to skip the next two sections.

### **No Response Filed; Requesting a Default.**

To ask the court to enter a default, you must fill out the following forms:

- *Ex Parte Motion for Order of Default and Entry of Judgment by Default; and Order*
- *Affidavit in Support of Motion for Order of Default and Entry of Judgment by Default*

After you make yourself a copy of the completed forms, you may file the original with the court anytime after 30 days have expired from the date of service.

### **Check Back.**

Check back with the court clerk or court facilitator in a week to 10 days to see if your request was granted. If the request was not granted, ask the court clerk why it was not. Sometimes, the proof that service was made on the other party is not complete enough for the judge to be sure that s/he got notice of the court proceeding.

## **STEP 3: RESOLVING YOUR CASE**

### **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 parents present, along with their attorneys if they are represented. You must attend any conferences that are scheduled unless you have received permission from the judge not to attend.

At the conference, the judge will probably talk to you about how the case is going to be resolved, and will probably set future court dates.

### **Working Toward Agreement.**

The court wants to assist you in resolving the issues about which you and the other parent disagree. You may discuss these issues with the other parent directly if it is safe for you to do so and if no court order prohibits that contact. You may also discuss them with the other parent's attorney. If you can't resolve the issues on your own, the court may provide a number of options to help you, including mediation and custody/parenting time evaluation.

**Mediation.** A mediator is a person trained to help people resolve disagreements. The parents may be required to meet with a mediator if you don't agree on a "parenting plan" (who has custody and parenting time (visitation) with the child/ren and how decisions about the child/ren will be made). You may ask to meet with the mediator alone if you are uncomfortable meeting with the other parent for any reason. There is usually no fee for this service. If mediation has not yet been ordered in your case and you would like to request it, you may file a Request for Mediation (see Form #6H or your local court's form).

You may request that the mediation requirement be waived if you have a good reason, by filing a Motion and Affidavit for Waiver of Mediation (see Form #6I or your local court's form). For example, if there has been domestic violence, the court will consider a request to waive the mediation requirement.

**Custody/Parenting Time Evaluation.** If parents can't agree on a parenting plan, sometimes the court refers the case to a custody or parenting time evaluator. After interviewing each parent and doing other research, the evaluator will make a recommendation to the judge about which parent should have custody and what the parenting plan should be. The evaluator will consider factors that might affect a child's safety, such as domestic violence, substance abuse, child abuse or other circumstances. Many courts require that the parties pay for part of the evaluation.

If there are still items that you don't agree on, the court will probably set a date for a "final hearing" or trial. Some judges may also want to meet with you for a "settlement conference" (a private meeting with a judge) to help you come to agreement.

### **Forms Required to Finalize Your Case.**

The following form is required to finalize your case:

- *Supplemental Judgment modifying Judgment regarding Custody, Parenting Time, Child Support and/or Order re: Jurisdiction*

You may also need to file the following additional forms, depending on your circumstances.

- **Parenting Class Certificate of Completion.** If your local court requires parents of minor children to attend a parent education class, a certificate of completion must be filed with the court unless this requirement has been waived by order of the court.

- **Parenting Plan.** Your parenting plan may be completely covered in the final judgment (see page two of the judgment). If there are additional pages, attach them.

- **Child Support Worksheets.** If child support will be terminated or changed, child support worksheets need to be filled out and attached to the final judgment.

- **Uniform Support Declaration.** This form is required if you and the other parent do not agree on child support. You are not required to complete the schedules on the form unless one parent asks for a "deviation" (a different amount than what was calculated using the child support guidelines) from the child support guidelines.

### **The Final Judgment.**

The judgment finalizes your case and contains all of the issues decided in mediation, hearing, or through your agreement. Check with your local court to determine whether you should complete this form, or whether the judge will fill it out. If both parents agree on all issues, it may be prepared by either parent as long as it is reviewed and signed by both parents. If the parents don't agree on all issues, the judge may direct one parent to fill out the judgment.

If the other parent didn't file a response, the information you fill out in the final judgment should be the same as what you requested in your motion. If the other parent filed a response, the information should be the same as was decided in mediation, hearing or through your agreement.

If you are responsible for filling out and filing the final judgment, make a copy for yourself and one for the other parent (unless he or she didn't file a response), and file the original with the court. **If your case involves child support, file an extra copy of the proposed judgment with the court.**

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.: \_\_\_\_\_

**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.: \_\_\_\_\_

**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



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_

In the Matter of  the Marriage of: )  
 \_\_\_\_\_ )  
 Petitioner, )  
 and )  
 \_\_\_\_\_ )  
 Respondent, )  
 and )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 Child who is at least 18 and under 21 years )  
 of age and unmarried. (ORS 107.108) )

Case No. \_\_\_\_\_  
 PETITIONER'S  RESPONDENT'S  
 EX PARTE MOTION FOR ORDER TO  
 SHOW CAUSE REGARDING  
 MODIFICATION OF JUDGMENT RE:  
 CUSTODY  
 PARENTING TIME  
 CHILD SUPPORT

Motion

I,  Petitioner  Respondent, request that the court issue an Order to Show Cause requiring  
 Petitioner  Respondent to appear in Circuit Court in the \_\_\_\_\_ County Courthouse  
 in \_\_\_\_\_, Oregon, to show cause why this court should not grant the following relief  
 concerning the parties' child/ren: \_\_\_\_\_

(Name/s and date/s of birth)

1. Change custody of the minor child/ren as follows:  
 a.  Petitioner  Respondent to be awarded sole custody of the child/ren (list names and years of  
 birth): \_\_\_\_\_

b.  The parties have agreed to joint custody of the following child/ren (list names and years of birth): \_\_\_\_\_

2. Change the current court-ordered parenting time as follows:  
 a.  Petitioner  Respondent should have parenting time with the child/ren  as set forth in the  
 attached Parenting Plan, labeled Exhibit \_\_\_\_\_, or  Other: \_\_\_\_\_

///  
 ///  
 ///

b.  Petitioner  Respondent should not be granted parenting time because this would endanger the health and safety of the child/ren. Supporting facts are as follows: \_\_\_\_\_

c.  Parenting time shall be supervised by: \_\_\_\_\_  
 Any cost of the supervision shall be paid by  Petitioner  Respondent  Other: \_\_\_\_\_

d.  Petitioner and Respondent should each provide contact addresses and contact telephone numbers to the other and notify each other of any emergency circumstances or substantial changes in the child/ren's health.

e.  Petitioner  Respondent should be allowed to move more than 60 miles further distant from the other parent without advance notice because good cause exists.

3.  Terminate  Petitioner's  Respondent's child support obligation due to the requested change in custody.

**4. Child Support, including Health Care Coverage and Cash Medical Support.**

**A. Other Pending Child Support Cases. (Check one.)**

No other agency or court child support proceeding is currently pending (*include any child support matter being heard as part of a dissolution, separation, annulment, paternity, support or modification case*).

There is/are other child support proceeding(s) currently pending in either an agency or court case as set forth in the CERTIFICATE RE: PENDING CHILD SUPPORT PROCEEDING and/or EXISTING CHILD SUPPORT ORDER attached to this petition.

**B. Other Child Support Orders. (Check one.)**

No other child support orders, from an agency or court, are currently in effect in the State of Oregon or any other state.

There is/are other child support orders from an agency or court as set forth in the CERTIFICATE RE: PENDING CHILD SUPPORT PROCEEDING and/or EXISTING CHILD SUPPORT ORDERS/JUDGMENTS attached to this petition.

**C. Currently Effective Child Support Order. (Check any that apply.)**

The following child support order/s is/are currently in effect: \_\_\_\_\_

(List state, court/agency, case number, date of order)

This order should remain in place  and includes provisions for medical support for the child/ren, or

This order is from an Oregon court or agency, one of the parents or the child/ren receiving support still resides in Oregon and the order should be changed because circumstances have changed since the last order was entered.

State facts showing how circumstances have changed: \_\_\_\_\_

///  
///

**D. Cash Child Support.**

Complete either (1) or (2) below:

(1)  Cash child support should be paid by  Petitioner to Respondent (or)  Respondent to Petitioner:

In the amount of \$\_\_\_\_\_ for \_\_\_\_\_ children. This is the amount presumed correct under the Oregon child support guidelines, **or**

In the amount of \$\_\_\_\_\_ for \_\_\_\_\_ children. The amount of support presumed correct under the Oregon child support guidelines, \$\_\_\_\_\_, would be unjust or inappropriate for the following reasons: \_\_\_\_\_

\_\_\_\_\_  
(The reasons must also be shown on the support worksheets you attach to this petition.) **or**

In an amount to be determined under the Oregon child support guidelines before judgment.

The judgment entered in this case should require  Petitioner  Respondent to pay cash child support beginning on:

The first (or \_\_\_\_\_) day of the month following the date of the judgment and continuing on the same day of each month thereafter. **or**

\_\_\_\_\_, the date  Petitioner  Respondent was served with this motion or other date thereafter, and continuing on the same day of each month.

(2)  No cash child support is ordered in this judgment because:

An order,  including medical support, for child support in the monthly amount of \$\_\_\_\_\_ has already been ordered in Circuit Court case number \_\_\_\_\_ in \_\_\_\_\_ County, Oregon.

Other reason: \_\_\_\_\_

**E. Medical Support.** Complete section (1) or (2) below. Also complete section (3) or (4) below.

Complete (1) or (2):

(1) **Private Health Care Coverage is Appropriate and Available.**

Petitioner  Respondent  Both Petitioner and Respondent has/have appropriate private health care coverage available for the parties' child/ren through an employer, spouse, domestic partner or other source.  Petitioner  Respondent  Both Petitioner and Respondent should be required to obtain and maintain this coverage throughout the period of the support obligation for the benefit of the parties' child/ren.

Health care coverage has already been ordered in another case as described in paragraph D(2) above.

(2) **No Private Health Care Coverage is Appropriate or Available.**

Neither Petitioner nor Respondent has appropriate private health care coverage available for the parties' child/ren.  Petitioner  Respondent  Both Petitioner and Respondent should be ordered to provide appropriate private health care coverage for the child/ren when such coverage becomes available to them at a reasonable cost through any source.

- The custodial parent should enroll the child/ren in public health care coverage.
- The child/ren are currently enrolled in public health care coverage.

Complete (3) or (4):

**(3) Cash Medical Support Should Be Ordered.**

Because the parent receiving cash child support is ordered to maintain private health care coverage and the parent paying cash child support is not, in addition to cash child support  Petitioner  Respondent should pay \$\_\_\_\_\_ for cash medical support to  Petitioner  Respondent, or

Neither parent has appropriate private health care coverage available for the parties' child/ren.  Petitioner should pay cash medical support in the monthly amount of \$\_\_\_\_\_ to Respondent.  Respondent should pay cash medical support in the monthly amount of \$\_\_\_\_\_ to Petitioner.

**(4) Cash Medical Support Should Not Be Ordered.**

- Cash medical support should not be ordered for the following reasons:
  - The parent paying cash child support is also providing health care coverage.
  - Petitioner's  Respondent's gross monthly income is at or below the Oregon minimum wage for full-time employment.
  - I am requesting that the parties share the cost of the child/ren's uninsured medical expenses (see paragraph G. below).
  - Other reason: \_\_\_\_\_

All payments of child support should be made to the Department of Justice, Child Support Accounting Unit, P.O. Box 14506, Salem, Oregon, 97309  **by electronic payment withdrawal (EPW) or electronic funds transfer (EFT).** In addition, support for a child attending school (between the ages of 18 and 21) as defined by Oregon law shall be distributed by the Department of Justice directly to the child subject to ORS 107.108.

*(Applies only if support enforcement services are not being provided.)*  
 Petitioner requests an exception to the income withholding requirement of ORS 25.378 allowing payment to be made directly to  Petitioner's  Respondent's checking or savings account. A receipt of deposit should be kept by the parent paying support as proof of payment. The parent receiving support should provide the paying parent with current deposit slips and/or bank name, account name, and account number.

**F. RESPONSIBILITY FOR UNINSURED HEALTH EXPENSES.**

Petitioner should pay \_\_\_\_\_%  and Respondent should pay \_\_\_\_\_% of the reasonably incurred uninsured HEALTH, ACCIDENT, DENTAL, ORTHODONTIC, AND OPTICAL HEALTH costs incurred by the child/ren.  This obligation is in addition to any cash medical support ordered.

///  
 ///  
 ///

G. **LENGTH OF CHILD SUPPORT.**

Unless the child becomes self-supporting, emancipated, or married:

- The support ordered in paragraphs D., E., and F. above for each child shall continue until the child reaches eighteen (18) years of age.
- The support ordered in paragraphs D., E., and F. above for each child shall continue until the child reaches age 21 if the child qualifies for support as a child attending school as defined by Oregon law.

H. **TAX DEPENDENTS.** (Check one.)

Petitioner  Respondent shall be entitled to claim the following child(ren) as dependent(s) for tax purposes beginning the year this judgment is entered (list names): \_\_\_\_\_

OR

Other (specify): \_\_\_\_\_

5.  Petitioner  Respondent should be entitled to claim the following child/ren as dependent/s for tax purposes beginning the year this judgment is entered (list names): \_\_\_\_\_, OR

Other (specify): \_\_\_\_\_

6. **Life Insurance Coverage for Child/ren**

Petitioner  Respondent should obtain and maintain life insurance for the benefit of the parties' child/ren throughout the period of the support obligation. The coverage should be in the amount of \$\_\_\_\_\_.

7. **Court Costs and Fees.** (Choose "a" or "b")

Judgment should be entered according to the cost and fee allocation indicated below.

a. **Deferred Costs and Fees.** Any court costs and service fees (if service completed by the Sheriff) that are deferred (required to be paid at a later date) by the court should be paid by:

Petitioner  Respondent.  Both parties equally  Other: \_\_\_\_\_

b. **Costs and Fees Paid by the Parties.**

i. Each party should be responsible for paying his/her own court costs and service fees for this case.

ii.  To be paid by both parties equally

iii.  Petitioner  Respondent should reimburse the other party for his/her court costs and service fees for this case.

iv.  Other: \_\_\_\_\_

8. **Preservation of General Judgment Terms.** Any terms in the original Judgment not amended by this Supplemental Judgment should remain in effect.

//

///

///

**Points and Authorities**

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

ORS 109.103 extends the provisions of ORS 107.135 to custody and parenting time cases involving the children of unmarried parents.

DATED: \_\_\_\_\_, 20 \_\_\_\_\_.

**Certificate of Document Preparation.** You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

- I selected this document for myself and I completed it without paid assistance.
- I paid or will pay money to \_\_\_\_\_ for assistance in preparing this form.

---

Petitioner    Respondent, Signature

Print Name

---

Address or Contact Address

City, State, Zip

Telephone or Contact Telephone

**I certify that this is a true copy:**

---

Petitioner    Respondent, Signature

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_

In the Matter of  the Marriage of: )  
 )  
\_\_\_\_\_, )  
 ) Petitioner, )  
 )  
and )  
 )  
\_\_\_\_\_, )  
 ) Respondent. )

Case No. \_\_\_\_\_

AFFIDAVIT IN SUPPORT OF MOTION  
FOR ORDER TO SHOW CAUSE RE:  
MODIFICATION OF JUDGMENT

STATE OF \_\_\_\_\_ )  
 ) ss.  
County of \_\_\_\_\_ )

I,  Petitioner  Respondent, being first duly sworn, say that the following is true:

1. The names, ages and birth dates of the child/ren involved in this case are: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2.  I want to change CUSTODY because of a change of circumstances since the last custody order.  
This change of circumstances is (describe): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The current child support obligation should be terminated if the custody change is ordered.

3.  I want to change PARENTING TIME (visitation) because I believe the change is in my child/ren's  
best interests. The specific reason(s) I want the change and believe the change would be best for my child/ren  
is/are: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4.  I want to change CHILD SUPPORT because of a change of circumstances since the last support  
order. The change of circumstances is as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**5. UCCJEA Information.**

a. Check the appropriate box below ONLY IF Oregon is the state that issued the order or judgment sought to be modified:

The child/ren has/have continuously resided in Oregon for six months before this case was filed;

OR

Other basis for Oregon jurisdiction: \_\_\_\_\_

b. Check the appropriate box below ONLY IF Oregon is NOT the state that issued the order or judgment sought to be modified:

Neither the child/ren nor the parents presently reside in \_\_\_\_\_ (name the state that issued the order or judgment sought to be modified, if not Oregon).

Other basis for Oregon jurisdiction: \_\_\_\_\_

List the places where the minor child/ren of the parties have lived in the last five years and the names of the people they lived with at that time.

Dates To/From	County, State	Parent(s)/Caretaker	Current Address/ Contact Address of Parent/Caretaker	Which Children

Additional page attached; see section labeled "Paragraph 5 continued."

I  have  have not participated in any litigation concerning the custody, visitation, parenting time or placement of the child/ren in this or any other state. I have participated in the following litigation:

Name of Court	State	Case No.	Date	Result

6. I do not know of any other domestic violence, custody, visitation, parenting time or placement proceeding involving the child/ren, or of any other agency proceeding or court case which could affect this case, previously filed or currently pending in this or any other state  except for: \_\_\_\_\_

(identify agency or court, case number, date filed, and kind of proceeding)

///

///

///



7. I do not know any person other than the other parent who has physical custody of the child/ren or who claims to have custody, visitation or parenting time rights  except for: \_\_\_\_\_

\_\_\_\_\_  
*(list name and address)*

**Certificate of Document Preparation.** You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

- I selected this document for myself and I completed it without paid assistance.  
 I paid or will pay money to \_\_\_\_\_ for assistance in preparing this form.

\_\_\_\_\_  
 Petitioner  Respondent, Signature

Print Name

\_\_\_\_\_  
Address or Contact Address

City, State, Zip

Telephone or Contact Telephone

SIGNED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, by,

\_\_\_\_\_  
Notary Public for \_\_\_\_\_/Court Clerk

My Commission Expires: \_\_\_\_\_

**I certify that this is a true copy.**

\_\_\_\_\_  
 Petitioner  Respondent, Signature

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_

-----  
**Petitioner,**

Case No. \_\_\_\_\_

and

**Order to Show Cause Regarding  
Modification of Judgment re:**

-----  
**Respondent.**

- Custody
- Parenting Time
- Child Support

*Written Response Required*

Based upon the Motion and Affidavit of the  Petitioner  Respondent on file herein, the request for an Order to Show Cause is:

- allowed.
- denied.

IT IS ORDERED that  Petitioner  Respondent appear by written response **within thirty (30) days after service** of this order to show cause why an order should not be entered granting the relief requested in the attached motion.

Dated

\_\_\_\_\_  
Circuit Court Judge

**NOTICE TO  Petitioner  Respondent: READ THESE PAPERS CAREFULLY!**

**The other party to this case has filed a request to change some of the terms of a previous judgment in this case.** If you do not file the appropriate legal paper with the court in the time required, the other party may ask the court for a judgment against you that orders these changes.

**You must “appear” on this motion or the other side will win automatically.**

**To “appear,” you must file with the Court a legal paper called a “Response” (or “Responding Affidavit”) or “Motion.” These forms may be available through the court located at:**

-----  
**They may also be available online at:**

<http://courts.oregon.gov/OJD/docs/OSCA/cpsd/courtimprovement/familylaw/Response4BVer06.pdf>

**This Response (or Motion) must be filed with the court clerk or administrator within thirty (30) days along with the required filing fee. It must be in proper form and you must show that the moving party's attorney (or the moving party if he/she does not have an attorney) was mailed a copy of the "Response" or "Motion."** The location to file your Response is at the court address indicated above.

**You must pay any filing fee required by law, or obtain a Court Order waiving or deferring the fee when you file the response.**

If you have questions, you should see an attorney immediately.

If you need help finding an attorney, you may contact the Oregon State Bar's Lawyer Referral Service online at [www.oregonstatebar.org](http://www.oregonstatebar.org) or by calling (503) 684-3763 (in the Portland metropolitan area) or toll free elsewhere in Oregon at (800) 452-7636.

**If special accommodation under the Americans with Disabilities Act is needed, please contact your local court at the address above; telephone number: \_\_\_\_\_.**

**Certificate of Document Preparation.** You are required to truthfully complete this certificate about the document you are filing with the court. Check all boxes and complete all blanks that apply:

- I selected this document for myself and I completed it without paid assistance.
- I paid or will pay money to \_\_\_\_\_ for assistance in preparing this form.

**Submitted by:**

---

Submitting Party, *Print Name*

Telephone or Contact Telephone

---

Address or Contact Address

City / State / Zip

I certify that this is a true copy:

---

Signature

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_

In the Matter of <input type="checkbox"/> the Marriage of:	)	
	)	
_____ ,	)	Case No. _____
Petitioner,	)	
and	)	CERTIFICATE RE: PENDING CHILD SUPPORT
	)	PROCEEDINGS and/or EXISTING CHILD
_____ ,	)	SUPPORT ORDERS/JUDGMENTS
Respondent.	)	(UTCR 8.090)
	)	

I hereby certify that:

1. PENDING CHILD SUPPORT PROCEEDINGS *(include any child support matter being heard by either a court or agency as part of a dissolution, separation, annulment, paternity, juvenile court, support or modification case):*

- There is no pending child support proceeding in this or any other state involving the parties' child/ren.
- There is a pending child support proceeding  in Oregon  in another state which involves the parties' child/ren as follows:  
Name/County of Court or Agency where pending: \_\_\_\_\_  
Agency Case Number: \_\_\_\_\_  
Court Case Number: \_\_\_\_\_

2. EXISTING CHILD SUPPORT ORDERS OR JUDGMENTS *(include any order/judgment whether made by an agency or a court in this or any other state, and whether or not currently effective):*

- There are no other child support orders/judgments in this or any other state involving the parties' child/ren.
- There is/are other child support orders/judgments involving the parties' child/ren, as follows:  
**ORDER/JUDGMENT #1** *(Attach a certified copy of the order)*  
Name/County of Court or Agency where issued: \_\_\_\_\_  
Case Number: \_\_\_\_\_  
Date of Order: \_\_\_\_\_

ORDER/JUDGMENT #2 (Attach a certified copy of the order):

Name/County of Court or Agency where issued: \_\_\_\_\_

Case Number: \_\_\_\_\_

Date of Order: \_\_\_\_\_

ORDER/JUDGMENT #3 (Attach a certified copy of the order):

Name/County of Court or Agency where issued: \_\_\_\_\_

Case Number: \_\_\_\_\_

Date of Order: \_\_\_\_\_

ORDER/JUDGMENT #4 (Attach a certified copy of the order):

Name/County of Court or Agency where issued: \_\_\_\_\_

Case Number: \_\_\_\_\_

Date of Order: \_\_\_\_\_

Attach additional sheets if necessary, labeled "Attachment 1 to Certificate Re: Child Support Proceedings and Orders".

**Certificate of Document Preparation.** You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

- I selected this document for myself and I completed it without paid assistance.
- I paid or will pay money to \_\_\_\_\_ for assistance in preparing this form.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
 Petitioner  Respondent, Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address or Contact Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone or Contact Telephone

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_

In the Matter of <input type="checkbox"/> the Marriage of:	)	Case No. _____
	)	
_____	)	<b>DECLARATION OF SERVICE</b>
Petitioner,	)	<input type="checkbox"/> Personal Service (ORCP 7D(2)(a))
and	)	<input type="checkbox"/> Substitute Service (ORCP 7D(2)(b))
	)	<input type="checkbox"/> Office Service (ORCP 7D(2)(c))
_____	)	<input type="checkbox"/> Service by Mail, Return Receipt Requested
Respondent.	)	(ORCP 7D(2)(d))

I, \_\_\_\_\_, declare I am a resident of the County of \_\_\_\_\_, State of \_\_\_\_\_. I am a competent person 18 years of age or older and not a party to or attorney in this proceeding. I certify that the person, firm, or corporation served is the identical one named in this action.

*(Check one of the following):*

1.  **Personal Service.** On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ a.m./p.m., I served true copies of the original Motion, Affidavit and Order re: Modification of Custody and/or Parenting Time and/or Child Support, Notice of CIF Filing,  and a Notice About a Written Response to a Motion to Modify with attached notices on mediation and other information provided by the court clerk, by delivering them to  Petitioner  Respondent \_\_\_\_\_ (name) in person at the following address \_\_\_\_\_ within the County of \_\_\_\_\_, State of \_\_\_\_\_.

2.  **Substitute Service.** On the \_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ a.m./p.m., I served true copies of the original Motion, Affidavit and Order re: Modification of Custody and/or Parenting Time and/or Child Support, Notice of CIF Filing,  and a Notice About a Written Response to a Motion to Modify with attached notices on mediation and other information provided by the court clerk, by delivering them to \_\_\_\_\_ (name), who is a person age 14 or older and a member of the household of the party to be served, at the following address \_\_\_\_\_ within the County of \_\_\_\_\_, State of \_\_\_\_\_.

*(Complete the section below only if the undersigned performed the followup mailing required by ORCP 7D(2)(b). If a party or other person other than the undersigned did the follow up mailing, s/he must use a separate Affidavit/Certificate of Mailing.)*

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I personally deposited a true copy of the original Motion, Affidavit and Order re: Modification of Custody and/or Parenting Time and/or Child Support, Notice of CIF Filing,  and a Notice About a Written Response to a Motion to Modify with attached notices on mediation and other information provided by the court clerk, with the United States Postal Service, via first class mail, in a sealed envelope, postage prepaid, 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*).

3.  **Office Service.** On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ a.m./p.m., I served true copies of the original Motion, Affidavit and Order re: Modification of Custody and/or Parenting Time and/or Child Support, Notice of CIF Filing,  and a Notice About a Written Response to a Motion to Modify with attached notices on mediation and other information provided by the court clerk, by delivering them, in person, 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 and who has a business duty to provide the documents to the party to be served. (Complete the section below only if the undersigned performed the followup mailing required by ORCP 7D(2)(c). If a party or other person other than the undersigned did the follow up mailing, s/he must use a separate Affidavit/Certificate of Mailing.)

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I personally deposited a true copy of the original Motion, Affidavit and Order re: Modification of Custody and/or Parenting Time and/or Child Support, Notice of CIF Filing,  and a Notice About a Written Response to a Motion to Modify with attached notices on mediation and other information provided by the court clerk, with the United States Postal Service, via first class mail, in a sealed envelope, postage prepaid, addressed to the party to be served:  Petitioner  Respondent (name) \_\_\_\_\_, at the party's:  home address located at: \_\_\_\_\_ (address), OR  business address, listed above, together with a statement of the date, time and place that the documents were hand-delivered to the party's office.

4.  **Service by Mail, Return Receipt Requested.** On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I personally deposited **two true copies** of the original Motion, Affidavit and Order re: Modification of Custody and/or Parenting Time and/or Child Support, Notice of CIF Filing,  and a Notice About a Written Response to a Motion to Modify with attached notices on mediation and other information provided by the court clerk, with the United States Postal Service, one via first class mail, and the other by certified or registered, return receipt requested, or by express mail, with postage on both copies fully paid, addressed to the party to be served:  Petitioner or  Respondent \_\_\_\_\_ (name), at the party's:  home address located at: \_\_\_\_\_ (address). (NOTE: If mailed return receipt requested, the return receipt should be attached to this Affidavit of Service.)

**Certificate of Document Preparation.** You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

- I selected this document for myself and I completed it without paid assistance.
- I paid or will pay money to \_\_\_\_\_ for assistance in preparing this form.

**I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Server

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address or Contact Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Telephone or Contact Telephone

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_

In the Matter of  the Marriage of: )  
 )  
\_\_\_\_\_, )  
Petitioner, )  
and )  
 )  
 )  
\_\_\_\_\_, )  
Respondent. )

Case No. \_\_\_\_\_

ACCEPTANCE OF SERVICE

STATE OF \_\_\_\_\_ )  
 )ss.  
County of \_\_\_\_\_ )

I, \_\_\_\_\_, being first duly sworn, say: I am the  Petitioner  Respondent in this matter and on \_\_\_\_\_ I received a true copy of the Motion, Affidavit and Order re: Modification of Judgment Re: Custody and/or Parenting Time and/or Child Support, Notice of CIF Filing,  and a Notice About a Written Response to a Motion to Modify,  with attached notices on mediation and other information: \_\_\_\_\_ provided by the court clerk in the County of \_\_\_\_\_, State of \_\_\_\_\_.

**Certificate of Document Preparation.** You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

- I selected this document for myself and I completed it without paid assistance.
- I paid or will pay money to \_\_\_\_\_ for assistance in preparing this form.

\_\_\_\_\_  
Signature of  Petitioner  Respondent Print Name

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

SIGNED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_,  
by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public for \_\_\_\_\_/Court Clerk  
My Commission Expires: \_\_\_\_\_



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_

In the Matter of  the Marriage of: )  
 )  
\_\_\_\_\_, ) Case No. \_\_\_\_\_  
 ) Petitioner, )  
 ) and )  
 ) PETITIONER'S CERTIFICATE  
\_\_\_\_\_, ) OF MAILING TO THE DIVISION  
 ) OF CHILD SUPPORT  
 ) Respondent. )

I certify that on \_\_\_\_\_, 20\_\_\_\_\_, I mailed a true copy of the Ex Parte Motion for Order to Show Cause re: Modification of Judgment in the above case to the local branch office of the Department of Justice, Division of Child Support (*list address*): \_\_\_\_\_

**Certificate of Document Preparation.** You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

- I selected this document for myself and I completed it without paid assistance.
- I paid or will pay money to \_\_\_\_\_ for assistance in preparing this form.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Petitioner, Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address or Contact Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone or Contact Telephone

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_

In the Matter of  the Marriage of:

\_\_\_\_\_  
Petitioner,  
and  
\_\_\_\_\_  
Respondent.

Case No. \_\_\_\_\_

PETITIONER'S  RESPONDENT'S  
MOTION FOR ORDER OF DEFAULT  
AND ENTRY OF JUDGMENT BY DEFAULT

Motion

Based on the attached Declaration,  Petitioner  Respondent requests that this court grant an Order entering the default of the  Petitioner  Respondent under ORCP 69 C and allowing entry of the accompanying Supplemental Judgment Re Modification of Judgment under ORCP 69 D.

Statement of Points and Authorities

ORCP 69 C. A party seeking default must file a motion for order of default and a supporting declaration providing the court with required factual information establishing that entry of such order is proper.

ORCP 69 D. A party seeking a judgment by default must file a motion and supporting declaration.

**Certificate of Document Preparation.** You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

I selected this document for myself and I completed it without paid assistance.

I paid or will pay money to \_\_\_\_\_ for assistance in preparing this form.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
 Petitioner  Respondent Signature

Submitted by:

\_\_\_\_\_  
 Petitioner  Respondent (Print Name)

\_\_\_\_\_  
Address or Contact Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Telephone or Contact Telephone

**PETITIONER'S  RESPONDENT'S MOTION FOR ORDER OF DEFAULT AND ENTRY OF JUDGMENT BY DEFAULT - PAGE 1 OF 1**

THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_

In the Matter of  the Marriage of:

\_\_\_\_\_  
Petitioner,  
and

\_\_\_\_\_  
Respondent.

Case No. \_\_\_\_\_

ORDER OF DEFAULT

Petitioner's  Respondent's Motion for Order of Default and Entry of Judgment by Default is:

Allowed.

Denied.

DATED

\_\_\_\_\_  
Circuit Court Judge

\_\_\_\_\_  
Print Name

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_

In the Matter of  the Marriage of: )  
 )  
\_\_\_\_\_, ) Case No. \_\_\_\_\_  
Petitioner, )  
and )  PETITIONER'S  RESPONDENT'S  
 ) DECLARATION IN SUPPORT  
 ) OF MOTION FOR ORDER OF DEFAULT AND  
\_\_\_\_\_, ) ENTRY OF JUDGMENT BY DEFAULT  
Respondent. )

1. The  Petitioner  Respondent was served with a true copy of the Motion, Affidavit, and Order to Show Cause Re Modification of Judgment and other documents required by law on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in \_\_\_\_\_ County, State of \_\_\_\_\_.  
The manner of service on the  Petitioner  Respondent is set out in the Declaration of Service filed in this case. The  Petitioner  Respondent has failed to appear by filing a motion or answer or to otherwise defend within the time prescribed by law.

2. Check one of the following:  
A.  The  Petitioner  Respondent **is not** now, and was not at the time of the service of the Summons and Motion, in the active military service of the United States.  
B.  The  Petitioner  Respondent **is** now, or was at the time of the service of the Summons and Motion in the active military service of the United States.  
 (check if applicable)  Petitioner  Respondent has waived his/her rights under the Service-members' Civil Relief Act, as shown by the attached affidavit, labeled as Exhibit \_\_\_\_\_.  
C.  After diligent efforts, I am unable to determine whether or not the  Petitioner  Respondent is now, or was at the time of the service of the Summons and Motion, in the active military service of the United States.  
 (check if applicable) I have requested, but have not yet received, a determination from the Department of Defense regarding  Petitioner's  Respondent's military status.

3. REQUIRED: The following facts support my declaration regarding  Petitioner's  Respondent's military status: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. To the best of my knowledge and belief,  Petitioner  Respondent is not now and was not at the time of the service of the Summons and Motion a minor, incapacitated, a financially incapable person, a protected person, or a Respondent in a fiduciary protective proceeding, as defined by Oregon law.

5. REQUIRED (choose one of the following options):  
 I have not received written notice of the  Petitioner's  Respondent's intent to appear.  
 I have received written notice of the  Petitioner's  Respondent's intent to appear. I therefore filed and served the  Petitioner  Respondent with written notice of my intent to apply for an order of default on \_\_\_\_\_ (date) which is a date at least ten days before I filed this motion.
6. I request entry of an order of default and that my judgment by default be signed.
7. Attorney fees and costs and expenses are allowable under ORS 107.135(8).
8. The relief I am requesting is modification of judgment, including any amounts due, as set out in the accompanying Supplemental Judgment Modifying Judgment. The Supplemental Judgment conforms to the relief requested in the motion I filed in this matter.

**Certificate of Document Preparation.** You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

I selected this document for myself and I completed it without paid assistance.  
 I paid or will pay money to \_\_\_\_\_ for assistance in preparing this document.

**I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND IT IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY FOR PERJURY.**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

---

Signature

Print Name

---

Address or Contact Address

City, State, Zip

Telephone or Contact Telephone

**I certify this is a true copy:**

---

Petitioner's  Respondent's Signature

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_

In the Matter of  the Marriage of: )  
 )  
\_\_\_\_\_, )  
Petitioner, )  
 )  
and )  
 )  
\_\_\_\_\_, )  
Respondent )  
 )  
and )  
 )  
 \_\_\_\_\_, )  
Child who is at least 18 and under 21 years )  
of age and unmarried. (ORS 107.108) )

Case No. \_\_\_\_\_

SUPPLEMENTAL JUDGMENT MODIFYING  
JUDGMENT RE:

- CUSTODY
- PARENTING TIME
- CHILD SUPPORT, and
- ORDER RE: JURISDICTION

**1. This matter came before the Court:**

- On the motion and affidavit of  Petitioner  Respondent, the default of  Petitioner  Respondent having been found.
- On the motion of  Petitioner  Respondent, the default of  Petitioner  Respondent having been found, and  Petitioner  Respondent being represented by a guardian ad litem or another person described in Rule 27.
- On the motion and affidavit of  Petitioner  Respondent,  Petitioner  Respondent having filed a Waiver of Further Appearance.
- On the stipulations of the parties, as shown by the signatures below.
- At a hearing held \_\_\_\_\_, at which the following persons were present:

(Date)

- Petitioner  Petitioner's attorney \_\_\_\_\_
- Respondent  Respondent's attorney \_\_\_\_\_

**2. Findings.** The Court considered the:  Affidavit  Stipulations  Evidence presented and found that:

(a) Child Custody Jurisdiction

I.  Oregon has jurisdiction under the Uniform Child Custody Jurisdiction and Enforcement Act to hear the  custody  parenting time issue because:

- Oregon is the child/ren's home state (i.e., the child/ren have lived here continuously for the six month period immediately before this case was filed).
- Other reason: \_\_\_\_\_

II.  Oregon does not have jurisdiction under the Uniform Child Custody Jurisdiction Act because:

\_\_\_\_\_

\_\_\_\_\_

3.  **Custody.** A substantial change in circumstance has occurred since the last custody order and it would be in the child/ren's best interests to change the custody terms.

4.  **Parenting Time.** It would be in the child/ren's best interests to change the parenting time terms.

5.  **Child Support.** A change in custody, parenting time, or other circumstance, has occurred requiring a change in the current support obligation.

6. **Child/ren Who Are At Least 18 and Under 21 Years of Age.**

\_\_\_\_\_ (child/ren's name) is at least 18, 19 or 20 years of age and unmarried and has:

- Waived further appearance in these proceedings.
- Signed and stipulated to the terms of judgment evidenced by the signature below.
- Fully participated in the proceedings and the judgment effectively binds him/her to the terms.

**IT IS THEREFORE ORDERED** that:

The Judgment is modified as follows:

**1. Custody:**

(a)  Petitioner  Respondent is awarded sole custody of the child/ren (*list names*):

\_\_\_\_\_  
\_\_\_\_\_  
*(Name/s and year/s of birth)*

(b)  The parties have agreed to joint custody of the following child/ren (*list names*):

\_\_\_\_\_  
\_\_\_\_\_  
*(Name/s and year/s of birth)*

**2. Parenting Time:**

(a)  Petitioner  Respondent should have parenting time with the child/ren  as set forth in the attached Parenting Plan, labeled Exhibit \_\_\_\_, or  Other: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

(b)  Petitioner  Respondent should not be granted parenting time because this would endanger the health and safety of the child/ren. Supporting facts are as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

(c)  Parenting time shall be supervised by: \_\_\_\_\_

Any cost of the supervision shall be paid by  Petitioner  Respondent

Other: \_\_\_\_\_

(d)  Petitioner and Respondent should each provide contact addresses and contact telephone numbers to the other and notify each other of any emergency circumstances or substantial changes in the child/ren's health.

(e)  Neither parent shall move to a residence more than 60 miles further distant from the other parent without giving the other parent reasonable notice of the change of residence and providing a copy of such notice to the court, or  the requirement of ORS 107.159 regarding notice of move is suspended for good cause found.

**3. Child Support, including Cash Medical Support:**

(a)  The Judgment is modified to terminate  Petitioner's  Respondent's support obligation effective \_\_\_\_\_ for the child/ren: \_\_\_\_\_

\_\_\_\_\_  
*(name/s and year/s of birth)*

due to the change in custody.

**4. Cash Child Support.**

Complete either (a) or (b) below:

- (a)  Cash child support shall be paid by  Petitioner to Respondent (or)  Respondent to Petitioner:  
 In the amount of \$\_\_\_\_\_ for \_\_\_\_\_ children. This is the amount presumed correct as determined under the Oregon child support guidelines, **or**  
 In the amount of \$\_\_\_\_\_ for \_\_\_\_\_ children. The amount presumed correct as determined under the Oregon child support guidelines, \$\_\_\_\_\_, would be unjust or inappropriate for the following reasons:  
\_\_\_\_\_

(The reasons must also be shown on the support worksheets you attach to this judgment.)

- Petitioner  Respondent shall pay cash child support beginning on:  
 The first (or \_\_\_\_\_) day of the month following the date of the judgment and continuing on the same day of each month thereafter.  
**or**  
 \_\_\_\_\_, the date  Petitioner  Respondent was served with the motion or other date thereafter, and continuing on the same day of each month thereafter (*check this option only if requested in the motion or agreed to by the parties*).

- (b)  No cash child support is ordered in this judgment because:  
 An order,  including medical support, for child support in the monthly amount of \$\_\_\_\_\_ has already been ordered in Circuit Court case number \_\_\_\_\_ in \_\_\_\_\_ County, Oregon.  
 Other reason: \_\_\_\_\_

**5. Medical Support.** Complete section (a) or (b) below. Also complete section (c) or (d) below.

Complete (a) or (b):

(a) **Private Health Care Coverage is Appropriate and Available.**

- Petitioner  Respondent  Both Petitioner and Respondent has/have appropriate private health care coverage available for the parties' child/ren through an employer, spouse, domestic partner or other source.  Petitioner  Respondent  Both Petitioner and Respondent is/are



ordered to obtain and/or maintain this coverage throughout the period of the support obligation for the benefit of the parties' child/ren.

Health care coverage is not ordered in this judgment because it has already been ordered in another case as described in section 4(b) above.

**(b) No Private Health Care Coverage is Appropriate or Available.**

Neither Petitioner nor Respondent has appropriate private health care coverage available for the parties' child/ren.  Petitioner  Respondent  Both Petitioner and Respondent must provide appropriate private health care coverage for the child/ren when such coverage becomes available to them at a reasonable cost through any source.

The custodial parent shall enroll or maintain the child/ren in public health care coverage.

Complete (c) or (d):

**(c) Cash Medical Support Ordered.**

Because the parent receiving cash child support is ordered to maintain private health care coverage and the parent paying cash child support is not ordered to maintain private health insurance, in addition to cash child support  Petitioner  Respondent must pay \$\_\_\_\_\_ for cash medical support to  Petitioner  Respondent, or

Because neither parent has appropriate private health care coverage available for the parties' child/ren:  Petitioner must pay cash medical support in the monthly amount of \$\_\_\_\_\_ to Respondent and/or  Respondent must pay cash medical support in the monthly amount of \$\_\_\_\_\_ to Petitioner.

**(d) Cash Medical Support Not Ordered.**

Cash medical support is not ordered for the following reasons:

The parent paying cash child support is also providing health care coverage.

Section (e) below requires the parties to share the cost of the child/ren's uninsured medical expenses.

Petitioner's  Respondent's gross monthly income is at or below the Oregon minimum wage for full-time employment.

Other reason: \_\_\_\_\_

**(e) Responsibility for Uninsured Health Expenses.**

After the custodial parent pays the first \$250 per year per child,  Petitioner must pay \_\_\_\_\_% and Respondent must pay \_\_\_\_\_% of the reasonably incurred uninsured health, accidental, dental, orthodontic, and optical costs incurred by the child/ren, including costs for prescriptions. This obligation is  in addition to  instead of any cash medical support ordered above in paragraph 5(c) as part of the child support award.

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

**6. Length of Child Support.**

Unless the child becomes self-supporting, emancipated, or married:

- The support ordered in paragraphs 4 and 5 above for each child shall continue until the child reaches eighteen (18) years of age.
- The support ordered in paragraphs 4 and 5 above for each child shall continue until the child reaches age 21 if the child qualifies for support as a child attending school as defined by Oregon law.

**7. Payment of Child Support**

Pursuant to ORS 25.378(1), an income withholding order shall be issued to enforce the child support obligation unless an exception is indicated below.

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

- The parents, and the State, if support rights are assigned, have agreed in writing to an alternative arrangement; or
- Good cause not to require withholding is found because there is proof of timely payment of previously-ordered support and income withholding would not be in the best interests of the child.

All payments of child support shall be made (check either (a) or (b) below):

- (a)  To the Oregon Department of Justice, Child Support Accounting Unit, P.O. Box 14506, Salem, Oregon, 97309 or  by electronic payment withdrawal (EPW) or electronic funds transfer (EFT).
- (b)  Pursuant to the above exception, directly to  Petitioner's  Respondent's checking or savings account. A receipt of deposit shall be kept by the parent paying support as proof of payment. A canceled check is also prima facie evidence that payment has been made. The person receiving support shall provide the paying parent with current deposit slips and/or bank name, account name and account number.

**NOTICE OF INCOME WITHHOLDING**

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

**8. Dependents for Tax Purposes.**

Petitioner  Respondent shall be entitled to claim the following child(ren) as dependent(s) for tax purposes beginning the year this judgment is entered (*list names*): \_\_\_\_\_  
\_\_\_\_\_

OR

Other (*specify*): \_\_\_\_\_  
\_\_\_\_\_

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

**9. Life Insurance Coverage for Child/ren.**

Petitioner  Respondent shall obtain and maintain life insurance for the benefit of the parties' child/ren throughout the period of the support obligation if he/she is insurable. The coverage shall be in the amount of \$ \_\_\_\_\_.

**NOTICE ABOUT PARENTING TIME AND CHILD SUPPORT**

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

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

Publicly funded help is available to establish, enforce, and modify child support orders. Paternity establishment services are also available. Contact your local district attorney, the domestic relations court clerk, or the Department of Justice at 1-800-850-0228 or 503-378-5567 for information. Information is also available at [www.oregonchildsupport.gov](http://www.oregonchildsupport.gov).

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

**NOTICE ABOUT PERIODIC REVIEW AND MODIFICATION OF CHILD SUPPORT ORDERS**

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

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

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

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

**10. Court Costs and Fees.**

(a) **Deferred Costs and Fees.** Any court costs and service fees (if service was completed by the Sheriff) that were deferred (required to be paid at a later date) by the court shall be paid by:

- Petitioner  Respondent
- Both parties equally
- Other: \_\_\_\_\_

///  
///  
///

**(b) Costs and Fees Paid by the Parties**

- Each party shall be responsible for paying his/her own court costs and service fees for this case.
- To be paid by both parties equally
- Petitioner  Respondent shall reimburse the other spouse for his or her court costs and service fees for this case.
- Other: \_\_\_\_\_

Judgment shall be entered according to the cost and fee allocation listed above.

**11. Money Award.** Child Support Obligation  included  not included.

<b>Additional information</b>	<b>PETITIONER</b>	<b>RESPONDENT</b>
Full Name		
Address or Contact Address		
Attorney's Name, Telephone Number and Address (if applicable)		
Year of Birth		
Last Four Digits of Driver License Number and State of Issuance		
Last Four Digits of the Support Obligor's Social Security Number		
<b>The following information is to be provided by any party entitled to receive a money award (a "judgment creditor") as listed in this Judgment.</b>		
Others Entitled to Portions of Judgment Payable to PETITIONER	The following person(s) or public bod(ies) are known by Petitioner to be entitled to a portion of a payment made on the judgment (other than Petitioner's attorney): <input type="checkbox"/> None or <input type="checkbox"/> _____ _____	
Others Entitled to Portions of Judgment Payable to RESPONDENT	The following person(s) or public bod(ies) are known by Respondent to be entitled to a portion of a payment made on the judgment (other than the Respondent's attorney): <input type="checkbox"/> None or <input type="checkbox"/> _____ _____	

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

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

**12. Preservation of General Judgment Terms.** Any terms in the original Judgment not modified by this Supplemental Judgment shall remain in effect.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Circuit Court Judge

\_\_\_\_\_  
Print Name

**OPTIONAL: APPLICATION FOR FULL CHILD SUPPORT PROGRAM SERVICES:** By signing below, I apply for child support services, including enforcement, from the Child Support Program(CSP). Check the box in Paragraph 6(a) if you are requesting accounting and disbursement services only. (Note: If you never received TANF, tribal TANF or AFDC in any state, an annual \$25 fee will apply if over \$500 is collected and distributed to the family each year.)

\_\_\_\_\_  
 Petitioner, Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
 Respondent, Signature

\_\_\_\_\_  
Date

**All parties have agreed (stipulated) to the terms of this judgment. Sign before a Notary Public or Court Clerk only.**

\_\_\_\_\_  
**Petitioner, Signature**

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

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_\_, (date)  
by \_\_\_\_\_ (name of person).

\_\_\_\_\_  
Notary Public for \_\_\_\_\_/Court Clerk  
My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
**Respondent, Signature**

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_\_, (date)  
by \_\_\_\_\_ (name of person).

\_\_\_\_\_  
Notary Public for \_\_\_\_\_/Court Clerk  
My Commission Expires: \_\_\_\_\_

If applicable, child who is at least 18 and under 21 years of age, has agreed (stipulated to the terms of this judgment: (sign only your name)

\_\_\_\_\_  
**Child, Signature**

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_\_, (date)  
by \_\_\_\_\_ (name of person).

\_\_\_\_\_  
Notary Public for \_\_\_\_\_/Court Clerk  
My Commission Expires: \_\_\_\_\_

///  
///  
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**Certificate of Document Preparation.** You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

- I selected this document for myself and I completed it without paid assistance.
- I paid or will pay money to \_\_\_\_\_ for assistance in preparing this form.

**Submitted by:**

---

Petitioner  Respondent, Signature Print Name

---

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

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

---

Petitioner  Respondent, Signature Print Name

**I certify that this is a true copy:**

---

Petitioner  Respondent, Signature



**(Only to be used when the parents live less than  
225 miles apart.)**

SIXTH JUDICIAL DISTRICT

PARENTING PLAN

**\*\*\*HOW TO USE THIS PLAN\*\*\***

**This plan is a guide only. It is the policy of the court to encourage the parties to decide their own parenting time schedule, either between themselves or through mediation, as this is beneficial for all involved.** The court will generally approve any schedule agreed upon by the parties. However, if the parties are unable to agree, the following schedule may be used as a basis for establishing parenting time. Because each family's circumstances are different, the parenting time schedule established by the court may make provision for more or less parenting time than desired by the parties or as set forth in this rule.

**\*\*\* NOTICE TO ALL PARENTS \*\*\***

Pursuant to ORS 107.101 and 107.149, it is the policy of the State of Oregon to:

- Assure minor children of frequent and continuing contact with parents who have shown the ability to act in the best interests of the child;
- Encourage such parents to share in the rights and responsibilities of raising their children after the parents have separated or dissolved their marriage;
- Encourage parents to develop their own parenting plan with the assistance of legal and mediation professionals, if necessary;
- Grant parents and courts the widest discretion in developing a parenting plan; and
- Consider the best interests of the child and the safety of the parties in developing a parenting plan.

**1. GENERAL INFORMATION:**

A. The parents' names are:

\_\_\_\_\_ (Parent A) and  
\_\_\_\_\_ (Parent B).

B. The Parenting Plan applies to the following child(ren):

Name	Age
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

C. Parent B shall have parenting time as set forth below and Parent A will have the children at all other times.

D. If the parties live within 70 miles of each other, then each child shall follow the parenting time schedule for his/her age.

E. If the parties live over 70 miles from each other, then each child shall follow the parenting time schedule for the oldest child except summer. For summer parenting, each child shall follow the schedule appropriate for his/her age.

## 2. DEFINITIONS:

A. The terms “sole custody” and “joint custody” define how parents will handle major decisions about the children. Major decisions include, but are not limited to, decisions about the children’s education, non-emergency health care and religious training. The terms “sole custody” and “joint custody” have nothing to do with the amount of time that children spend with either parent nor do they affect child support calculations. The court cannot order joint custody unless both parties agree.

B. “Weekend parenting time” is the first and third and, when there is one, the fifth weekend of each month from 6:00 p.m. the day school adjourns that week until 6:00 p.m. the day before school resumes the following week.

C. The “weekend” begins with the first Friday of the month.

## 3. NEWBORN TO SIX MONTHS:

A. Weekly: three days per week for a three-hour block of time which coincides with **Parent B’s** non-work hours.

B. Holidays:

(1) In even-numbered years:

(a) Christmas: December 25 from 9 a.m. until 6 p.m.

(2) In odd-numbered years:

(a) Thanksgiving: Thanksgiving Day from 9 a.m. until 6 p.m.

(b) Christmas: December 24 from 9 a.m. until 6 p.m.

**4. SIX MONTHS TO TWENTY-FOUR MONTHS:**

A. Weekly:

- (1) Two days per week for a three-hour block of time to coincide with **Parent B's** non-work hours; and
- (2) One twenty-four hour block of time per week.

B. Holidays:

- (1) In even-numbered years:
  - (a) Fourth of July: July 4<sup>th</sup> from 9 a.m. until 6 p.m.
  - (b) Christmas: December 25 from 9 a.m. until 8 p.m.
- (2) In odd-numbered years:
  - (a) Thanksgiving: Thanksgiving day from 9 a.m. until 8 p.m.
  - (b) Christmas: December 24 from 9 a.m. until 8 p.m.
  - (c) Child's birthday: from 9 a.m. until 6 p.m.

C. Every year:

- (1) Mother's Day: Mother shall have the child(ren) from 9 a.m. until 6 p.m.
- (2) Father's Day: Father shall have the child(ren) from 9 a.m. until 6 p.m.

**5. TWENTY-FOUR TO THIRTY-SIX MONTHS:**

A. Weekly:

- (1) A three-hour visit to coincide with Parent B's non-work hours. This visit shall end no later than 8 p.m.
- (2) The first and third or second and fourth weekends from 9 a.m. Saturday to 6 p.m. Sunday.

B. Holidays:

- (1) In even-numbered years:
  - (a) Fourth of July: July 4<sup>th</sup> from 9 a.m. until July 5<sup>th</sup> at 6 p.m.
  - (b) Christmas: December 25 at 9 a.m. until December 27 at 6 p.m.
- (2) In odd-numbered years:
  - (a) Child's birthday: from 9 a.m. until 6 p.m.
  - (b) Thanksgiving: 9 a.m. on Thanksgiving day until Friday at 6 p.m.
  - (c) Christmas: December 23 at 9 a.m. until December 25 at 6 p.m.

C. Every year:

- (1) Mother's Day: Mother shall have the child(ren) from 9 a.m. until 6 p.m.
- (2) Father's Day: Father shall have the child(ren) from 9 a.m. until 6 p.m.

**6. OVER 36 MONTHS:**

A. Weekly:

- (1) The first and third, and when applicable, fifth weekends to include all contiguous federal, state or school holidays.
- (2) Alternating Mondays on the Monday preceding Parent B's alternating weekend with the child(ren), from either after school or after Parent B is off work, whichever occurs later, and ending at 8 p.m.

B. Holidays and Vacations:

(1) In even-numbered years:

- (a) Fourth of July: From July 4<sup>th</sup> at 9 a.m. until July 5<sup>th</sup> at 6 p.m.
- (b) Christmas: Beginning at 6 p.m. the day school adjourns until noon on December 26.

(2) In odd-numbered years:

- (a) Thanksgiving: Commencing on Wednesday at 6 p.m. until the following Sunday at 6 p.m.
- (b) Christmas: Beginning at noon on December 26 until noon the day before school resumes.
- (c) Spring Vacation: Whether or not the child(ren) is/are enrolled in school, commencing 6 p.m. the day school adjourns and ending at 6 p.m. the day before school resumes.

- (d) Child's Birthday: If the child's birthday is not on a school day, parenting time shall commence at 9 a.m. and end at 6 p.m. If the child's birthday falls on a school day, parenting time shall commence from the time school lets out until 8 p.m.

C. Every year:

(1) Summer Vacation:

(a) Age 36 months to 5 years: Parent B shall have four weeks, to be divided into two, two-week blocks, and separated by at least two weeks.

(b) Ages five (5) or six (6): Parent B shall have six weeks, to be divided into two, three-week blocks of time and separated by at least one week.

(c) Age seven (7) and older: Parent B shall have six continuous weeks of summer parenting time; Parent A shall have parenting time with the child(ren) for the remainder of the summer. Each parent is allowed one weekend of parenting time during the other parents' block of summer parenting time.

(d) Before May 1 of each year, Parent B shall notify Parent A, in writing, of the dates of parenting time. Parent A has the right to choose the inclusive dates for the parenting time when Parent B has not given notice before May 1. However, Parent A shall provide Parent B with at least two weeks' notice of Parent B's summer parenting time. Summer parenting time shall end at least seven days prior to the child(ren)'s first day of school.

(2) Mother's Day: Mother shall have the child(ren) beginning at 6 p.m. Friday until 6 p.m. Sunday.

(3) Father's Day: Father shall have the child(ren) beginning at 6 p.m. Friday until 6 p.m. Sunday.

D. Non-assigned times

(1) Regardless of the child's age, Parent A, upon providing 30 days advance written notice to Parent B, shall be permitted one week every six months of uninterrupted time with the child(ren) which does not interfere with Parent B's holiday schedule. This week will supercede Parent B's weekly or weekend parenting time.

## 7. PARENTING TIME CALCULATION

A. The table below indicates the average number of overnights that each parent will have the children each year. Significant overnight time with Parent B may influence child support calculations. The Oregon Child Support Calculator is available at [www.dcs.state.or.us/calculator](http://www.dcs.state.or.us/calculator).

Ages of Children	Overnights with Parent A	Overnights with Parent B
Birth to Six months	365	0
Six months to 24 months	313	52
24 months to 36 months	315	50
36 months to 5 years	[276] <u>273</u>	92
5 years to 6 years	263	102
7 years and up	263	102
7 years and up**	[241] <u>248</u>	[124] <u>117</u>

\*\* (for children with a four-day school week)



## RULES AND PROCEDURES

### 8. TRANSPORTATION

A. Pick up and delivery of the child(ren) to and from parenting time shall be prompt so all parties can make plans accordingly. Unless otherwise ordered by the court, Parent B shall pick up the child(ren) from the steps of Parent A's residence, the school, or the childcare provider (whichever is applicable), no earlier than 15 minutes before and not later than 30 minutes after the parenting time starts. Parent A shall pick up the child(ren) at Parent B's residence not later than 15 minutes after the parenting time ends. Should Parent B fail to pick up the child(ren) or call within 60 minutes of the pick up time, Parent A may cancel the visit, except in the event of an unanticipated emergency of Parent B.

B. If one parent has been over 60 minutes late more than three times in one calendar year without prior notification, the non-offending parent has the right to choose that the other parent provide transportation to and from parenting time for the next year.

C. Unless the parties agree otherwise, when parents live more than 70 and less than 225 miles apart, both parents will meet approximately halfway between each parent's residence to exchange the child(ren) or each parent shall pay the costs of transporting the child(ren) to and from parenting time in the same proportion as the "percentage share of income" as listed in the parents' child support computation worksheet. For example, if Parent B's percentage share of income is 70%, then Parent B shall pay 70% of transportation costs and Parent A parent shall pay 30% of transportation costs. The parent with the lower income shall pay no less than 30% of transportation costs. If the parties have agreed to forego child support or if there is no child support computation worksheet, the parents shall equally divide the costs of transportation. Transportation shall be calculated at 45¢ per mile.

C. The parents shall be encouraged to use common sense during inclement weather and shall communicate with each other regarding transportation.

### 9. PLANNING:

A. Holiday and vacation parenting time occasionally overlap with regular weekly or weekend parenting time. In such instances, the holiday or vacation parenting time shall supersede the conflicting regular weekly or weekend parenting time and may result in a loss of regular weekly or weekend parenting time. The holiday or vacation parenting time does not reduce or eliminate any other parenting time.

B. If Parent B's work schedule does not provide that "weekends" fall on Saturday and Sunday, Parent B's actual days off from work may be substituted at his or her discretion for the otherwise designated "weekend" parenting times. This section only applies to Parent B's regular work schedule. Temporary changes in Parent B's work schedule shall not warrant a substitution.

C. If the child(ren) regularly attends school in a district which is regularly in session Monday through Thursday, Parent B is entitled to weekend parenting time beginning at 6 p.m. on Thursday.

D. If the child(ren) have school on a day following an overnight parenting time with Parent B, the parenting time is conditioned upon Parent B ensuring the child's attendance at school on the aforementioned day.

E. A nursing mother shall be responsible for making necessary arrangements for feeding an infant child in order to accommodate the father's parenting time. The fact that an infant child is being nursed shall not be grounds for cancelling, delaying or in any other way, hindering the father's right to parenting time with the child.

F. Parent A shall have the child(ren) fed and ready on time for parenting time, with sufficient and proper clothes packed and ready for the parenting time.

G. Parent B shall feed the child(ren) the evening meal before returning them from the parenting time. Parent B shall return all clothing that accompanied the child(ren) for the parenting time.

H. In the event a child is ill and unable to visit, Parent A shall allow Parent B a makeup parenting time on the next succeeding weekend.

I. If Parent B fails to exercise parenting time because of illness or any other reason, there will be no makeup parenting time.

J. If a licensed physician has prescribed medication for the children, both parents shall ensure that the medications are delivered and returned with the child and administered as prescribed.

## **10. PERSONAL PLANS:**

A. The child(ren) will not be permitted to determine whether they wish to visit Parent B.

B. Personal plans of Parent A or of the child(ren), school activities, church activities and other similar considerations will not be reasons for failing to follow this parenting time schedule.

## **11. CHILD'S ACTIVITIES:**

A. Each parent shall act reasonably in registering the child(ren) for activities, keeping in mind that neither parent is entitled to schedule activities for the child(ren) which will consistently take place during the other parent's time with the child(ren). However, parents should keep in mind that certain activities, by their nature, may take place during the other parent's weekend.

B. Although neither parent is required to involve a child(ren) in any activity, each parent is encouraged to use his or her best efforts to keep the parties' minor child(ren) involved in athletic events, school functions, lessons, birthday parties, etc., even though those activities may occur during one parent's parenting time. The parents should recognize that limiting the child(ren)'s involvement in activities may deprive the child(ren) of valuable opportunities for growth. Parents are encouraged to use the child(ren)'s activities as an opportunity for the parents to interact with the child(ren), meet the child(ren)'s friends and other families, and have a quality experience with the child(ren).

C. Both parties shall have the unrestricted right to be with the parties' minor child(ren) at school and attend school and extracurricular activities and events. Each parent shall have full access to child(ren)'s school, teachers, school administrators, and leaders of the various activities in which the child(ren) may be involved.

D. Each parent is responsible to keep himself or herself apprised of the child(ren)'s activities.

E. Each parent shall act responsibly and respectfully while attending the child(ren)'s activities and/or events. Neither parent should act in a fashion which would disturb the interaction and relationship of the other parent with the child(ren) and/or other adults present at the activity or event. It is the responsibility of the parent who does not wish to have contact with the other parent at such an activity or event, to remove himself or herself from the activity or event.

## **12. RELOCATION OF A PARENT:**

A. Parents shall provide each other with at least 30 days' prior written notice of any planned relocation more than 70 miles out of the area.

B. Regardless of any decision-making allocation of this Parenting Plan, any relocation of one parent that would disrupt the other parent's scheduled time with the child(ren) shall require a modification of the residential schedule that is mutually agreed upon or is ordered by the court.

C. If the child(ren) shall be staying somewhere other than Parent B's residence, Parent B shall notify Parent A of any emergency contact phone number and where the child will be staying.

### **13. MEDICAL REASONS:**

Substantial medical difficulties of the child(ren) will be considered sufficient for postponement of parenting time.

### **14. OTHER CONTACT:**

A. In addition to parenting time set forth in this parenting time schedule or as otherwise ordered by the court, Parent B has the right to correspond with the child(ren) and to telephone the child(ren) during reasonable hours without interference or monitoring by Parent A or anyone else in any way. Unless otherwise agreed to by the parents, telephone calls between Parent B and the child(ren) shall be limited to:

(1) No more than three per week; and

(2) Ten minutes or less for each call.

B. Both parents should be sensitive to the child(ren)'s need to have contact with the other parent as well as the need of the parents to minimize disruptions.

C. Parent A shall be allowed the same communication right during periods of Parent B's parenting time.

D. If there is a significant bond between the parents and the child(ren), each parent shall have the first option to personally provide child care while the other parent is working when not disruptive of the child's school and/or sleep schedules.

E. Both parents shall allow the child(ren) to initiate contact with the other parent at any time. If it involves a long distance call, the parent the child is contacting shall provide a phone card to or accept collect calls from the child.

#### **15. RESTRAINT:**

The court restrains and enjoins parents subject to this parenting time schedule from making derogatory comments about the other parent or in any way diminishing the love, respect, and affection that the child has for the other parent.

#### **16. OTHER RIGHTS (ORS 107.154):**

Unless otherwise ordered by the court, an order of sole custody to one parent does not deprive the other parent of the following authority:

A. To inspect and receive school records and to consult with school staff concerning the child's welfare and education, to the same extent as the custodial parent may inspect and receive such records and consult with such staff;

B. To inspect and receive governmental agency and law enforcement records concerning the child to the same extent as the custodial parent may inspect and receive such records;

C. To consult with any person who may provide care or treatment for the child and to inspect and receive the child's medical, dental, and psychological records to the same extent as the custodial parent may consult with such persons and inspect and receive such records;

D. To authorize emergency medical, dental, psychological, psychiatric or other health care for the child if the custodial parent is, for practical purposes, unavailable; or

E. To be the child's conservator, guardian ad litem, or both.

**17. PARENTAL NOTIFICATION (ORS 107.164):**

Unless otherwise ordered by the court, both parents shall have a continuing responsibility, once a custody or protective order concerning the child is issued, to provide addresses and contact telephone numbers to the other parent and to immediately notify the other parent of any emergency circumstances or substantial changes in the health of the child.

**18. SCHEDULE DEVIATIONS:**

Parents shall put mutually agreed changes to the parenting time schedule in writing so there will be no dispute as to the changes.

**19. NON-ASSIGNED TIMES:**

Unless otherwise agreed in writing, Parent A is responsible for the child during all times not awarded to Parent B.

**20. EXCEPTIONS/ADDITIONS: (PLEASE PRINT LEGIBLY OR TYPE)**

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**\* NOTICE TO ALL PARENTS \***

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

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

Publicly funded help is available to establish, enforce and modify child support orders. Services to establish paternity are also available. Contact your local district attorney, domestic relations court clerk or the Department of Human Resources (503) 378-5567 for information.

Publicly funded help may be available to establish, enforce or modify parenting time orders. Forms are available to enforce parenting time orders. Contact the family court specialist in the civil office of the local state circuit court.

**LONG DISTANCE PLAN: (Only to be used when the parents live over 225 miles apart.)**

SIXTH JUDICIAL DISTRICT

PARENTING PLAN

**\*\*\*HOW TO USE THIS PLAN\*\*\***

**This plan is a guide only. It is the policy of the court to encourage the parties to decide their own parenting time schedule, either between themselves or through mediation, as this is beneficial for all involved.** The court will generally approve any schedule agreed upon by the parties. However, if the parties are unable to agree, the following schedule may be used as a basis for establishing parenting time. Because each family's circumstances are different, the parenting time schedule established by the court may make provision for more or less parenting time than desired by the parties or as set forth in this rule.

**\*\*\* NOTICE TO ALL PARENTS \*\*\***

Pursuant to ORS 107.101 and 107.149, it is the policy of the State of Oregon to:

- Assure minor children of frequent and continuing contact with parents who have shown the ability to act in the best interests of the child;
- Encourage such parents to share in the rights and responsibilities of raising their children after the parents have separated or dissolved their marriage;
- Encourage parents to develop their own parenting plan with the assistance of legal and mediation professionals, if necessary;
- Grant parents and courts the widest discretion in developing a parenting plan; and
- Consider the best interests of the child and the safety of the parties in developing a parenting plan.

**1. GENERAL INFORMATION:**

A. The parents' names are:

\_\_\_\_\_ (Parent A) and  
\_\_\_\_\_ (Parent B).

B. The Parenting Plan applies to the following child(ren):

Name	Age
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

C. Parent B shall have parenting time as set forth below and Parent A will have the children at all other times.

D. Each child shall follow the parenting time schedule for the oldest child except summer. For summer parenting, each child shall follow the schedule appropriate for his/her age.

**2. DEFINITIONS:**

A. The terms "sole custody" and "joint custody" define how parents will handle major decisions about the children. Major decisions include, but are not limited to, decisions about the children's education, non-emergency health care and religious training. The terms "sole custody" and "joint custody" have nothing to do with the amount of time that children spend with either parent nor do they affect child support calculations. The court cannot order joint custody unless both parties agree.

B. The "weekend" begins with the first Friday of the month.



### **3. CHILDREN UNDER 36 MONTHS:**

#### **A. Weekend parenting time:**

- (1) One weekend per month of at least three overnights scheduled in conjunction with school holidays when possible. These weekends are in addition to the holiday parenting time.
- (2) The times when the parties exchange the child(ren) may be flexible to allow for transportation. However, the exchange times shall be reasonable and the parties shall use their best efforts to have the child(ren) to either mother's or father's home prior to 8:00 p.m.

#### **B. Holidays and Vacations:**

- (1) In even-numbered years:
  - (a) Christmas: Beginning the day school adjourns and continuing until December 26.
- (2) In odd-numbered years:
  - (a) Thanksgiving: Commencing on Wednesday and continuing until the following Sunday.
  - (b) Christmas: Beginning on December 26 and continuing until the day before school resumes.

#### **C. Every year:**

- (1) Spring break: Beginning the day after school adjourns until the day before school resumes. This spring break parenting time shall be in lieu of the weekend parenting time for that month.
- (2) Summer: For children under 36 months, there is no extended summer parenting time unless the parties otherwise agree in writing. Parenting time should continue during summer months pursuant to paragraph 3(A)(1) above.

### **4. CHILDREN OVER 36 MONTHS:**

#### **A. September through May:**

- (1) One weekend per month of at least three overnights scheduled in conjunction with school holidays when possible. These weekends are in addition to the holiday parenting time.
- (2) To assure Parent B of a three- or four-day weekend each month, the child(ren) may be allowed to miss one Friday of school per month in months in which the children do not have a Monday or Friday out of school.

(3) The times when the parties exchange the child(ren) may be flexible to allow for transportation. However, the exchange times shall be reasonable and the parties shall use their best efforts to have the child(ren) to either mother's or father's home prior to 8:00 p.m.

B. Holidays and Vacations:

(1) In even-numbered years:

(a) Christmas: Beginning the day school adjourns and continuing until December 26.

(2) In odd-numbered years:

(a) Thanksgiving: Commencing on Wednesday and continuing until the following Sunday.

(b) Christmas: Beginning on December 26 and continuing until the day before school resumes.

C. Every year:

(1) Spring break: Beginning the day after school adjourns until the day before school resumes. This spring break parenting time shall be in lieu of the weekend parenting time for that month.

(2) Summer Parenting Time:

(a) Eight weeks of summer parenting time.

(b) Before May 1 of each year, Parent B shall notify Parent A, in writing, of the dates of summer parenting time. Parent A has the right to choose the inclusive dates for the parenting time when Parent B has not given notice before May 1. Parent B's summer parenting time shall end at least seven days prior to the child(ren)'s first day of school.

(c) Parent A shall be entitled to a weekend with the child(ren) during Parent B's summer parenting time, in the event that he/she is able to travel to Parent B's residence. Parent A shall give reasonable advance notice to Parent B of when he/she intends to exercise this weekend parenting time.

**5. PARENTING TIME CALCULATION**

A. The table below indicates the average number of overnights that each parent will have the children each year. Significant overnight time with Parent B may influence child support calculations. The Oregon Child Support Calculator is available at [www.dcs.state.or.us/calculator](http://www.dcs.state.or.us/calculator).

<b>Ages of Children</b>	<b>Overnights with Parent A</b>	<b>Overnights with Parent B</b>
Birth to 36-months	317	52
Over 36-Months	272	95

**RULES AND PROCEDURES**

**6. TRANSPORTATION**

A. Parent B shall be responsible for picking up the child(ren) at Parent A’s residence at the beginning of the parenting time and Parent A is responsible for picking up the child(ren) at Parent B’s residence at the end of the parenting time.

B. For every visit, parents shall alternate responsibility for making travel arrangements. A parent shall not use a method of travel or schedule a time for travel which interferes with the other parent’s scheduled parenting time.

C. Pick up and delivery to and from parenting time shall be prompt so all parties can make plans accordingly.

D. When making travel arrangements by air, bus, or train, the parent arranging the transportation shall promptly notify the other parent of the travel arrangements.

E. If traveling by bus or train, a parent or other responsible adult, agreed upon by both parties, must accompany the child if the child is under 14 years of age.

F. If traveling by air, the child(ren) may be allowed to fly unaccompanied by an adult only if doing so would not violate any airline rules or regulations and would not put the child at a health risk.

G. The cost of transporting the child(ren) to and from parenting time, shall be paid by the parents in the same proportion as the “percentage share of income” as listed in the parents’ child support computation worksheet. For example, if Parent B’s percentage share of income is 70%, then the Parent B shall pay 70% of transportation costs and Parent A shall pay 30% of transportation costs. The parent with the lower income shall pay no less than 30% of transportation costs. If the parties have agreed to forego child support or if there is no child support computation worksheet, the parents shall equally divide the costs of transportation.

H. If the child(ren) is traveling by a commercial carrier, transportation costs shall include the cost of the ticket(s) for the child(ren), plus the cost of the ticket(s) for the individual traveling with the child(ren), if the accompaniment is necessary pursuant to the carrier’s rules, and the cost of transportation to the terminal. If the child(ren) is traveling by car, transportation costs shall be calculated at 45¢ per mile.

I. Parties shall be encouraged to use common sense during inclement weather.

## **7. PLANNING:**

A. If the child(ren) regularly attends school in a district which is regularly in session Monday through Thursday, Parent B is entitled to weekend parenting time beginning at 6 p.m. on Thursday.

B. If the child(ren) have school on a day following an overnight parenting time with Parent B, the parenting time is conditioned upon Parent B ensuring the child’s attendance at school on the aforementioned day.

C. A nursing mother shall be responsible for making necessary arrangements for feeding an infant child in order to accommodate the father’s parenting time. The fact that an infant child is being nursed shall not be grounds for cancelling, delaying or in any other way, hindering the father’s right to parenting time with the child.

D. Parent A shall have the child(ren) fed and ready on time for parenting time, with sufficient and proper clothes packed and ready for the parenting time.

E. Parent B shall feed the child(ren) the evening meal before returning them from the parenting time. Parent B shall return all clothing that accompanied the child(ren) for the parenting time.

F. In the event a child is ill and unable to visit, Parent A shall allow Parent B a makeup parenting time on the next succeeding weekend.

G. If Parent B fails to exercise parenting time because of illness or any other reason, there will be no makeup parenting time.

H. If a licensed physician has prescribed medication for the children, both parents shall ensure that the medications are delivered and returned with the child and administered as prescribed.

#### **8. PERSONAL PLANS:**

A. The child(ren) will not be permitted to determine whether they wish to visit Parent B.

B. Personal plans of Parent A or of the child(ren), school activities, church activities and other similar considerations will not be reasons for failing to follow this parenting time schedule.

#### **9. CHILD'S ACTIVITIES:**

A. Each parent shall act reasonably in registering the child(ren) for activities, keeping in mind that neither parent is entitled to schedule activities for the child(ren) which will consistently take place during the other parent's time with the child(ren). However, parents should keep in mind that certain activities, by their nature, may take place during the other parent's weekend.

B. Although neither parent is required to involve a child(ren) in any activity, each parent is encouraged to use his or her best efforts to keep the parties' minor child(ren) involved in athletic events, school functions, lessons, birthday parties, etc., even though those activities may occur during one parent's parenting time. The parents should recognize that limiting the child(ren)'s involvement in activities may deprive the child(ren) of valuable opportunities for growth. Parents are encouraged to use the child(ren)'s activities as an opportunity for the parents to interact with the child(ren), meet the child(ren)'s friends and other families, and have a quality experience with the child(ren).

C. Both parties shall have the unrestricted right to be with the parties' minor child(ren) at school and attend school and extracurricular activities and events. Each parent shall have full access to child(ren)'s school, teachers, school administrators, and leaders of the various activities in which the child(ren) may be involved.

D. Each parent is responsible to keep himself or herself apprised of the child(ren)'s activities.

E. Each parent shall act responsibly and respectfully while attending the child(ren)'s activities and/or events. Neither parent should act in a fashion which would disturb the interaction and relationship of the other parent with the child(ren) and/or other adults present at the activity or event. It is the responsibility of the parent who does not wish to have contact with the other parent at such an activity or event, to remove himself or herself from the activity or event.

## **10. RELOCATION OF A PARENT:**

- A. Parents shall provide each other with at least 30 days' prior written notice of any planned relocation more than 70 miles out of the area.
- B. Regardless of any decision-making allocation of this Parenting Plan, any relocation of one parent that would disrupt the other parent's scheduled time with the child(ren) shall require a modification of the residential schedule that is mutually agreed upon or is ordered by the court.
- C. If the child(ren) shall be staying somewhere other than Parent B's residence, Parent B shall notify Parent A of any emergency contact phone number and where the child will be staying.

## **11. MEDICAL REASONS:**

Substantial medical difficulties of the child(ren) will be considered sufficient for postponement of parenting time.

## **12. OTHER CONTACT:**

- A. In addition to parenting time set forth in this parenting time schedule or as otherwise ordered by the court, Parent B has the right to correspond with the child(ren) and to telephone the child(ren) during reasonable hours without interference or monitoring by Parent A or anyone else in any way. Unless otherwise agreed to by the parents, telephone calls between Parent B and the child(ren) shall be limited to:
- (1) No more than three per week; and
  - (2) Ten minutes or less for each call.
- B. Both parents should be sensitive to the child(ren)'s need to have contact with the other parent as well as the need of the parents to minimize disruptions.
- C. Parent A shall be allowed the same communication rights during periods of Parent B's parenting time.
- D. Both parents shall allow the child(ren) to initiate contact with the other parent at any time. If it involves a long distance call, the parent the child is contacting shall provide a phone card to or accept collect calls from the child.

## **13. RESTRAINT:**

The court restrains and enjoins parents subject to this parenting time schedule from making derogatory comments about the other parent or in any way diminishing the love, respect, and affection that the child has for the other parent.

**14. OTHER RIGHTS (ORS 107.154):**

Unless otherwise ordered by the court, an order of sole custody to one parent does not deprive the other parent of the following authority:

- A. To inspect and receive school records and to consult with school staff concerning the child's welfare and education, to the same extent as the custodial parent may inspect and receive such records and consult with such staff;
- B. To inspect and receive governmental agency and law enforcement records concerning the child to the same extent as the custodial parent may inspect and receive such records;
- C. To consult with any person who may provide care or treatment for the child and to inspect and receive the child's medical, dental, and psychological records to the same extent as the custodial parent may consult with such persons and inspect and receive such records;
- D. To authorize emergency medical, dental, psychological, psychiatric or other health care for the child if the custodial parent is, for practical purposes, unavailable; or
- E. To be the child's conservator, guardian ad litem, or both.

**15. PARENTAL NOTIFICATION (ORS 107.164):**

Unless otherwise ordered by the court, both parents shall have a continuing responsibility, once a custody or protective order concerning the child is issued, to provide addresses and contact telephone numbers to the other parent and to immediately notify the other parent of any emergency circumstances or substantial changes in the health of the child.

**16. SCHEDULE DEVIATIONS:**

Parents shall put mutually agreed changes to the parenting time schedule in writing so there will be no dispute as to the changes.

**17. NON-ASSIGNED TIMES:**

Unless otherwise agreed in writing, Parent A is responsible for the child during all times not awarded to Parent B.

**18. EXCEPTIONS/ADDITIONS: (PLEASE PRINT LEGIBLY OR TYPE)**

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**\* NOTICE TO ALL PARENTS \***

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

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**LOCAL PLAN WITH OPTIONS:**  
**(Only to be used when the parents live less than**  
**225 miles apart)**

SIXTH JUDICIAL DISTRICT  
PARENTING PLAN

\*\*\*HOW TO USE THIS PLAN\*\*\*

**This plan is a guide only. It is the policy of the court to encourage the parties to decide their own parenting time schedule, either between themselves or through mediation, as this is beneficial for all involved.** The court will generally approve any schedule agreed upon by the parties. However, if the parties are unable to agree, the following schedule may be used as a basis for establishing parenting time. Because each family's circumstances are different, the parenting time schedule established by the court may make provision for more or less parenting time than desired by the parties or as set forth in this rule.

\*\*\* NOTICE TO ALL PARENTS \*\*\*

Pursuant to ORS 107.101 and 107.149, it is the policy of the State of Oregon to:

- Assure minor children of frequent and continuing contact with parents who have shown the ability to act in the best interests of the child;
- Encourage such parents to share in the rights and responsibilities of raising their children after the parents have separated or dissolved their marriage;
- Encourage parents to develop their own parenting plan with the assistance of legal and mediation professionals, if necessary;
- Grant parents and courts the widest discretion in developing a parenting plan; and
- Consider the best interests of the child and the safety of the parties in developing a parenting plan.

**1. GENERAL INFORMATION:**

A. The parents' names are:

\_\_\_\_\_ (Parent A) and  
\_\_\_\_\_ (Parent B).

B. The Parenting Plan applies to the following child(ren):

Name	Age
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

C. Parent B shall have parenting time as set forth below and Parent A will have the children at all other times.

D. If the parties live within 70 miles of each other, then each child shall follow the parenting time schedule for his/her age.

E. If the parties live over 70 miles from each other, then each child shall follow the parenting time schedule for the oldest child except during the summer. For summer parenting, each child shall follow the schedule appropriate for his/her age.

**2. DEFINITIONS:**

- A. The terms “sole custody” and “joint custody” define how parents will handle major decisions about the children. Major decisions include, but are not limited to, decisions about the children’s education, non-emergency health care and religious training. The terms “sole custody” and “joint custody” have nothing to do with the amount of time that children spend with either parent nor do they affect child support calculations. The court cannot order joint custody unless both parties agree.
- B. The “weekend” begins with the first Friday of the month.

**3. NEWBORN TO SIX MONTHS:**

- A. Weekly: Every other day for a three-hour block of time that coincides with **Parent B’s** non-work hours. This schedule continues year round.

\_\_\_\_\_ hours \_\_\_\_\_ days per week

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- B. Holidays:

(1) In even-numbered years:

(a) Christmas: December 25 from 9 a.m. until 6 p.m.

(2) In odd-numbered years:

(a) Thanksgiving: Thanksgiving Day from 9 a.m. until 6 p.m.

(b) Christmas: December 24 from 9 a.m. until 6 p.m.

**4. SIX MONTHS TO TWENTY-FOUR MONTHS:**

A. Weekly:

- (1) Monday and Wednesday, for a three-hour block of time that coincides with Parent B's non-work hours.
- (2) Friday from 5:00 pm until Saturday at 5:00 pm. This schedule continues year round.

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B. Holidays:

- (1) In even-numbered years:
  - (a) Fourth of July: July 4th from 9 a.m. until 6 p.m.
  - (b) Christmas: December 25 from 9 a.m. until 8 p.m.
- (2) In odd-numbered years:
  - (a) Thanksgiving: Thanksgiving day from 9 a.m. until 8 p.m.
  - (b) Christmas: December 24 from 9 a.m. until 8 p.m.
  - (c) Child's birthday: from 9 a.m. until 6 p.m.

C. Every year:

- (1) Mother's Day: Mother shall have the child(ren) from 9 a.m. until 6 p.m.
- (2) Father's Day: Father shall have the child(ren) from 9 a.m. until 6 p.m.

**5. TWENTY-FOUR TO THIRTY-SIX MONTHS:**

A. Weekly:

- (1) Monday and Wednesday, for a three-hour block of time that coincides with Parent B's non-work hours.
- (2) The first and third or second and fourth weekends from 5:00 pm Friday until 9:00 am Sunday.

B. Holidays:

(1) In even-numbered years:

- (a) Fourth of July: July 4th from 9 a.m. until July 5th at 6 p.m.
- (b) Christmas: December 25 at 9 a.m. until December 27 at 6 p.m.

(2) In odd-numbered years:

- (a) Child's birthday: from 9 a.m. until 6 p.m.
- (b) Thanksgiving: 9 a.m. on Thanksgiving day until Friday at 6 p.m.
- (c) Christmas: December 23 at 9 a.m. until December 25 at 6 p.m.

C. Every year:

- (1) Mother's Day: Mother shall have the child(ren) from 9 a.m. until 6 p.m.
- (2) Father's Day: Father shall have the child(ren) from 9 a.m. until 6 p.m.

**6. OVER 36 MONTHS:**

A. Weekly:

**Option 1**

- (1) The first and third, and when applicable, fifth weekends to include all contiguous federal, state or school holidays.
- (2) Alternating Mondays on the Monday preceding Parent B's alternating weekend with the child(ren), from either after school or after Parent B is off work, whichever occurs later, and ending at 8 p.m.

**Option 2**

First, third, and fourth weekends from after school Thursday, or at 5:00 if the children are not in school, until Sunday at 5:00 pm including any contiguous school holidays. *(This is a 4/3 split which gives the custodial parent one weekend to two weekends per month. It keeps the kids on a regular schedule which is easy to predict. This may work better for younger children who need more regular contact with both parents for healthy bonding).*

**Option 3**

Alternating weeks from Friday after school or 5:00 pm if the children are not at school until the following Friday after school or 5:00 pm if the children are not at school.

**Option 4**

Parents are encouraged to agree upon their own plan which best meets their needs and the needs of their children.

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B. Holidays and Vacations:

- (1) In even-numbered years:
  - (a) Fourth of July: From July 4th at 9 a.m. until July 5th at 6 p.m.

(b) Christmas: Beginning at 6 p.m. the day school adjourns until noon on December 26.

(2) In odd-numbered years:

(a) Thanksgiving: Commencing on Wednesday at 6 p.m. until the following Sunday at 6 p.m.

(b) Christmas: Beginning at noon on December 26 until noon the day before school resumes.

(c) Spring Vacation: Whether or not the child(ren) is/are enrolled in school, commencing 6 p.m. the day school adjourns and ending at 6 p.m. the day before school resumes.

(d) Child's Birthday: If the child's birthday is not on a school day, parenting time shall commence at 9 a.m. and end at 6 p.m. If the child's birthday falls on a school day, parenting time shall commence from the time school lets out until 8 p.m.

C. Every year:

(1) Summer Vacation:

**Option 1**

(a) Age 36 months to 5 years: Parent B shall have four weeks, to be divided into two, two-week blocks, and separated by at least two weeks.

(b) Ages five (5) or six (6): Parent B shall have six weeks, to be divided into two, three-week blocks of time and separated by at least one week.

(c) Age seven (7) and older: Parent B shall have six continuous weeks of summer parenting time; Parent A shall have parenting time with the child(ren) for the remainder of the summer. Each parent is allowed one weekend of parenting time during the other

parents' block of summer parenting time.

- (d) Before May 1 of each year, Parent B shall notify Parent A, in writing, of the dates of parenting time. Parent A has the right to choose the inclusive dates for the parenting time when Parent B has not given notice before May 1. However, Parent A shall provide Parent B with at least two weeks' notice of Parent B's summer parenting time. Summer parenting time shall end at least seven days prior to the child(ren)'s first day of school.

○ **Option 2**

Week by week in the Summer beginning the Friday after the children are released from school at 5:00 pm until 5:00 pm the following Friday.

- (2) Mother's Day: Mother shall have the child(ren) beginning at 6 p.m. Friday until 6 p.m. Sunday.
- (3) Father's Day: Father shall have the child(ren) beginning at 6 p.m. Friday until 6 p.m. Sunday.

D. Non-assigned times

- (1) Regardless of the child's age, Parent A, upon providing 30 days advance written notice to Parent B, shall be permitted one week every six months of uninterrupted time with the child(ren) which does not interfere with Parent B's holiday schedule. This week will supersede Parent B's weekly or weekend parenting time.



## RULES AND PROCEDURES

### 7. TRANSPORTATION

- A. Pick-up and delivery of the child(ren) to and from parenting time shall be prompt so all parties can make plans accordingly.
- **Option 1**  
Parent B shall pick up the child(ren) from the steps of Parent A's residence, the school, or the childcare provider (whichever is applicable), no earlier than 15 minutes before and not later than 30 minutes after the parenting time starts. Parent A shall pick up the child(ren) at Parent B's residence not later than 15 minutes after the parenting time ends. Should Parent B fail to pick up the child(ren) or call within 60 minutes of the pick-up time, Parent A may cancel the visit, except in the event of an unanticipated emergency of Parent B.
- **Option 2**  
Parent B shall pick up the children from the school or daycare provider if the children are enrolled in school or have a daycare provider. In the event that the children do not have school or daycare provider Parent A shall deliver the children to the residence of Parent B within fifteen minutes of the time parenting time starts. Parent B shall deliver the children to Parent A's residence, the school, or daycare provider (whichever is applicable) not more than fifteen minutes after parenting time ends.
- B. If one parent has been over 60 minutes late more than three times in one calendar month without prior notification, the non-offending parent has the right to choose that the other parent provide transportation to and from parenting time for the next month.
- C. Unless the parties agree otherwise, when parents live more than 70 and less than 225 miles apart, both parents will meet approximately halfway between each parent's residence to exchange the child(ren) or each parent shall pay the costs of transporting the child(ren) to and from parenting time in the same proportion as the "percentage share of income" as listed in the parents' child support computation worksheet. For example, if Parent B's percentage share of income is 70%, then Parent B shall pay 70% of transportation costs and Parent A parent shall pay 30% of transportation costs. The parent with the lower income shall pay no less than 30% of transportation costs. If the parties have agreed to forego child support or if there is no child support computation worksheet, the

parents shall equally divide the costs of transportation. Transportation shall be calculated at 45¢ per mile.

The parents shall be encouraged to use common sense during inclement weather and shall communicate with each other regarding transportation.

**8. PLANNING:**

- A. Holiday and vacation parenting time occasionally overlap with regular weekly or weekend parenting time. In such instances, the holiday or vacation parenting time shall supersede the conflicting regular weekly or weekend parenting time and may result in a loss of regular weekly or weekend parenting time. The holiday or vacation parenting time does not reduce or eliminate any other parenting time.
- B. If Parent B's work schedule does not provide that "weekends" fall on Saturday and Sunday, Parent B's actual days off from work may be substituted at his or her discretion for the otherwise designated "weekend" parenting times. This section only applies to Parent B's regular work schedule. Temporary changes in Parent B's work schedule shall not warrant a substitution.
- C. If the child(ren) regularly attends school in a district which is regularly in session Monday through Thursday, Parent B is entitled to weekend parenting time beginning at 6 p.m. on Thursday.
- D. If the child(ren) have school on a day following an overnight parenting time with Parent B, the parenting time is conditioned upon Parent B ensuring the child's attendance at school on the aforementioned day.
- E. A nursing mother shall be responsible for making necessary arrangements for feeding an infant child in order to accommodate the father's parenting time. The fact that an infant child is being nursed shall not be grounds for cancelling, delaying or in any other way, hindering the father's right to parenting time with the child.
- F. Parent A shall have the child(ren) fed and ready on time for parenting time, with sufficient and proper clothes packed and ready for the parenting time.
- G. Parent B shall feed the child(ren) the evening meal before returning them from the parenting time. Parent B shall return all clothing that accompanied the child(ren) for the parenting time.

- H. In the event a child is ill and unable to visit, Parent A shall allow Parent B a makeup parenting time on the next succeeding weekend.
- I. If Parent B fails to exercise parenting time because of illness or any other reason, there will be no makeup parenting time.
- J. If a licensed physician has prescribed medication for the children, both parents shall ensure that the medications are delivered and returned with the child and administered as prescribed.

**9. PERSONAL PLANS:**

- A. The child(ren) will not be permitted to determine whether they wish to visit Parent B.
- B. Personal plans of Parent A or of the child(ren), school activities, church activities and other similar considerations will not be reasons for failing to follow this parenting time schedule.

**10. CHILD'S ACTIVITIES:**

- A. Each parent shall act reasonably in registering the child(ren) for activities, keeping in mind that neither parent is entitled to schedule activities for the child(ren) which will consistently take place during the other parent's time with the child(ren). However, parents should keep in mind that certain activities, by their nature, may take place during the other parent's weekend.
- B. Although neither parent is required to involve a child(ren) in any activity, each parent is encouraged to use his or her best efforts to keep the parties' minor child(ren) involved in athletic events, school functions, lessons, birthday parties, etc., even though those activities may occur during one parent's parenting time. The parents should recognize that limiting the child(ren)'s involvement in activities may deprive the child(ren) of valuable opportunities for growth. Parents are encouraged to use the child(ren)'s activities as an opportunity for the parents to interact with the child(ren), meet the child(ren)'s friends and other families, and have a quality experience with the child(ren).

- C. Both parties shall have the unrestricted right to be with the parties' minor child(ren) at school and attend school and extracurricular activities and events. Each parent shall have full access to child(ren)'s school, teachers, school administrators, and leaders of the various activities in which the child(ren) may be involved.
- D. Each parent is responsible to keep himself or herself apprised of the child(ren)'s activities.
- E. Each parent shall act responsibly and respectfully while attending the child(ren)'s activities and/or events. Neither parent should act in a fashion which would disturb the interaction and relationship of the other parent with the child(ren) and/or other adults present at the activity or event. It is the responsibility of the parent who does not wish to have contact with the other parent at such an activity or event, to remove himself or herself from the activity or event.

**11. RELOCATION OF A PARENT:**

- A. Parents shall provide each other with at least 30 days' prior written notice of any planned relocation more than 70 miles out of the area.
- B. Regardless of any decision-making allocation of this Parenting Plan, any relocation of one parent that would disrupt the other parent's scheduled time with the child(ren) shall require a modification of the residential schedule that is mutually agreed upon or is ordered by the court.
- C. If the child(ren) shall be staying somewhere other than Parent B's residence, Parent B shall notify Parent A of any emergency contact phone number and where the child will be staying.

**12. MEDICAL REASONS:**

Substantial medical difficulties of the child(ren) will be considered sufficient for postponement of parenting time.

**13. OTHER CONTACT:**

- A. In addition to parenting time set forth in this parenting time schedule or as otherwise ordered by the court, both parents have the right to correspond with the child(ren), including by text and email, and to telephone the child(ren), including by Skype or other video format, during reasonable hours without interference or monitoring by Parent A or anyone else in any way.
- **Optional:** Telephone calls between the parents and the child(ren) shall be limited to:
- (1) No more than three per week; and
  - (2) Ten minutes or less for each call.
- B. Both parents should be sensitive to the child(ren)'s need to have contact with the other parent as well as the need of the parents to minimize disruptions.
- **Optional:** Each parent shall have the first option to personally provide child care while the other parent is working when not disruptive of the child's school and/or sleep schedules.
- C. Both parents shall allow the child(ren) to initiate contact with the other parent at any time. If it involves a long distance call, the parent the child is contacting shall provide a phone card to or accept collect calls from the child.

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The court restrains and enjoins parents subject to this parenting time schedule from making derogatory comments about the other parent or in any way diminishing the love, respect, and affection that the child has for the other parent.

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Both parents have the following authority:

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**(Only to be used when the parents live over 225 miles apart)**

SIXTH JUDICIAL DISTRICT  
PARENTING PLAN

\*\*\*HOW TO USE THIS PLAN\*\*\*

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- Encourage parents to develop their own parenting plan with the assistance of legal and mediation professionals, if necessary;
- Grant parents and courts the widest discretion in developing a parenting plan; and
- Consider the best interests of the child and the safety of the parties in developing a parenting plan.



**1. GENERAL INFORMATION:**

A. The parents' names are:

\_\_\_\_\_ (Parent A) and  
\_\_\_\_\_ (Parent B).

B. The Parenting Plan applies to the following child(ren):

Name	Age
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

C. Parent B shall have parenting time as set forth below and Parent A will have the children at all other times.

D. Each child shall follow the parenting time schedule for the oldest child except summer. For summer parenting, each child shall follow the schedule appropriate for his/her age.

**2. DEFINITIONS:**

A. The terms "sole custody" and "joint custody" define how parents will handle major decisions about the children. Major decisions include, but are not limited to, decisions about the children's education, non-emergency health care and religious training. The terms "sole custody" and "joint custody" have nothing to do with the amount of time that children spend with either parent nor do they affect child support calculations. The court cannot order joint custody unless both parties agree.

B. The "weekend" begins with the first Friday of the month.

**3. CHILDREN UNDER 36 MONTHS:**

A. Weekend parenting time:

- (1) One weekend per month of at least three overnights scheduled in conjunction with school holidays when possible. These weekends are in addition to the holiday parenting time.
- (2) The times when the parties exchange the child(ren) may be flexible to allow for transportation. However, the exchange times shall be reasonable and the parties shall use their best efforts to have the child(ren) to either mother's or father's home prior to 8:00 p.m.

B. Holidays and Vacations:

(1) In even-numbered years:

Christmas: Beginning the day school adjourns and continuing until December 26.

(2) In odd-numbered years:

(a) Thanksgiving: Commencing on Wednesday and continuing until the following Sunday.

(b) Christmas: Beginning on December 26 and continuing until the day before school resumes.

C. Every year:

- (1) Spring break: Beginning the day after school adjourns until the day before school resumes. This spring break parenting time shall be in lieu of the weekend parenting time for that month.
- (2) Summer: For children under 36 months, there is no extended summer parenting time unless the parties otherwise agree in writing. Parenting time should continue during summer months pursuant to paragraph 3(A)(1) above.

**4. CHILDREN OVER 36 MONTHS:**

A. September through May:

- (1) One weekend per month of at least three overnights scheduled in conjunction with school holidays when possible. These weekends are in addition to the holiday parenting time.
- (2) To assure Parent B of a three- or four-day weekend each month, the child(ren) may be allowed to miss one Friday of school per month in months in which the children do not have a Monday or Friday out of school.
- (3) The times when the parties exchange the child(ren) may be flexible to allow for transportation. However, the exchange times shall be reasonable and the parties shall use their best efforts to have the child(ren) to either mother's or father's home prior to 8:00 p.m.

B. Holidays and Vacations:

- (1) In even-numbered years:  
  
Christmas: Beginning the day school adjourns and continuing until December 26.
- (2) In odd-numbered years:
  - (a) Thanksgiving: Commencing on Wednesday and continuing until the following Sunday.
  - (b) Christmas: Beginning on December 26 and continuing until the day before school resumes.

C. Every year:

- (1) Spring break: Beginning the day after school adjourns until the day before school resumes. This spring break parenting time shall be in lieu of the weekend parenting time for that month.
- (2) Summer Parenting Time:
  - (a) Eight weeks of summer parenting time.

- (b) Before May 1 of each year, Parent B shall notify Parent A, in writing, of the dates of summer parenting time. Parent A has the right to choose the inclusive dates for the parenting time when Parent B has not given notice before May 1. Parent B's summer parenting time shall end at least seven days prior to the child(ren)'s first day of school.
- (c) Parent A shall be entitled to a weekend with the child(ren) during Parent B's summer parenting time, in the event that he/she is able to travel to Parent B's residence. Parent A shall give reasonable advance notice to Parent B of when he/she intends to exercise this weekend parenting time.

**5. PARENTING TIME CALCULATION**

- A. The table below indicates the average number of overnights that each parent will have the children each year. Significant overnight time with Parent B may influence child support calculations. The Oregon Child Support Calculator is available at [www.dcs.state.or.us/calculator](http://www.dcs.state.or.us/calculator).

<b>Ages of Children</b>	<b>Overnights with Parent A</b>	<b>Overnights with Parent B</b>
Birth to 36-months	317	52
Over 36-Months	272	95

## RULES AND PROCEDURES

### 6. TRANSPORTATION

- A. Parent B shall be responsible for picking up the child(ren) at Parent A's residence at the beginning of the parenting time and Parent A is responsible for picking up the child(ren) at Parent B's residence at the end of the parenting time.
- B. For every visit, parents shall alternate responsibility for making travel arrangements. A parent shall not use a method of travel or schedule a time for travel which interferes with the other parent's scheduled parenting time.
- C. Pick-up and delivery to and from parenting time shall be prompt so all parties can make plans accordingly.
- D. When making travel arrangements by air, bus, or train, the parent arranging the transportation shall promptly notify the other parent of the travel arrangements.
- E. If traveling by bus or train, a parent or other responsible adult, agreed upon by both parties, must accompany the child if the child is under 14 years of age.
- F. If traveling by air, the child(ren) may be allowed to fly unaccompanied by an adult only if doing so would not violate any airline rules or regulations and would not put the child at a health risk.
- G. The cost of transporting the child(ren) to and from parenting time, shall be paid by the parents in the same proportion as the "percentage share of income" as listed in the parents' child support computation worksheet. For example, if Parent B's percentage share of income is 70%, then the Parent B shall pay 70% of transportation costs and Parent A shall pay 30% of transportation costs. The parent with the lower income shall pay no less than 30% of transportation costs. If the parties have agreed to forego child support or if there is no child support computation worksheet, the parents shall equally divide the costs of transportation.
- G. If the child(ren) is traveling by a commercial carrier, transportation costs shall include the cost of the ticket(s) for the child(ren), plus the cost of the ticket(s) for the individual traveling with the child(ren), if the accompaniment is necessary pursuant to the carrier's rules, and the cost of transportation to the terminal. If the child(ren) is traveling by car, transportation costs shall be calculated at 45¢ per mile.
- H. Parties shall be encouraged to use common sense during inclement weather.

**7. PLANNING:**

- A. If the child(ren) regularly attends school in a district which is regularly in session Monday through Thursday, Parent B is entitled to weekend parenting time beginning at 6 p.m. on Thursday.
- B. If the child(ren) have school on a day following an overnight parenting time with Parent B, the parenting time is conditioned upon Parent B ensuring the child's attendance at school on the aforementioned day.
- C. A nursing mother shall be responsible for making necessary arrangements for feeding an infant child in order to accommodate the father's parenting time. The fact that an infant child is being nursed shall not be grounds for cancelling, delaying or in any other way, hindering the father's right to parenting time with the child.
- D. Parent A shall have the child(ren) fed and ready on time for parenting time, with sufficient and proper clothes packed and ready for the parenting time.
- E. Parent B shall feed the child(ren) the evening meal before returning them from the parenting time. Parent B shall return all clothing that accompanied the child(ren) for the parenting time.
- F. In the event a child is ill and unable to visit, Parent A shall allow Parent B a makeup parenting time on the next succeeding weekend.
- G. If Parent B fails to exercise parenting time because of illness or any other reason, there will be no makeup parenting time.
- H. If a licensed physician has prescribed medication for the children, both parents shall ensure that the medications are delivered and returned with the child and administered as prescribed.

**8. PERSONAL PLANS:**

- A. The child(ren) will not be permitted to determine whether they wish to visit Parent B.
- B. Personal plans of Parent A or of the child(ren), school activities, church activities and other similar considerations will not be reasons for failing to follow this parenting time schedule.

**9. CHILD'S ACTIVITIES:**

- A. Each parent shall act reasonably in registering the child(ren) for activities, keeping in mind that neither parent is entitled to schedule activities for the child(ren) which will consistently take place during the other parent's time with the child(ren). However, parents should keep in mind that certain activities, by their nature, may take place during the other parent's weekend.
- B. Although neither parent is required to involve a child(ren) in any activity, each parent is encouraged to use his or her best efforts to keep the parties' minor child(ren) involved in athletic events, school functions, lessons, birthday parties, etc., even though those activities may occur during one parent's parenting time. The parents should recognize that limiting the child(ren)'s involvement in activities may deprive the child(ren) of valuable opportunities for growth. Parents are encouraged to use the child(ren)'s activities as an opportunity for the parents to interact with the child(ren), meet the child(ren)'s friends and other families, and have a quality experience with the child(ren).
- C. Both parties shall have the unrestricted right to be with the parties' minor child(ren) at school and attend school and extracurricular activities and events. Each parent shall have full access to child(ren)'s school, teachers, school administrators, and leaders of the various activities in which the child(ren) may be involved.
- D. Each parent is responsible to keep himself or herself apprised of the child(ren)'s activities.
- E. Each parent shall act responsibly and respectfully while attending the child(ren)'s activities and/or events. Neither parent should act in a fashion which would disturb the interaction and relationship of the other parent with the child(ren) and/or other adults present at the activity or event. It is the responsibility of the parent who does not wish to have contact with the other parent at such an activity or event, to remove himself or herself from the activity or event.

**10. RELOCATION OF A PARENT:**

- A. Parents shall provide each other with at least 30 days' prior written notice of any planned relocation more than 70 miles out of the area.
- B. Regardless of any decision-making allocation of this Parenting Plan, any relocation of one parent that would disrupt the other parent's scheduled time with the child(ren) shall require a modification of the residential schedule that is mutually agreed upon or is ordered by the court.

- C. If the child(ren) shall be staying somewhere other than Parent B's residence, Parent B shall notify Parent A of any emergency contact phone number and where the child will be staying.

**11. MEDICAL REASONS:**

Substantial medical difficulties of the child(ren) will be considered sufficient for postponement of parenting time.

**12. OTHER CONTACT:**

- A. In addition to parenting time set forth in this parenting time schedule or as otherwise ordered by the court, Parent B has the right to correspond with the child(ren) and to telephone the child(ren) during reasonable hours without interference or monitoring by Parent A or anyone else in any way. Unless otherwise agreed to by the parents, telephone calls between Parent B and the child(ren) shall be limited to:

- (1) No more than three per week; and

- (2) Ten minutes or less for each call.

- B. Both parents should be sensitive to the child(ren)'s need to have contact with the other parent as well as the need of the parents to minimize disruptions. Parent A shall be allowed the same communication rights during periods of Parent B's parenting time.

- C. Both parents shall allow the child(ren) to initiate contact with the other parent at any time. If it involves a long distance call, the parent the child is contacting shall provide a phone card to or accept collect calls from the child.

**13. RESTRAINT:**

The court restrains and enjoins parents subject to this parenting time schedule from making derogatory comments about the other parent or in any way diminishing the love, respect, and affection that the child has for the other parent.

**14. OTHER RIGHTS (ORS 107.154):**

Unless otherwise ordered by the court, an order of sole custody to one parent does not deprive the other parent of the following authority:

- A. To inspect and receive school records and to consult with school staff concerning the child's welfare and education, to the same extent as the custodial parent may inspect and receive such records and consult with such staff;



- B. To inspect and receive governmental agency and law enforcement records concerning the child to the same extent as the custodial parent may inspect and receive such records;
- C. To consult with any person who may provide care or treatment for the child and to inspect and receive the child's medical, dental, and psychological records to the same extent as the custodial parent may consult with such persons and inspect and receive such records;
- D. To authorize emergency medical, dental, psychological, psychiatric or other health care for the child if the custodial parent is, for practical purposes, unavailable; or
- E. To be the child's conservator, guardian ad litem, or both.

**15. PARENTAL NOTIFICATION (ORS 107.164):**

Unless otherwise ordered by the court, both parents shall have a continuing responsibility, once a custody or protective order concerning the child is issued, to provide addresses and contact telephone numbers to the other parent and to immediately notify the other parent of any emergency circumstances or substantial changes in the health of the child.

**16. SCHEDULE DEVIATIONS:**

Parents shall put mutually agreed changes to the parenting time schedule in writing so there will be no dispute as to the changes.

**17. NON-ASSIGNED TIMES:**

Unless otherwise agreed in writing, Parent A is responsible for the child during all times not awarded to Parent B.

**18. EXCEPTIONS/ADDITIONS: (PLEASE PRINT LEGIBLY OR TYPE)**

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## \* NOTICE TO ALL PARENTS \*

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

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

Publicly funded help is available to establish, enforce and modify child support orders. Services to establish paternity are also available. Contact your local district attorney, domestic relations court clerk or the Department of Human Resources (503) 378-5567 for information.

Publicly funded help may be available to establish, enforce or modify parenting time orders. Forms are available to enforce parenting time orders. Contact the family court specialist in the civil office of the local state circuit court.