

INSTRUCTIONS FOR FILING A PRE-JUDGMENT STATUS QUO APPLICATION

This packet may be used to request a Status Quo Order regarding the placement and routine of the child(ren). It includes an Ex Parte Motion for Status Quo Order; an Affidavit in Support of Motion for Status Quo Order; a Status Quo Order; a Certificate of Document Preparation; and an Affidavit of Service.

This process is authorized by ORS 107.097(2) for certain cases involving child custody issues. **A petition for divorce, separation, custody or parenting time must have already been filed, or must be filed at the same time as the forms in this packet.** These forms cannot be used in a case to modify an existing judgment establishing custody.

PREPARING THE DOCUMENTS

1.) Complete the case captions (names and case number) as they appear on the petition.

2.) Most of the forms also require your names, address and phone number. Please print that information.

Motion: Accurately complete the motion. Date and sign the motion.

Affidavit: An affidavit is a sworn statement and must be true and accurate to the best of your knowledge. Explain in your own words the issue(s) you want the court to rule on and why. You may attach an additional page if necessary. Attach any existing custody orders involving the child(ren) to the affidavit. Do not date nor sign the affidavit until your signature can be witnessed by a notary or court clerk at which time you must provide proper photo identification which includes your signature, for example a driver's license.

Order: Accurately complete the order except for the portion showing whether the motion is allowed or denied and the judge's signature and date lines.

FILING THE DOCUMENTS

Make two copies of the original Motion, Affidavit and Order after you have completed them. Take the originals and both copies to the court clerk, who can witness your signature, file the originals and process the copies. The court clerk will advise you *approximately* how long it will be until a judge will be available to review your motion.

If your motion is granted you may pick up the copies from the clerk. One set is for your records; the other set must be served on the other party. Sign the other party's copies on the line below the words, "I certify this is a true copy."

SERVING THE DOCUMENTS

Personal service may be made by a competent person, 18 years of age or older, who is not a party to this action. You may wish to make arrangements for service with the Sheriff's department or a private process server.

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

In the Matter of:)	CASE NO. _____
<input type="checkbox"/> the Marriage of)	
<input type="checkbox"/> the Domestic Partnership of)	EX PARTE MOTION
)	FOR STATUS QUO ORDER
_____)	
Petitioner,)	
)	
vs.)	
)	
_____)	
Respondent.)	
_____)	

I, _____ Petitioner Respondent request that the court issue a Status Quo Order pursuant to ORS 107.097(2), restraining Petitioner and Respondent from changing the child(ren)'s usual place of residence (the place where the child(ren) is/are currently living and has/have lived for the past three months) at _____;

from interfering with the present placement and daily schedule of the child(ren); from hiding or secreting the child(ren) from the other parent; from interfering with the other parent's usual contact and parenting time with the child(ren); from taking the child(ren) out of the state without the written permission of the other parent or permission of the court; or in any manner disturbing the current schedule and daily routine of the child(ren) until custody or parenting time has been determined.

The name(s) and date(s) of birth of the parties' minor child(ren) who should be protected by this order is/are: _____

This motion is based on the attached affidavit.

Dated: _____	Signed: _____
	Name: _____
	(Please Print)
	Address: _____

	Phone: _____

I certify that this is a true copy.

 Petitioner Respondent Signature

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

In the Matter of:)
 the Marriage of)
 the Domestic Partnership of)
_____)
Petitioner,)
vs.)
_____)
Respondent.)
_____)
STATE OF _____)
County of _____) ss.

CASE NO. _____
AFFIDAVIT IN SUPPORT OF
MOTION FOR STATUS QUO ORDER

I, _____ Petitioner Respondent being first duly sworn, say:

The parties' minor child(ren) is/are: _____

The child(ren)'s present address is/are: _____

The child(ren) has/have resided at least ____ nights per week at this address since _____

The child(ren) has/have had parenting time with _____ according to the
following schedule: _____

List the place(s) where the minor child(ren) of the parties have lived for the past five years and the name(s) of the people they lived with at that time.

Dates	County, State	Parent(s)/Caretaker(s)	Current/Contact Address of Parent(s)/Caretaker(s)	Which Child(ren)

I **have not participated** in any litigation concerning the custody, visitation, parenting time or placement of the child(ren) in this or any other state,

OR

I **have participated** in the litigation listed below*.

Name of Court	State	Case No.	Date	Result

Additional Page Attached

I **do not know** of any other domestic violence; custody; visitation; parenting time; or placement proceeding involving the child(ren), or of any other court case which could affect this case, pending in this or any other state.

OR

I **do know** of the litigation listed below*.

Name of Court	State	Case No.	Date	Result

Additional Page Attached

***I have attached copies of any orders in the above listed cases.**

I **do not know** of any other 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.

OR

I **do know** of the person listed below.

Name	Address

Dated: _____

Signed: _____

Name: _____

(Please Print)

Address: _____

Phone: _____

Subscribed and Sworn to before me _____, 20____.

Clerk of the Court/Notary Public

I certify that this is a true copy.

 Petitioner Respondent Signature

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

In the Matter of:)	CASE NO. _____
<input type="checkbox"/> the Marriage of)	
<input type="checkbox"/> the Domestic Partnership of)	STATUS QUO ORDER
_____)	
Petitioner,)	
)	
vs.)	
)	
_____)	
Respondent.)	
_____)	

Based upon the motion and affidavit of Petitioner Respondent on file herein, the request for an Ex Parte Status Quo Order is hereby:

Allowed Denied

IT IS HEREBY ORDERED that until further order of the court, Petitioner and Respondent are restrained from changing the child(ren)'s usual place of residence (the place where the child(ren) is/are currently living and have lived for the past three months) at _____; from interfering with the present placement and daily schedule of the child(ren); from hiding or secreting the child(ren) from the other parent; from interfering with the other parent's usual contact and parenting time with the child(ren); or from taking the child(ren) out of the state without the written permission of the other parent or permission of the court; or in any manner disturbing the current schedule and daily routine of the child(ren) until custody or parenting time has been determined.

The name(s) and date(s) of birth of the parties' minor child(ren) is/are: _____

DATED this _____ day of _____, 20_____.

Circuit Court Judge

Dated: _____

Signed: _____

Name: _____

(Please Print)

Address: _____

Phone: _____

I certify that this is a true copy.

 Petitioner Respondent Signature

NOTICE

You may request a hearing on this order as long as it remains in effect by filing with the court a hearing request in the form described in ORS 107.097(5). This form is available on the Jackson County Circuit Court website or the family law facilitator's office.

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

In the Matter of:)
 the Marriage of)
 the Domestic Partnership of)
_____)
Petitioner,)
vs.)
_____)
Respondent.)
_____)

CASE NO. _____
CERTIFICATE OF
DOCUMENT PREPARATION

You are required to truthfully complete this certificate regarding the document(s) you are filing with the court.

Check the boxes and complete the blanks that apply.

- I selected these documents for myself and I completed them without paid assistance.
- I paid, or will pay, money to _____ for assistance in preparing this document.

Dated: _____ Signed: _____
Name: _____
(Please Print)
Address: _____

Phone: _____

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

In the Matter of:) CASE NO. _____
 the Marriage of)
 the Domestic Partnership of) AFFIDAVIT OF SERVICE
))
))

Petitioner,)
))
))

vs.)
))
))

Respondent.)
_____))

STATE OF _____)
)) ss.
County of _____)

I, the undersigned, being first duly sworn, say: 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 nor an attorney in this proceeding. I
certify that the person served is the identical one named in this action.

On the _____ day of _____, 20____, at _____ a.m./p.m.,
I served the
 Petition, Summons (with attached Notice of Statutory Restraining Order Preventing
Dissipation of Assets) and other information provided by the court clerk
 Motion, Affidavit and Notice of Evidentiary Hearing
 Other: _____

by delivering to
 The Petitioner The Petitioner's Attorney _____
 The Respondent The Respondent's Attorney _____

in person true copies of the originals at the following address: _____

(Include county and state)

Dated: _____ Signed: _____
Name: _____
(Please Print)
Address: _____

Phone: _____

Subscribed and Sworn to before me _____, 20____.

Clerk of the Court/Notary Public