

Motion and Judgment Dismissing Action Forms and Instructions Packet Number 18A

Instructions

I. General Instructions

A. Use black ink and print or type when you fill out your forms.

B. Always file the original forms with the clerk. Be sure and make yourself an extra copy of any document before you file it with the clerk.

C. Case heading. On each document, fill out the case caption exactly as it appears in the original case filing, including the case number.

D. Completing the affidavit. Explain in clear detail why you want your domestic relations action dismissed.

E. Signing your forms. The affidavit in this packet has to be notarized, or signed in the presence of a court clerk. Wait to sign the affidavit in front of the notary or court clerk, and bring picture ID with you. Many local banks provide notary services.

F. Address information. On most pages you are asked for your address and telephone number. You must give a contact address and telephone, which may be your own. However if you do not wish the other side to know your address, you may give the address of some person who can be relied upon to get mail and messages to you promptly.

G. Representing yourself. We strongly recommend that you seek legal advice and representation to protect yourself. If you are unable to hire an attorney, an explanation of the process you will go through is described below.

II. Completing the form

Enclosed in this packet are two types of dismissals. A Motion, Affidavit and General Judgment of Dismissal which is completed and filed by the petitioner; and a Stipulated Motion and General Judgment of Dismissal which is completed by both parties to the action.

If you are the petitioner and you wish to dismiss your case, complete the Motion, Affidavit and proposed General Judgment of Dismissal. If the Respondent has filed a response in the action you will also need to send the respondent copies of your Motion, Affidavit and

proposed General Judgment at least 10 days before filing them with the court.

If you both agree the case should be dismissed, fill out the stipulated General Judgment of Dismissal.

III. Review of Document

Make a copy of the document(s) for your own records. You may schedule an appointment for the Family Court Specialist to review your documents by calling 682-4302.

IV. Completion

You will need to attend an Ex parte hearing to have a judge make a decision on your Motion. Ex parte takes place Monday through Friday from 8:30 to 8:50 a.m., it is a hearing where judges are available to sign documents and you do not need to have an appointment to attend. Check in first with the civil/domestic cashiers on the second floor of the courthouse.

If the judge grants your Motion for a dismissal of the action, your case will be closed.

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

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

Case No. _____

MOTION TO DISMISS

Comes now Petitioner _____ and, based upon the attached
Affidavit, moves the court for an Judgment dismissing the above-captioned case.

DATED this ____ day of _____, 20____.

Petitioner, pro se

I certify that: (check all that apply)

- I selected this document for myself.
- I was provided this document by an attorney.
- I completed this document without paid assistance.
- I paid or will pay money to _____ for assistance in preparing this document/form.

(signature)

Submitted by:

(print name) Petitioner, pro se

(address)

(address)

(area code/phone)

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

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

Case No. _____

**AFFIDAVIT IN SUPPORT OF
MOTION TO DISMISS**

STATE OF _____)
) ss:
County of _____)

I, _____, being duly sworn, do say:

I am Petitioner in the above proceeding and make this affidavit in support of my motion to dismiss the above-captioned case. I request the court dismiss this case for the following reasons:

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The facts stated in this Affidavit are true and correct to the best of my knowledge and belief.

DATED _____

(Signature) Petitioner, pro se

(Print Name)

(Mailing Address)

(Street Address)

(City, State, Zip Code)

(Area Code, Telephone)

SUBSCRIBED AND SWORN TO before me by _____, Petitioner herein,
this ____ day of _____, 20____.

[Notary Seal]

Notary Public for Oregon / Court Clerk
My Commission Expires: _____

I certify that: (check all that apply)

- I selected this document for myself.
- I was provided this document by an attorney.
- I completed this document without paid assistance.
- I paid or will pay money to _____ for assistance in preparing this document/form.

(signature)

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

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

Case No. _____

**GENERAL JUDGMENT OF DISMISSAL;
and MONEY AWARD**

Based on the motion and affidavit of Petitioner, and good cause appearing therefor,

IT IS HEREBY ORDERED AND ADJUDGED that: Petitioner's Motion to Dismiss is allowed.

This case is hereby dismissed.

MOTION DENIED.

IT FURTHER APPEARING that filing fees, service fees and other costs were deferred by court order and have not been paid JUDGMENT IS HEREBY ENTERED in favor of the State of Oregon for deferred fees.

MONEY AWARD

JUDGMENT CREDITOR: STATE OF OREGON

JUDGMENT DEBTOR: _____

AMOUNT OF JUDGMENT: _____

DATED this ____ day of _____, 20____.

CIRCUIT COURT JUDGE

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I certify that: (check all that apply)

- I selected this document for myself.
- I was provided this document by an attorney.
- I completed this document without paid assistance.
- I paid or will pay money to _____ for assistance in preparing this document/form.

(signature)

Submitted by:

(Print Name) Petitioner, pro se

(Mailing Address)

(Street Address)

(City, State, Zip Code)

(Area Code, Telephone)

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

In the Matter of the Marriage of:)
)
_____,) Case No. _____
) Petitioner,)
and) **AFFIDAVIT OF SERVICE**
)
_____,)
) Respondent.)

STATE OF _____)
) ss:
County of _____)

I certify that on the _____ day of _____, 20____, I served true copies of the following:

- MOTION TO DISMISS
- AFFIDAVIT IN SUPPORT OF MOTION TO DISMISS
- proposed GENERAL JUDGMENT OF DISMISSAL

upon Respondent by:

- personally delivering at the address below
- mailing by first class mail, with postage prepaid, addressed as follows:

(Signature)

(Print Name)

SUBSCRIBED AND SWORN TO before me this ____ day of _____, 20____.

Notary Public for Oregon / Court Clerk
My Commission Expires: _____

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I certify that: (check all that apply)

- I selected this document for myself.
- I was provided this document by an attorney.
- I completed this document without paid assistance.
- I paid or will pay money to _____ for assistance in preparing this document/form.

(signature)

Submitted by:

(Name) Petitioner, pro se

(Street Address)

(Mailing Address)

(City, State, Zip Code)

(Area Code, Telephone Number)

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

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

Case No. _____

**STIPULATED MOTION TO DISMISS,
GENERAL JUDGMENT; and MONEY AWARD**

Comes now Petitioner _____ and Respondent _____,

and moves the court for an Judgment dismissing the domestic relations action herein because we are attempting to reconcile all issues in this case have been resolved.

Petitioner, pro se (signature)

(print name)

(address)

(city, state, zip code)

(telephone)

Respondent, pro se (signature)

(print name)

(address)

(city, state, zip code)

(telephone)

STATE OF OREGON)
)ss.
County of Lane)

SUBSCRIBED AND SWORN before me by _____ this _____ day of _____, 20____.

Notary Public for Oregon
My Commission expires: _____

STATE OF OREGON)
)ss.
County of Lane)

SUBSCRIBED AND SWORN before me by _____ this _____ day of _____, 20____.

Notary Public for Oregon
My Commission expires: _____

1 **ORDER**

2 Based on the stipulations of the parties, and good cause appearing therefore,

3 IT IS HEREBY ORDERED AND ADJUDGED that the Domestic Relations action herein is dismissed.

4 IT FURTHER APPEARING that filing fees, service fees and other costs were deferred by
5 court order and have not been paid JUDGMENT IS HEREBY ENTERED in favor of the State
6 of Oregon for deferred fees.

7 **MONEY AWARD**

8 JUDGMENT CREDITOR: STATE OF OREGON

9 JUDGMENT DEBTOR: _____

10 AMOUNT OF JUDGMENT: _____

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12 DATED this _____ day of _____, 20____.

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14 _____
15 CIRCUIT COURT JUDGE

16 I certify that: (check all that apply)

- 17 I selected this document for myself.
- 18 I was provided this document by an attorney.
- 19 I completed this document without paid assistance.
- 20 I paid or will pay money to _____ for assistance in preparing this document/form.

21 _____
(signature)

22 Submitted by:

23 _____
(print name) Petitioner/Respondent, pro se

24 _____
(address)

25 _____
(address)

26 _____
(area code/phone)