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://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)
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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 Order to Show Cause Regarding Modification of Judgment - Written Response Required Certificate re: Pending Child Support Proceedings and/or Existing Child Support Orders/ Judgments UTCR 2.130 Confidential Information Form (CIF) *(one for each party)* (REQUIRED) Notice of CIF Filing Certificate of Mailing/Service Declaration/Acceptance of Service 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: *Uniform Support Declaration* (see Packet #6F), and *Child Support Calculation Worksheets (*See "Child Support" on page 3). Check with your court clerk or facilitator.	
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Motion for Order Allowing Entry of Judgment by Default; and Order Declaration in Support of Motion for Order Allowing Entry of Judgment by Default 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.
- 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. **Your contact address will become public information.** Please make sure that you use an address that is ok for other people, including the respondent, to know. It must be an address in the state where you live where you can receive mail. If you use a contact address, the court will assume that you will receive all notices sent to that address. **Note: If you fear for your safety, you may be able to obtain a non-disclosure order.** Consult with your local court for instructions as well as the appropriate forms.

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*.

Child Support. IMPORTANT! Oregon law requires that the moving 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 a signed copy of any pre-existing child support orders.

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.oregonchildsupport.gov/laws.

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.oregonchildsupport.gov/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 defray the cost of health insurance and the cost of uninsured medical expenses. The judge cannot order you or the other party to pay cash medical support if you or the other party has a dependent child in the household who is eligible to receive public medical assistance or if you or the other party is eligible for public medical assistance yourselves. A party who makes no more than Oregon minimum wage 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 and Unemancipated Children at Least 18 and Under 21 Years of Age. The 2005 Legislative Assembly amended Oregon law regarding unmarried unemancipated children who are at least 18 and under 21 years of age. The new law says that these children 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.

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.

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 action 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)*
- *Order to Show Cause re: Modification of Judgment (ORDER) (Don't fill-in the section for the Judge to date and sign.)*
- *Certificate Re: Pending Child Support Proceedings and/or Existing Child Support Orders/Judgments*
- *Certificate of Mailing/Service (if you or the other parent is or has received public assistance)*
- *UTCR 2.130 Confidential Information Form (CIF) (REQUIRED) (One for each party) 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*

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)

Social Security numbers and other confidential personal information.

There is certain personal information that can only be listed in a Confidential Information Form (CIF) and may not be listed in any of the other papers you file with the court. See the CIF information sheet that is part of this packet.

Make copies.

Make one copy of all of the forms for your records, and one copy of the MOTION, AFFIDAVIT AND ORDER TO SHOW CAUSE and the Notice of CIF Filing 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.oregonchildsupport.gov/offices* or in the "Local Family Law Practices and Programs" form for your local court. Fill out and file the *Certificate of Mailing/Service* after you have delivered the copy of 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, ORDER, and NOTICE OF CIF FILING. 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. A Declaration 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.

Standard Methods of Service	
Personal Service	Delivery of papers directly to the other party
Substitute Service	Delivery of papers to a person living 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
Office Service	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
Service by Mail (Return Receipt Requested)	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, PROVIDED the other party signs the "return receipt."

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, unemancipated 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.

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 Order*
- *Affidavit in Support of Motion for Order of 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.

STEP 3: RESOLVING YOUR CASE

Working Toward Agreement.

The court wants to assist you in resolving the issues that the parents disagree on. 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*

If the other party is in default, Oregon law also requires the following additional forms in order to request a Judgment:

- *Motion for Order Allowing Entry of Judgment by Default; and Order*
- *Declaration in Support of Motion for Order Allowing Entry of Judgment by Default*

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 THE COUNTY OF LANE

In the Matter of ☐ the Marriage of:	)	
	)	
_____	)	Case No. _____
Petitioner,	)	
	)	☐ PETITIONER'S ☐ RESPONDENT'S
and	)	EX PARTE MOTION FOR ORDER TO
	)	SHOW CAUSE REGARDING
_____	)	MODIFICATION OF JUDGMENT RE:
Respondent,	)	☐ CUSTODY
and	)	☐ PARENTING TIME
	)	☐ CHILD SUPPORT
☐ _____	)	
Child who is at least 18 and under 21 years	)	
of age, unmarried and unemancipated.	)	
(ORS 107.108)	)	

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: _____

_____

(*List name/s. Date/s of birth provided by UTCR 2.130 CIF.*)

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, <u>or</u>

☐ 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 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. The total payment per month should be $_____, which is the presumed correct amount as reflected on the child support guideline worksheets attached to this petition.

☐ Determined under the Oregon child support guidelines prior to judgment.

☐ The amount of support presumed correct under the guidelines would be unjust or inappropriate because _____.

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

(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 or is eligible for Oregon public assistance.

☐ 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 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. 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 $_____.

6. 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: _____

_____

7. 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 LANE

In the Matter of ☐ the Marriage of:	)	
	)	
_____,	)	Case No. _____
Petitioner,	)	
and	)	AFFIDAVIT IN SUPPORT OF MOTION
	)	FOR ORDER TO SHOW CAUSE RE:
_____,	)	MODIFICATION OF JUDGMENT
Respondent.	)	
STATE OF _____	)	
	) ss.	
County of _____	)	

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

1. The names and ages of the child/ren involved in this case are: _____
_____
_____
(Dates of birth provided by UTCR 2.130 CIF.)

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 LANE

In the Matter of ☐ the Marriage of:	)	
	)	
_____,	)	Case No. _____
Petitioner,	)	ORDER TO SHOW CAUSE
and	)	REGARDING MODIFICATION OF
	)	JUDGMENT RE:
_____,	)	☐ CUSTODY
Respondent.	)	☐ PARENTING TIME/VISITATION
		☐ 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 hereby:

☐ allowed
☐ denied

IT IS HEREBY 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.

Notice to ☐ Petitioner ☐ Respondent

IF YOU OBJECT TO ANY OF THE REQUESTS IN THE ATTACHED MOTION, YOU MUST FILE A WRITTEN RESPONSE SETTING OUT WHAT REQUEST(S) YOU OPPOSE WITH THE COURT AND SERVE IT ON THE OTHER PARTY. YOU MUST PAY ANY FILING FEE REQUIRED BY LAW, OR OBTAIN A COURT ORDER WAIVING OR DEFERRING THE FEE WHEN YOU FILE THE RESPONSE.

THE WRITTEN RESPONSE MUST BE FILED NO LATER THAN THIRTY (30) DAYS AFTER THIS ORDER HAS BEEN SERVED ON YOU. ORS 107.135(12).

IF YOU DO NOT FILE THE RESPONSE WITHIN THE TIME ALLOWED, THE COURT MAY ORDER THE RELIEF REQUESTED WITHOUT FURTHER NOTICE TO YOU.

A NOTICE ABOUT THE WRITTEN RESPONSE (IF REQUIRED BY LOCAL RULE):
☐ **IS ATTACHED AND MADE A PART OF THIS ORDER,** or
☐ **IS NOT ATTACHED.**

DATED this _____ day of _____, 20_____.

_____
Circuit Court Judge

_____
Print Name

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

I certify that this is a true copy.

_____
☐ Petitioner ☐ Respondent, Signature

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	)	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 copy of the signed order)*
Name/County of Court or Agency where issued: _____
Case Number: _____
Date of Order: _____

ORDER/JUDGMENT #2 *(Attach a copy of the signed order)*:
Name/County of Court or Agency where issued: _____
Case Number: _____
Date of Order: _____

ORDER/JUDGMENT #3 *(Attach a copy of the signed order)*:
Name/County of Court or Agency where issued: _____
Case Number: _____
Date of Order: _____

ORDER/JUDGMENT #4 *(Attach a copy of the signed 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

Information about the Confidential Information Form (CIF)

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

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

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

http://courts.oregon.gov/OJD/programs/utcr/utcrrules.page?.

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

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

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

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

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

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

The CIF rule (UTCR 2.130) can be read at:
http://courts.oregon.gov/OJD/OSCA/cpsd/courtimprovement/familylaw/familylawforms.page?
and you can find additional information about the rule at:
http://courts.oregon.gov/OJD/OSCA/cpsd/courtimprovement/familylaw/familylawforms.page?

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

In the Matter of:	)	Case No.:_____
_____	)	
☐Petitioner ☐Co-Petitioner, and	)	**FAMILY LAW CONFIDENTIAL INFORMATION FORM (CIF)**
	)	☐ **Amended**
_____	)	
☐Respondent ☐ Co-Petitioner.	)	**This document is not accessible to the public or other parties. Exceptions may apply. See UTCR 2.130.**
	)	
_____	)	
☐ Child At Least 18 But Under 21	)	

<u>ATTENTION COURT STAFF:</u> 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):
Name, Address, and Telephone Number of Employer:

Children's Names (Last, First, Middle)	Date of Birth	Social Security No.

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 <u>not available</u> to the <u>opposing party or his/her attorney</u>, or to the <u>public</u>; except for the state.

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

In the Matter of:	)	Case No.:_____
_____	)	
☐Petitioner ☐Co-Petitioner, and	)	**FAMILY LAW CONFIDENTIAL INFORMATION FORM (CIF)**
	)	☐ **Amended**
_____	)	
☐Respondent ☐ Co-Petitioner.	)	**This document is not accessible to the public or other parties. Exceptions may apply. See UTCR 2.130.**
	)	
_____	)	
☐ Child At Least 18 But Under 21	)	

<u>ATTENTION COURT STAFF:</u> 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):
Name, Address, and Telephone Number of Employer:

Children's Names (Last, First, Middle)	Date of Birth	Social Security No.

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 <u>not available</u> to the <u>opposing party or his/her attorney</u>, or to the <u>public</u>; except for the state.

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

In the Matter of:	)	Case No.:_____
_____	)	
☐Petitioner ☐Co-Petitioner,	)	**NOTICE OF FILING OF**
and	)	☐ **CONFIDENTIAL INFORMATION FORM (CIF)**
	)	☐ **Amended CIF**
_____	)	
☐Respondent ☐ Co-Petitioner.	)	
	)	
	)	
_____	)	
☐ Child At Least 18 But Under 21	)	

NOTICE: Confidential Information Form Has Been Filed

- Uniform Trial Court Rule (UTCR) 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 UTCR 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(s) 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(s) 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(s) 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(s) 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 LANE

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

I certify that on _____, 20_____, I ☐mailed ☐delivered 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 ☐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 LANE

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

I,_____, declare I am the ☐ Petitioner ☐ Respondent in this proceeding.

☐ An Order of Default ☐has been entered in this court on_____(**or**) ☐is being applied for contemporaneously.
(date)

☐ I still seek the changes requested in my motion for modification and supporting Affidavit/Declaration *except:* _____
_____

☐ I do not seek the award of costs and disbursements. ☐ I seek the award of costs and disbursements pursuant to ORCP 68B and_____ (Cite any other basis you have for the right to seek costs and disbursements). ☐ I asked for the award of costs and disbursements in my motion and order to show cause. The amounts sought are: *(itemize)*_____
_____

☐ I do ☐ do **not** seek the award of attorney fees. (If you check the first box you must comply with ORCP 68 and UTCR 5.080.) ☐ I asked for attorney fees in my motion and order to show cause.

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 the use as evidence in court and is subject to penalty for perjury.

Dated this_____day of_____, 20_____.

_____ _____
☐ Petitioner ☐ Respondent, signature Printed name

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.

Submitted by:

_____

☐ Petitioner ☐ Respondent, Signature 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 LANE

In the Matter of ☐ the Marriage of:	)	
	)	
_____,	)	Case No. _____
Petitioner,	)	
and	)	
	)	
	)	ACCEPTANCE OF SERVICE
	)	
_____,	)	
Respondent.	)	
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 LANE

In the Matter of:	)	
	)	
_____,	)	Case No. _____
Petitioner,	)	
and	)	☐PETITIONER'S ☐ RESPONDENT'S
	)	EX PARTE MOTION FOR ORDER OF
_____,	)	DEFAULT; and ORDER
Respondent.	)	

Motion

Based on the attached Affidavit, ☐petitioner ☐ respondent requests that this Court grant an Order entering the default of ☐petitioner ☐ respondent for the reason that ☐petitioner ☐ respondent was served with the Motion and Order to Show Cause re: Modification of Judgment, and other documents required by law in ____ _____ County, State of _____, on _____, 20_____ and has not made an appearance within the time prescribed by law.

Statement of Points and Authorities

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

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's☐ Respondent's Signature

ORDER

☐ Allowed. ☐ Denied.

DATED this _____ day of _____, 20_____.

_____
Circuit Court Judge

_____
Print Name

Submitted by:

_____
☐Petitioner ☐ Respondent, 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 LANE

In the Matter of ☐ the Marriage of:	)	
	)	
_____,	)	Case No. _____
Petitioner,	)	
and	)	☐PETITIONER'S ☐RESPONDENT'S
	)	DECLARATION IN SUPPORT OF MOTION
_____,	)	FOR ORDER OF DEFAULT
Respondent.	)	

I, _____, am the ☐Petitioner ☐Respondent in this proceeding.

1. *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*) The ☐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. ☐ The moving party shall be required to post bond pursuant to 50 U.S.C. App. § 521(b)(3).
      ☐ (*check if applicable*) I have requested, but have not yet received, a determination from the Department of Defense regarding ☐Petitioner ☐Respondent's military status.

2. REQUIRED: The following facts support my declaration regarding ☐Petitioner ☐Respondent's military status:

_____

_____

3. ☐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.

4. ☐ **Neither** the ☐Petitioner ☐Respondent nor his/her Attorney **has filed appearance, appeared in court or provided** written notice of intent to file an appearance in this proceeding.

☐ The ☐Petitioner ☐Respondent or his/her Attorney **has** filed an appearance, appeared in court or provided written notice of intent to file an appearance and I ☐have ☐have not served written notice of the application for an order of default on the Respondent or his/her Attorney at least 10 days before seeking this order of default pursuant to ORCP 69A(1).

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, 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_____.

_____

☐ Petitioner ☐ Respondent, Signature Print Name

_____

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

I certify this is a true copy:

_____

☐Petitioner ☐Respondent's Signature

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

In the Matter of:	)	
	)	
_____,	)	Case No. _____
Petitioner,	)	
and	)	☐PETITIONER'S ☐RESPONDENT'S
	)	MOTION FOR ORDER ALLOWING
_____,	)	ENTRY OF JUDGMENT by Default; and ORDER
Respondent.	)	ORCP 69D

Motion

Based on ORCP 69D and the reasons stated in the attached declaration, ☐ Petitioner ☐ Respondent moves this Court for a judgment by default.

Statement of Points and Authorities

ORCP 69D authorizes the entry of a judgment by default based on a motion for entry of such a judgment and a supporting affidavit or declaration.

ORDER

☐ Allowed. ☐ Denied._____

DATED this _____ day of _____, 20_____.

_____
Circuit Court Judge

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.

Date:_____ ☐ Petitioner's ☐ Respondent's Signature:_____

Submitted by:

_____
☐ Petitioner ☐ Respondent (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 LANE

In the Matter of ☐ the Marriage of:	)	Case No. _____
	)	
_____,	)	DECLARATION OF SERVICE
Petitioner,	)	☐ Personal Service (ORCP 7D(2)(a))
and	)	☐ Substitute Service (ORCP 7D(2)(b))
	)	☐ Office Service (ORCP 7D(2)(c))
_____,	)	☐ 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 & Spousal 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 follow up 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 Declaration/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 follow up 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 Declaration/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 Declaration 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 LANE

In the Matter of ☐ the Marriage of:	)	
	)	Case No. _____
_____,	)	
Petitioner,	)	SUPPLEMENTAL JUDGMENT MODIFYING
	)	JUDGMENT RE:
and	)	☐ CUSTODY
	)	☐ PARENTING TIME
_____,	)	☐ CHILD SUPPORT, and
Respondent	)	☐ ORDER RE: JURISDICTION
	)	
and	)	
	)	
☐ _____,	)	
Child who is at least 18 and under 21 years	)	
of age, unmarried and unemancipated.	)	
(ORS 107.108)	)	

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 havingbeen 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, is unmarried and unemancipated 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 must be paid by ☐ Petitioner to Respondent (or) ☐ Respondent to Petitioner beginning on the ☐ first or ☐ _____ of the month following the date of the judgment and continuing on the same day of each month thereafter. The total payment per month is $_____ for ___ children.

The cash child support:

☐ Is the amount presumed to be appropriate under the support guidelines.

☐ Is different from the presumed appropriate amount of $_____ because (list reasons) _____.

☐ The child support worksheet on which the support amount was calculated is labeled "Exhibit_____" and attached to and incorporated in this judgment

(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.

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 party 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.

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

The following information is to be provided by any party entitled to receive a money award (a "judgment creditor") as listed in this Judgment.	
Others Entitled to Portions of Judgment Payable to PETITIONER	The following person(s) or public bod(ies) are known by Petitioner to be entitled to a portion of a payment made on the judgment (other than Petitioner's attorney): ☐ None or ☐ _____ _____
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): ☐ None or ☐ _____ _____

Type of Judgment		**Amount of Judgment**
Child Support Award	WHO PAYS ☐ Petitioner ☐ Respondent	$_____☐ per month, of which $_____ is cash medical support. Starting on ☐ the first day or (day)_____ of the month following the date of the judgment
	WHO RECEIVES ☐ Petitioner ☐ Respondent	
Prejudgment Interest (Note: ORS 21.607(1) disallows	WHO PAYS ☐ Petitioner ☐ Respondent	

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

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:_____

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