Dissolution Forms and Instructions for Co-Petitioners, Cases with No Children
Packet Number 9B

Instructions

I. General Information:

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

B. Always file the original forms with the clerk. You should always make yourself an extra copy before you file any form with the clerk.

C. Keep the court informed of your current address. It is your responsibility to keep the court informed of your current address. **You are not required to use your residential address on any court form.** You may use a contact address where you regularly check in. **Your contact address will become public information**. Please make sure that you use an address that is okay for other people, including the other party, 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.

D. Case Heading. Make sure you fill in your names in the blanks at the top of the forms using your full names (first, middle or middle initial, last). Write the names the same way on all of the forms.

E. Case number. The clerk will give you a case number when you file your papers. Don't worry about filling out this part of the case heading until that time. Make sure you put this number on all your copies and papers you file with the court.

F. Signing the forms. Some of the forms in this packet have to be notarized, or signed in the presence of a court clerk. Either way, you should wait to sign your papers in front of a notary or court clerk, and should bring picture ID with you. Many local banks provide notary services.

G. Statutory Restraining Order. Oregon law requires both Co-Petitioners to obey a restraining order preventing *either party* from dissipating (selling, destroying, removing, disposing of) real or personal property, making unilateral (without the agreement of the other party) changes to insurance policies, and making extraordinary expenditures. Expenditures that are necessary for the safety or welfare of the parties are not prohibited. **By filing your co-petition, you agree to be bound by the terms of this order**. The order is effective immediately upon filing of the co-petition. If either co-petitioner violates the order, s/he may be subject to sanctions. The *"Notice of Statutory Restraining Order Preventing the Dissipation of Assets in Domestic Relations Actions"* is attached to this packet.

H. 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.

I. Optional Forms. (Available upon request)

*Waiver of Personal Service form. This form allows you to waive your right to personal service. After the judgment is final, you have the right to be personally served with a contempt charge if your ex-spouse believes you haven't followed the provisions of the judgment. If you want to keep your residential address confidential, this form allows you to list a mailing address, business address or a specified agent, and waive your right to be personally served (to have the papers actually delivered to you in person). Should you choose to use this form, you are responsible for making sure that all papers delivered to the specified address are actually delivered to you.

* Application, Declaration and Order for Waiver or Deferral of Fees. This form allows you to defer payment of the filing fees until final judgment if you are unable to pay the fees at the time you file your petition.

II. Completing the documents

You must: (1) fill out the forms and (2) file the forms with the clerk.

A. Fill out the forms.

1. Petition for Dissolution of Marriage.
2. Certificate of Document Preparation.
3. UTCR 2.130 Confidential Information Form (CIF). *(One for each party)*
4. Notice of CIF Filing.

Record of Dissolution of Marriage. (Provided separately)

B. Have your documents reviewed.

Please have your documents reviewed by either the Family Court Specialist or your Attorney. You should have an attorney advise you on these forms if either of you have a retirement account. You may schedule an appointment for the Family Court Specialist to review your documents by calling 682-4302.

III. Filing the documents.

A. File the forms with the clerk.

When you have finished filling out your forms, file the following original forms with the clerk: (1) Petition for Dissolution, (2) Certificate of Document Preparation, (3) UTCR 2.130 Confidential Information Forms (CIFs), (4) Notice of CIF Filing, and the Record of Dissolution of Marriage. You should make one copy of the forms you file with the clerk for your own

record.

Payment of fees. When you file your petition for divorce, you must pay a filing fee. You may ask the court to defer payment of this fee, by filling out an "Application, Declaration and Order for Waiver or Deferral of Fees" form. You may obtain the form and a fee schedule from the court clerk or the Family Court Specialist. You will need to attend an Ex parte hearing to have a judge make a decision on the fee deferral/waiver. Ex parte takes place Monday through Friday from 8:30 to 8:50 a.m., it is a hearing where judges are available to sign documents and you do not need to have an appointment to attend. You will not be allowed to file your divorce petition until you either pay the fee, or get the deferral/waiver form signed by a judge. (If the court "defers" your fee, you will be required to pay all deferred fees back to the court at a later date.) You must file your forms on the same day you see a judge for the fee deferral/waiver.

IV. Finalizing Your Divorce

A. 1. Once you have completed the previous steps, you may fill out and present the following forms to the judge to resolve your case. *(It is possible to present these forms to the Judge the same day you file forms 1- 4 if you file in the morning before the 8:30 a.m. hearing described below.)*

5. Co-Petitioner's Ex Parte Motion for Order Allowing Entry of Judgment on Affidavit in Lieu of Hearing and Order.
6. Co-Petitioner's Affidavit Supporting Judgment of Dissolution.
7. General Judgment of Dissolution (along with one copy if spousal support was ordered)

2. Are the Documents signed? You must attend an Ex parte hearing, Monday through Friday from 8:30 to 8:50 a.m., to present your final documents to a judge. You do not need to have an appointment to attend. You must first check in with the civil/domestic cashiers on the second floor of the courthouse. You may submit a copy of your documents when you submit the originals. Once the court signs your documents, the clerk will conform your copies.

DISSOLUTION PROCESS FOR CO-PETITIONERS (Packet No. 9B)

Step 1.	Step. 2
Fill out the following forms: 1. Petition for Dissolution 2. Certificate of Document Preparation 3. UTCR 2.130 CIF (one for each party) 4. Notice of CIF Filing Record of Dissolution of Marriage or Annulment	Have your documents reviewed by either an attorney or the Family Court Assistance Office. (541) 682-4302.
Step. 3	**Step 4.**
File the original forms listed in step one with the clerk and pay your filing fee (or attend Ex parte and file your fee deferral form if you want to request that your fees be deferred).	You may see a judge at an Ex parte hearing and file the rest of the forms (forms 5, 6 and 7) with the clerk after having completed the previous steps.

FORM 1

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

In the Matter of the Marriage of:	)	
	)	Case No._____
_____,	)	
Co-Petitioner,	)	CO-PETITION FOR DISSOLUTION OF
and	)	MARRIAGE
	)	
_____,	)	DOMESTIC RELATIONS CASE SUBJECT
Co-Petitioner.	)	TO FEE UNDER ORS 21.111
	)	CLAIM ☐ SUBJECT ☐ NOT SUBJECT TO MANDATORY ARBITRATION

1.

We request a dissolution of marriage because irreconcilable differences between the husband and wife have caused the irremediable breakdown of the marriage.

2.

No domestic relations suit or support petition involving this marriage is pending in this state or any other state.

3.

By filing this petition, we acknowledge that we are bound by the terms of the statutory restraining order prohibiting either party from disposing of marital assets, a copy of which we have received and read, and understand that this restraining order is effective immediately upon filing this petition.

4.

☐ We are residents of Oregon and have been continuously for the past six months before filing this petition. **OR**

☐ Co-Petitioner_____is a resident of Oregon and has been continuously for the past six months before filing this petition.

5.

☐ No other domestic relations suit or support proceeding involving this marriage is pending in this or any other state.

6.

☐ The wife is not pregnant at this time.

☐ There are not children under the age of 18 to this marriage, OR no child of this marriage is age 18 to 21 and a "child attending school" as defined in ORS 107.108.

☐ Child/ren named_____were born to the wife on the following date_____Do not list. Provide by UTCR 2.130 CIF___, during this marriage. The husband is not the father of the child/ren. The wife was not cohabitating with the husband when the child/ren were conceived.

☐ The wife is pregnant at this time and the husband is not the father of this child. The wife was not cohabiting with the husband when this child was conceived. The expected date of the child's birth is_ _____.

SPOUSAL SUPPORT AND LIFE INSURANCE

7.

☐ No spousal support or life insurance claims are made in this case (skip the rest of paragraph 7).

TRANSITIONAL SPOUSAL SUPPORT

☐ Transitional support should be paid by _____ to_____

Payments should be made in the following manner:

☐ In monthly installments of $ _____, beginning on the first day of the month following the date of the judgment and continuing on the first day of each month thereafter until_____ (date); **or**

☐ In one payment of $_____, due on_____ (date).

☐ Other:_____

COMPENSATORY SPOUSAL SUPPORT

☐ Compensatory support should be paid by _____ to_____

Payments should be made in the following manner:

☐ In monthly installments of $ _____, beginning on the first day of the month following the date of the judgment and continuing on the first day of each month thereafter until_____ (date); **or**

☐ In one payment of $_____, due on_____ (date).

☐ Other:_____

SPOUSAL MAINTENANCE

☐ Spousal maintenance should be paid by _____ to_____

Payments should be made in the following manner:

☐ In monthly installments of $ _____, beginning on the first day of the month following the date of the judgment and continuing on the first day of each month thereafter until_____ (date); **or**

☐ In one payment of $_____, due on_____ (date).

☐ Other:_____

Spousal support payments are taxable to the oblige spouse and deductible to the obligor spouse. All payments terminate upon the death of either party.

All payments of spousal support should be made:

☐ Directly into _____'s checking or savings account. A receipt of deposit should be kept by the paying spouse as proof of payment. The spouse receiving support should provide the paying spouse with current deposit slips and/or bank name, account name, and account number.

☐ Husband ☐ Wife should obtain and maintain life insurance for the benefit of the ☐ Husband ☐ Wife throughout the period of the support obligation. The paying spouse should maintain coverage in an amount sufficient to provide, in the event of the paying spouse's death, continued support at least at the level of and for the duration of the support obligation.

REAL PROPERTY PROVISIONS

8.

☐ Neither wife nor husband has any interest in any real property located in this or any other state.

☐ Husband ☐ Wife ☐ both Husband and wife has/have an interest in real property located at the address of:_____

_____

☐ This property should be distributed as follows:_____

_____

_____

_____

☐ The legal description of the real property is attached as Exhibit_____ and incorporated in this petition.

☐ Distribution of this property is not within the jurisdiction of this court.

PERSONAL PROPERTY DISTRIBUTION

9.

☐ The wife and husband have divided between them all personal effects, household goods, and other personal property they own separately or together, and neither should claim those items now in possession of the other.

☐ The wife should be awarded the following personal property:_____

_____

_____

_____

☐ The wife should be awarded her retirement benefits, pension plan, profit-sharing plan, deferred-compensation plan, and/or stock option plan held by wife's employer, free of any interest in the husband.

☐ The husband should be awarded the following personal property:_____

_____

_____

_____

☐ The husband should be awarded his retirement benefits, pension plan, profit-sharing plan, deferred-compensation plan, and/or stock option plan held by husband's employer, free of any interest in the wife.

☐ Additional page attached; see section labeled "paragraph 9 continued."

DISTRIBUTION OF DEBTS

10.

Each party shall be responsible for the payment of all debts incurred by him or her individually since the date of the separation; all debts which are distributed to him or her by the court; and all debts which are secured by property distributed to that party. Also, if any creditor asks the spouse not responsible for a debt to pay all or a portion of it, and he or she does so, the spouse responsible for that

debt shall reimburse the other spouse for any monies he/she paid to the creditor after the date this judgment was entered.

☐ There are no outstanding debts of this marriage.

☐ Husband should be required to pay the debts listed below.

Name of Creditor	What debt is for	Amount

☐ Wife should be required to pay the debts listed below.

Name of Creditor	What debt is for	Amount

☐ Additional page attached; see section labeled "paragraph 10 continued."

Within 30 days of the date of judgment, each party should execute, acknowledge, and deliver whatever documents are necessary to accomplish the distribution of debts and property ordered by the court.

FORMER NAME

11.

☐ Wife's ☐ Husband's former name of _____should be restored.

COURT COSTS AND FEES

12.

Deferred Costs and Fees:

☐ Husband ☐ Wife should be liable for ☐ one-half ☐ all the court costs and service fees that were deferred.

☐ The State of Oregon should have judgment against ☐ Husband ☐ Wife for ☐ one-half ☐ all of the court costs.

☐ The county of _____ should have judgment against ☐ Husband ☐ Wife for ☐ one-half ☐ all of the service fees.

Court Costs and Fees Paid by the Parties

☐ Husband ☐ Wife should be liable for ☐ one-half ☐ all the court costs and service fees that have been paid in this suit.

☐ Husband ☐ Wife should have a judgment against ☐ Husband ☐ Wife for ☐ one-half ☐ all of these costs.

WHEREFORE, petitioners pray for a judgment granting the relief petitioned for above, and other equitable relief that the Court deems just.

STATE OF_____)
)ss.
County of_____)

We, _____ being duly sworn, say that we are co-petitioners in this matter and that the foregoing Petition is true and correct to the best of our knowledge.

_____	_____
Co-Petitioner, Pro se (signature)	Co-Petitioner, Pro se (signature)
_____	_____
Print name	Print name
_____	_____
Contact Address	Contact Address
_____	_____
City, State, Zip Code	City, State, Zip Code
_____	_____
Contact Telephone	Contact Telephone

SUBSCRIBED AND SWORN to before me this_____ day of_____,_____ by_____.

_____

Notary Public for_____/Court Clerk

My Commission Expires:_____

SUBSCRIBED AND SWORN to before me this_____ day of_____,_____ by_____.

_____

Notary Public for_____/Court Clerk

My Commission Expires:_____

FORM 2

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

In the Matter of the Marriage of:	)	
	)	
_____,	)	Case No._____
Co-Petitioner,	)	
and	)	CERTIFICATE OF RESIDENCY
	)	
_____,	)	
Co-Petitioner.	)	

For purposes of ORS 14.070 and UTCR 8.010(1), I certify that one or both of the parties to this proceeding currently reside in the county in which the Petition for Dissolution of Marriage is being filed.

DATED this_____day of_____,_____.

_____
(Signature)

_____
(Print name)

_____
(Contact Address)

_____
(City, State, Zip code)

_____
(Contact Telephone)

FORM 2

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

In the Matter of the Marriage of:	)	
	)	
_____,	)	Case No._____
Co-Petitioner,	)	
and	)	CERTIFICATE OF
	)	DOCUMENT PREPARATION
_____,	)	
Co-Petitioner.	)	

You are required to truthfully complete this certificate regarding the document(s) you are filing with the court. Check or complete all blanks that apply. I certify that:

☐ I selected the document(s) for myself and completed it without paid assistance.

☐ I was provided the document(s) by an attorney.

☐ I paid or will pay money to_____for assistance in preparing the document(s)/form(s).

DATED this_____day of_____,_____.

_____
(Signature)

_____
(Print Name)

_____
(Contact Address)

_____
(City, State, Zip code)

_____
(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?

FORM 3

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.

FORM 3

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.

FORM 4

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

FORM 5

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

In the Matter of the Marriage of:	)	
	)	
_____,	)	Case No._____
Co-Petitioner,	)	
and	)	CO-PETITIONER'S EX PARTE MOTION
	)	FOR ORDER ALLOWING ENTRY OF
_____,	)	JUDGMENT ON AFFIDAVIT IN LIEU
Co-Petitioner.	)	OF HEARING; and ORDER
	)	

Motion

Based on ORS 107.095(4), petitioners request that this Court grant an Order allowing entry of judgment based on the attached Affidavit of co-petitioners, in lieu of a hearing.

Statement of Points and Authorities

In a suit for dissolution of marriage where the parties are co-petitioners, ORS 107.095(4) authorizes the Court to enter a judgment of dissolution upon the affidavit of the co-petitioners without a hearing.

DATED this_____ day of_____, 20___.

_____	_____
Co-Petitioner, Pro Se (signature)	Co-Petitioner, Pro Se (signature)
_____	_____
Print name	Print name
_____	_____
Contact Address	Contact Address
_____	_____
City, State, Zip code	City, State, Zip code
_____	_____
Contact Telephone	Contact Telephone

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:

☐ We selected this document for ourselves and completed it without paid assistance.

☐ We were provided this document by an attorney

☐ We paid or will pay money to_____for assistance in preparing this document.

_____ _____

Signature Signature

FORM 6

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

In the Matter of the Marriage of:	)	
	)	
_____,	)	Case No._____
Co-Petitioner,	)	
and	)	CO-PETITIONER'S AFFIDAVIT
	)	SUPPORTING JUDGMENT
_____,	)	OF DISSOLUTION
Co-Petitioner.	)	
STATE OF_____	)	
	) ss.	
County of _____	)	

We,_____and_____, being first duly sworn, say: we are co-petitioners in this proceeding. We were married on_____ (date) in the County of_____, State of_____. Irreconcilable differences between us have caused the irremediable breakdown of our marriage. ☐ Wife ☐ Husband was an Oregon resident continuously for more than six months immediately prior to commencement of this suit.

☐ No domestic relations suits involving this marriage are pending in any other court.

☐ There are no children under the age of 18 to this marriage, OR no child of this marriage is age 18 to 21 and a "child attending school" as defined in ORS 107.108.

☐ The wife is not now pregnant.

☐ Child/ren named_____ was/were born to the wife on the following dates:____Do not list. Provide by UTCR 2.130 CIF._____, during this marriage. The husband is not the father of the child/ren. The wife was not cohabiting with the husband when the child/ren was/were conceived.

☐ The wife is pregnant at this time and the husband is not the father of this child. The wife was not cohabiting with the husband when this child was conceived. The expected date of the child's birth is_ _____.

This case is now ready for a hearing on the merits. We make this affidavit in support of a Judgment of Dissolution of Marriage without a hearing. The allegations in our Petition are true and it is just and reasonable that we be granted the relief requested.

☐ **Spousal support is involved in this case**.

☐ Husband ☐ Wife is entitled to transitional spousal support because:_____

_____

_____

☐ Husband ☐ Wife is entitled to compensatory spousal support based upon the following contribution to the education, training, vocational skills, career or earning capacity of the other party:____

_____

_____

☐ Husband ☐ Wife is entitled to spousal maintenance because:_____

_____

_____

_____	_____
Co-Petitioner, Pro se (signature)	Co-Petitioner, Pro se (signature)
_____	_____
Print name	Print name
_____	_____
Contact Address	Contact Address
_____	_____
City, State, Zip Code	City, State, Zip Code
_____	_____
Contact Telephone	Contact Telephone

SUBSCRIBED AND SWORN to before me this_____ day of_____,_____ by_____.

_____
Notary Public for_____/Court Clerk
My Commission Expires:_____

SUBSCRIBED AND SWORN to before me this_____ day of_____,_____ by_____.

_____
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:

☐ We selected this document for ourselves and completed it without paid assistance.

☐ We were provided this document by an attorney.

☐ We paid or will pay money to_____ for assistance in preparing this document.

_____	_____
Co-Petitioner, signature	Co-Petitioner, signature

FORM 7

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

In the Matter of the Marriage of:	)	
	)	
_____,	)	Case No._____
Co-Petitioner,	)	
and	)	GENERAL JUDGMENT OF DISSOLUTION
	)	OF MARRIAGE; and MONEY AWARD
_____,	)	
Co-Petitioner.	)	

IT APPEARING that the above named Petitioners filed their Petition for Dissolution with the Court on_____, 20___, and; IT APPEARING that the Petitioners have submitted a Motion and supporting Affidavit for Judgment and the court being fully advised; and

IT APPEARING that irreconcilable differences have caused the irremediable breakdown of this marriage.

THE COURT FOUND FURTHER THAT:

☐ Husband ☐ Wife has/have been a resident of and domiciled in the state of Oregon continuously for six months immediately prior to the filing of the Petition for Dissolution of Marriage.

☐ Husband is not the father, or paternity has not been established of wife's child/ren named_____

_____

born during the marriage on the following date(s):_____Do not list. Provide by UTCR 2.130 CIF._____

☐ Wife is not now pregnant.

☐ Wife is now pregnant. Husband ☐ is ☐ is not the father of the wife's child due_____
(insert date)

NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

The terms of this judgment are effective immediately. The marital status of the parties shall terminate on the date this judgment is signed by the judge.

SPOUSAL SUPPORT AND LIFE INSURANCE

☐ No spousal support or spousal life insurance is ordered in this case.

TRANSITIONAL SPOUSAL SUPPORT

☐ Transitional support should be paid by _____ to_____

Payments should be made in the following manner:

☐ In monthly installments of $ _____, beginning on the first day of the month following the date of the judgment and continuing on the first day of each month thereafter until_____ (date); **or**

☐ In one payment of $_____, due on_____ (date).

☐ Other:_____

COMPENSATORY SPOUSAL SUPPORT

☐ Compensatory support should be paid by _____ to_____

Payments should be made in the following manner:

☐ In monthly installments of $ _____, beginning on the first day of the month following the date of the judgment and continuing on the first day of each month thereafter until_____ (date); **or**

☐ In one payment of $_____, due on_____ (date).

☐ Other:_____

SPOUSAL MAINTENANCE

☐ Spousal maintenance should be paid by _____ to_____

Payments should be made in the following manner:

☐ In monthly installments of $ _____, beginning on the first day of the month following the date of the judgment and continuing on the first day of each month thereafter until_____ (date); **or**

☐ In one payment of $_____, due on_____ (date).

☐ Other:_____

All payments of spousal support should be made:

☐ Directly into _____'s checking or savings account. A receipt of deposit should be kept by the paying spouse as proof of payment. The spouse receiving support should provide the paying spouse with current deposit slips and/or bank name, account name, and account number.

☐ Husband ☐ Wife should obtain and maintain life insurance for the benefit of the ☐ Husband ☐ Wife throughout the period of the support obligation. The paying spouse should maintain coverage in an amount sufficient to provide, in the event of the paying spouse's death, continued support at least at the level of and for the duration of the support obligation.

REAL PROPERTY DISTRIBUTION

Check either (a) or (b):

(a) ☐ Neither wife nor husband has any interest in any real property located in this or any other state.

(b) ☐ Husband ☐ Wife ☐ Both Husband and wife has/have an interest in real property located at the address of:_____

_____

☐ This property shall be distributed as follows:_____

_____

_____

_____

☐ The legal description of the real property is attached as Exhibit_____ and incorporated in this judgment. ☐ Husband ☐ Wife shall be responsible for the preparation, signing and recording of a deed, transferring the real property as required by this judgment.

☐ Distribution of this property is not within the jurisdiction of this court.

PERSONAL PROPERTY DISTRIBUTION

☐ The wife and husband have divided between them all personal effects, household goods, and other personal property they own separately or together, and each shall be awarded those items now in their possession.

☐ The wife is awarded the following personal property:_____

_____

_____

_____

☐ The wife is awarded her retirement benefits, pension plan, profit-sharing plan, deferred-compensation plan, and/or stock option plan held by wife's employer, free of any interest in the husband.

☐ The husband is awarded the following personal property:_____

_____

_____

_____

☐ The husband is awarded his retirement benefits, pension plan, profit-sharing plan, deferred-compensation plan, and/or stock option plan held by husband's employer, free of any interest in the wife.

☐ Additional page attached; see section labeled "Personal Property Distribution Continued."

DISTRIBUTION OF DEBTS

Each party shall be responsible for the payment of all debts incurred by him or her individually since the date of the separation; all debts which are distributed to him or her by the court; and all debts which are secured by property distributed to that party. Also, if any creditor asks the spouse not responsible for a debt to pay all or a portion of it, and he or she does so, the spouse responsible for that debt shall reimburse the other spouse for any monies he/she paid to the creditor after the date this judgment was entered.

The date of separation (when you began living apart) was:_____

☐ There are no outstanding debts of this marriage.

☐ Husband shall pay the debts listed below.

Name of Creditor	What debt is for	Amount

☐ Wife shall pay the debts listed below.

Name of Creditor	What debt is for	Amount

☐ Additional page attached; see section labeled "Debt Distribution Continued."

Within 30 days of the date of this judgment, each party should execute, acknowledge, and deliver whatever documents are necessary to accomplish the distribution of debts and property ordered by the court.

FORMER NAME

☐ Wife's ☐ Husband's former name of _____is restored.

COURT COSTS AND FEES

(a) If Court Costs and Fees were Deferred: (please check the boxes below that apply)

☐ Husband ☐ Wife shall be liable for ☐ one-half ☐ all the court costs and service fees that were deferred.

☐ The State of Oregon shall have judgment against ☐ Husband ☐ Wife for ☐ one-half ☐ all of the court costs.

☐ The county of _____ shall have judgment against ☐ Husband ☐ Wife for ☐ one-half ☐ all of the service fees.

(b) If Court Costs and Fees were Paid by the Parties: (please check the boxes below that apply)

☐ Husband ☐ Wife shall be liable for ☐ one-half ☐ all the court costs and service fees that have been paid in this suit and judgment shall be entered accordingly.

REQUIRED INFORMATION ABOUT THE PARTIES

Wife	**Husband**
Full name:_____	Full name:_____
Contact address:_____	Contact address:_____
_____	_____
_____	_____
Soc. Sec. no.: Provide by UTCR 2.130 CIF	Soc. Sec. no.: Provide by UTCR 2.130 CIF
Driver's license no.: Provide by UTCR 2.130 CIF	Driver's license no.: Provide by UTCR 2.130 CIF
Employer name : Provide by UTCR 2.130 CIF	Employer name : Provide by UTCR 2.130 CIF
Employer address: Provide by UTCR 2.130 CIF	Employer address: Provide by UTCR 2.130 CIF
Employer tel. no.: Provide by UTCR 2.130 CIF	Employer tel. no.: Provide by UTCR 2.130 CIF

Both parties shall inform the Court and the Department of Justice (P.O. Box 14506, Salem, Oregon 97309) in writing of any change in the information required by this section within ten (10) days of such change, unless a finding of unreasonable risk has been made in this case.

If the court has ordered that a party be allowed not to disclose information by means of this Judgment, the Department of Justice shall not disclose the information in the preceding section to the other party.

OTHER INFORMATION ABOUT THE PARTIES

Wife	**Husband**
Date of birth: UTCR 2.130 CIF Age:_____	Date of birth: UTCR 2.130 CIF Age:_____
All former legal names:_____	All former legal names:_____
_____	_____
Date of marriage:_____	Place of marriage:_____

MONEY AWARD

(Spousal Support Obligation ☐ included ☐ not included)

ADDITIONAL INFORMATION REQUIRED BY ORS 18.042

Wife	**Husband**
Full name:_____	Full name:_____
Contact address:_____	Contact address:_____
_____	_____
_____	_____
Year of birth:_____	Year of birth:_____
Last 4 digits of Driver's license no:_____	Last 4 digits of Driver's license no:_____
Last 4 digits of support obligor's social security number:_____	Last 4 digits of support obligor's social security number:_____
Attorney's name/number:_____	Attorney's name/number:_____
_____	_____

A. SPOUSAL SUPPORT

1. Judgment Creditor_____
2. Attorney for Judgment Creditor_____
3. Judgment Debtor_____
4. Amount of Judgment:_____ per month, starting the first day of the month following the date of the judgment, and terminating after the payment due on_____.
5. Interest
   a. Interest accrues at 9% per annum, simple interest.
   b. Interest accrues on the judgment on each unpaid installment as it becomes due on the first day of each month.
6. Spousal support payments are taxable to the obligee spouse and deductible to the obligor spouse. All payments terminate upon the death of either party.

B. PROPERTY AND DEBT DIVISION (Judgments against Husband)

1. Judgment Creditor_____
2. Attorney for Judgment Creditor_____
3. Judgment Debtor_____
4. Amount of Judgment_____
5. Interest
   a. Interest accrues at 9% per annum, simple interest.
   b. Date from which interest runs: date judgment is entered.

C. PROPERTY AND DEBT DIVISION (Judgments against Wife)

1. Judgment Creditor_____
2. Attorney for Judgment Creditor_____
3. Judgment Debtor_____
4. Amount of Judgment_____
5. Interest
   a. Interest accrues at 9% per annum, simple interest.
   b. Date from which interest runs: date judgment is entered.

D. COURT COSTS (i.e., filing fees, hearing fees, trial fees)

1. Judgment Creditor_____
2. Attorney for Judgment Creditor_____
3. Judgment Debtor_____
4. Amount of Judgment_____
5. Interest
   a. Interest accrues at 9% per annum, simple interest.

b. Date from which interest runs: date judgment is entered.

DATED this _____ day of _____, 20___.

_____

Circuit Judge_____

Both parties have agreed to the terms of this judgment:

_____	_____
Co-Petitioner, Pro Se (signature)	Co-Petitioner, Pro Se (signature)
_____	_____
Print Name	Print Name
_____	_____
Contact Address	Contact Address
_____	_____
City, State, Zip code	City, State, Zip code
_____	_____
Contact telephone	Contact telephone

Certificate of Document Preparation

You are required to truthfully complete this certificate regarding the document you are filing with the court. I certify that: *(check all that apply)*

☐ We selected this document for ourselves and completed it without paid assistance.

☐ We were provided this document by an attorney.

☐ We paid or will pay money to_____ for assistance in preparing this document.

_____	_____
Signature	Signature