

CHAPTER 8
DOMESTIC RELATIONS

8.005 TEMPORARY RELIEF HEARINGS

(1) Temporary Relief Hearings

All temporary relief motions shall be show cause motions, except as provided by ORS 107.097, and shall be handled as follows:

- (a) Motions for temporary relief shall be accompanied by an affidavit setting forth the justification for the requested relief including their Uniform Support Declaration if child support, spousal support or the interim payment of debt(s) is requested. The Order to Show Cause shall require the filing of a response within fourteen (14) days following service, if the adverse party wishes to contest the relief sought, except that no respondent shall be required to respond before the time required by law to respond on the summons in the case.
- (b) The Motion, Affidavit, and Order to Show Cause shall be filed with the Trial Court Administrator before being submitted to a judge.
- (c) A copy of this Supplementary Local Rule shall be served on the adverse party along with true copies of the Motion, Affidavit and Order to Show Cause.
- (d) If temporary child support or spousal support or payment of debts is sought, each party shall submit a Uniform Support Declaration with the Response.
- (e) The Response shall admit and/or deny the relief sought and shall set forth any additional motions for temporary relief. The Response shall be accompanied by an Affidavit setting forth the justification for the relief opposed or sought by the responding party.
- (f) Within ten (10) days following service of the Response and Responding Affidavit on the moving party or their attorney, either or both parties may submit a Supplemental Affidavit in support of their respective positions. If service of the Response is made by mailing, the date of service shall be considered to be three days after the date of mailing, excluding days when the U.S. Postal Service does not deliver mail. Except for good cause shown, no further pleadings are required or permitted.
- (g) Temporary relief shall be determined without testimony, based upon the affidavits submitted. Failure to submit an affidavit or Uniform Support Declaration where required, may result in an adverse ruling or denial of relief. There is no requirement, however, to file supplemental affidavits. On matters of custody and parenting time only, upon written motion filed within ten (10) days after the Court's letter ruling, a de novo review hearing will be scheduled to review that ruling.