

Status Quo Order Application Packet Instructions for Packet 6B

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

STEP 1

Fill out the following forms: Affidavit in Support of Motion for Status Quo Order (AFFIDAVIT), Ex Parte Motion for Status Quo Order (MOTION) and Ex Parte Status Quo Order (ORDER).

The case heading (names and case number) at the top of each form will be the same as it is on the petition that started your case. Sign the lines that say "I certify this is a true copy" only on the copies that you make for the other party. You must sign the affidavit in front of a court clerk or notary, and will be asked for picture identification.

Attach any existing custody orders involving the child/ren to the AFFIDAVIT.

STEP 2

Make two copies of the AFFIDAVIT, MOTION and signed ORDER (one for service; one for your records). Sign the copies on the line below the words, "I certify this is a true copy."

STEP 3

File the original documents (AFFIDAVIT, MOTION, ORDER) with the court clerk. Check with Civil Records to see if the Judge signed your order.

STEP 4

Have the AFFIDAVIT, MOTION and ORDER served on the other parent. You may use the sheriff's office or a process server to complete service. For information about other service methods, talk to your local courthouse facilitator.

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

In the Matter of the Marriage of:)
)
_____,) Case No. _____
)
Petitioner,)
and)
) EX PARTE MOTION
) FOR STATUS QUO ORDER
_____,)
Respondent.)

I, _____, request that the Court issue a Status Quo Order pursuant to
(Print your name)

ORS 107.097(2), restraining Petitioner and Respondent from changing the child/ren's usual place of residence (the place where the child/ren are currently living and have lived for the past three months) at Address provided on the UTCR 2.130 CIF or _____, from
(Print address of child/ren's usual place of residence)

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

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

Please provide Date of Birth on the UTCR 2.130 Confidential Information Form

This Motion is based on the attached Affidavit.

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

Contact Address City, State, Zip 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 LINN

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

Case No. _____

STATUS QUO ORDER

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

allowed.

denied.

IT IS HEREBY ORDERED that until further order of the Court, Petitioner and Respondent are restrained from changing the child/ren's usual place of residence (the place where the child/ren are currently living and have lived for the past three months) at (list address): **Address provided on the UTCR 2.130 CIF** or _____, from interfering with the present placement and daily schedule of the child/ren, from hiding or secreting the child/ren from the other party, from interfering with the other parent's usual contact and parenting time with the child/ren, or from taking the child/ren out of the state without the written permission of the other parent or permission of the Court, or in any manner disturbing the current schedule and daily routine of the child/ren until custody or parenting time has been determined.

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

Please provide Date of Birth on the UTCR 2.130 Confidential Information Form

Dated this _____ day of _____, 20_____.

Circuit Court Judge

3. **Office Service.** On the _____ day of _____, 20____, at _____ a.m./p.m., I served true copies of the original **Ex Parte Motion for Status Quo Order, Affidavit in Support of Motion, and Status Quo Order** 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.

(If Office Service was used, you must complete the followup mailing section below as required by ORCP 7D(2)(c). If someone other than yourself completed the follow up mailing, s/he must use a separate Affidavit of Service.)

On the _____ day of _____, 20____, I personally deposited a true copy of the originals listed above 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 a true copy of the **Ex Parte Motion for Status Quo Order, Affidavit in Support of Motion, and Status Quo Order** with the United States Postal Service, one via first class mail, **and** the other by certified or registered, return receipt requested, or express mail, with postage on both copies fully paid, addressed to the party to be served: Petitioner Respondent _____ (name), at the party's: home address located at _____ (address).

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The party served signed a receipt for the certified, registered or express mailing, and the return receipt is attached to this Affidavit. (NOTE: The return receipt MUST be attached to this Affidavit of Service.)

Case # _____

[_____]

Attach return receipt here

[_____]

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

Contact Address City, State, Zip Contact Telephone

SIGNED AND SWORN to before me this _____ day of _____, 20 _____.

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