



DONALD C. SMITH
TRIAL COURT ADMINISTRATOR

TWENTY-THIRD JUDICIAL DISTRICT
LINN COUNTY
P.O. BOX 1749, ALBANY, OREGON 97321

(541)967-3802

TO: PETITIONER/RESPONDENT

RE: MANDATORY PARENT EDUCATION

It is the policy of the Linn County Court that if you file for:

- (1) Dissolution of Marriage
- (2) A legal separation
- (3) A petition to establish custody or parenting time (including paternity)
- (4) Post-judgment litigation involving custody or visitation

and **your case is contested**, you are required to attend a PARENT EDUCATION CLASS unless you have the requirement waived (see attached REQUEST FOR WAIVER).

You are required to submit a **PROOF OF COMPLETION** to the court before your order/decreed is signed.

WARNING

If you fail to attend, serious legal actions may be filed in your case including request to strike your pleadings and a Default Judgment taken against you. See the attached Supplemental Local Rule 8.021.

There is no additional fee if you attend the Linn County Parent Education class/Mediation Orientation. A notice will be sent to you when your case is contested. If you do not receive a notice, please contact the Linn County Mediation Coordinator at (541)967-3952.

If you select to attend a class presented by another provider, it is your responsibility to make sure the provider is approved by the Linn County Court. In all situations, you are required to present to the Court a PROOF OF COMPLETION.

Donald C. Smith, Trial Court Administrator

8.021 PARENT EDUCATION PROGRAM

(1) Mandatory Parent Education Program

(a) Linn County shall establish a parent education program of the type authorized by ORS 3.425. The program shall provide information on the impact of family restructuring on children to each person named in the following types of proceedings, when the proceedings involve minor children.

- (1) Annulment or dissolution of marriage.
- (2) Legal separation.
- (3) Petition to establish custody or visitation (including paternity), and
- (4) Post-judgment litigation involving custody or visitation.

(b) Each party who files an appearance in a proceeding of the types described above shall complete the program unless exempted by the Court. A judgment shall not be entered in the proceeding until each party not otherwise exempted by the Court who has filed an appearance has completed the program or appropriate sanctions have been applied.

(c) Parent Education Classes are automatically waived in domestic cases involving Co-Petitioners, uncontested cases, cases where children are not involved and in cases involving stipulated judgments.

(d) After a response is filed in a case that involves children, unless otherwise exempted or automatically waived by the Court, a date and time for each party to appear for the parenting class shall be scheduled and the notice shall be sent to each party by the Court.

(e) The Trial Court Administrator shall provide a copy of this rule to the initiating party for service upon all parties against whom relief is sought, together with a statement describing the program including contact telephone numbers, addresses, and statement of costs.

(f) The program provider shall issue a certificate of completion to the participants when they have completed the program. This certificate must be presented to the Court.

(g) The Court may exempt one or more of the parties from the program if, after reviewing the requesting party's motion and supporting affidavit, the Court determines that participation is unnecessary or inappropriate.

(h) The Court may allow one or more of the parties to participate in a comparable education program.

2) Sanctions

(a) The Court shall actively promote each party's completion of the program. Failure or refusal to complete the program in a timely manner shall be considered by the Court in making its ruling on issues which are in dispute.

(b) A party who has completed the program shall have the right to:

(1) Request that the pleadings of a party who has appeared be stricken if that party has not completed the program in a timely manner without good cause.

(2) Request entry of an order from the Court to compel the non-complying party's completion of the program should the non-complying party not have completed the program in a timely manner without good reason. The Court shall enter an award of attorney fees in favor of the complying party who utilizes this option to force the non-complying party's compliance with this rule.

(3) Effective Date

This rule shall apply to all cases and modifications proceedings filed after February 1, 2005.