

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
 FOR THE COUNTY OF MULTNOMAH  
 1200 SW First AVENUE, PORTLAND OR 97204  
[courts.oregon.gov/Multnomah](http://courts.oregon.gov/Multnomah)

STATE OF OREGON, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 \_\_\_\_\_ )  
 Defendant. )

Case No. \_\_\_\_\_

**MOTION AND DECLARATION FOR RELIEF  
 FROM DEFAULT JUDGMENT FOR  
 FAILURE TO APPEAR**

Defendant moves this court for an Order granting relief from a failure to appear judgment in the above-entitled case(s). The motion is supported by the declaration which sets forth the defendant’s ground for relief from the judgment(s).

I, \_\_\_\_\_, the above-named defendant, under oath, depose and say:

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 subject to penalty for perjury.

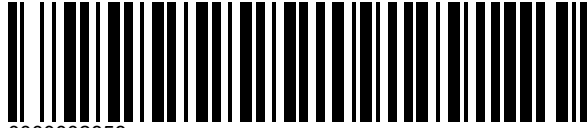
\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Print Name

Points and Authorities:  
 ORS 153.820 [parking statute]:  
 Supplemental Local Rule 17.105 [parking court rules].

MULPKMA



000002858

**\*In order to expedite processing, please include this coversheet along with your Motion\***

Do not write here. Comments made on this page will not be considered.

## **Filing a Motion for Relief from Failure to Appear Judgment on a Parking Citation In the Circuit Court of the State of Oregon for Multnomah County**

If you fail to appear on your parking violation (SLR 17.015), the court may enter a judgment against you. (ORS 153.820). This judgment is considered a "default judgment" and a financial obligation is imposed. The judgment is owed to the State of Oregon and is eligible for additional fees if not paid timely.

Oregon allows you to request that the default judgment be set aside. You must show that you missed court due to mistake, inadvertence, surprise or excusable neglect. The request must be made within one year from the date of entry of the judgment (ORS 153.820). A motion to set aside a default judgment filed more than one year after entry of judgment shall not be granted unless a judicial officer determines that good cause for the delay has been shown.

For a judge to consider whether relief should be granted you need to follow the steps listed using the motion and declaration form.

(1) Pay the full outstanding balance of the judgment. This payment must be made by the time the motion is submitted to the court (SLR 17.105). The motion and declaration will not be submitted to a judge for review unless the case is paid in full. Payments may be made on-line at [www.courts.oregon.gov/multnomah](http://www.courts.oregon.gov/multnomah) or by check, money order or cash [Note: Cash payments must be made at the courthouse, not by mail]. A judge may waive all or part of the required payment, with satisfactory supportive documentation demonstrating indigence.

(2) Complete the Motion and Declaration. Fill in the blanks on the top portion of the motion: your name and case number(s). Provide your sworn statement, related to the specific citation(s), that you wish the court to consider, date and sign the form.

(3) You must file the motion requesting relief from the judgment. The motion must be supported by a sworn statement, a declaration. The sworn statement must state the reasons why you missed court in order to establish that you are entitled to relief from the judgment. When signing the sworn statement, you declare, to the best of your knowledge and belief, that the statement is true and can be used as evidence in court. The sworn statement is subject to penalty for perjury.

(4) File the original motion and declaration, together with the required deposit for the remaining financial obligation.

For in-person payment: Customer Service Area, 2nd floor,  
Multnomah County Courthouse  
1200 S.W. First Avenue Portland,  
OR, 97204

The mailing address is: Multnomah County Circuit Court  
Parking Citation Office  
P.O. Box 78  
Portland, OR 97207-0178

The court may allow or deny the motion without a hearing or, in some instances may require a hearing. If the court requires a hearing you will be notified and must appear to provide further information in support of the motion. If a hearing is ordered, the court will set aside the failure to appear judgment; the money posted will be held by the court until the conclusion of the case.

Allow 6 months after filing the motion and declaration before inquiring with the Parking Citation Office, regarding the judge's decision on your motion. You may check the progress of your case(s) by performing an Online Records Search at [courts.oregon.gov/services/online/Pages/records-calendars.aspx](http://courts.oregon.gov/services/online/Pages/records-calendars.aspx)

The circuit court is accessible to disabled persons with 48 hours notice. For the Telecommunications Relay Service, dial 711. Déjenos saber si le podemos ayudar. Hablamos español (971-274-0590).