

CHANGING (“MODIFYING”) JUDGMENTS



Important Contact Information

Oregon Judicial Department – www.courts.oregon.gov

Oregon State Bar Lawyer Referral Service - <https://www.osbar.org/public/>

Phone: 503.684.3763 or toll-free in Oregon at 800.452.7636



If you are deployed or about to be deployed, contact the Oregon State Bar Military Assistance Panel (www.osbar.org/docs/ris/militaryflier.pdf) for information about special rights and rules that may apply to you.



Information about Modifications

- **Military Deployment:** If you need a modification because a parent is being deployed by the military, you must use a different packet of forms. Special rules and rights apply in those cases. Go to www.courts.oregon.gov/forms for the correct forms.
- **Adult Children:** If you have adult children 18, 19, or 20 years old, they are “**necessary parties**” to this case. They **MUST** be included as parties and properly served with all documents. Each child may later waive the right to be part of the case, but this must be done formally after you file. If you fail to properly serve an adult child, your case may be delayed until you do. Talk to a lawyer if you have any concerns.
- **Child Attending School:** If you have an adult child (*see above*), the court may order child support for that child as long as the child is attending school. The court may order child support and medical support to be paid by either or both parents. There is NO parenting plan or parenting time credit for a Child Attending School. See [ORS 107.108](http://www.legis.or.gov/orsncr/article_107_108) for more information.

If Both Parties Already Agree

If you both agree on all of the issues, you may be able to file a stipulated *Supplemental Judgment*. Call the court to find out how to do that.

- **Contact Information** - Keep the court and all other parties informed of your current address so you get notice of all court dates. **You are not required to use your home address on any court form.** You may use any contact address where you regularly check in, as long as it is in the same state as your home. If you use a contact address, the court will assume that you receive all papers sent to that address. **It is YOUR responsibility to let the court and other parties know if you move or want to get mail at a different address.**

It is important that you file with the court *before* you serve the other party! If you serve *before* you file, you will have to re-serve and pay the service fees again. See Step 2 below for information about service.

Co-Parenting Education

Many courts require that parents of minor children go to a court-approved co-parenting class. Some courts will not allow you to change custody or parenting time until you have completed the class and filed a certificate of completion with the court. Contact the court to see if you have to sign up or if the court will send you information after you file.



Have your documents reviewed

You may want to have your documents reviewed before you file. For information about how to find a lawyer, call the Oregon State Bar at the number on [Page 1](#). If you are low-income, you might be able to get your documents reviewed for a smaller fee through the Oregon State Bar's Modest Means program. Your local Legal Aid office might review documents for free if you qualify. Facilitators may be available for free in your court, but you may have to make an appointment. Call your court for information.



Make copies

Make one copy of **all** of the forms for your records, and one copy of the *Motion and Declaration* to serve on the other party if the court grants your motion (*see below*).

You must also send a copy of the *Motion and Declaration* to the Division of Child Support branch office in your county if either of you is receiving public assistance. The branch office's address can be found at www.dcs.state.or.us/offices.htm or in the "Local Family Law Practices and Programs" form for your local court. Fill out and file the ***Certificate of Mailing to DCS*** after you mail the *Motion*.

STEP 2: FILING AND SERVICE



File your forms

File all of the **original** forms with the court clerk. You will have to pay the filing fee when you file your papers. Go to www.courts.oregon.gov/Pages/fees.aspx for the filing fee. Some courts will set a hearing for you to appear when you file your *Motion*. Ask the court when you file if you will have to appear or if you will receive the court's decision by mail (*see* The Order on Motion to Show Cause *below*)

- If you are low income, you may ask the court to defer (postpone) or waive your filing fee. You

must complete an ***Application and Declaration for Deferral or Waiver of Fees*** and an ***Order Regarding Deferral or Waiver of Fees*** and file them with your papers. If the fee is deferred, you will have to pay the fee later. If the fee is waived, you don't have to pay it now. However, the judge may reconsider waived and deferred fees at the end of the case.

The Order on Motion to Show Cause

The judge will review your motion and declaration. The court will send (or give) you an *Order on Motion to Show Cause* which either grants or denies your request to have the other party respond to your requested changes. The order will have information for both you and the other party about how your case will proceed. If a hearing is scheduled, you *must* appear or the court will deny the changes you asked for.

- If the court grants your request on the *Order to Show Cause*, you must serve the *Order* and a copy of the *Motion and Declaration* on the other party. See the next section for service information.
- If the court denies your request, then no changes will be made to your judgment and no hearing will be scheduled.



SERVICE

You must officially notify the other party that you have filed a motion. This is called “service.” Follow the same steps to serve any 18, 19, or 20 year old children.

Acceptance of Service - If it is safe for you to give the other party the papers yourself, you can use an ***Acceptance of Service*** form. If the other party signs an *Acceptance of Service* form, no other kind of service is required. Signing the *Acceptance of Service* does *not* mean the other party agrees with anything in your *Petition*, only that he or she received the papers. You must still file the papers with the court before you give the copies to the other party.

Formal Service

If the other party does not sign the ***Acceptance of Service***, you must use another method. There are four ways you can serve. Service must be done **after** you receive an order granting your motion.

****3 CRITICAL POINTS****

1. If you serve before you file, you will have to serve the papers again
2. You **CANNOT** serve the papers yourself
3. If the other party has a lawyer, you should also send a courtesy copy of the papers to the lawyer

1. **Personal Service:**

- a. **By Process Server:** Take a copy of your papers to the sheriff's office in the county where the other party is located and have a sheriff's officer serve the papers. The sheriff's office charges a fee for service. You can also hire a private process server of your choice.

- b. **By a Non-Party:** Have a competent* person 18 years or older who is a resident of Oregon **and who is not a party** to the case (Petitioner or Respondent), **nor** the lawyer of a party, serve the papers. The server cannot be an employee of any party. If the other party is outside of Oregon, the server can be a resident of the state where the other party is. If you have safety concerns, have the sheriff perform service.
 *competent means a person who can understand, remember, and tell others about an event.

A **Certificate of Service** must be filed with the court by whoever serves the other party. The certificate must include the date of service and the name of the person served.

- Substituted Service:** The process server may leave the papers at the other party's residence (where he or she normally lives) with someone 14 or older who lives there. The process server must also mail a copy of the papers (with a statement of the date, time, and place that the papers were served) to the other party by first class mail. Make sure the process server completes a **Certificate of Service**. The date of service is the day the first class mailing is put in the mail.
- Office Service:** The process server may leave the papers with someone *in charge* of the other party's office or normal workplace. The process server must also mail a copy of the papers (with a statement of the date, time, and place that the papers were served) to the other party by first class mail. Make sure the process server completes a **Certificate of Service**. The date of service is the day the first class mailing is put in the mail.
- By Mail:** First, the process server must send the papers to the other party's home or business address by first class mail. Second, the server must send a copy by certified mail, return receipt requested. The process server **must** file proof of service with the court, including the signed green card, date of receipt, and item number along with a **Certificate of Service**. If the green card is not returned or if someone other than the other party signed for it, then service by mail was not effective and you must try another type of service. The date of service is the day the other party signs the returned green card.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Received by (Please Print Clearly) _____ B. Date of Delivery _____
1. Article Addressed to:	C. Signature _____ <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee
2. Article Number (Copy from service label)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
PS Form 3811, July 1999	3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
Domestic Return Receipt	102395-00-M-0952

Certificate of Service

The Certificates are your **proof of service**. An original *Certificate of Service* or *Acceptance of Service* must be filed with the court for your case to proceed, regardless of the method of service.



If a certificate of service is not received within **63 days** of filing your *Motion*, the court may send you a notice of dismissal.

If you are not able to have the other party served by any of the methods listed above, you may ask a judge to allow you to use another service method. The judge might allow you to publish or post the documents. Forms to make this request are available online at www.courts.oregon.gov.

STEP 3: RESOLVING YOUR CASE

IF YOU AND THE OTHER PARTY AGREE TO CHANGE YOUR JUDGMENT:

If you and the other party have agreed (“stipulated”) to all of the issues, fill out:

- ***Supplemental Judgment Modifying a Domestic Relations Judgment***

NOTE: If you are agreeing to change parenting time, this form needs to be **notarized**. DO NOT sign the judgment form until you are in front of a notary or court clerk. You must BOTH sign in front of the notary. Once the **Judgment** is signed and notarized, file it with the court clerk.

If you are NOT changing parenting time, then you can both sign the judgment and file it with the clerk, it does not have to be witnessed or notarized.

IF THE COURT DID NOT SCHEDULE A HEARING ON YOUR ORDER:

If the other party does not respond to the court in writing within 30 days of the date of service, you may submit a completed ***Supplemental Judgment of Modification of Domestic Relations Judgment*** to the court. The *Judgment* MUST have exactly the same terms as your original *Motion* or you will have to either start over (and re-serve) or fill out a new *Judgment*. If you don’t submit the *Judgment* to the court, your judgment terms will not be changed and your *Motion* may be dismissed.

You should receive a copy of the response. If not, you can check with the court to see if the other party responded.

IF THE COURT SCHEDULED A HEARING ON YOUR ORDER:

If the court schedules a hearing in your case, you *must* appear or your motion will be dismissed and no changes will be made to your existing judgment. **NOTE:** you must appear even if the other party does not file a written response.

The Judgment

Fill out:

- ***Supplemental Judgment Modifying a Domestic Relations Judgment***

Make a copy for yourself and one for the other party. File the original with the court.

The terms in the judgment must be *exactly* the same as what you requested in your *Motion and Declaration* unless you had a hearing and the judge made different orders.

Other parties can object to the *Judgment*. If that happens, you have to discuss the objections and attempt to resolve them before you submit the *Judgment* to the court. If you are not able to resolve the objections, the objecting parties can either send you a written statement explaining

their objections, or they can submit their objections directly to the court. You must complete the *Certificate of Readiness* section of the *Judgment* to tell the judge whether there are outstanding objections. See [UTCRC 5.100\(1\)](#) for more information about notice and objections.¹

If the other party is responsible for preparing the judgment, they must send the proposed judgment to you before submitting it to the court. Then you can review it and object to it within 7 days of the date it was sent to you. If you and the other party are not able to resolve your objections after reasonable efforts, you can either send a written explanation of your objections to the party or directly to the court. You must notify the other party of your intentions so that they can advise the judge that there are outstanding issues. The judge may make a decision after reviewing the documents, or the court may contact you with further information.

If you are responsible for preparing the final judgment, make a copy for yourself and one for other party. File the original with the court.

Your modification is effective the date the *Judgment* is entered into the court register. You will receive a notice when the judgment is entered.

¹ <http://courts.oregon.gov/utcr>

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

Case No: _____

and

Petitioner
Respondent

CERTIFICATE OF SERVICE
(ORCP 7D(2))

- (a) Personal Service
- (b) Substitute Service
- (c) Office Service
- (d) Service by Mail

I, *(name)* _____, declare that I am a resident of the state of _____ . I am a competent person 18 years of age or older. I am not a party to or lawyer in this case, and not the employee of a party. I certify that the person served is the person named below. I served true copies of the original *(check all that apply)*:

- Petition and Summons
- Information about mediation
- Notice of Confidential Information Form (CIF) Filing
- Notice of Statutory Restraining Order Preventing Dissipation of Assets
- Order to Show Cause re: Modification with Motion and Declaration
- Information about continuing insurance coverage (COBRA)
- Uniform Support Declaration
- Other *(name all forms or documents served)* _____

by *(check a, b, c, or d and complete all information)*:

(a) **Personal Service** on *(date)* _____, at _____ a.m./p.m., to { Petitioner Respondent } *(name)* _____ in person at the following address _____ in the County of _____, State of _____.

(b) **Substitute Service** on *(date)* _____, at _____ a.m./p.m., by delivering them to the following address _____ in the County of _____, State of _____ . Delivered to *(name)* _____, who is a person age 14 or older and who lives there.

(Complete the section below only if the server also did the follow-up mailing required by ORCP 7D(2)(b). If a person other than the server did the follow-up mailing, that person must complete a separate Certificate of Service Mailing.)

On *(date)* _____, I personally deposited a true copy of the same documents served with the U.S. Postal Service, via first class mail, in a sealed envelope, postage paid, addressed to the party to be served: Petitioner Respondent *(name)* _____, at the party's home address listed above, together with a statement of the date, time and place that the documents were hand-delivered to the party's dwelling (residence).

(c) **Office Service** on (date) _____, at _____ a.m./p.m., by delivering them 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, to give the documents to the party to be served. (Complete the section below only if the server also did the follow-up mailing required by ORCP 7D(2)(c). If a person other than the server did the follow-up mailing, that person must complete a separate Certificate of Service Mailing.)

On (date) _____, I personally deposited a true copy of the same documents served with the U.S. Postal Service, via first class mail, in a sealed envelope, postage paid, addressed to the party to be served: Petitioner Respondent (name) _____, at the party's: home address at: _____, **OR** business address above, together with a statement of the date, time and place that the documents were hand-delivered to the party's office.

(d) **Service by Mail, Return Receipt Requested** on (date) _____, I personally deposited **two** true copies with the U.S. Postal Service. **One** by first class mail, and the **other** by certified or registered mail, Return Receipt Requested, or by express mail, postage paid, addressed to the party to be served: Petitioner Respondent _____ (name), at the party's home address located at: _____ (address). (NOTE: If mailed Return Receipt Requested, the return receipt must be attached to this Certificate of Service.)

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.

_____ Date

_____ Signature of Server

_____ Print Name

If person serving is NOT a sheriff or sheriff's deputy, address and phone number of server:

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

Case No. _____

Petitioner

and

Respondent

**CERTIFICATE OF MAILING OR
DELIVERY TO DIVISION OF
CHILD SUPPORT**

I certify that on *(date)* _____, I hand-delivered **or** mailed by first-class mail a true copy of the *Petition* in the above domestic relations case to the local branch office of the Department of Justice, Division of Child Support at *(list address)*: _____

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.

Date

Signature { Petitioner Respondent }

Name (printed)

Contact Address

City / State / ZIP

Contact Phone

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

Case No: _____

Plaintiff/Petitioner

v.

**ACCEPTANCE OF
SERVICE**

Defendant/Respondent

I am the Plaintiff/Petitioner Defendant/Respondent in this matter.

On (date) _____ I received a true copy of (check all that apply):

Petition

Summons

Claim

Information on mediation

Complaint

Other: _____

And for Domestic Relations cases:

Notice of Statutory Restraining Order Preventing Dissipation of Assets

Notice of CIF (*Confidential Information Form*) Filing

Information on continuation of insurance coverage (COBRA)

Order to Show Cause re: Modification with Motion and Declaration

Statement of Assets and Liabilities

Uniform Support Declaration

Other forms: _____

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use in court and I am subject to penalty for perjury.

Date

Signature

Name (printed)

Address

City/State/Zip

Telephone

NOTICE OF PROPOSED JUDGMENT OR ORDER

To be sent to all other parties before submitting proposed Judgment or Order to the court for signature. Send the Judgment or Order to the other party with this Notice at least 7 days before submitting it to the court. This does not apply to judgments submitted with a Motion for Order of Default or after an Order of Default has been granted.

This notice is to inform you that you can object to the attached proposed *Judgment or Order*.

Uniform Trial Court Rule (UTCRC) 5.100¹ allows you to object to the proposed judgment or order. If you have no objections, you can sign the last page and return it to me.

If you do object to any of the terms of the judgment or order, you may:

1) Contact me within 7 days of the date of this notice. If you contact me and we are not able to resolve your objections after reasonable efforts, I will include your objections with the proposed judgment or order when I submit it to the court.

or

2) Submit your objections directly to the court. If you intend to submit your objections directly to the court, notify me within 7 days of the date of this notice so that I can inform the court of your intentions when I submit the proposed judgment or order. If you do object to the proposed order or judgment, you must contact me within 7 days of the date of this notice.

Date

Signature

Name (printed)

Address

City/State/Zip

Phone

¹ <http://www.courts.oregon.gov/programs/utcr/Pages/currentrules.aspx>

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

Case No: _____

Petitioner
and

Respondent

**SUPPLEMENTAL JUDGMENT
MODIFYING A
DOMESTIC RELATIONS
JUDGMENT**

Unmarried Children 18, 19, or 20 years old (per ORS 107.108) (full names)

This *Supplemental Judgment* modifies the following provisions of a prior *Judgment*:

- Spousal/Partner Support
 Custody Parenting Time Child Support
 Other: _____

This matter came before the court on the motion and declaration of

- Petitioner Respondent

No response to the *Order to Show Cause re: Modification* was received from the non-moving party

The non-moving party is not in active military service of the United States and is not incapacitated, a minor, a protected person, or a respondent (as defined by ORS 125.005)

A **hearing** was held _____ (date), at which the following were present:

- Petitioner Petitioner's attorney
 Respondent Respondent's attorney
 Other: _____

The parties have stipulated (agreed) to the terms of this judgment as shown by their signatures at the end of this *Judgment*

Children 18, 19, or 20 Years of Age

- Waived further appearance: (names) _____
 Fully participated in the proceedings (names) _____
 Signed and stipulated to the terms of judgment shown by the signature at the end of this *Judgment*

THE COURT FINDS:

The court considered the declaration response evidence presented and found that:

a substantial change in circumstances has occurred since the last judgment or order, justifying a change in **support or custody**

the requested change in **custody or parenting time** is in the children's best interest

Jurisdiction

This court has jurisdiction to modify the following judgment (list court or agency, case number, and date):

Because: (check all that apply)

- Only spousal/partner support is at issue in this Modification action
- Child Support**
 - the judgment above was issued by a court in Oregon and one of the parents or a child receiving support under the prior judgment still resides in Oregon, **or**
 - Other reason *(explain)*
- Custody or Parenting Time** under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)
 - the judgment above was issued by a court in Oregon and one of the parents or a child affected by the custody or parenting time provisions still resides in Oregon, **or**
 - Other reason *(explain)*
- Oregon does not have jurisdiction under the UCCJEA because:

THE COURT ORDERS the following modifications to a prior judgment:

1. Spousal/Partner Support

Spousal/Partner support is terminated **or** changed as follows:

Findings supporting termination:

Effective date – changes are effective as of *(date)* _____

2. Custody and Parenting Time

a) Petitioner Respondent is granted sole custody of: *(names)*

Parties have agreed to joint custody of: *(names)*

b) Parenting Time is changed according to the attached Parenting Plan labeled Exhibit _____ **or** as follows:

_____ must not have parenting time because it would endanger the health or safety of the children

Parenting time must be supervised by: _____
Cost of supervision will be paid by Petitioner Respondent Other:

- c) Petitioner Respondent is allowed to move more than 60 miles farther away from the other party without advance written notice because good cause exists
- d) Petitioner Respondent is not required to provide contact information to the other party

3. Child Support and Medical Costs

- a) Child support should be **terminated** (stopped) based on:
- b) Child support is **changed** as follows based on the requested change of custody or substantially changed circumstances
Support must be paid:
by Petitioner Respondent
to Petitioner Respondent Adult Child Attending School
on the first day of each month
beginning the month following entry of this judgment *or* the date of service of this motion (*date:* _____)
- The monthly **amount** due is: _____ (*Child Support Worksheets are attached and incorporated, labeled Exhibit _____*)
This amount is:
 the amount presumed to be appropriate under the support guidelines
 different from the presumed appropriate amount *because:*
- c) **Income withholding** is **not** ordered at this time because there is no support arrearage, the paying parent has not previously been granted an exemption from withholding **and**
 The parents (or the State, if support rights are assigned) have agreed in writing to an alternative arrangement which is approved by the court; **or**
 Good cause not to require withholding is found because there is proof of timely payment of previously-ordered support and income withholding would not be in the best interests of the child

In all cases, select one of the following:

All support payments must be made to the Department of Justice, Child Support Accounting Unit, P.O. Box 14506, Salem, Oregon, 97309

Or

An exception to income withholding applies as noted above. All support payments must be deposited to the recipient's checking or savings account. The receiving parent is ordered to provide the paying parent with current deposit slips or bank name, account

name, and account number.

Or

Other (*explain*)

Child Attending School

Support for an adult child attending school as defined by ORS 107.108 must be paid directly to the child unless good cause exists for payment to be made another way

GOOD CAUSE exists not to pay support directly to a child attending school

Payments must be made to Petitioner Respondent in the amount of \$ _____ per month

NOTICE OF INCOME WITHHOLDING

This child support order is enforceable by income withholding under ORS 25.378 to 25.390, 25.414 to 25.372 and 25.375. Withholding shall occur immediately, whenever there is an arrearage at least equal to the support payment for one month, whenever the obligated parent requests such withholding, or whenever the obligee requests withholding for good cause. The District Attorney or, as appropriate, the Division of Child Support of the Department of Justice, will assist in securing such withholding. Exceptions may apply in some circumstances.

d) **Length of Child Support:** Child support will end when the last child (*check one*)

reaches age 18, or if the child qualifies as a child attending school under ORS 107.108, age 21

reaches age 18

or becomes self-supporting, emancipated, or married

e) **Tax Dependents***

Petitioner Respondent may claim the following children as dependents for tax purposes beginning with the **tax** year this judgment is entered. The other parent must complete any IRS waivers or forms necessary to accomplish this order in each tax year and must not file contradictory tax returns.

List names:

OR

Other (*specify*):

** Parties are advised that this judgment is not binding on the IRS and will not provide a defense if the parties fail to comply with IRS regulations in any given tax year. Parties are advised to speak to a tax specialist.*

f) **Life Insurance**

Petitioner Respondent must carry life insurance for the benefit of the children in the amount of \$ _____ throughout the period of the support obligation if he or she is insurable

Petitioner Respondent is no longer required to provide life insurance

g) **Medical Costs**

Medical costs and insurance have been addressed in a prior judgment and are not being changed

1. Health Insurance Coverage

Petitioner Respondent is *or* Both parents are ordered to keep insurance for the children throughout the period of the child support obligation

2. Cash Medical Support

Cash Medical Support **is** ordered in the amount of \$ _____ per month because health insurance coverage is not available to either parent. Cash Medical Support is payable in addition to child support by the parent ordered to pay child support, and on the same schedule.

Cash Medical Support **is not** ordered because:

Support is presumed to be unavailable for the reason marked above and the presumption has not been sufficiently rebutted

The parent paying child support has income at or below Oregon's minimum wage for full-time employment

The children's medical needs will be met by the *Uninsured Medical Expenses* provision below

Other (*explain*):

CHANGES TO HEALTH INSURANCE AVAILABILITY

Both the person paying and the person receiving child support **must** notify the Division of Child Support (DCS) in writing of any change in the availability of health insurance within **10 days** of the change if collection services are provided by DCS.

h) Uninsured Medical Expenses

Petitioner must pay _____% and Respondent must pay _____% of the unreimbursed costs of the children's reasonable medical, dental, and vision care. This does not include ordinary nonprescription expenses like bandages, vitamins, and copays for regular checkups, which the parents must provide for the children in proportion to their parenting time. This obligation is in addition to any child support **and** will be **offset** by any cash medical support ordered above.

or

This obligation is **in addition** to any child support and cash medical support ordered above

(or)

orders regarding uninsured medical expenses are terminated

Additional changes:

NOTICE ABOUT PARENTING TIME AND CHILD SUPPORT

The terms of child support and parenting time (visitation) are designed for the child's benefit and not the parents' benefit. You must pay support even if you are not receiving parenting time. You must comply with parenting time and visitation orders even if you are not receiving child support.

Violation of child support orders and visitation or parenting time orders is punishable by fine, imprisonment or other penalties.

Publicly funded help is available to establish, enforce, and modify child support orders. Paternity establishment services are also available. Contact your local district attorney, the domestic relations court clerk, or the Department of Justice at 1.800.850.0228 or 503.378.5567 for information.

Publicly funded help may be available to establish, enforce, and modify parenting time or visitation orders. Forms are available to enforce parenting time or visitation orders. Contact the domestic relations, civil court clerk or courthouse facilitator for information.

NOTICE ABOUT PERIODIC REVIEW AND MODIFICATION OF CHILD SUPPORT ORDERS

If your child support case is handled by the District Attorney or the Department of Justice Division of Child Support, this agency will review your child support order if at least three years have passed since the order was entered, modified, or last reviewed. *This review will take place only if a parent requests.*

The purpose of the review is to see if the amount ordered is still within the guidelines for child support set out in Oregon law. The review could result in an increase or decrease in the support amount, depending on the parents' financial circumstances and the needs of the child.

This "periodic review" service is provided at no cost to parents, but is available only for cases handled by the District Attorney or the Department of Justice.

The support agency handling your case will also review your support order for compliance with the guidelines whenever a substantial change in circumstance has occurred. You can request this "change in circumstance" modification from the support agency. But *any* support order (not just orders handled by the District Attorney or Department of Justice) can be modified because of a change in circumstance, so a private attorney is also able to assist you with this. You may also represent yourself.

5. Any terms in the prior *Judgment* not changed by this *Supplemental Judgment* remain in effect.

6. **Court Costs and Fees** (whether paid or deferred)

- Each party is responsible for paying his or her own costs and fees
- Costs and fees will be paid by both parties equally
- must reimburse the other party for costs and fees paid
- Other:

7. Information Required by ORS 25.020(8)(a)

As required by UTCR 2.130, a *Confidential Information Form (CIF)* has been completed for each party and filed with the court. The CIF contains all information required by ORS 25.020(8)(a).

Both parties must inform the Court and the Department of Justice (P.O. Box 14506, Salem, Oregon 97309) in writing of any change in the information within ten (10) days of such change. The Department of Justice or the District Attorney shall not disclose the information in the preceding section to the other party.

8. Money Award* Support Obligation included

**only complete this section if there is a change to child or spousal/partner support*

Additional information	PETITIONER	RESPONDENT
Full Name		
Contact Address		
Year of Birth		
Social Security # (last 4 digits)		
Driver License # (last 4 digits) and State		
Lawyer's Name, Address, Phone #		

➤ *If an adult child is awarded support to be paid directly to the child **AND** there is no support awarded for minor children of the parties, or if the judge tells you that the adult child is a Judgment Creditor, fill out this box:*

<input type="checkbox"/> The adult child named (<i>full name and contact address</i>) _____ _____ is a judgment creditor on this judgment Adult child's lawyer's name, address, phone #: _____ _____
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The following information must be provided by any party entitled to receive a money award as listed in this Judgment	
	The following person or public body is known to be entitled to a portion of a payment made on the judgment (other than payee's lawyer):
Petitioner	<input type="checkbox"/> None or <input type="checkbox"/> Name: _____ _____
Respondent	<input type="checkbox"/> None or <input type="checkbox"/> Name: _____ _____

Adult Child Name: _____	<input type="checkbox"/> None or <input type="checkbox"/> Name: _____ _____
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Type of Judgment		Amount	Beginning / Ending
<input type="checkbox"/> Child Support	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$ _____ Per month for child support	Beginning the first day of the month following: <input type="checkbox"/> entry of this judgment <i>or</i> <input type="checkbox"/> the date of service of the <i>Order to Show Cause (date)</i> _____ <i>or</i> <input type="checkbox"/> Other _____ and due on the first day of each month thereafter
	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Adult Child	and \$ _____ per month for cash medical support	
<input type="checkbox"/> Spousal/ Partner Support	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$ _____ per month	Beginning: <input type="checkbox"/> the first <i>or</i> <input type="checkbox"/> _____ day of the month following entry of this judgment <i>or</i> <input type="checkbox"/> the date of service of the <i>Order to Show Cause (date)</i> _____ <i>or</i> <input type="checkbox"/> Other _____ and due on the same day of each month thereafter
			Ending the earlier of: <i>(date)</i> _____ or the death of either party
		or	A lump sum of \$ _____

<input type="checkbox"/> Prejudgment Interest	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	\$ _____	
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<input type="checkbox"/> Postjudgment Interest	WHO RECEIVES <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	9% per year simple interest on the unpaid balance of the total judgment amount of \$ _____	Interest accrues from the date the judgment is entered and continues until the judgment is fully paid
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<input type="checkbox"/> Court Costs and Service Fees already paid	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	Checked party reimburses the other party's costs and fees of: \$ _____ Directly to the awarded party
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<input type="checkbox"/> Deferred Court Costs and Service Fees	WHO PAYS <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	Checked party must pay deferred costs and fees of: \$ _____ To the State of Oregon through this court
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Judge Signature:

Certificate of Readiness under UTCR 5.100

This proposed judgment is ready for judicial signature because *(check all that apply)*:

Service is not required under UTCR 5.100. The other party has been found in **default** or an order of default is being requested with this proposed judgment; this judgment is submitted **ex parte** as allowed by statute or rule; or this judgment is being submitted in **open court** with all parties present.

Each party affected by this judgment has **stipulated** to or **approved** the judgment, as shown by the signatures on the judgment, or by written confirmation sent to me.

I have **served** a copy of this judgment and the *Notice of Proposed Judgment or Order* on all parties entitled to service. **And:**

No objection has been served on me within the 7-day time frame.

I received objections that I could not resolve with the other party despite reasonable efforts to do so. I have filed with the court a copy of the objections I received and indicated which objections remain unresolved.

After conferring about objections, the other party *(name)* _____ agreed to file any remaining objection with the court.

Certificate of Service under UTCR 5.100

I certify that on *(date)*: _____ I placed a true and complete copy of this proposed *Judgment* in the United States mail to *(name)* _____ at *(address)* _____

Submitted by: Petitioner Respondent

Signature

Print Name

I understand that I am subject to penalty for perjury for giving false information to the court. All factual information in this Judgment is true to the best of my knowledge and belief. I agree to the terms of this Judgment. I understand that this Judgment is enforceable by the court.

Date

Petitioner Signature

Name (printed)

Contact Address

City, State, ZIP

Contact Phone

Respondent stipulates (agrees) to the terms of this judgment

Date

Respondent Signature

Name (printed)

Contact Address

City, State, ZIP

Contact Phone

Child 18, 19, or 20 years of age, stipulates to the terms of this judgment

Child, Signature

Date

Child, Name (printed)

If this judgment changes **parenting time** AND you did not have a trial, this form MUST BE NOTARIZED or sworn before a clerk of the court.

The parents have agreed (stipulated) to the changes to parenting time as indicated by their signatures below

Petitioner, Signature

Date

Petitioner, Name (printed)

State of _____, County of _____

Signed or attested before me on _____ (date) by _____ (name)

Signature of notarial officer

My commission expires: _____

Title (and rank, if military officer)

Respondent, Signature

Date

Respondent, Name (printed)

State of _____, County of _____

Signed or attested before me on _____ (date) by _____ (name)

Signature of notarial officer

My commission expires: _____

Title (and rank, if military officer)

Optional: APPLICATION FOR FULL CHILD SUPPORT PROGRAM SERVICES:

By signing below, I apply for child support services, including enforcement, from the Child Support Program (CSP). If you never received TANF, tribal TANF or AFDC in any state, an annual \$35 fee will apply if over \$550 is collected and distributed to the family each year.

Petitioner, Signature

Date

Respondent, Signature

Date

Adult Child, Signature

Date