



**Family Law Facilitation Services
Klamath County Circuit Court
(541) 883-5503, Ext. 237**



FILING DISSOLUTION (DIVORCE) or SEPARATION WITH CHILDREN IN KLAMATH COUNTY

STEP ONE: OPENING A DISSOLUTION (DIVORCE) or SEPARATION CASE

- 1. Purchase the forms packet** available at the Loyd DeLap Law Library, 126 S. Third Street, Klamath Falls, OR. As the Petitioner, you are responsible to choose and prepare the appropriate packet prior filing the documents with the court.
- 2. Contact the Family Law Facilitator at 541-883-5503 ext 237 to schedule your appointment to review your documents. Forms clinics are held every Monday morning and every Thursday afternoon.** Individual appointments can also be arranged.
- 3. Prepare all forms** within the packet before your appointment with the Family Law Facilitator. **DO NOT SIGN ANY DOCUMENT.**
- 4. Attach a parenting plan** for the non-residential parent to the petition and final judgment.
- 5. Complete Child Support calculations, even if no child support is requested.** Attach a copy of the worksheets to the petition and final judgment. Child Support calculations can be completed on-line at: <https://justice.oregon.gov/guidelines/> (see attached instructions)
- 6. Spousal support** requests must indicate at least one of the following types of support: transitional, compensatory and/or maintenance.
- 7. Attach a legal description** for each piece of any real (estate) property owned by either party, individually or jointly held, to the petition and final judgment.
- 8. List any outstanding debts** of the marriage, individual or jointly held, and the person responsible for the remainder of the debt.
- 9. Attach copies of any existing child support orders/judgments** to the "Certificate re: Pending and/or Existing Child Support Orders/Judgment" form.
- 10. Complete the Vital Statistics Record** of Dissolution of Marriage or Annulment Form. (Not required in separation packet.)
- 11. Pay filing fee** to the court clerk when you file your petition and other documents. Fee Waiver/Deferral applications are available if you are unable to pay the court fees.
- 12. If you change your mailing address and/or telephone number** at any time while your case is active or after the judgment has been signed, immediately notify the court in writing and send a copy of that to the other party.

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STEP TWO: SERVE THE RESPONDENT

1. **Have the respondent served** by another individual, private process server or sheriff's department. **PETITIONER MAY NOT SERVE THE RESPONDENT.** It is the Petitioner's responsibility to be sure the affidavit (return) of service gets filed with court.
2. If there are minor children to the marriage/partnership, **attend the next "Children In Between" mandatory parent education class** and return the Certificate of Completion to the Court. (see attached schedule)
3. **Allow 30 days to pass after the date of service to allow the respondent to contest or "respond" to the case.** If the Respondent has not filed a written response within the 30 day period, you may then request judgment by default.

It is your responsibility as the Petitioner to file the remaining documents in the forms packet.

STEP THREE: FINALIZE THE CASE

1. **Complete the remaining documents of the forms packet.** Be sure to attach copies of any documents included with the petition to the judgment; i.e., Child Support calculations, parenting plans, legal descriptions of real property, etc.
2. **If both parties agree to the final terms.** Discard the "Petitioner's Ex Parte Motion for Order of Default" and "Petitioner's Declaration in Support of Ex Parte Motion for Order of Default". The remaining documents of the packet should be filed and signed by both parties where necessary. Attach any mediated agreements and other attachments, i.e., legal descriptions, child support calculations, etc., to the judgment form.
3. **File remaining documents** to finalize the dissolution with necessary attachments with the court clerk's office. **If there are minor children of the marriage, you must attend the "Children In Between" parent education class and file your Certificate of Completion with the court.** Your judgment will not be signed without this certificate on record.
4. **Check back** with the Civil Court Clerk's office to find out if the judgment has been signed. Each party can then return to the Clerk's office to pick up a certified copy of the signed judgment for their records.

**Family Law Facilitation
Klamath County Circuit Court
316 Main Street, Klamath Falls, OR 97601
(541) 883-5503, Ext. 237**

Representing yourself in a court procedure can be confusing and overwhelming. The Klamath County Circuit Court Family Law Facilitation Program offers assistance for people who do not have an attorney to complete their forms and to help them better understand the court process. Form packets are sold at:

Loyd DeLap Law Library, 126 S. 3rd Street, Klamath Falls, OR 97601.

Contact the Family Law Facilitator to schedule an appointment to review your documents prior to filing. Family Law Forms Clinics are held **every Monday morning** (appointments at 8:45am and 10:30am) and **every Thursday afternoon** (appointments at 1:15 pm and 3:15 pm) excluding holidays. Individual appointments are available as well. Appointments can sometimes last 90 minutes or more. Please arrange for child care if you have young children. Also, please notify the court as soon as possible if you cannot attend your appointment.

Before attending any appointment, please carefully follow these instructions:

- Print KLAMATH for the county, your full legal name as Petitioner and the other party's full legal name as Respondent at the top of each form.
- Fill in as much basic information as possible in ALL forms of your packet. DO NOT SIGN ANY FORM.

If there are minor children of this relationship, you must complete the following before your appointment

- ❖ **Child Support Worksheet.** You must complete child support calculations and print two sets of the worksheets to attach to your petition and the judgment even if you do not want child support to be ordered in your case. You must attach a copy of the child support worksheet if you do not already have a current child support order, or if you want the court to change an existing child support order. Please follow the instructions included with your forms packet to complete the worksheets using the Oregon Child Support Program – Guideline Calculator: <https://justice.oregon.gov/guidelines/>
- ❖ **Parenting Plan.** This plan sets out how and when each parent spends time with the child/ren. Klamath County Standard Local and Long Distance Parenting Plans are available at no charge at the court clerk's office in the courthouse and you may include that plan with your forms. Other Parenting Plan options can be found at: www.courts.oregon.gov/familylaw.
If you believe the health and/or safety of your child would be in danger with while they're with the other parent, you **must** give supporting facts in your paperwork why parenting time should not be allowed.

DIVORCE/SEPARATION LITIGANTS

- If either you or the other party has an interest in any real estate, individually or together, please bring **two copies of the legal description of the property.** Attach one copy to your petition and the second copy to your judgment. Legal descriptions can be obtained from the county tax office where the property is located.
- If there are any debts (individual or joint) of either party not yet paid which were created during the marriage/partnership, please list any outstanding debts in that section.

DO NOT SIGN ANY DOCUMENT. Please fill in as much general information in ALL forms of your packet before attending your appointment. Be sure to print your name and contact information wherever requested in ALL forms.

2017-2018 CHILD SUPPORT GUIDELINES CALCULATOR

Klamath County Circuit Court requires a child support calculation worksheet for any matter which involve minor children and/or adult children ages 18, 19 and 20 years of age attending school, even when uncontested. You should talk with a lawyer if you have any questions about the child support guidelines or contact the Department of Justice, Child Support Division, Bend Branch Office at 541-388-6141.

Access to Child Support Calculator

1. Go to <https://justice.oregon.gov/guidelines/> then click on **Go to Guidelines Calculator**. This will take you to the beginning page of the child support calculator. If you are not sure about how to respond in a particular section, click on “**more**”. This will give additional information to help you understand what information you need to add in that section.
2. **General Information.** This section requires information for **both** parents. If there is some other person acting as a caretaker for your children (grandparents, other relatives, foster care provider), you must enter that person or entity’s name in that field.

Use the drop down box to **select the children who will be included in the calculation** (minor children only; child attending school; minor children and child attending school – college/vocational school not living at home)

3. **Income.** Enter each parent’s gross **monthly** income (before taxes). In general, a parent’s income is the actual income the parent is earning. There could be other factors to consider as allowed by Oregon Administrative Rule: 137-050-0715. (Click on **more** for additional information.) **If you do not know what the other parent earns or is capable of earning; OR if either parent receives Temporary Assistance for Needy Families (TANF), you should use minimum wage at full time employment, \$1733.33 (MINIMUM WAGE AMOUNT AS OF 07/01/17: \$10.00 x 40 x 52 ÷ 12).** For any exceptions to this rule, click on “**more**” to learn how these exceptions may be used when calculating child support.
 - **Spousal support:** Add the amount of spousal support owed to or paid by either parent to/from a former parent.
 - **Mandatory union dues:** Enter the monthly amount of union dues paid by either parent.
4. **Children.** Enter each minor child’s name of this relationship and enter the number of overnights that child spends with each parent then click the **Add Child** button. Include any 18 year old child attending high school. Repeat this process for each joint minor child of the relationship.
 - **Parenting Time.** Enter the **average annual overnights** the minor children are with each parent. For help to calculate the average overnights, click on **Parenting Time Calculator**. This option can also help you develop a parenting plan and will show the actual number of overnights your child spends with each parent according to the information you included in the Parenting Time Calculator. You may also use either of the Klamath County Standard Parenting Plans if you prefer.

The Klamath County Standard Parenting plan (local) expected overnights with the local non-residential parent:

<u>Children aged birth to 18 months</u>		<u>Children aged over 18 months</u>	
First alternative:	0 overnights	First alternative:	86 overnights
Second alternative:	21 overnights	Second alternative:	127 overnights
Third alternative:	62 overnights	Third alternative:	182.5 overnights

NOTE: 50/50 parenting time arrangements may affect OHP and/or SNAP benefits.

The Klamath County Standard Long distance parenting plan allows the non-residential parent:

Birth to 18 months:	0 overnights	3 to 6 years of age:	85 overnights
18 to 36 months:	51 overnights	6 years and older:	111 overnights

- **Child care costs** paid by a parent or caretaker for a joint minor child under the age of 13 or a disabled child.
- **Credit for Social Security or Veteran's benefits:** Enter any benefit amounts that may be paid to a child (or on a child's behalf) in the disabled or retired parent's column.
- **Non-joint** children. Enter the number of other minor children either parent have from a different relationship.

5. Health Care Coverage.

Enter the amount paid by a parent for their own private health care coverage (not OHP). Enter any additional amount a parent must pay for the joint children's coverage.

Click on [Continue>](#)

6. Cash Medical Support.

Answer any questions in this section if additional support should be paid as "cash medical support". Click on "[more](#)" for additional information. Click on [Continue>](#)

7. Exception to Minimum Order.

If there are special circumstances the court should consider to allow an exception to the minimum amount of child support determined by the calculator, answer **yes** to whichever parent should have the exception. Click on "[more](#)" for additional information.

8. Guideline Support Amounts.

This section shows you what child support would be which includes any rebuttals and/or agreed upon amounts. The information shown here gives the final amounts of what the child support guidelines recommend for child support with the information you have entered. If you believe there is valid reason to adjust the amount of support, answer **yes** then complete all sections in the next screen. Click on [Continue>](#)

- Please check final amounts and then click [View and Print Completed Worksheets](#).
- Print **two sets** of the worksheets to include with the papers that you file with the court. Attach one set to the **petition** or **motion** and attach the second set to your **judgment**.



- 1. Who is required to attend?** “All individuals who are parties to a case involving child custody or parenting time, whether or not contested, must attend a parent education class ” (Children in Between) *Supplemental Local Court Rule 8.075*
- 2. What is the class about and why is it required?** The Children in Between parent education class is a three hour seminar which focuses on how parents can reduce the impact on their children when the family has court matters about custody, parenting time and/or child support.
- 3. When is the class offered?** Please see attached schedule. Plan to arrive about 10 minutes early.
- 4. Where is the class? What is the cost?** The class is held at: Klamath County Museum, Meeting Room, 1451 Main Street, Klamath Falls. Use SPRING STREET entrance at back of building. There is no cost to attend.
- 5. Do I need to register for the class?** No. Please attend the next available class. The Certificate of Completion you receive will allow you to finalize your case.
- 6. Do both parents have to attend the class together?** No. You can attend separate classes, especially if there is a restraining order in effect; OR if you are uncomfortable to be in this class at the same time as the other parent.
- 7. Can I bring my child/ren to the class?** No. This class is for parents only.
- 8. What if I live in another county or state? Is there an on-line class available?** You may make a written request to be allowed to take a similar court-connected class for parents to help their children cope with separation or divorce in the area where you live; or you may request to complete a similar on-line class. Once you have completed the class either in person at another location or on-line, send your Certificate of Completion to Klamath County Circuit Court, 316 Main Street, Klamath Falls, OR 97601. Be sure to write your case number on your certificate.
- 9. Why do I need the Certification of Completion?** This certificate is required to finalize your case. Make a copy of the original certificate for your records and file the original with Klamath County Circuit Court.
- 10. Will I be required to attend a meeting with a mediator?** When parents disagree about parenting and custody arrangements, each parent must meet individually with a mediator for about an hour. This usually happens after attending the “Children In Between” class. Both parents must complete the mediation intake form available at this class and choose one mediator or be assigned a mediator. The mediator will then call the parents to arrange the individual appointments. Parents may also directly contact the mediator.

Children In Between

Parent Education Class

2018 Schedule

DAY	DATE	TIME	DAY	DATE	TIME
FRIDAY	Jan. 5	6 pm – 9 pm	FRIDAY	Feb. 2	6 pm - 9 pm
SATURDAY	Jan. 6	9 am – 12 noon	SATURDAY	Feb. 3	9 am – 12 noon
FRIDAY	Mar. 2	6 pm – 9 pm	FRIDAY	Apr. 6	6 pm – 9 pm
SATURDAY	Mar. 3	9 am – 12 noon	SATURDAY	Apr. 7	9 am – 12 noon
FRIDAY	May 4	6 pm – 9 pm	FRIDAY	June 1	6 pm – 9 pm
SATURDAY	May 5	9 am – 12 noon	SATURDAY	June 2	9 am – 12 noon
FRIDAY	July 6	6 pm – 9 pm	FRIDAY	Aug. 3	6 pm – 9 pm
SATURDAY	July 7	9 am – 12 noon	SATURDAY	Aug. 4	9 am – 12 noon
FRIDAY	Sept. 7	6 pm – 9 pm	FRIDAY	Oct. 5	6 pm – 9 pm
SATURDAY	Sept. 8	9 am – 12 noon	SATURDAY	Oct. 6	9 am – 12 noon
FRIDAY	Nov. 2	6 pm – 9 pm	FRIDAY	Dec. 7	6 pm – 9 pm
SATURDAY	Nov. 3	9 am – 12 noon	SATURDAY	Dec. 8	9 am – 12 noon

Classes will be held at
Klamath County Museum Meeting Room
1451 Main Street, Klamath Falls, OR 97601
Use SPRING STREET entrance at the back of the building

CHILDREN IN BETWEEN
Clase de Educación para Padres
Calendario del 2018

<u>DÍA</u>	<u>FECHA</u>	<u>HORA</u>
VIERNES	5 de enero	De 6 de la tarde a 9 de la noche
SÁBADO	6 de enero	De 9 de la mañana a 12 del mediodía
VIERNES	2 de febrero	De 6 de la tarde a 9 de la noche
SÁBADO	3 de febrero	De 9 de la mañana a 12 del mediodía
VIERNES	2 de marzo	De 6 de la tarde a 9 de la noche
SÁBADO	3 de marzo	De 9 de la mañana a 12 del mediodía
VIERNES	6 de abril	De 6 de la tarde a 9 de la noche
SÁBADO	7 de abril	De 9 de la mañana a 12 del mediodía
VIERNES	4 de mayo	De 6 de la tarde a 9 de la noche
SÁBADO	5 de mayo	De 9 de la mañana a 12 del mediodía
VIERNES	1 de junio	De 6 de la tarde a 9 de la noche
SÁBADO	2 de junio	De 9 de la mañana a 12 del mediodía
VIERNES	6 de julio	De 6 de la tarde a 9 de la noche
SÁBADO	7 de julio	De 9 de la mañana a 12 del mediodía
VIERNES	3 de agosto	De 6 de la tarde a 9 de la noche
SÁBADO	4 de agosto	De 9 de la mañana a 12 del mediodía
VIERNES	7 de septiembre	De 6 de la tarde a 9 de la noche
SÁBADO	8 de septiembre	De 9 de la mañana a 12 del mediodía
VIERNES	5 de octubre	De 6 de la tarde a 9 de la noche
SÁBADO	6 de octubre	De 9 de la mañana a 12 del mediodía
VIERNES	2 de noviembre	De 6 de la tarde a 9 de la noche
SÁBADO	3 de noviembre	De 9 de la mañana a 12 del mediodía
VIERNES	7 de diciembre	De 6 de la tarde a 9 de la noche
SÁBADO	8 de diciembre	De 9 de la mañana a 12 del mediodía

Las clases se llevan a cabo en:

La Sala de Juntas del Museo del Condado Klamath
1451 Main Street, Klamath Falls, OR. 97601

Use la entrada de atrás del edificio por la calle SPRING ST.