

## **NOTICE (ORS 107.089)**

Oregon law requires that:

1. Each party in a suit for legal separation or for dissolution shall provide to the other party copies of the following documents in his/her possession or control:
  - (a) All federal and state income tax returns filed by either party for the last three calendar years;
  - (b) If income tax returns for the last calendar year have not been filed, all W-2 statements, year-end payroll statements, interest and dividend statements, and all other records of income earned or received by either party during the last calendar year;
  - (c) All records showing any income earned or received by either party for the current calendar year;
  - (d) All financial statements, statements of net worth, and credit card and loan applications prepared by or for either party during the last two calendar years;
  - (e) All documents such as deeds, real estate contracts, appraisals, and most recent statements of assessed value relating to real property in which either party has any interest;
  - (f) All documents showing debts of either party, including the most recent statement of any loan, credit line, or charge card balance due;
  - (g) Certificates of title or registrations of all automobiles, motor vehicles, boats, or other personal property registered in either party's name or in which either party has any interest;
  - (h) Documents showing stocks, bonds, secured notes, mutual funds, and other investments in which either party has any interest;
  - (I) The most recent statement describing any retirement plan, IRA pension plan, profit-sharing plan, stock option plan, or deferred compensation plan in which either party has an interest; and
  - (j) All bank, credit union or brokerage account records on any account in which either party has had any interest or signing privileges in the past year, whether or not the account is currently opened or closed.
2.
  - (a) Except as otherwise provided in paragraph (b) of this subsection, the party shall provide the information in paragraph 1 to the other party no later than 30 days after service of the petition.
  - (b) If a support hearing is pending fewer than 30 days after service of the petition, the party shall provide the information listed in paragraph 1(a) to (d) hereof no later than three judicial days before the hearing.
3.
  - (a) If a party does not provide information as required by 1 and 2 above, the other party may apply for a motion to compel as provided in ORCP 46.
  - (b) Notwithstanding ORCP 46A(4), if the motion is granted and the court finds that there was willful noncompliance with the requirements of paragraphs 1 and 2 hereof, the court shall require the party whose conduct necessitated the motion or the party or attorney advising the action, or both, to pay to the moving party the reasonable expenses incurred in obtaining the order, including attorney fees.
4. If a date for a support hearing has been set and the information listed in paragraph 1(a) to (d) hereof has not been provided as required by paragraph 2:
  - (a) By the obligor, the judge shall postpone the hearing, if requested to do so by the

obligee, and provide in any future order for support that the support obligation is retroactive to the date of the original hearing; or

(b) By the obligee, the judge shall postpone the hearing, if requested to do so by the obligor, and provide that any support order in a future hearing may be prospective only.

5. The provisions hereof do not limit in any way the discovery provisions of the Oregon Rules of Civil Procedure or any other discovery provision of Oregon law.