

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

In the Matter of  the Marriage of:

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

\_\_\_\_\_  
Petitioner,

PETITIONER'S  RESPONDENT'S  
 STATE OF OREGON'S

and

\_\_\_\_\_  
Respondent.

EX PARTE MOTION  
TO CORRECT CLERICAL ERROR IN  
JUDGMENT (ORCP 71A)

MOTION

I,  Petitioner  Respondent  State of Oregon (where support rights have been assigned to the State), request that:

1.      The court correct a clerical error in the following judgment document: *(title of judgment document)* \_\_\_\_\_, entered on *(date)* \_\_\_\_\_.

2.     As described below, the clerical error is that information in the body of the judgment described above does not match information in the "Money Judgment" or "Money Award" portion of the judgment document, and this difference is due to excusable omission or oversight of the parties.

3.     **REQUIRED DESCRIPTION OF CLERICAL ERROR** *(attach additional sheets if necessary)*:

The body of the judgment  correctly  incorrectly states *(attach additional sheets if necessary)*: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CorrectJudgment-Packet#12: Ex-Parte\_Motion\_to\_Correct\_Clerical\_Error\_in\_Judgment.doc (11/10)

The "money judgment" or "money award" portion of the judgment  correctly  incorrectly states (*attach additional sheets if necessary*): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. REQUESTED RELIEF (*Check the appropriate box below*):  
 The body of the judgment **or**  The "money judgment" or "money award" portion of the judgment should be corrected to read as set forth in the attached "SUPPLEMENTAL JUDGMENT CORRECTING JUDGMENT OR MONEY AWARD (ORCP 71A)."

**Points and Authorities**

ORCP 71A provides that clerical mistakes in judgments, orders, or other parts of the record and errors therein arising from oversight or omission may be corrected by the court at any time on its own motion or on the motion of any party and after such notice to all parties who have appeared, if any, as the court orders.

In Sea-Air Handling Services, Inc. v. Reed, 327 Or 25 (1998), the Supreme court stated that "in the absence of anything to the contrary in the record, a judgment entered in the register is regarded as stating an 'absolute verity'". The purpose of correcting a clerical error is to make the record speak the truth and conform it to what actually occurred. Marriage of Hopkins, 102 Or App 655, 658 (1990) (citing Hubbard v. Hubbard, 213 Or 482, 487 (1958)).

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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Petitioner  Respondent  State of Oregon, Signature Print Name

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Address or Contact Address City, State, Zip Telephone or Contact Telephone

**Certificate of Document Preparation.** You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

- I selected this document for myself and I completed it without paid assistance.
- I paid or will pay money to \_\_\_\_\_ for assistance in preparing this form.

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Petitioner  Respondent, Signature Print Name

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Address or Contact Address City, State, Zip Telephone or Contact Telephone

**I certify that this is a true copy:**

\_\_\_\_\_  
 Petitioner  Respondent, Signature