



ORS 107.105 Provisions of judgment.

1. Whenever the court renders a judgment of marital annulment, dissolution or separation, the court may provide in the judgment:
 - a. For the future care and custody, by one party or jointly, of all minor children of the parties born, adopted or conceived during the marriage and for minor children born to the parties prior to the marriage, as the court may deem just and proper under ORS 107.137. The court may hold a hearing to decide the custody issue prior to any other issues. When appropriate, the court shall recognize the value of close contact with both parents and encourage joint parental custody and joint responsibility for the welfare of the children.
 - b. For parenting time rights of the parent not having custody of such children and for visitation rights pursuant to a petition filed under ORS 109.119. When a parenting plan has been developed as required by ORS 107.102, the court shall review the parenting plan and, if approved, incorporate the parenting plan into the court's final order. When incorporated into a final order, the parenting plan is determinative of parenting time rights. If the parents have been unable to develop a parenting plan or if either of the parents requests the court to develop a detailed parenting plan, the court shall develop the parenting plan in the best interest of the child, ensuring the noncustodial parent sufficient access to the child to provide for appropriate quality parenting time and ensuring the safety of the parties, if implicated. The court may deny parenting time to the noncustodial parent under this subsection only if the court finds that parenting time would endanger the health or safety of the child. The court shall recognize the value of close contact with both parents and encourage, when practicable, joint responsibility for the welfare of such children and extensive contact between the minor children of the divided marriage and the parties. If the court awards parenting time to a noncustodial parent who has committed abuse, the court shall make adequate provision for the safety of the child and the other parent in accordance with the provisions of ORS 107.718 (6).
 - c. For the support of the children of the marriage by the parties. In ordering child support, the formula established under ORS 25.275 shall apply. The court may at anytime require an accounting from the custodial parent with reference to the use of the money received as child support. The court is not required to order support for any minor child who has become self-supporting, emancipated or married or who has ceased to attend school after becoming 18 years of age.

- d. For spousal support, an amount of money for a period of time as may be just and equitable for one party to contribute to the other, in gross or in installments or both. The court may approve an agreement for the entry of an order for the support of a party. In making the spousal support order, the court shall designate one or more categories of spousal support and shall make findings of the relevant factors in the decision. The court may order:
- (A) Transitional spousal support as needed for a party to attain education and training necessary to allow the party to prepare for reentry into the job market or for advancement therein. The factors to be considered by the court in awarding transitional spousal support include but are not limited to:
- (i) The duration of the marriage;
 - (ii) A party's training and employment skills;
 - (iii) A party's work experience;
 - (iv) The financial needs and resources of each party;
 - (v) The tax consequences to each party;
 - (vi) A party's custodial and child support responsibilities; and
 - (vii) Any other factors the court deems just and equitable.
- (B) Compensatory spousal support when there has been a significant financial or other contribution by one party to the education, training, vocational skills, career or earning capacity of the other party and when an order for compensatory spousal support is otherwise just and equitable in all of the circumstances. The factors to be considered by the court in awarding compensatory spousal support include but are not limited to:
- (i) The amount, duration and nature of the contribution;
 - (ii) The duration of the marriage;
 - (iii) The relative earning capacity of the parties;
 - (iv) The extent to which the marital estate has already benefited from the contribution;
 - (v) The tax consequences to each party; and
 - (vi) Any other factors the court deems just and equitable.
- (C) Spousal maintenance as a contribution by one spouse to the support of the other for either a specified or an indefinite period. The factors to be considered by the court in awarding spousal maintenance include but are not limited to:
- (i) The duration of the marriage;
 - (ii) The age of the parties;
 - (iii) The health of the parties, including their physical, mental and emotional condition;
 - (iv) The standard of living established during the marriage;
 - (v) The relative income and earning capacity of the parties, recognizing that the wage earner's continuing income may be a basis for support distinct from the income that the supported spouse may receive from the distribution of marital property;

- (vi) A party's training and employment skills;
 - (vii) A party's work experience;
 - (viii) The financial needs and resources of each party;
 - (ix) The tax consequences to each party;
 - (x) A party's custodial and child support responsibilities; and
 - (xi) Any other factors the court deems just and equitable.
- e. For the delivery to one party of such party's personal property in the possession or control of the other at the time of the giving of the judgment.
- f. For the division or other disposition between the parties of the real or personal property, or both, of either or both of the parties as maybe just and proper in all