Instructions for Changing Case from Separation to Dissolution (Divorce) Pre-judgment

These forms are intended for parties who have already filed a petition for separation, but a final judgment in that case has not yet been signed by a judge. These forms will only work for parties who have agreed to change the separation proceeding to a dissolution proceeding.

If you and your spouse/domestic partner don't agree the case should be changed to a dissolution case, you should talk to a lawyer. Also, if a final judgment has already been signed by a judge in the separation case, this packet won't work for you. If two years hasn't passed since the Judgment of Separation was signed, you may use Packet No. 2F; Forms and Instructions for Changing Case from Separation to Dissolution (Post-judgment).

STEP 1

Fill out the Stipulated Order Allowing Amended Petition. Fill in all of the information on the form except for the judge's date and signature lines. The case heading (names and case number) will be the same as it was on the petition for separation. Have your spouse/domestic partner sign the form before you submit it.

STEP 2

Make two copies of the form (one for you and one for your spouse/domestic partner). The original will be submitted to the Court (see step 3). You may bring the copies with you when you present the original to the Court and the filing clerk can file stamp to conform your copies. Give one of the copies to your spouse/domestic partner.

STEP 3

Attend an Ex Parte proceeding. Ex Parte is a time when you can present papers to a judge. You do not need an appointment to attend. It is held between 8:30 a.m. and 8:50 a.m. Monday through Friday except legal holidays. You must check in beforehand with the cashiers on the second floor of the courthouse. There is a fee to have a Judge sign the Order and it must be paid on the morning you check in to attend Ex Parte. Fee schedules are available on the Lane County Circuit Court website, at the Cashiers, and the Family Court Assistance Office.

STEP 4

If the judge allowed your request to file an amended petition, it is now okay to do so. You may contact an attorney for assistance, or you may use the dissolution forms and instructions available through the Lane County Circuit Court. The forms are also available on the Court's website at: http://courts.oregon.gov/Lane. When you fill out the Petition for Dissolution, print the word "amended" on the case heading.

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

In the Matter of ☐ the Marriage of:	)	
	)	
_____,	)	Case No. _____
Petitioner,	)	
and	)	STIPULATED ORDER ALLOWING
	)	AMENDED PETITION
_____,	)	
Respondent.	)	

Based upon the stipulation of the parties, and it appearing to the Court that a petition for separation was filed in this case on _____ , that no judgment has been entered,
(Date)
that the relief sought should be changed from separation to dissolution of marriage; now, therefore,

IT IS HEREBY ORDERED that petitioner be allowed to file an amended petition seeking dissolution of marriage/RDP.

DATED

_____
Circuit Court Judge

Both parties have agreed to the terms of this Order.

_____ _____
Petitioner, Signature Respondent, Signature

Certificate of Readiness

This proposed judgment is ready for judicial signature because each party affected by this judgment has **stipulated** to or approved the judgment, as shown by the signatures on the judgment.

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.

_____
☐ Petitioner ☐ Respondent, Signature

Submitted by:

_____
☐ Petitioner ☐ Respondent, Print Name Address or Contact Address

_____
City, State, Zip Telephone or Contact Telephone

Oregon Health Authority
PUBLIC HEALTH DIVISION
Center for Health Statistics

RECORD OF DISSOLUTION OF MARRIAGE, ANNULMENT OR REGISTERED DOMESTIC PARTNERSHIP

136-

State file number:

The petitioner or legal representative of the petitioner is responsible for completing the personal information on this form and shall present this form to the clerk of the court with the petition. In all cases the completed record shall be a prerequisite to the granting of the final judgment.

Case number:_____

Judgment type: ☐ Dissolution of marriage ☐ Annulment ☐ Dissolution of registered domestic partnership(RDP)

Spouse / Partner A

1. Spouse/Partner A – Legal name: *(first, middle, last, suffix)*
2. Last name at birth: *(not required for RDP)*
3. Residence or legal address: *(street and number)* *(city or town)* *(county)* *(state)*
4. Other legal last names used:
5. Date of birth: *(mm/dd/yyyy)*
6. Birthplace: *(state, territory or foreign country)*

Spouse / Partner B

7. Spouse/Partner B – Legal name: *(first, middle, last, suffix)*
8. Last name at birth: *(not required for RDP)*
9. Residence or legal address: *(street and number)* *(city or town)* *(county)* *(state)*
10. Other legal last names used:
11. Date of birth: *(mm/dd/yyyy)*
12. Birthplace: *(state, territory or foreign country)*

Marriage / Declaration

13. Date of marriage / filing of RDP declaration: *(mm/dd/yyyy)*
14. Date couple last resided in same household: *(mm/dd/yyyy)*

15a. Place of marriage/RDP: *(city, town or location)*
15b. County:
15c. State or foreign country:

16. Number of children under 18 in this household as of the date in item 14:
Number:_____ None ☐

17. Petitioner:
☐ Spouse/Partner A ☐ Spouse/Partner B ☐ Both

Attorney

18a. Name of petitioner's attorney: *(print)*
18b. Address: *(street and number or rural route number, city or town, state, ZIP code)*

19a. Name of respondent's attorney: *(print)*
19b. Address: *(street and number or rural route number, city or town, state, ZIP code)*

Judgment

20. Marriage/RDP declaration of the above named persons was dissolved on: *(mm/dd/yyyy)*
21. Date judgment becomes effective: *(mm/dd/yyyy)*
22. Number of children under 18 whose physical custody was awarded to:
____ Spouse/Partner A ____ Spouse/Partner B ____ Joint (shared custody) ____ Other *(specify)*_____ ☐ No children
23. County of decree:
24. Title of court:
Circuit
25. Signature of court official:
➡
26. Title of court official:
27. Date signed: *(mm/dd/yyyy)*

Information below will not appear on the certified copies of the record.

28. Spouse A's Social Security number: *(not required for RDP)*
29. Spouse B's Social Security number: *(not required for RDP)*

	30. Number of this marriage/RDP – first, second, etc.:		31. If previously married or in a RDP date last marriage/RDP ended:		32. Hispanic origin: Cuban, Mexican, Puerto Rican	33. Race(s): Black, White, etc.	34. Education – Specify only highest grade completed:	
	Marriage	RDP	By death, divorce, dissolution or annulment *(specify below)*	Date: *(mm/dd/yyyy)*	List all that apply *(specify below)*	List all that apply *(specify below)*	Elementary/Secondary: *(grades 0-12)*	College: *(1-4 or 5+)*
Spouse / Partner A	30a.	30b.	31a.	31b.	32a.	33a.	34a.	34b.
Spouse / Partner B	30c.	30d.	31c.	31d.	32b.	33b.	34c.	34d.