

Instructions for Changing Case from Separation to Dissolution (Divorce) Pre-judgment Packet No. 2E

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 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/partner sign the form before you submit it.

STEP 2

Make two copies of the form (one for you and one for your spouse/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/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:)
)
_____,)
)
Petitioner,)
)
and)
)
_____,)
)
Respondent.)

Case No. _____

STIPULATED ORDER ALLOWING
AMENDED PETITION

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.

DATED this ____ day of _____, 20____.

Circuit Court Judge

Print Name

Both parties have agreed to the terms of this Order.

Petitioner, Signature

Respondent, Signature

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