

# **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, and 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 file it.

## **STEP 2**

Make two copies of the form (one for you and one for your spouse/partner) and file the original with the Court Clerk or other appropriate location at the courthouse. Give (or send) your spouse/partner his/her copy.

## **STEP 3**

Wait a week to 10 days and check back to see if the judge signed the order. You may check by viewing the court's lobby computers or you may call the records department at your local courthouse.

## **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 Oregon Judicial Department, [www.courts.oregon.gov](http://www.courts.oregon.gov) or through your local court. When you fill out the Petition for Dissolution, print the word "amended" on the case heading.

## Linn County Resources and Referrals

### Linn County Circuit Court

P.O. Box 1749  
 300 SW 4th Street  
 Albany OR 97321  
 541-967-3845 #3 - Civil Department  
 541-967-3841 #2 - Criminal/traffic Department

<b>Mediation Coordinator</b>	541-967-3952
<b>Parent Education</b>	541-967-3952
<b>Family Court Specialist</b>	541-704-3479
<b>Court Copy Center</b>	541-812-8770

WEB SITES	
<b>Linn County Circuit Court</b>	courts.oregon.gov/linn
<b>Oregon Judicial Department</b>	courts.oregon.gov
<b>Oregon State Bar (select <i>Public Info</i>)</b>	oregonstatebar.org
<b>Child Support Computation Worksheet</b>	justice.oregon.gov/guidelines
<b>Center for Health Statistics (Vital Records)</b>	public.health.oregon.gov
<b>Legal Information</b>	oregonlawhelp.org

(Publications available on marriage, shared custody, financial planning and other topics)

RESOURCES	
<b>Children, Adults, &amp; Families Division</b> DHS - Self-Sufficiency 118 SE 2nd Ave Suite B - Albany, OR 97321	541-967-2078
<b>Department of Human Services</b> Child Welfare	541-967-2060
<b>Department of Justice</b> Division of Child Support-Albany Office 1245 Clay Street SE – Albany OR 97322	1-800-850-0228 541-967-2028
<b>Domestic Violence Help Hotline</b> CARDVA Hotline CARDVA Office	1-800-927-0197 541-754-0110 541-758-0219
<b>Legal Aid Service (services for low income participants)</b> 433 SW 4 <sup>th</sup> Avenue - Albany, OR 97321 Child Support Worksheet Hotline – Limited Hours	541-926-8678 1-800-383-1222
<b>Linn County Child Abuse Hotline</b>	541-757-5019 1-866-303-4643
<b>Linn County Clerks Office – Marriage</b> <small>Certificates</small>	541-967-3831
<b>Linn County Juvenile Department</b>	541-967-3853
<b>Linn County Law Library</b> 304 Broadalbin Street SW - Albany, OR 97321 (free general legal info library)	541-928-1095
<b>Linn County Sheriff Department</b> Civil Division (serving legal documents)	541-967-3907
<b>Oregon State Bar</b> Lawyer Referral Service	1-800-452-7636
<b>Military Assistance Panel</b> (application required)	1-800-452-7636
<b>Modest Means Program</b> (application required)	1-800-452-7636
<b>Problem Solver-Teen Program</b>	1-800-452-7636
<b>Tel-Law</b>	1-800-452-4776
<b>Senior and Disabled Services</b> 1400 Queen Avenue SE, Suite 206, Albany, OR 97322	1-800-638-0510 541-967-8630

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

\_\_\_\_\_,  
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, that the relief sought should be changed  
(Date)  
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 Readiness under UTCR 5.100**

This proposed order is ready for judicial signature as service is not required under UTCR 5.100 because this order is stipulated (signed by all parties).

**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.

**Submitted by:**

\_\_\_\_\_  
 Petitioner  Respondent signature Print Name

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