

Forms and Instructions for Converting Separation Judgment to Dissolution Judgment Packet No. 2F

This packet is for parties who have obtained a Judgment of Separation within the last two years.

STEP 1

Fill out the following forms:

- *Petitioner's/Respondent's Ex Parte Motion for Order to Show Cause Regarding Conversion of Judgment (MOTION)*
- *Affidavit in Support of Motion for Order to Show Cause Re: Conversion of Judgment (AFFIDAVIT)*
- *Record of Dissolution of Marriage (NCR Vital Statistics form); Available from your local court*

The case heading (names and case number) on each form will be the same as it was on the Separation Judgment. Fill out each form completely except the date and signature lines for the judge on the JUDGMENT. Make two copies of the MOTION and AFFIDAVIT.

STEP 2

A. IF YOUR SPOUSE/PARTNER HAS NOT CONSENTED TO THE CONVERSION:

Also fill out the following form:

- *Order to Show Cause Regarding Conversion of Judgment (ORDER TO SHOW CAUSE)*

Make copies and file the original MOTION, AFFIDAVIT, ORDER TO SHOW CAUSE, and NCR Vital Statistics form with the Court Clerk.

B. IF YOUR SPOUSE/PARTNER CONSENTED TO THE CONVERSION BEFORE FILING YOUR PAPERS:

Have your spouse/partner fill out and sign the following form:

- *Consent to Conversion and Waiver of Right to Hearing (CONSENT)*

Make copies. File the CONSENT and the JUDGMENT, together with the papers in Step 2(A) above, with the Court Clerk. Once the JUDGMENT has been signed, obtain a court-certified copy of it and serve your spouse/partner by mailing him/her a copy. After service, you will be finished and a hearing is not required because your spouse/partner consented to your request.

C. IF YOUR SPOUSE/PARTNER CONSENTS TO THE CONVERSION AFTER BEING SERVED WITH THE PAPERS IN STEP #3:

After being served (see Step #3 below), your spouse/partner may CONSENT to your request. The law allows your spouse/partner to file a written CONSENT at any time before the hearing. **If your spouse/partner CONSENTS** after being served with the papers, have your spouse/partner fill out and sign the form called "*Consent to Conversion and Waiver of Right to Hearing (CONSENT)*." Make copies and file the CONSENT and JUDGMENT with the Court Clerk. Once the JUDGMENT has been signed, obtain a court-certified copy of it and serve your spouse/partner by mailing him/her a copy. After service, you will be finished and a hearing is not required because your spouse/partner consented to your request.

STEP 3

THE INSTRUCTIONS BELOW ARE TO BE FOLLOWED IF YOUR SPOUSE/PARTNER HAS NOT CONSENTED TO THE CONVERSION BEFORE YOU FILE THE PAPERS IN STEPS #1 and #2(A).

Once the judge signs the ORDER TO SHOW CAUSE, obtain a court certified copy from the Court Clerk.

Serve your spouse/partner with certified copies of the AFFIDAVIT, MOTION and ORDER TO SHOW CAUSE. You may do this through the sheriff's office or through a private process server.

STEP 4

Attend the hearing at the time stated in the Order. Bring the final judgment (GENERAL JUDGMENT OF DISSOLUTION CONVERTED FROM JUDGMENT OF SEPARATION) with the original Judgment of Separation to the hearing. **The Judgment of Separation can't be changed in any way and must be attached to the final judgment.** If the court grants your request at the hearing, the judgment will be signed and a General Judgment of Dissolution will be entered.

ADDITIONAL RESOURCES
(Linn County Resources and Referrals)

Linn County Circuit Court

P.O. Box 1749
300 SW 4th Street
Albany OR 97321
541-967-3845 (civil department)
541-967-3841 (criminal/traffic department)

Mediation Coordinator 541-967-3952
Parent Education 541-967-3952
Family Court Specialist 541-704-3479

WEB SITES	
Linn County Circuit Court	www.courts.oregon.gov/linn
Oregon Judicial Department	www.courts.oregon.gov
Oregon State Bar (select <i>Public Info</i>)	www.osbar.org
Child Support Computation Worksheet	www.dcs.state.or.us/calculator
Center for Health Statistics (Vital Records)	www.oregon.gov/dhs/ph/chs
Legal Information	www.oregonlawhelp.org

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

RESOURCES	
Children, Adults, & Families Division DHS - Self-Sufficiency 118 SE 2nd Ave Suite B – Albany, OR 97321	541-967-2078
Department of Human Services Child Welfare	541-967-2060
Department of Justice Division of Child Support-Albany Office 118 SE 2nd Ave Suite B – Albany, OR 97321	1-800-850-0228 541-967-2028
Domestic Violence Help Hot-line CARDVA Hot-line CARDVA Office	1-800-927-0197 541-754-0110 541-758-0219
Legal Aid Service (for low income) 433 SW 4 th Avenue Albany, OR 97321	541-926-8678
Linn-Benton Mediation Services	541-928-5323
Linn County Child Abuse Hotline	541-757-5019 1-866-303-4643
Linn County Clerks Office – Marriage Certificates	541-967-3831
Linn County Juvenile Department	541-967-3853
Linn County Law Library (free general legal info library)	541-928-1095
Linn County Sheriff Department Civil Division (serving legal documents)	541-967-3907
Oregon State Bar Lawyer Referral Service	1-800-452-7636
Military Assistance Panel (application required)	1-800-452-7636
Modest Means Program (application required)	1-800-452-7636
Problem Solver-Teen Program	1-800-452-7636
Tel-Law	1-800-452-4776
Senior and Disabled Services 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 _____

In the Matter of the Marriage of:)
)
_____,) Case No. _____
Petitioner,)
and)
_____,) CONSENT TO CONVERSION;
Respondent.) WAIVER OF RIGHT TO HEARING;
) AND WAIVER OF PERSONAL
) SERVICE

For purposes of ORS 107.465, I hereby consent to Petitioner's Respondent's request that the Judgment of Separation previously entered in this case be converted to a General Judgment of Dissolution.

Further, I waive any right I have to a hearing on this issue.

I also waive any right I have to personal service of the Order Regarding Conversion of Judgment and agree to accept service by regular mail.

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.

Dated this _____ day of _____, 20_____.

Petitioner Respondent, Signature

Print Name

Address or Contact Address

City, State, Zip

Telephone or Contact Telephone

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

In the Matter of the Marriage of:)

_____,)

Petitioner,)

and)

_____,)

Respondent.)

Case No. _____

PETITIONER'S RESPONDENT'S
EX PARTE MOTION FOR ORDER TO SHOW
CAUSE REGARDING CONVERSION OF
JUDGMENT

Motion

I, Petitioner Respondent, request that the court issue an Order to Show Cause requiring the other party to this case to appear in Circuit Court in the _____ County Courthouse in _____, Oregon to show cause why the Court should not convert the Judgment of Separation granted on _____ to a General Judgment of Dissolution.
(Date)

Points and Authorities

ORS 107.465 allows the Court to convert a judgment of separation to a judgment of dissolution within two years after the entry of the judgment of separation.

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.

DATED: _____, 20 ____.

Petitioner Respondent, Signature

Print Name

Address or Contact Address

City, State, Zip

Telephone or Contact Telephone

I certify that this is a true copy:

 Petitioner Respondent, Signature

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

In the Matter of the Marriage of:)
)
_____,) Case No. _____
) Petitioner,)
and) ORDER TO SHOW CAUSE REGARDING
) CONVERSION OF JUDGMENT
_____,)
) Respondent.)

Based upon the motion and affidavit of the Petitioner Respondent on file herein;

IT IS HEREBY ORDERED that Petitioner Respondent appear by written response within thirty (30) days after service of this order, to show cause, if any there be, why an order in conformity with said motion should not be entered, converting the General Judgment of Separation herein to a Supplemental Judgment of Dissolution of Marriage.

DATED this ____ day of _____, 20____.

Circuit Court Judge

Print Name

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- 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 Telephone or Contact Telephone

I certify that this is a true copy: _____

Petitioner 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.

Submitted by:

Petitioner Respondent, Signature

Print Name

Address or Contact Address

City, State, Zip

Telephone or Contact Telephone

I certify that this is a true copy.

Petitioner Respondent, Signature