

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 OJIN (the court's computer system), or you may call the records department at your local courthouse. If your case is assigned to a particular judge, you may call that judge's 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 Oregon Judicial Department, www.ojd.state.or.us or through your local court. When you fill out the Petition for Dissolution, print the word "amended" on the case heading.