

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.