

# Instructions for Changing Case from Separation to Dissolution (Divorce) Pre-judgment

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/domestic partner 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 the packet of 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/domestic partner sign the form before you submit it.

## **STEP 2**

Make two copies of the *Order* form (one for you and one for your spouse/domestic 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/domestic partner.

## **STEP 3**

You must present the document to a judge. Lane County Supplementary Local Rule (SLR) 2.501 sets forth the procedure for presenting Ex Parte Orders and Judgments to a judge for signature. Review [SLR 2.501](#) or contact the Family Court Assistance Office for current information about the process for presenting documents to a judge and filing with the Court. You may submit a copy of your documents when you submit the originals. Once the court signs your documents, the clerk will conform your copies.

## **STEP 4**

If the judge allowed your request to file an amended petition, it is now okay to do so. You must also complete and file the *Record of Dissolution of Marriage, Annulment, or Registered Domestic Partnership* form that is also provided in the packet. It is required for all divorce cases in Oregon. 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 and use the same case number.

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/RDP.

*Judge Signature:*

\_\_\_\_\_

**Certificate of Readiness under UTCR 5.100**

This proposed judgment is ready for judicial signature because each party affected by this judgment has stipulated or approved the judgment, as show by the signatures on the judgment.

Submitted by:  Petitioner  Respondent

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

Both parties have agreed to the terms of this Supplemental Judgment.

\_\_\_\_\_  
Petitioner, Signature

\_\_\_\_\_  
Respondent, Signature

**RECORD OF DISSOLUTION  
OF MARRIAGE, ANNULMENT OR  
REGISTERED DOMESTIC PARTNERSHIP**

The petitioner or legal representative of the petitioner is responsible for completing the personal information on this form and shall present this form to the clerk of the court with the petition. In all cases the completed record shall be a prerequisite to the granting of the final judgment.

Case number: \_\_\_\_\_  
 Judgment type:     Dissolution of marriage     Annulment     Dissolution of registered domestic partnership(RDP)

**Spouse / Partner A**

1. Spouse/Partner A – Legal name: (first, middle, last, suffix)    2. Last name at birth: (not required for RDP)  
 3. Residence or legal address: (street and number) (city or town) (county) (state)  
 4. Other legal last names used:  
 5. Date of birth: (mm/dd/yyyy)    6. Birthplace: (state, territory or foreign country)

**Spouse / Partner B**

7. Spouse/Partner B – Legal name: (first, middle, last, suffix)    8. Last name at birth: (not required for RDP)  
 9. Residence or legal address: (street and number) (city or town) (county) (state)  
 10. Other legal last names used:  
 11. Date of birth: (mm/dd/yyyy)    12. Birthplace: (state, territory or foreign country)

**Marriage / Declaration**

13. Date of marriage / filing of RDP declaration: (mm/dd/yyyy)    14. Date couple last resided in same household: (mm/dd/yyyy)  
 15a. Place of marriage/RDP: (city, town or location)    15b. County:    15c. State or foreign country:  
 16. Number of children under 18 in this household as of the date in item 14:  
 Number: \_\_\_\_\_ None    17. Petitioner:  
 Spouse/Partner A     Spouse/Partner B     Both

**Attorney**

18a. Name of petitioner's attorney: (print)    18b. Address: (street and number or rural route number, city or town, state, ZIP code)  
 19a. Name of respondent's attorney: (print)    19b. Address: (street and number or rural route number, city or town, state, ZIP code)

**Judgment**

20. Marriage/RDP declaration of the above named persons was dissolved on: (mm/dd/yyyy)    21. Date judgment becomes effective: (mm/dd/yyyy)  
 22. Number of children under 18 whose physical custody was awarded to:  
 \_\_\_ Spouse/Partner A    \_\_\_ Spouse/Partner B    \_\_\_ Joint (shared custody)    \_\_\_ Other (specify) \_\_\_\_\_     No children  
 23. County of decree:    24. Title of court: **Circuit**  
 25. Signature of court official:    26. Title of court official:    27. Date signed: (mm/dd/yyyy)

Information below will not appear on the certified copies of the record.

**Spouse / Partner A**

28. Spouse A's Social Security number: (not required for RDP)				29. Spouse B's Social Security number: (not required for RDP)					
30. Number of this marriage/RDP – first, second, etc.:		31. If previously married or in a RDP date last marriage/RDP ended:		32. Hispanic origin: Cuban, Mexican, Puerto Rican		33. Race(s): Black, White, etc.		34. Education – Specify only highest grade completed:	
Marriage	RDP	By death, divorce, dissolution or annulment (specify below)	Date: (mm/dd/yyyy)	List all that apply (specify below)		List all that apply (specify below)		Elementary/Secondary: (grades 0-12)	College: (1-4 or 5+)
30a.	30b.	31a.	31b.	32a.	33a.	34a.	34b.		
30c.	30d.	31c.	31d.	32b.	33b.	34c.	34d.		

**Spouse / Partner B**