
(PETITIONER)

NO: _____ DIV. _____

VERSUS

22ND JUDICIAL DISTRICT COURT

PARISH OF _____

(DEFENDANT)

STATE OF LOUISIANA

Filed: _____

Deputy Clerk

PETITION FOR DIVORCE PURSUANT TO LA C.C. ART. 103

[Initial and complete the following information. If there are no initials or information is not provided, the court may not grant you relief.]

NOW INTO COURT comes _____, a person of the full age of majority and domiciled in the Parish/County of _____, State of _____ respectfully represents:

1.

Made Defendant herein is _____, a person of the full age of majority and domiciled in the Parish/County of _____, State of _____.

2.

The parties were married on _____, in the Parish/County of _____, State of _____.
[Date of Marriage]

3.

This court has jurisdiction over this petition because one or both spouses are domiciled in the State of Louisiana.

4.

This court is a court of proper venue for this petition because one of the following applies:

[Initial only ONE of the following:]

There are no children involved; and
_____ Defendant is domiciled or resides in this Parish.

There are minor children born or adopted during the marriage; and
_____ Either Petitioner or Defendant is domiciled in this parish;

OR

_____ This was the parish of the last matrimonial domicile of the parties.

5.

Petitioner seeks a divorce based on one of the following provisions of Louisiana Civil Code Article 103 *[Initial only ONE of the following paragraphs]:*

_____ The Petitioner and Defendant have minor children and have lived separate and apart continuously for at least three hundred and sixty five (365) days without reconciliation before the filing date of this Petition for Divorce, having physically separated on:

_____;

[Cont'd on next page]

OR

_____ The Petitioner and Defendant have no minor children and have lived separate and apart continuously for at least one hundred and eighty (180) days without reconciliation before the filing date of this Petition for Divorce, having physically separated on _____
_____;

OR

_____ The Defendant has committed adultery [provide specific information about dates, times, names and other details concerning the adultery you alleged occurred]: _____
_____;

OR

_____ The Defendant has committed a felony and has been sentenced to death or imprisonment at hard labor [provide the court, docket number and date of conviction; if not in the 22nd Judicial District Court, then provide certified copy of the felony court record];

OR

_____ The Defendant has physically or sexually abused Petitioner or a child of one of the Spouses. [provide specific information about names, dates, times and other details concerning the abuse you allege occurred]: _____

_____;

OR

_____ The Defendant, after a contradictory hearing or by a consent decree, has had a protective order or an injunction issued against Defendant to protect Petitioner or a child of one of the spouses from abuse [provide the court, docket number and date of the protective order or injunction issued against the Defendant]: _____
_____.

6.

_____ Neither party is an active member of the United States armed forces or any of its allies.

7.

_____ The parties did not contract or convert their marriage to a covenant marriage.

8.

Statement Regarding Children of the Marriage:

[Initial the ONE statement that applies]

_____ There are NO children born of or adopted during this marriage. [If this applies, skip to Paragraph 12.]

_____ There are no children born of this marriage or adopted by the parties who are still minors on the date this Petition is filed. [If this applies, skip to Paragraph 12.]

_____ The names and dates of birth of the children who are minors on the date this Petition is filed are:

_____ (CHILD'S NAME)	_____ (DATE OF BIRTH)	_____ (CHILD'S NAME)	_____ (DATE OF BIRTH)
_____ (CHILD'S NAME)	_____ (DATE OF BIRTH)	_____ (CHILD'S NAME)	_____ (DATE OF BIRTH)
_____ (CHILD'S NAME)	_____ (DATE OF BIRTH)	_____ (CHILD'S NAME)	_____ (DATE OF BIRTH)

9.

Petitioner believes it is in the best interest of the minor child(ren) that any custody order issued in connection with this Petition be rendered as follows:

[Initial ONE of the following AND include a brief factual statement as requested.]

_____ Petitioner requests that the parties be awarded joint custody with no designation of a domiciliary parent and the parties will submit a Joint Custody Implementation Plan which will outline when each parent spends time with the child(ren) and who is responsible for making decisions about the child(ren).

_____ Petitioner requests that the parties be awarded joint custody, with _____ designated as domiciliary parent, and with the parties sharing equal time with the minor child(ren) as follows: _____

_____ Petitioner requests that the parties be awarded joint custody, with _____ designated as domiciliary parent, and with custodial periods awarded to _____ as follows: _____

_____ The minor child(ren) are no longer in the care, custody and control of either Petitioner or Defendant; therefore, custody is not at issue.

_____ Petitioner requests that sole custody be awarded subject to one of the following visitation plans being implemented: [Initial only ONE of the following subparagraphs.]

_____ Petitioner requests that the Defendant be awarded reasonable visitation as follows: _____

_____ Petitioner requests that the Defendant be awarded supervised visitation as follows: _____

because _____

_____ Petitioner requests that the Defendant not be awarded any visitation for the following reasons: _____

10.

Petitioner believes the custody arrangement requested is in the best interest of the child(ren) for the following reason(s): _____

[Attach additional page(s), if necessary].

11.

[Initial only ONE of the below paragraphs]

_____ Petitioner acknowledges that he/she has the right to seek child support by contacting the Louisiana Child Support Enforcement Agency and intends to do so.

OR

_____ Petitioner requests that Defendant be ordered to pay child support because Defendant has income or is capable of earning sufficient money to contribute to the support of the minor child(ren) and asks the Court to order the Defendant to pay child support.

OR

_____ No child support is requested.

12.

[Initial only ONE of the below paragraphs]

_____ I am unable to support myself during the pendency of this proceeding and ask the Court to order the Defendant to pay interim spousal support to me.

OR

_____ I am not asking for an award of spousal support.

13.

[Initial this paragraph only if you want this relief.]

_____ I am asking the Court to confirm the use of my maiden name which is: _____

14.

[Initial this paragraph only if you want this relief.]

_____ I am asking for use and occupancy of the former family residence located at _____, or, alternatively, for reasonable rental income if the defendant is granted use and occupancy of the former family residence.

15.

[Initial only ONE of the following paragraphs:]

_____ Each party will pay their own costs.

_____ Petitioner requests that the Defendant be cast with all costs for the following reason(s):

16.

Other relief requested by Petitioner [include a brief factual statement]: _____

WHEREFORE, Petitioner prays that:

[Initial ALL that apply or the relief you want may not be granted]:

_____ Defendant be served with a citation and a certified copy of this Petition;

_____ Petitioner is allowed to confirm the use of her maiden name of _____

FURTHER, PETITIONER ASKS THE COURT TO SET A HEARING TO:

[Initial ALL that apply or the relief you want may not be granted]:

_____ Establish legal and physical custody of the minor children.

_____ Establish child support for the benefit of the minor children.

_____ Establish interim spousal support.

_____ Award use and occupancy of the former family residence or, alternatively for reasonable rental reimbursement if the defendant is granted use and occupancy of the former family residence.

_____ Other relief requested: _____

[Intentionally left blank]

PETITIONER FURTHER PRAYS that:

[Initial only ONE of the following]

_____ Each party pay their own costs;

OR

_____ Defendant be cast with all of the court costs of these proceedings.

By signing below, I do hereby certify that all of the foregoing is true and correct to the best of my knowledge and understand that any false statements may constitute perjury and may subject me to being held in contempt of court.

Initials of Petitioner

Respectfully submitted,

(SIGNATURE)

(PRINTED FULL NAME)

(STREET ADDRESS)

(CITY/STATE/ZIP CODE)

(TELEPHONE NUMBER)

(EMAIL)

_____ **DEFENDANT TO ACCEPT SERVICE**

OR

_____ **PLEASE SERVE:**

(DEFENDANT'S FULL NAME)

(STREET ADDRESS)

(CITY/STATE/ZIP CODE)

(DEFENDANT'S PHONE NUMBER)

(PETITIONER)

NO: _____ DIV. _____

VERSUS

22ND JUDICIAL DISTRICT COURT

PARISH OF _____

(DEFENDANT)

STATE OF LOUISIANA

Filed: _____

Deputy Clerk

RULE TO SHOW CAUSE SETTING HEARING ON INCIDENTAL MATTERS

Considering the Petition for Divorce Pursuant to La. C.C. Art. 103 and the relief sought therein:

IT IS HEREBY ORDERED that the Defendant, _____, show cause on the _____ day of _____, 20____, at _____ o'clock ____m. before the Hearing Officer and on the _____ day of _____, 20____, at _____ o'clock ____m. before the Judge why the relief sought in the Petition for Divorce Pursuant to La. C.C. Art. 103 should not be granted.

Signed in Covington/Franklinton, Louisiana this _____ day of _____, 20____.

JUDGE

DEFENDANT TO ACCEPT SERVICE

OR

PLEASE SERVE:

(DEFENDANT'S FULL NAME)

(STREET ADDRESS)

(CITY/STATE/ZIP CODE)

(DEFENDANT'S PHONE NUMBER)

[THIS PLEADING CANNOT BE DATED OR FILED UNTIL AFTER THE PETITION FOR DIVORCE IS FILED]

(PETITIONER)

NO: _____ DIV. _____

VERSUS

22ND JUDICIAL DISTRICT COURT

PARISH OF _____

(DEFENDANT)

STATE OF LOUISIANA

Filed: _____

Deputy Clerk

WAIVER OF SERVICE AND CITATION ON PETITION FOR DIVORCE

State of _____

Parish/County of _____

BEFORE ME, the undersigned Notary Public, on the date mentioned below, personally came and appeared _____, who is the defendant in the above-captioned suit for divorce, and who after being duly sworn, did depose and say:

I have been furnished with a certified copy of the Petition for Divorce Pursuant to La. C.C. Art. 103 and Request for Incidental Relief filed on _____ entitled "_____", bearing docket number _____ Division "_____" on the docket of the 22nd Judicial District Court for the Parish of _____, State of Louisiana and citation.

I do hereby formally and expressly acknowledge and accept service of a certified copy of said pleading and waive formal citation and service of process, all legal delays, notice of trial and appearance at trial.

THUS SWORN TO AND SUBSCRIBED in the presence of the undersigned Notary Public the _____ day of _____, 20__.

(DEFENDANT'S SIGNATURE)

(PRINTED FULL NAME)

(STREET ADDRESS)

(CITY/STATE/ZIP CODE)

(TELEPHONE NUMBER)

(EMAIL)

SWORN TO AND SUBSCRIBED

before me, on this _____ day of _____, 20__.

NOTARY PUBLIC, No.: _____

Printed Name: _____

My Commission Expires: _____

Seal:

[USE THIS FORM IF DEFENDANT HAS FILED AN ANSWER OR OTHER RESPONSIVE PLEADING. THIS CANNOT BE FILED UNTIL 15 DAYS AFTER THE DEFENDANT WAS SERVED.]

(PETITIONER)

NO: _____ DIV. _____

VERSUS

22ND JUDICIAL DISTRICT COURT

(DEFENDANT)

PARISH OF _____

STATE OF LOUISIANA

Filed: _____

Deputy Clerk

MOTION AND ORDER TO SET DIVORCE FOR TRIAL

[Initial and complete the following information. If there are no initials or information is not provided, the court may not grant you relief.]

NOW INTO COURT, comes Petitioner, _____, who
[Print Petitioner's Name]
Represents that a Petition for Divorce was filed on _____, and that
[Date Petition for Divorce Filed]
the Defendant filed an Answer to the Petition on _____, which is at
[Date Answer Filed]
least fifteen (15) days after the Defendant was served. Petitioner asks that this Court enter an
Order setting the divorce for trial.

WHEREFORE, Petitioner prays that this Court set the divorce for trial and represents that the trial will take less than two (2) hours.

Respectfully submitted,

(SIGNATURE)

(PRINT FULL NAME)

(STREET ADDRESS)

(CITY/STATE/ZIP CODE)

(TELEPHONE NUMBER)

(EMAIL)

Considering the Motion above,

IT IS HEREBY ORDERED that the divorce trial is set for trial on the _____ day of _____, 20__ at _____ o'clock __.m.

Signed in Covington/Franklinton, this _____ day of _____, 20__.

JUDGE

PLEASE SERVE:

(DEFENDANT'S FULL NAME)

(STREET ADDRESS)

(CITY/STATE/ZIP CODE)

(DEFENDANT'S PHONE NUMBER)

[USE THIS FORM IF DEFENDANT HAS NOT FILED AN ANSWER]

(PETITIONER) NO: _____ DIV. _____
VERSUS 22ND JUDICIAL DISTRICT COURT
PARISH OF _____
STATE OF LOUISIANA

(DEFENDANT)
Filed: _____ Deputy Clerk

MOTION FOR PRELIMINARY DEFAULT

[Initial and complete the following information. If there are no initials or information is not provided, the court may not grant you relief.]

NOW INTO COURT comes Petitioner and on suggesting to this Honorable Court:

1.
The Petition for Divorce was filed on _____, 20__.

2.
Service of the Petition for Divorce was made on Defendant as follows:

[Initial the ONE that applies]

_____ Defendant was served with the Petition for Divorce by the Sheriff on the ____ day of _____, 20__, which is more than fifteen (15) days prior to this request for entry of preliminary default; OR

_____ Defendant signed an Acceptance of Service that was executed or filed into this record on the _____ day of _____, 20__, which is more than fifteen (15) days prior to this request for entry of preliminary default.

_____ Service was made via Louisiana Long Arm Statute, La. R.S. 13:3201, *et seq.*, and the Affidavit with the attached proof of service was filed into the record on _____, 20__, which is more than thirty (30) days prior to this request for entry of Preliminary Default.

3.
No Answer or other responsive pleading has been filed by the Defendant and Petitioner asks this Court to enter a Preliminary Default against the Defendant pursuant to law.

Respectfully submitted,

(SIGNATURE)

(PRINTED FULL NAME)

(STREET ADDRESS)

(CITY/STATE/ZIP CODE)

(TELEPHONE NUMBER)

(EMAIL)

[TO BE FILED WITH CHECKLIST AND 2 COPIES OF THE PROPOSED JUDGMENT OF DIVORCE]

(PETITIONER) NO: _____ DIV. _____

VERSUS

22ND JUDICIAL DISTRICT COURT

PARISH OF _____

(DEFENDANT)

STATE OF LOUISIANA

Filed: _____ Deputy Clerk

AFFIDAVIT IN SUPPORT OF REQUEST FOR DIVORCE

State of _____
Parish/County of _____

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in this State and Parish, personally came and appeared _____, who, after being duly sworn did attest and testify as to the truth of all of the factual allegations by initialing next to the applicable sections below and by signing his/her name below:

Petitioner, _____, is domiciled in _____ Parish/County, State of _____. Defendant, _____, is domiciled in _____ Parish/County, State of _____.

The parties are husband and wife, having married on _____ in _____, State of _____. Their last matrimonial domicile was in _____ Parish, Louisiana. The parties have not contracted or converted their marriage to a covenant marriage.

Neither party is a member on active duty for the United States military or any of its allies.

[Initial the ONE that applies:]

_____ There are no children born of/adopted of the marriage who are minors.

OR

_____ There are children of the marriage who are minors.

Petitioner and defendant voluntarily have lived separate and apart continuously without reconciliation since _____ [fill in date of physical separation].

Petitioner requests that a judgment of divorce be granted.

Affiant's Signature

SWORN TO AND SUBSCRIBED

before me, on this ____ day of _____, 20__.

NOTARY PUBLIC, No.: _____

Printed Name: _____

My Commission Expires: _____

Seal:

(PETITIONER)

NO: _____ DIV. _____

VERSUS

22ND JUDICIAL DISTRICT COURT

PARISH OF _____

(DEFENDANT)

STATE OF LOUISIANA

Filed: _____

Deputy Clerk

JUDGMENT OF DIVORCE

This matter came for hearing on the ____ day of _____, 20__.

Either:

____ Present in court: _____, Petitioner/Self-Represented Litigant; and
_____, Defendant/Self-Represented Litigant.

The parties were sworn and testimony was taken or the hearing was waived and based upon the evidence filed in the record or offered into evidence, the Court enters Judgment as follows:

OR

____ The hearing having been waived by the Court after a review of the record and, based upon the law and the record, the Court enters Judgment as follows:

IT IS ORDERED, ADJUDGED AND DECREED that, _____, is hereby granted an absolute divorce *a vinculo matrimonii* forever dissolving the bonds of matrimony that existed between Petitioner and Defendant.

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that the right of the wife to use her maiden name of _____ is confirmed.

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that court costs are allocated as follows:

- ____ Petitioner is cast with all court costs.
- ____ Defendant is cast with all costs.
- ____ Court costs are to be shared equally by the parties.

Judgment read rendered and signed in Open Court/Chambers in Covington/Franklinton, Louisiana on the ____ day of _____, 20__.

JUDGE