SELF-REPRESENTED LITIGANT PETITION FOR 103(1) DIVORCE (WITH MINOR CHILDREN) FOR DIVORCE ISSUE ONLY and FOR REQUESTING USE OF ALLOWED LAST NAME

WHO CAN USE THESE FORMS?

You can only use these forms if ALL of these are true:

- You and your spouse are **currently pregnant** <u>or</u> **have children, regardless of paternity,** currently under age 18 that were born <u>or</u> adopted during your marriage;
- You and your spouse have already been living separate and apart for at least 365 days;
- You or your spouse currently live in Louisiana;
- Your spouse is **not** in prison;
- Your spouse is **not** a servicemember on active duty in the U.S. Military; and
- You and your spouse **are not** in a "covenant marriage." (You would have agreed to premarriage counseling and a longer time for living separate and apart. You would have also completed a "Declaration of Intent" and filed it with your marriage certificate.)

BEFORE YOU START

Please note that these forms are for an uncontested divorce only. The forms do not address spousal support, child support, domestic abuse, or community property. **You may need to address these issues using separate forms or by finding a lawyer to represent you.** You should consult a lawyer before using these forms if domestic violence or interim spousal support relief are essential to your case as the timing of a divorce may affect the relief obtained.

You will be filing your divorce as a "self-represented litigant." That means you are moving your case forward without a lawyer. As the person suing for divorce, you are the "Petitioner" and your spouse is the "Defendant." All the forms you need to file for a divorce are attached or referenced in these instructions. The forms assume that your spouse will not challenge or respond to the divorce.

To learn more about the divorce process, visit <u>LouisianaLegalNavigator.org</u> or <u>LouisianaLawHelp.org</u>. To find help, visit <u>bit.ly/legal-referrals</u> or <u>http://www.LSBA.org/goto/FindLegalHelp</u>.

HOW TO COMPLETE THE FORMS

Read instructions all the way through before starting.

- 1. **Decide in which court you must file your case.** If you file your case in the wrong court, you might lose your filing fees. If the case accidentally goes forward in the wrong parish, your divorce will not be valid, and you will not be legally divorced. You can only file your divorce case in:
 - The parish you are currently "domiciled" in (which means where you live and is your permanent/legal home); **OR**
 - The parish your spouse is domiciled in; **OR**
 - The parish where you and your spouse last lived together as a married couple.

Most people file their divorce where they are currently domiciled.

2. Consider how you will serve your divorce on your spouse. If you and your spouse agree about getting a divorce and are willing to speak about the process, you can ask your spouse to "waive" service of process and other legal delays. This will make the process go faster. Your spouse will just need to sign a waiver form before a notary. If your spouse will not waive service and they live in Louisiana, you must ask the court to have the Sheriff serve him/her at home or work. If your spouse will not waive service and they live in another state, you will have to use the "Long Arm" process to serve your spouse (more instructions below).

- **3. Figure out your case "filing fees."** To do that, call the Clerk at the Court you decided to file your case in and ask about the costs to file for divorce. If you can pay the court fees, get your payment ready a money order or debit/credit card is best. If you cannot afford to pay the court fees, you can fill out an "IN FORMA PAUPERIS AFFIDAVIT" or "IFP" (bit.ly/in-forma-pauperis). The IFP asks the court to *delay* (but not eliminate) the cost of filing. **You may still have to pay fees at the end of the case.** The court could also order your spouse to pay them, or the two of you to split the costs, but you must ask for the payment arrangement you want in your petition. If required, fill out the IFP but do not sign it yet.
- 4. Get your petition ready to file. Fill in the top part (called the "caption") and all blanks on the pages marked "(1a PETITION)" and "(1b VERIFICATION)," but do not sign yet. Find a notary (bit.ly/la-notaries), ask about their fees, and schedule an appointment. Bring your Photo ID and your original, unsigned documents to your appointment. If you are filing the "IFP," bring an adult witness that can speak to your financial situation to your appointment as well. Sign the VERIFICATION (and IFP, if required) in front of the notary. Make at least one (1) copy of your completed PETITION.
- File your petition with the court. Take your filing fees or IFP, your copy of the PETITION, and all of the original pages marked with "1a" and "1b" at the bottom to the Clerk of Court's Office where you will file your case. Go to the Civil Department and tell the staff that you do not have a lawyer, and that you want to file your divorce. Ask the Clerk of Court to stamp a date AND write the docket number of your case on your copy of the PETITION. You will need your docket number and the date you filed your petition for other documents you file in your case. Keep your copy of the Petition for Divorce in a safe place.
- **6a. If your spouse is willing to waive service of process**, ask the Clerk of Court's office for a "certified copy" of your Petition when you file. Hand or mail your spouse the certified copy of your divorce, along with the "Sworn Affidavit of Waiver of Service and Process," which is marked "(2a WAIVER)." They will need to find a notary and sign the WAIVER in the notary's presence, then get the waiver back to you or file it directly with the Clerk of Court. If your spouse doesn't file it for you, you must file the WAIVER in your case with the Clerk of Court. After the WAIVER is filed, you then must wait two days (not counting holidays or weekends) before moving on to Step 7 below.
- **6b.** If regular service is required on your spouse and they live in <u>Louisiana</u>, you will provide information about how to serve them at the end of the PETITION. About 1-2 weeks after you have filed your case, call the Clerk of Court's office to check to see if your spouse has been "served" by the Sheriff. Once the Clerk of Court's office tells you that your spouse has been served, you must wait at least twenty-one (21) days from the date your spouse was served before moving on to Step 7 below.
- 6c. If regular service is required on your spouse and your spouse lives in another state, ask the Clerk of Court for a "certified copy" of your Petition and a "Citation for Long Arm Service" when you file. Have the certified copy of the Petition delivered to your out-of-state spouse at their physical address either by USPS certified mail or a commercial delivery service (like FedEx or UPS). You must have a return receipt or proof of delivery to submit to the court. Once you receive the return receipt or proof of delivery, fill out the AFFIDAVIT OF LONG ARM SERVICE, which is marked "(2b LONG ARM)" and sign it in front of a notary. Then, you may file that document and your proof of delivery in your case with the Clerk of Court. You must then wait thirty (30) days from the date you filed the AFFIDAVIT OF LONG ARM SERVICE before moving on to Step 7 below.
- 7. **Call the Clerk of Court to check the status of your case**. Make sure your spouse has not filed an "Answer" or other pleading. If your spouse has filed an "Answer" to the lawsuit, check with the court to see if any hearings have been scheduled. When you call, ask the Clerk of Court whether you are required to file the form titled "APPENDIX 28.1B: LA. C.C.P. ART. 1702(F1) DIVORCE CHECKLIST." Also ask the Clerk of Court if the assigned judge requires in-court testimony and not Affidavits of Correctness.

- 8. Finalize your divorce paperwork. If nothing has been filed by your spouse, the next step is to complete the form marked "(3-AFFIDAVIT OF CORRECTNESS)" and sign it in the presence of a notary! If the Clerk of Court told you that you do not have to fill out the "Appendix 28.1B Divorce Checklist" mentioned above, make sure you fill out the "Petitioner's Certification" on the page marked "(4-DEFAULT JUDGMENT)." For the "Petitioner's Certification" you will need to know the date of service and whether it was domiciliary or personal service.
- 9. **File for your Judgment of Divorce.** Bring a copy and the original of: the AFFIDAVIT OF CORRECTNESS (marked "(3-AFFIDAVIT OF CORRECTNESS)"), the DEFAULT JUDGMENT OF 103(1) DIVORCE with MINOR CHILDREN (marked "(3-DEFAULT)"), and the completed Appendix 28.1B DIVORCE CHECKLIST (if necessary) to the Clerk of Court's office. Ask the Clerk of Court to have a Judge sign them.

You are considered legally divorced as of the date your Judge has **signed y**our DEFAULT JUDGMENT OF 103(1) DIVORCE with MINOR CHILDREN. If you were granted "In Forma Pauperis" status, the court should send you a certified copy of your Default Judgment of Divorce. If not, you can request one for a fee. Keep this certified copy for your records.

All litigants are better off when represented by a licensed lawyer. For help finding representation, visit bit.ly/legal-referrals or www.LSBA.org/goto/FindLegalHelp. If you do not understand a legal term, need to have a hearing in open court, or need to clarify the correct response or application to your situation, you may seek advice from a lawyer or more information from the following resources:

Law Library of Louisiana: www.lasc.libguides.com/resources-for-self-represented-litigants

Louisiana Civil Legal Navigator: www.louisianalegalnavigator.org

Louisiana LawHelp: www.louisianalawhelp.org

Free Legal Answers: <u>LA.freelegalanswers.org</u>

	*	JUDICI	AL DISTRICT COURT
PETITIONER	*		
VERSUS	*	DOCKET NO:	DIV
	*		DADIGH A OVYGVANA
DEFENDANT	*		PARISH, LOUISIANA
PETITION FOR	2 103(1) DI	VORCE WITH MINO	AP CHII DPFN
		DRCE ISSUE ONLY	A CHIEDREIT
The petition of			, (print your name)
a major domiciled in the County	y/Parish of	,(print name of county/parish
where you live) State of		, respectfully	represents that this court is
he appropriate venue because:	(check all t	hat apply)	
		ne parish of filing. er as spouses in the paris 1.	sh of filing.
The defendant is			, (print spouse's name) a
major currently domiciled in the			
county/parish where your spou			
		2.	
The parties were married	d on the	day of	,
(print date of marriage) in		County/Par	rish, State of
, (print	t county/pa	rish and state where yo	u and your spouse were
narried) and last lived as spous	ses in	Cou	nty/Parish, State of
·		3.	
Petitioner and defendant	t physically	separated on the	day of,
, (print date of physi	ical separat	tion) and have continued	I to live separate and apart
since that time with the intent to	be divorce	ed.	
		4.	
The Defendant is not a s	service men	nber in military service a	as defined by the Military

The Defendant is not a service member in military service as defined by the Military Servicemembers Civil Relief Act (SCRA), and this was not a covenant marriage.

(1a - PETITION)

There are (print number of minor children) minor children of the marriage,
whose names and ages, are (print your child(ren)'s name(s) and age(s) from oldest to younges
separated by commas):
6.
Petitioner requests and is entitled to a divorce under the provisions of Civil Code Article
103(1), based on the parties having lived separate and apart for more than 365 days without
reconciliation before the filing date of this Petition for Divorce.
7.
Petitioner (<i>check</i> , <i>if applicable</i>) wishes to have his/her name last name confirmed as
Defendant (<i>check</i> , <i>if applicable</i>) wishes to have his/her name last name confirmed as
·
(If you or your spouse took the other's last name during the marriage and want to return to:
(1) a pre-marriage last name, (2) the name of your/their minor children, or (3) the last name
on a birth certificate, print the last name. <u>Do not check this off for your spouse</u> unless you
have asked, and they have told you they would like this. If you do not need this, do not check
the boxes.)
7
7. The Defendant is not an active duty service member with the U.S. Armed Forces on its
The Defendant is not an active-duty service member with the U.S. Armed Forces or its
allies, as defined by the Military Servicemembers Civil Relief Act (SCRA), and the spouses did
not enter into a covenant marriage.
8.
(check if filling IFP) Petitioner, due to poverty and want of means, is unable to pay the
costs of this suit and desires to file and prosecute this action under the provisions of LA C.C.P.,
Articles 5181-5188. (If you do not need this, put a line across the number 8.)
WHEREFORE, petitioner prays that after all legal delays and due proceedings, that
there be judgment granting petitioner a divorce, that the requested pre-marriage name(s) be
more of Jacobine Branches a divorce, that the requested pre maintage name(s) be

confirmed, and for all general and equitable relief.

PETITIONER FU	RTHER PRAYS that: (select one of the following)		
Petitioner	Petitioner be cast with the costs of these proceedings.		
Defendant	Defendant be cast with the costs of these proceedings.		
The partie	s share the costs of these proceedings in equal amounts.		
	Respectfully submitted by:		
	PETITIONER, Self-Represented (signature)		
	Print your name and address:		
	Telephone No		
	Email Address*		
	*(Provide a private and secure email address. You <u>must</u> regularly check this address because you may be served official court documents during the case).		

(Check one of the service options below)

<u>C</u>]	LERK OF COURT:
	NO SERVICE IS REQUIRED AS THE DEFENDANT WILL ACCEPT SERVICE (Please provide a certified copy of the Petition to the Petitioner)
	PETITIONER WILL COMPLETE LONG ARM SERVICE (Please provide a certified copy of the Petition to the Petitioner)
	PLEASE SERVE DEFENDANT:
	(Fill in name and physical home or work address)
	Best days/times to serve:

	*	JUDICI	AL DISTRICT COURT
PETITIONER	*		
VERSUS	*	DOCKET NO:	DIV
	*		PARISH, LOUISIANA
DEFENDANT	*		
	<u>VE</u>	RIFICATION	
STATE OF			
PARISH/COUNTY OF			
BEFORE ME, th	e undersigned au	thority, personally cam	ne and appeared:
-	P	ETITIONER	
who, after being duly sv	vorn, did depose	and say that:	
The undersigned i	is the petitioner i	in the above-entitled m	natter, and all of the allegations
_	_		er knowledge, information, and
belief.			or 11110 1120 ago, 11110 11110 111, 11110
-	PETITION	ER (Affiant) Signatur	re
SWODN TO ANI	n ciidcadidei	Dhafara ma natawy th	is day of
		D before me, notary, the	as day of
;	, 20		
	NO	ΓARY PUBLIC	_

(1b - VERIFICATION)

(Print name and notary/bar roll number)

	*	J	UDICIAI	L DISTRICT COURT
PETITIONER	*			
VERSUS	*	DOCKET N	iO:	DIV
	*			
DEFENDANT				PARISH, LOUISIAN
	*			
ACCEPTANCE OF SI AND ALL LEGAL				
TATE OF				
COUNTY/PARISH OF				
BEFORE ME, the undersigned Nota	ary Publ	ic, duly commis	ssioned and	d qualified in this state,
ersonally appeared:				
	DF	EFENDANT		
Who, after being duly sworn, did de	pose an	d state that they	are the De	efendant in the above and
oregoing numbered and entitled cau	use and	that:		
1. Defendant acknowledges and	d accept	s receipt of a ce	rtified cop	y of the Petition for
Divorce in the above number	red and	entitled case;		
2. Defendant expressly waives	the issu	ance of formal of	citation, se	rvice of process, all legal
delays, notice of trial, and ap	pearanc	ce at trial; and		
3. Defendant acknowledges that	t by sig	ning this waiver	, Petitione	r will be able to go forward
and obtain a Default Judgme	nt of Di	ivorce in Defend	lant's abse	ence.
4. Defendant would like to reve	ert to the	eir pre-marriage	name of _	
(Put a line through this sem	tence if	you do not need	d to chang	e your last name.)
			Defendan	t (Affiant) signature
			(Print nat	me)
SWORN TO AND SUBSCRIBI	ED BEF	FORE ME, NOT	'ARY PUE	BLIC
THIS DAY OF				
	_			
NOTARY PUBLIC				
(Print name and No.)				

(2a - WAIVER)

		JU	DICIAL DI	ISTRICT COURT
PETITIONER	*			
VERSUS	*	DOCKET NO):	DIV
	*			
DEFENDANT	*			PARISH, LOUISIAN
<u>AFF</u>	<u>IDAVIT O</u>	OF LONG ARM S	<u>ERVICE</u>	
ГАТЕ ОF				
ARISH/COUNTY OF				
EFORE ME, the undersigned	Notary Puł	olic, duly commissi	ioned and au	alified in this state.
ersonally appeared:	J	, ,	1	,
-		ETITIONED		
	Ρ.	ETITIONER		
ho, after being duly sworn, d	_	_	re the Petitio	oner in the above and
regoing numbered and entitle	d cause and	that (check one):		
ter having enclosed it in an enclosed affixed, and deposited are date you mailed the documents of the Defendant of the Defendant of the Defendant of the Service you used), a commercial ditation. The delivery was made	in the Unite ents by regalis attached s of	ed State mail onistered/certified material to this affidavit and(was make delivery of	ail). The return d will be file write in the control a certified control	(write in arn receipt from the ed into the record. commercial delivery opy of the Petition and
the following address:				
<i>ldress</i>). The confirmation of cord.	lelivery is a	attached to this affic	davit and wil	l be filed into the
		– P		fiant) signature
SWORN TO AND SUBSC	RIBED RE	FORE ME. NOTA	RY PURLIC	3
THIS DAY O		ŕ		
NOTARY PUBLIC				
(Print name and notary/ba	r roll numl	ner)		
(1 i iii iiiiii unu noiui y/bu		– LONG ARM)		

	*	CDICI	LDISTKI	ICT COURT
PETITIONER	*			
VERSUS	* DOCKET	NO:	D	IV
	*			
DEFENDANT	- *		I	PARISH, LOUIS
	*			
AFI	IDAVIT OF CORREC	TNFCC		
TATE OF				
ARISH/COUNTY OF				
BEFORE ME , the undersi	gned notary public, perso	onally cam	e and appe	eared:
	DEGRACIONED			
	PETITIONER			
Who, being duly sworn, did de	pose and state:			
1. That Petitioner is a person of	of the full age of majority	y and who	, when the	petition was filed,
was domiciled in				_
	County/	i airsii, bu	or	,
(print name of county/parish	•			
(print name of county/parish	and state where you live	d at the tii	ne the peti	
	and state where you live	d at the tii	ne the peti	
(print name of county/parish	and state where you live	d at the tin	ne the peti	tion was filed)
(<i>print name of county/parish</i> at 2. That they are the petitioner	and state where you live in the above entitled and or who is currently domi	d at the tind the tind the distance of the dis	ne the peti	tion was filed)
(print name of county/parish of 2. That they are the petitioner3. That the defendant is a major	and state where you live in the above entitled and or who is currently domi	d at the tind the tind the distance of the dis	ne the peti	tion was filed)
(print name of county/parish of 2. That they are the petitioner3. That the defendant is a major County/Parish, State of	in the above entitled and or who is currently domi	d at the tind the distribution of the distribu	ne the peti	tion was filed)
 (print name of county/parish of 2. That they are the petitioner 3. That the defendant is a major County/Parish, State of	in the above entitled and or who is currently domi	d at the tind at t	ne the peti d action; unty/parish day of _	tion was filed) and state where
 (print name of county/parish of 2. That they are the petitioner That the defendant is a major County/Parish, State of	in the above entitled and or who is currently doming the control of the control o	d at the tind numbered ciled in	d action; unty/parish day of _ together	and state where
 (print name of county/parish of 2. That they are the petitioner That the defendant is a major County/Parish, State of	in the above entitled and or who is currently doming the control of the control o	d at the tind numbered ciled in	d action; unty/parish day of _ together	and state where
 (print name of county/parish of 2. That they are the petitioner That the defendant is a major County/Parish, State of	in the above entitled and or who is currently doming the control of the control o	d at the tind at t	ne the peti d action; unty/parish day of _ together	and state where as spouses in order (print name of
 (print name of county/parish of 2. That they are the petitioner 3. That the defendant is a maje County/Parish, State of	in the above entitled and or who is currently doming the control of the control o	d at the tind at t	ne the peti d action; unty/parish day of _ together	and state where as spouses in order (print name of
(print name of county/parish of 2. That they are the petitioner 3. That the defendant is a maje County/Parish, State of	in the above entitled and or who is currently doming the control of the control o	d at the tind numbered ciled in ame of course statistical lived	d action; unty/parish day of _ together	and state where as spouses in (print name of
 (print name of county/parish of 2. That they are the petitioner 3. That the defendant is a maje County/Parish, State of	in the above entitled and or who is currently doming the control of the control o	d at the tind numbered ciled in ame of course lived st lived children) course the	d action; d action; day of _ together children bot	and state where as spouses in (print name of
 (print name of county/parish of 2. That they are the petitioner 3. That the defendant is a maje County/Parish, State of	in the above entitled and or who is currently doming the control of the control o	d at the tind numbered ciled in ame of course lived st lived st lived thildren) course for the the grantion is a separation of the the grant is a separation of the the grantion is a separation of the the grantion of the	d action; day of _ together children both day n) and hav	and state where as spouses in (print name of
 (print name of county/parish of 2. That they are the petitioner 3. That the defendant is a maje County/Parish, State of	in the above entitled and or who is currently doming the control of the control o	I numbered ciled in ame of country con the thildren) con the the separation with the	d action; day of _ together children both day n) and have intent to be	and state where as spouses in (print name of of e remained living e divorced;

(3 – AFFIDAVIT OF CORRECTNESS)

	allies, as defined by the Military Servicemembers (SCRA) Civil Relief Ac	t, and the
	spouses did not enter into a covenant marriage.	
	PETITIONER	
	SWORN TO AND SUBSCRIBED before me, on thisday of	
20		
20	 ·	
	NOTARY PUBLIC	
	(Print name and notary/bar roll number)	

8. The Defendant is not an active-duty service member with the U.S. Armed Forces or its

 $(3-AFFIDAVIT\ OF\ CORRECTNESS)$

PETITIONER	*		
VERSUS	*	DOCKET NO:	DIV
	*		D. D. D. C. V. O. V. C. V.
DEFENDANT	*		PARISH, LOUISIAN
DEFAULT JUDGMEN	NT OF 10	3(1) DIVORCE with M	IINOR CHILDREN
This 103(1) Divorce with m	inor child	lren matter came before t	he Court pursuant to La.
— C.C.P. Art. 1702(F1 or F2). The G	Court <u>did</u>	not require a hearing in	a open court and having
considered the entire record in the	is matter,	including the: (check all	that apply)
Sworn Affidavit o	f Waiver	by the Defendant.	
		•	acts in this case and that there
are minor children		_	
APPENDIX 28.1E	3 Checklis	st,	
and upon finding the law and evid	dence in f	avor of the Petitioner, re	ndered and signed the Default
udgment which shall also be ent	ered in the	e minutes of this Court:	
	OR (p	please select one)	
This 103(1) Divorce with m	inor child	lren matter came before t	he Court on the day
of, 20			
Parties who were present were:	Petit	ioner Defendant.	
Γhe Court having considered the	entire rec	ord in this matter, the tes	stimony of the witnesses, and
after finding the law and evidence			•
IT IS ORDERED, ADJ	UDGED,	AND DECREED that t	here be a judgment in favor
of petitioner		(print your no	ame) and against defendant
	, (p	rint your spouse's name	e) decreeing a divorce between
he parties on the basis of the part	ties having	g lived separate and apar	t continuously and without
reconciliation for a period of 365	days or n	nore prior to the filing of	the Petition for Divorce, and
hat there are minor children of the	ne marriag	ge, as per Civil Code Arti	icle 103(1).
(check if applicable) DECREED that:	IT IS FU	URTHER ORDERED, A	ADJUDGED, AND
Petitioner's last	name is co	onfirmed as	, (print
			
your pre-marria	ge last na	<i>ume, if required)</i> which i	s his/her pre-marriage

(4 – DEFAULT JUDGMENT)

Defendant's last name is o	confirmed as, (<i>print</i>
your spouse's pre-marria	age last name, if required) which is his/her pre-
marriage last name.	
IT IS FURTHER ORDERED, ADJUDG	GED, AND DECREED that all costs associated with
Defendant (because Petition prevailed in this matter)	ner was granted In Forma Pauperis status and
	(other cost arrangement)
☐ IT IS FURTHER ORDERED, A	DJUDGED, AND DECREED that, pursuant to
Louisiana Code of Civil Procedure Article	5184(A)(4) and Petitioner's In Forma Pauperis
status, the Clerk of Court shall provide pet of 103(1) Divorce with Minor Children.	titioner with a certified copy of the Default Judgment
JUDGMENT RENDERED this, Louisiana.	day of, 20, at
DIS	TRICT JUDGE
	Respectfully submitted by:
	PETITIONER, Self-Represented (signature)
	Print your name and address:
	Telephone No
	Email Address*
	*(Provide a private and secure email address You <u>must</u> regularly check this address because you may be served official court documents during the case).

 $(4 - DEFAULT\ JUDGMENT)$

Clerk's Certification

I hereby certify that a review of the record reveals that no this case.	answer or other responsive pleadings have been filed in
Deputy Clerk	Date
Petitioner's Ce (sign and date below to indicate that	
I hereby certify that defendant:	
Was served domiciliary/personal (circle one) on	(write the date of service)
	, (write the date of service) and the Affidavit (fill in the date you filed the Affidavit of
Has executed a sworn Acceptance of Service and herein on (fill in the date	Waiver of Citation and all Delays, which was filed the waiver of service)
Petitioner	Date
CLERK OF COURT: Please send a copy of the judgment to both parties	at the following addresses:
PETITIONER	DEFENDANT
Fill in your name mailing address)	(Fill in your spouse's name mailing address)
	

(4 – DEFAULT JUDGMENT)

APPENDIX 28.1B: LA. C.C.P. ART. 1702(F) DIVORCE CHECKLIST

LOUISIANA CIVIL CODE ARTICLE 103(1) OR ARTICLE 103(5) DIVORCE Certification for Default Judgment under Louisiana Code of Civil Procedure Article 1702(F)

Note: Must be completed by Petitioner or his/her attorney and submitted/filed with the Judgment of Divorce.

Petitioner			DOCKET NUMBER:				
		Versus					
Defendant			PARISH OF				
A.	Da 1	Petition for Divorce:				tition Filed	
3		Parties physically separa Service of the Petition: a. If Sheriff's return is i	ted: n the record, indicate date and type of service:		Date of	Separation	
		Personal/Domiciliary		the relationship?	Date of	Service	
			OR e is filed into the record, provide date of	OR			
		execution and filing:	• •		Date Waiver Execute Date Waiver Filed		
В.	Del	ays (choose applicable pa	ragraph)				
			ince the service of citation upon the defendant. ed with the petition and thirty days have elapsed s	since	□Yes	□No	
	s 3. 1	ervice of citation and serv The demand is for divorce holidays, have elapsed sind	ice of the discovery request on the defendant. under Civil Code Article 103(1) and two days, exclude the filing of a sworn affidavit by the defendant of the petition, waiving formal citation, service of	usive of acknowledging	□Yes	□No	
		legal delays, notice of trial	, and appearance at trial?		□Yes	□No	
C.	Ple	adings & Notice Requiren	nents		_	_	
	1. 2.	Is the Petition for Divorce Are proper jurisdiction as	e in the record? nd venue expressly alleged in the Petition?		∐Yes □Yes	∐No □No	
	3.	Does the petitioner's Aff to the facts sufficient to If the defendant has made	idavit submitted or filed with the Judgment specification a divorce or will testimony be offered in lied an appearance in the case, was notice that the ain a default judgment sent by certified mail to co	u thereof?	□Yes	□No	
		for the defendant, or to	the defendant if self-represented, at least seven dudgment, or is there a filed waiver of the notice by	ays before the		or Waiver); or o both	
	5.	the divorce action after it default judgment sent by	endant has contacted the petitioner in writing con has been filed, was notice that the petitioner inte certified mail to counsel of record for the defenda of this default judgment, or is there a filed waiver	ends to obtain a ant, at least seven			
	by the defendant?				□Yes; □Yes (□No to	Waiver); or	
	6. <i>A</i>	Are the original and at leas	t one copy of the proposed final judgment attache	ed?	□Yes	□No	
D.	Gro	ounds for Divorce (La. C.C.	Art. 103/C.C.P. Art. 1702(F))				
	1.	The parties have minor cor more without reconci		365 days	□Yes	□No	
	2.		or children and have been living separate and apar liation.	rt 180 days	□Yes	□No	
	3.	On//20, after a co	unction				
	pro	tect the petitioner who se	eeks the divorce or a child of one of the spouses fro	om abuse.	□Yes	□No	
	1 1	s a certified copy of this p	rotective order or injunction attached and introdu	ced into evidence	? □Yes	□No	

PETITIONER'S/ATTORNEY'S CERTIFICATION									
	camined the record or conformed copies of all p								
information provided herein is t	rue and correct based upon my personal knowledge	e, information, and belief.							
	<u></u>								
Date of Record Examination	Signed by Petitioner/Attorney for Petitioner	Attorney's Bar Number							
Date of Certification	Address	Telephone Number							
	OLEDWIC CERTIFICATION								
CLERK'S CERTIFICATION I hereby certify that I have examined the record of this case and no answer or other pleading has been filed within the time									
prescribed by law or the court.	tallined the record of this case and no answer o	other pleading has been med within the time							
Date		Signature of Minute Clerk							
3000		Signature of Minute Sterik							
	LICADING OFFICED DECOMMENDAT	TION							
Considering the record in this	HEARING OFFICER RECOMMENDAT	NON nsel, it being the finding of the hearing officer that							
		3(1) or Article 103(5) have been met, IT IS HEREBY							
		is Court, no objection having been made by either							
party.	, Louisiana, this day of	, 20							
	Hearing Officer								
Device d 2/24/22									
Revised 3/31/22									