

\_\_\_\_\_ NO: \_\_\_\_\_ DIV. \_\_\_\_\_  
 (PETITIONER)  
**VERSUS**  
 22<sup>ND</sup> JUDICIAL DISTRICT COURT  
 PARISH OF \_\_\_\_\_  
 STATE OF LOUISIANA  
 \_\_\_\_\_  
 (DEFENDANT)  
 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

\_\_\_\_\_ Either Petitioner or Defendant is domiciled in this parish;

**OR**

\_\_\_\_\_ This was the parish of the last matrimonial domicile of the parties.

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:

\_\_\_\_\_;

**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

22<sup>ND</sup> 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

22<sup>ND</sup> 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 22<sup>nd</sup> 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**

**22<sup>ND</sup> JUDICIAL DISTRICT COURT**

**PARISH OF \_\_\_\_\_**

\_\_\_\_\_  
(DEFENDANT)

**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 22<sup>ND</sup> JUDICIAL DISTRICT COURT

PARISH OF \_\_\_\_\_

\_\_\_\_\_  
(DEFENDANT) STATE OF LOUISIANA

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 22<sup>ND</sup> JUDICIAL DISTRICT COURT  
PARISH OF \_\_\_\_\_  
STATE OF LOUISIANA  
\_\_\_\_\_  
(DEFENDANT)  
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

22<sup>ND</sup> 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**