**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ NO: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DIV. \_\_\_\_\_\_**

**(petitioner)**

 **22ND JUDICIAL DISTRICT COURT**

**versus**

 **parish of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State of louisiana**

**(defendant)**

**Filed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Deputy Clerk**

**PETITION FOR DIVORCE PURSUANT TO LA C.C. ART. 102**

**WITH REQUEST FOR INCIDENTAL RELIEF**

***[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

 [Date of Marriage]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**3.**

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

**4.**

 This court is a court of proper venue 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.**

 The parties are living separate and apart as of the date this Petition was filed and intend to live separate and apart continuously, and without reconciling, for the following period of time prior to filing a rule to show cause why a divorce should not be granted: *[Initial only* ***ONE*** *of the following:]*

\_\_\_\_\_ 180 days if there were NO children born or adopted during the marriage who are minors as of the date the Petition is filed;

**OR**

\_\_\_\_\_ 365 days if there are children born or adopted during the marriage who are still minors as of the date the Petition is filed.

**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 this marriage. *[If this applies, skip to Paragraph 12.]*

\_\_\_\_\_ There are no children born or adopted during this marriage 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 write a brief factual statement*]

\_\_\_\_ 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 facts/reasons: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

*[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 following 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 the court to grant you 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.

**14.**

*[Initial this paragraph only if you want the court to grant you this relief]*

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

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

\_\_\_\_\_ I am asking for 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.

**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*]:

\_\_\_\_\_\_Defendant, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, be served with a certified copy of this Petition and notice as required by law;

 Petitioner is allowed to confirm the use of her the maiden name of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

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

*[Initial* ***ALL*** *that apply]:*

\_\_\_\_\_\_ 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: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**petitioner further prays** that: [*Initial* ***ONE*** *of the following]*

 Each party will pay their own costs.

 Defendant is cast with the 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)

**\_\_\_\_\_\_ Defendant to accept service**

 **or**

**\_\_\_\_\_\_ please serve:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(defendant’s full name)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(street address)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(city/state/zip code)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Defendant’s Phone number)

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ NO: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DIV. \_\_\_\_\_\_**

**(petitioner)**

 **22ND JUDICIAL DISTRICT COURT**

**versus**

 **parish of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State of louisiana**

**(defendant)**

**Filed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Deputy Clerk**

**SELF-REPRESENTED LITIGANT**

**VERIFICATION OF PETITION FOR 102 DIVORCE**

**STATE OF** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *[State where signed and notarized]*

**PARISH/COUNTY OF** \_\_\_\_\_\_\_\_\_\_\_\_\_\_ *[Parish/County where signed before Notary Public]*

 **BEFORE ME**, Notary Public, came and appeared: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

who, after being first duly sworn, deposed that he/she is the Petitioner in the above and foregoing numbered and entitled cause, has read the pleading, and that that all of the allegations of fact made in the Petition are true and correct.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Signature

**SWORN TO AND SUBSCRIBED**

before me, on this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_ .

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NOTARY PUBLIC, No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name of Notary: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

My Notarial Commission Expires:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ NO: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DIV. \_\_\_\_\_\_**

**(petitioner)**

 **22ND JUDICIAL DISTRICT COURT**

**versus**

 **parish of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State of louisiana**

**(defendant)**

**Filed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Deputy Clerk**

**RULE TO SHOW CAUSE SETTING HEARING ON INCIDENTAL MATTERS**

 Considering the Self-Represented Litigant Petition for 102 Divorce Based on Living Separate and Apart After Filing Petition 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 following relief sought in the Petition should not be granted:

 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 102 DIVORCE IS FILED]***

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ NO: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DIV. \_\_\_\_\_\_**

**(petitioner)**

 **22ND JUDICIAL DISTRICT COURT**

**versus**

 **parish of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State of louisiana**

**(defendant)**

**Filed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Deputy Clerk**

**WAIVER OF SERVICE AND NOTICE OF PETITION FOR 102 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 Self-Represented Litigant Petition for 102 Divorce Based on Living Separate and Apart After Filing Petition 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 notice issued by the Clerk of Court.

I do hereby formally and expressly acknowledge and accept service of a certified copy of said pleading and accompanying notice, and waive formal service of process, all legal delays, and the special notice required by R.S. 13:3491.

**THUS SWORN TO AND SUBSCRIBED** in the presence of the undersigned Notary Public the \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(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:

|  |  |
| --- | --- |
|  |  |

 ***[THIs pleading cannot be filed until either 180 days or 365 days after the defendant was served or accepted service. see required checklist for additional information.]***

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ NO: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DIV. \_\_\_\_\_\_**

**(petitioner)**

 **22ND JUDICIAL DISTRICT COURT**

**versus**

 **parish of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State of louisiana**

**(defendant)**

**Filed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Deputy Clerk**

**RULE TO SHOW CAUSE WHY DIVORCE SHOULD NOT BE GRANTED**

**NOW INTO COURT** comes Petitioner, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, who respectfully represents to the Court as follows:

**1.**

A Petition for 102 Divorce Based on Living Apart After Filing Petition was filed in this
case on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 [Date the Petition was filed with Clerk of Court]

**2.**

Service information: *[Initial the one that applies and provide the information requested]*

\_\_\_\_\_\_\_ The Defendant was served with the Petition for 102 Divorce by the Sheriff on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. *[A copy of the Sheriff’s return MUST be in the record.]*

 [Date the Sheriff served the Defendant]

\_\_\_\_\_\_\_ Defendant executed an Acceptance and Waiver of Service which was filed into this record on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. *[The original Acceptance and Waiver of*

 [Date the Acceptance and Waiver of Service was executed]

 *Service MUST be in the record]*

\_\_\_\_\_\_\_ Defendant was served via long arm statute (La. R.S. 13:3201, *et seq.*) and the Affidavit

 of service, including the green card, was filed on \_\_\_\_\_\_\_\_\_\_\_\_ which is at least thirty

 days prior to the filing of this Rule. *[The Affidavit and return receipt MUST be in the record.]*

**3.**

Petitioner and Defendant have lived separate and apart since \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,
 [Date of Physical Separation]

a period of \_\_\_\_\_\_ days after service of process was either made on Defendant by the Sheriff or after the Defendant signed an Acceptance and Waiver of Service. Petitioner and Defendant have not reconciled since their separation and therefore the legally required period of time required to obtain this divorce has elapsed.

**4.**

Petitioner desires a divorce and asks that the Court order that a hearing be set to determine whether a divorce should be granted and require Defendant to appear before the Court on that date and time to be fixed by the Court.

**WHEREFORE**, Petitioner, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, prays that a Rule to Show Cause be issued to the Defendant, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and that both the Petitioner and Defendant appear before this Court on a date and at a time to be fixed by the Court to determine why a Judgment of Divorce should not be granted and the Clerk of Court issue notice pursuant to La. R.S. 13:3492.

***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)

**STATE OF** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [State where signed and notarized]

**PARISH/COUNTY OF** \_\_\_\_\_\_\_\_\_\_\_\_\_\_ [Parish/County where signed before Notary Public]

 **BEFORE ME**, Notary Public, came and appeared: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ who, after being first duly sworn, deposed that Affiant is the Petitioner in the above and foregoing numbered and entitled cause, that all of the allegations of fact made in the Rule to Show Cause Why Divorce Should Not Be Granted are true and correct, except those allegations made on information and belief; and that as to these, affiant believes them to be true.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Signature

**SWORN TO AND SUBSCRIBED**

before me, on this day of , 20\_\_ .

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NOTARY PUBLIC, No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name of Notary: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

My Notarial Commission Expires:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

***[THIS PLEADING CANNOT BE DATED OR FILED UNTIL AFTER THE RULE TO SHOW CAUSE FOR 102 DIVORCE IS FILED]***

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ NO: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DIV. \_\_\_\_\_\_**

**(petitioner)**

 **22ND JUDICIAL DISTRICT COURT**

**versus**

 **parish of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State of louisiana**

**(defendant)**

**Filed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Deputy Clerk**

**WAIVER OF SERVICE ON RULE FOR 102 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 Self-Represented Litigant Rule to Show Cause Why Divorce Should Not Be Granted filed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ entitled “\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_” bearing docket number \_\_\_\_\_\_\_\_\_\_\_\_\_ Division “\_\_” on the docket of the 22nd Judicial District Court for the Parish of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, State of Louisiana and notice issued by the Clerk of Court.

I do hereby formally and expressly acknowledge and accept service of a certified copy of said pleading and notice, all legal delays, notice of the hearing, appearance at the hearing, and the special notice required by R.S. 13:3492.

**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:

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**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ NO: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DIV. \_\_\_\_\_\_**

**(petitioner)**

 **22ND JUDICIAL DISTRICT COURT**

**versus**

 **parish of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State of louisiana**

**(defendant)**

**Filed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Deputy Clerk**

**JUDGMENT OF DIVORCE**

 This matter came for hearing on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, on Petitioner’s Rule to Show Cause Why 102 Divorce Should Not Be Granted.

\_\_\_\_\_ Present in court: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Petitioner/Self-Represented Litigant; and

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Defendant/Self-Represented Litigant.

 The parties were sworn and testimony was taken.

**OR**

\_\_\_\_\_ The Court, having reviewed the pleadings submitted waived the appearance of the parties.

Based upon the evidence and the record, the Court enters Judgment as follows:

**IT IS ORDERED, ADJUDGED AND DECREED** that Petitioner, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 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 Petitioner’s right to use her maiden name of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is confirmed.

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

\_\_\_\_\_\_ Each party shall pay their own costs.

\_\_\_\_\_\_ Defendant is cast with all costs.

 Judgment read, rendered and signed in Open Court/Chambers in Covington/Franklinton, Louisiana, this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judge