

\_\_\_\_\_

(PETITIONER)

NO: \_\_\_\_\_ DIVISION \_\_\_\_\_

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

\_\_\_\_\_

(DEFENDANT)

STATE OF LOUISIANA

**PETITION FOR DIVORCE**

**NOW INTO COURT** comes \_\_\_\_\_, of full age of majority domiciled in the Parish/County of \_\_\_\_\_, State of \_\_\_\_\_, who respectfully represents:

**1.**

Made Defendant herein is \_\_\_\_\_, of full age of majority domiciled in the Parish/County of \_\_\_\_\_, State of \_\_\_\_\_.

**2.**

The parties were married on \_\_\_\_\_ in the Parish/County of \_\_\_\_\_, in the State of \_\_\_\_\_. The parties last resided together as spouses in the Parish/County of \_\_\_\_\_, in the State of \_\_\_\_\_.

**3.**

Neither party is an active member of the United States armed forces.

**4.**

The parties did not contract a covenant marriage.

**5.**

*(please select one of the following)*

\_\_\_\_\_ There are no minor children born or adopted of the marriage of the parties, nor is the wife currently pregnant.

\_\_\_\_\_ The following minor children were born of the marriage or adopted by the parties:

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

6.

On \_\_\_\_\_, a protective order or an injunction was issued against the Defendant to protect the Petitioner or a child of one of the spouses from abuse, which was issued in a suit entitled \_\_\_\_\_ v. \_\_\_\_\_, bearing the docket number \_\_\_\_\_, filed in the \_\_\_\_\_ Court in \_\_\_\_\_.

7.

Petitioner is entitled to and does desire a divorce under the provisions of Louisiana Civil Code article 103 (5) due to the fact that a protective order or an injunction has been issued against the Defendant to protect the Petitioner or a child of the spouses from abuse.

**WHEREFORE** Petitioner prays that after all legal delays and due proceedings, this Court issue a Judgment of Divorce in accordance with the provisions of Louisiana Civil Code article 103 (5), and for all general and equitable relief.

**PETITIONER FURTHER PRAYS** that: *(please select one of the following)*

\_\_\_\_\_ Petitioner be cast with the costs of these proceedings.

\_\_\_\_\_ Defendant be cast with the costs of these proceedings.

\_\_\_\_\_ The parties share the costs of these proceedings in equal amounts.

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)  
\_\_\_\_\_  
(TELEPHONE NUMBER)

\_\_\_\_\_

(PETITIONER)

NO: \_\_\_\_\_ DIVISION \_\_\_\_\_

**VERSUS**

**THE FAMILY COURT**

**PARISH OF EAST BATON ROUGE**

\_\_\_\_\_

(DEFENDANT)

**STATE OF LOUISIANA**

**VERIFICATION**

STATE OF \_\_\_\_\_

PARISH/COUNTY OF \_\_\_\_\_

**BEFORE ME**, the undersigned Notary Public, duly commissioned and qualified in this state and parish, personally appeared:

\_\_\_\_\_

*PETITIONER'S NAME*

who after being duly sworn, did depose and state that he/she is the Petitioner in the above and foregoing numbered and entitled cause, that he/she has read the same, and that all of the allegations contained therein are true and correct to the best of his/her knowledge, information, and belief.

\_\_\_\_\_

*PETITIONER'S SIGNATURE*

**SWORN TO AND SUBSCRIBED** before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_.

\_\_\_\_\_

NOTARY PUBLIC

\_\_\_\_\_

(PETITIONER)

NO: \_\_\_\_\_ DIVISION \_\_\_\_\_

**VERSUS**

**THE FAMILY COURT**

**PARISH OF EAST BATON ROUGE**

\_\_\_\_\_

(DEFENDANT)

**STATE OF LOUISIANA**

**ACCEPTANCE OF SERVICE AND  
WAIVER OF CITATION AND ALL DELAYS**

STATE OF \_\_\_\_\_

PARISH/COUNTY OF \_\_\_\_\_

**BEFORE ME**, the undersigned Notary Public, duly commissioned and qualified in this state and parish, personally appeared:

\_\_\_\_\_

*DEFENDANT'S NAME*

who after being duly sworn, did depose and state that he/she is the Defendant in the above and foregoing numbered and entitled cause and that:

He/she acknowledges and accepts receipt of a certified copy of the Petition for Divorce in the above numbered and entitled cause;

He/she expressly waives the issuance of formal citation, service of process, all legal delays, notice of trial, and appearance at trial; and

He/she acknowledges that by signing this waiver, Petitioner will be able to go forward with the divorce in the Defendant's absence.

\_\_\_\_\_

*DEFENDANT'S SIGNATURE*

**SWORN TO AND SUBSCRIBED** before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_:\_\_\_\_\_ o'clock \_\_\_\_m., in \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_

(PETITIONER)

NO: \_\_\_\_\_ DIVISION \_\_\_\_\_

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

\_\_\_\_\_

(DEFENDANT)

STATE OF LOUISIANA

**MOTION AND ORDER FOR PRELIMINARY DEFAULT**

**NOW INTO COURT** comes the Petitioner in this matter, who moves this Court for an order granting a judgment of preliminary default for the following reasons:

**1.**

A Petition for Divorce was filed in this matter on \_\_\_\_\_, 20\_\_\_\_.

**2.**

*(please select one of the following)*

\_\_\_\_ Defendant was served with the Petition on \_\_\_\_\_, 20\_\_\_\_. At least 15 days have elapsed since service, and no answer or opposition has been filed

\_\_\_\_ Defendant accepted service of the Petition and executed a waiver of service and all legal delays on \_\_\_\_\_, 20\_\_\_\_, and no answer or opposition has been filed.

**WHEREFORE** Mover prays that this Court enter a judgment of preliminary default against the Defendant.

Respectfully submitted,

\_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(PRINTED FULL NAME)

\_\_\_\_\_  
(STREET ADDRESS)

\_\_\_\_\_  
(CITY/STATE/ZIP CODE)

\_\_\_\_\_  
(TELEPHONE NUMBER)

Considering the above and foregoing Motion:

**IT IS ORDERED** that a judgment of preliminary default be entered into the minutes of this Court against the Defendant in the above captioned matter, in accordance with the law.

**THUS DONE AND SIGNED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at Baton Rouge, Louisiana.

\_\_\_\_\_  
**JUDGE, THE FAMILY COURT**

\_\_\_\_\_

(PETITIONER)

NO: \_\_\_\_\_ DIVISION \_\_\_\_\_

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

\_\_\_\_\_

(DEFENDANT)

STATE OF LOUISIANA

**MOTION AND ORDER TO SET TRIAL**

**NOW INTO COURT** comes the Petitioner, who, on suggesting to this Court that Petitioner filed a Petition for Divorce on \_\_\_\_\_, 20\_\_\_\_ and that Defendant filed an Answer to the said petition on \_\_\_\_\_, 20\_\_\_\_, moves this Court for an order setting the matter of the divorce for trial.

**WHEREFORE** Mover prays that this Court will set this matter for trial on the matter of the divorce.

Respectfully submitted,

\_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(PRINTED FULL NAME)

\_\_\_\_\_  
(STREET ADDRESS)

\_\_\_\_\_  
(CITY/STATE/ZIP CODE)

\_\_\_\_\_  
(TELEPHONE NUMBER)

Considering the above and foregoing Motion:

**IT IS ORDERED** that this matter is set for trial for divorce at \_\_\_ o'clock a.m. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in accordance with the law and the rules of this Court.

**THUS DONE AND SIGNED** on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at Baton Rouge, Louisiana.

\_\_\_\_\_  
**JUDGE, THE FAMILY COURT**

**PLEASE SERVE:**

\_\_\_\_\_  
(DEFENDANT'S FULL NAME)

\_\_\_\_\_  
(STREET ADDRESS)

\_\_\_\_\_  
(CITY/STATE/ZIP CODE)

\_\_\_\_\_  
(TELEPHONE NUMBER)

\_\_\_\_\_

(PETITIONER)

NO: \_\_\_\_\_ DIVISION \_\_\_\_\_

**VERSUS**

**THE FAMILY COURT**

**PARISH OF EAST BATON ROUGE**

\_\_\_\_\_

(DEFENDANT)

**STATE OF LOUISIANA**

**JUDGMENT OF DIVORCE**

**THIS MATTER** came before the Court pursuant to regular assignment. The Court, considering the entire record, the testimony of the witnesses, and finding the law and evidence to be in favor thereof, ruled as follows:

**IT IS ORDERED, ADJUDGED, AND DECREED** that a divorce *a vinculo matrimonii* is hereby granted, dissolving forever the bonds of matrimony heretofore existing between the parties in accordance with Louisiana Civil Code article 103 (5), on the basis that a protective order or an injunction has been issued during their marriage against the Defendant to protect the Petitioner or a child of the spouses from abuse.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that the petitioner / defendant is allowed to resume the use of her maiden name at her option, which is \_\_\_\_\_, according to Louisiana Code of Civil Procedure article 3947.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that costs of court in this matter are assessed against \_\_\_\_\_.

**JUDGMENT RENDERED AND SIGNED** on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at Baton Rouge, Louisiana.

\_\_\_\_\_  
**JUDGE, THE FAMILY COURT**

**PLEASE SEND NOTICE TO:**

\_\_\_\_\_  
(PETITIONER'S FULL NAME)

\_\_\_\_\_  
(DEFENDANT'S FULL NAME)

\_\_\_\_\_  
(STREET ADDRESS)

\_\_\_\_\_  
(STREET ADDRESS)

\_\_\_\_\_  
(CITY/STATE/ZIP CODE)

\_\_\_\_\_  
(CITY/STATE/ZIP CODE)

\_\_\_\_\_  
(TELEPHONE NUMBER)

\_\_\_\_\_  
(TELEPHONE NUMBER)