

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

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

Petitioner
versus

Defendant

DOCKET NUMBER: _____

PARISH OF _____

A. Dates

1. Petition for Divorce: _____ Date Petition Filed
2. Parties physically separated: _____ Date of Separation
3. Service of the Petition:
 - a. If Sheriff's return is in the record, indicate date and type of service:
Personal/Domiciliary (Circle one) _____ Date of Service
If Domiciliary, then name of person served _____ and the relationship?
OR OR
 - b. If a Waiver of Service is filed into the record, provide dates of execution and filing ~~into the record~~:
_____ Date Waiver Executed
_____ Date Waiver Filed
4. Preliminary default entered: _____ Date PD Entered
By Oral/Written Motion (Circle one)
5. Have two days, exclusive of holidays, elapsed since the entry of preliminary default, with no answer or other opposition having been filed? Yes

B. Pleadings

1. Is the Petition for Divorce in the record? Yes
2. Are proper jurisdiction and venue expressly alleged in the Petition? Yes
3. Does the petitioner's Affidavit submitted or filed with the Judgment specifically attest to the facts sufficient to obtain a divorce or will testimony be offered in lieu thereof? Yes
4. If the defendant has made an appearance in the case, was notice of the preliminary default sent to defendant by certified mail pursuant to La. C.C.P. Art. 1702(A) or has defendant waived notice is there a filed waiver of the notice by the defendant? Yes; or Yes (Waiver)
5. Are the original and at least one copy of the proposed final Judgment attached? Yes

C. ~~Time Periods (La. C.C. Art. 103.1)~~ Grounds for Divorce (La. C.C. Art. 103/1702(E)) (Choose either #1 or #2)

1. The parties have minor children, and have been living separate and apart **365 days or more** without reconciliation. Yes
OR
2. The parties have no minor children and have been living separate and apart without reconciliation **180 days or more** and one of the following applies: (Choose one of the following) without reconciliation.
 - A. ~~There are no minor children of the marriage.~~ Yes
 - OR
 - B. ~~On ___/___/20___ the court made a finding, pursuant to a rule to show cause, that~~ OR ~~the other spouse physically or sexually abused the spouse seeking divorce or a child of one of the spouses.~~ Yes
 - OR
 - C.3. On ___/___/20___, after a contradictory hearing, or consent decree, a protective order or an injunction was issued during the marriage in accordance with law, against the defendant other spouse in order to protect the petitioner who spouse seeking seeks the divorce or a child of one of the spouses from abuse. Yes

PETITIONER'S/ATTORNEY'S CERTIFICATION

I hereby certify that I have examined the record or conformed copies of all pleadings in the above-captioned case, and the information provided herein is true and correct based upon my personal knowledge, information, and belief.

Date of Record Examination Signed by Petitioner/Attorney for Petitioner Attorney's Bar Number

Date of Certification Address Telephone Number

CLERK'S CERTIFICATION

Two days, exclusive of holidays, have elapsed since the preliminary default was entered and no answer or opposition has been filed.

Date Signature of Minute Clerk

HEARING OFFICER RECOMMENDATION

Considering the record in this case, the submission of the petitioner/mover's counsel, it being the finding of the ~~H~~hearing ~~O~~fficer that all legal requirements for granting a divorce under Louisiana Civil Code Article 103(1) or Article 103(5) have been met, **IT IS HEREBY RECOMMENDED** that the attached Judgment of Divorce be made the Order of this Court, no objection having been made by either party. _____, Louisiana, this ___ day of _____, 20___.

Hearing Officer