

APPENDIX 28.2B: LA. C.C.P. ART. 969(B) DIVORCE CHECKLIST

LOUISIANA CIVIL CODE ARTICLE 103(1)

Uncontested Divorce Under Code of Civil Procedure Article 969(B)

Notice: Must be completed by Mover 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 the 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

Date of Answer
4. Answer filed:

Date of Answer

B. Pleadings

1. Is the Petition for Divorce in the record?

☐

Yes
2. Is proper jurisdiction and venue expressly alleged in the Petition?

☐

Yes
3. Are both parties represented by counsel?

☐

Yes
4. Has each party, through their counsel, filed a written joint stipulation of facts, request for judgment, and sworn verification?

☐

Yes
5. Have counsel for the parties filed a proposed judgment containing a certification that counsel and each party agree to the terms thereof?

☐

Yes

C. Time Periods (La. C.C. Art. 103.1)

- (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 without reconciliation.

☐

Yes

OR

2. and one of the following applies: (Choose one of the following)

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 the other spouse physically or sexually abused the spouse seeking divorce or a child of one of the spouses.

☐

Yes

OR

C. On / /20 after a contradictory hearing, or consent decree, a protective order OR or injunction issued against the other spouse to protect the spouse seeking the divorce or a child of one of the spouses from abuse.

☐

Yes

NOTICE: If an attorney for absent defendant has been appointed, this procedure cannot be used. Petitioner and the appointed attorney must appear in court.

MOVER'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

HEARING OFFICER RECOMMENDATION

Considering the record in this case, the submission of the parties or their counsel, it being the finding of the Hearing Officer that all legal requirements for granting a divorce under Louisiana Civil Code Article 103(1) 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