

TITLE IV

Chapter: 34 Chapter Title: DIVORCES PURSUANT TO CIVIL CODE ART. 102

Rule No: 34.1

Required Affidavits

**2nd Judicial District
Court
Parishes of
Bienville, Claiborne
and Jackson**

Amended effective
Nov. 11, 1993.

RULE 25. SWORN AFFIDAVITS FOR PETITIONS SEEKING ALIMONY, CHILD SUPPORT AND CHILD CUSTODY. CERTIFICATION FOR CIVIL CODE ARTICLE 102 DIVORCES

Section 1. All rules and petitions respecting the award, increase or decrease of alimony and child support shall be accompanied by an original and three copies of an affidavit setting forth an itemized list of the following:

- a. Total gross monthly income;
- b. Itemized list of total payroll deductions;
- c. Total itemized monthly expenditures.

The form to be used in filing the affidavit shall be substantially the same as that following herein below as Appendix 5: Affidavit of Income and Expenses. The defendant shall file a similar original affidavit and three copies at least 24 hours prior to the time fixed for the trial thereof, unless excused by law.

All rules, petitions or pleadings seeking the award, increase or decrease of child support, shall be accompanied by an original and three copies of verified income statement as required by LSA R.S. 9:315.2 showing gross income, adjusted gross income, together with documentation of current and past earnings. The defendant shall file an original and three copies of such a verified income statement and such documentation at least 24 hours before the time fixed for the trial thereof, unless excused by law. The documentation shall include a copy of each party=s most recent federal tax return and pay stubs for at least three (3) months.

Section 2. All rules and petitions to make executory alimony and support judgments or in which a judgment of contempt is sought for failure to pay alimony or support judgments shall be accompanied by an original and three copies of an affidavit setting forth the following:

- a. A computation of all payments that have accrued under the judgment and are unpaid;
- b. An itemized list of all payments received showing date of receipt.

The defendant shall file a similar affidavit at least 24 hours prior to the time fixed for the trial thereof, unless excused by law.

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APPENDIX 5. AFFIDAVIT OF INCOME AND EXPENSES

BEFORE ME personally came and appeared the undersigned, who did depose and say that the following is a true and correct statement of affiant's monthly income and expenses:

Income and Expenses on a Per Month Basis

- A. Total Gross Monthly Income _____
B. Itemized Payroll Deductions _____
Total Monthly Payroll Deductions _____
C. Total Net Monthly Income _____
D. Total Monthly Expenditures _____

	Self	Child	Child	Total
1. Housing	_____	_____	_____	_____
2. Food	_____	_____	_____	_____
3. Household Supplies	_____	_____	_____	_____
4. Drug Bill	_____	_____	_____	_____
5. Dental Care	_____	_____	_____	_____
6. Doctor Bills	_____	_____	_____	_____
7. Utilities:	_____	_____	_____	_____
Gas	_____	_____	_____	_____
Electricity	_____	_____	_____	_____
Water	_____	_____	_____	_____
Telephone	_____	_____	_____	_____
8. Insurance	_____	_____	_____	_____
9. Clothing	_____	_____	_____	_____
10. Laundry & Cleaning	_____	_____	_____	_____
11. Grooming & Personal Items	_____	_____	_____	_____
12. Education Exp.	_____	_____	_____	_____
(School books, lunch, etc.)	_____	_____	_____	_____
13. Recreation and Special Lessons	_____	_____	_____	_____
14. Vacation	_____	_____	_____	_____
15. Gifts (Christmas, Birthdays, etc.)	_____	_____	_____	_____
16. Auto Expenses	_____	_____	_____	_____
17. Income Taxes and Accounting Fee	_____	_____	_____	_____
18. Child Care	_____	_____	_____	_____
19. Fixed Obligations (Garnishments, Bank	_____	_____	_____	_____
Loans, Finance Company)	_____	_____	_____	_____
20. Miscellaneous Expenses	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals	_____	_____	_____	_____

Affiant

SWORN TO AND SUBSCRIBED before me, Notary Public, this ____ day of _____, 19__.

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Notary Public

**14th Judicial District
Court
Parish of Calcasieu**

To view the current Title IV Rules of the 14th JDC, click here
<http://www.lasc.org/rules/dist.ct/14thJDCTABLETITILEIV.PDF>

**15th Judicial District
Court
Parishes of Acadia,
Lafayette and
Vermilion**

The entering of a divorce under C.C. Art. 102 may be accomplished by affidavit in accordance with C.C.P. Articles 3951 et. seq. In that event, the mover's attorney shall complete and submit the C.C. Art. 102 Divorce Checklist, which is attached as Appendix 14 to these rules and/or may be obtained from the Judge's office. The Checklist form and affidavit shall be filed no later than the date the Rule is fixed for hearing.

Amended effective
April 1, 2005

**22nd Judicial District
Court
Parishes of St.
Tammany and
Washington**

The entering of a divorce pursuant to La. Civil Code Art. 102 may be accomplished by affidavit in accordance with La. Code Civ. Proc. Art. 3951, et seq. In that event, the mover and/or mover's attorney shall complete and submit the appropriate Louisiana Civil Code Article 102 Divorce Form A (Appendix Form A), which may be obtained from the Family Court Division or the 22nd Judicial District Court's website at www.22ndJDC.org. The appropriate form and affidavit shall be filed no later than the date the Rule is fixed for hearing. If the requirements of Rule 34.4 are met prior to the hearing, the hearing may be waived.

Adopted effective
April 2, 2009;
amended eff. Aug.
23, 2010; amended
effective October 1,
2012; amended
effective April 17,
2013.

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Rule No: 34.1

Required Affidavits

**24th Judicial District
Court**

Parish of Jefferson

Revised effective
May 25, 2005

A. At the hearing on the rule to show cause, the mover must submit the following affidavits:

1. An affidavit executed after the filing of the rule to show cause, that the parties have lived separate and apart continuously, for at least 180 days prior to the filing of the rule to show cause, that they are still living separate and apart and that mover desires to be divorced; and
 2. An affidavit of non-military service and an affidavit that the parties did not contract a covenant marriage. One affidavit containing all required facts may be submitted in lieu of multiple affidavits.
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**Family Court
For the Parish of
East Baton Rouge**

To view the current Title IV Rules of East Baton Rouge Family Court, click here

<http://www.lasc.org/rules/dist.ct/EASTBATONROUGEFAMILYCOURTTITLEIV.PDF>
