

TITLE IV
Chapter 29 - Custody and Visitation Orders
Rule 29.0 - Ex Parte Custody Orders
Appendix 29.0C - Court-Specific Rules Concerning Ex Parte Custody Orders

**First Judicial District
Court**

See Appendices 29.0A and 29.0B for Application for Ex Parte Temporary Custody Order forms. The following form may also be used:

Parish of Caddo

AFFIDAVIT TO BE ATTACHED TO PETITIONS SEEKING EX PARTE PROVISIONAL CUSTODY AWARDS PRIOR TO HEARINGS FOR TEMPORARY CUSTODY (INITIAL FIXINGS ONLY)

STATE OF LOUISIANA

PARISH OF CADDO

BEFORE ME, the undersigned authority, personally appeared: _____, who being duly sworn, stated under oath that:

(1) I have read the foregoing petition and all facts contained therein are true and correct.

(2) My spouse and I physically separated on _____.

(3) Immediately prior to separation, my spouse and I resided together at _____.

(4) For the last six (6) months, the child/children has/have resided with _____ at _____.

(5) The child/children is/are presently in my physical custody and has/have been since _____.

(6) I obtained the child/children in the following manner (describe where, when and how obtained, and other special circumstances): _____.

(7) I desire provisional custody of the child/children for the following reasons: _____.

(8) To my knowledge, there are no other custody orders in existence.

(9) I agree to my child/children's temporary visitation with my spouse as follows: _____.

—or—

(9) I do not agree to a temporary visitation arrangement for the following reasons: _____.

Affiant

SWORN TO AND SUBSCRIBED before me, Notary Public,
at _____, Louisiana, on this the _____ day of _____, 20____.

Notary Public

**Second Judicial District
Court**

All pleadings seeking an ex parte order for temporary custody of children shall strictly comply with C.C.P. Article 3945 and must be accompanied by a separate affidavit of the party seeking custody,

**Parishes of Bienville,
Claiborne and Jackson**

Amended effective March
15, 2023.

setting forth all the facts surrounding when, where, how and under what circumstances physical custody of the child was obtained, and why an ex parte order for temporary custody is being sought. Said pleadings shall also refer to any prior or ongoing actions by the State of Louisiana Department of Children and Family Services (DCFS), if known, involving the same parties, even if with different children.

In all cases in which there has been no prior award of custody, the pleadings must first be presented to the Clerk of Court for filing and random allotment to a Division, if no allotment has been made previously. Once the case has been allotted to a Division, then the order must be presented to that judge for signing.

If custody has been awarded, an ex parte order to change custody must be presented to the judge who signed the original custody order, unless the custody order was obtained through a proceeding in motion hour and was not signed by the judge to whom the case was allotted. No ex parte order modifying a previous custody award shall be considered unless said order is necessary to protect the children from a clear and present danger of abuse and/or neglect, or unless immediate and irreparable injury is likely to result to the children if an order is not granted.

When presenting an order to a judge containing a request for an ex parte custody award in an existing record, the attorney shall make arrangements with the Clerk of Court to obtain the record for the judge's review.

**Third Judicial District
Court**

**Parishes of Lincoln and
Union**

**Fourth Judicial District
Court**

**Parishes of Morehouse
and Ouachita**

A. All pleadings seeking an ex parte order for temporary custody of children must be accompanied by a separate affidavit of the party seeking custody, setting forth all the facts surrounding when, where, how and under what circumstances physical custody of the child was obtained, and why an ex parte order for temporary custody is being sought. Said pleadings shall also refer to any prior or ongoing actions by the State of Louisiana Child Protective Services, if known, involving the same parties, even if with different children.

B. In all cases in which there has been no prior award of custody, the pleadings must first be presented to the Clerk of Court for filing and allotment to a Section, if no allotment has been made previously. Once the case has been allotted to a section, then the order must be presented to that judge for signing.

C. If custody has been awarded, an ex parte order to change custody must be presented to the judge who signed the original custody order, unless the custody order was obtained through a proceeding in motion hour and was not signed by the judge to whom the case was allotted. No ex parte order modifying a previous custody award shall be considered unless said order is necessary to protect the children from a clear and present danger of abuse and/or neglect, or unless immediate and irreparable injury is likely to result to the children if an order is not granted.

D. When presenting an order to a judge containing a request for an ex parte custody award in an existing record, the attorney shall make arrangements with the Clerk of Court to obtain the record for the judge's review.

**Fifth Judicial District
Court**

**Parishes of Franklin,
Richland and West
Carroll**

Sixth Judicial District Court	All petitions seeking an ex parte order for provisional custody of children shall be accompanied by a separate affidavit of the party seeking provisional custody (similar to the forms in Appendices 29.0A and 29.0B), setting forth all the facts surrounding when, where, how, and under what circumstances the child or children have been in the petitioner's physical custody and the reasons why the petitioner is requesting an ex parte order for provisional custody.
Parishes of East Carroll, Madison and Tensas	

Seventh Judicial District Court
Parishes of Catahoula and Concordia

Eighth Judicial District Court
Parish of Winn

Ninth Judicial District Court
Parish of Rapides

Tenth Judicial District Court
Parish of Natchitoches

Eleventh Judicial District Court	All petitions seeking ex parte order for provisional custody of children shall be accompanied by a separate affidavit of the party seeking custody setting forth how long the child or children have been in the petitioner's custody and in what manner the physical custody was obtained. See Appendices 29.0A and 29.0B.
Parish of Sabine	

Twelfth Judicial District Court
Parish of Avoyelles

Thirteenth Judicial District Court
Parish of Evangeline

**Fourteenth Judicial
District Court**

Parish of Calcasieu

A. All requests for ex parte custody shall strictly comply with La. R.S. 46:2135, La. C. Civ. Proc. Art. 3945, or La. Ch. C. Art. 1564, and shall be accompanied by the forms in Appendices 29.0A and 29.0B. All requests for ex parte custody orders shall be filed with the Clerk of Court prior to presenting it to the Court. Ex parte requests shall not be presented to the Court without advance notice.

B. All requests for ex parte custody shall be presented in Family Court Motion Hour when possible. In addition to the forms in Appendices 29.0A and 29.0B, there must be at least one (1) non-party affidavit attesting to the facts or documents in support of the ex parte request.

C. If an ex parte change of custody order is sought when a prior legal custody order exists, this information shall be noted in the ex parte request and the suit record must accompany the request. If an ex parte request was previously made, this information shall be noted in the ex parte request, as well as the Judge to whom it was presented and any orders or decisions made by the Judge.

**Fifteenth Judicial District
Court**

**Parishes of Acadia,
Lafayette and Vermilion**

Amended October 30,
2015, effective October 1,
2015.

A. All requests for ex parte child custody must be pled in accordance with one of the following statutes:

- (1) La. R.S. 46:2131 et seq., Domestic Abuse Assistance Act;
- (2) La. R.S. 9:361, 363, 364, Post Separation Family Violence Relief Act;
- (3) La. C.C.P. Art. 3945, Incidental Order of Child Custody;
- (4) La. Ch. Code 1564, et seq., Domestic Abuse Assistance Act; or
- (5) Any other statute expressly permitting such relief.

B. All applications for ex parte custody shall include the Appendix 29.0A Affidavit of Mover in Compliance with La. C.C.P. art. 3945(B) and Appendix 29.0B Certification by Applicant's Attorney in Compliance with La. C.C.P. art. 3945(B) if represented by counsel.

C. If an ex parte custody order is sought seeking to modify an existing legal custody order, the suit record must accompany the application. In addition to the certificate and/or affidavit required in Section B above, there must be a non-party affidavit attesting to the facts in support of the ex parte modification order or other supporting documentation or information.

D. Any Order granting temporary ex parte custody shall contain a provision which prohibits the parents or parties from changing the child's residence from the jurisdiction of the court or changing the child's school unless otherwise ordered by the Court.

E. The petition shall provide for a Rule to Show Cause in the proper division and except for good cause shown or where prohibited by law, the application must provide for visitation substantially in compliance with La. C.C.P. art. 3945.

F. The provisions of this Rule do not apply to any order of custody of a child requested in a verified petition alleging the applicability of the Domestic Assistance Act R.S. 46:2131 et seq. Children's Code Article 1564 et seq. or the Post Separation Family Violence Relief Act, R.S. 9:361 et seq.

G. On the motion of a party, or on its own motion, the Court may impose appropriate sanctions pursuant to La. C.C.P. art. 863D for certifications that are not based in good faith.

**Sixteenth Judicial
District Court**

**Parishes of Iberia, St.
Martin and St. Mary**

**Seventeenth Judicial
District Court**

Parish of Lafourche

Eighteenth Judicial District Court	EX PARTE CUSTODY ORDERS CIVIL WARRANTS, TEMPORARY PROVISIONAL CUSTODY AND VISITATION RIGHTS
Parishes of Iberville, Pointe Coupee and West Baton Rouge	<p>Section A. All applications for ex-parte custody shall comply with Louisiana Code of Civil Procedure article 3945 and shall be presented on the form incorporated in the section of these rules on FORM(S) E AND F.</p> <p>Section B. Applicants shall notify the court of the intent to appear and present the application. All applications shall be delivered to the Judge within a reasonable time for review.</p> <p>Section C. If an ex-parte change of custody is sought, the record must accompany the application.</p> <p>Section D. Any order granting temporary ex-parte custody shall contain a provision which prohibits both parents (parties) from changing the child's/children's residence from the 18th JDC. If the 18th JDC is not the residence of the child at the time the order is presented to the duty judge, such fact shall be called to his/her attention.</p> <p>Section E. The petition shall provide for a rule to show cause in the proper division.</p> <p>Section F. Applications for Civil Warrants shall be presented to the judge.</p> <p>Section G. The Hearing Officer may make recommendations at the Intake Conference on application for ex-parte custody and to extend or modify the Temporary/provisional custody and visitation orders. If the hearing officer is unavailable presentation shall be made to the appropriate Judge.</p>

**Nineteenth Judicial
District Court**

**Parish of East Baton
Rouge**

**Family Court, Parish of
East Baton Rouge**

**For the Parish of East
Baton Rouge**

1. All applications for ex-parte custody shall strictly comply with Louisiana Code of Civil Procedure article 3945 and be accompanied by the forms located in Appendices 29.0A and 29.0B (Application for Ex Parte Custody Order with Certification of Attorney).
2. Ex parte custody applications must be noticed to the Court by 10:00 a.m., and pleadings must be presented to the Court and the opposing side for review no later than noon of the same day. If, for good cause, the petitioner cannot present the pleadings to the defendant by this time, the petitioner shall present the pleadings to the defendant before the hearing. All pleadings must be filed with the Clerk of Court prior to the hearing. Failure to comply with this rule may result in the matter being passed.
3. All applications shall be presented to the duty judge in his courtroom at 2:00 p.m. on any scheduled duty day, unless another time is specified by the judge on duty on that day. At that time, the defendant may present any rebuttal evidence.
4. All orders granting temporary ex parte custody shall contain a provision which prohibits both parties from changing the child(ren)'s residence from East Baton Rouge Parish. If East Baton Rouge Parish is not the residence of the child at the time the order is presented to the duty judge, such fact shall be called to his attention.
5. All orders granting temporary ex parte custody shall provide for a rule to show cause for a custody determination in the proper division following the ex parte hearing. The orders shall also contain at least ten blank lines to allow the Court to write in the full ruling.

CIVIL WARRANTS

1. All applications for civil warrants shall be presented to the judge presiding in the division where the matter has been allotted. If the division judge is unavailable, civil warrants should be presented to the duty judge, who may address the matter or reserve it for presentation to the division judge.
2. All applications for civil warrants must strictly comply with the provisions of Louisiana Revised Statutes § 9:343, including attaching copies of all custody judgments currently in effect to the application.

**Twentieth Judicial
District Court**

**Parishes of East Feliciana
and West Feliciana**

**Twenty-First Judicial
District Court**

**Parishes of Livingston,
St. Helena and
Tangipahoa**

Ex parte custody orders shall be accompanied by a certification by the clerk of court that no contrary pleading/order has been filed within the past thirty (30) days. See Appendix 29.0A Application for Ex Parte Custody Order and the Appendix 29.0B Certification by Applicant's Attorney in Compliance with La. C.C.P. art. 3945(B).

**Twenty-Second Judicial
District Court**

**Parishes of St. Tammany
and Washington**

Amended December 6,
2016, effective January 1,
2017; amended effective
January 1, 2025.

A. If an ex parte change of custody order is sought when a prior legal custody filing exists involving the same child or children, the ex parte motion must specifically reference any prior custody order, judgment or pending custody pleadings, and a copy of these documents must be attached to the ex parte motion.

B. Each ex parte application must be accompanied by the Appendix 29.0A Affidavit of Mover in Compliance with La. C.C.P. art. 3945(B) and the Appendix 29.0B Certification by Applicant's Attorney in Compliance with La. C.C.P. art. 3945(B), or the equivalent of those forms, before an order will be considered.

C. A request for an Ex parte Temporary Custody Order must be properly filed according to law, together with all required forms, and accepted by the Clerk of Court, prior to 2:00 p.m. on a business day, in order to be processed and submitted for consideration by the Court on the same day. Any request for Ex parte Temporary Custody Order filed after 2:00 p.m., will be processed and submitted to the Court on the next business day.

D. The hearing required by La. C.C.P. art. 3945(D) or (F) may be set before a Hearing Officer and is limited to one (1) hour, unless good cause is shown during the hearing. If the hearing is before a Hearing Officer, any objection to the Hearing Officer's recommendation shall be made at the close of the hearing before any party leaves the courtroom. Any party objecting to the Hearing Officer's recommendation shall immediately notify the Deputy Clerk of Court present in the courtroom and shall file their written objection with the Clerk of Court within five days, exclusive of legal holidays. Failure of a party to notify the Deputy Clerk of Court of their objection before leaving the courtroom or subsequent failure to timely file their written objection, after having objected by the close of the hearing as provided herein, waives the objection to the recommendation. The Hearing Officer conducting the hearing pursuant to La. C.C.P. 3945 shall have the authority to recommended modification of legal and/or physical custody pending the rule date. The recommendation of the Hearing Officer shall become a temporary order of the court upon the Judge's signature and pending further orders of the court.

**Twenty-Third Judicial
District Court**

**Parishes of Ascension,
Assumption and St.
James**

Amended November 30,
2015, effective January 1,
2016.

Affidavit to be attached to petitions seeking ex parte custody awards prior to hearings for temporary custody (Initial fixings only):

STATE OF LOUISIANA
PARISH OF ASCENSION

BEFORE ME, the undersigned authority, personally, appeared, _____, who being duly sworn, stated under oath that:

1. I have read the foregoing petition and all facts contained therein are true and correct.

2. My spouse and I physically separated on _____.

3. Immediately prior to separation, my spouse and I resided together at _____.

4. For the last six (6) months the child(ren) have resided with _____, at _____.

5. The child(ren) are presently in the physical custody of _____, and have been since _____.

6. I/he/she obtained them in the following manner: (describe where, when and how obtained, and other special circumstances.)

7. I desire temporary custody of the child(ren) for the following reasons:

8. To my knowledge, there are no other custody orders in existence. (If such do exist, must comply with ex parte change rule)

9. I agree to my child(ren)'s temporary visitation with my spouse every other weekend from 6:00 p.m. Friday to 6:00 p.m. Sunday.

Or

I do not agree to a temporary visitation arrangement for the following reasons:

10. I certify that efforts have been made to give the adverse party reasonable notice of the date and time such order is being presented to the court or that notice should not be required for the following reasons:

11. I fully understand that if I am not telling the truth in this affidavit, I may be charged with perjury and tried in a criminal proceeding. If I am found guilty, I can be imprisoned for five (5) years or fined up to \$1,000.00 or both.

Signature

CIVIL WARRANTS

1. All applications for civil warrants shall be presented to the judge presiding in the division where the matter has been allotted.

2. All applications for civil warrants must strictly comply with the provisions of La. R.S.

**Twenty-Fourth Judicial
District Court**

Parish of Jefferson

PROVISIONAL/TEMPORARY CUSTODY

A. Provisional/temporary custody is defined as custody on a temporary basis for a defined period or pending completion of a condition precedent or subsequent.

B. The injunctive relief afforded either party to an action for divorce or other proceeding which includes a provision for the provisional/temporary custody of a minor child shall be governed by the additional provisions of La. C.C.P. Art. 3945.

C. All pleadings seeking an order for provisional/temporary custody shall be assigned to a domestic commissioner and a district judge and shall be set and heard in conformity with the rules set forth in the 24th J.D.C.'s Appendix 32.0B.

EX PARTE CUSTODY ORDERS

A. An ex parte order of provisional/temporary custody of a minor child shall not be granted unless it complies with all provisions of La. C.C.P. Art. 3945.

B. All ex parte applications for immediate provisional/temporary custody and visitation rights shall be pled under one of the following statutes:

1. La. R.S. 46:2131 et seq., Domestic Abuse Assistance Act;
2. La. R.S. 9:361, 363, 364, Post Separation Family Violence Relief Act;
3. La. R.S. 9:372;
4. La. C.C.P. Art. 3601, et seq.;
5. La. C.C.P. Art. 3945.

C. All pleadings seeking an ex parte order for temporary/provisional custody shall be assigned to a domestic commissioner and a district judge and shall be set and heard in conformity with the rules set forth in the 24th J.D.C.'s Appendix 32.0B. See Appendix 29.0A Application for Ex Parte Custody Order and the Appendix 29.0B Certification by Applicant's Attorney in Compliance with La. C.C.P. art. 3945(B).

**Twenty-Fifth Judicial
District Court**

Parish of Plaquemines

**Twenty-Sixth Judicial
District Court**

**Parishes of Bossier and
Webster**

All petitions seeking an ex parte order for provisional custody of children shall be in accordance with Louisiana Code of Civil Procedure Article 3945 and shall be accompanied by an affidavit of the party seeking custody setting forth how long the child or children have been in the petitioner's custody and in what manner the physical custody was obtained. See Appendix 29.0A Application for Ex Parte Custody Order and the Appendix 29.0B Certification by Applicant's Attorney in Compliance with La. C.C.P. art. 3945(B).

**Twenty-Seventh Judicial
District Court**

Parish of St. Landry

**Twenty-Eighth Judicial
District Court**

Parish of LaSalle

A. All applications for ex parte custody orders (except domestic violence protection orders) shall be by Appendix 29.0A Application for Ex Parte Custody Order with Certification of Attorney. Specific facts and not merely conclusions must be set forth.

B. All civil warrants for delivery of children for custody or visitation shall include a specific reference to the date of the order upon which it is based as well as plans for the time of execution of the civil warrant.

C. The court may grant interim custody and/or visitation orders if a full hearing on the issues cannot be held and there is demonstrated a need for immediate access of the applicant to the child(ren). In such event, at a subsequent hearing custody and/or visitation may be modified without the necessity of showing any change in circumstances.

**Twenty-Ninth Judicial
District Court**

Parish of St. Charles

**Thirtieth Judicial District
Court**

Parish of Vernon

**Thirty-First Judicial
District Court**

Parish of Jefferson Davis

All petitions seeking ex parte order for provisional custody of children shall be accompanied by a separate affidavit of the party seeking custody setting forth how long the child or children have been in the petitioner's custody and in what manner the physical custody was obtained. See Appendix 29.0A Application for Ex Parte Custody Order and the Appendix 29.0B Certification by Applicant's Attorney in Compliance with La. C.C.P. art. 3945(B).

**Thirty-Second Judicial
District Court**

Parish of Terrebonne

**Thirty-Third Judicial
District Court**

Parish of Allen

All petitions seeking an ex parte order for provisional custody of children shall be accompanied by the following documentation:

(1) separate affidavit of counsel for applicant in compliance with Louisiana Code of Civil Procedure Article 3945(B)(2)(b). Such affidavit of counsel shall be accompanied with copies of the written notices given to the adverse party with certification that mailing address is correct and proof of mailing at least 48 hours prior to application for ex parte custody;

(2) A separate affidavit of the party seeking custody setting forth the following information:

(a) that immediate and irreparable injury will result to the child unless ex parte custody is granted because of specifically stated facts as well as applicant's reason for seeking ex parte custody.

(b) the length of time that children have been in applicant's custody and the manner in which physical custody was obtained.

(c) that to the best of applicant's knowledge no other custody orders are in existence.

(d) that the applicant agrees to provide for alternating weekend visitation with the non-custodial parent unless the health or safety of the child would be endangered by such visitation; in the latter case applicant shall detail the facts to support the allegations of endangerment, and where possible, provide for a supervised visitation plan allowing the non-custodial parent weekly contact of not less than two hours.

(e) the following statement: "I fully understand that this affidavit is made under oath and that if I have made any untruthful statements in it, I may be charged with perjury, tried in a criminal proceeding, and subject to penalties of up to five years imprisonment and fines of up to \$1,000.00, or both."

The order of ex parte custody shall provide for the alternating weekend visitation or such other supervised visitation as may be proposed by the applicant.

The order shall also provide that the award of ex parte custody shall automatically terminate within fifteen (15) days of the issue.

The affidavit to be attached to petitions seeking ex parte custody awards prior to rule hearing for temporary custody is as follows (similar form appears Appendices 29.0A and 29.0B):

AFFIDAVIT FOR EX PARTE CUSTODY

BEFORE ME, the undersigned authority, personally came and appeared _____, who, after being duly sworn, stated under oath that:

I have read the forging petition for divorce, and all of the allegations of fact contained therein are true and correct.

My spouse and I physically separated on _____.

Immediately prior to separation, my spouse and I resided together at _____.

Since _____ the child(ren) have been in the physical custody of and resided with _____ at _____.

I/he/she obtained them in the following manner: (describe where, when, and how obtained, and other special circumstances)

_____.

I desire immediate custody of the child(ren) for the following reasons:

_____.

To my knowledge, there are no other custody orders in existence.

I agree to my child(ren)'s temporary visitation with my spouse every other weekend from 6:00 p.m. on Friday to 6:00 p.m. on Sunday.

OR

I do not agree to a temporary visitation arrangement for the following reasons: (specific facts must be stated which would indicate that the health or safety of the child would be endangered)

_____.

I fully understand that this affidavit is made under oath and that if I have made any untruthful statements in it, I may be charged with perjury, tried in a criminal proceeding, and subjected to penalties of up to five years imprisonment and fines of up to \$1,000.00, or both.

AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME this ____ day of _____, 20__.

NOTARY PUBLIC

**Thirty-Fourth Judicial
District Court**

Parish of St. Bernard

**Thirty-Fifth Judicial
District Court**

Parish of Grant

**Thirty-Sixth Judicial
District Court**

Parish of Beauregard

All petitions seeking an ex parte order for provisional custody of children shall be accompanied by the following documentation:

- (1) A separate affidavit of counsel for applicant in compliance with Louisiana Code of Civil Procedure 3945(B)(2)(b), such affidavit of counsel shall be accompanied with copies of the written notices given to the adverse party with certification that mailing address is correct and proof of mailing at least 48 hours prior to application for ex parte custody;
- (2) A separate affidavit of the party seeking custody setting forth the following information:
 - (a) that immediate and irreparable injury will result to the child unless ex parte custody is granted because of specifically stated facts as well as applicant's reason for seeking ex parte custody.
 - (b) the length of time that the children have been in applicant's custody and the manner in which physical custody was obtained.
 - (c) that to the best of applicant's knowledge no other custody orders are in existence.
 - (d) that the applicant agrees to provide for alternating weekend visitation with the non-custodial parent unless the health or safety of the child would be endangered by such visitation; in the latter case applicant shall detail the facts to support the allegations of endangerment, and where possible provide for a supervised visitation plan allowing the non- custodial parent weekly contact of not less than two hours.
 - (e) the following statement: "I fully understand that this affidavit is made under oath and that if I have made any untruthful statements in it, I may be charged with perjury, tried in a criminal proceeding, and subject to penalties of up to five years imprisonment and fines of up to \$1000.00, or both."

The order of ex parte custody shall provide for the alternating weekend visitation or such other supervised visitation as may be proposed by the applicant.

The order shall also provide that the award of ex parte custody shall automatically terminate within fifteen (15) days of issue.

AFFIDAVIT TO BE ATTACHED TO PETITIONS SEEKING EX PARTE CUSTODY AWARDS
PRIOR TO RULE HEARING FOR TEMPORARY CUSTODY

STATE OF LOUISIANA PARISH OF BEAUREGARD

AFFIDAVIT FOR EX PARTE CUSTODY

BEFORE ME, the undersigned authority, personally came and appeared _____, who being duly sworn stated under oath that:

I have read the foregoing petition for separation/divorce, and all of the allegations of fact contained therein are true and correct.

My spouse and I physically separated on _____.

Immediately prior to separation, my spouse and I resided together at _____.

Since _____ the child(ren) have been in the physical custody of and resided with _____ at _____.

I/he/she obtained them in the following manner: (describe where, when and how obtained, and other special circumstances) _____.

I desire immediate custody of the child(ren) for the following reasons: _____.

To my knowledge, there are no other custody orders in existence.

I agree to my child(ren)'s temporary visitation with my spouse every other weekend from 6:00 p.m. on Friday to 6:00 p.m. on Sunday.

OR

I do not agree to a temporary visitation arrangement for the following reasons: (specific facts must be stated which would indicate that the health or safety of the child would be endangered) _____.

I fully understand that this affidavit is made under oath and that if I have made any untruthful statements in it, I may be charged with perjury, tried in a criminal proceeding, and subjected to penalties of up to five years imprisonment and fines of up to \$1000.00, or both.

AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME this _____ day of _____, 19_____.

NOTARY PUBLIC

**Thirty-Seventh Judicial
District Court**

Parish of Caldwell

**Thirty-Eighth Judicial
District Court**

Parish of Cameron

**Thirty-Ninth Judicial
District Court**

Parish of Red River

**Fortieth Judicial District
Court**

**Parish of St. John the
Baptist**

**Civil District Court
Parish of Orleans**

- A. If an ex parte order of temporary custody is sought when a prior legal custody order exists, the suit record must accompany the application. If a prior application was sought, reference should be made to such application and what order or decision was made thereon. All applications for ex parte custody shall include an Appendix 29.0A Application for Ex Parte Custody Order and the Appendix 29.0B Certification by Applicant's Attorney in Compliance with La. C.C.P. art. 3945(B).
- B. All applications for ex parte custody shall be presented to the Judge to whom the case is assigned rather than to the Duty Judge.
- C. All applications for ex parte custody shall include an Order setting a Rule to Show Cause in the proper division and, except for good cause shown or where prohibited by law, the application must provide for visitation in compliance with La. C.C.P. Art. 3945.
- D. On motion of a party, or on its own motion, the Court may impose appropriate sanctions pursuant to La. C.C.P. Art. 863D for certifications that are not made in good faith.

**Criminal District Court
Parish of Orleans**

**Forty-Second Judicial
District Court
Parish of DeSoto**
