

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

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 _____ Date of Service
 If Domiciliary, then name of person served _____
 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 PD Entered
4. Preliminary default entered:
 By Oral Written Motion
5. Have two days, exclusive of holidays, elapsed since the entry of preliminary default, with no answer or 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. 1702A or has defendant waived notice? Yes
5. Are the original and one copy of the proposed final Judgment attached? 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 been living separate and apart without reconciliation **180 days or more** 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 injunction issued against the other spouse to protect the spouse seeking 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 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 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