

23rd JUDICIAL DISTRICT COURT
APPENDIX 28.1C: LA. C.C.P. ART. 1702(E) DIVORCE CHECKLIST

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 his/her attorney and submitted/filed with the Judgment of Divorce.

Petitioner

DOCKET NUMBER: _____

versus

Defendant

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: _____ 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 is there a filed waiver of the notice by the defendant? Yes
 Yes (Waiver)
5. Are the original and at least one copy of the proposed final Judgment attached? Yes; or

C. Grounds for Divorce (La. C.C. Art. 103/1702(E))

(Choose one of the following:)

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 **180 days or more** without reconciliation Yes
OR
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 in order to protect the petitioner who 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 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