
LOCAL RULES

OF

THE FAMILY COURT

IN AND FOR THE

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

REVISED & READOPTED ON OCTOBER 29, 2013
BY ORDER OF THE COURT, SITTING *EN BANC*

EFFECTIVE NOVEMBER 1, 2013
UPDATED AUGUST 1, 2014



**THE FAMILY COURT
PARISH OF EAST BATON ROUGE**

* * * * *

ORDER

Pursuant to our authority to prescribe and enact rules of practice and procedure before this Court, and to ensure the administration of justice in an efficient and effective manner:

IT IS ORDERED that the following *Local Rules of Court* are hereby adopted and shall be effective as of November 1, 2013 and shall remain in effect until superseded or amended by further order of this Court.

IT IS FURTHER ORDERED that all prior rules and orders issued by this Court sitting *en banc* are hereby superseded, having been incorporated into the following revised *Local Rules of Court*.

THUS DONE AND SIGNED this 29th day of October 2013, at Baton Rouge, Louisiana.

PAMELA J. BAKER
Chief Judge, Division A

ANNETTE LASSALLE
Judge, Division D

LISA WOODRUFF-WHITE
Judge, Division B

CHARLENE CHARLET DAY
Judge, Division C

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RULE 1. APPLICATION OF RULES.

§ 1. Failure by attorneys or self-represented litigants to comply with any of the rules herein, or any other law or procedure, may result in the rejection of nonconforming pleadings, dismissal of the cause of action, continuances, limitation of the presentation of evidence or witnesses, sanctions provided by law, or other appropriate relief.

§ 2. The judge of each division may, in exceptional circumstances and particular cases, deviate from these rules in the interest of justice and proper administration of the Court.

§ 3. Attorneys and self-represented litigants are also directed to Title I, Title II, and Title IV of the uniform *Rules for Louisiana District Courts*, which are applicable in proceedings in this Court. In the event of a conflict, these local rules provide the more specific rules applicable in this Court.

RULE 2. ADDRESS TO COURT.

All petitions and other pleadings shall be addressed to The Family Court in and for the Parish of East Baton Rouge.

RULE 3. LEGAL RECORDS.

All legal records of The Family Court shall be in the custody of the Clerk of Court for the Parish of East Baton Rouge.

RULE 4. ORGANIZATION OF THE COURT.

§ 1. The Court shall be composed of as many divisions as there are judges authorized by law for The Family Court in and for the Parish of East Baton Rouge. Presently, the Court shall be composed of four divisions designated as "A", "B", "C", and "D".

§ 2. Whenever circumstances may require and by agreement of the judges, a judge presiding over one division of the Court may also preside over another division, exchange judicial duties or assist another judge with his judicial duties, or transfer a case from one division to another.

§ 3. The judge who has begun a trial on the merits shall complete the said trial and shall sign any judgment which he has previously rendered. A successor judge may complete his predecessor's trials and sign judgments the predecessor judge previously rendered.

RULE 5. SCHEDULE OF COURT.

§ 1. The Court will adjourn at 4:30 p.m. each afternoon; however, the Court may in its discretion remain in session. If a case is not completed or if cases remain on the docket untried, such cases shall be carried over to the next available day.

§ 2. Court office hours are from 8:30 a.m. to 4:30 p.m. Court offices are generally closed from 12:00 p.m. to 1:00 p.m. daily.

RULE 6. DUTY JUDGE.

§ 1. The duty schedule shall be determined by the Court sitting *en banc*.

§ 2. The duty judge shall be available each day of scheduled duty from 2:00 p.m. to 4:00 p.m. to sign all orders. Duty matters may be handled if the duty judge is available during other hours.

§ 3. All duty matters requiring signature shall be forwarded to the judicial assistant for the duty judge, unless otherwise provided.

§ 4. Duty matters, other than routine ones, which require review of court records, conferences with the duty judge, etc., must be presented to the duty judge by 3:30 p.m. so that the matter may be completed by the end of duty at 4:00 p.m.

RULE 7. EX PARTE CUSTODY ORDERS.

§ 1. All applications for *ex parte* custody orders shall strictly comply with Louisiana Code of Civil Procedure article 3945 and shall be accompanied by Forms E and F.

§ 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.

RULE 8. 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.

RULE 9. ALLOTMENT OF CASES.

§ 1. The Clerk of Court shall, upon the filing of any new proceedings, immediately allot the same to a division by the use of a mechanical or electronic device to ensure the equal assignment among the divisions of Court. The method of allotment shall be subject to the direct supervision of the Court and shall maintain equal distribution of cases among the divisions.

§ 2. If a petition for a domestic violence order is the initial filing, it shall be allotted according to § 1 of this rule. If a proceeding between the same parties has already been filed at the time of the filing of a domestic violence petition, it shall be handled in accordance with Rule 25.

§ 3. Any variance from this rule must be approved by all judges concerned.

RULE 10. RE-ALLOTMENT OF CASES.

§ 1. After a case has been allotted, it may be re-allotted for good cause

from one division to another by an order signed by the judge presiding over the division from which the case is being re-allotted, or by an order rendered *ex proprio motu* by the Court sitting *en banc*.

§ 2. Upon the re-allotment of a case, the division designation on the record jacket shall be changed, the Clerk's cost docket shall reflect the change, and all additional pleadings are to bear the new caption. The re-allotment order or a copy thereof is to be filed in all affected records.

RULE 11. CONSOLIDATION OF CASES.

§ 1. When a suit is filed into a new docket number involving the same parties to an ongoing suit, the cases shall be consolidated into one suit number. The cases with the higher docket numbers shall be consolidated into the case with the lowest docket number in the original division.

§ 2. Consolidations under this rule shall be accomplished by a motion to consolidate filed by an attorney or self-represented party. The motion shall be granted upon signature of all of the judges presiding over the affected cases. The Court may decline to take further action on the cases until they are properly consolidated according to this rule.

§ 3. Upon the consolidation of cases, the division designation on the record jacket shall be changed, the Clerk of Court's cost docket shall reflect the change, and all additional pleadings are to bear the caption of the lowest docket number. The consolidation order or a copy thereof is to be filed in all affected records.

§ 4. This rule shall not be applicable in domestic violence cases. Consolidations and transfers of domestic violence cases are set forth in Rule 25.

RULE 12. TRANSFER OF CASES.

§ 1. An action filed after a reconciliation of the parties, an abandonment of the action, a dismissal of the action, or a finding of nullity shall be given a new suit number and randomly allotted as required by law. However, the Clerk of Court shall automatically transfer the case, if the case is allotted to a different division than the original division, to ensure that the case is heard by the original division.

§ 2. All cases involving the same payor of child support shall be transferred to the same division of the Court. In the event that there are

multiple cases involving the same payor of child support, all the cases shall be transferred to the division with the lowest suit number.

§ 3. Transfers under this rule shall be accomplished by a notice of prior or multiple filings, Form M, filed by an attorney or self-represented party. The Court may decline to take further action on the cases until they are properly transferred according to this rule.

§ 4. Each case shall maintain its own suit number but the division designation on the record jacket shall be changed, the Clerk's cost docket shall reflect the change, and all additional pleadings are to bear the new division designation. The transfer order or a copy thereof is to be filed in all affected records.

§ 5. This rule shall not be applicable in domestic violence cases. Consolidations and transfers of domestic violence cases are set forth in Rule 25.

RULE 13. RULE DAY.

§ 1. The order of business shall be as follows on rule day: 1) docket called; 2) stipulations; 3) matters requiring argument only; 4) matters set for review; 5) *Boykin* rights; 6) uncontested matters; 7) status conferences; and 8) contested matters.

§ 2. Attorneys shall answer the rule docket by telephone communication to the proper division's judicial assistant before 4:00 p.m. on the last court date before the rule day, or at 9:00 a.m. in person in open court on the rule day. Attorneys may also answer the docket by email. However, if the attorney does not receive confirmation of the receipt of the email by the judicial assistant, the answer to the docket shall be confirmed by telephone.

§ 3. Attorneys shall be on the fourth floor of the courthouse at 9:00 a.m. on their scheduled rule day. If an attorney is unable to do so, he shall make prior arrangements with the Court and with the opposing side. Further, attorneys shall notify the proper judicial assistant of any other rules pending at the same time in any other division. Failure to check in or appear in court as required herein may cause the rule to be stricken from the docket or the hearing may proceed without the presence of the attorney who failed to properly check in or appear in court.

§ 4. Should service of a rule be made on the defendant after 12:00 p.m. on the Thursday preceding the assignment date, the defendant or his counsel

shall be entitled to a continuance for at least one week upon making a motion to the Court.

§ 5. Unless the time for argument is otherwise fixed by the Court, a matter heard on rule day shall be argued and submitted immediately upon the conclusion of the taking of the testimony. The total time fixed for testimony and argument shall be no more than thirty minutes per case, unless extended by the Court.

RULE 14. ASSIGNMENT OF MATTERS.

§ 1. All rules, motions, and exceptions filed shall be assigned for hearing on a rule day, unless otherwise directed by the Court.

§ 2. All matters not resolved on rule day shall be assigned to contested trial dates, unless otherwise directed by the presiding judge. Assignment of matters to contested trial dates shall be made according to the procedures set forth by the judge of each division as provided in Rule 15.

§ 3. Attorneys or self-represented litigants seeking to pass, dismiss, or resolve their matters shall immediately request that the Court pass the matter so that other matters may be scheduled.

§ 4. Notices of assignment may be sent by the Court as a courtesy to attorneys and self-represented litigants as much as is practicable. These notices do not constitute, and do not take the place of, service of process as provided by law.

RULE 15. PRE-TRIAL PROCEDURES.

§ 1. Division A. Attorneys or self-represented litigants must obtain a trial date from the judicial assistant. At the time the trial date is selected, both sides must complete a case management schedule. Pre-trial conferences are scheduled approximately one month prior to the trial date. Pre-trial orders and pre-trial memorandums are not required unless requested by the judge. A second trial setting must be selected, unless the judge indicates otherwise.

§ 2. Division B. Attorneys or self-represented litigants must complete a case management schedule in order to obtain a trial date. The case management schedule assigns a pre-trial readiness conference date and second setting trial date. The case will be assigned a first setting trial date at the pre-trial readiness conference.

§ 3. Division C. After a brief status conference with the judge, attorneys and self-represented litigants must complete a case management schedule setting forth their contested issues, deadlines, and dates to appear in court. A pre-trial readiness conference will be set approximately three weeks prior to the trial. The judge will notify both sides if pre-trial memorandums will be required. All sides must comply with the deadlines in the case management schedule and attend pre-trial readiness conferences as required, or the trial date may be passed.

§ 4. Division D. Attorneys or self-represented litigants must file and submit pre-trial orders to the staff attorney once they believe their matter is ready for trial. All issues to be heard at the trial on the merits must be specifically pled prior to the matter being set for trial. The pre-trial orders are not required to be joint orders and may be submitted individually. After reviewing the orders, the judge will set the matter for trial if appropriate. If the case is not ready for trial, a conference will be set to move the case toward trial. The division will complete a case management schedule, which will be sent to each side. If feasible, the case will be assigned a second setting or a third setting, if requested, in addition to a first setting. The judge will notify both sides if pre-trial briefs will be required. A pre-trial conference will be scheduled shortly before the trial date.

§ 5. The judge for each division may deviate from these procedures if the situation requires.

RULE 16. CLOSED HEARINGS.

The Court may order a hearing closed to the public in a case involving child custody in accordance with Louisiana Civil Code article 135, or in its discretion if it finds good cause to close a hearing.

RULE 17. ATTENDANCE OF WITNESSES.

§ 1. Attorneys or parties desiring witnesses to be subpoenaed shall submit the names and addresses of such witnesses to the Clerk of Court at least ten days before the date of trial or hearing.

§ 2. When an instanter subpoena is necessary, or when other unavoidable circumstances make compliance with the ten-day rule impossible, an attorney or self-represented litigant may submit a letter requesting the subpoena to the presiding judge. The letter shall provide a signature line for the judge to approve the request.

RULE 18. TRANSPORT OF INCARCERATED PARTIES.

§ 1. In cases where a party is incarcerated, the party that filed pleadings seeking relief shall be responsible for arranging the transportation of the incarcerated party from the prison or detention center to court. An incarcerated person is responsible for arranging his own transportation to court if he is the party that filed pleadings seeking relief.

§ 2. The Court shall order the transportation of parties incarcerated in the East Baton Rouge Parish Prison on its own motion for the domestic violence proceedings described in Rule 25. The presiding judge may authorize the transportation by signing a list of incarcerated parties presented to him for approval.

§ 3. Aside from those proceedings described in § 2, the Court may order the transportation of incarcerated persons on its own motion at its discretion.

RULE 19. ATTORNEYS APPOINTED TO REPRESENT ABSENTEES AND CHILDREN.

§ 1. The fee for the appointment of an attorney to represent an absentee or a child is fixed at the sum of \$350.00. Litigants desiring the appointment of an attorney shall deposit the fee in advance with the Clerk of Court, and shall certify to the Court in the order seeking such appointment that the fee has been paid in advance in full.

§ 2. Attorneys appointed after the filing of a Louisiana Civil Code article 102 divorce petition consent to subsequent re-appointment after the filing of the rule to show cause on the same divorce if necessary. The total fee for both appointments shall be \$350.00. Impediments to reappointment shall be brought to the Court's attention at the time of filing of the rule to show cause, and the Court may determine such reappointments are not possible.

§ 3. The Court may order an additional fee for the appointed attorney should it be necessary for multiple court appearances, or for extraordinary efforts to discharge duties pursuant to the appointment.

§ 4. To receive these appointments, attorneys must register with the Baton Rouge Bar Association *Pro Bono* Project, and either accept two domestic case referrals annually or commit to serve eight hours of time at the Self-Help Resource Center annually.

RULE 20. INTERPRETERS.

§ 1. Parties shall contact the court administrator to request an interpreter for a hearing impaired person or for a foreign language speaker as soon as the need for an interpreter is known. If the request for an interpreter is made less than five working days prior to the scheduled hearing, the matter may be passed on the Court's own motion.

§ 2. The Court shall set the fee for an interpreter for a foreign language speaker at a reasonable rate, and that amount shall be taxed as court costs payable to The Family Court Judicial Expense Fund. Requests to cancel the appearance of an interpreter shall be made to the court administrator no less than forty-eight hours prior to the scheduled court appearance. Failure to cancel the appearance within this time period may result in the assessment of court costs against the requesting party.

§ 3. Once interpreter fees are taxed as court costs, a cost review date shall be assigned to ensure the payment of these court costs.

§ 4. A case involving an interpreter may be given priority over other matters scheduled on the same date.

RULE 21. IN FORMA PAUPERIS PROCEEDINGS.

§ 1. Litigants seeking court authorization to proceed *in forma pauperis* shall submit Form J, and shall comply with the provisions of Louisiana Code of Civil Procedure articles 5181 *et seq.*

§ 2. All sections of the pauper form shall be completed by all applicants, regardless of whether or not the applicant is a client of a legal services or a *pro bono* program. Applicants for pauper status must attach income information in the form of the most recent paycheck, the prior year's tax return with all attachments, or W2 forms and 1099 forms if no tax return was filed.

§ 3. Pauper status shall expire six months after the date it was granted by the Court. Litigants may reapply for pauper status upon the expiration of the order.

§ 4. In cases involving paupers, court costs shall be assessed by the presiding judge and cost review dates shall be assigned to ensure the payment of court costs.

RULE 22. ENROLLMENT AS COUNSEL OF RECORD.

§ 1. Attorneys may enroll as counsel of record by oral motion made in open court when all parties or their counsel are present, or by filing a written motion to enroll.

§ 2. An attorney may also enroll as counsel of record for limited purposes. The attorney shall file a notice of limited appearance, Form L, with or prior to the initial pleading or prior to the initial hearing. The attorney shall provide copies of the notice to all other counsels of record, self-represented parties, and the Court. All pleadings filed by an attorney who has made a limited appearance shall include “Attorney for limited purpose of [matter or proceeding]” in bold type on the signature page.

RULE 23. WITHDRAWAL AS COUNSEL OF RECORD.

§ 1. Enrolled attorneys have, apart from their own interests, continuing legal and ethical duties to their clients, all adverse parties, and the Court. Accordingly, the following requirements govern all motions to withdraw as counsel of record.

§ 2. A withdrawing attorney who does not have written consent from the client shall make a good faith attempt to notify the client in writing of the withdrawal and of the status of the case on the Court’s docket. The attorney shall deliver or mail this notice to the client before filing any motion to withdraw.

§ 3. If the action or proceeding has been assigned to a particular division of the Court, then the motion to withdraw shall be submitted to the judge presiding over that division.

§ 4. All motions to withdraw shall include the following information. 1) The motion shall state current or last-known street address and mailing address of the withdrawing attorney’s client. The withdrawing attorney shall also furnish this information to the Clerk of Court. 2) If a scheduling order is in effect, a copy of it shall be attached to the motion. 3) The motion shall state whether any conference, hearing, or trial is scheduled and, if so, its date. 4) The motion shall include a certificate that the withdrawing attorney has complied with § 2 of this rule and with Rule 1.16 of the Rules of Professional Conduct. A copy of the written communication required by § 2 of this rule shall be attached to the motion. 5) If the motion is to withdraw upon completion of a limited appearance, the motion shall include a certification by the withdrawing attorney that the agreed upon

limited services have been completed and that the withdrawing attorney has submitted all judgments or orders resulting from the limited appearance as ordered by the court. A copy of the relevant notice of limited appearance shall be attached to the motion.

§ 5. The court may allow an attorney to withdraw by *ex parte* motion if: 1) The attorney has been terminated by the client; or 2) The attorney has secured the written consent of the client and of all parties or their respective counsel; or 3) A limited appearance, as authorized by Rule 1.2(c) of the Rules of Professional Conduct and consented to by the client, has been completed; or 4) The case has been concluded; or 5) No hearing or trial is scheduled in the matter.

§ 6. If § 5 of this rule does not apply, then an attorney may withdraw as counsel of record only after a contradictory hearing and for good cause. All parties and the withdrawing attorney's client shall be served with a copy of the motion and rule to show cause why it should not be granted.

§ 7. If counsel's withdrawal would delay a scheduled hearing or trial, the court will not allow the withdrawal unless exceptional circumstances exist or limited representation was undertaken and completed pursuant to a notice for limited appearance.

§ 8. A motion to substitute counsel may be submitted if signed by both the withdrawing attorney and the enrolling attorney. The Court may grant the motion without a hearing. Substitution of counsel will not, by itself, be good cause to alter or delay any scheduled matters or deadlines.

RULE 24. MOTIONS TO COMPEL.

§ 1. Before filing any motion to compel discovery, the moving party or attorney shall confer in person or by telephone with the opposing party or counsel for the purpose of amicably resolving the discovery dispute. The moving party or attorney shall attempt to arrange a suitable conference date with the opposing party or counsel and confirm the date by written notice sent at least five days before the conference date, unless an earlier date is agreed upon or good cause exists for a shorter time period. If by telephone, the conference shall be initiated by the person seeking the discovery responses.

§ 2. No counsel for a party shall file, nor shall any clerk set for hearing, any motion to compel discovery unless accompanied by the appropriate certificate of conference as set forth below:

If discovery conference is held:

I, the undersigned party or attorney, certify to the court as follows: The parties or counsel personally conducted a conference on [insert date]. At this conference, there was a substantive discussion of every item presented to the court in this motion and, despite their best efforts, the parties or counsel were unable to resolve the matters presented.

Certified this ___ day of _____, 20__.

Signature of Party or Attorney

If discovery conference is not held:

I, the undersigned party or attorney, certify to the court as follows: The moving party or counsel has personally attempted to contact the respondent or counsel to arrange a conference to resolve the matters presented in this motion as follows: [Insert dates, times, methods of contact, and results here.] Respondent or counsel has failed to respond or failed to confer in good faith in an attempt to resolve the matters presented.

Certified this ___ day of _____, 20__.

Signature of Party or Attorney

§ 3. If the Court finds that the parties or counsel have failed to confer in good faith, or have willfully failed to confer, the Court may impose, at its discretion, sanctions on the non-conferring party, including attorney fees and costs.

RULE 25. DOMESTIC VIOLENCE PROCEEDINGS.

§ 1. All petitions for temporary restraining orders, preliminary or permanent injunctions, protective orders, motions to dissolve or modify prior protection orders, judgments of dismissal, and petitions making foreign protective orders executory requested pursuant to Louisiana Code of Civil Procedure articles 3601 *et seq.*, Louisiana Revised Statutes §§ 9:361 *et seq.*, Louisiana Revised Statutes § 9:372, Louisiana Revised Statutes §§ 46:2131 *et seq.*, and Louisiana Revised Statutes § 46:2151 shall be accompanied by the appropriate uniform abuse prevention order provided by the Louisiana Protective Order Registry.

§ 2. For these matters, whether in conjunction with any other pleading or separate from any other action, the Court will accept only those forms designated and approved by the Louisiana Protective Order Registry. Failure to use these forms may result in denial of the relief sought.

§ 3. Those forms and orders provided by the Louisiana Protective Order Registry are available in the domestic violence office of the Clerk of Court, or online at http://www.lasc.org/court_managed_prog/lpor/pro_forms.asp

§ 4. All new domestic violence proceedings shall be assigned a new docket number and allotted as provided by law. However, if the new suit involves the same parties to a prior suit, it shall automatically be consolidated into the suit with the lowest number. This consolidation shall be effected by the Clerk of Court, regardless of whether any prior domestic violence proceedings were dismissed or abandoned. This rule shall be applied so that cases remain with the division to which they were first allotted and the parties appear before the same division in all matters.

RULE 26. DETERMINATION OF JURISDICTION IN CUSTODY CASES.

In all cases where a minor child was born or has lived outside the state of Louisiana, the party raising the issue of custody of the minor child shall complete and file into the record Form P. The Court shall use the information provided in that form to make a determination of jurisdiction pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act, Louisiana Revised Statutes §§ 13:1801, *et seq.* This rule shall apply to all proceedings in which legal custody, physical custody, or visitation of child is at issue, whether the Court is rendering a permanent, temporary, initial, or modification order. This may include cases where custody is at issue in proceedings for divorce, separation, paternity, and protection from domestic violence.

RULE 27. SUPERVISION OF CUSTODY OR VISITATION.

When the Court orders supervised visitation or custody with a minor child, it may order the visitation or custodial periods to occur at a designated facility that provides supervision services, or it may designate one or more suitable adults to act as supervisor. If an individual is designated as a supervisor, he shall read and sign Form O indicating his understanding of his duties and responsibilities. The signed form shall be filed into the record.

RULE 28. CHILD SUPPORT PROCEEDINGS.

§ 1. The fixing of child support shall be in accordance with Louisiana Revised Statutes §§ 9:315, *et seq.*

§ 2. The parties are to exchange proof of income, child care costs, health insurance premiums, extraordinary medical expenses, other extraordinary expenses, private school tuition, and any other information relevant to the determination of child support prior to the scheduled court hearing. Proof of income includes pay check stubs or similar employer statements of income, and the past two years' business and personal tax returns including all attachments. Both sides are to bring proposed child support obligation worksheets to the scheduled court hearing.

§ 3. An obligation worksheet shall be attached to all judgments setting or modifying child support, or alternatively, the gross income of the parties and other relevant numbers used to calculate the support shall be included in the judgment. The judgment shall also state if the order is a deviation from the statutory child support guidelines.

§ 4. The state case registry data form, Form K, must be completed and attached to all Income Assignment Orders as required by Louisiana Revised Statutes § 46:236.10 prior to presentation for signature by the judge.

RULE 29. RULES FOR CONTEMPT OR FOR ARREARAGES.

All motions seeking arrearages or motions for contempt for failure to pay spousal support or child support shall be accompanied by a schedule of arrearages as provided in Form B. Failure to comply with this rule may result in sanctions provided by law, dismissal, continuances, or other appropriate relief.

RULE 30. RULES FOR SPOUSAL SUPPORT.

In a case where a party seeks an award of spousal support, both sides shall exchange income and expense affidavits or income information no later than twenty-four hours prior to the scheduled hearing date. Failure to comply with this rule may result in sanctions provided by law, dismissal, continuances, or other appropriate relief.

RULE 31. SWORN DETAILED DESCRIPTIVE LISTS.

The sworn detailed descriptive lists filed by the parties shall be in conformity with Form H. Later sworn detailed descriptive lists filed shall follow the order and form of the first filed list, and shall state any

concurrence or traversal as to each item and the reason for traversal. Additions of assets, debts, reimbursements, or other claims not listed in the first detailed descriptive list filed may be added at the end.

RULE 32. AUCTION OF MOVABLES.

§ 1. The parties may request, or the Court on its own motion may order the parties and their attorneys to participate in an auction of movable items as part of a community property partition.

§ 2. The movable auction may be conducted by the judge's staff attorney to allocate all movable items on the joint detailed descriptive list of the parties. The parties will have alternate turns during the auction, and the first turn shall be determined by coin toss or other random means. On his turn, one of the parties will set the value of a listed item, and the other party may either accept or reject the item at that value. The parties will continue alternating their turns until all movables are allocated.

§ 3. After all items have been allocated, the items accepted and rejected by the parties shall be added together. Each party shall add the value of all items he accepted and all of the items the other party rejected to his total. After the sum for each of the parties is calculated, the party with the higher sum shall owe an equalizing payment to the party with the lower sum. The equalizing sum will be in an amount so that both parties are left with equal monetary values.

RULE 33. STIPULATIONS.

§ 1. Any matter may be resolved by the stipulation of the parties, by either submitting a written stipulation or by reading the stipulation into the record.

§ 2. The parties or their counsels may prepare a written stipulation on Form N setting out the extent of their agreement and containing their signatures signifying their consent and agreement thereto. The written stipulation shall be submitted to the Court for approval and signature.

§ 3. Alternatively, the parties or their counsels may read their stipulation into the record in open court. The Court shall render judgment adopting the stipulation after ascertaining that the parties understand and agree to the stipulation.

§ 4. A written judgment must be prepared and filed in accordance with

the stipulation and in compliance with Rules 34 and 35.

RULE 34. JUDGMENT REVIEWS.

§ 1. A written judgment must be prepared and filed after any stipulation is entered into by the parties, after issuance of written reasons for judgment, after oral rendition of a judgment, or as the Court may direct. Counsel for the parties or self-represented litigants shall prepare and file the written judgment on or before the judgment review date assigned by the Court.

§ 2. If an accurate judgment in compliance with the law and the rules of this Court is filed by the judgment review date, counsel or self-represented litigants do not need to appear in court on that date. If such a judgment has not been filed by the judgment review date, counsel or self-represented litigants must appear in open court on the assigned date.

RULE 35. JUDGMENTS AND ORDERS.

§ 1. All judgments and orders submitted for signature shall contain the names, current physical mailing addresses, and telephone numbers of all counsels of record or self-represented litigants.

§ 2. All judgments and orders must either be presented to the judge for signature when rendered or, if presented later, contain the typewritten name of the judge who rendered the judgment or order. The page of the judgment or order containing the judge's signature line must reflect the appropriate caption of the pleadings at issue.

§ 3. The party or attorney responsible for preparing the judgment or order must circulate the proposed judgment or order to all counsels of record and self-represented parties to allow fifteen days for comment before presentation to the court.

§ 4. When submitted, the proposed judgment or order must be accompanied by a certificate regarding the date of mailing, hand delivery, or other method of delivery of the document to other counsel of record and to unrepresented parties, and stating whether any opposition was received and the basis for the opposition. The certificate must also contain a request for execution of the judgment over the opposition or in the absence of signature of the other counsels of record or self-represented party.

§ 5. Counsels for the parties or self-represented litigants shall prepare

and submit a Qualified Domestic Relations Order or other plan for employee benefits, along with the judgment to be signed if required. If the order involves self-represented parties, the documents shall be notarized.

§ 6. All property partition judgments shall contain appropriate conveyance language for immovable property.

§ 7. Failure to comply with the provisions of this rule may result in a judgment or order not being signed.

RULE 36. LA. C.C. ART. 102 DIVORCES.

At the hearing on a rule to show cause why a divorce should not be granted pursuant to Louisiana Civil Code article 102, the mover or his attorney shall offer and introduce into evidence the entire record and Form G in open court on the hearing date. Attorneys appointed to represent absentees shall testify in open court at that time.

RULE 37. DEFAULT CONFIRMATIONS OF LA. C.C. ART. 103 DIVORCES UNDER LA. C.C.P. ART. 1702 (E).

§ 1. After obtaining a judgment of preliminary default, a petitioner represented by counsel may obtain a final judgment of divorce without appearing in open court by submitting the necessary documents as required by law and Form 1.

§ 2. Self-represented litigants must appear in open court after obtaining a judgment of preliminary default to obtain a final judgment of divorce pursuant to Louisiana Civil Code article 103.

RULE 38. UNCONTESTED LA. C.C. ART. 103 DIVORCES UNDER LA. C.C.P. ART. 969 (B).

§ 1. If both parties are represented by counsel and an answer has been filed, the parties may request a judgment of divorce pursuant to a judgment on the pleadings or summary judgment by submitting the necessary documents required by law and Form 2.

§ 2. The proposed judgment may contain relief other than a divorce if stipulated to by both parties. If other relief is sought but not stipulated to by the parties, the parties may reserve their right to fix those matters for trial.

RULE 39. TRANSCRIPTS OF COURT PROCEEDINGS.

§ 1. Persons seeking a transcript of court proceedings shall complete the Transcript Request Form provided by the Court. The completed form may be delivered by mail, fax, email, or in person to the court administrator. The form may also be completed electronically at www.familycourt.org.

§ 2. Transcript costs shall be paid for in advance. The costs are an administrative charge of \$5.00, plus \$6.50 per page. Transcripts for appeals require an original and two copies. There shall be an additional charge of \$1.20 per page for the copies for appeals. Further information may be found at www.familycourt.org.

RULE 40. FINES PAYABLE TO THE COURT.

§ 1. The Court may assess a fine as punishment for contempt of court in accordance with Louisiana Code of Civil Procedure articles 221 *et seq.*, and Louisiana Revised Statutes § 13:4611. When the Court assesses the fine, it shall order a date by which it is to be paid in full.

§ 2. The person ordered to pay a court fine may do so in person at the courthouse before the date assigned. The person shall obtain the payment information from the court receptionist on the fourth floor of the courthouse. The party will then take the fine information to the Sheriff's Fines office on the second floor of the courthouse. After making the payment, the person shall bring the receipt back to the receptionist on the fourth floor to ensure he is given credit for payment.

RULE 41. SCHEDULE OF FORMS.

The list of standard and approved forms used by The Family Court is contained in the schedule of forms attached herein.

RULE 42. ANSWERING THE DOCKET.

§ 1. In cases docketed for trial, attorneys shall answer ready by telephone communication to the proper division's judicial assistant by 12:00 p.m. on the court day immediately preceding the scheduled trial day. Attorneys must be present in court on the date and time the case is set.

§ 2. In all other cases, attorneys shall answer ready by telephone communication to the proper division's judicial assistant before 4:00

p.m. on the court day immediately preceding their scheduled day in court, or at the scheduled time of the case in open court. Attorneys may also answer the docket by email. However, if the attorney does not receive confirmation of the receipt of the email by the judicial assistant, the answer to the docket shall be confirmed by telephone.

§ 3. Attorneys shall be on the fourth floor of the courthouse at the scheduled time of their case. If an attorney is unable to do so, he shall make prior arrangements with the Court and with the opposing side. Further, attorneys shall notify the proper judicial assistant of any other cases pending at the same time in any other division. Failure to check in or appear in court as required herein may cause the case to be stricken from the docket or the hearing may proceed without the presence of the attorney who failed to properly check in or appear in court.

SCHEDULE OF FORMS

FORM	CAPTION
1	Default Confirmation of La. C.C. Art. 103 Divorce Pursuant to La. C.C.P. Art. 1702 (E) Checklist
2	Uncontested La. C.C. Art. 103 Divorce Pursuant to La. C.C.P. Art. 969 (B) Checklist
A	Income & Expense Affidavit
B	Arrearage Worksheet for Spousal Support and Child Support
C	Child Support Obligation Guidelines Worksheet A
D	Child Support Obligation Guidelines Worksheet B
E	<i>Ex Parte</i> Temporary Custody Application Affidavit of Petitioner
F	<i>Ex Parte</i> Temporary Custody Application Certification of Service
G	La. C.C. Art. 102 Divorce Checklist
H	Detailed Descriptive List
I	Pre-Trial Order
J	<i>In Forma Pauperis</i> Form
K	State Case Registry Data Form
L	Notice of Limited Appearance
M	Notice of Prior or Multiple Filing
N	Written Stipulation Form
O	Supervisor Form
P	UCCJEA Information Form

Form 1

DEFAULT CONFIRMATION OF LA. C.C. ART. 103 DIVORCE PURSUANT TO LA. C.C.P. ART. 1702 (E) CHECKLIST

(PETITIONER)

NO: _____ DIV. _____

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

(DEFENDANT)

STATE OF LOUISIANA

- Date the parties were married: _____
- Date the parties began living separate and apart: _____
- The requisite period of time to live separate and apart (*select one*):
____ 180 days- there are no minor children of the marriage
____ 365 days- there are minor children of the marriage
- Date the petition was filed: _____
- Service / waiver (*select one*):
____ Personal / domiciliary service on: _____
____ Waiver was executed on: _____ and filed on: _____
____ Long arm service delivery on: _____ and affidavit filed: _____
- Date the preliminary default was entered: _____
- Is there an affidavit specifically attesting to and testifying as to the truth of all of the factual allegations contained in the petition? _____

CERTIFICATION OF ATTORNEY

I certify that the information I have provided above is correct after an examination of the record.

ATTORNEY SIGNATURE

DATE

CERTIFICATION OF MINUTE CLERK

I certify that after examining the record, no answer or opposition has been filed in the proceeding.

MINUTE CLERK SIGNATURE

DATE

Form 2

UNCONTESTED LA. C.C. ART. 103 DIVORCE PURSUANT TO LA. C.C.P. ART. 969 (B) CHECKLIST

(PETITIONER)

NO: _____ DIV. _____

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

(DEFENDANT)

STATE OF LOUISIANA

- Date the parties were married: _____
- Date the parties began living separate and apart: _____
- The requisite period of time to live separate and apart (*select one*):
____ 180 days- there are no minor children of the marriage
____ 365 days- there are minor children of the marriage
- Date the petition was filed: _____
- Does the petition have a verifying affidavit? _____
- Is the petitioner represented by an attorney? _____
- Service / waiver (*select one*):
____ Personal / domiciliary service on: _____
____ Waiver was executed on: _____ and filed on: _____
____ Long arm service delivery on: _____ and affidavit filed: _____
- Date the answer was filed: _____
- Is the defendant represented by an attorney? _____
- Is there a joint stipulation of facts, request for judgment, and sworn verification by each party filed by counsels for both parties? _____
- Is there a proposed judgment containing a certification that both counsels and both parties agree to its terms? _____

CERTIFICATION OF ATTORNEY

I certify that the information I have provided above is correct after an examination of the record.

ATTORNEY SIGNATURE

DATE

Form A

INCOME & EXPENSE AFFIDAVIT

(PETITIONER)

NO: _____ DIV. _____

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

(DEFENDANT)

STATE OF LOUISIANA

PARISH OF _____
STATE OF LOUISIANA

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in this state and parish, personally appeared _____, who after being duly sworn, declared that the following figures and amounts are accurate to the best of his/her knowledge:

I. INCOME

Gross Monthly Income

<i>Source</i>	<i>Amount</i>
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total Gross Monthly Income	\$ _____

Itemized Payroll Deductions

<i>Source</i>	<i>Amount</i>
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total Monthly Deductions	\$ _____

NET MONTHLY INCOME \$ _____

II. LIVING EXPENSES

<i>Type</i>	<i>Amount for Spouse/Parent</i>	<i>Amount for Child(ren)</i>
Rent/Mortgage Note	\$ _____	\$ _____
Food	\$ _____	\$ _____
Automobile Note	\$ _____	\$ _____
Clothing	\$ _____	\$ _____
Transportation (Fuel Costs)	\$ _____	\$ _____
Medical	\$ _____	\$ _____
Dental	\$ _____	\$ _____
Prescriptions	\$ _____	\$ _____
Household	\$ _____	\$ _____
Laundry	\$ _____	\$ _____
Personal Grooming	\$ _____	\$ _____
Electricity	\$ _____	\$ _____
Gas	\$ _____	\$ _____

Form B

ARREARAGE WORKSHEET FOR SPOUSAL SUPPORT OR CHILD SUPPORT

(PETITIONER)

NO: _____ DIV. _____

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

(DEFENDANT)

STATE OF LOUISIANA

A support order was rendered on _____ for a monthly award of \$ _____, which became effective on _____.

The payor was previously found in contempt _____ times.

Arrears were previously set in the amount of \$ _____ on _____.

The payor has a balance due in the amount of \$ _____ on the prior arrearages set.

No.	Due Date	Amount Due	Date Paid	Amount Paid	Accrued Arrears
1		\$		\$	\$
2		\$		\$	\$
3		\$		\$	\$
4		\$		\$	\$
5		\$		\$	\$
6		\$		\$	\$
7		\$		\$	\$
8		\$		\$	\$
9		\$		\$	\$
10		\$		\$	\$
11		\$		\$	\$
12		\$		\$	\$
13		\$		\$	\$
14		\$		\$	\$
15		\$		\$	\$
16		\$		\$	\$
17		\$		\$	\$
18		\$		\$	\$
19		\$		\$	\$
20		\$		\$	\$
21		\$		\$	\$
22		\$		\$	\$
23		\$		\$	\$
24		\$		\$	\$
25		\$		\$	\$
26		\$		\$	\$
27		\$		\$	\$
28		\$		\$	\$
29		\$		\$	\$
30		\$		\$	\$
31		\$		\$	\$
32		\$		\$	\$
33		\$		\$	\$
34		\$		\$	\$
35		\$		\$	\$
TOTALS		\$	-	\$	\$

Form C

CHILD SUPPORT OBLIGATION GUIDELINES WORKSHEET A

(PETITIONER)

NO: _____ DIV. _____

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

(DEFENDANT)

STATE OF LOUISIANA

<i>Children's Names</i>	<i>Dates of Birth</i>	<i>Children's Names</i>	<i>Dates of Birth</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

		<i>Petitioner</i>	<i>Defendant</i>	<i>Combined</i>
1	MONTHLY GROSS INCOME	\$	\$	
	a. Preexisting child support payment	-	-	
	b. Preexisting spousal support payment	-	-	
2	MONTHLY ADJUSTED GROSS INCOME (line 1 minus 1a and 1b)	\$	\$	
3	COMBINED MONTHLY ADJUSTED GROSS INCOME (line 2 column A plus line 2 column B) La. R.S. § 9:315.2(C)			\$
4	PERCENTAGE SHARE OF INCOME (line 2 divided by line 3) La. R.S. § 9:315.2(C)	%	%	
5	BASIC CHILD SUPPORT OBLIGATION (compare line 3 to Child Support Schedule) La. R.S. § 9:315.2(D)			\$
	a. Child care costs. La. R.S. § 9:315.3			+
	b. Child's health insurance premium cost			+
	c. Extraordinary medical expenses (uninsured only; agreed to by parties or by court order)			+
	d. Extraordinary expenses (agreed to by parties or by court order)			+
	e. Optional, minus extraordinary adjustments (child's income if applicable)			-
6	TOTAL CHILD SUPPORT OBLIGATION (add lines 5, 5a, 5b, 5c, & 5d; subtract line 5e)			\$
7	EACH PARTY'S CHILD SUPPORT OBLIGATION (multiply line 4 times line 6)	\$	\$	
8	DIRECT PAYMENTS made by noncustodial parent on behalf of the child for child care costs, health insurance premiums, extraordinary medical expenses, or extraordinary expenses		\$	
9	RECOMMENDED CHILD SUPPORT ORDER (subtract line 8 from line 7)		\$	

Comments: _____

PREPARER SIGNATURE _____

DATE _____

Form D

CHILD SUPPORT OBLIGATION GUIDELINES WORKSHEET B

(PETITIONER)

NO: _____ DIV. _____

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

(DEFENDANT)

STATE OF LOUISIANA

Children's Names	Dates of Birth	Children's Names	Dates of Birth
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

		<i>Petitioner</i>	<i>Defendant</i>	<i>Combined</i>
1	MONTHLY GROSS INCOME	\$	\$	
	a. Preexisting child support payment	—	—	
	b. Preexisting spousal support payment	—	—	
2	MONTHLY ADJUSTED GROSS INCOME (line 1 minus 1a and 1b)	\$	\$	
3	COMBINED MONTHLY ADJUSTED GROSS INCOME (line 2 column A plus line 2 column B) La. R.S. § 9:315.2(C)			\$
4	PERCENTAGE SHARE OF INCOME (line 2 divided by line 3) La. R.S. § 9:315.2(C)	%	%	
5	BASIC CHILD SUPPORT OBLIGATION (compare line 3 to Child Support Schedule) La. R.S. § 9:315.2(D)			\$
6	SHARED CUSTODY BASIC OBLIGATION (line 5 times 1.5) La. R.S. § 9:315.9(B)(2)			\$
7	EACH PARTY'S THEORETICAL CHILD SUPPORT OBLIGATION (multiply line 4 times line 6 for each party)	\$	\$	
8	PERCENTAGE with each party (Use actual percentage of time spent with each party if percentage is not 50%)	%	%	
9	BASIC CHILD SUPPORT OBLIGATION FOR TIME WITH OTHER PARTY (cross multiply line 7 for each party times line 8 for the other party) La. R.S. § 9:315.9(A)(3)	\$	\$	
	a. Child care costs. La. R.S. § 9:315.3			+
	b. Child's health insurance premium cost			+
	c. Extraordinary medical expenses (uninsured only; agreed to by parties or by court order)			+
	d. Extraordinary expenses (agreed to by parties or by court order)			+
	e. Optional, minus extraordinary adjustments (child's income if applicable)			—
10	TOTAL EXPENSES / EXTRAORDINARY ADJUSTMENTS (add lines 9a, 9b, 9c, & 9d; subtract line 9e)			\$
11	EACH PARTY'S PROPORTIONATE SHARE of expenses / extraordinary adjustments (line 4 times line 10)	\$	\$	
12	DIRECT PAYMENTS made by any party on behalf of the child for child care costs, health insurance premiums, extraordinary medical expenses, or extraordinary expenses	—	—	

13	EACH PARTY'S CHILD SUPPORT OBLIGATION (line 9 plus line 11; subtract line 12)	\$	\$	
14	RECOMMENDED CHILD SUPPORT ORDER (subtract lesser amount from greater amount in line 13 and place result under greater amount)	\$	\$	

Comments: _____

PREPARER SIGNATURE _____

DATE _____

Form E

EX PARTE TEMPORARY CUSTODY APPLICATION AFFIDAVIT OF PETITIONER

(PETITIONER)

NO: _____ DIV. _____

VERSUS

**THE FAMILY COURT
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA**

(DEFENDANT)

PARISH OF _____
STATE OF LOUISIANA

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in this state and parish, personally appeared _____, who after being duly sworn, did depose and state:

I have read the allegations of the petition and they are true and accurate to the best of my knowledge, information, and belief; and

Immediate and irreparable injury will result to the child or children named in the attached petition before the defendant herein or his/her attorney can be heard in opposition because of the following specific facts:

(attach additional pages if necessary)

PETITIONER'S SIGNATURE

SWORN TO AND SUBSCRIBED before me this ____ day of _____,
20__, at _____, Louisiana.

NOTARY PUBLIC

NOTE: *The Court will not consider any ex parte custody application unless this form and Form F are attached.*

Form F

EX PARTE TEMPORARY CUSTODY APPLICATION CERTIFICATION OF NOTICE

(PETITIONER)

VERSUS

(DEFENDANT)

NO: _____ DIV. _____

**THE FAMILY COURT
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA**

I, _____, certify to the Court that:

The following efforts have been made to give the defendant reasonable notice of the date and time the order is being presented to the Court:

OR, alternatively, the reasons such notice is not required:

(attach additional pages if necessary)

(SIGNATURE)

(PRINTED FULL NAME)

(BAR ROLL NUMBER IF ATTORNEY)

(STREET ADDRESS)

(CITY/STATE/ZIP CODE)

(TELEPHONE NUMBER)

NOTE: *The Court will not consider any ex parte custody application unless this form and Form E are attached.*

(PETITIONER)

NO: _____ DIV. _____

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

(DEFENDANT)

STATE OF LOUISIANA

THE PETITION

- Date the parties were married: _____
- Date the petition was filed: _____
- Does the petition have a verifying affidavit? _____
- Does the petition contain allegations of jurisdiction and venue? _____
- Date the parties began living separate and apart: _____
- Service / waiver of petition (*select one*):
 - ____ Personal / domiciliary service on: _____
 - ____ Waiver was executed on: _____ and filed on: _____
 - ____ Long arm service delivery on: _____ and affidavit filed: _____

THE RULE TO SHOW CAUSE

- Date the rule was filed: _____
- Does the rule have a verifying affidavit? _____
- Does the rule allege proper service / waiver of the petition? _____
- The requisite period of time to live separate and apart (*select one*):
 - ____ 180 days- there are no minor children of the marriage
 - ____ 365 days- there are minor children of the marriage
- Does the rule allege the requisite period of time has elapsed since service / waiver? _____
- Does the rule allege the parties have lived separate and apart for the requisite period of time? _____
- Service / waiver of rule (*select one*):
 - ____ Personal / domiciliary service on: _____
 - ____ Waiver was executed on: _____ and filed on: _____
 - ____ Long arm service delivery on: _____ and affidavit filed: _____

MOVER'S AFFIDAVIT

- Was the final affidavit executed by the mover after the rule was filed? _____
- Does the affidavit state the parties have lived separate and apart for the requisite period of time prior to the filing of the rule? _____
- Does the affidavit state the parties still live separate and apart, and that the mover desires to be divorced? _____

CERTIFICATION OF ATTORNEY

I certify that the information I have provided above is correct after an examination of the record.

ATTORNEY SIGNATURE

DATE

Form H

DETAILED DESCRIPTIVE LIST

(PETITIONER)

NO: _____ DIV. _____

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

(DEFENDANT)

STATE OF LOUISIANA

PARISH OF _____
STATE OF LOUISIANA

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in this state and parish, personally appeared _____, who after being duly sworn, declared that the following detailed descriptive list contains all of the community assets, liabilities, and reimbursement claims known to him/her:

I. COMMUNITY ASSETS

	<i>Property Description</i>	<i>Possessed by</i>	<i>Petitioner Value</i>	<i>Defendant Value</i>	<i>Concur or Traverse w/ reasons</i>
Immovable Property					
1					
2					
3					
4					
5					
Banking & Other Financial Accounts					
1					
2					
3					
4					
5					
6					
7					
Household Furniture & Movable					
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
Other					
1					
2					
3					
4					
5					
TOTAL COMMUNITY ASSETS			\$	\$	-

II. COMMUNITY LIABILITIES

	<i>Liability Description</i>	<i>Petitioner Amount</i>	<i>Defendant Amount</i>	<i>Concur or Traverse w/ reasons</i>
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
TOTAL COMMUNITY LIABILITIES		\$	\$	-

III. PETITIONER'S REIMBURSEMENT CLAIMS

	<i>Reimbursement Description</i>	<i>Petitioner Amount</i>	<i>Defendant Amount</i>	<i>Concur or Traverse w/ reasons</i>
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
TOTAL COMMUNITY LIABILITIES		\$	\$	-

AFFIANT SIGNATURE

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

NOTARY PUBLIC

(PETITIONER)

NO: _____ **DIV.** _____

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

(DEFENDANT)

STATE OF LOUISIANA

I. ESTABLISHED FACTS

II. CONTESTED FACTS

Petitioner

Defendant

III. CONTESTED ISSUES OF LAW

Petitioner

Defendant

IV. LEGAL AUTHORITIES TO BE RELIED ON AT TRIAL

Petitioner

Defendant

V. WITNESS LISTS

Petitioner

Defendant

VI. EXHIBITS

Petitioner

Defendant

VII. TRIAL SCHEDULE

Petitioner estimates that _____ days are necessary to present his/her case.

Defendant estimates that _____ days are necessary to present his/her case.

VIII. ADDITIONAL MATTERS

CERTIFICATE OF SERVICE

I certify that a copy of this pleading has been duly served on all counsel of record and/or self-represented parties via facsimile, e-mail, hand delivery, and/or by placing a copy of the same in the United States Mail, postage prepaid on _____.

SIGNATURE

DATE

(PETITIONER)

NO: _____ DIV. _____

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

(DEFENDANT)

STATE OF LOUISIANA

MOTION TO PROCEED IN FORMA PAUPERIS

NOW INTO COURT comes _____, who respectfully represents that he/she is a citizen of the State of Louisiana and is unable to pay the costs of court because of his/her poverty and lack of means, and therefore moves this Honorable Court for authorization to proceed *in forma pauperis*.

WHEREFORE mover prays that he/she be allowed to prosecute or defend this litigation in accordance with Louisiana Code of Civil Procedure articles 5181, *et seq.*, without paying the costs in advance or as they accrue, or furnishing security therefor.

PERSONAL AND FINANCIAL INFORMATION

NOTE: All questions must be answered in full. Do not leave any space empty.

1. Full Name: _____

SSN: XXX – XX - ____ ____ ____ DOB: _____ Sex: _____

2. Address: _____

3. Telephones – Home: _____ Cell: _____

4. Marital Status – Single: _____ Married: _____ Divorced: _____ Living with someone: _____

5. How many children live with you? _____ How many children under 18 do you support? _____

Do you have other dependents? _____ Please provide the following information for all dependents:

Name	Age	Relationship
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. Are you a student? _____ If yes, what school are you attending? _____

_____ Dates of enrollment: _____

_____ Anticipated graduation date: _____

7. What is your occupation? _____ Are you employed? _____

If yes, provide your current employment information. If no, provide your last employment information.

Employer name: _____ Address: _____

_____ Telephone: _____

8. How long have you been currently employed or unemployed? _____

9. Income

- a. What is your monthly gross income? _____
- b. How much other income do you receive per month? _____
- c. How much is your monthly federal income tax? _____
- d. How much is your monthly FICA? _____
- e. How much are your other monthly deductions? _____

(Add line a and line b, then subtract line c, line d, and line e)

TOTAL NET MONTHLY INCOME _____

Please attach proof of income to this form. You may provide copies of your most recent paycheck, the prior year's tax return with all attachments, or W2 forms and 1099 forms if no tax return was filed.

10. Is your spouse employed? _____ What is his/her occupation? _____

What is his/her monthly gross income? _____

11. Please state the monthly amount of income that you or your spouse receive from these sources:

Worker's Comp: _____ Food Stamps: _____ Kinship Care: _____

SSI: _____ TANF: _____ Other: _____

Unemployment: _____ Child Support: _____

Disability: _____ Spousal Support: _____

12. Do you own or have an interest in any of the following (including community property)?

Type	Value	Balance owed
House	_____	_____
Automobile	_____	_____
Watercraft	_____	_____
Livestock	_____	_____
Machinery	_____	_____
Stock	_____	_____
Bonds	_____	_____
Certificate of Deposit	_____	_____

Other Immoveable Property: _____ Equity: _____ Debt: _____

Bank Account: Value _____ Name and location of bank: _____

13. Please list your monthly expenses:

Rent: _____ Telephone: _____ Car Note: _____

Lot Rent: _____ Cell Phone: _____ Car Insurance: _____

House Note: _____ Medical Insurance: _____ Transportation: _____

Home Insurance: _____ Medical Expenses: _____ Food: _____

Property Tax: _____ Dental Expenses: _____ Barber/Beauty: _____

Gas: _____ Prescriptions: _____ Entertainment: _____

Electricity: _____ Life Insurance: _____ Grooming Supplies: _____

Cable: _____ Daycare: _____ Other: _____

Water: _____ Child Support: _____ Other: _____

Garbage: _____ Garnishment: _____ Other: _____

TOTAL MONTHLY EXPENSES _____

14. Please list any credit cards that you have:

Card type / name

Monthly payment

_____	_____
_____	_____
_____	_____

15. Please list any financial loans that you have:

Financial institution name / loan type

Monthly payment

_____	_____
_____	_____
_____	_____
_____	_____

16. Does anyone regularly help pay your expenses? _____ If so, state the person's name and relationship to you: _____

17. Please state any additional income or assets not reported above: _____

18. If you have an attorney, what arrangement have you made to pay the attorney fee, and what amount have you paid? _____

19. Do you understand that you may go to jail if you give false information on this form? _____

AFFIDAVIT OF MOVER

PARISH OF _____

STATE OF LOUISIANA

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in this state and parish, personally appeared _____, who after being sworn, declared:

1. that he/she provided the information above, and that the information is furnished to the Court for the purpose of requesting permission to litigate the above captioned lawsuit without paying the costs in advance or as they accrue, or furnishing security therefor;
2. that the above information is a true and correct statement of his/her information; and
3. that he/she has read and understands the privilege contained in the notice below.

NOTICE: Although you may be granted the privilege of proceeding without prepayment of costs, should a judgment be rendered against you, your status as a pauper does not relieve you of the obligation to pay these costs. The privilege to proceed *in forma pauperis* is restricted to litigants who are clearly entitled to do so, with due regard to the nature of the proceeding, the court costs which otherwise would have to be paid, and the ability of the litigant to pay them, or to furnish security therefor, so that the indiscriminate filing of lawsuits may be discouraged, without depriving a litigant of the benefit of proceeding *in forma pauperis* if he/she is entitled to do so.

Mover Signature

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

NOTARY PUBLIC

AFFIDAVIT OF THIRD PARTY

PARISH OF _____
STATE OF LOUISIANA

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in this state and parish, personally appeared _____, who after being sworn, declared that he/she knows the mover, _____, well, and that he/she knows that because of the mover's poverty and want of means, the mover is unable to pay the costs of court in advance or as they accrue, nor is the mover able to furnish security therefor.

Third Party Signature

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

NOTARY PUBLIC

LEGAL SERVICE PROGRAM DECLARATION

I ATTEST that I am a duly authorized representative of a Legal Services Program funded by the Legal Service Corporation or a Pro Bono Project that receives referrals from one of these Legal Service Programs, and that _____ has produced evidence that he/she receives public assistance benefits, or that he/she has qualified to receive free legal services based on his/her income being less than or equal to 125% of the federal poverty level and therefore is entitled to a rebuttable presumption that he/she is entitled to the privilege of litigating without prior payment of costs.

Legal Services or Pro Bono Representative

ORDER

Considering the foregoing, let the mover herein prosecute or defend this litigation in accordance with Louisiana Code of Civil Procedure articles 5181, *et seq.*, without paying the costs in advance or as they accrue, or furnishing security therefor.

THUS DONE AND SIGNED this _____ day of _____, 20____, at Baton Rouge, Louisiana.

JUDGE, THE FAMILY COURT

Form K

STATE CASE REGISTRY DATA FORM

(PETITIONER)

NO: _____ DIV. _____

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

(DEFENDANT)

STATE OF LOUISIANA

SES 489
Rev. 11/09
07/00 Issue Obsolete
Rec. Ret. = 4CY

State Case Registry Data Form

Docket No. _____

Court/Parish _____

A. Obligor Information

Name _____ Sex _____ Date of Birth _____
First Middle Last

Social Security No. _____ Drivers' License No. _____

Telephone No. _____

Mailing Address _____
P.O. Box City State/Zip Code

Residential address (if different) _____

Employer _____ Employer telephone _____

Employer Address _____

Victim of Domestic Violence Yes No

B. Obligee Information

Name _____ Sex _____ Date of Birth _____
First Middle Last

Social Security No. _____ Drivers' License No. _____

Telephone No. _____

Mailing Address _____
P.O. Box City State/Zip Code

Residential address (if different) _____

Employer _____ Employer telephone _____

Employer Address _____

Victim of Domestic Violence Yes No

C. Children Information

(1) Name _____
First Middle Last

Sex _____ Date of Birth _____ Social Security No. _____

Evidence of Child Abuse/Domestic Violence Yes No

(2) Name _____
First Middle Last

Sex _____ Date of Birth _____ Social Security No. _____

Evidence of Child Abuse/Domestic Violence Yes No

(3) Name _____
First Middle Last

Sex _____ Date of Birth _____ Social Security No. _____

Evidence of Child Abuse/Domestic Violence Yes No

In accordance with Section 466(a) (13) of the Social Security Act (42 U.S.C. 666(a)(13)), disclosure of social security numbers is required. The information may be used for purposes of establishing paternity and establishing, modifying, and enforcing support obligations. Social security numbers may also be released for reasons directly connected to programs within the Department of Social Services.

(PETITIONER)

NO: _____ **DIV.** _____

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

(DEFENDANT)

STATE OF LOUISIANA

1. The attorney, _____, and the client, _____, herein have agreed that the attorney will provide limited scope representation.

2. The attorney will represent the client:

- _____ at the initial hearing and for any continuance of that hearing;
- _____ until submission of the order or judgment after hearing;
- _____ until resolution of the issues checked below by trial or by settlement; and/or
- _____ other: _____.

3. The attorney will serve as counsel of record for the client only for the following issues in this case:

_____ Divorce: ___ 102; ___ No Fault 103 (1); ___ Adultery 103 (2); ___ Felony 103 (3);
_____ Domestic Violence 103 (4) or (5); ___ Covenant.

_____ Child Support: ___ Establish; ___ Enforce; ___ Modify. *Please describe:* _____

_____ Spousal Support: ___ Establish; ___ Enforce; ___ Modify. *Please describe:* _____

_____ Protection from Abuse. *Please describe:* _____

_____ Child Custody/Visitation: ___ Establish; ___ Enforce; ___ Modify. *Please describe:* _____

_____ Paternity/Filiation: ___ Establish; ___ Disavowal; ___ Revocation of Acknowledgment.
Please describe: _____

_____ Community Property. *Please describe:* _____

_____ Contempt. *Please describe:* _____

_____ Other. *Please describe:* _____

4. By signing this form, or a subsequent Certificate of Acknowledgment of Limited Appearance, the client agrees that the attorney may withdraw at the completion of the stated representation.

5. The attorney named above is counsel of record and available for service of documents only for those specifically checked above. For all other matters, the client may be served directly at the following address:

Client Name: _____
Address: _____
City, State, ZIP: _____

6. Attorney contact information:

Attorney Name: _____
Address: _____
City, State, ZIP: _____
Telephone: _____
Facsimile: _____
E-mail: _____

CERTIFICATION OF ATTORNEY & CLIENT

The undersigned certify that this form sets forth the limited scope of representation agreed to between the undersigned attorney and client. If the client is not available to sign this agreement at the time of filing, a copy bearing his/her signature shall be filed within ten days of the initial filing of this notice.

CLIENT SIGNATURE

DATE

ATTORNEY SIGNATURE

DATE

CERTIFICATION OF SERVICE

I certify that a copy of this notice has been duly served on all counsel of record and/or self-represented parties via facsimile, e-mail, hand delivery, and/or by placing a copy of the same in the United States Mail, postage prepaid on _____.

ATTORNEY SIGNATURE

DATE

(PETITIONER)

NO: _____ **DIV.** _____

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

(DEFENDANT)

STATE OF LOUISIANA

NOW INTO COURT comes _____, petitioner herein, who advises that the attached pleadings involves the same parties as those in a suit entitled _____, bearing docket number F _____, which was allotted to Division _____ of The Family Court. Subsequently, there was:

- _____ a reconciliation of the parties.
- _____ an abandonment of the action.
- _____ a dismissal of the action.
- _____ a finding of nullity.
- _____ other: _____.

According to the rules of The Family Court, the attached pleading should be allotted a new docket number and division as provided by law, and then transferred to the original division provided above.

Respectfully submitted:

(ATTORNEY SIGNATURE)

(PRINTED FULL NAME)

(BAR ROLL NUMBER)

(STREET ADDRESS)

(CITY/STATE/ZIP CODE)

(TELEPHONE NUMBER)

See Rule 12 of The Family Court concerning the transfer of cases.

(PETITIONER)

NO: _____ DIV. _____

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

(DEFENDANT)

STATE OF LOUISIANA

This matter came before the Court on the _____ day of _____, 20____,
and the parties entered into a stipulation as follows: _____

Petitioner/Mover

Defendant

Attorney for Petitioner/Mover

Attorney for Defendant

IT IS ORDERED that the above stipulation is accepted by the Court. A written judgment in accordance with this stipulation shall be prepared and filed on or before the judgment review date assigned.

THUS SIGNED this _____ day of _____, 20____, in Baton Rouge, Louisiana.

(PETITIONER)

NO: _____ DIV. _____

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

(DEFENDANT)

STATE OF LOUISIANA

INFORMATION ABOUT BEING A SUPERVISOR

- *What Am I Being Asked To Do?*

You have been asked to do a very important job: to supervise visits between a parent and a child. You have been asked because the Court has ordered supervised visitation or custody, and because the parents feel they can trust you in ensuring the health, safety, and welfare of their child. The Court recognizes that you are playing a very important role and has made these guidelines available to help you in making the right decisions. In accepting this responsibility, it is clear that you care about the children and families involved, and are willing to perform the tasks of a nonprofessional provider. Please read the following information carefully, it will give you information you should know in order to properly do the job.

- *Why Has The Court Ordered Supervised Visitation or Custody?*

The policy of the State of Louisiana is to promote the best interests of children whose parents, or other interested parties, have a custody or visitation matter in family court. The first step in doing this is to make sure the children are safe and protected. The second step is to help children have contact with each of their parents even after a divorce, separation, or if never married. Sometimes, based on certain circumstances, a judge will decide that in order for a child to have contact with a parent, it is better for all concerned that a third person be present.

- *What Are My Responsibilities?*

1) Do everything you can do to make sure that the child has a safe visit.

2) Remain Neutral. The judge understands that you may have feelings and emotions about the children, parents, and circumstances in the case. Even if this is true, while you are supervising the visits, it is very important that you avoid taking sides with either parent. It is also very important that you keep your opinions about any aspect of the case to yourself, and do not discuss them with either parent.

3) Read the Court Order. You must read the parts of the court order that refer to supervised visitation or custody so that you know what is being asked of you. Even though one of the parents may be close to you, insist that you see the court order before you supervise a visit. Ask one of the parents or their attorney to provide you with a copy or you can get a copy by taking the case number to the Clerk of Court's office. It's very important that you understand the times, places, restrictions and conditions of the visits because the judge has considered how to best protect the child. Even if you do not agree with the order, do all that you can to make sure the visits occur as they are written in the court order.

4) Make sure that you can see and hear all contact and conversations between the child and parent with supervised visitation or custody. This also means that you must understand the language they are using. Because you cannot leave the location of the visitation, it would be helpful for you to make arrangements regarding who will answer the phone or the door, and who will attend to other activities. This is important so that your attention is not taken away from the parent and child.

5) Allow no derogatory comments about the other parent, his or her family, caretaker, child, or child's brothers and sisters. Sometimes it is difficult to set rules for a friend or family member, especially when those involved may be hurt or upset by the divorce or separation. During the time you are supervising the visits with the child, you are responsible for ensuring that the environment for the child is free from anger and unkind remarks. Remember, this is the time for the parent to build a positive relationship with their child.

6) Allow no discussion of the court case or possible outcomes. The visits are about the relationship between the parent and the child. It can be very stressful for children to hear about the court case. The court requires that children be free from such discussions.

7) Do not allow yourself or the child to be used to gather information about the other parent or transmit information, personal possessions, or papers. Again, the Court recognizes that when families and friends are those involved in the visitations it can be more difficult for you to establish firm rules. However, it is your responsibility to monitor and keep safe the interaction between the child and the parent during the visit.

8) Allow no spanking, hitting or threatening the child.

9) Allow no visits to occur when the parent appears to be under the influence of alcohol or illegal drugs (visitation should end immediately).

10) Allow no emotional, physical, or sexual abuse. Spanking and hitting is prohibited. Physical abuse could also include such things as pinching, pulling the child, tickling too hard, and playing too rough. The visit between the parent and the child should be free from emotional and verbal abuse. This includes such behavior as yelling and screaming; calling the child names such as “sissy,” “stupid,” or “dumb;” blaming and accusing the child; making fun of the child; threatening the child with physical abuse or harm to his or her loved ones and animals; or threatening, frightening situations for the child like abandonment or loss of a home and friends. Sexual abuse includes inappropriate touching of the child’s body and inappropriate or suggestive language. It is most important for you, the provider, to pay close attention to the child’s responses during the visit. In some cases, it is important to understand that something in the child’s experience may cause him or her to be particularly scared or sensitive to a person, place, animal, TV show, etc. If the child begins to seem afraid or upset, even if you don’t know what has caused it, you must determine whether to continue the visit or end the visit.

11) As the provider, you may decide on some rules of your own. For example, if the visits occur in your home, you may require the parent and child to stay within a certain area of the house or yard. If riding in the car, or playing in the park, you may want to establish certain rules to help ensure safety. These rules should be discussed so the child and non-custodial parent will know what you expect.

- *Can I Interrupt Or End A Visit If Necessary?*

YES, if the rules of the visit have been broken, the child has become very distressed, or your safety or the safety of the child is at risk, you must take action. You may take certain actions depending on the situation. You may temporarily interrupt the visit, talk to the parent about the problem, and let the visit continue if the parent is cooperative. Or you may end the visit for that day. If you decide to interrupt or end the visit, you must do two things:

1) Tell both parents why you decided to interrupt or end the visit.

2) Take notes about the visit, including time, date, location and reasons for the interruption or termination in the event you are asked at a later date. You could be required to take these notes to court so make sure you accurately record what has happened.

- *Do I Have Additional Obligations?*

YES, you have these additional obligations:

1) Tell the parents before the supervised visitation begins that no confidentiality in communication exists. Any communication including conversations, letters, cards, etc. are not confidential. Although it does not happen often, you may be asked about the visits by a judge. Anything that you see, hear, read or are told is not confidential. Tell each of the parents about this rule.

2) Inform the parents prior to the first visit that you have to report any suspected child abuse. If you suspect any child abuse you must report to the child abuse agency or hotline in your parish. You do not have to witness child abuse to report it. If you notice unexplained marks or bruises on the child, if a child tells you that they are being hit or have been hit and there is or has been bruising, or that someone was touching them inappropriately. If you are not sure whether you should be reporting something or not, call the child abuse agency or hotline in your parish and a social worker will assist you. If you do make a report, your confidentiality is protected by law.

3) End the visit if you decide it is necessary to be in compliance with the guidelines.

TIPS FOR A SUCCESSFUL VISIT

- 1) Make sure you read and follow the court order. If the parents want to change the visitation schedule or the conditions of the visit, they will need to get a new court order.
- 2) Explain the rules for the visits to both parents before you supervise any visits. If the parents are clear about what you expect from them, chances are the visits will go more smoothly. You should also explain, in an age appropriate manner, the rules to the child. If it becomes necessary for you to interrupt or end a visit, take the parent aside and quietly and calmly explain why you interrupted the visit. Don't get into an argument or discussion with them about the problem, just state the problem and tell them what they should do if they want the visit to continue.
- 3) Keep notes about each visit, if you interrupt or end a visit, write down what specific behavior, action, words or conversation you observed that caused you to interrupt or end the visit. Try to be objective and report to the parents what you saw and heard rather than what you feel or think about the situation.
- 4) If the visit seems strained between the parent and child, especially if they have not seen each other for some time, you may want to suggest activities that the parent and child might do together. Sometimes it is helpful to talk to the child about their interests, friends, sports or other activities.

SUPERVISOR SIGNATURE

By my signature, I hereby acknowledge that I have read the above information regarding supervised visitation or custody, and agree to be the supervisor of the chil(dren).

SIGNATURE

PRINTED NAME

(PETITIONER)

NO: _____ DIV. _____

VERSUS

THE FAMILY COURT

PARISH OF EAST BATON ROUGE

(DEFENDANT)

STATE OF LOUISIANA

INFORMATION ABOUT CHILDREN

This form is required for all custody cases where a minor child was born or has lived outside the State of Louisiana according to Rule 25 of The Family Court. The following information is extremely important for custody cases under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). Provide all the information requested below. All questions must be answered in full. Do not leave any question empty.

1. Provide the following information about all minor children born to or adopted by the parties.

<i>Name</i>	<i>Date of Birth</i>	<i>Current Address</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

2. Provide the following information about where the minor children have lived in the past five years. List the city and state where the children resided, the parent or caretaker with whom they resided, and the current contact information for that parent or caretaker. Start with where the child lives now and work backwards in time.

3. List any persons who are not parties in this case who have physical custody of the children, who previously had physical custody of the children, or who claim to have custody rights.

4. If you have previously participated in a court case about these children, provide the following information: the name of the court, the location of the court, the case number, and whether any order or judgment was given in that case.

AFFIDAVIT OF MOVER

PARISH OF _____
STATE OF LOUISIANA

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in this state and parish, personally appeared _____, who after being sworn, declared:

1. that he/she provided the information above, and that the information is true and correct to the best of his/her knowledge, information, or belief; and
2. that he/she acknowledges that he/she has a containing duty to inform this Court of any other court proceedings in this state or any other state that could affect the children in this case.

SIGNATURE OF MOVER

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

NOTARY PUBLIC