

\_\_\_\_\_  
PETITIONER-IN-RECONVENTION  
ADV.

\_\_\_\_\_  
COURT  
PARISH/CITY OF \_\_\_\_\_

\_\_\_\_\_  
DEFENDANT-IN-RECONVENTION

STATE OF LOUISIANA

DIVISION: \_\_\_\_\_ NUMBER: \_\_\_\_\_

\_\_\_\_\_  
Parent/Guardian name if defendant-in-reconvension is a minor

FILED: \_\_\_\_\_ CLERK: \_\_\_\_\_

**PETITION FOR PROTECTION FROM ABUSE, In-reconvension**

Pursuant to La. Children's Code Article 1564 et seq.

This petition is:  Initial Petition  Supplemental and Amending Petition

The petition of \_\_\_\_\_, born \_\_\_\_\_  
*your name* *month/day/year*

a resident of the State of Louisiana, respectfully represents:

**Paragraph 1**

**Petitioner-in-reconvension files this petition on behalf of:**

- a. \_\_\_\_\_ Petitioner-in-reconvension, and/or
  - b. \_\_\_\_\_ Minor child(ren) as follows: (Name, Date of Birth, Relationship to Petitioner-in-reconvension)
- \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- c. \_\_\_\_\_ Alleged incompetent as follows: (Name, Date of Birth, Relationship to Petitioner-in-reconvension)
- \_\_\_\_\_  
\_\_\_\_\_

**Paragraph 2**

- a. \_\_\_\_\_ Petitioner-in-reconvension requests that his/her address, or that of the minor child(ren) or alleged incompetent, remain confidential to the court and files the address pursuant to La. Ch. Code Article 1568(B). **(Ask clerk of court for the Confidential Address Form.)**

**OR**

- b. \_\_\_\_\_ Petitioner-in-reconvension's current address:
- \_\_\_\_\_  
*No. & Street* *Apt. No.*
- \_\_\_\_\_  
*City* *State* *Zip Code*

- c. \_\_\_\_\_ The minor child's or alleged incompetent's current address:
- \_\_\_\_\_  
*No. & Street* *Apt. No.*
- \_\_\_\_\_  
*City* *State* *Zip Code*

**Paragraph 3**

\_\_\_\_\_, defendant-in-reconvension, resides in \_\_\_\_\_ Parish at  
*Abuser's Name*

\_\_\_\_\_  
*No. & Street* *Apt. No.* *City* *State* *Zip Code*

**Paragraph 4**

This Court is the proper venue for this action because:

- The marital domicile is located in \_\_\_\_\_ Parish.
- The household is located in \_\_\_\_\_ Parish.
- The defendant-in-reconvencion resides or is domiciled in \_\_\_\_\_ Parish.
- The abuse occurred in \_\_\_\_\_ Parish.
- The protected person(s) is domiciled in \_\_\_\_\_ Parish.  
**(Do not fill this out if address is to remain confidential.)**
- The protected person(s) resides in \_\_\_\_\_ Parish.  
**(Do not fill this out if address is to remain confidential.)**

**Paragraph 5**

The protected person(s) is related to the defendant-in-reconvencion as: *(check all that apply)*:

- |  |   |
|--|---|
| <input type="checkbox"/> Current or former spouse  | <input type="checkbox"/> Current or former dating partner     |
| <input type="checkbox"/> Current or former intimate cohabitant                                   | <input type="checkbox"/> Parent, stepparent, or foster parent |
| <input type="checkbox"/> Child, stepchild, or foster child                                       | <input type="checkbox"/> Grandparent                          |
| <input type="checkbox"/> Child of defendant-in-reconvencion's current or former intimate partner | <input type="checkbox"/> Grandchild                           |

**Paragraph 6**

- A suit for divorce between the parties **is not** pending.
- A suit for divorce between the parties **is** pending (fill out page 8 of this form, "Addendum")
- There is a suit for custody pending involving children named in this petition (fill out page 8 of this form, "Addendum").
- There is a custody order in effect involving children named in this petition (fill out page 8 of this form, "Addendum", or attach a copy of the order if available).

**Paragraph 7**

- The protected person(s) and defendant-in-reconvencion have child(ren) in common.

**Paragraph 8**

- a. Defendant-in-reconvencion abused protected person(s) in the following manner:
- |  |  |
|--|--|
| <input type="checkbox"/> Slapped protected person(s) | <input type="checkbox"/> Threatened protected person(s) with bodily harm                       |
| <input type="checkbox"/> Punched protected person(s) | <input type="checkbox"/> Threatened protected person(s)' life                                  |
| <input type="checkbox"/> Choked protected person(s)  | <input type="checkbox"/> Threatened protected person(s) with a weapon                          |
| <input type="checkbox"/> Shoved protected person(s)  | <input type="checkbox"/> Sexually abused protected person(s)                                   |
| <input type="checkbox"/> Kicked protected person(s)  | <input type="checkbox"/> Abused petitioner-in-reconvencion's child(ren) or alleged incompetent |
| <input type="checkbox"/> Stalked protected person(s) | <input type="checkbox"/> Other: _____  |
- b. The facts and circumstances of this abuse are as follows:  
The most recent incident of abuse which caused petitioner-in-reconvencion to file this petition happened on or about \_\_\_\_\_ (month/day/year), at which time the defendant-in-reconvencion did:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



\_\_\_\_\_ e. ordering the defendant-in-reconvencion not to damage any belongings of the protected person(s), not to shut off any utilities, telephone service, or mail delivery to the protected person(s), or in any way interfere with the living conditions of the protected person(s).

\_\_\_\_\_ f. granting the petitioner-in-reconvencion or protected person(s) the use of the residence located at:

\_\_\_\_\_

No. & Street	Apt. No.	City	State	Zip Code
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to the exclusion of defendant-in-reconvencion by **evicting** defendant-in-reconvencion and ordering the defendant-in-reconvencion to surrender any keys to that residence to the petitioner-in-reconvencion, and ordering \_\_\_\_\_ (Sheriff's office) to **evict** the defendant-in-reconvencion.

Said residence is:

- \_\_\_\_\_ jointly owned by defendant-in-reconvencion and petitioner-in-reconvencion or protected person(s).
- \_\_\_\_\_ jointly leased by defendant-in-reconvencion and petitioner-in-reconvencion or protected person(s).
- \_\_\_\_\_ solely leased by defendant-in-reconvencion who has a duty to support petitioner-in-reconvencion or protected person(s).
- \_\_\_\_\_ solely owned or leased by petitioner-in-reconvencion or protected person(s).

Presently occupied by \_\_\_\_\_.

\_\_\_\_\_ g. granting petitioner-in-reconvencion or protected person(s) possession of the following property (including pets) **solely owned or leased by petitioner-in-reconvencion or protected person(s)** (state location of each item by street address and who is presently in possession).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

granting petitioner-in-reconvencion or protected person(s) the exclusive use and possession of the following property (including pets) **jointly owned or leased by petitioner-in-reconvencion or protected person(s)** (state location of each item by street address and who is presently in possession).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

for the following reasons: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

And ordering \_\_\_\_\_ (Sheriff's office) to accompany petitioner-in-reconvencion to where the above listed property is located to allow petitioner-in-reconvencion to take possession of the property.

\_\_\_\_\_ h. prohibiting either party from transferring, encumbering, or otherwise disposing of property jointly owned or leased, except in the normal course of business or necessary for the support of the petitioner-in-reconvencion and/or the minor child(ren) or alleged incompetent.

\_\_\_\_\_ i. allowing \_\_\_\_\_ to return to the residence at a date and time to be agreed upon by petitioner-in-reconvencion and law enforcement agency, to recover his/her personal clothing and necessities, only if s/he is accompanied by a law enforcement officer to ensure the protection and safety of the parties. NO FORCED ENTRY ALLOWED.

\_\_\_\_\_ j. ordering a representative of \_\_\_\_\_ (Sheriff's office) to accompany \_\_\_\_\_ to the family residence to recover her/his personal clothing and necessities.

\_\_\_\_\_ k. awarding the temporary custody of the minor child(ren) or alleged incompetent,

\_\_\_\_\_  
\_\_\_\_\_ to petitioner-in-reconvention; the minor child(ren) or alleged incompetent is currently in the physical custody of \_\_\_\_\_.

\_\_\_\_\_ l. ordering a representative of \_\_\_\_\_ (Sheriff's office) to accompany petitioner-in-reconvention to where the minor child(ren) or alleged incompetent mentioned above is/are currently and to effect petitioner-in-reconvention obtaining physical custody of said child(ren) or alleged incompetent.

\_\_\_\_\_ m. prohibiting defendant-in-reconvention from interfering with the custody of the minor child(ren) or alleged incompetent.

**Paragraph 10**

Petitioner-in-reconvention desires that a rule issue herein ordering defendant-in-reconvention to show cause why the orders requested in Paragraph 9 should not be made into protective orders, and why defendant-in-reconvention should not also be ordered:

\_\_\_\_\_ to pay petitioner-in-reconvention a reasonable amount of child support in accordance with Louisiana Law.

\_\_\_\_\_ to pay petitioner-in-reconvention a reasonable amount of spousal support (alimony).

\_\_\_\_\_ to seek professional counseling or complete a court-monitored domestic abuse intervention program.

\_\_\_\_\_ to pay costs of court in this matter.

\_\_\_\_\_ to pay attorney fees.

\_\_\_\_\_ to pay evaluation fees.

\_\_\_\_\_ to pay expert witness fees.

\_\_\_\_\_ to pay cost of medical and/or psychological care for the protected person(s), minor child(ren), and/or alleged incompetent, necessitated by the domestic abuse.

\_\_\_\_\_ other: \_\_\_\_\_.

**Paragraph 11**

Petitioner-in-reconvention desires that after a contradictory hearing s/he be granted:

\_\_\_\_\_ a. use of the residence located at:

\_\_\_\_\_  
*No. & Street Apt. No. City State Zip Code*

to the exclusion of defendant-in-reconvention by **evicting** defendant-in-reconvention and ordering the defendant-in-reconvention to surrender any keys to that residence to the petitioner-in-reconvention, and ordering \_\_\_\_\_ (Sheriff's office) to **evict** the defendant-in-reconvention.

Said residence is:

\_\_\_\_\_ jointly owned by defendant-in-reconvention and petitioner-in-reconvention or protected person(s).

\_\_\_\_\_ jointly leased by defendant-in-reconvention and petitioner-in-reconvention or protected person(s).

\_\_\_\_\_ solely leased by defendant-in-reconvention who has a duty to support petitioner-in-reconvention or protected person(s).

\_\_\_\_\_ solely owned or leased by petitioner-in-reconvention or protected person(s).

Presently occupied by \_\_\_\_\_.

\_\_\_\_\_ b. granting petitioner-in-reconvention or protected person(s) possession of the following property (including pets) **solely owned or leased by petitioner-in-reconvention or protected person(s)** (state location of each item by street address and who is presently in possession).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

granting petitioner-in-reconvencion or protected person(s) the exclusive use and possession of the following property (including pets) **jointly owned or leased by petitioner-in-reconvencion or protected person(s)** (state location of each item by street address and who is presently in possession).

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for the following reasons: \_\_\_\_\_

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And ordering \_\_\_\_\_ (Sheriff's office) to accompany petitioner-in-reconvencion to where the above listed property is located to allow petitioner-in-reconvencion to take possession of the property.

- \_\_\_\_\_ c. prohibiting either party from transferring, encumbering, or otherwise disposing of property jointly owned or leased, except in the normal course of business or necessary for the support of the petitioner-in-reconvencion and/or the minor child(ren) or alleged incompetent.
- \_\_\_\_\_ d. allowing \_\_\_\_\_ to return to the residence at a date and time to be agreed upon by petitioner-in-reconvencion and law enforcement agency, to recover his/her personal clothing and necessities, only if s/he is accompanied by a law enforcement officer to ensure the protection and safety of the parties. NO FORCED ENTRY ALLOWED.
- \_\_\_\_\_ e. ordering a representative of \_\_\_\_\_ (Sheriff's office) to accompany \_\_\_\_\_ to the family residence to recover her/his personal clothing and necessities.
- \_\_\_\_\_ f. awarding the temporary custody of the minor child(ren) or alleged incompetent,

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to petitioner-in-reconvencion; the minor child(ren) or alleged incompetent is currently in the physical custody of

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- \_\_\_\_\_ g. ordering a representative of \_\_\_\_\_ (Sheriff's office) to accompany petitioner-in-reconvencion to where the minor child(ren) or alleged incompetent mentioned above is/are currently and to effect petitioner-in-reconvencion obtaining physical custody of said child(ren) or alleged incompetent.
- \_\_\_\_\_ h. prohibiting defendant-in-reconvencion from interfering with the custody of the minor child(ren) or alleged incompetent.

**PRAYER**

**WHEREFORE**, petitioner-in-reconvencion prays that service and citation issue herein, and that: *(check all that apply)*

- \_\_\_\_\_ *ex parte* orders requested in Paragraph 9 be granted.
- \_\_\_\_\_ a rule issue to show cause why protective orders as requested in Paragraphs 10 and 11 should not be granted.
- \_\_\_\_\_ defendant-in-reconvencion be cast with costs.
- \_\_\_\_\_ defendant-in-reconvencion be advised of penalties for violating Abuse Prevention Orders.
- \_\_\_\_\_ all other equitable relief as the court deems proper and necessary.

Respectfully submitted by, \_\_\_\_\_  
PETITIONER-IN-RECONVENTION, IN PROPER PERSON

PLEASE SERVE DEFENDANT-IN-RECONVENTION: \_\_\_\_\_

Personally at his/her home or place of employment at the following address:

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OR

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**AFFIDAVIT/VERIFICATION**

STATE OF LOUISIANA

PARISH OF \_\_\_\_\_

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in and for the state and parish aforesaid, personally came and appeared \_\_\_\_\_, Petitioner-in-reconvention in the foregoing Petition for Protection from Abuse, who, after being duly sworn by me, did depose and say that s/he has read the allegations contained therein and declared them to be true and correct to the best of her/his knowledge, information, and belief.

Petitioner-in-reconvention further said that s/he believes that the defendant-in-reconvention poses a threat to the protected person(s)' safety and/or to the child(ren) or to others for whom petitioner-in-reconvention has requested relief.

Petitioner-in-reconvention further said that s/he is aware that any false statement made under oath contained in the foregoing petition and this affidavit shall constitute perjury and shall be punishable by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment, with or without hard labor, for not more than five (5) years, or both.

\_\_\_\_\_  
PETITIONER-IN-RECONVENTION

SWORN TO AND SUBSCRIBED before me, Notary Public, on \_\_\_\_\_ (month/day/year),  
at \_\_\_\_\_, Louisiana.

\_\_\_\_\_  
NOTARY PUBLIC

**ADDENDUM**

Fill out the following ONLY if directed to do so in Paragraph 6 on page 2 of this petition:

**Divorce suit pending between parties:**

Suit Name: \_\_\_\_\_

Suit Number: \_\_\_\_\_ Division: \_\_\_\_\_

Court: \_\_\_\_\_

Date of last hearing: \_\_\_\_\_ Date of next hearing: \_\_\_\_\_

**Custody suit pending involving children named in this petition:**

Suit Name: \_\_\_\_\_

Suit Number: \_\_\_\_\_ Division: \_\_\_\_\_

Court: \_\_\_\_\_

Involving children (names): \_\_\_\_\_

\_\_\_\_\_

Date of last hearing: \_\_\_\_\_ Date of next hearing: \_\_\_\_\_

**Custody order in effect involving children named in this petition (attach copy if available):**

Suit Name: \_\_\_\_\_

Suit Number: \_\_\_\_\_ Division: \_\_\_\_\_

Court: \_\_\_\_\_

Involving children (names): \_\_\_\_\_

\_\_\_\_\_

Custody terms/assignment: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date Order Signed by Court: \_\_\_\_\_