
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 |

- d. _____ Petitioner-in-reconvension requests interpreter service, for:
 - self/protected person, in following language: _____
 - witness(es), in following language: _____

- e. _____ Petitioner-in-reconvencion requests criminal history record from sheriff for:
 defendant-in-reconvencion
 witness(es) (see information on Addendum, page 9)

Paragraph 3

_____, defendant-in-reconvencion, resides in _____ Parish at
Abuser's Name

<i>No. & Street</i>	<i>Apt. No.</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
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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):*

- | | |
|---|--|
| _____ Current or former spouse | _____ Current or former dating partner |
| _____ Current or former intimate cohabitant | _____ Parent, stepparent, or foster parent |
| _____ Child, stepchild, or foster child | _____ Grandparent |
| _____ Child of defendant-in-reconvencion's current or former intimate partner | _____ 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:
- | | |
|-----------------------------------|---|
| _____ Slapped protected person(s) | _____ Threatened protected person(s) with bodily harm |
| _____ Punched protected person(s) | _____ Threatened protected person(s)' life |
| _____ Choked protected person(s) | _____ Threatened protected person(s) with a weapon |
| _____ Shoved protected person(s) | _____ Sexually abused protected person(s) |
| _____ Kicked protected person(s) | _____ Abused petitioner-in-reconvencion's child(ren) or alleged incompetent |
| _____ Stalked protected person(s) | _____ Other: _____ |

b. The facts and circumstances of this abuse are as follows:

The most recent incident of abuse which caused petitioner-in-reconvention to file this petition happened on or about _____ (month/day/year), at which time the defendant-in-reconvention did:

Past incidents: _____

Paragraph 9

Because of the immediate and present danger of abuse, petitioner-in-reconvention requests that an *ex parte* Temporary Restraining Order be issued immediately without bond:

- _____ a. prohibiting defendant-in-reconvention from abusing, harassing, assaulting, stalking, following, tracking, monitoring, or threatening the protected person(s) in any manner whatsoever. This prohibition includes the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury.

- _____ b. prohibiting the defendant-in-reconvention from contacting the protected person(s) personally, through a third party, or via public posting, by any means, including written, telephone, or electronic (text, email, messaging, or social media) communication without the express written permission of this court.

- _____ c. prohibiting defendant-in-reconvention from going within one hundred (100) yards of the residence, apartment complex, or multiple family dwelling of the protected person(s) located at:

_____ No. & Street Apt. No. City State Zip Code

_____ d. ordering the defendant-in-reconvencion to stay away from the protected person(s)' place of employment/school and not to interfere in any manner with such employment/school located at:

<i>Employment/School</i>	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
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<i>Employment/School</i>	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
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_____ 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:

<i>No. & Street</i>	<i>Apt. No.</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
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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-reconvencion; 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-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.

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

Paragraph 10

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

- ____ to pay petitioner-in-reconvencion a reasonable amount of child support in accordance with Louisiana Law.
- ____ to pay petitioner-in-reconvencion 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-reconvencion 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-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 _____.

____ b. granting petitioner-in-reconvencion or protected person(s) the exclusive use and 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.

- _____ 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,

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

- _____ 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 appointing an interpreter be granted.
- ___ *ex parte* orders authorizing criminal history records be granted.
- ___ *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

ATTORNEY Signature

Print Name

La. Bar Roll No.

Phone No.

Address

PLEASE SERVE DEFENDANT-IN-RECONVENTION: _____

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

OR

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 requesting an order for witness criminal history records in Paragraph 2 on page1 of this petition:

Identifying information for witness criminal history record:

Full legal name	Date of birth	Address*	Race*	Sex*	Other identifiers*

*optional

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: _____