

Index

ABANDONMENT OF DIVORCE PROCEEDING

Art 102 divorce proceeding, **6:32**

ABANDONMENT OF PERSONS

Divorce in covenant marriage, **6:16**

Separation from bed and board, abandonment of matrimonial domicile and refusal to return as ground, **6:7**

Support of persons, **8:178, 8:341**

ABDUCTION

See index heading **KIDNAPPING**

ABUSE OF PERSONS

Custody. See index heading **CUSTODY OF CHILDREN**

Domestic Abuse Assistance Act
general discussion, **7:176 to 7:213**
for detailed treatment see index heading **DOMESTIC ABUSE PROTECTION**

Grounds for divorce or separation, **6:8, 6:17, 6:41**

Injunctions, **8:297**

Post-Separation Family Violence Relief Act
general discussion, **7:214 to 7:223**
for detailed treatment see index heading **POST-SEPARATION FAMILY VIOLENCE RELIEF ACT**

Visitation
generally, **7:89**
abuse cases, **7:16, 7:88, 7:90**

ACCOUNTANTS

Privileges, **3:97**

ACCOUNTING

Child support, **8:78**
Community property, accounting between spouses, **9:70, 9:88**

ACTIONS AND PROCEEDINGS

Attorneys' fees, suing client for, **1A:19**

Children. See index heading **CHILDREN AND MINORS**

Partition. See heading **PARTITION OF COMMUNITY PROPERTY**

Pending suits in Louisiana courts, **9A:26**

Spouses, suits between, **5:18, 6:3**

ADMISSION REQUESTS

Generally, **9A:43**

ADULTERY

Art. 103 divorce, grounds, **6:39**

Evidence, **3:30 to 3:34**

Pleading, **3:31**

Private investigators, **3:51**

Separation from bed and board, grounds, **6:5**

Support of persons, **8:172**

ADVANCE PAYMENT

Attorneys' fees, **1A:15, 2:17 to 2:21**

AFFIDAVITS

Acceptance of service, **6:54, 6:70**

Art. 103(1) divorce, **6:68, 10:36**

Art. 102 divorce petition, acceptance of service of, **6:54, 10:40**

Depositions, **3:117, 7:228**

Divorce, affidavit for, **6:53**

Ex-parte temporary custody order, **10:30**

Family law affidavit, **1:48**

Forms

acceptance of service, **6:54, 6:70**

Art. 103(1) divorce, **6:68, 10:36**

Art. 102 divorce petition, acceptance of service of, **6:54, 10:40**

divorce, affidavit for, **6:53**

AFFIDAVITS—Cont'd

- Forms—Cont'd
 - ex-parte temporary custody order, **10:30**
 - family law affidavit, **1:48**
 - service, affidavit of proof of service, **6:97**
 - show cause for divorce, acceptance of service of rule to, **6:57**
 - support of persons, **8:325**
- Living separate and apart, **6:63**
- Marriage relationship, declaration of intent, **5:11, 5:12**
- Non-military service and non-covenant marriage, **6:62**
- Service, affidavit of proof of service, **6:97**
- Show cause for divorce, acceptance of service of rule to, **6:57**
- Support of persons, **8:325**

AGREEMENTS

- See index heading **CONTRACTS OR AGREEMENTS**

AIDS

- Ethics in family law, AIDS client, **2:89**

ALCOHOL

- Custody of children, substance abuse, **7:40**
- Separation from bed and board, habitual intemperance as ground, **6:9**
- Spousal support, **8:174**

ANNULMENT OF MARRIAGE

- See also index heading **NULLITY OF MARRIAGE**
- Form, **5:37, 5:38**
- Jurisdiction, **1:5, 1:6**
- Venue, **1:22, 1:23**

ANSWERS

- General discussion, **10:8 to 10:13**
- Affirmative defense, **10:50**
- Appeal, answer to, **10:73, 10:74, 10:77**
- Delay for answering, **10:10**
- Denials, **10:13**

ANSWERS—Cont'd

- Filing answer, **10:9**
- Form of answer, **10:8**
- Forms
 - general discussion, **10:49 to 10:51**
 - affirmative defense, **10:50**
 - appeal, answer to, **10:73, 10:74, 10:77**
 - reconventional demand, **8:326, 10:51**
 - support of persons, **8:324 to 8:326**
- Post-trial issues, **10:28**
- Reconventional demand, **8:326, 10:51**
- Response to answer, **10:12**
- Support of persons, **8:324 to 8:326**

ANTENUPTIAL AGREEMENTS

- See index heading **MATRIMONIAL AGREEMENTS**

ANTICIPATORY WAIVER

- Privileges, **3:75**

APPEAL OR REVIEW

- Answer to appeal, **10:73, 10:74, 10:77**
- Appeal brief on exception of Lis Pendens, **6:85**
- Art. 103 divorce, appeal from judgment of divorce, **6:45**
- Bond, suspensive appeal bond, **10:80, 10:84**
- Briefs, **10:25, 10:72, 10:75, 10:77**
- Custody, **7:24**
- Delay for taking devolutive appeal, **9A:47**
- Designation of record on appeal, **6:88, 10:68, 10:69**
- Forms
 - appeal brief on exception of Lis Pendens, **6:85**
 - bond, suspensive appeal bond, **10:80, 10:84**
 - designation of record on appeal, **6:88, 10:68, 10:69**
 - petition and order for appeal, **6:87, 10:66**
 - support. See index heading **SUPPORT OF PERSONS**

INDEX

APPEAL OR REVIEW—Cont'd

- Partition of community property, **9:134, 9:135**
- Petition and order for appeal, **6:87, 10:66**
- Post-Separation Family Violence Relief Act, **7:220**
- Post-trial issues, **10:23 to 10:26**
- Support. See index heading SUPPORT OF PERSONS
- Visitation, **7:24**

APPEARANCE

- Notice of limited appearance, **1:45, 1:47**
- Uniform Child Custody Jurisdiction Law, **7:146, 7:147, 7:160**

APPOINTMENT

- Appraiser, **9:190**
- Attorney. See index heading APPOINTMENT OF ATTORNEY
- Curator, jurisdiction, **1:10**
- Custody. See index heading CUSTODY OF CHILDREN
- Experts, court-appointed experts, **3:44**
- Parenting coordinator. See index heading PARENTING COORDINATOR
- Special masters, **9:131, 9:184, 9:185**
- Tutor, custody of children, **7:70**

APPOINTMENT OF ATTORNEY

- Absent defendant, **6:93**
- Custody. See index heading CUSTODY OF CHILDREN
- Nonresident or absentee defendants, **9A:54**
- Uniform Child Custody Jurisdiction Law, **7:130**
- Visitation, **7:14 to 7:18**

APPRAISER

- Appointment, **9:190**

ARMED FORCES

- See index heading MILITARY SERVICE

ARTICLE 102 DIVORCE

- General discussion, **6:20 to 6:32, 10:33**

ARTICLE 103 DIVORCE

- General discussion, **6:33 to 6:50, 10:33**

ASSAULT

- Justification of parent's assault in defense of child, **7:4**

ATTORNEY AT LAW

- Generally, **9A:25**
- Appointment. See index heading APPOINTMENT OF ATTORNEY
- Fees. See index heading ATTORNEYS' FEES
- Protective order (attorney's files), **3:116**
- Of record. See index heading ATTORNEY OF RECORD
- Relationship with client. See index heading ATTORNEY-CLIENT RELATIONSHIP
- Subpoena lawyer, **3:89 to 3:91, 3:119**

ATTORNEY-CLIENT RELATIONSHIP

- General discussion, **1:1 to 1:4**
- Absent defendant, appointment of attorney to represent, **6:93**
- Advising client as on-going duty, **2:10**
- Appointment of attorney to represent absent defendant, **6:93**
- Best interest of client, **1:2, 1:3**
- Communications
 - general discussion, **1A:1 to 1A:21, 2:9 to 2:11**
 - confidentiality of communications, below
 - disabled client, communicating with, **2:40**
 - fees. See index heading ATTORNEYS' FEES
 - initial interview, comments on, **1A:3, 1:1**
 - prospective clients, **1A:4 to 1A:6**
 - troublesome clients, **1A:2**
- Competence of attorney, **2:4**
- Confidentiality of communications
 - general discussion, **2:22, 2:23**
 - disability, client under, **2:41**

**ATTORNEY-CLIENT
RELATIONSHIP—Cont'd**

Confidentiality of communications
—Cont'd
privileges [evidentiary]
general discussion, **3:83 to 3:91**
for detailed treatment see index
heading PRIVILEGES

Conflict of interest
general discussion, **2:24 to 2:33**
concurrent representation, **2:25,**
2:26
fees, payment of, **2:28**
former clients, **2:33**
issue conflicts, **2:31**
malpractice, agreements concern-
ing, **2:29**
multiple clients, **2:30**
prohibited transactions, **2:32**
prospective clients, **2:27**

Declining or terminating representa-
tion
general discussion, **2:43 to 2:48**
files, returning client files, **2:46 to**
2:48
letter declining representation,
1:35
post-termination duties, **2:45**
retaining liens, **2:48**
withdrawal as counsel of record,
1:41, 1:42
withdrawal from representation,
2:44
work product of attorney, **2:47**

Diligence, **1A:11, 2:6 to 2:11**

Disability, client under
general discussion, **2:39 to 2:42**
communicating with disabled cli-
ent, **2:40**
confidentiality, **2:41**
determining disability, **2:41**
guardian's relationship with
attorney, **2:42**

Disqualification, imputed
general discussion, **2:34 to 2:38**
law firm
attorney joining, **2:35, 2:36**
attorney leaving, **2:37**

**ATTORNEY-CLIENT
RELATIONSHIP—Cont'd**

Disqualification, imputed—Cont'd
screening new attorney, **2:36**
waiver by client, **2:38**

Divorce action directory, **1:33**

Divorce data packet cover sheet, **1:32**

Ethics, generally, **2:3 to 2:48**

Expenses
divorce data packet cover sheet,
1:32
monthly income and expense state-
ment, **1:31**
property regimes, statement of
attorney's expenses, **9:182**
statement of attorney's fees and
expenses, generally, **1:39**
tax considerations, statement of
attorneys' fees and expenses,
11:44

Fees. See index heading ATTORNEYS'
FEES

Files, returning client files, **2:46 to**
2:48

Former clients, conflict of interest,
2:33

Forms
divorce action directory, **1:33**
divorce data packet cover sheet,
1:32
expenses
divorce data packet cover sheet,
1:32
monthly income and expense
statement, **1:31**
property regimes, statement of
attorney's expenses, **9:182**
statement of attorney's fees and
expenses, generally, **1:39**
tax considerations, statement of
attorneys' fees and
expenses, **11:44**
letter declining representation,
1:35
monthly income and expense state-
ment, **1:31**
office conference receipt, **1:49**
retainer agreement, **1:34**
transmittal letter, **1:34**

INDEX

ATTORNEY-CLIENT

RELATIONSHIP—Cont'd

Guardians, client under disability,
2:42

Initial interview, **1A:3, 1:1**

Law firm

disqualification. See Disqualification, imputed, above

ethics in family law, another lawyer in law firm as witness,
2:73

Monthly income and expense statement, **1:31**

Multiple clients, conflict of interest,
2:30

Neglect of client matters, **2:7**

Office conference receipt, **1:49**

Privileges

general discussion, **3:83 to 3:91**
for detailed treatment see index heading PRIVILEGES

Promptness in client matters, **2:8**

Prospective clients, **1A:4 to 1A:6, 2:27**

Qualification. See Disqualification, imputed, above

Retainers, **1A:9, 1:34**

Retaining liens, declining or terminating representation, **2:48**

Scope of representation, **2:5**

Substitution of counsel of record,
1:43

Support, voluntary, **1:4**

Terminating representation. See Declining or terminating representation, above

Transmittal letter, **1:34**

Waiver of disqualification by client, imputed, **2:38**

Withdrawal as counsel of record,
1:41, 1:42

Withdrawal from representation, **2:44**

Work product of attorney
declining or terminating representation, **2:47**
privileges, **3:87**

ATTORNEY OF RECORD

Enrollment as, **1:40**

ATTORNEY OF RECORD—Cont'd

Substitution of counsel of record,
1:43

Withdrawal as, **1:41, 1:42**

ATTORNEYS' FEES

General discussion, **2:12 to 2:21**

Advance fees, **1A:15, 2:17 to 2:21**

Art. 103 divorce, **6:49**

Collecting fees, **1A:16**

Communications to client concerning fees, generally, **1A:1 to 1A:21, 2:13**

Contingent fees, **2:14, 2:15**

Controlling fees and costs, **1A:17**

Costs and expenses

advance for, **2:21**

controlling costs, **1A:17**

statement of, **1:39, 9:182, 11:44**

Diligence, **1A:11**

Division of fees between lawyers,
2:16

Fixed fees, **2:19**

Forms

motion for relief, **3:121**

property regimes, **9:182**

statement of attorney's fees and expenses, **1:39**

tax considerations, statement of attorneys' fees and expenses,
11:44

Hourly fees, **2:20**

Initial interview or consultation, **1A:7**

Knowledge of client concerning fees and what compromises them,
1A:10

Motion for relief, **3:121**

Multiple attorneys, division of fees between lawyers, **2:16**

Ownership of fees and billing and advances, **1A:15**

Paternity, **3:29**

Petition for intervention, **1A:21**

Promissory notes, **1A:20**

Property regimes, **9:182**

Prospective clients, **1A:4 to 1A:6**

Reasonableness of fee, **1A:13**

Retainers, **1A:9, 1:34**

ATTORNEYS' FEES—Cont'd

Statement of attorney's fees and expenses, **1:39**
 Suing former clients for attorney's fees, **1A:19**
 Support of persons, **8:101, 8:121, 8:199**
 Tax considerations, **11:35, 11:36, 11:44**
 Third party, payment from, **1A:8**
 Troublesome clients, **1A:2**
 Visitation, **7:91**
 Withdrawal, **1A:18**
 Writing, **1A:14**

AUTHENTIC ACT

Writings, **9A:10, 9A:11**

BAD FAITH

See index heading GOOD OR BAD FAITH

BATTERY

Domestic abuse battery, **7:213**

BED AND BOARD, DIVORCE AND SEPARATION FROM

General discussion, **6:1 to 6:18**
 For detailed treatment see index heading SEPARATION FROM BED AND BOARD

BEST INTEREST OF CLIENT

General discussion, **1:2, 1:3**

BEST INTERESTS OF CHILD

Custody
 general discussion, **7:15, 7:35 to 7:46**
 for detailed treatment see index heading CUSTODY OF CHILDREN
 Visitation, **7:15, 7:94**

BIGAMOUS MARRIAGE

Nullity of marriage, **5:22**

BLOOD TESTS

Paternity, **3:26 to 3:29**

BONDS OR UNDERTAKINGS

Appeal bond, suspensive appeal bond, **10:80, 10:84**
 Custody, bond to secure custody order, **7:8**

BONDS OR UNDERTAKINGS

—Cont'd

Visitation, bond to secure visitation order, **7:8**

BONUSES

Matrimonial regimes, **9:30**

BRIEFS

Appeal, **10:25, 10:72, 10:75, 10:77**
 Page limits, motion for leave to file in excess of, **10:70**

BROTHERS AND SISTERS

Visitation rights, **7:95, 7:96**

BURDEN OF PROOF

Custody of children, **7:33, 7:72, 7:73, 7:108**
 Support of persons, **8:33, 8:73, 8:109**
 Visitation, **7:84**

BUSINESS ACQUISITION

Joint, matrimonial regimes, **9:142**

CALIFORNIA SEPARATE PROPERTY REGIME

Form, **4:41**

CANCER INSURANCE POLICY

Community property, **9:29**

CANDOR

Ethics in family law, condor toward tribunal, **2:52 to 2:64**

CAPITAL PUNISHMENT

Separation from bed and board, grounds, **6:6**

CASH

Tax considerations, cash support payments, **11:3 to 11:6**

CEREMONY

Marriage contract, **5:3**
 Nullity of marriage, lack of ceremony, **5:21**

CERTIORARI

Forms, notice of intention to apply for writ, **8:330, 10:62**
 Notice of intention to apply for writ, **8:330, 10:62**

INDEX

CHECKING ACCOUNTS

Matrimonial regimes, **9:192**

CHECKLISTS

Filing and service of petition for divorce, **6:52**

Matrimonial agreements, things not to do when drafting matrimonial agreements, **4:23**

Partition of community property. See index heading PARTITION OF COMMUNITY PROPERTY

Petition for divorce, **6:51**

CHILDREN AND MINORS

Actions and proceedings

offenses of children, liability of parent for, **7:5**

parental protection and representation of children in litigation, **7:1**

Assault by parent in defense of child, justification, **7:4**

Authentic act of three party acknowledgment, **3:122**

Authority of parents, **7:2**

Custody

general discussion, **7:1 to 7:289**

for detailed treatment see index heading CUSTODY OF CHILDREN

Estate of child

administration of by parent, **7:3**

usufruct of parent in child's estate, **9A:7**

Ethics in family law, contact with children in divorce action, **2:90**

Form

authentic act of three party acknowledgment, **3:122**

International travel, **7:268**

Jurisdiction, **1:14**

Liability of parent for offenses of children, **7:5**

Matrimonial agreements, **4:4**

Nullity of marriage, civil effects of, **5:28**

Parental rights and obligations concerning children, generally, **7:1 to 7:6**

CHILDREN AND MINORS—Cont'd

Parenting coordinator. See index heading PARENTING COORDINATOR

Passports, **7:268**

Paternity. See index heading PATERNITY

Records, parental access to, **7:6**

Support. See index heading SUPPORT OF PERSONS

Usufruct of parent in child's estate, **9A:7**

Visitation

general discussion, **7:7 to 7:24, 7:83 to 7:97**

for detailed treatment see index heading VISITATION

Witnesses, child witnesses, **3:36 to 3:38**

CHOICE OF LAW

General discussion, **12:1 to 12:33**

For detailed treatment see index heading CONFLICTS OF LAW

CIVIL CODE OF LOUISIANA

Generally, **9A:1 to 9A:22**

CLOSELY HELD BUSINESSES

Matrimonial regimes, stock of closely held business, **9:37**

CODE OF CIVIL PROCEDURE

Generally, **9A:1, 9A:23 to 9A:55**

COMMUNICATIONS

Attorney-client relationship

general discussion, **2:9 to 2:11**

for detailed treatment see index heading ATTORNEY-CLIENT RELATIONSHIP

Parenting coordinator, communication with court, **7:78**

Uniform Child Custody Jurisdiction Law, communications with court of other state, **7:136, 7:137**

COMMUNITY PROPERTY

General discussion, **9:7 to 9:98**

Accounting between spouses, **9:70, 9:88**

Alienation of property, **9:60**

Alterations, **9:97**

Art. 103 divorce, **6:47 to 6:49**

COMMUNITY PROPERTY**—Cont'd**

- Bad faith, **9:68**
- Cancer insurance policy, **9:29**
- Classification of oyster leases, **9:51**
- Classification of property as community, **9:10 to 9:13**
- Community asset pending partition proceedings, **8:336**
- Concurrence of both spouses, when required, **9:60, 9:61, 9:89, 9:90**
- Discovery, **9:158**
- Donation of community property, **9:61**
- Equal management rule, **9:58**
- Exclusive management by one spouse, **9:62 to 9:64, 9:66**
- Family residence, possession and use of, **8:299 to 8:302**
- Forms
 - community asset pending partition proceedings, **8:336**
 - general form, **9:157**
 - homologating community property agreement, judgment, **9:161**
 - partition of community property, **9:159, 9:160, 9:162 to 9:164, 9:166, 9:167**
 - reestablishment of community, **4:45, 9:180**
 - support of persons, allocate community property forms, **8:335**
- Fraud, **9:68**
- Fruits and products, right to, **9:95**
- Homologating community property agreement, judgment, **9:161**
- Improvements, **9:97**
- Injunction against alienation or encumbrance of community property, **8:293, 8:294**
- Interrogatories, **9:158**
- Judicial authorization to act, **9:65, 9:66**
- Limited liability company, exclusive management by one spouse, **9:64**
- Maintenance, expenses of, **9:97**
- Management of community property, **9:58 to 9:68, 9:97**

COMMUNITY PROPERTY**—Cont'd**

- Matrimonial agreements, limiting right to encumber community property, **4:20**
- Nature and scope of legal regimes, **9:7**
- Ownership interest, **9:86**
- Oyster leases, classification of, **9:51**
- Partition
 - general discussion, **9:111 to 9:135**
 - for detailed treatment see heading PARTITION OF COMMUNITY PROPERTY
- Partnership, exclusive management by one spouse, **9:64**
- Preservation duty, **9:87**
- Presumption of community, **9:13**
- Reestablishment of community, **4:45, 9:180**
- Reimbursement of spouses, termination of community, **9:75 to 9:84**
- Remedies for unauthorized acts, **9:67**
- Renunciation of right to concur or participate, **9:59**
- Satisfaction of third-party obligations, **9:71 to 9:74**
- Support of persons, allocation of community property, **8:303, 8:335**
- Tax considerations, effect of community property law, **11:22, 11:23, 11:40**
- Termination of community
 - general discussion, **9:69 to 9:101**
 - accounting between spouses, **9:70**
 - causes of termination, **9:69**
 - joint motion for, **9:148**
 - ownership, management, and disposition of former community property, **9:85 to 9:101**
 - reimbursement of spouses, **9:75 to 9:84**
 - satisfaction of third-party obligations, **9:71 to 9:74**
- Transfer of separate property to community, **9:12**
- Unauthorized acts, **9:67, 9:68**
- Use of property, right to, **9:96**

INDEX

COMMUNITY PROPERTY

—Cont'd

Vital issues, dealing with, **10:16**

COMPETENCE OF ATTORNEY

Attorney-client relationship, **2:4**

COMPETENCY OF WITNESSES

General discussion, **3:35, 3:37**

COMPROMISE AND SETTLEMENT

Community property agreement, petition to rescind settlement, **9:181**

Enforcement, motion to enforce compromise, **10:61**

Evidence, compromise and offers to compromise, **3:16**

Formal requirements of compromise, **9A:22**

Forms, community property agreement, petition to rescind settlement, **9:181**

CONCURRENT JURISDICTION

Uniform Child Custody Jurisdiction Law, **7:127**

CONDITION OF MIND

Health. See index heading MENTAL HEALTH

Pleading, **9A:27**

CONFESSIONS

Judicial confession, **9A:14**

CONFIDENTIAL INFORMATION

Acknowledgment of non-disclosure of confidential information, form, **2:95**

Privileges. See index heading PRIVILEGES

CONFIDENTIAL MATTERS

Attorney-client relationship
general discussion, **2:22, 2:23**
for detailed treatment see index heading ATTORNEY-CLIENT RELATIONSHIP

CONFIRMATION

Defined and distinguished, **9A:12**

CONFLICT OF INTEREST

Attorney-client relationship
general discussion, **2:24 to 2:33**
for detailed treatment see index heading ATTORNEY-CLIENT RELATIONSHIP

CONFLICTS OF LAW

General discussion, **12:1 to 12:33**

Divorce and separation, generally, **12:17 to 12:21**

Domicile, **12:12**

Enforcement problems, **12:27**

Issue by issue analysis and depechage, **12:5**

Marriage, **12:15, 12:16**

Matrimonial agreements, **4:5**

Movables and immovables, **12:22 to 12:33**

Multistate cases, **12:1**

Nullity of marriage, **5:34**

Objective, **12:3**

Probate proceedings, **12:28**

Renvoi, **12:7 to 12:11**

Same sex marriages, **12:16**

“State” construed, **12:6**

Validity and incidents of marriage distinguished, **12:20**

CONSENT JUDGMENT

General discussion, **10:53**

Custody of children. See index heading CUSTODY OF CHILDREN

Matrimonial regimes, **9:174, 9:195**

Parenting coordinator, **7:278**

Partition of community property, **9:162 to 9:164**

Support of persons, **8:327, 8:338 to 8:340, 8:342**

Visitation, **7:276, 7:280**

CONSENT OR APPROVAL

Child support, modification of, **8:15**

Judgment. See index heading CONSENT JUDGMENT

Marriage, consent of parties, **5:4 to 5:6**

Matrimonial agreements, separation of property regime, **4:44, 4:47, 4:48**

CONSENT OR APPROVAL—Cont'd

- Matrimonial regimes, court approval for exclusion or modification of regime, **9:4**
- Partition of community property, **9:162 to 9:164**
- Uniform Child Custody Jurisdiction Law, removal of child without consent of custodian, **7:141**
- Vitiated consent, **9A:15**

CONSTRUCTION AND INTERPRETATION

- Contract, no further interpretation when intent is clear, **9A:18**
- Evidence, **3:6, 3:104**

CONTEMPT OF COURT

- Custody of children, **7:19, 7:237, 7:275**
- Forms
 - custody of children, **7:237, 7:275**
 - motion for relief, **3:121**
 - rule, generally, **10:59**
 - support of child and spouse, **7:237**
 - support of persons, **8:319, 8:328**
- Motion for relief, **3:121**
- Rule, generally, **10:59**
- Support of persons, **7:237, 8:122, 8:123, 8:198, 8:319, 8:328**
- Visitation, **7:19**

CONTINGENT FEES

- General discussion, **2:14, 2:15**
- Matrimonial regimes, **9:33**

CONTRACTS OR AGREEMENTS

- Enforcement of agreement, **6:99**
- Execution of marriage contract, sample process of, **2:96**
- Forms
 - enforcement, **6:99**
 - execution of marriage contract, sample process of, **2:96**
 - interspousal contracts for final periodic spousal support containing provisions for college education of major children, **9:186**
 - marriage contract, **2:96, 9:139 to 9:143**

CONTRACTS OR AGREEMENTS —Cont'd

- Forms—Cont'd
 - matrimonial agreements. See index heading **MATRIMONIAL AGREEMENTS**
 - mediation, agreement to mediate, **1:44**
 - retainer agreement, attorney-client relationship, **1:34**
- Interpretation, no further interpretation when intent is clear, **9A:18**
- Interspousal contracts for final periodic spousal support containing provisions for college education of major children, **9:186**
- Malpractice agreements, conflict of interest, **2:29**
- Marriage contract
 - general discussion, **5:1 to 5:6**
 - for detailed treatment see index heading **MARRIAGE RELATIONSHIP**
- Matrimonial agreements. See index heading **MATRIMONIAL AGREEMENTS**
- Mediation, agreement to mediate, **1:44**
- Nullity of provision, **9A:17**
- Partition, exclusion by agreement, **9A:8**
- Privileges, contracts to keep information confidential, **3:77**
- Retainer agreement, attorney-client relationship, **1:34**
- Spousal support, **8:194**

COPYRIGHTS

- Matrimonial regimes, **9:48**

COSTS AND EXPENSES

- Attorneys. See index heading **ATTORNEY-CLIENT RELATIONSHIP**
- Attorneys' fees, advance for expenses, **2:21**
- Custody. See index heading **CUSTODY OF CHILDREN**
- Domestic Abuse Assistance Act, costs to be paid by abuser, **7:202**
- Expert witnesses at trial, **10:86**

INDEX

COSTS AND EXPENSES—Cont'd

Failure to pay costs, motion to dismiss, incorporated memorandum, **10:67**

Forms

attorneys. See index heading

ATTORNEY-CLIENT RELATIONSHIP

failure to pay costs, motion to dismiss, incorporated memorandum, **10:67**

support of persons, monthly income and expense statement, **8:305**

Matrimonial agreements, expense sharing, **4:21**

Paternity, **3:29**

Post-Separation Family Violence Relief Act, **7:222**

Separate property regimes, expenses of marriage in, **4:11**

Support of persons, monthly income and expense statement, **8:305**

Uniform Child Custody Jurisdiction Law, **7:147**

Visitation, attorney's costs, **7:18**

COUNSEL

See index headings beginning with
ATTORNEY

COUNSELING REQUIREMENT

General discussion, **6:18**

COURTS

Experts, court-appointed experts, **3:44**

CREDIT CARD NOTIFICATION

Form, **1:38**

CRUELTY

Separation from bed and board, grounds, **6:10**

Spousal support, **8:176**

CURATOR

Appointment, jurisdiction, **1:10**

CUSTODY OF CHILDREN

General discussion, **7:1 to 7:289**

Abuse cases

general discussion, **7:16**

CUSTODY OF CHILDREN—Cont'd

Abuse cases—Cont'd

Domestic Abuse Assistance Act
general discussion, **7:176 to 7:213**

for detailed treatment see index heading DOMESTIC ABUSE

PROTECTION

Action for failure to exercise or allow custody, **7:20**

Admissibility of statements, **7:13**

Appeal, **7:24**

Appointment of attorney

general discussion, **7:14 to 7:18**

Uniform Child Custody Jurisdiction Law, **7:130**

Appointment of mediator, **7:234**

Appointment of tutor, **7:70**

Assault by parent in defense of child, justification, **7:4**

Authority of parent, **7:2, 7:60**

Award to nonparents, **7:32 to 7:34**

Award to parents, generally, **7:31**

Balancing of factors, best interests, **7:37 to 7:46**

Best interests

general discussion, **7:15, 7:35 to 7:46**

balancing of factors, **7:37 to 7:46**

distance, **7:45**

exclusivity of factors, **7:36**

factors used to determine best interest, **7:35 to 7:46**

fostering relationship between parents, **7:46**

mental and physical health, **7:39**

moral fitness, **7:42**

preference of child, **7:43, 7:44**

stability, **7:38**

witness, child as, **7:43, 7:44**

Bond to secure visitation order, **7:8**

Burden of proof, **7:33, 7:72, 7:73, 7:108**

Civil warrant, motion and order for, **7:254**

Confer, obligation of custodians to confer, **7:62**

Consent judgment
generally, **8:342**

CUSTODY OF CHILDREN—Cont'd

Consent judgment—Cont'd
 contractual spousal and child support and custody, **7:279**
 my family wizard, **7:269**
 parenting coordinator, **7:278**
 supervised visitation, **7:276**
 visitation-access, **7:280**

Consent of custodian, removal of child without, **7:141**

Considered custody decrees, **7:73**

Contempt, **7:19, 7:237, 7:275**

Costs, attorney's, **7:18**

Costs and expenses
 attorney's costs, **7:18**
 Uniform Child Custody Jurisdiction Law, **7:147**

Court authorization to relocate child's residence, **7:102, 7:109**

Court determination, **7:27**

Definitions
 relocating child's residence, **7:99**
 Uniform Child Custody Jurisdiction Law, **7:121**

Depositions, **7:41, 7:228, 7:230, 7:283**

Discovery, **3:14**

Dismissal, **6:98, 7:265**

Distance, best interests, **7:45**

Domestic Abuse Assistance Act
 general discussion, **7:176 to 7:213**
 for detailed treatment see index heading DOMESTIC ABUSE PROTECTION

Domiciliary parent, **7:59 to 7:61**

Emergency custody, petition for, **7:239**

Equal sharing of time, joint custody, **7:58**

Estate of child, parent's administration of, **7:3**

Evidence, **3:3, 3:14, 7:13**

Ex parte orders, **7:240, 7:241, 7:257, 7:283, 10:30**

Forms
 appointment of mediator, **7:234**
 civil warrant, motion and order for, **7:254**

CUSTODY OF CHILDREN—Cont'd

Forms—Cont'd
 consent judgment
 my family wizard, **7:269**
 parenting coordinator, **7:278**
 supervised visitation, **7:276**

contempt, **7:237, 7:275**

depositions, **7:228, 7:230, 7:283**

dismissal, judgment of, **7:265**

domestic abuse protection, **7:256 et seq.**

emergency custody, petition for, **7:239**

evaluation, motion for custody evaluation, **7:282**

ex parte order, **7:240, 7:241, 7:257, 10:30**

habeas corpus, **7:266, 7:267**

hearing officer conference, **7:277, 7:281**

holiday schedule, motion for, **7:288**

independent counsel, **7:236**

international travel, **7:268**

joint custody
 implementation plan, **7:243 to 7:245, 7:249, 10:60**
 judgment, **10:57**
 order, **7:246**

joint motion to dismiss petition for divorce, custody and all ancillary rules, **6:98**

judgment, **7:273**

mediation, **7:233 to 7:235**

medical evaluation, **7:232**

medical examination, independent, **7:274**

medical records, **7:225, 7:227 to 7:229**

mental health evaluation, order for, **7:231**

mental health evaluator, appointment, **7:272**

modification of custody, **7:247**

parenting coordinators, **7:270, 7:271, 7:278, 7:286**

passports, **7:268**

INDEX

CUSTODY OF CHILDREN—Cont'd

Forms—Cont'd

- production of subpoenaed records, incorporated memorandum, **7:287**
 - protected health information, authorization to use or disclose, **7:226**
 - protective orders, **7:260 et seq.**
 - relocating child's residence
 - notification letter, **7:251**
 - preventing relocation, motion for order, **7:252**
 - show cause concerning moving child's residence outside state, **7:253**
 - school attendance, expedited rule to show cause, **7:285**
 - shared custody, stipulated proposal for, **7:238**
 - show cause rule and order, **7:242, 7:253, 7:257, 7:285**
 - telephone deposition, **7:283**
 - telephone status conference, **7:284**
 - Uniform Child Custody Jurisdiction Act, petition for custody, **7:255**
 - visitation. See index heading VISITATION
 - voluntary transfer of custody, **7:248**
- Forum non conveniens, **1:26**
- Fostering relationship between parents, **7:46**
- Frivolous proposals, relocating child's residence, **7:117**
- Gay parents, **7:32, 7:49**
- Habeas corpus, **7:266, 7:267**
- Hearing officer conference, **7:277, 7:281**
- Hearings, **7:26, 7:52**
- Holiday schedule, motion for, **7:288**
- Illegitimate children, **7:48**
- Implementation order, joint custody, **7:56 to 7:61**
- Independent counsel, **7:236**
- Independent medical examination, notice of, **7:274**
- Interference with custody, **7:67**

CUSTODY OF CHILDREN—Cont'd

- Interim orders and requirements, **7:29**
- International travel, **7:268**
- Joint custody
 - general discussion, **7:55 to 7:62**
 - authority of domiciliary parent, **7:60**
 - child support provisions, **8:47, 8:69**
 - confer, obligation of custodians to confer, **7:62**
 - domiciliary parent, **7:59 to 7:61**
 - equal sharing of time, **7:58**
 - implementation order, **7:56 to 7:61**
 - implementation plan, **7:243 to 7:245, 7:249, 10:60**
 - judgment, **10:57**
 - nonparent, joint custody with, **7:34**
 - order, **7:246**
 - requisites of order, **7:57, 7:58**
- Joint motion to dismiss petition for divorce, custody and all ancillary rules, **6:98**
- Judge as fiduciary, **7:28**
- Judgment, **7:273**
- Jurisdiction
 - general discussion, **1:5, 1:6**
 - relocating child's residence, **7:119**
 - Uniform Child Custody Jurisdiction Law
 - general discussion, **7:120 to 7:166**
 - for detailed treatment see index heading UNIFORM CHILD CUSTODY JURISDICTION LAW
- Kidnapping by parent
 - general discussion, **7:170 to 7:175**
 - for detailed treatment see index heading PARENTAL KIDNAPPING PREVENTION ACT
- Lesbian parents, **7:32, 7:49**
- Liability of parent for offenses of children, **7:5**
- Litigation, parental protection and representation of children in, **7:1**
- Mailing of notice of relocating child's residence, **7:103**
- Mediation, **7:10 to 7:13, 7:233 to 7:235**

CUSTODY OF CHILDREN—Cont'd

- Medical examination, notice of independent medical examination, **7:274**
- Medical professional evaluation report, **7:232**
- Medical records, **7:41, 7:225, 7:227 to 7:229**
- Mental health, **7:9, 7:39, 7:66, 7:113, 7:231, 7:272**
- Military parent and Child Custody Protection Act, **7:82**
- Modification of custody, **7:71 to 7:73, 7:115, 7:247, 9A:23**
- Moral fitness, **7:42**
- Nature of custody, **7:25**
- Nonparents, award to, **7:32 to 7:34**
- Notice
 - independent medical examination, **7:274**
 - medical records, records only deposition for, **7:41**
 - relocating child's residence, **7:102 to 7:107**
- Objection to relocating child's residence, **7:105 to 7:107**
- Opposition to memorandum
 - hearing officer recommendation, **7:289**
- Parental alienation, **7:47**
- Parental alienation syndrome, **7:47**
- Parental rights and obligations
 - concerning children, generally, **7:1 to 7:6**
- Parenting coordinator. See index
 - heading PARENTING COORDINATOR
- Passports, **7:268**
- Physical health of each party, **7:39**
- Post-Separation Family Violence Relief Act
 - general discussion, **7:214 to 7:223**
 - for detailed treatment see index
 - heading POST-SEPARATION FAMILY VIOLENCE RELIEF ACT
- Preference of child, **7:43, 7:44**
- Protected health information, authorization to use or disclose, **7:226**
- Protective orders, **7:66, 7:260 et seq.**
- Records, access to, **7:6, 7:66**

CUSTODY OF CHILDREN—Cont'd

- Relocating child's residence
 - general discussion, **7:98 to 7:119**
 - applicability, **7:100**
 - application of factors at initial hearing, **7:114**
 - burden of proof, **7:108**
 - court authorization to relocate, **7:102, 7:109**
 - definitions, **7:99**
 - factors considered by court in making determination, **7:112 et seq.**
 - failure to provide notice of relocating, **7:104**
 - frivolous proposals, **7:117**
 - jurisdiction, continuing, **7:119**
 - mailing of notice of relocating, **7:103**
 - mental health experts, appointing, **7:113**
 - modification of custody, **7:115**
 - notice of relocating, **7:102 to 7:107**
 - notification letter, **7:251**
 - objection, **7:105 to 7:107**
 - persons authorized to propose relocation, **7:101**
 - preventing relocation, motion for order, **7:252**
 - priority of trial, **7:111**
 - sanctions for unwarranted or frivolous proposals, **7:117**
 - security, posting, **7:116**
 - show cause concerning moving child's residence outside state, **7:253**
 - temporary order, **7:110**
- Restrictions with people of the opposite sex, **7:64**
- Return of child kept in violation of visitation order, **7:22, 7:23**
- Same sex parents, **7:32, 7:49**
- Sanctions for unwarranted or frivolous proposals to relocate child's residence, **7:117**
- School attendance, expedited rule to show cause, **7:285**

INDEX

CUSTODY OF CHILDREN—Cont'd

- Shared custody, stipulated proposal for, **7:238**
- Show cause rule and order, **7:242, 7:253, 7:257, 7:285, 10:31**
- Sole custody, **7:63, 7:66**
- Split custody, **8:49**
- Stability, best interests, **7:38**
- Stipulations, **7:72, 7:238**
- Substance abuse, **7:40**
- Summary proceedings, **7:7**
- Support of child, **8:7, 8:35, 8:47 to 8:49, 8:69, 8:71**
- Telephone deposition, **7:283**
- Telephone status conference, **7:284**
- Temporary orders
 - child custody, **7:50 to 7:54**
 - relocating child's residence, **7:110**
- Tutorship by nature, **7:68**
- Tutorship by will, **7:69, 7:70**
- Uniform Child Custody Jurisdiction and Enforcement Act, **7:167 to 7:169**
- Uniform Child Custody Jurisdiction Law
 - general discussion, **7:120 to 7:166**
 - for detailed treatment see index heading **UNIFORM CHILD CUSTODY JURISDICTION LAW**
- Venue, **1:24 to 1:26, 7:30, 9A:23**
- Visitation
 - general discussion, **7:7 to 7:24, 7:83 to 7:97**
 - for detailed treatment see index heading **VISITATION**
- Vital issues, dealing with, **10:15**
- Voluntary transfer of custody, **7:248**
- Witnesses
 - child as witness, **3:38, 7:43, 7:44**
 - parenting coordinator, **7:77, 7:270, 7:271**
 - preclusion of child testifying, **7:66**

DAMAGES

- Matrimonial regimes, damage awards for personal injury, **9:54**

DEATH

- Art. 103 divorce, military personnel presumed dead, **6:42**

DEATH—Cont'd

- Marriage relationship, death as terminating, **5:20**
- Tax considerations, support payments after death of payee, **11:9**
- Visitation, no visitation rights to family members whose criminal conduct caused death of parent, **7:97**

DEATH SENTENCE

- Separation from bed and board, grounds, **6:6**

DECLARATION OF SEPARATENESS

- Forms, **1:37, 9:137, 9:138**

DEFAULT

- Confirmation of default judgment, **6:36**
- Forms
 - judgment, **6:71, 10:52**
 - preliminary default under Art. 103(1), motion, **6:69, 10:35, 10:44**
- Judgment, **6:35, 6:71, 10:52**
- Preliminary default under Art. 103(1), motion, **6:69, 10:35, 10:44**

DEFINITIONS

- Affinity, **7:93**
- Confirmation, **9A:12**
- Domestic Abuse Assistance Act, **7:177**
- Domicile, **1:11 to 1:16, 9A:3**
- Extrajudicial statement, **2:68**
- Juridical persons, **9A:2**
- Matrimonial regimes, **9:1**
- Natural persons, **9A:2**
- Post-Separation Family Violence Relief Act, **7:215**
- Ratification, **9A:12**
- Relocating child's residence, **7:99**
- Renvoi, **12:8**
- Support payments, **11:2**
- Uniform Child Custody Jurisdiction Law, **7:121**

DELAY

- Answers, delay for answering, **10:10**
- Appeal, delay for taking devolutive appeal, **9A:47**
- Waiver, delay runs from date of execution of waiver, **9A:52**

DENIALS

- Answers, **10:13**

DEPOSITIONS

- Attorney conduct during deposition, **2:93**
- Custody, **7:41, 7:228, 7:230, 7:283**
- Notice, **3:108, 3:117, 7:41, 7:228, 7:230, 9A:42**
- Residence of witness, **9A:41**
- Strategy, **3:15**
- Subpoena duces tecum, **3:117, 7:228, 9A:38**
- Trial, use of depositions at trial, **3:55**

DILIGENCE

- Attorney-client relationship, **1A:11, 2:6 to 2:11**

DISABILITY

- Attorney-client relationship, client under disability
 - general discussion, **2:39 to 2:42**
 - for detailed treatment see index heading ATTORNEY-CLIENT RELATIONSHIP

DISABILITY INSURANCE

- Matrimonial regimes, **9:28**

DISCOUNTS

- Matrimonial regimes, **9:36**

DISCOVERY

- General discussion, **3:11 to 3:15**
- Admission requests, **9A:43**
- Community property discovery, **9:158**
- Custody proceedings, **3:14**
- Depositions. See index heading DEPOSITIONS
- Ethics. See index heading ETHICS IN FAMILY LAW
- Financial records, **3:13, 3:111**

DISCOVERY—Cont'd

- Forms
 - authorization for release of financial records, **3:111**
 - deposition, **3:108**
 - interrogatories, **3:105**
 - medical examination, motion and order to compel, **3:112**
 - medical records, request for release of records, **3:113**
 - motion to reset discovery motions, **8:313**
 - production of documents, **3:106, 3:107**
 - protective order, **3:115, 3:116**
 - subpoena, verified statement attached, **3:114**
 - subpoena duces tecum, **3:109, 3:110, 3:117, 7:228**
 - transmittal letter for notice of deposition for records only, **3:117, 7:228**
 - Interrogatories. See index heading INTERROGATORIES
 - Medical examination, motion and order to compel, **3:112**
 - Medical records, request for release of records, **3:113**
 - Motion to reset discovery motions, **8:313**
 - Production of documents and things. See index heading PRODUCTION OF DOCUMENTS AND THINGS
 - Protective orders. See index heading PROTECTIVE ORDERS
 - Sanctions, **2:84, 9A:39**
 - Subpoena, verified statement attached, **3:114**
 - Subpoena duces tecum, **3:109, 3:110, 3:117, 7:228**
 - Supplementation of responses, **9A:40**
- DISCRETION OF COURT**
- Expert testimony, **3:49**
 - Partition of community property, **9:135**
 - Support of persons, **8:180, 8:181**
- DISMISSAL**
- Failure to pay costs, motion to dismiss, incorporated memorandum, **10:67**

INDEX

DISMISSAL—Cont'd

- Joint motion to dismiss petition for divorce, custody and all ancillary rules, **6:98**
- Judgment of dismissal, **7:265**
- Uniform Child Custody Jurisdiction Law, dismissal of proceedings, **7:138**
- Voluntary, **9A:53**

DIVIDENDS

- Matrimonial regimes, **9:45**

DIVORCE ACTION DIRECTORY

- Form, **1:33**

DIVORCE DATA PACKET COVER SHEET

- Form, **1:32**

DOMESTIC ABUSE PROTECTION

- General discussion, **7:176 to 7:213**
- Address of petitioner, **7:182**
- Battery, **7:213**
- Costs to be paid by abuser, **7:202**
- Custody of children, generally, **7:176 to 7:213, 7:256 et seq.**
- Definitions, **7:177**
- Dissolution of protective order, **7:263, 7:264**
- Domestic Abuse Assistance Act, generally, **7:176 to 7:213**
- Duration of protective order, **7:199**
- Ex parte temporary restraining order, **7:184**
- Expungement of records, **7:205**
- Foreign protective order, petition to make order executory in Louisiana, **7:261**
- Forms
 - dissolution of protective order, **7:263, 7:264**
 - foreign protective order, petition to make order executory in Louisiana, **7:261**
 - injunction, petition for preliminary and permanent injunction, **7:258**
 - modification of protective order, **7:262, 7:264**
 - order of protection, **7:260**

DOMESTIC ABUSE PROTECTION—Cont'd

- Forms—Cont'd
 - petition, **7:256**
 - prior Louisiana Uniform Abuse Prevention order, modification or dissolution of, **7:264**
 - temporary restraining order, **7:258, 7:259**
 - Full faith and credit, **7:196**
 - Hearing continued, **7:190**
 - Immunity of law enforcement officers, **7:212**
 - Injunction, petition for preliminary and permanent injunction, **7:258**
 - Jurisdiction, **7:178**
 - Law enforcement officers, duties of, **7:210 to 7:212**
 - Modification of order, **7:197, 7:262, 7:264**
 - Notice, order granted without, **7:187**
 - Order of protection, **7:260**
 - Penalties, **7:206 to 7:212**
 - Petition, **7:181 to 7:185, 7:256**
 - Prior Louisiana Uniform Abuse Prevention order, modification or dissolution of, **7:264**
 - Protective orders, generally, **7:183, 7:185, 7:194 to 7:201**
 - Purpose of Act, **7:176**
 - Registry, protective order registry, **7:193, 7:201, 7:203 to 7:205**
 - Reporting, **7:211**
 - Residence, right to return to family residence, **7:188**
 - Service, **7:198**
 - Standing, **7:180**
 - Temporary restraining order, **7:186 to 7:193, 7:258, 7:259**
 - Uniform Abuse Prevention Order, **7:192, 7:193, 7:200, 7:204**
 - Venue, **7:179**
- ### **DOMICILE**
- Change of domicile, **1:6, 1:17, 1:36**
 - Defined, **1:11 to 1:16, 9A:3**
 - Houde or home. See index heading HOUSE OR HOME
 - Notice of intent to change, **1:36**

DONATIONS

Community property, donation of
community property, **9:61**
Forms, **4:49, 9:152 to 9:155**
Matrimonial regimes, **9:34, 9:53,**
9:61

EAVESDROPPING

Ethics in family law, **2:91**
Private investigators, **3:51**

EDUCATION

See index heading **SCHOOLS AND**
EDUCATION

ELECTRONIC SURVEILLANCE

Ethics in family law, **2:91**
Private investigators, **3:51**

EMERGENCY JURISDICTION

Uniform Child Custody Jurisdiction
Law, **7:126**

EMPLOYEE BENEFIT PLANS

Matrimonial regimes, **9:24**

ESTATE OF CHILD

See index heading **CHILDREN AND**
MINORS

ESTATE TAX

See index heading **GIFT AND ESTATE TAX**

ETHICS IN FAMILY LAW

General discussion, **2:1 to 2:96**
Acknowledgment of non-disclosure
of confidential information,
form, **2:95**
Adverse authority, **2:58 to 2:61**
Advocate, attorney as, generally, **2:49**
to 2:76
AIDS client, **2:89**
Attorney-client relationship
general discussion, **2:3 to 2:48**
for detailed treatment see index
heading **ATTORNEY-CLIENT RELA-**
TIONSHIP
Children in divorce action, contact
with, **2:90**
Condon toward tribunal, **2:52 to 2:64**
Depositions, attorney conduct during,
2:93

ETHICS IN FAMILY LAW—Cont'd

Discovery
depositions, attorney conduct dur-
ing, **2:93**
sanctions for improper requests,
2:84
Evidence, offering false evidence,
2:55 to 2:57
Execution of marriage contract,
sample process of, **2:96**
Ex parte proceedings, **2:60**
Expediting litigation, **2:51**
Extrajudicial statement defined, **2:68**
False evidence, offering, **2:55 to 2:57**
False statement of fact or law, **2:54**
Fees, payment of, **2:28**
Frivolous claims, **2:50**
Immunity of attorney, **2:85, 2:86**
Impartiality and decorum of the
tribunal, **2:66**
Impropriety, appearance of, **2:61**
Law firm, another lawyer in firm as
witness, **2:73**
Lawyer as witness
general discussion, **2:70 to 2:76**
law firm, another lawyer in firm as
witness, **2:73**
necessary witness, **2:71**
self-representation, lawyer
representing self, **2:75**
substantial hardship, **2:72**
waiver of disqualification by client,
2:76
Malpractice, **2:2, 2:29**
Meritorious claims and contentions,
2:49, 2:50
Nonprejudicial statements, **2:69**
Opposing party and counsel, fairness
to, **2:65**
Penalties. See Sanctions, below
Perjury by client, **2:62 to 2:64**
Pleadings improper, sanctions, **2:83**
Publicity of trial, **2:67 to 2:69**
Reporting professional misconduct,
2:92
Rules of professional conduct, **1A:6,**
2:1, 2:2
Sanctions
discovery requests improper, **2:84**

INDEX

ETHICS IN FAMILY LAW—Cont'd

- Sanctions—Cont'd
 - pleadings improper, **2:83**
- Sealing records, **2:94**
- Self-representation, lawyer as witness
 - when representing self, **2:75**
- Sexual relations with clients, **2:88**
- Taping conversations, **2:91**
- Third persons, transactions with
 - persons other than client
 - general discussion, **2:77 to 2:82**
 - client is attorney, **2:81**
 - rights of third persons, **2:82**
 - truthfulness in statements to others, **2:77**
 - unrepresented person, dealing with, **2:79, 2:80**
- Waiver by client of disqualification of attorney as witness, **2:76**
- Witnesses. See Lawyer as witness, above

EVIDENCE

- General discussion, **3:1 to 3:122**
- Adultery, **3:30 to 3:34**
- Amendment of pleading to conform to evidence, **9A:30**
- Art. 102 divorce, evidence of facts, **6:30**
- Authentic act, writings, **9A:11**
- Burden of proof. See index heading **BURDEN OF PROOF**
- Child custody proceedings, **3:3, 3:14, 7:13**
- Compromise and offers to compromise, **3:16**
- Confidential status of pleadings and testimony in divorce, **3:18**
- Construction and interpretation, **3:6, 3:104**
- Custody of children, **3:3, 3:14, 7:13**
- Discovery. See index heading **DISCOVERY**
- Ethics in family law, offering false evidence, **2:55 to 2:57**
- Excluded matters, **3:5**
- Expedited motion to compel, **3:120**
- Failure to produce evidence, **3:98**
- Hearsay, **3:66**

EVIDENCE—Cont'd

- Impeachment and rebuttal evidence
 - general discussion, **3:56 to 3:61**
 - for detailed treatment see index
 - heading **IMPEACHMENT AND REBUTTAL EVIDENCE**
- Judgments versus reasons for judgment, **3:101, 3:102**
- Judicial notice, **3:102**
- Jury, rulings on evidence within hearing of, **3:9**
- Labor reports, **3:65**
- Law of the case, **3:103**
- Letters rogatory, **3:118**
- Maternity, **3:19**
- Mediation, **3:17**
- Motion to compel
 - expedited, **3:120**
 - incorporated memorandum, **3:121**
- Objections, contemporaneous objection requirement, **3:7**
- Offers of proof, **9A:45**
- Original writing rule, **3:67**
- Paternity
 - general discussion, **3:20 to 3:29**
 - for detailed treatment see index
 - heading **PATERNITY**
- Photographs, **3:67**
- Presumptions. See index heading **PRESUMPTIONS**
- Pretrial proceedings
 - general discussion, **3:11 to 3:18**
 - compromise and offers to compromise, **3:16**
 - confidential status of pleadings and testimony in divorce, **3:18**
 - discovery. See index heading **DISCOVERY**
 - mediation, **3:17**
- Privileges
 - general discussion, **3:2, 3:71 to 3:97**
 - for detailed treatment see index
 - heading **PRIVILEGES**
- Procedure, **3:63**
- Protective orders, **3:115, 3:116**
 - third-party production, **3:116.50**
- Record of rulings on evidence, **3:8**

EVIDENCE—Cont'd

- Refreshing memory, writing used for, **3:62**
- Reports
 - labor reports, **3:65**
 - paternity, experts, **3:27**
- Rulings on evidence, **3:7 to 3:9**
- Scope of Code of Evidence, **3:1 to 3:5**
- Sequestration, **3:68**
- Similar crimes, wrongs, or acts, **3:70**
- Subpoena lawyer, **3:89 to 3:91, 3:119**
- Time limits for producing evidence, **3:99, 3:100**
- Unpublished circuit court of appeal opinions, **3:10**
- Visitation, admissibility of statements, **7:13**
- Voluminous documents, **3:64**
- Witnesses
 - general discussion, **3:35 to 3:55**
 - for detailed treatment see index heading WITNESSES
- Written instruments, **3:67**

EXCLUSION OF EVIDENCE

- General discussion, **3:5**

EX PARTE MOTIONS

- Generally, **9A:28**
- Withdrawal as counsel of record, **1:42**

EX PARTE ORDER

- Custody of children, **7:240, 7:241, 7:257, 7:283, 10:30**

EX PARTE PROCEEDINGS

- Ethics in family law, **2:60**

EXPEDITED MOTION TO COMPEL

- Evidence, **3:120**

EXPEDITED RULE TO SHOW CAUSE

- School attendance, **7:285**

EXPEDITING LITIGATION

- Ethics in family law, **2:51**

EXPERTS

- General discussion, **3:39 to 3:48**
- Costs, at trial, **10:86**
- Court-appointed experts, **3:44**
- Daubert considerations, **3:40**
- Disclosure of information underlying opinion, **3:43**
- Disclosure to jury, **3:46**
- Discretion of court, **3:49**
- Duties of experts, **3:45 to 3:48**
- Forms, support of persons, motion to compel evaluation by vocational rehabilitation expert, **8:321**
- Mental health evaluator, **3:48**
- Parties' right to call own experts, **3:47**
- Partition of community property, **9:125**
- Paternity, **3:27**
- Qualifications, hearings on, **3:88**
- Support of persons, motion to compel evaluation by vocational rehabilitation expert, **8:321**
- Ultimate issue, opinion on, **3:42**

EXPUNGEMENT OF RECORDS

- Domestic Abuse Assistance Act, **7:205**

EXTENSION OF TIME

- Briefs, **10:72, 10:77**
- Motion and order for, **1:46, 6:94**
- Objection to extension of time to file transcript, **10:71**
- Return date, **10:63, 10:64**
- Stipulated judgment, motion for extension of time to prepare, **1:46**

EXTRAJUDICIAL STATEMENT

- Defined, **2:68**

FALSE OR FALSITY

- Evidence, offering false evidence, **2:55 to 2:57**
- Perjury by client, **2:62 to 2:64**
- Statement of fact or law, **2:54**

FAULT

- General discussion, **10:14**
- Spousal support, **8:175, 8:183, 8:308**

INDEX

FEES

- Attorneys. See index heading
ATTORNEYS' FEES
- Tax, rule to show cause, **10:86**
- Uniform Child Custody Jurisdiction
Law, **7:152**

FELONY

- Art. 103 divorce, commission of
felony as ground, **6:40**
- Separation from bed and board,
felony conviction as ground, **6:6**
- Spousal support, **8:173**

FILES AND FILING

- Answers, filing, **10:9**
- Attorney-client relationship, return-
ing client files, **2:46 to 2:48**
- Briefs, **10:72, 10:77**
- Checklist, filing and service of peti-
tion for divorce, **6:52**
- Descriptive lists, **9:167, 9:168**
- Objection to extension of time to file
transcript, **10:71**
- Uniform Child Custody Jurisdiction
Law, filing of foreign state
decree, **7:151**

FINALITY OF JUDGMENTS

- Generally, **9A:46**

FINANCIAL RECORDS

- Discovery, **3:13, 3:111**

FOREIGN STATE OR COUNTRY

- Domestic abuse protection, petition
to make foreign order executory
in Louisiana, **7:261**
- Nullity of marriage, **5:30**
- Uniform Child Custody Jurisdiction
Law
general discussion, **7:120 to 7:166**
for detailed treatment see index
heading UNIFORM CHILD
CUSTODY JURISDICTION LAW

FORUM NON CONVENIENS

- See index heading VENUE

FRAUD

- Community property, **9:68**

FRAUD—Cont'd

- Matrimonial agreements, fraud of
creditors, **4:3**
- Misrepresentation or silence, fraud
resulting from, **9A:16**
- Pleading, **9A:27**

FRIVOLOUS CLAIMS

- Ethics in family law, **2:50**

FRIVOLOUS PROPOSALS

- Custody of children, relocating
child's residence, **7:117**

FULL FAITH AND CREDIT

- Domestic Abuse Assistance Act,
7:196
- Parental Kidnapping Prevention Act,
7:171, 7:172

GOOD OR BAD FAITH

- Community property, **9:68**
- Nullity of marriage, **5:27**
- Support of persons, retroactivity of
child support judgments, **8:114**

GOODWILL

- Matrimonial regimes, **9:32, 9:194**

GOVERNING LAW

- General discussion, **12:1 to 12:33**
- For detailed treatment see index
heading CONFLICTS OF LAW

GRANDPARENTS

- Visitation rights, **7:95, 7:96**

GUARANTY

- Matrimonial regimes, **9:202**

HABEAS CORPUS

- Petition for writ, **7:266, 7:267**

HARE V. HODGINS DECISION

- Matrimonial regimes, **9:20, 9:21**

HEAD OF HOUSEHOLD STATUS

- Tax considerations, **11:41**

HEALTH CARE PROVIDERS

- Privileges, **3:92 to 3:96**

HEARINGS

- Custody of children, **7:26, 7:52**

HEARINGS—Cont'd

- Domestic Abuse Assistance Act, **7:190**
- Exception for hearing, motion to set, **10:32**
- Forms
 - exception for hearing, motion to set, **10:32**
 - support of persons, motion to set exception for hearing, **8:318**
- Rules, hearing on, **10:1 to 10:7**
- Support of persons, motion to set exception for hearing, **8:318**
- Uniform Child Custody Jurisdiction Law, hearings and studies in another state, **7:156**

HEARSAY

- Generally, **3:66**

HOLIDAY SCHEDULE

- Motion for, custody of children, **7:288**

HOMOLOGATING COMMUNITY PROPERTY AGREEMENT

- Judgment, **9:161**

HOMOSEXUAL MARRIAGES

- See index heading **SAME SEX MARRIAGES**

HOUSE OR HOME

- Domestic Abuse Assistance Act, right to return to family residence, **7:188**
- Expedited motion to sell former matrimonial domicile, **9:179**
- Injunctions and incidental orders, **8:299**
- Letter agreement concerning sale of former home, **9:188**
- Separate property regime, home purchased before marriage, **4:36**

HUSBAND AND WIFE

- Adultery. See index heading **ADULTERY**
- Marriage relationship
 - general discussion, **5:1 to 5:20**
 - for detailed treatment see index heading **MARRIAGE RELATIONSHIP**
- Paternity. See index heading **PATERNITY**

HUSBAND AND WIFE—Cont'd

- Privileges, husband-wife privilege, **3:80 to 3:82**
- Suits between spouses, **5:18, 6:3**

ILLEGITIMATE CHILDREN

- Custody of children, **7:48**
- Paternity. See index heading **PATERNITY**

IMMUNITY

- Attorney, ethics in family law, **2:85, 2:86**
- Domestic Abuse Assistance Act, immunity of law enforcement officers, **7:212**
- Support of persons, immunity for employers from civil liability, **8:111**

IMPARTIALITY

- Ethics in family law, **2:66, 2:69**

IMPEACHMENT AND REBUTTAL EVIDENCE

- General discussion, **3:56 to 3:61**
- Disclosure, **3:57, 3:58, 3:61**
- Exceptions, **3:59**

IMPLIED WAIVER

- Privileges, **3:73 to 3:76**

IMPROPRIETY, APPEARANCE OF

- Ethics in family law, **2:61**

IMPROVEMENTS

- Community property, **9:97**

INCARCERATED PARENT

- Support, **8:77**
- Visitation, **7:86**

INCESTUOUS MARRIAGE

- Nullity of marriage, **5:23**

INCIDENTAL RELIEF OR MATTERS

- Art. 103 divorce, **6:46**
- Forms
 - request pursuant to Art. 102, **6:89, 10:34**
 - support of persons, **8:309, 10:34**
- Request pursuant to Art. 102, **6:89, 10:34**

INDEX

INCIDENTAL RELIEF OR MATTERS—Cont'd

Separation from bed and board, **6:13**
Support of persons, **8:309, 10:34**

INDEPENDENT COUNSEL

Custody of children, **7:236**

INFERENCES

Privileges, **3:79**

INITIAL INTERVIEW

Attorney-client relationship, **1A:3, 1:1**

INJUNCTIONS

Generally, **9A:50**
Domestic abuse protection, petition for preliminary and permanent injunction, **7:258**
Matrimonial property, **9:191**
Post-Separation Family Violence Relief Act, **7:221**
Support of persons, injunctions and incidental orders, **8:293 to 8:303**

INNOCENT SPOUSE RELIEF

Tax considerations, **11:43**

INSURANCE

Health insurance premiums, **8:27, 8:40**
Matrimonial regimes. See index heading **MATRIMONIAL REGIMES**
Tax considerations, **11:6, 11:33**

INTENT

Contract, no further interpretation when intent is clear, **9A:18**
Covenant marriage, declaration of intent, **5:8 to 5:13**
Domicile, proof of intent to change domicile, **1:18**

INTERDICTS

Jurisdiction, **1:14**

INTERLOCUTORY JUDGMENTS

Generally, **9A:46**

INTERNATIONAL TRAVEL

Minors, **7:268**

INTERROGATORIES

Generally, **3:105**
Support of persons, **8:306**

INTOXICATING BEVERAGES

Custody of children, substance abuse, **7:40**
Separation from bed and board, habitual intemperance as ground, **6:9**
Spousal support, **8:174**

IRAs

Matrimonial regimes, **9:22**

JOINT AND SEVERAL LIABILITY

Taxation, **11:38**

JOINT BUSINESS ACQUISITION

Matrimonial regimes, **9:142**

JOINT CUSTODY

General discussion, **7:55 to 7:62**
For detailed treatment see index heading **CUSTODY OF CHILDREN**

JOINT STIPULATION OF FACT

Form, **6:75, 6:80, 10:41**

JOINT TAX RETURNS

General discussion, **11:37, 11:38**

JUDGE'S CHAMBERS

Art. 103 divorce, hearing divorce proceeding in chambers, **6:38**

JUDGMENT

General discussion, **6:64, 9A:5**
Acceptance of service and no responsive pleading filed, judgment on, **6:72**
Annulment, motion to annul judgment, **6:99**
Art. 103(1) divorce, **6:67, 6:74, 10:37**
Consent judgment. See index heading **CONSENT JUDGMENT**
Costs of expert witnesses at trial, **10:86**
Default, **6:71, 10:52**
Examination of judgment debtor, **10:85**
Execution of judgment, **9A:49**

JUDGMENT—Cont'd

- Executory, petition to make judgment executory, **10:48**
- Extension of time to prepare stipulated judgment, motion, **1:46**
- Finality, **9A:46**
- Forms
 - general discussion, **6:64, 6:78, 6:84, 6:90, 10:43, 10:55 to 10:59**
 - acceptance of service and no responsive pleading filed, judgment on, **6:72**
 - Art. 103(1) divorce, **6:74, 10:37**
 - costs of expert witnesses at trial, **10:86**
 - custody of children, **7:273**
 - default, **6:71, 10:52**
 - examination of judgment debtor, **10:85**
 - executory, petition to make judgment executory, **10:48**
 - extension of time to prepare stipulated judgment, motion, **1:46**
 - homologating community property agreement, **9:161**
 - new trial, **6:99**
 - nullity of marriage, **5:38**
 - pleadings, judgment on, **6:75, 6:76, 6:78, 6:79**
 - rule to show cause, tax fees, **10:86**
 - separation of property, **9:146, 9:149**
 - support of persons (rule for contempt), **8:328**
 - written reasons for judgment, request for, **6:96**
- Homologating community property agreement, **9:161**
- Interlocutory, **9A:46**
- Nullity of marriage, **5:38**
- Pleadings, judgment on, **6:37, 6:75, 6:76, 6:78, 6:79**
- Rule to show cause, tax fees, **10:86**
- Separation of property, **9:146, 9:149**
- Support of persons (rule for contempt), **8:328**
- Written reasons for judgment, request for, **6:96**

JUDICIAL CONFESSION

- Generally, **9A:14**

JUDICIAL PARTITION

- Community property, **9:118 to 9:135**

JURIDICAL NOTICE

- Generally, **3:102**

JURIDICAL PERSONS

- Generally, **9A:2**

JURISDICTION

- General discussion, **1:5 to 1:19**
- Annulment, **1:5, 1:6**
- Bed and board, separation from, **1:7**
- Change of domicile, **1:6, 1:17**
- Curator, appointment of, **1:10**
- Custody of children
 - general discussion, **1:5, 1:6**
 - for detailed treatment see index heading CUSTODY OF CHILDREN
- Divorce, generally, **1:8 to 1:19**
- Domestic Abuse Assistance Act, **7:212**
- Domicile defined, **1:11 to 1:16**
- Intent to change domicile, proof of, **1:18**
- Interdicts, **1:14**
- Military personnel, **1:16**
- Minors, **1:14**
- Nonresidents, personal jurisdiction over, **1:9**
- Only one domicile, **1:12**
- Partition of community property, **9:121**
- Presumptions, rebuttable
 - annulment, custody and support, **1:6**
 - divorce, **1:19**
- Separation from bed and board, **1:7, 6:11 to 6:14**
- Spouses, domicile of, **1:13**
- Support of persons, **1:5, 1:6**
- Temporary position, person holding, **1:15**
- Uniform Child Custody Jurisdiction and Enforcement Act, **7:167 to 7:169**

INDEX

JURISDICTION—Cont'd

Uniform Child Custody Jurisdiction
Law
general discussion, **7:120 to 7:166**
for detailed treatment see index
heading UNIFORM CHILD
CUSTODY JURISDICTION LAW

JURY AND JURY TRIAL

Evidence, rulings on evidence within
hearing of jury, **3:9**

JUSTIFICATION

Assault by parent in defense of child,
7:4

JUVENILE COURTS AND PROCEEDINGS

Uniform Child Custody Jurisdiction
Law, **7:165, 7:166**

KIDNAPPING

Abduction Prevention Act, **7:224**
Parental Kidnapping Prevention Act
general discussion, **7:170 to 7:175**
for detailed treatment see index
heading PARENTAL KIDNAPPING
PREVENTION ACT

LABOR REPORTS

Evidence, **3:65**

LAW ENFORCEMENT OFFICERS

Domestic Abuse Assistance Act,
immunity, **7:212**

LAW FIRMS

See index heading ATTORNEY-CLIENT
RELATIONSHIP

LAW OF THE CASE

Evidence, **3:103**

LEGAL MALPRACTICE

General discussion, **2:2**

LEGISLATIVE FINDINGS

Post-Separation Family Violence
Relief Act, **7:214**

LETTERS ROGATORY

Generally, **3:118**

LICENSES

Support of persons, revocation or
suspension of license, **8:124 to
8:144, 8:320**

LIFE INSURANCE

Matrimonial regimes, **9:26, 9:142**

LIMITED LIABILITY COMPANIES

Community property, exclusive
management by one spouse,
9:64

Matrimonial regimes, **9:40**

LIS PENDENS

Art. 103 divorce, **6:43**

LIVING SEPARATE AND APART

Generally, **9A:5**
Affidavit, form, **6:63**
Art. 103 divorce, grounds, **6:34 to
6:38**

LONG ARM STATUTE

Art. 102 divorce, service of plead-
ings, **6:29**

LOUISIANA CIVIL CODE

Generally, **9A:1 to 9A:22**

LOUISIANA CODE OF CIVIL PROCEDURE

Generally, **9A:1, 9A:23 to 9A:55**

MALPRACTICE [LEGAL]

Ethics in family law, **2:2, 2:29, 2:92**

MANDAMUS

Notice of intention to apply for writ
of mandamus, **8:330, 10:62**

MARRIAGE RELATIONSHIP

General discussion, **5:1 to 5:20**
Affidavit, declaration of intent, **5:11,
5:12**

Annulment. See index heading
ANNULMENT OF MARRIAGE

Ceremony, **5:3**

Consent of parties, **5:4 to 5:6**

Contract of marriage
general discussion, **5:1 to 5:6**
ceremony, **5:3**

MARRIAGE RELATIONSHIP**—Cont'd**

- Contract of marriage—Cont'd
 - consent of parties, **5:4 to 5:6**
 - impediments, absence of legal impediments, **5:2**
 - procuration, marriage by, **5:5**
 - property regimes, **9:139 to 9:143**
 - sample process of execution, **2:96**
 - vices of consent, **5:6**
- Covenant marriage, generally, **5:7 to 5:14**
- Death as terminating, **5:20**
- Duties of married persons, **9A:4**
- Effects of marriage, **5:15 to 5:18**
- Family authority, effects of marriage, **5:16**
- Intent, declaration of intent, **5:8 to 5:13**
- Mutual duties, **5:15**
- Notarized attestation, declaration of intent, **5:12**
- Prior marriage, **5:14**
- Signature, declaration of intent, **5:13**
- Suits between spouses, **5:18, 6:3**
- Surnames, **5:17**

MARRIED WOMEN

- Name confirmation, **9A:51**

MASTERS

- Appointment of special masters, **9:131, 9:184, 9:185**

MATERNITY

- Evidence, **3:19**

MATRIMONIAL AGREEMENTS

- General discussion, **4:1 to 4:50, 9:2, 9:3**
- Antenuptial agreement, generally, **4:46 et seq.**
- Approval of separation of property regime, **4:44, 4:47, 4:48**
- Attacking marriage contracts, **4:16, 4:22**
- California separate property regime, **4:41**
- Checklists, things not to do when drafting matrimonial agreements, **4:23**

MATRIMONIAL AGREEMENTS**—Cont'd**

- Children and minors, **4:4**
- Classification of property as separate, **9:52 to 9:54**
- Community property, limiting right to encumber, **4:20**
- Contractual regime, generally, **4:8**
- Donation, act of, **4:49**
- Expense sharing, **4:21**
- Form of agreement, **9:3**
- Forms
 - general discussion, **4:24 to 4:49**
 - antenuptial agreement, generally, **4:46 et seq.**
 - approval of separation of property regime, **4:44, 4:47, 4:48**
 - California separate property regime, **4:41**
 - home purchased before marriage, separate property regime, **4:36**
 - marriage contract, **2:96, 4:28 to 4:33**
 - modified legal regime, **4:30 to 4:33**
 - pension benefits, **4:43**
 - pre-marriage, **4:50**
 - process verbal of execution of marriage contract, **4:26**
 - qualified pension plan provision, **9:203**
 - reestablishment of community, **4:45, 9:180**
 - separate property regime, **4:25, 4:35 to 4:42**
 - separation of property regime, **4:34, 4:44**
 - support of persons, unrecorded prenuptial support agreement by authentic act, **4:24, 9:143**
 - testimony at 2329 hearing regarding marriage contract and partition of property, **4:27**
 - unrecorded prenuptial support agreement by authentic act, **4:24, 9:143**
- Fraud of creditors, **4:3**
- Governing law, **4:5**

INDEX

MATRIMONIAL AGREEMENTS

—Cont'd

- Home purchased before marriage, separate property regime, **4:36**
- Interspousal contracts distinguished, **4:2**
- Judicial approval, **4:14**
- Legal regime, generally, **4:7**
- Limitations, **4:16, 4:20**
- Limits of contractual freedom, **9:6**
- Marriage contract, **2:96, 4:28 to 4:33**
- Matrimonial regime, generally, **4:6**
- Modified legal regime, **4:12, 4:30 to 4:33**
- Nature of agreement, **4:1**
- Pension benefits, **4:43**
- Pre-marriage, **4:50**
- Process verbal of execution of marriage contract, **4:26**
- Public policy, **4:17**
- Qualified pension plan provision, **9:203**
- Recordation of agreement, **9:3**
- Reestablishment of community, **4:45, 9:180**
- Regimes, generally, **4:6 to 4:8**
- Separate property regime, **4:9 to 4:11, 4:25, 4:35 to 4:42**
- Separation of property regime, **4:34, 4:44, 4:47, 4:48**
- Setting aside, **4:3**
- Succession, **4:19**
- Support of persons, unrecorded pre-nuptial support agreement by authentic act, **4:24, 9:143**
- Testimony at 2329 hearing regarding marriage contract and partition of property, **4:27**
- Timing, **4:13, 4:14**
- Unrecorded prenuptial support agreement by authentic act, **4:24, 9:143**

MATRIMONIAL REGIMES

- General discussion, **9:1 to 9:202**
- Application, **9:1**
- Appraiser, appointment, **9:190**
- Attorneys' fees and expenses, statement of, **9:182**

MATRIMONIAL REGIMES

—Cont'd

- Benefit plans
 - beneficiary revocation on divorce, **9:19**
 - defined, **9:18**
- Bonuses, **9:30**
- Checking accounts, **9:192**
- Classification of property as community, **9:10 to 9:13**
- Classification of property as separate, **9:52 to 9:54**
- Community property
 - general discussion, **9:7 et seq., 9:7 to 9:98**
 - for detailed treatment see index heading COMMUNITY PROPERTY
- Consent judgment, **9:174, 9:195**
- Contingency fee contracts, **9:33**
- Contractual regimes
 - general discussion, **9:2, 9:3**
 - for detailed treatment see heading MATRIMONIAL AGREEMENTS
- Copyrights, **9:48**
- Corporate distributions from separate property, **9:47**
- Court approval for exclusion or modification of regime, **9:4**
- Damage awards for personal injury, **9:54**
- Declaration of acquisition of separate or community property, **9:55**
- Declaration of separateness, **1:37, 9:137, 9:138**
- Defined contribution plans, **9:17**
- Definition, **9:1**
- Descriptive lists, **9:167 to 9:171**
- Disability insurance, **9:28**
- Discounts, **9:36**
- Dividends, **9:45**
- Donation, **9:152 to 9:155, 9:192**
- Donations, **9:34, 9:53**
- Early retirement incentives, **9:25**
- Employee benefit plans, non-qualified, **9:24**
- Exclusion of matrimonial regime, **9A:19**
- Exclusion or modification of regime, **9:4, 9:5**

MATRIMONIAL REGIMES**—Cont'd**

Forms

appraiser, appointment, **9:190**
 attorneys' fees and expenses, state-
 ment of, **9:182**
 consent judgment, **9:195**
 contractual spousal support, **9:142**
 co-ownership, **9:142**
 declaration of separateness, **1:37,**
9:137, 9:138
 descriptive lists, **9:167 to 9:171**
 donation, **9:152 to 9:155, 9:192**
 notary public, **9:154**
 goodwill (professional practice),
9:194
 guaranty, **9:202**
 home, letter agreement concerning
 sale of former home, **9:188**
 homologating community property
 agreement, judgment, **9:161**
 income tax returns, reservation of
 rights letter, **9:142**
 injunction, **9:191**
 interspousal contracts, **9:206**
 contemplating reconciliation,
 9:205
 final periodic spousal support
 containing provisions for
 college education of major
 children, **9:186**
 joint business acquisition, **9:142**
 last will and testament, **9:156**
 life insurance, **9:142**
 limited power of attorney transfer
 automobile, **9:187**
 marriage contract, **9:139 to 9:143**
 matrimonial agreements. See index
 heading MATRIMONIAL AGREE-
 MENTS
 military retired pay division order,
9:193
 modified legal regime, **9:140**
 mortgage, second, **9:157**
 partition of community property,
9:159, 9:160, 9:162 to 9:164,
9:166, 9:167
 pension plan, **9:178**
 promissory note, **9:150, 9:151**

MATRIMONIAL REGIMES**—Cont'd**

Forms—Cont'd

qualified domestic relations order,
9:172 to 9:177
 qualified pension plan provision,
9:203
 real estate purchase agreement,
9:200
 redhibition rights addendum,
 waiver of warranty and, **9:201**
 reestablishment of community,
 matrimonial agreement, **4:45,**
9:180
 release of funds, joint motion and
 order for, **9:189**
 reservation of rights letter, income
 tax returns, **9:204**
 seals and sealed instruments,
9:197, 9:198
 separate property regime, **9:141,**
9:142
 separation of property regimes,
9:144 to 9:149
 settlement of community property
 agreement, petition to rescind,
9:181
 special master, motion and order
 appointing, **9:184, 9:185**
 Teachers' Retirement System of
 Louisiana, division of, **9:196**
 temporary restraining orders,
9:183, 9:191
 waiver of warranty and redhibition
 rights addendum, **9:201**
 Fruits and revenues of separate prop-
 erty, **9:11**
 Golden parachute, **9:43.50**
 Goodwill, **9:32, 9:194**
 Guaranty, **9:202**
 Hare v. Hodgins decision, **9:20, 9:21**
 Home, letter agreement concerning
 sale of former home, **9:188**
 Homologating community property
 agreement, judgment, **9:161**
 Income tax returns, reservation of
 rights letter, **9:204**
 Injunction, **9:191**

INDEX

MATRIMONIAL REGIMES

—Cont'd

- Insurance
 - cancer insurance policy, **9:29**
 - disability insurance, **9:28**
 - life insurance, **9:26**
 - beneficiary revocation on divorce, **9:27**
 - pre-nuptial marriage contract for separate property regime with insurance provisions, **4:39**
 - renewal commissions, **9:46**
 - Interspousal contracts, **9:206**
 - contemplating reconciliation, **9:205**
 - final periodic spousal support containing provisions for college education of major children, **9:186**
 - IRAs, **9:22**
 - Joint checking accounts, **9:192**
 - Last will and testament, **9:156**
 - Life insurance, **9:26**
 - beneficiary revocation on divorce, **9:27**
 - Limited liability companies, **9:40**
 - Limited power of attorney transfer automobile, **9:187**
 - Marriage contract, **9:139 to 9:143**
 - Matrimonial agreements
 - general discussion, **9:2, 9:3**
 - for detailed treatment see heading
- MATRIMONIAL AGREEMENTS
- Military pay, **9:193**
 - Military retirement plans, **9:15, 9:193**
 - Modification of matrimonial regime, **9A:19**
 - Modified legal regime, **9:140**
 - Mortgage, second, **9:157**
 - Nature, **9:1, 9:7**
 - Necessaries, **9:104**
 - Net asset value, **9:32**
 - Ownership of marital property, **9:9**
 - Part community/part separate property, ownership of, **9:56**
 - Partition of community property. See index heading **PARTITION OF COMMUNITY PROPERTY**
 - Pension plan, **9:178**

MATRIMONIAL REGIMES

—Cont'd

- Presumption of community, **9:13**
- Professional practice, **9:31, 9:194**
- Promissory note, **9:150, 9:151**
- Qualified domestic relations order, **9:23, 9:172 to 9:177**
- Qualified pension plan provision, **9:203**
- Real estate purchase agreement, **9:200**
- Redhibition rights addendum, waiver of warranty and, **9:201**
- Reestablishment of community, matrimonial agreement, **4:45, 9:180**
- Release of funds, joint motion and order for, **9:189**
- Reservation of rights letter, income tax returns, **9:204**
- Retirement plans, **9:15, 9:16, 9:193, 9:196**
- Seals and sealed instruments, **9:197, 9:198**
- Separate property regime, **4:9 to 4:11, 4:25, 4:35 to 4:42, 9:141, 9:142**
- Separation of property regimes, **4:34, 4:44, 4:47, 4:48, 9:102 to 9:110, 9:144 to 9:149**
- Settlement of community property agreement, petition to rescind, **9:181**
- Severance pay, **9:43**
- Special masters, **9:131, 9:184, 9:185**
- Specific types of property, **9:14 to 9:45**
- Stock
 - closely held business, **9:37**
 - shareholder agreements, **9:38**
- Stock options, **9:50**
- Subchapter S corporations, **9:39**
- Temporary restraining orders, **9:183, 9:191**
- Third-party obligations, satisfaction of, **9:57**
- Trademarks, **9:49**
- Transfer of separate property to community, **9:12**
- Trust principal and income, **9:44**

MATRIMONIAL REGIMES**—Cont'd**

- Types of marital property, generally, **9:8**
- Unopposed motion to seal, **9:199**
- Valuations, pass through entities, **9:42**
- Waiver of warranty and redhibition rights addendum, **9:201**
- Wedding gifts, **9:35**

MEDIATION

- Agreement to mediate, **1:44**
- Custody of children, **7:10 to 7:13, 7:233 to 7:235**
- Evidence, **3:17**
- Post-Separation Family Violence Relief Act, **7:216**
- Visitation, **7:10 to 7:13**

MEDICAL CHILD SUPPORT ORDER

- Support of persons, **8:334**

MEDICAL EXAMINATION

- Compelling, motion and order to compel, **3:112**
- Custody of children. See index heading **CUSTODY OF CHILDREN**

MEDICAL EXPENSES

- Child support, calculation of obligation, **8:41**
- Taxation, deduction for medical expenses of child, **11:20**

MEDICAL RECORDS

- Custody of children, **7:41, 7:225, 7:227 to 7:229**
- Release of records, **3:113, 7:225, 7:227, 7:229**

MENTAL HEALTH

- Custody of children, **7:9, 7:39, 7:66, 7:113, 7:231, 7:272**
- Experts, mental health evaluator, **3:48**
- Spousal support, fault excused because of mental condition or illness, **8:175**
- Visitation, evaluation by professional custody evaluation, **7:9**

MILITARY SERVICE

- Affidavit of non-military service and non-covenant marriage, **6:62**
- Art. 103 divorce, military personnel presumed dead, **6:42**
- Custody of children, **7:82**
- Jurisdiction over military personnel, **1:16**
- Matrimonial regimes, military pay, **9:193**
- Retirement plans, matrimonial regimes, **9:15, 9:193**
- Visitation, compensatory visitation due to military service, **7:21**

MISTAKE

- Pleading, **9A:27**

MONTHLY INCOME AND EXPENSE STATEMENT

- Support of persons, **8:305**

MORAL FITNESS

- Custody of children, **7:42**

MORTGAGE

- Second, **9:157**

MOTION TO COMPEL

- Expedited, **3:120**
- Incorporated memorandum, **3:121**

MULTIPLE ATTORNEYS

- Fees, division of fees between lawyers, **2:16**

MULTIPLE CLIENTS

- Conflict of interest, **2:30**

NAME

- Married women, name confirmation, **9A:51**

NATURAL PERSONS

- Generally, **9A:2**

NECESSARIES

- Matrimonial regimes, **4:10, 9:104**

NEGLECT

- Attorney-client relationship, neglect of client matters, **2:7**

INDEX

NEW TRIAL

- Motion, **6:99, 10:46, 10:47, 10:58**
- Partition of community property, **9:132**
- Post-trial issues, **10:21**

NONRESIDENTS

- Jurisdiction, personal jurisdiction over, **1:9**

NOTARIZED ATTESTATION

- Marriage relationship, declaration of intent, **5:12**

NOTICE

- Appearance, notice of limited appearance, **1:45, 1:47**
- Art. 102 divorce, **6:54, 6:55, 6:59, 10:40**
 - rule to show cause, **6:26 to 6:28**
 - suit, notice of, **6:23, 6:27, 6:28**
- Art. 1701, **6:70**
- Credit card notification, **1:38**
- Custody of children, notice of relocating child's residence, **7:102 to 7:107**
- Depositions, **3:108, 3:117, 7:41, 7:228, 7:230, 9A:42**
- Domestic Abuse Assistance Act, **7:187**
- Domicile, notice of intent to change, **1:36**
- Forms
 - Art. 102 divorce, **6:54, 6:55, 6:59, 10:40**
 - Art. 1701, **6:70**
 - credit card notification, **1:38**
 - deposition, **3:108, 3:117, 7:228**
 - domicile, notice of intent to change, **1:36**
 - request for, generally, **10:29**
 - writs, notice of intention to apply for writ of review, certiorari and mandamus, **8:330, 10:62**
- Juridical notice, **3:102**
- Privileges, no binding effect without notice, **3:90**
- Request for, generally, **10:29**
- Subpoena duces tecum, documents for deposition, **9A:42**

NOTICE—Cont'd

- Support of persons, **8:17, 8:330**
- Transfers of property between spouses, tax considerations, **11:29**
- Uniform Child Custody Jurisdiction Law, **7:128 to 7:132**
- Writs, notice of intention to apply for writ of review, certiorari and mandamus, **8:330, 10:62**

NULLITY OF DIVORCE

- Art. 102 divorce, **6:31**

NULLITY OF MARRIAGE

- Absolutely null marriage
 - general discussion, **5:21 to 5:30**
 - bigamous marriage, **5:22**
 - ceremony, lack of, **5:21**
 - child of parties, civil effects of nullity of marriage, **5:28**
 - civil effects, **5:26 to 5:30**
 - foreign state or country, divorce in, **5:30**
 - good faith, **5:27**
 - incestuous marriage, **5:23**
 - judicial declaration unnecessary, **5:25**
 - prior undissolved marriage, **5:29, 5:30**
 - same sex marriage, **5:24**
- Bigamous marriage, **5:22**
- Child of parties, civil effects of nullity of marriage, **5:28**
- Civil effects of nullity, **5:26 to 5:30, 5:33**
- Conflicts of law, **5:34**
- Foreign state or country, divorce in, **5:30**
- Forms, **5:37, 5:38**
- Good faith, **5:27**
- Incestuous marriage, **5:23**
- Incidental relief, **5:34 to 5:36**
- Judicial declaration of nullity, **5:25, 5:32**
- Relatively null marriage, **5:31 to 5:33**
- Same sex marriage, **5:24**

OATH

Uniform Child Custody Jurisdiction
Law, **7:143, 7:144**

OBJECTIONS AND EXCEPTIONS

Contemporaneous objection require-
ment, **3:7**

Custody of children, objection to
relocating child's residence,
7:105 to 7:107

Extension of time to file transcript,
10:71

Necessity of, **9A:44**

OBLIGATION WORKSHEET

Child support, determining under
Guidelines, **8:314**

OFFERS OF PROOF

Generally, **9A:45**

OPINIONS OF COURT

Unpublished opinions, **3:10, 9A:48**

OPPORTUNITY TO BE HEARD

Uniform Child Custody Jurisdiction
Law, **7:128 to 7:132**

ORAL ARGUMENTS

Appeal, **10:24**

OYSTER LEASES

Community property, **9:51**

**PARENTAL ALIENATION
SYNDROME**

Custody of children, **7:47**

**PARENTAL KIDNAPPING
PREVENTION ACT**

General discussion, **7:170 to 7:175**

Consistent decree, **7:173 to 7:175**

Continuing jurisdiction, **7:175**

Custody determination under PKPA,
7:174

Full faith and credit, **7:171, 7:172**

Purpose, **7:170**

PARENTING COORDINATOR

Generally, **7:74 et seq.**

Access to information, **7:79**

Appointment

family violence cases, **7:75**

PARENTING COORDINATOR

—**Cont'd**

Appointment—Cont'd

reappointment, motion for, **7:286**

termination of appointment, **7:80**

Authority and duties, **7:76**

Communication with court, **7:78**

Consent judgment, **7:278**

Limitation of liability, **7:81**

Reappointment, motion for, **7:286**

Subpoena, **7:270, 7:271**

Termination of appointment, **7:80**

Testimony or report of parenting
coordinator, **7:77**

PARENTS

See index heading CHILDREN AND
MINORS

**PARTITION OF COMMUNITY
PROPERTY**

General discussion, **9A:24, 9:111 to
9:135**

Appeal, **9:134, 9:135**

Appointment of special masters,
9:131

Checklists

appeal, **9:134**

application for writ, **9:133**

judicial partition, **9:119**

new trial, **9:132**

voluntary partition, **9:115, 9:117**

Discretion of court, **9:135**

Effect of partition, **9:99**

Exclusion by agreement, **9A:8**

Experts, **9:125**

Forms, **8:336, 9:159, 9:160, 9:162 to
9:164, 9:166, 9:167**

settlement language concerning
partition judgment in a settle-
ment letter concerning parti-
tion of property, **9:207**

In kind partition, **9:100**

Judicial partition, **9:118 to 9:135**

Jurisdiction, **9:121**

Methods of partition, **9:111**

New trial, **9:132**

Rescission of partition, **9:101**

Right to partition, **9:94**

INDEX

PARTITION OF COMMUNITY PROPERTY—Cont'd

- Settlement language concerning partition judgment in a settlement letter concerning partition of property, **9:207**
- Supplementary partition, **9:112**
- Support of persons, **8:336**
- Tax consequences in valuation of assets and liabilities, **9:128**
- Uniform collaborative family law act, **9:136**
- Valuation of assets and liabilities, **9:126 to 9:128**
- Venue, **9:121**
- Voluntary partition, **9:113 to 9:117**

PARTNERSHIPS

- Community property, exclusive management by one spouse, **9:64**

PASSPORTS

- Minors, **7:268**

PASS-THROUGH ENTITIES

- Separate and community property, **9:41**
- Valuations, **9:42**

PATERNITY

- Acknowledgment, **3:22**
- Attorneys' fees, **3:29**
- Blood tests, **3:26 to 3:29**
- Child's action to establish paternity, **3:24**
- Contestation action by mother, **3:21**
- Costs, **3:29**
- Evidence
 - general discussion, **3:20 to 3:29**
 - acknowledgment, **3:22**
 - blood tests, **3:26 to 3:29**
 - child's action to establish paternity, **3:24**
 - contestation action by mother, **3:21**
 - expert, **3:27**
 - father's action to establish paternity, **3:25**
 - presumptions. See Husband, presumption of paternity, below

PATERNITY—Cont'd

- Experts, **3:27**
- Father's action to establish paternity, **3:25**
- Husband, presumption of paternity generally, **3:20**
 - subsequent marriage and acknowledgment, **3:22**
- Order to submit to blood testing, **3:26**
- Presumptions. See Husband, presumption of paternity, above

PENALTIES OR SANCTIONS

- Custody of children, sanctions for unwarranted or frivolous proposals to relocate child's residence, **7:117**
- Discovery, **2:84, 9A:39**
- Domestic Abuse Assistance Act, **7:206 to 7:212**
- Ethics in family law. See index heading ETHICS IN FAMILY LAW
- Support of persons, **8:110**

PENSIONS

- Benefits, matrimonial agreements, **4:43**
- Qualified pension plans provision, matrimonial regimes, **9:203**

PERJURY

- Ethics in family law, **2:62 to 2:64**

PERSONAL PROPERTY

- Removal of personal property, **6:90, 8:298, 8:322**

PETITION FOR APPEAL

- Forms, **6:87, 10:66**

PETITION FOR DIVORCE

- General discussion, **6:21, 6:22**
- Art. 102, divorce pursuant to, **6:21 et seq., 6:60**
- Art. 103(1), divorce pursuant to, **6:65**
- Checklist, **6:51**
- Forms, **6:53, 7:255, 10:33**
- Joint motion to dismiss petition for divorce, custody and all ancillary rules, **6:98**
- Uniform Child Custody Jurisdiction Act, **7:255**

PETITION FOR INTERVENTION

Attorneys' fees, **1A:21**

PHOTOGRAPHS

Evidence, **3:67**

PLEADINGS

Adultery, **3:31**

Amendment

conform to evidence, **9A:30**

relation back, **9A:29**

Answer. See index heading ANSWER

Art. 102 divorce, service of pleadings, **6:29**

Confidential status of pleadings and testimony in divorce, **3:18**

Ethics in family law, sanctions for improper pleadings, **2:83**

Forms

Supplemental Memorandum in Support of Motion for Leave to File Second Amended and Supplemental Verified Petition, **6:86**

Fraud, mistake or condition of mind, **9A:27**

Judgment on pleadings, **6:37, 6:75, 6:76, 6:78, 6:79**

Supplemental Memorandum in Support of Motion for Leave to File Second Amended and Supplemental Verified Petition, **6:86**

POLICE

Domestic Abuse Assistance Act, immunity, **7:212**

POST-SEPARATION FAMILY VIOLENCE RELIEF ACT

General discussion, **7:214 to 7:223**

Costs, **7:222**

Custody, **7:217 to 7:220**

Definitions, **7:215**

Injunctions, **7:221**

Legislative findings, **7:214**

Mediation, **7:216**

Public funds unavailable to perpetrator, **7:223**

Review by court, **7:220**

Sexual abuse, **7:219**

POST-SEPARATION FAMILY VIOLENCE RELIEF ACT

—Cont'd

Visitation, **7:218**

POST-TRIAL ISSUES

General discussion, **10:21 to 10:28**

PRENUPTIAL AGREEMENTS

See index heading MATRIMONIAL AGREEMENTS

PRESERVATION OF PROPERTY

Community property, **9:87**

PRESUMPTIONS

Art. 103 divorce, military personnel presumed dead, **6:42**

Community property, presumption of community, **9:13**

Death as terminating marriage relationship, **5:20**

Failure to produce evidence, presumption that unproduced evidence is adverse, **3:98**

Jurisdiction. See index heading JURISDICTION

Matrimonial regimes, presumption of community, **9:13**

Paternity. See index heading PATERNITY Support of persons, **8:31**

Witnesses, uncontradicted testimony, **3:54**

PRIORITY

Relocating child's residence, **7:111**

Uniform Child Custody Jurisdiction Law, **7:164**

PRISONS AND PRISONERS

Support, incarcerated parent, **8:77**

Visitation, incarcerated parent, **7:86**

PRIVATE INVESTIGATORS

Witnesses, **3:50 to 3:52**

PRIVILEGES

General discussion, **3:2, 3:71 to 3:97**

Accountants, **3:97**

Anticipatory waiver, **3:75**

Attorney-client privilege general discussion, **3:83 to 3:91**

confidential communications, **3:84**

INDEX

PRIVILEGES—Cont'd

- Attorney-client privilege—Cont'd
 - exceptions, **3:86**
 - holder of privilege, **3:85**
 - notice, no binding effect without, **3:90**
 - subpoena of lawyer in civil case, **3:89 to 3:91**
 - waiver, **3:91**
 - work product rule, **3:87**
- Contracts to keep information
 - confidential, **3:77**
- Exceptions, **3:86, 3:96**
- Expert witness qualifications, **3:88**
- Health care provider privilege, **3:92 to 3:96**
- Holder of privilege
 - attorney-client privilege, **3:85**
 - health care provider privilege, **3:94**
- Husband-wife privilege, **3:80 to 3:82**
- Implied waiver, **3:73 to 3:76**
- Inference, **3:79**
- Notice, no binding effect without, **3:90**
- Partial disclosure, waiver by, **3:74**
- “Placing at issue” waiver, **3:76**
- Scope of privilege, **3:71**
- Subpoena of lawyer in civil case, **3:89 to 3:91**
- Waiver
 - general discussion, **3:72 to 3:78**
 - anticipatory waiver, **3:75**
 - attorney-client privilege, **3:91**
 - conduct not amounting to waiver, **3:78**
 - contracts to keep information
 - confidential, **3:77**
 - health care provider privilege, **3:96**
 - implied waiver, **3:73 to 3:76**
 - partial disclosure, waiver by, **3:74**
 - “placing at issue” waiver, **3:76**
- Work product rule, attorney-client privilege, **3:87**

PROBATE PROCEEDINGS

- Conflicts of law, **12:28**

PROCESS

- See index heading SERVICE OF PROCESS AND PAPERS

PROCESS OF EXECUTION OF MARRIAGE CONTRACT

- Form, **2:96**

PRODUCTION OF DOCUMENTS AND THINGS

- Generally, **3:106, 3:107**
- Custody of children, subpoenaed records, incorporated memorandum, **7:287**
- Support of persons, **8:306**

PROFESSIONAL PRACTICE

- Matrimonial regimes, **9:31, 9:194**

PROMPTNESS

- Attorney-client relationship, **2:8**

PROPERTY

- Divisible movable property pending partition, monetary assets, **8:304**
- Matrimonial agreements
 - general discussion, **4:1 to 4:50**
 - for detailed treatment see index heading MATRIMONIAL AGREEMENTS
- Matrimonial regimes
 - general discussion, **9:1 to 9:132**
 - for detailed treatment see index heading MATRIMONIAL REGIMES
- Monetary assets, other divisible movable property pending partition, **8:304**
- Pending partition, divisible movable property, monetary assets, **8:304**
- Personal property, removal of personal property, **6:90, 8:298, 8:322**

PRO SE REPRESENTATION

- Ethics in family law, lawyer as witness when representing self, **2:75**

PROTECTIVE ORDERS

- Custody, **7:66, 7:260 et seq.**
- Discovery, generally, **3:12**
- Form, **3:115, 3:116**

PUBLICITY OF TRIAL

- Ethics in family law, **2:67 to 2:69**

PUBLIC POLICY

Matrimonial agreements, **4:17**

**QUALIFICATION OR
DISQUALIFICATION**

Attorney-client relationship
 general discussion, **2:34 to 2:38**
 for detailed treatment see index
 heading ATTORNEY-CLIENT RELATIONSHIP

QUALIFIED PENSION PLANS

Provision, matrimonial regimes,
9:203

QUITCLAIM DEED

Generally, **9:165**

RATIFICATION

Defined and distinguished, **9A:12**

RECONCILIATION

Art. 103 divorce, **6:44**
 Interspousal contract, marital
 regimes, **9:205**

RECONVENTIONAL DEMAND

Support of persons, **8:326**

RECORDS AND RECORDING

Counsel of record
 enrollment as, **1:40**
 withdrawal as, **1:41, 1:42**
 Custody of children, parental access
 to records, **7:6**
 Designation of record, **6:88, 10:68,**
10:69
 Ethics in family law, sealing records,
2:94
 Evidence, record of rulings on evi-
 dence, **3:8**
 Financial records, discovery, **3:13,**
3:111
 Forms
 designation of record, **6:88, 10:68,**
10:69
 lodging of record, motion for,
10:79
 matrimonial agreements,
 unrecorded prenuptial support
 agreement by authentic act,
4:24, 9:143

RECORDS AND RECORDING

—Cont'd

Lodging of record, motion for, **10:79**
 Matrimonial agreements, unrecorded
 prenuptial support agreement by
 authentic act, **4:24, 9:143**
 Medical records. See index heading
 MEDICAL RECORDS
 Parental access to child's records, **7:6**
 Sealing records, **2:94**
 Transfers of property between
 spouses, tax considerations,
11:29
 Uniform Child Custody Jurisdiction
 Law, request for records of
 another state's courts, **7:162**

REFRESHING MEMORY

Evidence, **3:62**

REGISTRATION

Venue, registration of support order,
1:29

REGISTRY

Domestic Abuse Assistance Act,
 protective order registry, **7:193,**
7:201, 7:203 to 7:205
 Uniform Child Custody Jurisdiction
 Law, **7:154**

REHEARING

General discussion, **10:27**
 Striking appellant's application for,
10:78

REIMBURSEMENT

Community property, reimbursement
 of spouses, **9:75 to 9:84**
 Separation of property regimes,
 reimbursement between spouses,
9:106

RELEASE OF CLAIM

Support of persons, release of claim
 to exemption for child of
 divorced or separated parents,
8:329
 Tax considerations, release of claim
 to exemption for child, **11:42**

INDEX

RELEASE OF RECORDS

Medical records, **3:113, 7:225, 7:227, 7:229**

RELOCATING CHILD'S RESIDENCE

General discussion, **7:98 to 7:119**
For detailed treatment see index heading CUSTODY OF CHILDREN

REMOVAL FROM JURISDICTION

Uniform Child Custody Jurisdiction Law, removal of child without consent of custodian, **7:141**
Visitation, **7:90**

RENT

Injunctions and incidental orders, **8:302**

RENVOI

Conflicts of law, **12:7 to 12:11**

REPORTS

Evidence. See index heading EVIDENCE
Parenting coordinator, **7:77**
Paternity, experts, **3:27**

REQUESTS FOR ADMISSION

Generally, **9A:43**

RES JUDICATA

Uniform Child Custody Jurisdiction Law, **7:148**

RETAINERS

Attorney-client relationship, **1A:9, 1:34**

RETAINING LIENS

Attorney-client relationship, declining or terminating representation, **2:48**

RETIREMENT

Matrimonial regimes, **9:15, 9:16, 9:193, 9:196**
Pension benefits, matrimonial agreements concerning, **4:43**
Qualified pension plan provision, matrimonial regimes, **9:203**
Tax considerations, transfers of property between spouses, **11:34**

SALE

Home, letter agreement concerning sale of former home, **9:188**
Home purchased before marriage, separate property regime, **4:36**
Option to buy or sell, **9A:20**

SAME SEX MARRIAGES

Conflicts of law, **12:16**
Custody of children, **7:32, 7:49**
Nullity of marriage, **5:24**

SANCTIONS

See index heading PENALTIES OR SANCTIONS

SCHEDULING CONFERENCE

Motion to set, **10:82**

SCHEDULING ORDER

Motion to set, **10:81**

SCHOOLS AND EDUCATION

Expedited rule to show cause, school attendance, **7:285**
Matrimonial regimes, order for division of Teachers' Retirement System of Louisiana, **9:196**
Support of persons, education or training, **8:1 to 8:4, 8:289 to 8:292, 9:186**

SEALS AND SEALED INSTRUMENTS

Generally, **9:197, 9:198**
Ethics in family law, sealing records, **2:94**
Unopposed motion to seal, **9:199**

SELF-REPRESENTATION

Ethics in family law, lawyer as witness when representing self, **2:75**

SEPARATE PROPERTY REGIME

Generally, **4:9 to 4:11, 4:25, 4:35 to 4:41, 9:7 to 9:54, 9:141, 9:142**

SEPARATION FROM BED AND BOARD

General discussion, **6:1 to 6:18**
Abandonment of matrimonial domicile and refusal to return, **6:7**

SEPARATION FROM BED AND BOARD—Cont'd

Abuse of plaintiff spouse or child, **6:8**
 Adultery as ground, **6:5**
 Alcohol, habitual intemperance as ground, **6:9**
 Cruel treatment as ground, **6:10**
 Death sentence as ground, **6:6**
 Effects of separation from bed and board, **6:14**
 Felony conviction as ground, **6:6**
 Grounds, generally, **6:4 to 6:10**
 Incidental relief, **6:13**
 Jurisdiction, **1:7, 6:11 to 6:14**
 Procedure, **6:11 to 6:14**
 Suits against spouse, **6:3**
 Venue, **1:20, 1:21, 6:12**

SEPARATION OF PROPERTY

Generally, **4:34, 4:44, 4:47, 4:48, 9:102 to 9:110, 9:144 to 9:149**

SEQUESTRATION

Evidence, **3:68**

SERVICE OF PROCESS AND PAPERS

Affidavits, acceptance of service, **6:54, 6:70, 10:40**
 Appointment of special process server, motion for, **6:92, 9A:55**
 Art. 102 divorce, **6:24, 6:28, 6:29**
 Checklist, service of petition for divorce, **6:52**
 Citation, delay for service, **9A:31**
 Domestic Abuse Assistance Act, **7:198**
 Expedited motion to appoint special process server, **9A:55**
 Facsimile, service by, **9A:34**
 Forms
 affidavits, acceptance of service, **6:54, 6:70, 10:40**
 appointment of special process server, motion for, **6:92**
 support of persons, acceptance of service, **8:323**
 Mail, service by, **9A:34, 9A:37**
 Private person, service by, **9A:33**

SERVICE OF PROCESS AND PAPERS—Cont'd

Representative, service on, **9A:32**
 Sheriff, service by, **9A:35**
 Support of persons, acceptance of service, **8:323**
 Uniform Child Custody Jurisdiction Law, **7:132**

SETTING ASIDE

Matrimonial agreements, **4:3**
 Merits, setting aside trial on the merits, motion, **10:45**

SEVERANCE PAY

Matrimonial regimes, **9:43**

SEXUAL ABUSE

Grounds for divorce or separation, **6:8, 6:17, 6:41**
 Post-Separation Family Violence Relief Act, **7:219**

SEXUAL RELATIONS

Ethics in family law, sexual relations with clients, **2:88**
 Incest, nullity of marriage, **5:23**

SHOW CAUSE

Acceptance of service of rule to show cause, **6:57**
 Art. 102 divorce, **6:25 to 6:28**
 Contradictory motion, **9A:28**
 Custody of children, **7:242, 7:253, 7:257, 10:31**
 Divorce, **10:18**
 Forms
 acceptance of service of rule to show cause, **6:57**
 custody of children, **7:242, 7:253, 7:257, 10:31**
 notice, **6:59**
 order, **6:58, 7:257, 10:39**
 rule, generally, **6:56, 10:31, 10:38**
 separation of property, **9:147**
 support of persons, **8:317, 8:320, 10:31**
 Notice, **6:59**
 Order, **6:58, 7:257, 10:39**
 Rule, generally, **6:56, 6:61, 10:31, 10:38**

INDEX

SHOW CAUSE—Cont'd

- School attendance, expedited rule to show cause, **7:285**
- Separation of property, **9:147**
- Support, **8:317, 8:320, 10:17, 10:31**

SIBLINGS

- Visitation rights, **7:95, 7:96**

SIGNATURE

- Marriage relationship, declaration of intent, **5:13**

SIMILAR CRIMES, WRONGS, OR ACTS

- Evidence, **3:70**

SISTERS AND BROTHERS

- Visitation rights, **7:95, 7:96**

STATUS CONFERENCE

- Generally, **7:284, 10:83**

STAY OF PROCEEDINGS

- Uniform Child Custody Jurisdiction Law, **7:138**

STIPULATIONS

- Custody of children, **7:72, 7:238**
- Extension of time to prepare stipulated judgment, motion, **1:46**
- Joint stipulation of fact, **6:75, 6:80, 10:41**
- Support of children, **8:36, 8:37**

STOCK

- Matrimonial regimes. See index heading **MATRIMONIAL REGIMES**
- Tax considerations
 - redemptions of stock, transfers to third persons, **11:28**

STOCK OPTIONS

- Matrimonial regimes, **9:49**

STRIKE, MOTION TO

- Generally, **10:75, 10:76**

SUBCHAPTER S CORPORATIONS

- Matrimonial regimes, **9:39**

SUBPOENA DUCES TECUM

- Generally, **9A:36**

SUBPOENA DUCES TECUM

—Cont'd

- Depositions, **3:117, 7:228, 9A:38, 9A:42**
- Form, **3:109, 3:110, 3:117, 7:228**

SUBPOENAS

- Lawyer, subpoena of, **3:89 to 3:91, 3:119**
- Parenting coordinator, **7:270, 7:271**
- Privileges, subpoena of lawyer in civil case, **3:89 to 3:91**
- Verified statement attached, **3:114**

SUBSTITUTION OF COUNSEL OF RECORD

- Form, **1:43**

SUCCESSION

- Matrimonial agreements, **4:19**

SUMMARY JUDGMENT

- Art. 103 divorce, **6:37**

SUMMARY PROCEEDINGS

- Child support, **8:30**
- Custody and visitation, **7:7**
- Spousal support, **8:157**

SUPERVISORY WRITS

- Generally, **10:63, 10:65**

SUPPORT OF PERSONS

- General discussion, **8:1 to 8:344**
- Abandonment, motion for judgment of, **8:341**
- Accounting, **8:78**
- Act No. 749,2006, Preamble and legislative intent, **8:169**
- Adultery, **8:172**
- Affidavit, **8:325**
- Amounts not set forth in or exceeding schedule, **8:53**
- Answer, **8:324 to 8:326**
- Appeal or review
 - generally, **8:204**
 - designation of record on appeal, **8:332**
 - legislative review of child support guidelines, **8:29**
- notice of intention to apply for writ of, **8:330**

SUPPORT OF PERSONS—Cont'd

Appeal or review—Cont'd
 petition and order for appeal,
8:331
 standard of appellate review, **8:51**
 Art. 102 divorce, special require-
 ments in child support proceed-
 ings, **6:22**
 Assignment of income, release of
 income assignment, **8:112**
 Attorneys' fees, **8:101, 8:121, 8:199**
 Burden of proof, **8:33, 8:73, 8:109**
 Calculation of obligation, generally,
8:38 to 8:53
 Certiorari, notice of intention to
 apply for writ of, **8:330**
 Change in circumstances, **8:54, 8:66,**
8:72 to 8:76
 Child support, generally, **8:1 to 8:154**
 Child tax credit, **11:18**
 Collection of support, La. Child Sup-
 port Collection Protection Act,
8:152
 Community asset pending partition
 proceedings, **8:336**
 Community property, allocation of
 community property, **8:303,**
8:335
 Concealed income, **8:23**
 Consent judgment, **8:327, 8:338 to**
8:340, 8:342, 8:344
 Consumer price index provision,
10:54
 Contempt, **7:237, 8:122, 8:123,**
8:198, 8:319, 8:328
 Contractual spousal support, **8:194**
 Custody of children, child support
 provisions, **8:7, 8:35, 8:47 to**
8:49, 8:69, 8:71
 Decreasing child support, **8:316**
 Deductions for income of child or
 social security, **8:43**
 Definitions
 general discussion, **8:20 to 8:28**
 adjusted gross income, **8:25**
 combined adjusted gross income,
8:25
 extraordinary medical expenses,
8:26

SUPPORT OF PERSONS—Cont'd

Definitions—Cont'd
 gross income, **8:22, 8:24**
 health insurance premiums, **8:27**
 income, **8:21**
 net child care costs, **8:28**
 Determination of income for spousal
 support, **8:156**
 Deviation by court from guidelines
 for determination of child sup-
 port, **8:32 to 8:35**
 Discharge or reduction of child sup-
 port obligation, **8:12 to 8:15**
 Discretion of court, **8:180, 8:181**
 Duty cannot be renounced or
 suspended, **8:5 to 8:7**
 Education or training, **8:1 to 8:4,**
8:187, 8:289 to 8:292
 Execution of support and claims for
 contribution awards in arrears,
8:119 to 8:122
 Fault, spousal support, **8:175, 8:183,**
8:308
 Felony conviction, **8:173**
 Final spousal support, motion for,
8:313
 Foreign divorce judgments, **8:166**
 Forms
 abandonment, motion for judgment
 of, **8:341**
 affidavit, **8:325**
 answer, **8:324 to 8:326**
 appeal or review
 designation of record on appeal,
8:332
 notice of intention to apply for
 writ of, **8:330**
 petition and order for appeal,
8:331
 certiorari, notice of intention to
 apply for writ of, **8:330**
 community asset pending partition
 proceedings, **8:336**
 community property, allocation of,
8:335
 consent judgment, **8:327, 8:338 to**
8:340, 8:344
 consumer price index provision,
10:54

INDEX

SUPPORT OF PERSONS—Cont'd

Forms—Cont'd

- contempt, **7:237, 8:319, 8:328**
- decreasing child support, **8:316**
- entry onto land, **8:337**
- fault, **8:308**
- final spousal support, motion for, **8:313**
- hearing, motion to set exception for, **8:318**
- incidental relief, request for, **8:309, 10:34**
- increasing spousal and child support, **8:315**
- inspection, motion, **8:306**
- interim and post divorce support, **8:309, 8:312, 10:34**
- interim spousal support, motion to extend, **8:313**
- interspousal contracts for final periodic spousal support containing provisions for college education of major children, **9:186**
- judgment (rule for contempt), **8:328**
- licenses, rule to show cause concerning revocation of, **8:320**
- mandamus, notice of intention to apply for writ of, **8:330**
- matrimonial agreements
 - separate property regime, **9:142**
 - unrecorded prenuptial support agreement by authentic act, **4:24, 9:143**
- medical child support order, qualified, **8:334**
- monthly income and expense statement, **8:305**
- notice of intention to apply for writ of review, certiorari and mandamus, **8:330**
- obligation worksheet for determining child support under Guidelines, **8:314**
- personal property, motion for removal of, **8:322**
- pre-nuptial marriage contract for separate property regime with

SUPPORT OF PERSONS—Cont'd

Forms—Cont'd

- support provisions, **4:40**
 - qualified medical child support order, **8:334**
 - reconventional demand, **8:326**
 - release of claim to exemption for child of divorced or separated parents, **8:329**
 - reply to post-trial memorandum, **8:343**
 - rule to establish spousal support, **8:310 et seq.**
 - service, acceptance of, **8:323**
 - show cause, **8:317, 8:320, 10:31**
 - temporary restraining order, consent judgment dissolving, **8:344**
 - Uniform Child Custody Jurisdiction Act, **7:255**
 - vocational rehabilitation expert, motion to compel evaluation by, **8:321**
 - wage assignment forms, **8:333**
 - waiver of citation and all delays, **8:323**
- Forum non conveniens, **1:30**
- Guidelines for determination of child support, **8:18 to 8:153**
- Health insurance, **8:27, 8:40**
- Hearing, motion to set exception for, **8:318**
- Immunity for employers from civil liability, **8:111**
- Incarcerated parent, **8:77**
- Incidental relief, request for, **8:309, 10:34**
- Income assignment orders, **8:81 to 8:111**
- Increasing spousal and child support, **8:315**
- Injunctions and incidental orders, **8:293 to 8:303**
- “In need of support,” **8:168**
- Interim and post divorce support, **8:309, 8:312, 10:34**
- Interim periodic support, generally, **8:160 to 8:166**

SUPPORT OF PERSONS—Cont'd

Interim spousal support, motion to extend, **8:313**

Interrogatories, **8:306**

Interspousal contracts for final periodic spousal support containing provisions for college education of major children, **9:186**

Judgment (rule for contempt), **8:328**

Jurisdiction, **1:5, 1:6**

Legislative review of guidelines, **8:29**

Liberative prescription concerning child support, **8:153**

Liberative prescription concerning spousal support, **8:203**

Licenses, revocation or suspension of, **8:124 to 8:144, 8:320**

Lifestyle, consideration of, **8:170**

Mandamus, notice of intention to apply for writ of, **8:330**

Matrimonial agreements
separate property regime, **9:142**
unrecorded prenuptial support agreement by authentic act, **4:24, 9:143**

Medical support, **8:76, 8:334**

Mental condition or illness, fault excused due to, **8:175**

Modification of award, **9A:23**

Modification or termination of child support obligation, **8:64 to 8:70, 8:116, 8:117**

Monthly income and expense statement, **8:305**

“Necessitous circumstances,” **8:168**

Notice requirements, **8:17, 8:330**

Obligation worksheet for determining child support under Guidelines, **8:314**

Overtime, calculating support obligation, **8:52**

Personal property, motion for removal of, **8:322**

Presumptions, **8:31**

Priority of child support order, **8:145**

Privileges on motor vehicles, arrearages in child support, **8:150**

SUPPORT OF PERSONS—Cont'd

Production of documents and things, request for, **8:306**

Qualified medical child support order, **8:334**

Reconventional demand, **8:326**

Reduction or discharge of child support obligation, **8:12 to 8:15**

Registration of support orders for modification and enforcement, **8:206 to 8:220**

Release of claim to exemption for child of divorced or separated parents, **8:329**

Release of income assignment, **8:112**

Reply to post-trial memorandum, **8:343**

Retroactivity of support judgments, **8:113, 8:114, 8:158**

Rule to establish spousal support, **8:310 et seq.**

Schedule of basic child support obligations, **8:56 to 8:63**
actions filed after January 1, 2025, **8:61**

Scope of child support obligation, **8:8 to 8:11**

Second jobs, calculating support obligation, **8:52**

Service, acceptance of, **8:323**

Show cause, **8:317, 8:320, 10:31**

Spousal support, generally, **8:155 to 8:205**

Standard of appellate review, **8:55**

Stipulations, **8:36, 8:37**

Tax considerations
general discussion, **11:1 to 11:23**
for detailed treatment see index heading **TAX CONSIDERATIONS**

Temporary restraining order, consent judgment dissolving, **8:344**

Termination of final periodic support, **8:187**

Trial issues, **10:17**

Underreported income, **8:23**

Uniform Child Custody Jurisdiction Act, **7:255**

Uniform Interstate Enforcement Family Support Act, **8:221 to 8:288**

INDEX

SUPPORT OF PERSONS—Cont'd

- Venue, **1:27 to 1:30, 9A:23**
- Vocational rehabilitation expert,
motion to compel evaluation by,
8:321
- Voluntary support, attorney-client
relationship, **1:4**
- Voluntary unemployment or
underemployment of party, **8:47**
- Wage assignment forms, **8:333**
- Waiver of citation and all delays,
8:323
- Waiver of support duty, **8:6**

SURETYSHIP

- Formal requirements, **9A:21**

SURNAMES

- Marriage relationship, **5:17**

SUSPENSIVE AND RESOLUTORY CONDITION

- Generally, **9A:9**

TAPING CONVERSATIONS

- Ethics in family law, **2:91**

TAX CONSIDERATIONS

- General discussion, **11:1 to 11:44**
- Attorneys' fees, **11:35, 11:36, 11:44**
- Cash support payments, **11:3 to 11:6**
- Child tax credit, **11:18**
- Community property law, effect of,
11:22, 11:23, 11:40
- Death of payee, support payments
after, **11:9**
- Definitions, support payments, **11:2**
- Dependency exemption, **11:14 to
11:19**
- Electing out, **11:7**
- Excess front loading of alimony pay-
ments, **11:12, 11:13**
- Exemption for child, release of claim
to, **11:42**
- Fixed support payments, **11:11**
- Forms
 - attorneys' fees and expenses, state-
ment of, **11:44**
 - exemption for child, release of
claim to, **11:42**
 - innocent spouse relief, **11:43**

TAX CONSIDERATIONS—Cont'd

- Forms—Cont'd
 - reservation of rights letter, **9:204**
- Gift and estate considerations
 - for detailed treatment see index
heading GIFT AND ESTATE TAX
- Head of household status, **11:41**
- Innocent spouse relief, **11:43**
- Insurance, **11:6, 11:33**
- Joint and several liability, **11:38**
- Joint returns, **11:37, 11:38**
- Life insurance, transfers of property
between spouses, **11:33**
- Medical expenses of child, deduction
for, **11:20**
- Multiple support agreements, **11:16**
- Notice requirements, transfers of
property between spouses, **11:29**
- Partial elections, transfers of property
between spouses, **11:31**
- Partition of community property,
9:128
- Pre-1985 instruments, **11:17**
- Property maintenance, support pay-
ments for, **11:5**
- Property settlements, **11:32**
- Recordkeeping requirements, **11:29**
- Reservation of rights letter, **9:204**
- Retirement, qualified retirement
plans, **11:34**
- Separate returns, **11:39**
- Stock, redemption of, **11:28**
- Support payments
 - general discussion, **11:1 to 11:23**
 - cash payments, **11:3 to 11:6**
 - child tax credit, **11:18**
 - community property law, effect on
support payments, **11:22,
11:23**
 - death of payee, **11:9**
 - defined, **11:2**
 - dependency exemption, **11:14 to
11:19**
 - electing out, **11:7**
 - excess front loading of alimony
payments, **11:12, 11:13**
 - fixed payments, **11:11**
 - insurance premiums, **11:6**

TAX CONSIDERATIONS—Cont'd

- Support payments—Cont'd
 - medical expenses of child, deduction for, **11:20**
 - multiple support agreements, **11:16**
 - pre-1985 instruments, **11:17**
 - property maintenance, payments for, **11:5**
 - refund, interception of for past-due support, **8:151, 8:197**
 - third party, payments to, **11:4**
 - trusts, spousal support, **11:21**
 - waiver of dependency exemption, **11:15**
- Tax return
 - general discussion, **11:37 to 11:41**
 - community property law, effect of, **11:40**
 - head of household status, **11:41**
 - joint and several liability, **11:38**
 - joint returns, **11:37, 11:38**
 - separate returns, **11:39**
 - unmarried status, **11:41**
- Third parties
 - payment of support to, **11:4**
 - transfers of property to, **11:26, 11:28**
- Transfers of property between spouses
 - general discussion, **11:24 to 11:34**
 - effective dates and exceptions, **11:30 to 11:32**
 - incident to divorce, **11:25**
 - life insurance, **11:33**
 - notice requirements, **11:29**
 - partial elections, **11:31**
 - property settlements, **11:32**
 - recordkeeping requirements, **11:29**
 - retirement, qualified retirement plans, **11:34**
 - Section 1041, transfers under, **11:27**
 - stock, redemption of, **11:28**
 - third parties, transfers to, **11:26, 11:28**
- Trusts, spousal support, **11:21**
- Waiver of dependency exemption, **11:15**

TEACHERS' RETIREMENT SYSTEM OF LOUISIANA

- Matrimonial regimes, **9:196**

TEMPORARY RESTRAINING ORDERS

- Domestic abuse protection, **7:258, 7:259**
- Matrimonial property, **9:183, 9:191**
- Support of persons, **8:295, 8:296, 8:344**

TERMINATION OR DISCHARGE FROM EMPLOYMENT

- Attorney-client relationship
 - general discussion, **2:43 to 2:48**
 - for detailed treatment see index heading ATTORNEY-CLIENT RELATIONSHIP

THIRD-PARTY OBLIGATIONS

- Community property, **9:71 to 9:74**
- Matrimonial regimes, satisfaction of third-party obligations, **9:57, 9:71 to 9:74**

THIRD PERSONS

- Attorneys' fees, payment by third party, **1A:8**
- Ethics in family law, transactions with persons other than client
 - general discussion, **2:77 to 2:82**
 - for detailed treatment see index heading ETHICS IN FAMILY LAW
- Support payments, **11:4**
- Tax considerations. See index heading TAX CONSIDERATIONS
- Transfers of property between spouses, **11:26, 11:28**

TIME

- Evidence, time limits for producing evidence, **3:99, 3:100**
- Extension of time. See index heading EXTENSION OF TIME
- Matrimonial agreements, timing, **4:13, 4:14**
- Service of 102 divorce petition, **6:24**
- Uniform Child Custody Jurisdiction Law, timing, **7:131**

INDEX

TRADEMARKS

Matrimonial regimes, **9:49**

TRANSMITTAL LETTER

Attorney-client relationship, **1:34**

TRAVEL

Minors, passport for international travel, **7:268**

TRIAL

General discussion, **10:17 to 10:20**

Art 103(1) divorce, motion to set trial for, **6:66**

Costs, expert witness at trial, **10:40**

Expert witness at trial, costs, **10:40**

Merits, motion to set trial on merits, **6:95**

Motion to set for trial on merits, **6:95**

New trial, **10:46, 10:47, 10:58**

Setting aside trial on the merits, motion, **10:45**

TRUSTS AND TRUSTEES

Matrimonial regimes, trust principal and income, **9:44**

Tax considerations, spousal support trusts, **11:21**

ULTIMATE ISSUE

Expert opinion, **3:42**

UNIFORM ACT ON BLOOD TESTS TO DETERMINE PATERNITY

General discussion, **3:26 to 3:29**

UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT

Generally, **7:167 to 7:169**

UNIFORM CHILD CUSTODY JURISDICTION LAW

General discussion, **7:120 to 7:166**

Additional parties, **7:145**

Appearance of parties and child, **7:146, 7:147, 7:157, 7:160**

Appointment of attorney, **7:130**

Assistance to courts of other states, **7:158 to 7:160**

Binding force of decree, **7:148**

UNIFORM CHILD CUSTODY

JURISDICTION LAW—Cont'd

Communications with court of other state, **7:136, 7:137**

Concurrent jurisdiction, **7:127**

Declination of jurisdiction by court, **7:139 to 7:141**

Definitions, **7:121**

Direct court jurisdiction, **7:166**

Dismissal of proceedings, **7:138**

Emergency jurisdiction, **7:126**

Expenses, payment of, **7:147**

Factors to consider, **7:135**

Fees, payment of, **7:152**

Filing and enforcement of foreign state decree, **7:151**

Foreign state decrees, recognition of, **7:149 to 7:154**

Forms

petition for custody, **7:255**

petition for divorce, child custody, and support, **7:255**

Hearings and studies in another state, **7:156**

Home state, **7:124**

Inconvenient forum, **7:134 to 7:142**

International application, **7:163**

Jurisdiction, generally, **7:122 to 7:127**

Juvenile court jurisdiction under the UCCJA, **7:165, 7:166**

Modification of foreign state decree, **7:150**

Notice, **7:128 to 7:132**

Oath, information provided under, **7:143, 7:144**

Opportunity to be heard, **7:128 to 7:132**

Petition for divorce, child custody, and support, **7:255**

Preferences, **7:123 to 7:125**

Preservation of documents for use in other state, **7:160**

Priority, **7:164**

Proof of service, **7:132**

Recognition of foreign state decrees, **7:149 to 7:154**

Records of another state's courts, request for, **7:162**

**UNIFORM CHILD CUSTODY
JURISDICTION LAW—Cont'd**

- Registry of decrees and proceedings, **7:154**
- Removal of child without consent of custodian, **7:141**
- Res judicata, **7:148**
- Significant connection state, **7:125**
- Simultaneous proceedings in other states, **7:133**
- Stay of proceedings, **7:138**
- Temporary custody of child, **7:153**
- Testimony
 - foreign state, taking testimony in another state, **7:155**
 - voluntary testimony, **7:159**
- Timing, **7:131**
- Voluntary testimony, **7:159**

**UNIFORM INTERSTATE
ENFORCEMENT FAMILY
SUPPORT ACT**

- General discussion, **8:221 to 8:288**

VALUE AND VALUATION

- Partition of community property, valuation of assets and liabilities, **9:126 to 9:128**
- Pass through entities, **9:42**

VENUE

- General discussion, **1:20 to 1:30**
- Annulment, **1:22, 1:23**
- Bed and board, separation from, **1:20, 1:21, 6:12**
- Custody of children, **1:24 to 1:26, 7:30, 9A:23**
- Divorce, generally, **1:22, 1:23**
- Domestic Abuse Assistance Act, **7:179**
- Forum non conveniens
 - custody of children, **1:26**
 - support of persons, **1:30**
- Modification or change
 - custody of children, **1:25**
 - support of persons, **1:28**
- Partition of community property, **9:121**
- Registration of support order, **1:29**

VENUE—Cont'd

- Separation from bed and board, **1:20, 1:21, 6:12**
- Support of persons, **1:27 to 1:30, 9A:23**
- Waiver, **1:21, 1:23**

VERIFICATION

- Forms, **6:77, 6:81 to 6:83, 10:42**

VIOLENCE

- Domestic abuse
 - general discussion, **7:176 to 7:213**
 - for detailed treatment see index
 - heading DOMESTIC ABUSE PROTECTION
- Post-Separation Family Violence Relief Act
 - general discussion, **7:214 to 7:223**
 - for detailed treatment see index
 - heading POST-SEPARATION FAMILY VIOLENCE RELIEF ACT

VISITATION

- General discussion, **7:7 to 7:24, 7:83 to 7:97**
- Abuse cases, **7:16, 7:88, 7:90**
- Action for failure to exercise or allow visitation, **7:20**
- Admissibility of statements, **7:13**
- Affinity defined, **7:93**
- Appeal, **7:24**
- Appointment of attorney, **7:14 to 7:18**
- Attorneys' fees, **7:91**
- Award of rights, **7:83 to 7:86**
- Best interests, **7:15, 7:94**
- Bond to secure visitation rights, **7:8, 7:250**
- Burden of proof, **7:84**
- Compensatory visitation due to military service, **7:21**
- Consent judgment, **7:276, 7:280**
- Contempt of court, **7:19**
- Costs, attorney's, **7:18**
- Court-ordered access, **7:87**
- Criminal conduct causing death of parent, no visitation rights to family members causing death of parent, **7:97**

INDEX

VISITATION—Cont'd

- Denial of visitation in custody judgment, **7:66**
- Grandparents, **7:95, 7:96**
- Incarcerated parent, **7:86**
- Mediation, **7:10 to 7:13**
- Mental health professional, evaluation by, **7:9**
- Military service, compensatory visitation due to, **7:21**
- Nonparents, visitation rights of, **7:92**
- Post-Separation Family Violence Relief Act, **7:218**
- Reasonable visitation, **7:85**
- Removal from jurisdiction, **7:90**
- Restrictions, **7:88 to 7:90**
- Return of child kept in violation of visitation order, **7:22, 7:23**
- Siblings, rights of, **7:95, 7:96**
- Summary proceedings, **7:7**
- Supervised visitation, **7:276**
- Support, **8:35**

VOCATIONAL REHABILITATION EXPERTS

- Support of persons, motion to compel evaluation by expert, **8:321**

VOLUMINOUS DOCUMENTS

- Evidence, **3:64**

WAGE ASSIGNMENT FORMS

- Support of persons, **8:333**

WAIVER

- Art. 102 divorce, waiver of service of process and papers, **6:28**
- Attorney-client relationship, waiver of disqualification by client, **2:38**
- Citation, waiver of
 - general discussion, **6:70**
 - delay for service, **9A:31**
 - support of persons, waiver of citation and all delays, **8:323**
- Custody of children, waiver of hearing officer conference, **7:277**
- Delay runs from date of execution of waiver, **9A:52**
- Disqualification of attorney as witness, waiver by client, **2:76**

WAIVER—Cont'd

- Matrimonial regimes, waiver of warranty and redhibition rights addendum, **9:201**
- Privileges
 - general discussion, **3:72 to 3:78**
 - for detailed treatment see index heading PRIVILEGES
- Support duty, **8:6**
- Tax considerations, waiver of dependency exemption, **11:15**
- Venue, **1:21, 1:23**

WEDDING GIFTS

- Matrimonial regimes, **9:35**

WILLS

- Custody of children, tutorship by will, **7:69, 7:70**
- Matrimonial regimes, last will and testament, **9:156**

WITNESSES

- General discussion, **3:35 to 3:55**
- Child witnesses, **3:36 to 3:38**
- Competency, **3:35, 3:37**
- Costs of experts at trial, **10:40**
- Custody of children. See index heading CUSTODY OF CHILDREN
- Depositions, use at trial, **3:55**
- Experts
 - general discussion, **3:39 to 3:48**
 - for detailed treatment see index heading EXPERTS
 - costs, at trial, **10:40**
- Impeachment and rebuttal
 - general discussion, **3:56 to 3:61**
 - for detailed treatment see index heading IMPEACHMENT AND REBUTTAL EVIDENCE
- Lawyer as witness
 - general discussion, **2:70 to 2:76**
 - for detailed treatment see index heading ETHICS IN FAMILY LAW
- Leading questions, **3:53**
- Parenting coordinator, **7:77**
- Private investigators, **3:50 to 3:52**
- Privileges
 - general discussion, **3:2, 3:71 to 3:97**

WITNESSES—Cont'd

- Privileges—Cont'd
 - for detailed treatment see index heading PRIVILEGES
- Redirect examination, **3:53**
- Uncontradicted testimony/
presumptions, **3:54**

WORK PRODUCT

- See index heading ATTORNEY-CLIENT
RELATIONSHIP

WRITINGS

- Attorneys' fees, **1A:14**

WRITINGS—Cont'd

- Authentic act, **9A:10, 9A:11**
- Disproving, testimony or other evidence not admitted to disprove a writing, **9A:13**
- Refreshing memory, writing used for, **3:62**

WRITS

- Applications, generally, **9:133, 10:22, 10:65**
- Habeas corpus, **7:266, 7:267**
- Supervisory writs, **10:63, 10:65**