

Article 3945 Compliance Sheet

Pursuant to the standing orders of the Fourth Judicial District Court, the following is submitted as a certificate of compliance with the provisions of *Code of Civil Procedure Article 3945*. In support of same, I - the undersigned counsel and party - do represent and certify (under the possible penalty of contempt) the following; *to wit*:

1. That this is an action or effort seeking an ex parte order of temporary custody of a minor child(ren).
Yes _____ No _____ (see Art. 3945 B)
2. That specific facts have been pled or provided showing immediate and irreparable injury will result to the minor child(ren) before the adverse party or the opposing counsel can be heard in opposition to this action or effort seeking an ex parte order of temporary custody.
Yes _____ No _____ (see Art. 3945B (1))
3. That the specific facts in #2 above have been provided by way of a verified petition and by way of a supporting affidavit(s).
Yes _____ No _____ (see Art. 3945 B (1)) and Local Rule 38.1
4. That efforts have been made to provide the adverse party reasonable notice of the date and time that an order seeking the relief referenced in #1 above will be / is being presented to the 4th District Court
Yes _____ No _____ (see Art. 3945B(2)(a))
5. That the efforts referenced in #4 above include phone, fax, e-mail, hand delivery of a copy of all proper papers, personal conversation, newspaper publication, and/or other actions provided in the verified petition and supporting affidavit(s) referred to in #3 above.
Yes _____ No _____ (see Art 3945 B (2)(a,))
6. That efforts to provide the adverse party with reasonable notice of the date and time that an order seeking the relief referenced in #1 above should not be required because reasons for not requiring such notice have been provided in the verified petition and the supporting affidavit(s) referred to in #3 above.
Yes _____ No _____ (See Art. 3945 (B)(2)(b))
7. That a written order has been prepared for presentation stating this ex parte order will expire within 30 days of signing unless it is dissolved before the passage of 30 days or unless it is extended for good cause shown in accordance with state law.
Yes _____ No _____ (see Art. 3945C(1))
8. That a written order has been prepared for presentation containing specific provisions for temporary visitation by the adverse party & a provision that the child(ren) shall not be removed from the jurisdiction of this Court without a written Court Order to do so.
Yes _____ No _____ (see Art 3945 C (2))
9. That a written order has been prepared for presentation containing specific provisions for temporary visitation for the adverse party and same is for a period of time not less than 48 hours during any 15 day period referenced in #7 above.
Yes _____ No _____ (see Art. 3945 C (2))
10. That temporary visitation by the adverse party should not be allowed because immediate and irreparable injury to the child(ren) will result as a consequence of such visitation for reasons set forth in the verified petition and supporting affidavit(s) referred to in #3 above.
Yes _____ No _____ (see Art 3945 C (2))
11. That a written order has been prepared for presentation which includes a date, time, and place where and on which the ex parte order was/is signed and the date, time, place and address where the rule nisi/hearing/trial may take place.
Yes _____ No _____ (see Art 3945 C (3))

12. That it is understood that a rule nisi shall be assigned for hearing within 30 days after signing of the ex parte order of temporary custody and that the undersigned is prepared to have a hearing within the indicated time frame without any further delay.

Yes _____ No _____ (see Art 3945 D)

13. That it is understood that any ex parte order that is found to be in “non-compliance” with *Civil Procedure Article 3945* is, by law, unenforceable and is null and void.

Yes _____ No _____ (see Art. 3945 E)

14. That a recommended, written custody / visitation allocation plan has been prepared by the under signed - and is available for Court review - in the event the requested ex parte relief is denied. This plan specifically allocates (between the parents) the time which the child(ren) shall spend with each parent unless immediate and irreparable injury will result to the child(ren) by such allocation.

Yes _____ No _____ (see Art. 3945 F)

15. That no portion of any document presented in connection herewith involves or relates to any order of custody of a child(ren) requested in a verified petition alleging the application of the *Domestic Abuse Assistance Act*, *Children’s Code Article 1564*, or the *Post-Separation Family Violence Relief Act*.

Yes _____ No _____ (see Art. 3945 G)

16. That no protective order under the Domestic Abuse Assistance Act or the Post-Separation Family Violence Relief Act is presently in effect or a copy of such outstanding protective order is attached to this application.

17. That no juvenile proceeding as provided for in LA-Ch. C. Art. 303 presently exists, including specifically but not by way of limitation, delinquency, CINC, or FINS proceedings, termination of parental rights proceedings, and mental health proceedings.

18. That no custody order for any child who is the subject of this application is presently in effect or a copy of such custody order is attached to this application.

Case # _____

Submitted For The Captioned Matter of:

_____ vs. _____

SIGNATURE OF COUNSEL

(BOTH MUST SIGN)

MOVING PARTY

_____/_____/_____(Date)

Submitting false or misleading responses may subject the offender to appropriate penalties – including a rule for contempt.