

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part I. Officiants § §202**

A marriage ceremony may be performed by: (1) A priest, minister, rabbi, clerk of the Religious Society of Friends, or any clergyman of any religious sect, who is authorized by the authorities of his religion to perform marriages, and who is registered to perform marriages; (2) A state judge or justice of the peace.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 2: Incidents and Effects of Marriage - Part II: Special Incidents and Effects of Covenant Marriage § §297**

Spouses by mutual consent after collaboration shall make decisions relating to family life in the best interest of the family.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part V: Record Keeping § §253**

A. The officiant shall give one copy of the marriage certificate to the married parties. Within ten days after the ceremony, he shall file the other two copies of the certificate of marriage with the officer who issued the marriage license. B. Upon receipt of these copies, this officer shall sign them and note thereon the date the certificate was recorded by him. C. He shall forward to the state registrar of vital records, on or before the fifteenth day of each calendar month, one copy of each certificate of marriage filed with him during the preceding calendar month.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part I. Officiants § §201**

An officiant is a person authorized by law to perform marriage ceremonies.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part I. Officiants § §203**

A. Judges and justices of the peace may perform marriage ceremonies within the following territorial limits: (1) A justice of the supreme court within the state; (2) A judge of a court of appeals within the circuit; (3) A judge of a district court within the district; (4) A judge of a family court, juvenile court, parish court, city court, or, in Orleans Parish, a municipal or traffic court, within the parish in which the court is situated; and (5) A justice of the peace within the parish in which the court of that justice of the peace is situated, and in any parish within the same supreme court district which has no justice of the peace court. B. A judge's authority to perform marriage ceremonies continues after he retires. C. A retired justice of the peace who has served a total of eighteen years in that capacity shall retain his authority to perform marriage ceremonies within the territorial limits authorized in Subsection A of this Section provided he registers to perform such ceremonies as required by R.S. 9:204. D. Notwithstanding the provisions of Paragraph (A)(5) of this Section, a justice of the peace within any of the parishes of DeSoto, Bossier, Caddo, Bienville, Webster, or Red River may perform marriage ceremonies within any of these parishes. E.(1) A judge of a court of the United States whose official duty station includes a municipality having a population in excess of forty thousand but less than fifty thousand persons

according to the latest decennial census or a municipality having a population in excess of two hundred and fifteen thousand but less than two hundred and thirty-five thousand persons according to the latest decennial census may perform marriage ceremonies in the municipality located within his official duty station. For purposes of this Subsection, "judge" and "official duty station" have the same meaning as provided in 28 U.S.C. 451 and 456, respectively. The authority granted by this Paragraph shall terminate on December 31, 2003. (2) A judge of a court of the United States whose official duty station includes a municipality having a population in excess of four hundred and seventy thousand according to the latest decennial census may perform marriage ceremonies within his official duty station. The authority granted by this Paragraph shall only be effective from October 1, 2004, through October 31, 2004. (3) A judge of a court of the United States whose official duty station includes the state capital may perform marriage ceremonies within his official duty station. The authority granted by this Paragraph shall only be effective from December 1, 2004, through December 31, 2004. (4) A judge of a court of the United States whose official duty station includes a municipality having a population in excess of one hundred and five thousand but less than one hundred and fifteen thousand persons according to the latest decennial census may perform marriage ceremonies within his official duty station. The authority granted by this Paragraph shall only be effective from May 16, 2005 through June 4, 2005. (5) A judge of a court of the United States whose official duty station includes a municipality having a population in excess of four hundred seventy thousand according to the latest decennial census may perform marriage ceremonies within his official duty station. The authority granted by this Paragraph shall only be effective from October 1, 2007, through October 31, 2007. (6) A judge of a district court of the United States whose official duty station includes a municipality having a population in excess of four hundred seventy thousand according to the latest decennial census may perform marriage ceremonies within his official duty station. The authority granted by this Paragraph shall only be effective from November 1, 2008, through November 30, 2008. (7) A judge of a court of the United States whose official duty station includes Orleans Parish may perform marriage ceremonies within Orleans Parish. The authority granted by this Paragraph shall only be effective from October 1, 2009, through October 31, 2009. (8) Any United States magistrate judge of the Western District, Eastern District, or Middle District may perform marriage ceremonies within this state. The authority granted by this Paragraph shall be effective only from October 1, 2010, through October 31, 2010. (9) A judge of a court of the United States whose official duty station includes a parish having a population in excess of two hundred fifty thousand but less than two hundred seventy-five thousand persons according to the latest decennial census may perform marriage ceremonies within such parish. The authority granted by this Paragraph shall be effective only from July 1, 2010, through July 31, 2010.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part I. Officiants § 204**

An officiant, other than a judge or justice of the peace, may perform marriage ceremonies only after he registers to do so by depositing with the clerk of court of the parish in which he will principally perform marriage ceremonies, or, in the case of Orleans Parish, with the office of the state registrar of vital records, an affidavit stating his lawful name, denomination, and address.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part I. Officiants § 205**

An officiant may not perform a marriage ceremony until he has received a license authorizing him to perform that marriage ceremony.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part II. Collateral Relations § §211**

Notwithstanding the provisions of Civil Code Article 90, marriages between collaterals within the fourth degree, fifty-five years of age or older, which were entered into on or before December 31, 1992, shall be considered legal and the enactment hereof shall in no way impair vested property rights.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part III: Application for Marriage License - Subpart A: In General § §221**

A license authorizing an officiant to perform a marriage ceremony must be issued by: (1) The state registrar of vital records, or a judge of the city court, in the Parish of Orleans; (2) The clerk of court, in any other parish; or (3) A district judge, if the clerk of court is a party to the marriage.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part III: Application for Marriage License - Subpart A: In General § §222**

A marriage license may be issued in any parish, regardless of where the ceremony is to be performed or the parties reside.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part III: Application for Marriage License - Subpart A: In General § §223**

An application for a marriage license must be made on a form provided by the state registrar of vital records.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part III: Application for Marriage License - Subpart A: In General § §224**

A. An application for a marriage license must include: (1) The date and hour of the application. (2) The full name, residence, race, and age of each party. (3) The names of the parents of each party. (4) The number of former marriages of each party, and whether divorced or not. (5) The relationship of each party to the other. (6) Each party's social security number or a statement by the applicable party that no social security number has been issued to him. The state registrar of vital records and the officiant shall maintain confidentiality of social security numbers. Notwithstanding the provisions of R.S. 44:1 et seq. the clerk of court shall maintain the confidentiality of a party's social security number in an application for a marriage license provided a request is made to the clerk in writing by the party at the time of application. B. The applicant must verify the information to the issuing official by affidavit. C. In cases wherein the parties intend to contract a covenant marriage, the application for a marriage license must also include the following statement completed by at least one of the two parties: "We, [name of intended husband] and [name of intended wife], do hereby declare our intent to contract a Covenant Marriage and, accordingly, have executed a declaration of intent attached hereto." D. Upon request, the

state registrar shall provide the information required in this Section to the agency charged with implementing a program of family support in accordance with R.S. 46:236.1 et seq., which shall maintain the confidentiality of the information. E. The failure of the application to contain the signatures of both parties shall not affect the validity of the covenant marriage if the declaration of intent and accompanying affidavit have been signed by the parties.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part III: Application for Marriage License - Subpart A: In General § 225**

A. An application for a marriage license shall be accompanied by: (1) A certified copy of each party's birth certificate. (2) The written consent for a minor to marry, or the court's authorization for the minor to marry, or both, as required by Chapter 6 of Title XV of the Children's Code.\* (3) If applicable, the declaration of intent for a covenant marriage, as provided in Part VII of this Chapter. B. It shall be unlawful for any officer authorized to issue a marriage license in this state to issue a license to any male or female unless both parties first present and file with such officer a certified copy of their original birth certificate. A photostatic or photographic reproduction of the certified copy of the birth certificate may be filed with the officer.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part III: Application for Marriage License - Subpart B: Birth Certificate § 226**

A. A person born in Louisiana may submit a certified copy of his birth certificate. A short-form birth certification card shall be acceptable as a certified copy of a birth certificate. B. A person born outside of Louisiana may submit a copy of his birth certificate under the raised seal or stamp of the vital statistics registration authority of his place of birth. C. A certified copy of the birth certificate or letter issued in lieu thereof shall be retained by the official recorder of the marriage for a minimum period of sixty days.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part III: Application for Marriage License - Subpart B: Birth Certificate § 227**

A. If no birth certificate is on file for an applicant, a letter signed by the proper registration authority, under his raised seal or stamp, must be submitted in lieu of a birth certificate. The letter must state that a thorough search was made and that no birth record was located for the applicant. B. The officer issuing the marriage license may demand other proof of birth facts.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part III: Application for Marriage License - Subpart B: Birth Certificate § 228**

In the event of extenuating circumstances, and after finding that the parties have complied with all other requirements, a judge of the Orleans Parish City Court<sup>1</sup>, a family court judge, a juvenile court judge, or any district court judge of a parish may order an issuing official within the territorial jurisdiction of his court to issue a marriage license without the applicant submitting a birth certificate. In the event of extenuating circumstances, and after finding that the parties have complied with all other requirements, a justice of the peace or city court judge may order an issuing official within the parish

where his court is situated to issue a marriage license without the applicant submitting a birth certificate. The order need not state the reasons.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part III: Application for Marriage License - Subpart D: Issuance and Time § 234**

A. The official who issues the marriage license shall show on the face of it the exact time and date of issuance. B. The official shall also indicate on the marriage license whether the parties intend to enter into a covenant marriage.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part III: Application for Marriage License - Subpart D: Issuance and Time § 235**

A marriage license is valid for thirty days from the date of issuance. No officiant shall perform a marriage after the license has expired.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part III: Application for Marriage License - Subpart D: Issuance and Time § 236**

A new license may be issued to the parties if they surrender the expired license to the issuing official.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 2: Incidents and Effects of Marriage - Part II: Special Incidents and Effects of Covenant Marriage § 294**

Spouses owe each other love and respect and they commit to a community of living. Each spouse should attend to the satisfaction of the other's needs.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part III: Application for Marriage License - Subpart E: Summary of Matrimonial Regimes Laws § 237**

A. On receiving an application for a license to marry, the license-issuing officer shall deliver to each prospective spouse, either in person or by registered mail, a printed summary of the then current matrimonial regime laws of this state and the covenant marriage law of this state. These summaries shall be prepared by the attorney general of this state. B. The summary of matrimonial regime law shall emphasize the possibility of contracting expressly a regime of one's choosing before marriage, that spouses who have not entered into a matrimonial agreement before marriage become subject to the legal regime by operation of law, and the possibility of contracting after marriage to modify the matrimonial regime. C. The summary of covenant marriage law shall emphasize that premarital counseling is mandatory at which time the necessary documents consisting of the declaration of intent and the affidavit and attestation of the counselor shall be executed, that the couple agrees to take all reasonable steps to preserve their marriage if marital difficulties arise, including marriage counseling, that divorce in a covenant marriage is restricted to fault by a spouse and living separate and apart for two years as provided in R.S. 9:307, and that divorce under the general marriage law of this state differs significantly.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part IV: Delays and Ceremony - Subpart A: Seventy-Two Hour Delay § 241**

An officiant may not perform a marriage ceremony until seventy-two hours have elapsed since the issuance of the marriage license.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part IV: Delays and Ceremony - Subpart A: Seventy-Two Hour Delay § 242**

A. A judge or justice of the peace authorized to perform the marriage may waive the seventy-two-hour delay upon application of the parties giving serious and meritorious reasons. His certificate authorizing the immediate performance of the ceremony must be attached to the marriage license. B.

Notwithstanding the provisions of R.S. 9:241, an officiant authorized to perform marriage ceremonies in the parish of Orleans may waive the seventy-two-hour delay for nonresident parties upon application of the parties giving serious and meritorious reasons. His certificate authorizing the immediate performance of the ceremony shall be attached to the marriage license. For purposes of this Subsection, "nonresident" shall mean a person domiciled or residing in a jurisdiction other than the state of Louisiana.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part IV: Delays and Ceremony - Subpart A: Seventy-Two Hour Delay § 243**

An officiant who violates R.S. 9:241, other than a judge, justice of the peace or an officiant authorized to perform marriage ceremonies in the parish of Orleans and who is authorized to waive the seventy-two-hour delay pursuant to the provisions of R.S. 9:242(B), may have his authority to perform marriage ceremonies revoked by the state registrar of vital records. The revocation may not exceed one year.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part IV: Delays and Ceremony - Subpart B: Ceremony and Marriage Certificate § 244**

The marriage ceremony shall be performed in the presence of two competent witnesses of full age.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part IV: Delays and Ceremony - Subpart B: Ceremony and Marriage Certificate § 245**

A.(1) The marriage certificate is the record prepared for every marriage on a form approved by the state registrar of vital records. It shall contain the information prescribed. On the face of the certificate shall appear the certification to the fact of marriage including, if applicable, a designation that the parties entered into a covenant marriage, signed by the parties to the marriage and by the witnesses, and the signature and title of the officiant. (2) The marriage certificate shall show the place, time, and date of the performance of the ceremony. B. Every officiant of a marriage ceremony performed in this state shall sign a certificate of marriage in triplicate.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part V: Record Keeping § §251**

The application for a marriage license, the authorization to the officiant to perform the marriage ceremony, and the marriage certificate may be incorporated into a single form approved by the state registrar of vital records.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part V: Record Keeping § §252**

A. Each officer authorized to issue marriage licenses in this state shall keep a duplicate record of all marriage licenses issued, on which he shall note the date and place of the marriage, and the name of the person who performed the ceremony. B. One copy shall be kept in a loose-leaf book until it has been filled, at which time it shall be permanently bound, and shall be kept open to the inspection of the public during office hours. C. The other copy shall be filed with the division of vital records of the Department of Children and Family Services within ten days of the expiration of each month, and the failure, neglect, or refusal to do so shall be punished by a fine of not less than ten dollars nor more than fifty dollars.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 2: Incidents and Effects of Marriage - Part II: Special Incidents and Effects of Covenant Marriage § §297**

Spouses by mutual consent after collaboration shall make decisions relating to family life in the best interest of the family.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part V: Record Keeping § §254**

Any person authorized to perform marriages in this state who fails to complete the forms provided by the Department of Children and Family Services, and specifically fails to fill in the date and place the ceremony was performed, or neglects or fails to file the two executed copies with the clerk of court in the parish where the license was issued or, if in Orleans Parish, with the state office of vital records, within ten days after the date of the marriage as provided by law, shall be fined not less than twenty dollars for the first offense, fifty dollars for the second offense, and one hundred dollars for a third offense, and the offender shall be prohibited thereafter from officiating at any marriage in this state.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part V: Record Keeping § §255**

The state registrar of vital records shall annually prepare, from the information filed with him under the provisions of R.S. 9:224 and 9:252, abstracts and tabular statements of the facts relating to marriages in each parish, and embody them, with the necessary analysis, in his annual report to the state.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part V: Record Keeping § §256**

Any person who makes a false entry in a marriage license as to the time and date of the issuance of the license or, in a marriage certificate, as to the time and date of the performance of the marriage, shall be guilty of a misdemeanor and upon conviction shall be fined not more than twenty-five dollars.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part VI: Opposition to Marriage § §261**

In case of an opposition to the marriage, if it be supported by the oath of the party making it, and by reason sufficient in the opinion of the judge to authorize a suspension of the marriage, it shall be notified to the parties, and a day shall be assigned for a hearing.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part VI: Opposition to Marriage § §262**

The time fixed for the hearing of the parties and the decision on the opposition shall not exceed ten days from the day on which the opposition was made.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part VI: Opposition to Marriage § §263**

Any person may make opposition to a marriage, but if the opposition be overruled, the party making it shall pay costs.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part VII: Covenant Marriage § §272**

A. A covenant marriage is a marriage entered into by one male and one female who understand and agree that the marriage between them is a lifelong relationship. Parties to a covenant marriage have received counseling emphasizing the nature and purposes of marriage and the responsibilities thereto. Only when there has been a complete and total breach of the marital covenant commitment may the non-breaching party seek a declaration that the marriage is no longer legally recognized. B. A man and woman may contract a covenant marriage by declaring their intent to do so on their application for a marriage license, as provided in R.S. 9:224(C), and executing a declaration of intent to contract a covenant marriage, as provided in R.S. 9:273. The application for a marriage license and the declaration of intent shall be filed with the official who issues the marriage license. C. A covenant marriage terminates only for one of the causes enumerated in Civil Code Article 101. A covenant marriage may be terminated by divorce only upon one of the exclusive grounds enumerated in R.S. 9:307. A covenant marriage agreement may not be dissolved, rescinded, or otherwise terminated by the mutual consent of the spouses.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part VII: Covenant Marriage § §273**

A. A declaration of intent to contract a covenant marriage shall contain all of the following: (1) A recitation signed by both parties to the following effect: "A COVENANT MARRIAGE We do solemnly declare that marriage is a covenant between a man and a woman who agree to live together as husband and wife for so long as they both may live. We have chosen each other carefully and disclosed to one another everything which could adversely affect the decision to enter into this marriage. We have received premarital counseling on the nature, purposes, and responsibilities of marriage. We have read the Covenant Marriage Act, and we understand that a Covenant Marriage is for life. If we experience marital difficulties, we commit ourselves to take all reasonable efforts to preserve our marriage, including marital counseling. With full knowledge of what this commitment means, we do hereby

declare that our marriage will be bound by Louisiana law on Covenant Marriages and we promise to love, honor, and care for one another as husband and wife for the rest of our lives." (2)(a) An affidavit by the parties attesting they have received premarital counseling from a priest, minister, rabbi, clerk of the Religious Society of Friends, any clergyman of any religious sect, or a professional marriage counselor, which counseling shall include a discussion of the seriousness of covenant marriage, communication of the fact that a covenant marriage is a commitment for life, a discussion of the obligation to seek marital counseling in times of marital difficulties, and that they have received and read the informational pamphlet developed and promulgated by the office of the attorney general entitled "Covenant Marriage Act" which provides a full explanation of the terms and conditions of a covenant marriage. (b) An attestation, signed by the counselor and attached to or included in the parties' affidavit, confirming that the parties were counseled as to the nature and purpose of the marriage. (3)(a) The signature of both parties witnessed by a notary. (b) If one or both of the parties are minors, the written consent or authorization of those persons required under the Children's Code to consent to or authorize the marriage of minors. B. The declaration shall contain two separate documents, the recitation and the affidavit, the latter of which shall include the attestation either included therein or attached thereto. The recitation shall be prepared in duplicate originals, one of which shall be retained by the parties and the other, together with the affidavit and attestation, shall be filed as provided in R.S. 9:272(B).

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 2: Incidents and Effects of Marriage - Part II: Special Incidents and Effects of Covenant Marriage § 295**

Spouses are bound to live together, unless there is good cause otherwise. The spouses determine the family residence by mutual consent, according to their requirements and those of the family.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part VII: Covenant Marriage § 273.1**

A. The following is suggested as a form for the recitation which may be used by the couple:

"DECLARATION OF INTENT We do solemnly declare that marriage is a covenant between a man and a woman who agree to live together as husband and wife for so long as they both may live. We have chosen each other carefully and disclosed to one another everything which could adversely affect the decision to enter this marriage. We have received premarital counseling on the nature, purposes, and responsibilities of marriage. We have read the Covenant Marriage Act, and we understand that a Covenant Marriage is for life. If we experience marital difficulties, we commit ourselves to take all reasonable efforts to preserve our marriage, including marital counseling. With full knowledge of what this commitment means, we do hereby declare that our marriage will be bound by Louisiana law on Covenant Marriages and we promise to love, honor, and care for one another as husband and wife for the rest of our lives." B. The following is the suggested form of the affidavit which may be used by the parties, notary, and counselor: STATE OF LOUISIANA PARISH OF BE IT KNOWN THAT on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me the undersigned notary, personally came and appeared:

\_\_\_\_\_ (Insert names of the prospective spouses) who after being duly sworn by me, Notary, deposed and stated that: Affiants acknowledge that they have received premarital counseling from a priest, minister, rabbi, clerk of the Religious Society of Friends, any clergyman of any religious sect, or a professional marriage counselor, which marriage counseling included: A discussion of the seriousness of Covenant Marriage; Communication of the fact that a Covenant Marriage is a commitment for life; The obligation of a

Covenant Marriage to take reasonable efforts to preserve the marriage if marital difficulties arise, and That the affiants both read the pamphlet entitled "The Covenant Marriage Act" developed and promulgated by the office of the attorney general, which provides a full explanation of a Covenant Marriage, including the obligation to seek marital counseling in times of marital difficulties and the exclusive grounds for legally terminating a Covenant Marriage by divorce or divorce after a judgment of separation from bed or board. \_\_\_\_\_ (Name of prospective spouse)

\_\_\_\_\_ (Name of prospective spouse) SWORN TO AND SUBSCRIBED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_. \_\_\_\_\_ NOTARY PUBLIC ATTESTATION The undersigned does hereby attest that the affiants did receive counseling from me as to the nature and purpose of marriage, which included a discussion of the seriousness of Covenant Marriage, communication of the fact that a Covenant Marriage is for life, and the obligation of a Covenant Marriage to take reasonable efforts to preserve the marriage if marital difficulties arise. \_\_\_\_\_ Counselor

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part VII: Covenant Marriage § 274**

A covenant marriage shall be governed by all of the provisions of Chapters 1 through 4 of Title IV of Book I of the Louisiana Civil Code and the provisions of Code Title IV of Code Book I of this Title.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part VII: Covenant Marriage § 275**

A. On or after August 15, 1997, married couples may execute a declaration of intent to designate their marriage as a covenant marriage to be governed by the laws relative thereto. B.(1) This declaration of intent in the form and containing the contents required by Subsection C of this Section must be presented to the officer who issued the couple's marriage license and with whom the couple's marriage certificate is filed. If the couple was married outside of this state, a copy of the foreign marriage certificate, which need not be certified, with the declaration of intent attached thereto, shall be filed with the officer who issues marriage licenses in the parish in which the couple is domiciled. The officer shall make a notation on the marriage certificate of the declaration of intent of a covenant marriage and attach a copy of the declaration to the certificate. (2) On or before the fifteenth day of each calendar month, the officer shall forward to the state registrar of vital records each declaration of intent of a covenant marriage filed with him during the preceding calendar month pursuant to this Section. C.(1) A declaration of intent to designate a marriage as a covenant marriage shall contain all of the following: (a) A recitation signed by both parties to the following effect: "A COVENANT MARRIAGE We do solemnly declare that marriage is a covenant between a man and a woman who agree to live together as husband and wife for so long as they both may live. We understand the nature, purpose, and responsibilities of marriage. We have read the Covenant Marriage Act, and we understand that a Covenant Marriage is for life. If we experience marital difficulties, we commit ourselves to take all reasonable efforts to preserve our marriage, including marital counseling. With full knowledge of what this commitment means, we do hereby declare that our marriage will be bound by Louisiana law on Covenant Marriage, and we renew our promise to love, honor, and care for one another as husband and wife for the rest of our lives." (b)(i) An affidavit by the parties that they have discussed their intent to designate their marriage as a covenant marriage with a priest, minister, rabbi, clerk of the Religious Society of Friends, any clergyman of any religious sect, or a professional marriage counselor, which included a discussion of the obligation

to seek marital counseling in times of marital difficulties and that they have received and read the informational pamphlet developed and promulgated by the office of the attorney general entitled "Covenant Marriage Act" which provides a full explanation of the terms and conditions of a Covenant Marriage. (ii) An attestation signed by the counselor confirming that the parties were counseled as to the nature and purpose of the marriage. (iii) The signature of both parties witnessed by a notary. (2) The declaration shall contain two separate documents, the recitation and the affidavit, the latter of which shall include the attestation either included therein or attached thereto. The recitation shall be prepared in duplicate originals, one of which shall be retained by the parties and the other, together with the affidavit and attestation, shall be filed as provided in Subsection B of this Section.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part VII: Covenant Marriage § §275.1**

A. The following is suggested as a form for the recitation which may be used by the couple:

"DECLARATION OF INTENT We do solemnly declare that marriage is a covenant between a man and a woman who agree to live together as husband and wife for so long as they both may live. We understand the nature, purpose, and responsibilities of marriage. We have read the Covenant Marriage Act, and we understand that a Covenant Marriage is for life. If we experience marital difficulties, we commit ourselves to take reasonable efforts to preserve our marriage, including marital counseling. With full knowledge of what this commitment means, we do hereby declare that our marriage will be bound by Louisiana law on Covenant Marriage, and we renew our promise to love, honor, and care for one another as husband and wife for the rest of our lives."

B. The following is the suggested form of the affidavit which may be used by the parties, notary, and counselor: STATE OF LOUISIANA PARISH OF \_\_\_\_\_ BE IT KNOWN THAT on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me the undersigned notary, personally came and appeared: \_\_\_\_\_ (Insert names of spouses) who after being sworn by me, Notary, deposed and stated that: Affiants acknowledge that they have received counseling from a priest, minister, rabbi, clerk of the Religious Society of Friends, any clergyman of any religious sect, or a professional marriage counselor, which counseling included: A discussion of the seriousness of Covenant Marriage; Communication of the fact that a Covenant Marriage is a commitment for life; The obligation of a Covenant Marriage to take reasonable efforts to preserve the marriage if marital difficulties arise, and That the affiants both read the pamphlet entitled "The Covenant Marriage Act" developed and promulgated by the office of the attorney general, which provides a full explanation of a Covenant Marriage, including the obligation to seek marital counseling in times of marital difficulties and the exclusive grounds for legally terminating a Covenant Marriage by divorce or divorce after a judgment of separation from bed or board.

\_\_\_\_\_ (Name of Spouse) \_\_\_\_\_ (Name of Spouse) SWORN TO AND SUBSCRIBED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_ NOTARY PUBLIC ATTESTATION The undersigned does hereby attest that the affiants did receive counseling from me as to the nature and purpose of marriage, which included a discussion of the seriousness of Covenant Marriage, communication of the fact that a Covenant Marriage is for life, and the obligation of a Covenant Marriage to take reasonable efforts to preserve the marriage if marital difficulties arise. \_\_\_\_\_ Counselor

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 1: Marriage General Principles - Part VII: Covenant Marriage § §276**

A. No person shall have a cause of action against any priest, minister, rabbi, clerk of religious society of friends, or any clergyman of any religious sect, for any action taken or statement made in adherence with the provisions for counseling as provided for in this Part. B. The immunity from liability provided for in Subsection A of this Section, shall not apply to any action or statement by such priest, minister, rabbi, clerk of religious society of friends, or any clergyman of any religious sect, if such action or statement was maliciously, willfully, and deliberately intended to cause harm to, or harass or intimidate those seeking such counseling.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 2: Incidents and Effects of Marriage - Part I: In General § §291**

Spouses may not sue each other except for causes of action pertaining to contracts or arising out of the provisions of Book III, Title VI of the Civil Code; for restitution of separate property; for divorce or declaration of nullity of the marriage; and for causes of action pertaining to spousal support or the support or custody of a child while the spouses are living separate and apart.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 2: Incidents and Effects of Marriage - Part I: In General § §292**

Notwithstanding any other law to the contrary, a woman, at her option, may use her maiden name, her present spouse's name, or a hyphenated combination thereof. If widowed, divorced, or remarried, a woman may use her maiden name, the surname of her deceased or former spouse, the surname of her present spouse, or any combination thereof.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 2: Incidents and Effects of Marriage - Part II: Special Incidents and Effects of Covenant Marriage § §293**

Spouses in a covenant marriage are subject to all of the laws governing married couples generally and to the special rules governing covenant marriage.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 2: Incidents and Effects of Marriage - Part II: Special Incidents and Effects of Covenant Marriage § §296**

The management of the household shall be the right and the duty of both spouses.

**Louisiana Revised Statutes - Title 9: Civil Code-Ancillaries - Code Title IV: Husband and Wife - Chapter 2: Incidents and Effects of Marriage - Part II: Special Incidents and Effects of Covenant Marriage § §298**

The spouses are bound to maintain, to teach, and to educate their children born of the marriage in accordance with their capacities, natural inclinations, and aspirations, and shall prepare them for their future.