

Prior law (C.C. Art. 103) provided grounds for immediate divorce.

New law adds the following as grounds for immediate divorce:

- (1) When a spouse or child has been physically or sexually abused by the other spouse.
- (2) When a protective order or injunction has been issued against the other spouse.

Prior law (C.C. Art. 103.1) provided required time delays for certain grounds of divorce.

New law deletes the following as grounds for divorce after 180 days have passed:

- (1) When a spouse or child has been physically or sexually abused by the other spouse.
- (2) When a protective order or injunction has been issued against the other spouse.

Prior law (C.C. Art. 112) authorized the court to award final spousal support and provides a list of considerations for the court in determining the amount of the final award. Further limited a final award to an amount not greater than one-third of the obligor's net income.

New law retains prior law and requires the court to consider the existence, effect, and duration of domestic abuse during the marriage in determining a final award amount.

New law requires the payment of interim spousal support for 180 days after the rendition of the judgment of divorce unless a final spousal support award exceeds the interim amount. Further provides that the obligation to pay the final spousal support award does not begin until the interim spousal support award has terminated.

New law provides for rights to seek other remedies.

New law requires the court to award final spousal support when the court finds that the spouse seeking divorce was the victim of domestic abuse committed by the other spouse during the marriage. Further authorizes the court to award a final award in an amount greater than one-third of the obligor's net income when the final award is made pursuant to C.C. Art. 112(B).

New law (R.S. 9:327) requires the court to consider all criminal convictions of the obligor spouse committed against the obligee spouse during the course of the marriage in determining whether the obligee was the victim of acts of domestic abuse of the obligor. Further provides that in the absence of a criminal conviction, the court may order an evaluation of both parties which may be used to assist the court in determining the existence and nature of the alleged domestic abuse. Such evaluation shall be conducted by an independent mental health professional who is an expert in the field of domestic abuse.

Effective August 1, 2014.

(Amends C.C. Arts. 103, 103.1, 112, and 113; adds C.C. Art. 118 and R.S. 9:327)