

# BECOMING AN ADULT



*Legal Rights*

*in Louisiana*

Louisiana State Bar Association  
**Children's Law Committee**  
[www.lsba.org/goto/BecomingAnAdult](http://www.lsba.org/goto/BecomingAnAdult)

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# **Congratulations!**

Now that you are eighteen (18) years old, you are legally considered an adult in Louisiana. This is an important milestone because you now have certain rights that those under eighteen (18) years old do not. These include the right to vote, the right to sign a lease on a house or apartment, the right to buy a car, and many more.

Becoming an adult means you now have the ability to shape your future, but this comes with certain responsibilities of which you must be aware. For example, you are now required to pay your own taxes, young men are required to register for the military "Selective Service System," and if you are convicted of a crime, it may carry much stiffer penalties than if you were a juvenile.

This guide is intended to give you information about your rights and responsibilities in Louisiana, as well as services and resources available in the state that can help you. It is not a full guide to the law but does provide basic information about a variety of relevant topics. If you have a legal issue, or are in need of other specific services, please visit the Children's Law Committee online at [www.lsba.org/ChildrensLaw](http://www.lsba.org/ChildrensLaw).

With Appreciation,

**Karen Hallstrom**

Chair, LSBA Children's Law Committee

**Dona Kay Renegar**

President, Louisiana State Bar Association

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# DRIVING

## **Why do I need a driver's license?**

You must have a Louisiana driver's license if you are a resident of Louisiana and want to drive a vehicle on public streets and highways. You must always carry your driver's license on your person when you drive or operate a vehicle, as it is required if one is stopped by law enforcement. Please note that law enforcement will now also accept a valid Louisiana Digital License ID.

## **What type of license do I need?**

The class of license you will need depends on the type of vehicle you will be driving and if you are employed for the principal purpose of driving. Classes A, B, and C are commercial driver's licenses. Class D is commonly called a "chauffer's license" as this license can be used to transport passengers for a fee. Most people require a Class E license for their own personal vehicle, which is non-commercial; This type of license allows an individual to drive any single vehicle under 10,000 pounds for personal use recreation or farm vehicle (within 150 miles of the farm). If you want to drive a motorcycle or a commercial vehicle, you will need to apply for a separate endorsement. Visit <https://www.expresslane.org> for more information.

## **How do I get a driver's license?**

Drivers younger than 18 years old applying for their first license must satisfy the requirements of the Louisiana Office of Motor Vehicles (OMV) graduated driver's license (GDL) program. Drivers will also need to complete three tests when applying for your license: Vision test, Knowledge test, and Road skills test. Beside the tests, there are additional requirements you must have to be able to apply for a driver's license.

The **Graduated Licensing Program** is for teenagers 15-18 years old to complete to obtain their license. There are three stages of licensure under this program:

1. Learner's permit that allows only supervised driving with a licensed adult (21+ years old)
2. Intermediate license that allows unsupervised driving within certain restrictions
3. Full, unrestricted license

**Note:** if you are 18 years old and did not previously enter into the graduate licensing program, you can directly apply for a full license. For more details regarding Louisiana drivers' requirements, visit <https://www.dmv.org/la-louisiana/teen-drivers.php>.

Everyone applying for their first driver's license must provide proof of completion of driver education training. Depending on your age, the requirements for driver's education training may differ.

- If you are under age 18, you must complete 38-hour driver's education course.
- If you are age 18 or older, you must complete either 38-hour driver's education course or a 6-hour pre-licensing course and an 8-hour behind-the-wheel course.
- The education course must be approved by the Louisiana Department of Public Safety and Corrections. Approved courses can be found at <https://local.dmv.org/louisiana/driving-school-and-drivers-ed.php>.

All licenses are issued at your local Office of Motor Vehicles (OMV), and you must apply in person. You may need an appointment, so it is best to call ahead.

You will need to bring two primary forms of identification, or one primary and two secondary forms. If you are 17 or under, you must also have a custodial parent or legal guardian provide a signature and documents.

- Primary forms of ID include your original birth certificate, a certified copy of birth certificate and birth card, Native American tribal document, passport, Military selective service card, immigrant permanent resident cards, etc.
- Secondary forms of ID include Social Security Card, State ID card, school or college ID card which has a photo, medical cards, education diploma, yearbook, report cards, driver education certificate, or other documents such as W-2 forms and property titles.

If you are a male U.S. citizen between the ages of 15 to 26 years old, you must supply your social security number when you apply for a Louisiana State driver's license.

**Vision Test:** The vision test is not a medical exam. The vision test will determine if your vision meets the minimum standards for driving which is 20/40. If you wear corrective lenses/contacts in order to pass the exam, your license will note that you are required to wear those while driving. The vision test will take place at the OMV. If you fail the vision test, you will be given a vision report to bring to any vision specialist of your choice.

**Knowledge Test:** This test is used to confirm your understanding of safe driving practices, driving laws, and traffic signs and signals. The test is multiple choice, and you must score an 80 to pass. The test questions are taken from information contained in the newest Louisiana Driver's manual for the license class you are attempting to acquire. To obtain a digital manual, visit <https://www.expresslane.org/Pages/OMVForms/Driver's-License-Study-Manuals.aspx>. The website features the guides in Spanish and English.

**Road Skills Test:** The road skills tests assess your driving skills such as backing, yielding right of way, keeping in lane, using of signals, attention to surroundings and more. The examiner will direct you to make certain stops, starts, and turns during the test. The examiner will deduct points for any driving errors you commit. The examiner will not trick you into committing an error.

- This test may be taken through the OMV or by a certified third-party tester. The third-party tester must be certified by the OMV. There is a charge for a certified third-party tester to administer the test. The cost may be up to \$40.00. To find third party testers visit the OMV website at [www.expresslane.org](http://www.expresslane.org).
- If you take the test through the OMV, you must provide your own vehicle. The vehicle must be in safe driving condition, pass a safety inspection, have a valid inspection sticker, and current license plate and registration document. If you do not own a vehicle, a third-party tester may rent a vehicle to you at an additional cost.
- Remember that road skills tests are postponed during inclement weather.
- You will fail the test for any of the following reasons:

1. A violation of any traffic law (laws can be found in the driver's manual and Title 32 of the Louisiana revised statutes)
  2. Any dangerous action or incident
  3. Lack of cooperation or refusal to follow instructions
  4. Collision
  5. Cumulative minor mistake
- If you fail the road skills tests, you will be able to return at a later day to re-take the test.

### **How can I pay for a driver's license?**

Any child under 18 who is in foster care shall be exempt from payment of fees. Otherwise, you will need to pay a driver's license fee, which is generally paid in cash. The Office of Motor Vehicles accepts payment by cash, credit cards, debit cards, money orders, and electronic funds transfer, but will charge an extra fee for any payment made with a credit, debit card, or electronic check. Refer to the Office of Motor Vehicles website for updated payment information. ([www.expresslane.org](http://www.expresslane.org))

### **Do I have to renew my License?**

Yes, a Louisiana driver's license expires after 6 years. The law requires a license holder eligible to renew their license up to 180 days prior to or upon expiration. You must pass the vision exam before your license can be renewed. If you do not receive a mail in renewal notice nor notice on the LAwallet app if you receive a digital license, you must then visit your local OMV for renewal.

### **What if I move from the address listed on my license?**

Louisiana Law requires you to correct the address on your license within 10 days after a move. Visit your local OMV to have your license corrected at no charge. Failure to change your address could result in a violation if stopped by law enforcement.

### **What if I want to change my name or gender on my License?**

You may change your name on your license by visiting your local OMV. Bring a certified copy of your state approve marriage license, certified birth certificate, or certified copy of a court order authorizing a name change. If you change your name between license renewals, a duplicate license fee will need to be paid.

If you want to change your gender listed on your license, provide a medical statement from a physician that states your gender change.

### **How Do I get a digital license ID?**

A digital license ID is available from the app LA Wallet on the Apple or Google Play stores. You must have a physical license to be able to obtain the digital license. After you download the app, follow the instructions to set up an account. Click add license and fill out the information as is shown on your physical license. Once you added all the information click purchase license. The fee as of 2020 for the digital license is \$5.99. Your digital license will be valid for the life of your physical license. Every other expiration year, you can renew your license via the app. The cost to renew your license via the app is the same as the prices set by the OMV for a physical license which as of 2020 is \$32.50. Unlike when visiting the OMV, you cannot change your address, picture, or gender from what is listed on your current license via the app.

For more information visit [lawallet.com](http://lawallet.com).

### **Do I need car insurance?**

Yes, if you own a car, the state requires that you have in your car proof of liability insurance coverage at all times. Failure to maintain liability insurance may result in the loss of your driver's license and/or seizure of your vehicle, and also may require you to pay fines and reinstatement fees. Also, when you register your car, you are required to show proof of liability insurance.

If you are driving someone else's car, there must be proof of their liability insurance coverage in the car.

Under the "No Pay/No Play" law, if you do not have liability insurance on the vehicle involved in an accident, you cannot collect from the other driver for the first:

1. \$25,000 in property damage or
2. \$15,000 bodily injury, regardless of who is at fault.
3. Plus, you may still have to pay fines and reinstatement fees, even if an accident is not your fault.

### **Can I use a phone while I'm driving?**

No. Under Louisiana law, you may not write, send, or read a text message, nor access social media, while on a public road or highway. Texting while driving will result in expensive tickets. The fines may be doubled if you are involved in a traffic accident while texting.

Persons under 18 may not use a cell phone when driving.

In a school zone, no one may use a cell phone for talking, texting, or social media except for emergencies.

Limited exceptions to cell phone laws may be made if you find yourself in one of the following situations:

- Reporting a traffic crash, medical emergency or serious road hazard;
- Reporting a situation in which you believe your personal safety is threatened;
- Reporting or preventing a criminal act against yourself or another person; or
- Writing, reading or sending a text message while your vehicle is lawfully parked.

### **What do I do if I get pulled over?**

If a police car is following you with its siren on or emergency lights flashing, pull over to the right as quickly and safely as possible. Come to a complete stop and stay in the car until and unless the officer directs you to get out.

Don't start rummaging through your back pocket for your wallet and license, or in your glove compartment for your registration, until the officer asks you for them.

Even if you haven't committed a violation, police officers can order drivers and any passengers to get out of a car. If an officer "reasonably believes that drivers or passengers might be carrying weapons, they can "pat down" the car's occupants. If an officer asks you if he/she can search the car, you have a right to say no, and this is not an admission of guilt. Police officers cannot search a car without your permission or a warrant based on a traffic violation, unless they have reason to believe that the car contains a weapon or evidence of crime that someone other than the driver might dispose of.

### **What do I do if I get a traffic ticket?**

Read your traffic ticket carefully.

Printed on the ticket will be the name of the parish where you were ticketed as well as important information regarding payment deadlines.

Traffic ticket fines vary based on the type of violation. Fines also vary based on the parish where you received the ticket.

There may be expensive late fees or additional penalties added to your traffic ticket fine if you do not pay on time and/or appear in court on the scheduled date.

Read your traffic ticket for payment instructions. The parish in which you received the traffic ticket may allow you to pay your ticket online, by mail, or in person. You may be required to appear in court for certain of types of tickets. If you want to fight the traffic ticket, you will need to appear in court. You may want to hire a traffic ticket attorney to help you.

If your traffic ticket doesn't show the amount due, contact the appropriate parish traffic court for information, or visit their website to get the correct fine amount you are required to pay.

The Louisiana Office of Motor Vehicles (OMV) keeps track of the number and types of traffic offenses you have committed. If you have committed certain or too many traffic offenses, your driver's license could be suspended or you could be charged higher car insurance premiums by your car insurance company.

You can sometimes have your traffic ticket dismissed by completing a defensive driving course. This depends on the type of violation you received. Contact the Louisiana parish court where your ticket was issued to check to see if you are eligible to take a defensive driving course.

If you have lost your traffic ticket, contact the parish traffic court where your ticket was issued to get your ticket information and request a copy of your ticket

### **How do I register my vehicle?**

You will first need a Certificate of Title which is the official negotiable document of ownership for motor vehicles. If the vehicle is used and the owner is in Louisiana, the certificate of title is signed by the seller to the buyer in front of a notary. A completed vehicle application form is also required on all transactions in which a title is generated. An original notarized invoice or bills of sale and a copy of each vehicle owner's current and valid photo ID will also need to be completed in order to go to the OMV to register the vehicle in your own name and obtain a license plate. If the vehicle purchased is less than 10 years old, an Odometer Disclosure Statement must be submitted. There are various fees for registering a vehicle: Title fee, handling fee, license plate fee, sales/use tax, and if applicable mortgage recordation fee.

# VOTING

## Why should I register to vote?

Voting is an extremely important part of our government and democratic process. By voting, you can help elect leaders that reflect your values, and also help make laws and public policies that your support. People between the ages of 18-25 are one of the biggest voter categories, and your vote can make a difference!

## Who can register to vote?

To qualify, you must:

- Be a United States citizen;
- Be at least 17 years old (so long as you are 18 years old before the next election to vote); and
- Reside in the state and parish in which you seek to register.

Note that certain criminal charges and/or a judgment of interdiction may affect an individual's right to vote.

## How do I register to vote?

There are a few ways you can register to vote:

1. **ONLINE:** You can register online at [www.sos.la.gov](http://www.sos.la.gov) and using the [GeauxVote Online Registration System](#) to fill out and submit your application. Be aware the application will time out if you remain idle for more than 5 minutes and you will then have to start the application over from the beginning. To submit online have your Louisiana ID or Driver's License in hand and enter the four-digit number labeled AUDIT on the front of the license when requested.
2. **IN PERSON:** You can also apply in person at any "Registrar of Voters" office or any of the following locations:
  - Louisiana Department of Motor Vehicle offices;
  - Louisiana Department of Social Services offices;
  - WIC offices, food stamp offices, and Medicaid offices;
  - Offices serving persons with disabilities, such as the Deaf Action Centers and Independent Living offices; or
  - Armed Forces Recruitment.
3. **MAIL:** You may apply by mail by downloading the Louisiana Voter Registration Application form at <https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/ApplicationToRegisterToVote.pdf>, completing it, and returning it to your local Registrar of Voters office. Faxed Voter Registration forms are not accepted. The Voter Registration form should be addressed and mailed or hand-delivered to the appropriate Registrar of Voters in the parish in which you are registering. The list of offices for registrars of voters is also included on the form. You should apply as soon as possible to make sure you don't miss any deadlines.

4. **LA WALLET**- If you are 18 years old and are using the LA digital wallet Driver’s license service, you will be given the opportunity to register through the app. When inputting/renewing your license, select the toggle “Register to Vote” button. You will then receive additional paperwork in the mail to complete the voter registration process.

### **What do I need to bring with me to register to vote?**

If registering in person at a parish Registrar of Voters office, you are required to prove your age and residency. You may submit your current Louisiana driver’s license, birth certificate or other documentation which reasonably and sufficiently establishes your identity, age and residency. If registering at a mandated site, no further proof of identification is required other than whatever proof is required for services received that you have applied for. Louisiana mails a verification mailing card to validate the address you have provided when registering by mail.

### **How much does it cost to register?**

There is no fee to register to vote.

### **Where do I go to vote?**

You will be assigned a specific location to vote that will also be listed on your voter identification card. You may also use the “Louisiana Voter Polling Place Locator” at [www.sos.la.gov](http://www.sos.la.gov) to find where you vote on election day or call your parish Registrar of Voters office.

### **What do I need to bring with me when I go to the polls to vote?**

You will be asked for a state-issued identification card to vote at the polling place. This can include a Louisiana driver’s license, a Louisiana ID card, or other generally recognized picture identification card with your name and signature. If you do not have a picture ID, you will be asked identifying questions by the poll worker and asked to sign an identification affidavit before voting.

### **What is a Louisiana ID card and how do I get one?**

A Louisiana identification (ID) card can be used as an alternative form of photo identification if you do not have a driver’s license. You can use a Louisiana ID card to prove your age and identity in a number of situations such as voting, making bank transactions, enrolling in college, and buying age-restricted items.

Fees will be waived for:

- Any child who is in the state foster care system, or
- Any person who does not have a Louisiana driver’s license, upon presentation of his voter registration card.
- If you are a resident of Louisiana, you can apply for an identification card at any age. If you are 17 years old or younger, your parent or guardian must be with you when you apply.
- You cannot apply for a Louisiana ID card online or by mail. You must visit a Louisiana Office of Motor Vehicles (OMV) in person and bring:
  - A completed application (available at an OMV office);
  - One primary document proving your identity, or;
  - Two secondary documents proving your identity; and

- Your Social Security number (SSN), if you are 15 to 26 years old, a male, a U.S. citizen or permanent resident.

Please refer to the 'Driving' section of this guide for further information about what documents are classified as primary and secondary.

**What do I do if my residence address, mailing address, or name has changed after I have registered to vote?**

If you have moved INSIDE your parish, you should notify the Registrar of Voters office in your parish of any changes to your registration. If you have moved OUTSIDE your parish, you are no longer eligible to remain registered in that parish and you must register in your new parish. You will be only eligible to remain registered and to vote in that previous parish for three months prior to an election. You will need to verify your new address by either verifying on a confirmation card sent through U.S. mail or completing the card in person or online.

If you are displaced by due to a state declared emergency, provide the registrar office your current mailing address.

You can change your name online or in person by using a voter registration application to change the name listed. IF your name was changed by virtue of court judgment, you need to file a certified copy of that judgment.

**What if try to vote at the wrong polling place and/or am not on the roll?**

If you are voting in a federal election and there was no error and you cannot be found on the roll at any other precinct in the state, you can request a Provisional Ballot. If you are at the wrong polling place and/or can be located on another roll, you can complete a Precinct Register Correction Form and then vote electronically.

**I am going to an out-of-state college. Where should I be registered to vote?**

Students may use their home residence address within the state or their school address for voter registration purposes. You may sign up to vote absentee by mail; you will need to include a copy of your fee bill or student identification card with your application to vote absentee by mail. Out-of-state students are allowed to use their school address in Louisiana if they want to be a voter in this state.

**Could I ever lose my right to vote?**

Yes. In Louisiana, the right to vote will be suspended while a person is in prison after being convicted of committing a felony, or while they are under a judgement of "full interdiction." A person who is subject to a "limited interdiction" is able to vote unless the court suspends the interdicted person's right to vote.

**What if I want to cancel my right to vote?**

You will need to complete a cancel voter registration form found at <https://www.sos.la.gov> and submit the completed form to the registrar of voters office in your parish.



# **MILITARY SERVICE**

## **Who can join the military (U.S. Armed Forces)?**

A young man or woman may enlist in the Army, Navy, Marine Corps, Air Force, or Coast Guard at age 17 with parental consent, or at age 18 without parental consent.

## **What is the Selective Service System (otherwise known as “the draft”)?**

The Selective Service System was created to automatically enlist people in the U.S. Armed Forces in the event of a national emergency.

## **Who is required to register for the draft?**

Every male citizen who is a permanent resident in the United States and its territories must register within 30 days of their 18th birthday.

As of 2021, As of July 16, 2016, women are not required to register with the Selective Service System.

## **How do I register?**

There are several ways you can register for the draft:

- Register online through the Selective Service website at [www.sss.gov](http://www.sss.gov);
- Fill out a registration form [titled SSS Form 1M(UPO)] at any U.S. Post Office;
- If you are a U.S. citizen living or visiting overseas at the time you turn 18, go to the nearest U.S. embassy or consular office where personnel will assist you in registering.

When registering, you will be asked for your name, address, sex, birthday and Social Security number.

## **What happens after I complete a registration form?**

You will be mailed a “Registration Acknowledgment Card” showing the information recorded in your registration file, your Selective Service number, and a change of information form. You should keep the registration acknowledgment in a safe place as proof of your registration.

## **Will there be a draft?**

The fact that young men are required to register does not mean that they will be drafted. No one has been drafted since 1973. A draft could still occur by an Act of Congress in the event of war or a national emergency. Registering with the Selective Service **DOES NOT** mean that you are joining the military.

# **JURY DUTY**

## **What is jury duty?**

Court cases are often decided by a “jury.” Juries are typically a group of people from the area who are asked to consider all the evidence in a given case and provide specific findings and recommendations to the court. If you receive a notice to serve on a jury, you are legally required to show up or contact the court.

## **What are the steps to getting selected for jury duty?**

Typically, courts pull names from the voter registration list from the State of Louisiana. After which, potential jurors are mailed a qualification questionnaire form to complete and return to the court. If the court decides that you are qualified to serve, your name is entered into a pool, and you may be randomly selected as a juror.

A prospective juror must be:

- a citizen of the United States;
- a resident of the county/parish in which summoned, for a least one year;
- at least 18 years old;
- able to read, write, and speak the English language;
- not be deemed incompetent due to medical or physical infirmity; and
- not under indictment for a felony, nor convicted of a felony for which a pardon has not been granted.

## **What happens if I don't report for jury duty?**

If you do not report for jury duty and you are not excused by the court, you may be charged a fine of \$1000, imprisoned for up to three days, ordered to perform community service, or face other penalties. If you are unable to serve, you should contact the court as soon as possible.

Beware of fraudsters pretending to be the Clerk of Court calling you to let you know you missed Jury Duty and must provide personal information such as your social security number to prevent jail time. Do NOT give out your personal information over the telephone. The real Clerk of Court's Office will NEVER ask for personal information over the telephone.

## **Will the court excuse me from jury service?**

Sometimes the court may excuse you from jury service or require you to report at a later date. This could depend on many factors, such you are full-time student or jury service would cause you undue hardship. You should contact the court promptly about your situation if you feel you cannot serve.

## **What should I bring with me when I report for jury duty?**

Bring your “Notice to Report” with you when you report for jury duty. You may also want to bring a book or magazine, since there can be long periods of time when you will not be needed in the courtroom. If you have special dietary needs, you may bring your food or snacks with you.

**What should I wear for jury duty?**

You should wear appropriate attire for a courtroom meaning business casual or business attire. You should not wear shorts, jeans, tank tops, t-shirts, hats or flip-flop sandals. You may want to bring a sweater or jacket since the courtrooms can get cold.

**What should I do if I made travel plans before I was called for jury duty?**

Contact the jury section/management before the beginning of your term of service. The clerks will work with you on this.

**Can I be fired for serving on a jury?**

There are laws which prevent your employer from firing you because of jury service. To be protected by these laws you must give your employer reasonable notice after you have been called to appear and when you are selected for jury duty.

**Additional resources:**

- <https://www.36jdc.com/jury-duty/>
- <http://www.laed.uscourts.gov/jury-information/faq>
- <http://www.laed.uscourts.gov/jury-information/jury-scams>

# **ALCOHOL & DRUGS**

## **What is the current legal drinking age in Louisiana?**

The legal drinking age in Louisiana is 21.

## **What counts as a violation of Louisiana’s underage drinking laws?**

You can be arrested for violating the underage drinking laws if you:

- Obtain or try to obtain alcoholic beverages;
- Possess or consume alcoholic beverages in public; or
- Falsely represent your age to obtain alcoholic beverages (including using a fake ID).

## **I’m underage. Are there situations where I can legally be on the premises of a business which is licensed to sell alcoholic beverages?**

Yes, if you are accompanied by a parent, guardian, or spouse of legal drinking age; or if you are at least 18 years old and you work or provide entertainment at the business. There are also plenty of places that are licensed to sell alcohol and are still open to underage persons, such as restaurants, bowling alleys, public buildings, athletic events, and concerts.

## **What will happen if I get arrested for underage drinking?**

You may be fined and/or sent to jail. If you are arrested for driving while intoxicated, your driver’s license may be suspended, and you can face large fines and jail sentences.

## **What kinds of laws apply to marijuana?**

Generally, the purchase, sale, possession, manufacturing and use of marijuana are illegal in Louisiana. If you violate these laws, you can face large fines, jail sentences, or both. Recently, Louisiana has legalized medicinal marijuana for approved patients with certain severe medical conditions. However, these patients must get the prescription from a licensed medical provider. Selling you prescribed medicinal marijuana will still result in severe charges.

## **Is it illegal to use synthetic marijuana in Louisiana?**

Synthetic marijuana is illegal in Louisiana and is an extremely dangerous alternative to its natural counterpart. The purchase, sale, possession, manufacturing and use of synthetic marijuana can carry the same penalties as natural marijuana.

## **What kinds of laws apply to other drug use?**

The purchase, sale, possession, manufacturing and use of commonly known, highly addictive drugs (including heroin, cocaine, and methamphetamine) carry significant penalties including imprisonment.

## **What laws apply to drug paraphernalia?**

Drug paraphernalia is any equipment, products, or materials used to make, distribute, or ingest drugs. It is illegal for you to own, sell, lease, lend, rent, give, exchange, trade, or otherwise distribute drug paraphernalia. If you are arrested for possession of drug paraphernalia, you can be fined or sentenced to jail.

### **I'm 18. What happens if I involve minors in illegal drug activities?**

Once you turn 18, you are subject to stricter penalties if you sell or distribute drugs to a minor, including longer jail or prison sentences and increased fines. This is especially true if you possess or sell drugs to a student or in a "drug free zone," or if you ask or convince a minor to sell drugs. 'Drug free zones' can include schools, religious property, public housing authority, childcare centers, and drug treatment facilities.

### **What should I do if I have a substance abuse disorder?**

If you suffer from a substance abuse disorder, you should seek help immediately. To find a treatment center near you visit <https://ldh.la.gov/index.cfm/directory/category/100> to find the head directory office near your service area. The Office of Behavioral Health gives priority admission to the following:

- pregnant women who inject drugs,
- other pregnant women who abuse substances,
- and others who inject drugs.

For these groups, OBH aims to provide addiction services with no or a minimal waiting period. If care is not available to this priority population within 48 hours, the Office will provide interim treatment services as appropriate.

Beware not all treatment centers will be free, check with the center to see if you need to provide insurance or self-pay before receiving services.

You may also want to join AA (alcoholics anonymous) or NA (narcotic anonymous) local meeting. These meetings can be open or closed to the public with the meetings being held in person or online. The meeting consists of fellow substance abusers or family members of abusers who follow a step program to maintain sobriety.

You can also call the SAMHSA national hotline at 1-800-662-4357 to talk to someone asap. Remember the SAMHSA national hotline is free and confidential.

### **Additional Resources**

- SAMHSA National Helpline: Confidential free help, from public health agencies, to find substance use treatment and information. Call: 1-800-662-4357 or visit <https://www.findtreatment.gov/>
- <https://www.help.org/drug-and-alcohol-rehab-centers-in-louisiana/>
- <https://louisianalawhelp.org/resource/drug-and-alcohol-testing-on-the-job>
- To search if a person is still an accredited treatment provider in Louisiana: <https://www.la-adra.org>
- <https://dui.drivinglaws.org/la.php>
- <https://ldh.la.gov/index.cfm/page/95>
- <https://www.treatmentatlas.org>

- [https://www.aa.org/pages/en\\_US/find-local-aa](https://www.aa.org/pages/en_US/find-local-aa)
- <https://virtual-na.org/>

# **HOUSING & LEASES**

## **Is there anything I should do before renting a property?**

You should see the exact unit you will rent, and not just a model unit. Inspect the premises, noting any damages, uncleanliness, or other issues on a checklist. Make two copies and have the landlord sign one and date it. If he refuses, have a friend take snapshots of the apartment, date them and witness it. Understand that rental of the unit in its present condition without further agreement as to repairs, means that the landlord must do nothing more as he or she is not responsible for any defects unless they violate health or building codes. Your landlord is obligated to maintain the rental premises in a habitable condition. Another reason to document the apartment prior to signing the lease, is upon move out, the landlord could charge you for the damage or withhold your deposit for damages that may have already existed prior to you moving into the residence.

## **What is a lease?**

A lease is a legal agreement between a landlord and tenant. It sets out the amount of rent that must be paid and the length of time the property may be rented. It also states the rights and responsibilities of both parties.

## **Does the lease have to be in writing to be legal?**

No. The lease may be oral, especially if it is for a short period of time. A written lease is always preferable to an oral lease. If you live in an apartment where the federal government is paying a portion of your rent, you may have additional protections available to you under federal law.

## **What should I consider before signing a lease?**

Make sure you read and understand all of the clauses before signing it. Never sign a lease unless all blank spaces are filled in or crossed out. Get all oral promises in writing. Make sure both parties initial changes and additions to the lease on all copies. Ask for a copy of the rules governing tenants and read them before signing the lease. If tenants co-sign the lease, either may be held responsible for nonpayment of the entire rent, damage or breach of contract. A tenant must be given notice before being evicted. The landlord must give five days' notice where there is cause for eviction, and 10 days' notice if there is simply a termination of the lease.

## **What is a security deposit, and is it mandatory?**

Generally, landlords have the right to protect themselves against tenant damage to the premises by asking for a security deposit. The security deposit is usually equal to one month's rent and is paid to the landlord before you move in. If you damage the property, or if you fail to pay the rent, the landlord may keep all or a part of the deposit to pay for the damage or unpaid rent. For damages, your landlord must give you an itemized list of what was deducted from the deposit if all or part of it was not returned to you. The Louisiana Rent Deposit Return Act requires your landlord to return your deposit within 30 days of termination of the lease, provided you have fulfilled the lease and left a forwarding address. If your landlord fails to return your deposit, you may sue in small claims court to recover it. Pet deposits are recoverable under this act.

### **What are my responsibilities as a renter?**

You are obligated to do everything you agreed to do as stated in your signed lease, including paying the amount of rent on time every time, and using your rental unit for the purpose you agreed to in your lease. Leases typically limit the use of the premises to residential use, and forbid use as a business.

Only you and the other people listed on the lease should be living in your leased unit. Your lease may limit the number of days you are allowed to have guests stay in your home.

Keep the premises in as clean and safe condition as possible.

You are likely responsible for any damages you create, or that your family or visitors create. You should contact the landlord immediately if any damage occurs that creates a safety or health hazard to you or anyone living with you.

### **Can I withhold my rent if my landlord refuses to make repairs?**

No. Louisiana law does not allow the tenant to withhold rent when the landlord refuses to make repairs. Your landlord can evict you for nonpayment of rent even though they have not lived up to their duties to repair and maintain your apartment. There are provisions in Louisiana laws that allow a tenant in certain circumstances to pay for repairs and deduct that amount from the rent, but you must follow the proper procedures first. It is best to talk with a lawyer first. It is easy to make a mistake and any withholding or deductions from rent could lead to an eviction action by the landlord.

### **Can my landlord raise my rent?**

Yes, if you are a month-to-month tenant or if your lease allows it. A landlord must give a month- to-month tenant a 10-day written notice to raise the rent for the next month. If you have a lease, the landlord probably cannot raise the rent during your lease term. Read your lease to find out

if it says something different. Rent may not legally be increased during the term of a lease in the absence of a valid “rent escalation clause.” Escalation clauses can be invalidated if the price is not readily understandable or is dependent on the landlord’s whim. If you live in subsidized housing, your rent is usually based on your income and family size, so your rent can generally be raised or lowered if your income or family size changes.

### **Should I get renter’s insurance?**

Many landlords now require you to buy renter’s insurance to reside at the placement. Renter’s insurance is also helpful when there is a fire or natural disaster impacts your residence. Unless your lease says otherwise, your landlord’s insurance will only cover the building – not your possessions. Renter’s insurance is relatively inexpensive and could make a big difference if you need to replace such items as a microwave, TV or computer.

### **Can a landlord legally refuse to rent to me because of my race or disability?**

No. It is against the law to discriminate in renting, leasing or selling housing on the basis of race, national origin, sex, color, religion, disability or familial status.

### **Should I file my lease with the parish?**

A lease between two parties is valid even if it is not filed with the parish. However, the sale of the building you live in may affect your right to stay there. Louisiana requires a lease to be recorded in the conveyance office in the parish where the building is located in order for the lease to affect a third party, like the new owner of the property. There is a fee to file your lease. If your building is up for sale, or you think it may go up for sale, you may want to file your lease with the parish. This will make the new owner legally obligated to fulfill the terms of your lease.

### **What should I do if I receive a “Notice to Vacate” (eviction)?**

If you get a Notice to Vacate, you may not have a lot of time to decide your next steps. If you want to stay, you should first try to work out a deal with the landlord. Some landlords just want the rent to be paid.

If possible, talk to a lawyer about whether you can stop the eviction. Defenses to a 10-day “no cause” eviction are limited. The most common defenses are that the notice was less than 10 days, or that you have paid the rent or that the landlord accepted the rent after he gave you the Notice to Vacate.

A “Notice to Vacate” is not a court order that forces you to move out. A “Notice to Vacate” means that your landlord plans to file a lawsuit for eviction if you don’t move out by the end of the notice period. The landlord cannot get a court order for eviction until there has been a trial before a judge.

The “Notice to Vacate” may be posted to your door. The notice does not have to be given to you personally and it does not have to be stamped with a court seal. It can be on a court form and written by the landlord or his agent.

If you have a written lease or live in public or subsidized housing, you may have other defenses to the eviction. You should try to talk to a lawyer as soon as possible.

### **What are my responsibilities when moving out?**

You may need to give your landlord a written move-out-notice weeks, or months, before your lease ends. The amount of time in which you must give your written move-out-notice will be specified in your lease. If you move out without giving proper notice, or move out before the lease has expired, you may be liable for additional payment.

Leave the rental unit in the same condition it was found. Aside from the normal wear-and-tear of living, there should be no alterations to the condition of the rental unit unless you and your landlord agreed to those changes (and ideally take photos and sign a paper indicating the agreement). Take photos when you move out to document the condition.

### **Additional Resources**

Visit <https://louisianalawhelp.org> for more information about Louisiana housing laws. You can Get free legal answers to some of your housing concerns at <https://la.freelegalanswers.org>.



# **CONTRACTS**

## **What is a contract?**

A contract is an agreement between two or more parties that creates, modifies or ends legal obligations.

## **What are some likely contracts I may soon be a part of?**

- Employment contract
- Loan for school or to buy a car
- Apartment rental or lease
- Insurance
- Marriage
- Medical care
- Installment purchase of some product or item

## **Do all contracts have to be in writing?**

No, all contracts do not have to be in writing. In fact, many contracts may not be in writing. However, the purchase or sale of immovable property, like real estate, must be in writing.

## **What are the advantages of written contracts?**

A written contract is proof of what the parties agreed to do. It helps protect the parties from dishonesty and prevents anyone from lying about the terms. It also helps the parties by refreshing their memory of the agreement. People often forget what they agreed to do, and a written contract is a physical reminder.

## **What are some general rules to follow when I am asked to sign a contract?**

- Read the entire contract before you sign it and make sure you understand the terms;
- Ask questions about things you don't understand;
- Don't sign anything until you are sure you understand the agreement;
- Cross out parts of the contract that conflict with your agreement. Also, write in parts of your agreement that are not in the contract;
- Don't sign a contract with any blank spaces. Fill them all in or cross them out;
- Ask about the penalties if you can't meet all the requirements;
- Don't sign a contract if you can't meet all the requirements;
- Be concerned if someone asks you to sign a contract before you read it or says, "It's just a standard agreement and I explained the terms;"
- Don't be intimidated by salespeople;
- Don't be rushed by friendly salespeople;
- Make sure you receive a complete, accurate, signed copy of the contract before you leave.

## **What can happen if I do not follow the contract or break it because I don't understand?**

Not understanding the contract is not a defense for breaking it. Generally, it doesn't matter why you don't follow the contract, the result is the same: you can be sued.

**Are there time limits for starting a lawsuit or being sued on a contract?**

Louisiana laws create deadlines called “prescriptive periods” that dictate when a person must file a lawsuit. Most contracts have a 10-year time period. However, this time limit depends on the type of contract you have and the facts and circumstances of your claim or dispute. If you think you have a possible claim or dispute, you should contact a lawyer as soon as possible to discuss it.

# EDUCATION

## **Can I stay in High school after the age of 18?**

You are potentially eligible for admission or readmission if you are nineteen years old or younger as of September 30th of the current academic year, or if you are twenty years or younger as of September 30th of the current academic year and you have enough credits to be able to graduate within one year of admission/readmission.

Persons with disabilities may receive a public-school education up to age 22.

## **What is an IEP?**

An Individualized Education Program (IEP) is an education plan that is developed to meet the specific and unique needs of a child age 3-21 with a disability through direct special education and related services. A student with a disability has the right to an IEP.

## **How Do I qualify for an IEP?**

To be eligible for special education services, you must be evaluated and found eligible for at least one of the disabilities listed in the Individuals with Disabilities Education Act (IDEA) which includes:

- Autism
- Deaf/Blindness
- Developmental Delay
- Emotional Disturbance
- Intellectual Disabilities
- Speech/Language Impairment
- Visual Impairment
- And other health impairments

Besides having disability listed under the IDEA, you must also complete Louisiana's special education process which consists of:

1. **Referral:** Your local education agency (LEA) has an obligation called Child Find. This requires the LEA to identify, locate, and evaluate students with disabilities who may need services. The Parent/guardian of the child must then agree to the evaluation in order for the child to participate. If the parent/guardian refuses, the LEA can follow legal procedures to proceed with the child's evaluations. Parents and guardians can also request an evaluation, but the LEA can refuse this request by providing a written explanation of the reason why the request was denied. Regardless of who requests for referral, the evaluation must take place within 60 business days of the request.
2. **Evaluation:** The LEA will provide a notice explaining the evaluation procedures. Note the evaluation procedures may vary from LEA to LEA. The evaluation should match your specific educational needs. If you disagree with the LEA's evaluation, you have the right to have an independent educational evaluation (IEE).

3. **Eligibility:** When you finished the evaluation, there will be a meeting to discuss the results of the evaluation. During the meeting, you should receive the copy of the evaluation results. This meeting will determine if you are eligible for services and what those services will be.
4. **Development of the IEP:** The IEP meeting will include you, your parent/Guardian, a special education teacher or provider, a representative of the LEA, a general education teacher and anyone else you or the LEA wish to invite to the meeting. You have the right to be notified if the meeting in advance and have the meeting in a time and place that is convenient for you. The IEP should include:
  - Your present levels of academic and functional performance- strengths, needs, and comments about how you are in the classroom.
  - IEP goals- specific skills for you to accomplish during the school year. Goals can be behavioral, academic, or social.
  - There should be a description of how the goals will be measured and how the school will track the progress. The IEP should explain the tools used to measure your progress toward your goals.
  - The IEP must provide free appropriate education in the least restrictive environment. Which means, the IEP meeting team needs to figure out ways for you to participate in a general education setting with children who do not have disabilities. IEP will need to include an explanation to the extent that you will not be able to participate in general education classes.
  - The IEP will include the date you will start receiving services, where, how often, and how long the services will last.
5. **IEP Review:** The review meetings must be held every year. The purpose of the meeting is for the team to look at your goals and determine if those goals are being achieved. The meeting will either change or update to include new goals, new evaluation info, and any other relevant information.
6. **Reevaluations:** Your parent/guardian or a member of the LEA can request a reevaluation to review your education or service-related needs. A usually will not occur more than once a year but a reevaluation must take place at least once every three years unless both the LEA and parent/guardian agree a reevaluation is no necessary.

#### **How long can I stay in school if I have an IEP?**

Disabled students who are eligible for an IEP can stay in school until high school graduation, or through the end of the school year in which you turn 22.

#### **How long am I legally required to stay in school? (Truancy Laws)**

Louisiana requires students to attend school from age 7 to 18, or until you graduate from high school if under 18. Students are required to attend school regularly to earn credit and be eligible for promotion to the next grade.

### **What are my options to continue attending school after high school?**

In Louisiana there are many options. Louisiana has community colleges, career schools, four-year public colleges and universities, and four-year private colleges and universities.

- **Community College:** Community or junior college awards associate degrees and sometimes certificates in traditional fields such as pre-engineering, film making, veterinarian technology, paralegal, video game design, nursing, construction management, accounting, and many others. Community and junior colleges are similar, except that a junior college is usually a private school.
  - Louisiana’s community colleges are “open admissions” institutions, which means they have an unselective and non-competitive college admissions process. New applicants generally must take the COMPASS Placement Test to determine their level of college readiness. Because costs are often lower and admission is more open at two-year colleges, many students begin their college careers here.
  - If you plan to attend a two- year college and transfer to a four-year college, you should make sure your community college courses will transfer to those colleges that you are interested in and that your courses will count toward your bachelor’s degree.
- **Career Schools (also known as technical, vocational, or trade schools):** Career schools may be public or private. They typically offer programs that are two years or less and provide students with formal classes and hands-on experience related to their future career interests.
  - **Technical schools** teach the science behind the occupation, while vocational schools focus on hands-on application of skills needed to do the job. You may earn a diploma or a certificate, prepare for a licensing exam, or study to begin work as an apprentice or journeyman in a skilled trade.
- **Four-Year Colleges and Universities:** Students who attend a four-year college or university typically earn a bachelor’s degree once they have successfully completed a program of study, which commonly takes about four years. A college usually offers a four-year bachelor’s degree in the arts (such as English, history, drama, etc.) or sciences (such as biology, computer science, engineering, etc.). Four-year colleges and universities may be public or private. Public schools are operated or funded by state and local governments. Private schools are not affiliated with a government organization but may be affiliated with a private foundation or religious groups. Since private schools receive less or no money from state and local governments, they generally cost more than attending a public school in your state. Because costs can vary significantly from school to school, you should make sure to research all of the schools you are interested in.
  - **Financial aid options:** There are many types of financial aid: grants, scholarships, work study, and loans. Financial aid is awarded by need or merit. Financial aid can be used to pay for a variety of school expenses including: tuition, room and board, and books and supplies.

- **Grants:** Most grants are awarded only to students with financial need. Unlike loans, college grants usually do not require repayment. Besides purely need based, grants awards can be tied to a distinct course of study. A grant-for-service require the recipient to agree to a predetermined term of service and working within a chosen field at a critical need facility or an in an underserved community. If the recipient fails to meet these criteria, the grant will revert to student loan and the monies received will have to be repaid plus interest. Grants can come from Federal and State governments, colleges and universities, public and private organizations, and professional associations. The school will notify you if you have to repay a portion of your grant.
- **Scholarships:** A scholarship might cover the cost of tuition, or it might be a one-time award of a few hundred dollars. Scholarships will affect your student aid because all your financial aid added together cannot be more than your school's cost of attendance. You need to notify the school's financial aid office of your scholarships so the office can subtract the amount from your cost of attendance and any other aid you have. Many scholarships are merit-based meaning it is awarded based on academic achievement, athleticism or talent, or a combination of the two. There are also scholarships awarded to groups of people, women or graduate students. There are even scholarships awarded based on where you are your parents work or if you come from a military family.
- **Loans:** A student loan is just like any other loan; it is borrowed money that needs to be repaid with interest. If you plan to take out a loan, consider federal student loans first because they offer fixed interest rates and flexible repayment plans.
- **Work-study:** This is a federal student aid program that provides part-time employment while you are enrolled in school to help pay your education expenses.
- **Need-based aid:** Eligibility for this type of aid is based solely on the assets and income of the prospective student and his or her family. Test scores or athletic ability do not affect need-based aid. All federal student aid is need-based. To apply for federal student aid, you need to fill out a Free Application for Federal Student Aid (FAFSA) form online at [fafsa.edu.gov](http://fafsa.edu.gov). After you fill out a FAFSA form you will receive an award letter from every school you are accepted to that you list on the FAFSA form. This letter will explain the federal and nonfederal aid a school will offer you. FAFSA forms have a deadline, be sure to check the website for your particular state's deadline.
- **Merit-based aid:** Merit includes a variety of talents and interests: academic, artistic, athletic, and so on. Scholarships are the most common type of merit-based aid (though some do have a need-based component), which may come from the school or from outside sources. Assuming need is not a condition. A student with extensive assets and income is just as entitled to a merit- based award as a student with limited assets and income.

### **How Do I fill out a FASFA form?**

The forms are available starting on October 1st for the next school year. It is recommended that you fill it out as soon as possible to meet the FASFA deadlines for your state.

The form is free and is available at <https://studentaid.gov/> and myStudentAid app. First, go to <https://studentaid.gov/fsa-id/create-account/launch> and create a FASFA username and password. Getting a FASFA ID ahead of time can cut down on errors and delays. Having an ID will also enable you to sign the FASFA form electronically. If you are a dependent, one of your parents whose information is reported on the FASFA form will also need a FASFA ID so that they can sign your application electronically. If your parent has a Social Security number (SSN), your parent won't be able to create a FASFA ID which means you will have to print a signature page at the end of the form.

You may need the following documents to help you fill out the FSA application:

- SSN and if you are a dependent your parents SSN
- Your driver's license
- If not a U.S. citizen, your Alien Registration number
- Federal tax information or tax returns including your W-2 and if a dependent your parent info and IRS 1040, and/or foreign tax returns
- Record of your and if a dependent your parents untaxed income such as child support, interest income, and veteran's non-education benefits.
- Your and if a dependent also your parents Information on savings, checking accounts balances, investments-stocks and bonds and real estate (excluding home you reside in), business assets or farm assets.

If you need help with filling out the information on your FASFA there are various free tools online or by phone to seek help. You can seek help by selecting the blue and white question mark icon next to a FASFA question to view a "tool tip" that provides information about how to answer that question. In the online FASFA form, the tool tip may have a "More Help" link for additional information. You can also select the HELP button at the bottom of the tool tip to reach a FAQs page and "Contact Us" link. On the Contact Us page you have the option of emailing your question or during business hours chat in English or Spanish with live technical support staff. If you still have questions, you can contact your financial aid office at the college or career school you plan to attend.

Eligibility for federal student aid depends on:

- Your Expected Family Contribution- the information you place on your FASFA form is used to calculate this. Your family's taxed and untaxed income, assets, and benefits (unemployment/social security).
- Your year in School
- Your enrollment status
- Cost of attendance at the school you will be attending – tuition, fees, room and board, books, supplies, transportation, loan, fees, allowance for childcare if have dependents, costs related to a disability, and/or reasonable costs for eligible study-abroad programs.

Remember you cannot receive more need-based aid than the amount of your financial need. The following are need-based federal student aid programs:

- Federal Pell Grant -usually only awarded to undergraduates
- Federal Supplemental Educational Opportunity Grant
- Direct Subsidized Loan

- Federal Work-Study

### **What is the National Guard Youth Challenge Program (YCP)?**

The Youth Challenge Program (YCP) is a free, alternative, 17-month educational program for Louisiana residents between 16 to 18 years of age. The program offers a non-traditional school setting where you learn self-discipline, leadership, and responsibility, while working to obtain a high school equivalency diploma. There is no tuition cost to participate in the program. Students live on the school campus for five months of the program. All uniform, meal, educational, and housing costs are provided free of charge. After graduation, students are assisted by YCP case managers and community mentors to continue their education, enroll in college, begin job training, find employment, or enlist in the military.

Although YCP is administered by The Louisiana National Guard, graduates are not required to join the military.

### **What is the Education Training Voucher Criteria?**

The Education Training Voucher Criteria include:

- Enroll in an accredited, post-secondary educational or vocational program and maintain a 2.0 GPA or satisfactory progress toward completion.
- Foster youth 16 and up likely to remain in foster care in DCFS or OJJ custody until age 18.
- Former foster care youth who aged out of foster care at age 18 with DCFS or OJJ who are not yet 21.
- Youth who were in OJJ custody had to be eligible for Title IV-E funded services prior to turning 18.
- Youth adopted from foster care or those entering a guardianship subsidy arrangement with DCFS after the age of 16 but prior to turning 18.
- Youth participating in the ETV Program at 21 are eligible until 23 (must be continuously enrolled, making satisfactory progress).
- Youth from out-of-state who meet same criteria.

### **Are there any alternative education programs I can take instead of finishing High School?**

Yes, there are many alternatives for students to participate instead of continuing high school.

- **Independent Studies Program:**
  - There are Schools which offer independent studies programs allow students to pursue a certain topic or subject largely by themselves. These programs usually have a faculty advisor whom the student has to check in with regularly.
  - If a student has a great interest in a subject that is not offered as a course at their school an independent studies program can be an option.
  - Check with your school to see if this is available.
- **High School Equivalency Exams:**
  - Students and adults can take a high school equivalency exam to earn their high school diploma instead of going to school.

- There are two exams the HISET and the GED.
- HISET: You can take the exam at 16-18 if you are enrolled in an approved Work ready U literacy program, obtain a passing score on the half-length practice test and have an age waiver. You will need official documentation you have withdrawn from high school system. The test consists of 5 subtests- math, science, social studies, reading, and writing. The test is offered in paper or computer format. A person is limited to 3 attempts each year. The cost of HISET is usually cheaper than GED. 16-18-year-olds must also enroll in the State's official Adult Education Program and take free classes until ready to sit for the exam.
- GED: is only computer- based. The four subsets include: math, science, social studies, and language arts.
- List of testing centers and prep classes can be found here: <https://bestgedclasses.org/louisiana/#:~:text=The%20state%20of%20Louisiana%20uses,based%20and%20a%20computerized%20format.>

### **Are there any scholarships for High School Equivalency Test takers?**

Yes, up to 60 scholarships per fiscal year are available in voucher amounts up to \$90 for first time test takers. There are several criteria to be eligible for a scholarship:

- Be enrolled and have good standing with the WorkReady-U program
- Scored 'prepared or well prepared' on the ETS, HISET practice test on three of the 5 subtests
- Have a valid state/government ID
- Created an ETD HISET account at [http://hiset.ets.org/test\\_takers](http://hiset.ets.org/test_takers)
- Complete an application for scholarship
- Write an essay describing why you are applying for the scholarship and your educational and career goals, 500 word minimum
- Have a WorkReady U Director/supervisor must complete Section 2 and sign the Scholarship Application form

An award winner will be notified within 10 business days of submission. The amount will be deposited in awardee's HISET account. The award must be redeemed within 90 days of issuance.

### **Are there any additional scholarships for students who are entering college with an HSE?**

Yes, there is a five for six scholarships awarded to individuals without a high school diploma or equivalency who wish to enroll in a Louisiana community or technical college. The amount awarded to each student is equal to the tuition charged for 6 credit hours.

To be eligible you must: remain in enrolled in an HSE program, apply for admission to a college, and register 6 credit hours of non-remedial classes (if you need assistance with registering call the college's administration office and identify yourself as a 5 for 6 applicant)

### **Are there any benefits to aging out of foster care at 18?**

Yes, foster children who turned 18 without a permanent placement may enroll in the extended foster care program. Former foster children aged 18-20 who are:

- enrolled in secondary vocational or education program,
- enrolled in a program or activity designed to promote, or remove barriers to, employment,
- employed at least 80 hours per month OR
- Have a medical condition that renders the young adult incapable of engaging in any of these activities may enroll in extended foster care.

The program is voluntary and allows DCFS to continue to provide aid to these children. DCFS will provide the enrolled youth every month with a stipend to help the child with necessities. DCFS can also help the youth find housing.

### **Are there any classes to teach me to live on my own after turn 18?**

Yes, for foster children DCFS with the Chafee Foster Care Program can help provide service to get foster youth ready for transitioning into adulthood.

At 14 and 15 years old, independent living providers can help you with school, social skills, planning for the future, and more.

At 16 and 17 the providers can help you learn practice skills needed to live on you own.

If you are 18, 19, 20 or 21 years old: The IL providers can help you get the things you will need to know as you become an adult, such as helping you:

- Open a bank account and budget your money
- Find the services and programs you may need, including health care, food stamps, etc.
- Find a place to live
- Get ready to find a job
- Find training for a job
- Apply for a job
- Find a job
- Continue your education

List of Independent living providers:

- Alexandria Region - Goodwill Industries of North Louisiana, Inc., 318-427-7590
- Baton Rouge Region - Empower 225, 225-236-5249
- Covington Region - Louisiana United Methodist Children and Family Services, 985-635-9575
- Lafayette Region - Louisiana United Methodist Children and Family Services, 337-781-4406
- Lake Charles Region - Louisiana United Methodist Children and Family Services, 337-215-0193
- Monroe Region - Louisiana United Methodist Children and Family Services, 318-255-3717
- Orleans Region - Goodwill Industries of Southeast Louisiana, Inc., 504-457-2277
- Shreveport Region - Goodwill Industries of North Louisiana, Inc., 318-868-4936

- Thibodaux Region - Goodwill Industries of Southeast Louisiana, Inc., 985-262-8666

# EMPLOYMENT

## Do I have a “right” to my job?

No., Louisiana is an Employment At-Will State which means you may be fired for any or no reason. However, if you have a contract of employment for a specific length of time or are a union member with a collective-bargaining agreement you cannot be fired except for a specific reason. Employment is a contract between the employer and the employee. You also cannot be fired for a reason protected by federal or state law. Most of the contracts are verbal, but they can be in writing. An employment manual is usually not a contract.

Examples of that protected by laws to prohibit as a reason to fire an employee:

- Discrimination based on race, color, sex, age, pregnancy, national origin, religion, handicap or disability
- Filings a worker’s compensation claim
- Union Activities
- Complaining about environmental violations
- Making an OSHA complaint
- Taking jury duty
- Whistleblowing

## What should I say, and what should I not say, on a job application?

- **Picking up a job application:** When you pick up or drop off an application, be prepared for an interview. You never know if they will have a few minutes and are in a hurry to hire someone. Dress appropriately – suit or business casual. and be courteous, because even though you may not get an interview that day, the person who gives you the application may be asked by the interviewer what they thought of you.
- **Read carefully:** Read the entire job application form very carefully. Understand what is being asked on the form before filling it out to avoid making mistakes. Employers may use the application form to judge how well you follow instructions and how careful you may be as an employee.
- **Fill in the blanks:** Answer all questions completely, accurately, and truthfully using blue or black ink. Answer the questions with evidence from your experience, which demonstrates you know what the job involves. Write using active words and I/me statements. When something doesn’t apply to you, write N/A for “non-applicable.” Check your answers for correct spelling, grammar, punctuation, completeness, and accuracy. Make sure to keep a copy of your form so that you can use it to prepare for an interview or complete other forms.
- **Last details:** Sign (don’t print) your name and include the current date.
- **For help writing a resume:** Visit [louisianaworks.net](http://louisianaworks.net) where you will find tutorials explaining how to create a professional resume, conduct a job search to find employment opportunities, etc.

### **What should I do if I lose my job?**

You may wish to file for unemployment benefits, also known as unemployment insurance (UI). UI is a program designed to provide temporary financial assistance to workers who are unemployed through no fault of their own and who meet the requirements of the Louisiana Employment Security law. UI benefits are paid based on past employment and not on the basis of need. Even if you were fired for good cause, you still should file to preserve your rights to unemployment benefits on future claims.

Normally you should be able to receive your unemployment benefits unless one of the following is true:

- You were not able to work or available for work;
- You were fired for “misconduct connected with the work”;
- You are unemployed due to your participation in a labor- management dispute;
- You have failed to apply for or accept “available suitable work”;
- You voluntarily quit and it wasn’t because your employer significantly changed your working conditions;
- You didn’t work long enough to be covered; or
- Your job wasn’t covered by unemployment insurance.

### **Where can I file for unemployment?**

To file a claim for unemployment insurance, you may call the Unemployment Insurance Call Center at 1-866-783-5567 or you may file online at [www.louisianaworks.net](http://www.louisianaworks.net).

### **Before filing a claim, you will need the following information:**

- Your social security number;
- Names, addresses, job-site locations and telephone numbers of any employers for whom you worked during the last 18 months;
- Name and local number of your union hall (if applicable);
- Alien registration number (if applicable);
- The member-4 copy of your DD214 (if you served in the military during the last 18 months);
- Your SF-8 and SF-50 (if you worked for a federal employer during the last 18 months). However, do not delay filing if you cannot locate your federal documents.

### **What should I do if I am turned down for unemployment benefits?**

If you’ve applied for unemployment benefits but have been turned down, you should know about your right to appeal. When you appeal, a different person looks at your case. If you win the appeal, you get your benefits.

Contact your local Legal Services Corporation for assistance with your appeal as soon as you receive notice of your denial.

# **CREDIT**

## **Are credit cards free money?**

No. By definition they are “credit” cards, meaning that when you use them you are borrowing money from the issuer that you must pay back. You will receive a statement each month from the credit card company listing your purchases. You may pay the amount all at once or pay a portion and carry the rest of the balance to the next month. If you decide to carry the balance, you will then have to pay interest on the remaining balance. Interest is a percentage of the money owed in addition to what you borrowed.

It is best to pick a card with the lowest interest rate.

## **What is the difference between a debit card and a credit card?**

Debit cards and credit cards are generally accepted at the same places. Debit cards carry the symbol of one of the major types of credit cards on them (Visa, MasterCard, etc.). While many debit cards can be used as credit cards, some debit cards cannot. Debit cards are linked to your bank account (usually a checking account), and money is debited (withdrawn) from the account as soon as the transaction occurs. Credit cards are different; they offer a line of credit (i.e., a loan) that is interest-free only if the monthly credit card bill is paid in full and on time. (See below, Should I pay my bill in full each month?)

## **Should I open a bank account?**

For most people, opening a bank account of some kind is preferable to carrying around cash or seeking out money orders to pay for things. We all have to deal with money in some way, whether it’s a paycheck, paying bills, or getting a loan. If you choose not to have a bank account, you will have to find a place to cash checks and securely store your money. There are many types of businesses that offer money services, such as check-cashing and payday-loan businesses, but they often charge high fees. Having a bank account, usually a checking account, allows you to use and have access to your money more easily and operate more safely in a lot of areas.

A bank account allows you to pay your bills online, instead of needing to mail them or go into an office. Rather than remembering when you need to pay bills every month, having an account means you can automate payments to come out regularly, so you’ll never forget and get behind on your bill payments. A bank account also allows you to keep your cash safe, so it’s not stolen or damaged in a fire or flood.

Many employers will only pay your wages by direct deposit into a bank account, instead of giving you your wages in cash or by check. If you receive government benefits, you will also need a bank account for direct deposit, as many benefits will only be paid that way.

If you choose to open a bank account, or if you must do so because of your employment or government benefits, you should investigate which type of account to open (usually a checking account, savings account, or both), and what the “fine print” is for each of those accounts.

For example:

- Are there fees associated with the account?
- Does the account earn interest on your money for you?

- Is there a minimum daily balance that is required on this type of account?
- What happens if you overdraw (spend too much from) your account?
- Is the bank FDIC (Federal Deposit Insurance Corporation) insured?

You will want to make sure your bank account, whether it is a checking or savings account, is FDIC insured. When a bank is FDIC insured, this means that the federal government protects the money you deposit with the bank, up to a certain amount.

For more information, check out the student brochure of the Louisiana Bankers Education Council at [www.lba.org](http://www.lba.org); the Federal Deposit Insurance Corporation (FDIC) at [www.fdic.gov](http://www.fdic.gov); the National Endowment for Financial Education at [www.nefe.org](http://www.nefe.org); and the Federal Financial Literacy and Education Commission at [www.mymoney.gov](http://www.mymoney.gov).

### **Should I use credit?**

Credit cards offer convenience, but their main purpose should be to establish a good credit history. You will need a good credit history so you can, when the time comes, qualify for car loans and mortgages, be able to rent an apartment, qualify for favorable interest rates on all types of loans, obtain lower auto and homeowners insurance premiums, or qualify for a job (employers are increasingly using credit scores when evaluating job candidates).

Credit cards should be viewed as a convenience and not an extension of income.

Credit card issuers offer a variety of terms (annual percentage rates, methods of calculating balances subject to finance charges, minimum monthly payments, and actual membership fees). When selecting a card, compare the terms offered by several card companies to find the card that suits your needs.

### **How do I check my credit?**

The Fair Credit Reporting Act (FCRA) requires each of the nationwide credit reporting companies — Equifax, Experian, and TransUnion — to provide you with a free copy of your credit report, at your request, once every 12 months. In other words, you can get a free copy of your credit report up to three times each year, once from each company. Your credit report includes information on where you live, how you pay your bills, whether you've been sued, and whether you have filed for bankruptcy. The 3 reporting companies have joined together to produce an easy way you can access your report from each of them. You can access your free credit reports in one of 3 ways:

- Visit [www.annualcreditreport.com](http://www.annualcreditreport.com);
- Call 1-877-322-8228; or
- Complete the Annual Credit Report Request Form located at [www.consumer.ftc.gov](http://www.consumer.ftc.gov) and mail it to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281.

Make sure once you're on the site or otherwise making the request for your credit report that you check information for all 3 companies.

### **Does the credit card issuer charge interest?**

Usually, however banks charge interest – at a much higher rate – when you take out a loan.

**Should I max out my credit?**

To establish and maintain a good credit score, it is best not to max out your credit card. It's a good idea to keep your credit card charges to 25% of your overall credit limit, or even less. (See below, Should I pay my bill in full each month?).

**Why should I pay my bills on time?**

Credit issuers watch how you manage your credit cards and paying late is the worst black mark on your credit record and can lead to a lower credit score.

**How does having poor credit affect me?**

Problems with your credit record can negatively impact your ability to get a job, rent an apartment, buy a car or get a cell phone.

**What should I do if my card is lost or stolen?**

Call your card issuer as soon as you know the card could be lost or stolen. Once you report the loss/theft, under the law, you will have no further responsibility for charges you didn't make. Your liability for each card is \$50. If you think that your card was used fraudulently, you may have to sign a statement under oath that you did not make the purchases in question.

**Should I pay my bill in full each month?**

If you can, always pay more than the minimum payment due each month on your credit card bill. It is best to pay off your credit card each month; this avoids paying interest on the amount you have borrowed from the credit card company. The amount of interest added will depend on your APR and the amount left of your balance after the due date. Paying late may also cause your APR to increase.

# **CONSUMER PROTECTION**

## **What is debt collection?**

If you use credit cards, owe money on a personal loan, or are paying on a home mortgage, you are a “debtor.” If you fall behind in repaying your creditors, or an error is made on your account, you may be contacted by a debt collector. However, certain methods of debt collection are not allowed by law.

## **Who is a creditor?**

Any party that you borrow money from is a “creditor” (i.e. Visa, MasterCard, Macy’s, BestBuy). This can be a person, a bank, or any other enterprise that has lent money or extended credit to you. It can also be someone who provided you goods or services for which you owe money. For example, a medical provider who rendered treatment in exchange for later payment would be a creditor.

## **What happens if I’m sued?**

If you are served with a Petition or Complaint and a Summons related to a debt, don’t ignore it! Ideally, you should seek legal advice from an attorney right away. There are deadlines for responding to the lawsuit which can often occur very quickly.

Even if you consult an attorney, you may still choose to represent yourself in a court proceeding, especially if the amount you’re being sued for is small. Take the time to find out what possible defenses you may have before showing up to the hearing.

If the debt you are being sued for is not yours or is on behalf of a company or party you have never heard of or done business with, you should still respond and seek legal counsel. This likely means that you are the victim of identity theft. You should contact the Consumer Protection Section of the Louisiana Attorney General’s Office at 1-800-351-4889, or online at [www.ag.state.la.us](http://www.ag.state.la.us). You can also file a complaint with the Federal Trade Commission (FTC) by visiting [www.consumer.ftc.gov](http://www.consumer.ftc.gov).

## **What does the Federal Fair Debt Collection Practices Act state?**

A debt collector is any person, other than your creditor, who regularly collects debts owed by you. A debt collector may contact you in person, by mail, telephone, telegram or fax. However, he or she may not contact you at unreasonable times or places, such as before 8 a.m. or after 9 p.m. Further, the debt collector cannot tell anyone other than you and/or your attorney that you owe money. Within five days after you are first contacted, the collector must send you a written notice telling you the amount you owe, the name of the creditor to whom you owe the money, and what action to take if you think you do not owe the money. A collector may not contact you if (within 30 days after you are first contacted) you send the collection agency a letter stating you do not owe the money. If the collector sends you proof of your debt, such as a copy of the bill, he can renew collection activities. Remember you can file in state or federal court if you believe the law was violated. Contact an Attorney if you believe you may have a case as timely as possible.

## **How can I prevent credit card fraud?**

Keep a list of your credit card numbers, expiration dates, and the phone numbers of all card issuers in a safe place.

When you use your credit card, watch your card after giving it to a clerk. Take your card back promptly after the clerk is finished and make sure the card is yours.

Never sign a blank receipt. Draw a line through any blank spaces above the total when you sign receipts. Tear up the carbons when you take your credit card receipt.

Open credit card bills promptly and compare them with your receipts to check for unauthorized charges and billing errors.

Write card issuers promptly to report any questionable charges. Written inquiries should not be included with your payment. Instead, check the billing statement for the correct address for billing questions. The inquiry must be in writing and must be sent within 60 days to guarantee your rights under the Fair Credit Billing Act.

Avoid giving your credit card number over the telephone unless you know the company is trustworthy. Never write your card number on a post card or on the outside of an envelope.

Sign new cards as soon as they arrive. Destroy expired cards. Cut up and return unwanted cards to the issuer.

If one of your credit cards is missing or stolen, report the loss as soon as possible to the card issuer. Check your credit card statement for a telephone number to report the stolen card. Follow up your phone call with a letter to the card issuer.

The letter should contain your card number, the date the card was missing, and the date you reported the loss.

If you report the loss before a credit card is used, the issuer cannot hold you responsible for any subsequent unauthorized charges. If a thief uses your card before you report it missing, the most you will owe for unauthorized charges on each card is \$50.

### **What is a pyramid scheme?**

A pyramid scheme is an arrangement where a large number of people (at the bottom of a “pyramid”) pay money to a few people (at the top of a “pyramid”). Each new participant pays for the chance to advance to the top and profit from payments of others who might join later. The promoters pitch that you can make a lot of money. The fact is, you can lose a lot of money, and usually that’s the case!

Beware, some promoters disguise their pyramids as legitimate multi-level distribution schemes (MLDS).

A MLDS is a way of distributing products in which the products are sold by independent salespeople, usually in customers’ homes. As a distributor, you can build and manage your own sales force by recruiting and training others to sell those products. Your wages then include a percentage of the sales of your entire sales group as well as your earnings on your own sales. The best protection is prevention; an informed consumer can learn to identify the difference between a fraudulent pyramid scheme and a legitimate MLDS.

### **How can I spot a pyramid scheme?**

Take your time and avoid high pressure sales tactics; good opportunities do not disappear overnight. Ask questions about the company, the products (cost, fair market value, source of supply, potential market value in your area), start-up fees, and the company's guaranteed buy-back of products. Do your research and get written copies of all the available company literature. Ask others who have had experience with the company, especially those no longer involved. Investigate, double check and verify all information. Contact authorities if a company seems questionable.

### **Where can I find more information?**

You can contact the Consumer Protection Section of the Louisiana Attorney General's Office at 1-800-351-4889, or online at [www.ag.state.la.us](http://www.ag.state.la.us).

You can contact the Federal Trade Commission (FTC) by visiting [www.consumer.ftc.gov](http://www.consumer.ftc.gov). If you suspect you're the victim of identity theft, you can visit the FTC's Identity Theft site at [www.identitytheft.gov](http://www.identitytheft.gov).

### **What do I do if I get scammed?**

If you paid the scammer:

- If you paid with a credit/debit card, you need to contact your card issuer to tell them of the fraudulent charge. Ask the card issuer to reverse the transaction and give your money back.
- If the scammer made an unauthorized withdrawal, contact your bank to notify them and ask for them to reverse the transaction and give your money back.
- If you paid with a gift card, contact the company that issued the gift card and ask for a refund. Keep the card itself and any gift card receipts.
- If you paid through wire transfer, contact the wire transfer company or bank ask them to reverse the transfer and give your money back.
- If you paid through a cash app, report the fraudulent transfer to the cash app company, and ask to reverse the payment. If the app is linked to a credit card or debit also report the fraud to your card issuer.

Scammer has access to your computer:

- Update your computer's security software and run a scan. Delete anything it identifies as a problem.

Scammer has your cell phone number and account:

- Contact your service provider and change your password
- Check your credit cards, bank accounts, etc. for any unauthorized charges and report any to the company. Then go to [IdentifyTheft.gov](http://IdentifyTheft.gov).

### **What if the scammer steals my personal information?**

If the scammer has your social security number, go to [identifyTheft.gov](http://identifyTheft.gov).

If the scammer has your password and username create a new password and if you used that same password anywhere else, change those to new passwords too.

**What if I received merchandise I never ordered?**

You have no legal obligation to pay or return the merchandise. You have a legal right to keep the merchandise as a free gift.

For more information on your consumer rights and tips to prevent fraud, visit the Louisiana’s Attorney General’s Office website and search for the Consumer’s notebook series for PDFS on additional resources to help protect yourself and your family.

# **MARRIAGE, DIVORCE, CHILDREN, CUSTODY & SUPPORT**

## **What is required for a valid marriage?**

Generally, the civil contract of marriage requires a valid marriage license, an absence of legal impediments, an authorized official (generally a clergyman or judge), two competent adult witnesses, and the free consent of the two persons to be married.

Louisiana Civil Code states that Consent is not free when given under duress or when given by a person incapable of discernment.

## **What might prevent a legal marriage?**

If one of the potential spouses is already married.

Incest: blood relatives (within the fourth degree, including whole or of the half-blood) cannot marry. Blood relatives include parents, children, aunts, uncles, nieces, nephews, siblings and first cousins.

Legally adopted relatives are treated like blood relatives. However, persons related by adoption (within the fourth degree) may marry once they receive written approval by a judge.

## **Can I keep my surname after I am married?**

Yes, marriage in Louisiana does not change your surname. A spouse may use the surname of either or both spouses.

## **When can someone obtain a divorce?**

Generally, a divorce will be granted under the following conditions:

- If there are no minor children born or adopted of the marriage, the spouses must be physically separated for at least 180 days before being entitled to a divorce.
- If there are minor children born or adopted during the marriage, the spouses must be physically separated for at least 365 days before being entitled to a divorce.

However, a divorce may be granted in less than 180 days if:

- A spouse has committed adultery;
- A spouse has committed a felony and has been sentenced to death or imprisonment at hard labor;
- During the marriage a spouse physically or sexually abused the spouse seeking divorce or a child of one of the spouses;
- A protective order or an injunction was issued during the marriage to protect the spouse seeking the divorce or a child of one of the spouses from abuse;
- In accordance with the terms and conditions of a Covenant Marriage.

### **What is community property?**

Generally, you own an undivided one-half interest with your spouse in any property acquired during the marriage. Neither spouse can sell, mortgage nor lease their one-half interest until the community property is divided.

Community property includes the following:

- Property acquired during the marriage through the effort, skill, or industry of either spouse;
- Property acquired with community property;
- Property donated to the spouses jointly;
- Revenues derived from community property and separate property earned during the marriage;
- Damages, loss or injury to a community property asset;
- All property acquired during the marriage not classified as separate property.

If you do not want to have community property with your spouse, the two of you may execute a Matrimonial Agreement before a notary public and two witnesses before the marriage ceremony agreeing not to have community property. If you marry without execution of a Matrimonial Agreement, you will have to obtain a written court order by a judge if you later decide you do not want to have community property with your spouse.

### **Who gets custody of the children after a divorce?**

In the divorce proceeding or thereafter, the court will decide the custody of the children.

- If both parents agree to who is to have custody, the court will abide by this request unless it is contrary to the child's best interest.
- If there is no agreement or is not in the best interest of the children, the court will award custody to both parents. (joint custody)
- If award of joint or sole custody of either parent would result in "substantial harm" to the child, the court will award custody to another person with whom the child has been living or a person who can provide for the child.

The best interest of the child factors can be found in the Louisiana Civil Code.

### **After a divorce does a parent or relative have visitation rights to a child?**

A parent not granted sole or joint custody is entitled to visitation rights unless it would be contrary to the child's best interests.

Grandparents have visitation rights if it is in the best interest of the child.

Any other relative does not have an inherent right to visitation with the exception if it is an "extraordinary circumstance" and in the best interest of the child.

### **How is child support determined?**

Using the Louisiana Child Support Guidelines, child support will be based on the parents' gross income. Both parents must submit current pay stubs along with tax returns to document income.

**When does child support end?**

Child support generally ends with the child reaches 18 years of age and has graduated from a secondary school (high school) or its equivalent or reaches 19 years of age, whichever occurs first. In some cases, child support may continue until the child is 22 years old if the child is disabled. You should not stop paying your child support obligation without first checking with the court that ordered the child support

**Can I receive spousal support after my divorce?**

A court may award interim or final spousal to a party who needs support and free of fault in the divorce. Seek legal counsel if you think you need support during and after your divorce proceedings. Remember there is a deadline to file a claim for support.

# **PARENTING**

## **Who is considered a parent?**

Louisiana law may consider someone a parent even if they are not biologically related to the child. This can happen when a man is married to a woman at the time of delivery, or if the biological father acknowledges paternity through the “Louisiana Putative Father Registry.”

## **What are my legal responsibilities as a parent?**

Parents have a legal obligation to support their children financially and emotionally. Parents also have the right to speak with and spend time with their children, even if they do not have custody, unless a court says otherwise. Parents must strive to provide their children with a safe place to live, an education, food to eat, and guidance. If a parent needs help providing this, they should contact their local DCFs Office.

## **I do not get along with my child’s other parent. Should we go to court?**

If you are unable to reach an agreement about the care of your child with the other parent, you may want to go to court. Courts can issue custody orders and child support orders which provide legal obligations that both parents must follow.

## **What is child abuse?**

Child abuse means any one of the following acts which seriously endanger the physical, mental, or emotional health and safety of a child (a person less than 18 years of age who has not been judicially emancipated):

- Infliction, attempted infliction, or, as a result of inadequate supervision, the allowance of the infliction or attempted infliction of physical or mental injury upon the child by a parent or any other person;
- The exploitation or overwork of a child by a parent or any other person; or
- The involvement of the child in any sexual act with a parent or any other person, or the aiding or toleration by the parent or the caretaker of the child’s sexual involvement with any other person or of the child’s involvement in pornographic displays, or any other involvement of a child in sexual activity constituting a crime under the laws of this state.

## **What is child neglect?**

Child neglect is the refusal or unreasonable failure of a parent or caretaker to supply the child with necessary food, clothing, shelter, care, treatment, or counseling for any injury, illness, or condition of the child, as a result of which the child’s physical, mental, or emotional health and safety is substantially threatened or impaired. Neglect includes prenatal neglect (by using illegal, controlled dangerous substances, or chronic or severe use of alcohol by a mother during pregnancy).

# **CRIMINAL CHARGES**

## **What is a crime?**

A crime is an act done in violation of the Louisiana Criminal Code, acts of the Louisiana Legislature, or the constitution of Louisiana.

## **What is a Delinquent Act?**

An act committed by a child age 10 or older which if it was committed by an adult is designated an offense under the statutes or ordinances of this state, another state, or federal law excluding traffic violations. The youngest age at which a child can be adjudicated delinquent is 10 years old.

## **What happens when I am arrested and what basic rights do I have?**

If arrested, you can expect to be searched for weapons by the police and taken to a police station. You will be advised of your rights under the U.S. Constitution, through what is commonly called a “Miranda warning.” As soon as you request an attorney, the police are supposed to stop questioning you. It is your right to remain silent and not answer questions, and you also have the right to a phone call. If you cannot afford an attorney, the court will appoint one for you. You may be held at a detention facility until you make your first appearance at a hearing before a judge.

You are given a hearing within 72-hours at which the judge will set your bail amount and appoint an attorney to you, if needed.

## **When can I be charged as an adult if I am arrested for committing a crime?**

Under the Raise the Age Louisiana Act, people younger 18 years old are considered children who are subject to the juvenile justice system. However, there are three ways a youth can be prosecuted as adults:

- By a discretionary Transfer waiver for youth aged 14 and up for certain violent offenses.
- By prosecutorial discretion for ages 15 and up for certain felonies
- By Mandatory waiver/Statutory Exclusion is required for ages 15 and up for murder, rape, and kidnapping.

## **What if I cannot afford an attorney?**

If you cannot afford an attorney, the court will appoint a public defender to represent you at your initial hearing. There are certain proceedings in which a child cannot waive their right to counsel. Parents of a child may be required to pay part or all of counsel’s services for their child accused of delinquent acts, unless the parents are unable to afford an attorney.

## **What is an expungement and how do I know if I qualify?**

Expungement is a court order to remove an arrest or conviction record from public access, but it does not mean destruction of the record. When a record is expunged, the public (including employers) should not be able to find out about prior arrests and convictions. But law enforcement officials and agencies, criminal justice agencies, and other state agencies as stated under Louisiana Law may still be able to find out about your record. A criminal record may keep you from getting schooling, housing, a job, a license,

or a permit you need for a job, so getting an expungement, if possible, can help you support yourself and your family.

- **What adult arrest or convictions cases can be expunged?** Adult criminal records for arrests for which there was no conviction are eligible for expungement. Adult criminal records in which you were convicted are eligible expungement in some situations:
  - If you were convicted but later found factually innocent by a judge.
  - In some cases, if you were convicted of a misdemeanor, the record can be expunged five years after you complete your sentence.
  - In some cases, if you were convicted of felony, the record can be expunged 10 years after you complete your sentence, and you have no other convictions during that time.
  - If entitled to a first-offender pardon, the records can be expunged by the court immediately.
  - Adult criminal records in which you completed a diversion or deferral program are eligible for expungement in certain situations.
- **Can Juvenile Records be Expunged?** Juvenile records may be expunged as well, but the rules are different from those for crimes committed as an adult. If you want to learn more about expunging juvenile records, you can contact the Louisiana Center for Children’s Rights at <http://www.laccr.org/>.
  - Any record relating to a delinquency matter that did not result in charges being filed or dismissed can be expunged and sealed upon petition at any time.
  - If you were found guilty for anything except for murder, manslaughter, a registered sex offense, kidnapping, or armed robbery your record can be expunged after your case closes, or you are released from probation or commitment.
  - If you were found guilty murder, manslaughter, a registered sex offense, kidnapping, or armed robbery, your record can be expunged five years after your release from probation or commitment.

### **How long do I have to wait to apply for an expungement if I was never prosecuted?**

Applications may be filed immediately following an acquittal or successful motion to quash.

If the time limit for prosecution has run out and the District Attorney dismissed or refused prosecution, then an application for expungement may be possible. Generally, the DA has a specific amount of time after the date of the offense within which charges must be instituted. On the other hand, if the prosecutor has just not acted to prosecute, then these time limits apply:

- No time limit for prosecution—Crimes punishable by death or life imprisonment;
- 6 years—Felonies necessarily punishable by imprisonment “at hard labor;”
- 4 years—Felonies not necessarily punishable by imprisonment at hard labor;
- 2 years—Misdemeanors punishable by fine or imprisonment;
- 6 months—Misdemeanors punishable only by fine (most traffic tickets, for example).

### **How do I apply for an expungement?**

An expungement requires a court's approval. There are uniform forms in Louisiana that all courts will accept assuming it is the proper venue, the form is filled out correctly, and the person who files the motion is eligible for expungement. Fill out the required forms and submit them to the Court with a background check that was acquired within thirty days of the filing date. The Louisiana expungement law allows sixty days from the date of filing for all the agencies to respond to your request for an expungement.

**How much does an expungement cost?**

The cost of expungement can range from is \$550 to over \$700. The amount must be paid in full at the time of filing because several agencies will receive a portion of this cost.

# **SEX CRIMES**

## **What is “carnal knowledge of a juvenile” (also known as statutory rape)?**

Carnal knowledge of a juvenile occurs when a person who is 17 or older has sexual intercourse with a person who is two years or more younger than them, but older than 13, regardless of whether the underage person gave consent. The lack of knowledge of the juvenile’s age is not a defense.

## **What are the penalties for carnal knowledge of a juvenile?**

The penalties vary depending on the age difference between the offender and the juvenile. A person who commits this crime may be fined up to \$5000, or imprisoned (with or without hard labor) for up to 10 years and may be required to register as a sex offender.

## **What is “sexting”?**

“Sexting” is the act of sending sexually charged material, for example nude photos, via cell phone text messages. Children who engaged in sexting their own pictures would be subject to family in need of services proceedings instead of delinquency proceedings. For having or showing another child’s indecent materials, the child will be subject to delinquency proceedings and possible fines and detention.

## **What is indecent behavior with a juvenile?**

Indecent behavior with juveniles is the commission of certain acts with the intention of gratifying or arousing the sexual desires of either person. Any lewd or lascivious act upon the person or in the presence of a child under 17 where age difference is greater than two years. It can also involve sending texts, visual, written or oral communication depicting lewd or lascivious conduct to any person to be under 17 and two years or younger than the offender. The penalties are fines and jail sentences and if an adult registration on the sex offender registry.

## **What is “Revenge Porn”?**

Revenge porn is when a person commits the offense of nonconsensual disclosure of a private image for the purpose to harass or cause emotional distress to the person in the image. The offender could be fined as much as \$10,000 and imprisoned for up to two years.

## **What is rape?**

Rape is the act of anal, oral, or vaginal sexual intercourse with a person without their consent. This includes “date rape,” in which the victim knows the rapist. A person can also be charged with rape if they have intercourse with a person whose judgment is impaired due to drugs or alcohol, or the person has a physical or mental infirmity. A person can be charged with rape whenever the victim is under the age of 13, and not knowing that the person is underage is not a defense to rape. Any sexual penetration, however slight, is enough to be considered rape.

### **What are the penalties for rape?**

The penalties for rape vary depending on the facts of each case, but the offender will be required to register as a sex offender and can be sentenced to prison.

The LA DPS&C website allows people to access the Louisiana Sex Offender and Child Predator Registry to find public information on the reported whereabouts of sex offenders and child predators. See <https://doc.louisiana.gov/public-programs-resources/la-sex-offender-registry/>.

# **TRAFFICKING**

## **What is human trafficking?**

Human trafficking occurs when a person knowingly does one of the following things: recruit, harbor, transport, provide, solicit, receive, isolate, entice obtain or maintain the use of another person through fraud, force, or coercion to provide services or labor.

If someone is a victim of trafficking, this can be a defense to charges of prostitution, prostitution by massage, sexual conduct prohibited, crime against nature, or crime against nature by solicitation. This defense is available when the crimes listed were committed as a direct result of being trafficked.

## **Is human trafficking the same as sex trafficking?**

Sex trafficking refers to the use of force to recruit a person to provide sexual services. Human trafficking includes sex trafficking and trafficking for other types of services or labor. Such as trafficking to have persons work as day laborers (persons who are employed one day at a time).

## **What are some survivor resources in Louisiana?**

The website <http://www.nolatrafficking.org/community-resources> provides PDF resource guides for human Trafficking survivors. The list of services and providers range from Housing and shelters, mental health counseling, advocacy center, employment, relocation and transportation, legal aid, medical services, immigration services, and referral services.

If you or someone you know needs help, contact the National Human Trafficking Hotline toll-free hotline, 24 hours a day, 7 days a week at 1-888-373-7888 or email at [help@humantraffickinghotline.org](mailto:help@humantraffickinghotline.org). All communication on the hotline is confidential.

If you witness a crime taking place you can also call CRIMESTOPPERS at 504- 822-1111 or 1-877-903-STOP. Your tips will remain anonymous, the operator will not ask for your personal information. You can also place a tip on the CRIMESTOPPERS website from the tip submit button on the main page or you can download the CrimestoppersGNO "Community" app for smartphones.

Other hotlines:

- Runaway and Homeless Youth: National Runaway Safeline, 24-hour Hotline: 1-800-RUNAWAY (786-2929)
- Domestic Violence: National Domestic Violence Hotline, 24-hour Hotline: 1-800-799-SAFE (7233)
- Sexual Abuse: Rape, Abuse and Incest National Network (RAINN), 24-hour Hotline: 1-800-656-4673
- Suicide: National Suicide Prevention Lifeline, 24-hour Hotline: 1-800-273-TALK (8255)
- Dating Violence: National Dating Abuse Helpline, 24-hour Hotline: 1-866-331-9474
- Teen Line: Teens helping Teens: 1-310-855-HOPE (855-4673)
- Teen Dating Helpline: 1-866-331-9474

# **PUBLIC BENEFITS**

## **What are SNAP, SSI, and other “public benefits” or assistance programs provided by the government?**

The government makes available public benefits or assistance programs for people who need help with food, healthcare, and day-to-day expenses. To qualify for each of these benefits, you have to meet certain income, resource, health, and/or immigration status requirements. Depending on your circumstances, you may qualify for healthcare, food stamps, cash assistance, low-cost housing, energy assistance, and childcare assistance.

SNAP, the Supplemental Nutrition Assistance Program, provides monthly benefits that help low-income families buy the food they need for good health. This benefit used to be known as food stamps. For most households,

SNAP benefits make up only part of their food budget, so they need to use some of their own money to buy enough food to last for the month. The amount of SNAP benefits a household receives depends on the number of people in the SNAP household and the amount of their net income.

Households must meet certain requirements to qualify for SNAP, including resource and income tests.

## **How do I apply for SNAP benefits?**

- **Step One:**
  - Fill out an application online at [www.dcf.la.gov](http://www.dcf.la.gov).
  - You can also apply for the Family Independence Temporary Assistance Program (FITAP) or Kinship Care Subsidy Program (KCSP) with this application.
  - You can also download an application by visiting [www.dcf.louisiana.gov](http://www.dcf.louisiana.gov) and fill it out by hand.
- **Step Two:**
  - Gather the documents you will need to verify the information in your application. Verification is proof of the information that you report on your Application for Assistance. The following information must be verified by the SNAP program:
  - Identity (driver’s license, work or school ID, ID for health benefits or another social services program, voter’s registration card, check stub, or birth certificate);
  - Social Security Number (copy of the social security card or papers you received at the hospital for a newborn);
  - Alien status (if not a U.S. citizen, forms or cards from USCIS that prove the person is a legal alien);
  - Wages (last four pay check stubs or employer’s statement for each person who works);
  - Self-employment (income tax returns, sales records, quarterly tax records, personal wage record);
  - Other income (such as contributions, child support, alimony, Social Security, SSI, VA, retirement checks,
  - Unemployment Compensation [UCB], award letters, court orders, statements from contributors);

- Income that stopped within the last three months (pink slip, termination notice, or statement from former employer, termination notice or statement from source of any income that ended);
- Housing expenses (rent receipts, mortgage papers, homeowners' insurance papers, and property tax papers);
- Dependent care expenses (receipts or statements from the dependent care provider);
- Medical expenses (receipts, pharmacy printouts for last three months, doctor bills or other papers that show medical expenses for household members who are disabled or over the age of 59);
- Child support payments made to someone outside your home (court order or other legal papers and proof that you are making payments such as canceled checks or wage withholding statements);
- Resources (current bank statements, papers that prove ownership and value of property that you own [other than where you live], papers for any other type of resource such as stocks, bonds, certificates of deposit, etc.).
- **Step Three:** (for downloaded applications filled out by hand only)
  - Mail the completed form to the document processing center at: DCFS Economic Stability, P.O. Box 260031, Baton Rouge, LA 70826 Or fax the completed form to (225) 663-3164.
- **Step Four:**
  - After receiving your application, a DCFS employee will call you to conduct an interview over the phone, saving you time. Please provide a valid telephone number for contact purposes.
  - Or if a face-to-face interview is requested, you may schedule an appointment with any DCFS parish office through the DCFS website at [www.dcfslouisiana.gov](http://www.dcfslouisiana.gov).

### **How are my SNAP benefits issued?**

SNAP benefits are delivered electronically through Electronic Benefit Transfer (EBT) cards. Louisiana uses magnetic stripe card technology, like a credit or debit card. The card is typically referred to as the Louisiana Purchase Card.

SNAP benefits are given to the recipient's account during the first 14 days of the month. Recipient benefits are accessible by 5:00 a.m. the morning after they are posted. Benefits are given to recipients on the same date every month regardless of the day of the week. Holidays and weekends do not affect the date of benefit availability. In emergency situations, benefits are available immediately.

Benefits are secure and accessible only to persons authorized by the recipient. The Personal Identification Number (PIN)

is selected by the recipient and must be correctly entered in order to successfully complete all electronic transactions. As purchases are made at grocery store checkout lanes, recipient accounts are debited, and the recipient is given a receipt which provides the remaining account balance.

You can check the balance of your EBT card online at: [www.ebt.acs-inc.com/](http://www.ebt.acs-inc.com/).

There are benefit restrictions on what is considered an eligible food item:

- **Households CAN use SNAP benefits to buy food for the household to eat, such as:**
  - Breads and cereals;
  - Fruits and vegetables;
  - Meats, fish and poultry;
  - Dairy products; and
  - Seeds and plants which produce food for the household to eat.
- **Households CANNOT use SNAP benefits to buy:**
  - Beer, wine, liquor, cigarettes or tobacco;
  - Any nonfood items, such as:
    - Pet foods;
    - Soaps, paper products; and
    - Household supplies;
    - Vitamins and medicines;
    - Food that will be eaten in the store; and
    - Hot foods.

In general, food products that contain alcohol or tobacco, items that are not intended for human consumption (e.g. paper products, pet foods, etc.), vitamins and supplements, and foods sold hot at the point-of-sale, are not eligible for purchase with SNAP benefits.

#### **What is Disaster Supplemental Nutrition Assistance Program?**

The USDA provides nutrition assistance to those most affected by a disaster or emergency. The State of Louisiana will notify the USDA of the types and quantities of food needed for emergency feeding operations and supplies for organizations. The USDA can also authorize the state to provide D-Snap benefits if certain conditions are met.

#### **What is LACAP?**

LACAP is a food assistance program for Louisiana residents who are at least 60 years of age and receive SSI. Fill out the application (LaCAP Enrollment form 1A) and mail the completed form to the Document Processing Center: DCFS Economic Stability, P.O. Box 260031, Baton Rouge, LA 70826 Or fax the completed form to: (225) 663-3164. Call 1-888-LAHELP-U (1-888-524-3578) for assistance.

#### **What is SSI (Supplemental Security Income)?**

- SSI is a program that provides a modest monthly income to people with disabilities who have limited income and resources. To qualify for disability benefits you must be found “disabled” under Social Security’s definition. The definition of “disabled” is different for children and adults. SSI payments can also be made to people 65 and older without disabilities who meet the financial limits. People who have worked long enough may also qualify to receive SSI disability or retirement benefits.
- **SSI Disabled Child Benefits:** To be considered disabled as a child:
  - You must have a physical or mental condition(s) that very seriously limit your activities and your medical condition(s) must have lasted, or be expected to last, at least one year or be expected to result in your death.

- If you received SSI benefits as a child, you may qualify for SSI benefits as an adult. When you turn 18, the Social Security Administration (SSA) will re-evaluate you. Benefits will continue during the re-evaluation. If the disability meets the regulations for adults, the SSI benefits will continue uninterrupted.
- If SSA decides that you are no longer disabled, you will no longer receive benefits. But there is a right to an appeal. If the appeal is filed within 10 days of the SSA decision, you can continue receiving benefits during the appeal process.
- **SSI Disabled Adult Benefits:** To be found disabled: you must have a severe impairment; you must be unable to do substantial work because of your medical condition(s); and your medical condition(s) must have lasted, or be expected to last, at least one year, or be expected to result in your death.
- **HOW DO I Apply FOR SSI?**
  - ONLINE: You may apply online at <https://secure.ssa.gov/iClaim/dib> and fill out the online application. Someone else can help you submit the online application on your behalf. If someone else files for you, a representative will contact you to verify your intent to file, confirm the information provided, obtain any additional information, and provide your verbal consent to sign the application. If you cannot give verbal consent, you will need to sign and return the application Summary to your local office.
  - PHONE: You can call 1-800-772-1213 to make an appointment to file your application. If you are deaf or hard of hearing, you can call 1-800-325-0778.
  - IN PERSON: You can call your local Social Security Office and make an appointment. You can find your local office by visiting <https://secure.ssa.gov/ICON/main.jsp>.
  - **IF You have a Child with a Disability:** First complete the online Child Disability Report at <https://secure.ssa.gov/apps6z/i3820/main.html>. After completion, a representative will contact you by phone to complete the process. Your application will be evaluated by a state disability agency. A decision to either award or deny benefits will be made and you will be notified in writing, by mail. It usually takes 3-4 months to get a decision.
- **What if I am Denied SSI?** If your application is denied, you can appeal. You must appeal within 60 days of receiving the denial notice. There are four levels of appeal: (1) Reconsideration. (2) Hearing by an administrative law judge. (3) Review by the Appeals Council. (4) Federal Court review. You can request an appeal online for the first three levels. When a decision is made on you claim, a letter will be sent explaining the decision and guidance on what level of appeal you should select.
- **What if I already receive SSI payments?** If you are receiving SSI payments, you can use your personal my social security account or create a social security account to: Set up for direct deposit; opt out of mailed notices; get a benefit verification letter.

#### **What is FITAP (Family Independence Temporary Assistance Program)?**

- FITAP provides cash assistance to families with children when the financial resources of the family are insufficient to live off to meet their needs of. The amount of assistance a family receives is based on family size.
- There are several cash benefit restrictions for FITAP recipients:
  - There can be penalties if recipients use their cash benefits for the purchase of ineligible items listed above, or at an improper establishment.

- FITAP cash benefits provided through EBT cards cannot be used at certain types of stores and establishments. These benefits are intended to meet the basic needs of families.
- FITAP benefits cannot be used in any EBT transaction to purchase:
  - An alcoholic beverage (beer, wine, hard liquor);
  - A tobacco product (cigarettes, chewing tobacco, etc.);
  - A lottery ticket (including scratch-off tickets); or
  - Jewelry.
- Eligibility:
  - You must be living in the state, and it is not temporary and be a U.S. citizen, non-citizen national, or a qualified alien.
  - Your income is not enough to care for the child's needs provide the worker your and each member of your household social security numbers.
  - The child must be under 17 or be 18 and enrolled full-time in a secondary school or equivalent.
  - Must be related to child be blood, marriage or adoption. The child also has to actually live in the home with the qualified relative.
  - Work eligible applicant are required to participate in the STEP Program.
  - Immunization proof for anyone under 18.
  - Each applicant who is pregnant or has a child under one must attend parenting classes.
  - There is a 60-month lifetime limit.
  - Unmarried Minor parents and their children must reside in the home of a parent, adult relative, legal guardian, or adult-supervised living arrangement.
  - Applicant must cooperate with drug screens.
- To Apply:
  - You can download an application at <http://www.dcfslouisiana.gov/page/139> and fill it out by hand.
  - You can call 1-888-LAHELP-U (1-888-524-3578) for assistance.
  - Mail the completed application to the Document Processing Center: DCFS Economic Stability, P.O. Box 260031, Baton Rouge, LA 70826.
  - Or fax the completed application to: (225) 663-3164.

### **What is WIC (Women, Infants and Children)?**

WIC is a Special Supplemental Nutrition Program for pregnant, breastfeeding, and postpartum women, infants, and children under 5 years old. WIC provides nutritious foods, nutrition information, breastfeeding promotion, breastfeeding support and referrals to other health and social services.

If any of the following apply to you, you may qualify for WIC.

- Pregnant;
- Breastfeeding (up to infant's 1st birthday);
- Recently gave birth (up to 6 months after birth of an infant or after pregnancy ends);
- Have an infant (up to the age of 1); or
- Have a child under the age of 5.

Benefits provided by WIC include supplemental nutritious foods; nutrition education; counseling at WIC clinics; and screening and referrals to other health, welfare and social services.

You can apply for WIC benefits by visiting [www.dhh.louisiana.gov](http://www.dhh.louisiana.gov). You can also contact your local WIC agency to schedule an appointment.

You can call (800) 251-2229 to locate a clinic nearest you. Call that clinic to make an appointment and find out if you are eligible. You will need to bring proof of income, residency, and identification to your appointment. For proof of income: you need to bring proof of all sources for every person with income living in your home. Proof of participation in Medicaid, SNAP or TANF have the right income for WIC.

- Pay stubs from last 30 days
- Current income tax records
- Letter from employer with salary amount
- Proof of social security or unemployment benefits
- Alimony or child support payments

For residency, this includes:

- Rent/mortgage receipt
- Utility bill

For identification, this includes:

- Driver's License
- Birth Certificate
- State, school or military ID

### **What is Medicaid?**

Medicaid provides medical benefits and insurance to low-income individuals and families. Before you receive a service from a doctor or health care provider, you should ask your doctor or provider about limits to receiving the service or if the service needs to be "prior authorized."

Prior authorized means Medicaid has to agree to the service before it can be authorized to a patient

In Louisiana, you qualify to receive Medicaid if you:

- Receive Supplemental Security Income (SSI) from the Social Security Administration (SSA).
- Aged out of foster care and are under 26 years old. Please note that if you aged out of care in Louisiana, but plan to move to another state, the other state is not required to provide Medicaid coverage to you.
- Get financial help from the Office of Family Support (OFS) through the Family Independence Temporary Assistance Program (FITAP).

You may also qualify for Medicaid coverage if you:

- Are disabled according to the SSA's definition.

- Have corrected vision no better than 20/200.
- Are a low-income parent of children under the age of 19.
- Are pregnant.
- Have no insurance and need treatment for breast and/or cervical cancer.
- Receive Medicare coverage and are low-income.

### **How do I apply for Medicaid?**

There are several ways you can apply for Medicaid or get more information:

- Apply or renew coverage for any Medicaid program by visiting the Louisiana Medicaid Online Application Center at <http://new.dhh.louisiana.gov>. Once you submit the online application, it is sent immediately to the Medicaid office for process. There is no delay for mailing or faxing a paper form.
- Call the Medicaid hotline toll free at 1-888-342-6207 for help applying. Agents accept calls Monday through Friday from 7 a.m. to 5 p.m.
- Contact any Medicaid Application Center statewide. For a list of Medicaid Application Centers in Louisiana, visit <http://new.dhh.louisiana.gov>.
- Download and print a Medicaid application and then mail it to P.O. Box 91278, Baton Rouge, LA 70821-9278. You can also fax the application to 1-877-523-2987.
- Contact your local Medicaid office for help applying. For a list of Medicaid Offices in Louisiana, visit <http://new.dhh.louisiana.gov>.

### **Who controls my medical decisions once I turn 18?**

Once you turn 18, you have the sole ability to consent to medical care and treatment without having to get your parents or spouse's permission. Even if you are married, you make your own health care decisions, and your spouse does not have the right to change them. However, the court will appoint someone to make decisions for you if you are mentally disabled and the court deems you unable to make medical decisions for yourself.

### **Are my public benefits affected when I turn 18?**

Once you turn 18, you may be able to apply for public benefits on your own. You can also get benefits in your own name or become your own payee.

SSI changes when you turn 18. You can become your own payee, which means that you will receive your own Social Security check.

However, you may still need a payee if the Social Security Administration believes you are not capable of managing or directing the management of your money. Also, at 18-years-old you may no longer be eligible under certain disabilities.

# WEB SAFETY

## **What are some ways I can protect myself on the internet?**

Common practical tips for protecting yourself on the internet include:

- Consider what you share in profiles.
- Think about photos before sharing.
- Check a company's privacy policy before buying.
- Watch out for phishing scams.
- Keep an eye on accounts.
- Be aware of your internet presence.
- Report identity theft.
- Be on the lookout for sexual predators.
- Set your privacy and security settings on websites to your comfort level for information sharing.
- Be careful before sending intimate photos with anyone.
- Learn how to report abuse or block other users on social media sites.
- Only shop at reputable online merchants. You can check their verification by visiting the better business bureau and searching for information on the shop. <https://www.bbb.org>.

Common practical tips for keeping your accounts secure include:

- Choose a strong password and do not reuse the same password for multiple sites.
- Keep your passwords in a safe spot.
- Watch out for keyloggers and malware.
- Stay vigilant at all times.
- Think before opening email attachments.
- Consider the legitimacy of free programs.
- Keep your virus software up to date.
- Watch for fraud.

## **How can I increase my media literacy?**

Remember not everything you read online is necessarily true. Consider the source of the information and do research see if it is true. Read beyond the headlines that may have outrageous claims in efforts to gain clicks to its site. Check the author and any supporting sources for the story. Check to see if the news is satire, sites like the onion are political sites that make jokes in the form of fake news articles. Lastly consider how your own bias could affect your judgment on the article.

## **What is a VPN?**

A VPN is a virtual private network that gives you online privacy and anonymity by creating a private network from a public internet connection. VPNS mask your IP address, so your online actions are mostly untraceable. This can be helpful when using public Wi-Fi to secure and encrypt your information such as shopping, paying bills, or sending emails. A VPN can be free or purchased through a reputable security site or app on your phone.

# VITAL RECORDS

## **What are vital records?**

Vital records are documents related to your life events such as birth, marriage, paternity, school diplomas, etc.

## **Why do I need my vital records?**

As you turn 18, it is VITAL that you have a copy of all your personal documents when you leave foster care. Your medical, educational, and personal identity records are essential to living an independent life. These documents will be used for obtaining a driver's license, employment, marriage, housing and more. If any of your personal documents are lost or stolen, you will want to replace them as soon as possible.

## **How can I obtain my vital records for my vaccinations?**

There are various ways you can request for your vaccination records.

- The first option is to register at LA.MyIR.net. Signing up for this site allow Louisiana residents to access and print their official vaccine records without having to call their doctor.
- You can also ask your current healthcare provider for a copy of the records. Since 2001, most Louisiana health providers enter vaccine data into a system called LINKS.
- You can ask your local Parish Health Unit (PHU). Visit <https://ldh.la.gov/index.cfm/page/3016> and click on your parish to find a PHU near you.
- You can complete the Office of Public Health Immunizations Program online form at <https://ldh.la.gov/index.cfm/form/148> to have your records sent to you by mail.

## **How can I obtain my Birth certificate?**

Louisiana is a closed record state meaning birth and death certificates are not public records. To obtain a copy of your birth certificate you must provide proper identification, pay appropriate fees and provide a completed application. A fillable PDF application can be found at [https://ldh.la.gov/assets/oph/Center-RS/vitalrec/Birth\\_DeathOrderingPacket.pdf](https://ldh.la.gov/assets/oph/Center-RS/vitalrec/Birth_DeathOrderingPacket.pdf). Proper identification includes one primary document and two secondary documents.

There are three ways to obtain your Birth certificated:

- **IN PERSON:**
  - Vital Records Central Office -- Walk-in Service Hours: 8:00 A.M. to 3:30 P.M. (excluding state holidays). The central office is located at 1450 Poydras Street Suite 400, New Orleans, LA 70112.
  - Clerks of Court -- Participating Louisiana Clerks of Court offer certified copies of birth records (long and short form) at locations around the state. There is an additional fee for this service. Call your local clerk of clerk's office to see if they can provide you a copy or visit <https://ldh.la.gov/index.cfm/directory/category/279> to find a clerk of court office near you.
  - Vital Records Kiosks -- Hours of Operation: 8:00 A.M. to 4:30 P.M. (excluding state holidays). You may also order in person from a kiosk service location. Kiosk orders require

the user to successfully complete an identity authentication screening. Once the kiosk order is placed, the order is shipped via USPS or expedited shipping, or made available for pickup at Vital Records Central Office. A security fee and shipping costs apply to kiosk orders. To find kiosks visit <https://ldh.la.gov/index.cfm/directory/category/278>.

- Here is the list of currently available kiosks:
  - Caddo Parish Health Unit-1035 Creswell Ave., Shreveport LA 71101 | (318) 676-5222
  - Calcasieu Parish Health Unit - Lake Charles 3236 Kirkman Street, Lake Charles LA 70601 | (337) 478-6020
  - Jefferson Parish Health Unit -1855 Ames Boulevard, Marrero LA 70072 | (504) 349-8855
  - Lafourche Parish Health Unit- 2535 Veterans Boulevard, Thibodaux LA 70301 | (985) 447-0800
  - Ouachita Parish Health Unit-1650 Desiard Street, Monroe LA 71201 | (318) 361-7370
  - Rapides Parish Health Unit- 5604 Coliseum Boulevard, Suite A, Alexandria LA 71303 | (318) 487-5282 x4
  - Tangipahoa Parish Health Unit-15481 W. Club Deluxe Road, Hammond LA 70403 | (985) 543-4165
- BY MAIL: Mail your completed request, a copy of your photo identification and correct fees to: Vital Records Registry, PO Box 60630, New Orleans, LA 70160. Note it will take approximately 8-10 weeks for delivery using this method.
- BY INTERNET, PHONE & FAX: To order through these methods you need to visit VitalChek Network, an authorized service provider. There are additional fees when using this service provider or requesting expedited services. To order using the VitalChek Network, visit their website or call 1-877-605-8562. To inquire about an order placed by VitalCheck you may check its status by calling the number above.

### **How do I pay for my birth certificate?**

The fees are set by statute, so it is subject to change during any legislative session.

- Mail-in services are payable only by check or money order. A 50-cent fee is an additional charge for mail in requests. Checks and money order should be made payable to Louisiana Vital Records.
- Walk in services are payable by cash, check, or money order.
- Kiosk Services are payable by debit/credit card or check.
- Internet /fax/telephone services you may use a major credit card.

### **Who May Order my Birth Certificate?**

- The person named on the document
- The current spouse of the person named on the document
- Mother or father of the person named on the document
- Sister/brother of the person named on the document
- Grandmother or grandfather of the person named on the document

- An attorney representing one of the above with a signed contract of representation or authorization

### **How do I obtain a Social Security Number (SSN) and Card?**

Keep your Social Security card in a safe place and avoid giving out your social security number unnecessarily as there are many scams trying to steal your number. In some instances, just knowing your SSN is enough to fill out forms. But if you need a replacement card, you may apply for on by mail or online.

- Mail:
  - You will need to provide original or certified copies proving your U.S. citizenship, age, and identify such as U.S. birth certificate, driver’s license. School ID, or State Issues ID.
  - You will then fill out an application which can be found at <https://www.ssa.gov/forms/ss-5.pdf>.
  - You then mail to your local Social Security Office Information center. Visit <https://secure.ssa.gov/ICON/ic001.action> to find an office address near you where you can mail or visit in person.
- Online:
  - You can visit <https://www.ssa.gov/myaccount/>, (My Social Security Account) to apply for a replacement SSN card.
  - To apply online you must be a U.S. Citizen age 18 or older with a U.S. mailing address who is not requesting a name change or any other change to your card.
  - You also have to have a driver’s license or State ID from one of the many participating states. (Louisiana is a participating state.)

### **How do I apply for a Louisiana State ID?**

An Identification Card is an official form of ID provided by the Louisiana licensing agency. It serves as a photo ID. You can apply for an ID card at your local Department of Motor Vehicles (DMV) office. This form of identification is for residents who do not drive as you cannot have a state id and a Louisiana’s driver’s license. To renew a State ID either apply to renew online at <https://dps.expresslane.org/identificationcard> or visit in person at your local OMV.

### **How do I apply to receive my education records?**

Education records, such as a School Transcript important when you are applying to college, scholarships, internships, or jobs. A school transcript can also help establish residency in a school district.

You can acquire your high school education records by contacting your local school, local school district or applying to the Louisiana department of Education. Fill out a request PDF form and enclosing the listed fee to: Louisiana Department of Education, ATTN: Duplicate Transcripts, P.O. Box 94064, Baton Rouge, Louisiana 70804-9064.

### **Where do I get Marriage Records?**

Certified copies of marriage certificates can be obtained from the Clerk of Court Office in the Parish where the Marriage took place.

**Where do I get Divorce Records?**

Divorce records can be obtained from the Clerk of Court Office in the parish where the divorce occurred.

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Louisiana State Bar Association  
**Childrens Law Committee**  
[www.lsba.org/goto/BecomingAnAdult](http://www.lsba.org/goto/BecomingAnAdult)

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