COMING OF AGE IN LOUISIANA

Road Map to ADULTHOOD

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Louisiana State Bar Association
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This brochure focuses on the changes in legal rights and responsibilities that occur when you become 18 and are considered an adult. The purpose is to inform you of your rights and to help you recognize and avoid possible problems. The brochure provides a summary of some of the legal principles in effect at the time of publication. It does not offer legal advice. If you have a specific question you should check the sources mentioned in the brochure or talk with a lawyer.

*What does it mean to become an “adult”??*  
When you turn 18-years-old, you have certain new rights which are associated with being completely independent. You also have certain new responsibilities and are held personally accountable for you actions.

*When I reach age 18 am I automatically given all the rights of an adult??*  
In Louisiana the answer is “yes,” except as to drinking. Each state may set differing age limits for distinct situations, including the following:

- Voting in state and local elections;
- Jury service;
- Marrying without parental consent;
- Making a contract;
- Making a will;
- Working for pay;
- Gambling or purchasing lottery tickets;
- Obtaining a driver’s license.

*What are some of the rights I have after age 18 that I didn’t have before??*  
In Louisiana, once you turn 18 you have the following rights:

- To vote;
- To make a will;
- To sue in your own name;
- To make a contract (rent an apartment, buy a car, take out a loan) in your own name;
- To obtain medical treatment without parental consent;
- To be completely independent from parental control;
- To apply for credit in your own name;
- To form a corporation or limited liability company.

*What are some of the responsibilities I have after age 18 that I didn’t have before??*  
- All males are required to register for military draft.
- You’re eligible for jury duty.
- You may be sued by others on contracts you made.
- Parents no longer are required to support you.
- Beginning at age 17, Criminal charges will be tried in adult criminal court rather than juvenile court.
Who can register to vote?
To qualify to register you must:

1. Be a United States citizen;
2. Be at least 17 years old but must be 18 years old prior to next election to vote;
3. Not be under an order of imprisonment for conviction of a felony;
4. Not be under a judgment of full interdiction for mental incompetence or partial interdiction with suspension of voting rights; and
5. Reside in the state and parish in which you seek to register.

How do I register to vote?
Apply in person to register to vote at any Registrar of Voters office or any of the following sites:

- 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;
- Armed Forces Recruitment offices

You may also apply by mail by downloading the Louisiana Voter Registration Application form, 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. Do not mail or otherwise send Voter Registration forms to the Secretary of State Elections Division office - deadlines requiring receipt in the registrar’s office may be missed.

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 age, residency, and identity. 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 verify the address you have provided when registering by mail.

How much does it cost to register?
Nothing. Registering to vote is a right afforded to you as a United States citizen by the Constitution of the United States.

Where do I go to vote?
Your voter identification card received by mail lists your polling place. You may also use the Louisiana Voter Polling Place Locator at [www.sos.louisiana.gov](http://www.sos.louisiana.gov) to find where you vote on election day, or call your parish Registrar of Voters office. Please pay special attention to make sure you go to the correct polling place.
What do I need to bring with me when I go to the polls to vote?
You will be asked for a picture identification card to vote at the polling place. This can include a Louisiana driver’s license, a Louisiana Special 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 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. You must register in your new parish.

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. Out of state students are allowed to use their school address in Louisiana if they want to be a voter in this state. If they register to vote by mail, they may vote absentee by mail by including a copy of their fee bill or student identification card with their application to vote absentee by mail.

MILITARY SERVICE

Who can join the military (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 is an agency within the Executive Branch of the United States Government. It operates under the Military Selective Service Act. It was created to provide numbers of men needed by the Armed Forces, within the time required, should Congress and the President decide to return to a draft, in the event of a national emergency.

Who is required to register for the draft?
Every male citizen and male alien residing in the United States and its territories must register within 30 days after their 18th birthday.

How do I register?
There are several ways you can register for the draft:
- Register online at the Selective Service web site (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 would most likely only occur 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 are the steps to getting selected for jury duty?
Your name is taken from the voter registration list for the State of Louisiana, after which you 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 either as a grand juror or a petit juror. After you serve on a jury, it is unlikely that you will be called again for a period of two years.

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 served with a Show Cause Order. You will be required to show cause why you should not be held in contempt of the Jury Selection Act. If you are found in contempt, you may be charged a fine of $1000, imprisoned for up to three days, and/or ordered to perform community service.

Who will a judge excuse from jury service?
You may be excused from jury duty if you:
- Are related by blood or marriage to someone involved in the case or to one of the lawyers;
- Have a financial interest in the case;
- Have formed an opinion about how the case should be decided;
- Have a bias or prejudice which would prevent you from deciding the case impartially.

The judge may also excuse you if service on the jury would cause extreme inconvenience or undue hardship or if there are other special circumstances.

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. You should not wear shorts, T-shirts, 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.

## ALCOHOL AND OTHER DRUGS

**What is the current legal drinking age in Louisiana?**
Twenty-one.

**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 when you are not accompanied by a parent, guardian or spouse of legal drinking age;
- 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 up to $100 and/or sent to jail for up to six months. Your driver’s license may also be suspended for 180 days.

**What kinds of laws apply to other drug use?**
Louisiana has wide-ranging laws that limit the purchase, sale, possession, manufacturing and use of controlled substances. If you violate these laws you can face large fines, long jail or prison terms or both. If you are arrested and convicted of multiple violations for controlled substances, the penalties increase dramatically and can result in life in prison.

**What laws apply to drug paraphernalia?**
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 up to $5,000 and/or sentenced to jail or prison for up to five years.

**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 sell drugs to a student or in a “drug free zone,” or if you ask or convince a minor to sell drugs. Selling drugs to a minor at least three years younger than you doubles the possible penalties.
How do I get a driver’s license?
Drivers younger than age 18 must complete a 36-hour driver education course or a six-hour pre-licensing course that has been approved through the Department of Public Safety and Corrections. Drivers older than age 18 are not required to take driver’s education classes. All licenses are issued at your local Office of Motor Vehicles (OMV). Take two primary forms of identification, or one primary and two secondary forms; your birth certificate, Social Security card, and high school yearbook or a paystub will suffice. You will need to pay a license fee, which is generally $24.50; this is usually paid in cash. You must pass both a written test and a driving test. You must answer 80 percent of the questions on the written test correctly to pass. You must provide your own vehicle for your driving test, and the official conducting the evaluation will ask to see proof of insurance, your inspection sticker, license plates and registration. Once you pass, you will be issued a license, which you must renew every four years.

Do I need car insurance?
Yes, the State requires that you have in your car proof of liability insurance coverage at all times. Also, when you register your car you are required to show proof of liability insurance. 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 $10,000 in property damage or bodily injury, regardless of who is at fault.

Can I send text messages while I’m driving?
No. Under Louisiana law, you may not write, send, or read a text message while on a public road or highway. Limited exceptions are 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;
- Writing, reading or sending a text message while your vehicle is lawfully parked.

Texting while driving will result in a ticket of up to $175 for your first offense, and up to $500 for later offenses. The fines are doubled if you get involved in a traffic accident while texting.

Is there anything I should do before renting a property?
You should see the unit you rent, note its condition, report any need for repairs or cleaning, and be sure you want to rent the unit. 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. 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. Your landlord is obligated to maintain the rental premises in a habitable condition.

What is a lease?
A lease is a legal agreement between a landlord and tenant. It usually sets out the amount of rent that must be paid and the length of time the apartment or other property may be rented. It also states the rights and duties 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 or 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. 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.

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 he has not lived up to his duties to repair and maintain your apartment. There are provisions in Louisiana law 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?
It might be a good idea. 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 DVD player.

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.
What is a contract?
A contract is an agreement between two or more parties that creates, modifies or ends 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. If you think you have a possible claim or dispute, you should contact a lawyer to discuss it.

EMPLOYMENT

Do I have a “right” to my job?
No. Employment is a contract between the employer and the employee. Most of the contracts are verbal, but they can be in writing. An employment manual is usually not a contract.

What must an employer do before I am fired?
Louisiana is an “employment at will” state. This means that an employer can fire someone for no reason at any time unless there is a written contract (union contracts are written contracts) that offers other protections. An employer can fire someone for some fact – even if that fact is not true. It is permissible to fire an employee because they do not like the employee. However, an employer may not discriminate in terms of employment against any person based on race, gender, religion, citizenship, military status, marital status, sexual orientation, disability, arrest or conviction record (unless the charge is substantially related to the job) or any other classification protected by state or federal law.

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 prohibited.

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.

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.
- 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.
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 pitch promoters use is 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). An MLDS is a way of retailing in which products are sold by independent businessmen, 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. If a company seems questionable, contact authorities.

*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.
Should I use credit?
Credit cards offer convenience, but their main purpose should be to establish 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. The goal is for teens to learn to use credit cards as a tool, not as a crutch.

Does the 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?
Young people are more likely than older adults to charge up to their credit limit. But to get a top credit score, it’s best to hold your charges to 25% of your credit limit, or even less.

Why should I pay my bills on time?
Credit issuers watch how you handle your cards, and paying late is the worst black mark on your record and can lead to a poor credit score.

How does having poor credit affect me?
Blots on your credit record can cause negative effects on your ability to get a job, rent an apartment, buy a car or get a cell phone.

Should I pay my bill in full each month?
If you can, always pay more than the minimum. For example, if you pay $50 a month on a $2,000 balance at 18%, it will take more than five years to pay off the debt. Pay less than $30 a month and you’ll never be out of debt.

What is required for a valid marriage?
Generally, the contract of marriage requires the absence of legal impediment, a valid marriage license, an authorized official (generally a clergyman or judge), two competent adult witnesses, and the free consent of the parties to be husband and wife expressed at the ceremony.

What are the legal impediments to marriage?
• An existing marriage. Bigamy is not permitted.
• Persons of the same sex cannot marry each other.
• Incest; blood relatives cannot marry. Adopted relatives are treated like blood relatives. However, persons related by adoption may marry once they receive written approval by a judge.

When can someone obtain a divorce?
Generally, a divorce will be granted under the following conditions:
• If there are no minor children born during the marriage, the spouses must be separated for at least 180 days before being entitled to a divorce.
If minor children are born during the marriage, the spouses must be separated for at least 365 days before being entitled to a divorce. However, a divorce may be granted if the spouses live separate and apart continuously for 180 days and if (1) one spouse physically or sexually abused the spouse seeking the divorce or a child of the spouses or (2) a protective order is in effect against one spouse to protect either the spouse seeking the divorce or a child of one of the spouses from abuse.

- If adultery occurred.
- If the other spouse has committed a felony and has been sentenced to death or prison at hard labor.
- In accordance with the terms and conditions of a Covenant Marriage.

What is community property?
Generally, you own an undivided one-half interest in the community property with your spouse. Neither spouse can sell, mortgage or lease their half 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;
- Damages or loss of injury to a community property assets;
- All property acquired during the marriage not classified as separate property.

How is child support determined?
Using the Louisiana Child Support Guideline, child support will be based on the parents’ gross income. Both parents submit current pay stubs along with past tax returns for the last two years.

When does child support end?
Child support generally ends when the child reaches 18 or 19 years of age as long as the child remains enrolled in a secondary school or its equivalent. In some cases child support may continue until the child is 22-years-old. You should not stop paying your child support obligation without first checking with the Court who ordered the child support.

CRIMINAL CHARGES

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

When can I be charged as an adult if I am arrested for committing a crime?
You can be charged as an adult as early as the age of 15, depending on the crime.

What happens when I am arrested and what basic rights do I have?
Your basic rights are the right to remain silent, the right to phone calls, and your right to counsel. Police officers are NOT supposed to ask you any questions after you ask for a lawyer. 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.

What rights do I have if I cannot afford an attorney?
You have the right to have an attorney present, also called the “Right to Counsel.” If you cannot afford an attorney, the Court will appoint a public defender to represent you.
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 more than two years 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.

Is sexting a crime? If so, what are the penalties?
Yes. The penalties vary depending on the nature and severity of the crime and may require the offender to register as a sex offender. You may be charged for child pornography if you use sexting to send nude photographs or videos of a person under 17-years-old. You may be charged for solicitation of minors pornography if you are 17-years-old or older and begin sexting with a person who is more than two years younger, but older than 13.

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. 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 rapist will be required to register as a sex offender and can be sentenced to 5 to 40 years in prison.

Consumer Protection: www.ag.louisiana.gov
Driving: http://omv.dps.state.la.us/
Marriage, Divorce, Child Support, Children:
Thomson Bar/Bri Bar Review Courses 2007
Triche Handbook on Louisiana Family Law
Acadiana Legal Service Corporation Family Law Pamphlets