



Division/Section	Family Support
Chapter No./Name	9 – Child Support Enforcement (CSE)
Part No./Name	K – Enforcement of Support
Section No./Name	K-600 Court Related Enforcement
Document No./Name	K-690 Judicial Suspension of Licenses
Effective Date	October 15, 2022

I. STATEMENT OF POLICY

[LA R.S. 9:315.30](#) through [9:315.35](#) authorizes the courts to suspend licenses of individuals who are not in compliance with a court order of support or who are guilty of contempt of court for failure to comply with a subpoena or warrant relating to support or paternity proceedings. "Compliance with an order of support," as defined in [R.S. 9:315.31\(3\)](#), means the NCP is no more than ninety days in arrears in making payments in full for current support or in making periodic payments as set forth in a court order of support, and has obtained or maintained health insurance coverage if required by an order of support. A person is in subsequent compliance with a subpoena or court order when the court rescinds the order of contempt.

"License" under [R.S. 9:315.31\(5\)](#) means any license, certification, registration, permit, approval or any other similar document evidencing admission to or granting authority for any of the following:

- To engage in a profession, occupation, business, or industry.
- To operate a motor vehicle. The order may provide specific time periods for the suspension at the court's discretion.
- To participate in any sporting activity, including fishing and hunting.

The court shall, *** * on its own motion, or upon motion from the custodial party, or the department, ** issue an order of suspension of licenses of persons who are not in compliance with an order of support in, or ancillary to, either of the following actions:

- Action to make past-due child support executory.
- Contempt of court for failure to comply with an order of support.
- Criminal neglect of family proceedings.

The court shall give specific written and oral reasons *** as to the particular facts and circumstances that warrant a determination not to suspend a license or licenses. * The court shall not issue an order for a suspension of license, unless it finds that, an issued [CSE 415](#) for an immediate income withholding order for support did not result in the withholding or seizure of income, and the obligor has not otherwise made payment toward the obligation of child support. However, in non-IV-D cases the [CSE 415](#) will not be issued. **

NOTE: The federal government issues all licenses for airline pilots. Certification, permits and licenses for maritime operations (river boat/tugboat captains) are issued by the U.S. Coast Guard. State law for license revocation does not apply in these instances.



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Furthermore, the Supreme Court of Louisiana, which has authority over attorneys licensed to practice law, has adopted rules and regulations consistent with the provisions of this law. Upon receipt of a judgment or order indicating noncompliance with an order of support without just cause, the Supreme Court may declare the attorney ineligible to practice law.

II. PROCEDURES

K-691 CRITERIA FOR SUSPENSION ON IV-D CASES

Cases considered for referral to court to suspend licenses of persons who are not in compliance with an order of support must meet the following criteria:

- The NCP is more than six months in arrears, or is more than six months behind in making court ordered periodic payments, or has failed to provide court ordered medical support.
- The order is being enforced in Louisiana.
- Income assignment is not practical.

Cases should be considered for referral to court to suspend licenses of persons who are guilty of contempt of court for failure to comply with a subpoena or warrant relating to support or paternity proceedings when there is evidence of a willful or deliberate failure to comply with a subpoena or warrant. Personal service is required for hearings to suspend licenses in cases in which paternity has not been established.

The order of suspension must include the name, address, and social security number of the NCP. The order may also include a provision whereby the NCP is required to disclose to the court information concerning the type of licenses held.

K-692 ADVANCE NOTICE TO NCP

Before a case is referred for suspension of license(s), provide the NCP a 30-day advance notice. Send form *** CSE 450** by first class mail. If the NCP does not respond to the notice at the end of the 30-day period, the case may be scheduled for a hearing. If the NCP makes a substantial payment on the debt or makes satisfactory arrangements to comply with the court order, the proposed action may be suspended. However, if the NCP defaults on an agreement made with **CSE** to liquidate the arrears, another 30-day notice is not required.

K-693 SUSPENDING THE LICENSE(S)

Upon receipt of a court order for suspension of license(s), send form **CSE 451 **** and a certified copy of the order of suspension by first class mail to the agency, board, commission, or office which issued the license.



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Within 30 days of receipt of a certified order of suspension of license, the board/agency issuing the license is required to issue a notice of suspension, specifying the effective date of the suspension.

* Note: If an obligor's failure to appear or failure to comply with an order of support is due to incarceration as defined in [LA R.S. 9:311.1](#), the court shall not suspend the obligor's license.

K-694 SUBSEQUENT COMPLIANCE

Subsequent compliance with an order of support means:

- The NCP is up-to-date with current child support payments.
- All past-due support has been paid or if periodic payment for past-due support has been ordered by the court, the NCP is making such payments in accordance with the court order.
- The NCP has fulfilled any required health insurance provisions ordered.

If the NCP is in subsequent compliance, file an ex parte motion and order of compliance and form [CSE 453](#). Upon receipt of an order of subsequent compliance, send form [CSE 452](#) and a certified copy of the court order to the board/agency that revoked the license(s).

The law allows courts to issue an order of partial compliance when the NCP claims financial hardship will occur or has occurred as a result of the loss of his driver's license, if NCP has made a showing of good faith.

III. FORMS AND INSTRUCTIONS

CSE 415 [Form](#) / [Instructions](#) Income Withholding for Support

CSE 450 [Form](#) / [Instructions](#) Notice of Noncompliance with Child Support Order Intent to Suspend License

CSE 451 [Form](#) / [Instructions](#) Letter to Licensing Agency for Suspension of License

CSE 452 [Form](#) / [Instructions](#) Cover Letter to the Licensing Agency

CSE 453 [Form](#) / [Instructions](#) LSA R.S. 9:315.34 Certification of Subsequent Compliance

IV. REFERENCES

[LA R.S. 9:311.1](#) **