

## B-610 SUPPORT ORDERS ISSUED IN LOUISIANA

### A. POLICY STATEMENT

In Louisiana, the age of majority is eighteen years of age. Child support generally terminates when the child reaches age of eighteen, or becomes legally emancipated. Under LA Civil Code, emancipation may occur by one of the following methods:

- judicial emancipation, ([LA CC 366](#))
- emancipation by marriage, ([LA CC 367](#))
- limited emancipation by authentic act. ([LA CC 368](#))

When a court awards child support on a per child basis, the award for each child shall terminate automatically, without any action by the custodial or noncustodial parties, upon each child attaining the age of majority, or upon emancipation.

When there is an inglobo child support award for two or more children, the award shall terminate automatically, without any action by the custodial or noncustodial parties, when the youngest child for whose benefit the award was made attains the age of majority or is emancipated.

[LA R.S. 9:315.22](#) exceptions to child support ending are:

- Age of majority extensions;
  - Full-time student (18 years old) in good standing at a secondary school and is dependent on either parent;
  - Developmentally disabled child (up to age 22);
  - Child placed under continuing tutorship by the court;
- A court order terminating parental rights (terminates ongoing support before the child emancipates);
- Continuation of child support (as ordered by a court) for period suspended during incarceration (regardless of the child's emancipation).

The custodian must provide documentation prior to the timeframe identified below. If the custodian provides a court order that extends support after that timeframe, follow [C-1310](#) to obtain guidance for continuing the support.

**Note:** When DCFS is involved in terminating parental rights, the termination may not lead to an adoption. However, the parent is no longer obligated to financially support the minor child.

## 1. 18-YEAR OLD

[LA R.S. 9:315.22](#) provides for child support to continue to age nineteen for a child who attains the age of majority (or has been emancipated) if the child is unmarried, is dependent on either parent, **and** is a full-time student in good standing in a secondary school or its equivalent. Under this exception, child support may continue to age nineteen or until the child graduates, whichever occurs first.

## 2. DEVELOPMENTAL DISABILITY

In accordance with [LA R.S. 9:315.14](#), the court shall continue a child support order for any child who has a developmental disability. The order or judgment granting or continuing child support remains in effect until the child reaches age 22, as long as the child is a full-time student in a secondary school.

As defined in [LA R.S. 28:451.2](#), developmental disability means a severe chronic disability of a person that is attributable to an intellectual or physical impairment or combination of intellectual and physical impairments. This can result in substantial functional limitations in three or more areas of life activity and is not attributed solely to mental illness.

## 3. CONTINUING TUTORSHIP AND ADULT DISABLED CHILD

[LA R.S. 9:315.22.1](#) allows child support enforcement (CSE) to accept applications for a child placed under continuing tutorship. A court may place a child under continuing tutorship if the court determines the following:

- The child in question is incapable of self-support and requires substantial care and personal supervision because of an intellectual or physical disability; and
- The disability currently exists and manifested during the child's minority.

**Note:** The obligor has an indefinite duty to provide support beyond the child's 18<sup>th</sup> birthday because of the disability.

CSE will only continue services if the custodial parent (CP), the child, the child's tutor, or curator obtains a judgment continuing tutorship or extending support. The judgment can be obtained regardless of the child's age; however, to ensure the continuation of support, the judgment must be submitted to the Department of Children and Family Services (DCFS). Otherwise, the support obligation will terminate upon the child attaining the age of majority. DCFS will not file the action or obtain a judgment for the continuation of support.

When there is a judgment continuing tutorship, the child does not attain the age of majority and child support is continued until further order of the court. (Refer to [LA Civil Code Article](#)

[355](#)). Image the court order for continuing tutoring into the electronic imaging system and update the case in LASES (see [X-3410](#)).

**Note:** The court will also consider the eligibility of the child for public benefits and services; and the court may order the creation of a trust for the child, and place any support awarded in the trust.

## B. APPLICABILITY

This policy applies to CSE staff responsible for managing and updating child support cases in LASES when a child reaches the age of eighteen.

## C. DEFINITIONS

Refer to policy A-110 to review definitions.

## D. PROCEDURES

### 1. 18-YEAR OLD

The CP may request that child support continue when the child reaches the age of eighteen and is a full-time student in good standing in a secondary school or its equivalent. The CP must provide verification of school attendance for the eighteen-year-old.

LASES generates form [CSE 240](#) to the CP within six months of the child's emancipation to verify school attendance. The CP has until the child's graduation date or 19<sup>th</sup> birthday, whichever will occur first, to provide the completed CSE 240 for child support to continue. Upon receipt, staff should change the end-date of the court order and debt, in LASES, to correspond with the completed CSE 240. LASES will generate form [CSE 242](#) to provide notice to the NCP to continue paying child support.

LASES may close a case when the date of emancipation arrives. If the office receives the CSE 240 before the child's 19<sup>th</sup> birthday or the graduation date and CAS1 shows the status as CLS or PCL, update the case and extend the debt accordingly. However, if the office receives the CSE 240 from the CP after the child's **19<sup>th</sup> birthday** or the graduation has passed, the case does not meet the criteria in [LA R.S. 9:315.22](#) for child support to continue. **Do not extend the debt in LASES.**

### 2. DEVELOPMENTAL DISABILITY

To verify developmental disability, LASES generates form CSE 240 within six months of the child's emancipation date to the CP for verification of school attendance and to request a court order or judgment granting or continuing child support.

The CP has until the child's 18<sup>th</sup> birthday, to provide the completed [CSE 240](#) and a copy of the court order stating that child support is to continue. Upon receipt of the CSE 240 and the order, extend the debt in LASES to the date the child is expected to graduate or the date of the child's 19<sup>th</sup> birthday, whichever is earlier, or the date the child is expected to emancipate based on disability type. (See policy [X-3410](#)). LASES will generate form [CSE 242 Form](#) to provide notice to the NCP to continue paying child support.

LASES may close a case when the date of emancipation arrives. If the office receives the CSE 240 before the child's 19<sup>th</sup> birthday or the graduation date and CAS1 shows the status as CLS or PCL, update the case and extend the debt accordingly. However, if the office receives the CSE 240 from the CP after the child's **19<sup>th</sup> birthday** or the graduation has passed, the case does not meet the criteria in [LA R.S. 9:315.22](#) for child support to continue. **Do not extend the debt in LASES.**

### 3. CONTINUING TUTORSHIP AND ADULT DISABLED CHILD

The CSE 240 notifies the CP of the requirement to obtain a judgment of continuing tutorship and to attach a copy to the completed CSE 240. The CP, the child, or the child's tutor or curator can file for support regardless of the child's age. Upon receipt of the judgment, update LASES according to the instructions in policy [X-3410](#), with the date the disabled adult child is expected to emancipate. Once updated, LASES will generate the CSE 242 to provide notice to the NCP to continue paying child support.

While there is no age of majority for this type of support, if the judgment is not submitted to CSE before the child's 18<sup>th</sup> birthday, support enforcement services will terminate when the child reaches that age. If a support order for continuing tutorship was established, and the CP, the child, or the child's tutor or curator has submitted an application, CSE should accept the application and amend into the order using the [CSE 630](#).

## E. DISCIPLINARY ACTIONS

Failure to comply with this policy may result in disciplinary action, up to and including termination.

## F. FORMS AND AUTHORITIES

### **Forms**

CSE 240 [Form](#) / [Instructions](#) Request for Verification that Support be Continued  
CSE 242 [Form](#) / [Instructions](#) Notice to Continue Child Support for an 18 Year Old  
CSE 630 [Form](#) / [Instructions](#) Notice about Redirection of Support Payments

### **Authorities**

[Children’s Code, Article 366](#)

[Children’s Code, Article 367](#)

[Children’s Code, Article 368](#)

[LA R.S. 9:315.22](#)

[LA Civil Code Article 355](#)

[LA R.S. 9:315.14](#)

[LA R.S. 28:451.2](#)

### **G. REVISION HISTORY**

<b>Date</b>	<b>Action</b>
February 15, 2021	Revised
August 15, 2023	Revised
November 6, 2023	Revised
March 24, 2026	Revised

**System Location:** CSE – 9. Child Support Enforcement (CSE) – B. Program Overview – B-600 Termination of Support