	<b>Agency Name</b>	Office of Family Support (OFS)
	<b>Chapter No./Name</b>	09 – Support Enforcement Services (SES) Manual
	<b>Part No./Name</b>	K. Enforcement and Support
	<b>Section No./Name</b>	K-1200 Administrative Authority to Seizure Assets/Property
	<b>Document No./Name</b>	K-1240 Administrative Hearing for Seizure
	<b>Effective Date</b>	April 15, 2017

## I. STATEMENT OF POLICY

[LA R.S. 46:236.15 \(D\)\(1\)](#) states that the NCP has 30 days from receipt of the form CSE 158 to request an administrative hearing if he/she objects to the seizure.

## II. PROCEDURES

If a request for a hearing is not received timely (within 30 days), but is received prior to further actions being taken to seize, the analyst may waive any objection to the untimely receipt and accept the request for a hearing. No further action to seize assets/property may be taken until the administrative hearing process is complete or abandoned. Administrative hearings relative to seizure of assets/property are conducted by the Division of Administrative Law (DAL).


Upon receipt of a written request for an administrative hearing, immediately fax form [CSE 420](#) Cover Letter to Administrative Law Judge, fax number (225) 342-1812 so DAL can schedule the hearing. Mail the following documents to DAL at: Division of Administrative Law, Attn: Administrative Hearings Clerk, P.O. Box 44033, Baton Rouge, LA 70804-0433 no later than 15 days after receipt of the request for a hearing, unless the NCP withdraws the request and enters into a written agreement to pay current and past due support (see section K-1210):

- form CSE 420B (Motion to Offer Evidence);
- a copy of form [CSE 158](#);
- original proof of service of Notice to the NCP [CSE 154](#);
- a copy of the objection filed by the NCP with the office date stamp in the upper right-hand section of the document;
- copy of the objection filed by the secondary account holder (person with interest in the encumbered property), if applicable;
- a record of child support payments (FISU, CAPH, or case audit);
- any other documents or facts pertinent to the case; and
- a copy of the court order to pay support.

Copies of the above shall also be provided to the Attorney Supervisor of the region where the case is assigned. The Attorney Supervisor will assign the case to an attorney to represent the Agency. CSE legal will represent the FIDM unit in hearings scheduled by state office.

DAL will schedule the hearing and provide notice to the District Office and to the NCP. The attorney assigned to the case shall represent the Agency and present all relevant material. The notice will provide instructions for accessing the telephonic hearing.

The law provides that the sole issue at the administrative hearing shall be whether the NCP is in compliance with an order of support.

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If the administrative hearing authority rules that the NCP is not in compliance, the agency shall proceed with the seizure 30 days after the decision is certified by the clerk.

When a request is submitted to DAL for an administrative hearing, State Office should also be notified of this request. The following information is requested by State Office:

- CP Name;
- NCP Name;
- LASES case ID number; and
- Date of referral to DAL

Send the requested information to:

[DCFS-SES-ProgramSupport@la.gov](mailto:DCFS-SES-ProgramSupport@la.gov)

Or

Program Support - DAL  
 Child Support Enforcement Section  
 Attention: LaJoyce Taylor  
 P. O. Box 94065  
 Baton Rouge, LA 70804

A second notice must be submitted to State Office through Ms. Taylor, advising of the disposition of the referral, e.g. hearing date, rule, dismissal and/or withdrawal of request for hearing by NCP.

If the District Office is served with a notice and legal pleadings indicating the NCP has filed for a judicial review, send a copy of the notice or pleadings to State Office immediately for review and instructions concerning appropriate legal actions.

### III. FORMS AND INSTRUCTIONS

- [CSE 158/Instructions Notice of Freeze and/or Encumbrance of Assets](#)
- [CSE 420/Instructions Cover Letter to Administrative Law Judge \(CSE 420\)](#)
- [CSE 420B/Instructions Motion to Offer Evidence \(CSE 240B\)](#)
- [CSE 154/Instructions Notice of Arrearage](#)

### IV. REFERENCES

[LA R.S. 46:236.15 \(D\)\(1\)](#)