

## WHO IS ELIGIBLE FOR FREE LEGAL HELP?

Legal Aid of North Louisiana is a private, non-profit law firm. It provides free legal assistance in civil cases to persons living at or below the poverty level.

Grants from the Legal Services Corporation and Louisiana Bar Foundation allow our staff to serve residents of the parishes of Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Grant, Jackson, LaSalle, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Red River, Richland, Sabine, Tensas, Union, Webster, West Carroll, and Winn.

Eligibility for our services is based on an applicant's income, age, financial resources, the merits of the case, and availability of resources to address the person's needs.

The answers to many of your legal questions, informational videos, and forms you might use to help with your legal issue, may be found on the internet at:

[www.louisianalawhelp.org](http://www.louisianalawhelp.org)  
[www.la.freelegalanswers.org](http://www.la.freelegalanswers.org)  
[www.la-law.org/get-help](http://www.la-law.org/get-help)

## WHAT TYPES OF CASES ARE HANDLED BY LEGAL AID OF NORTH LOUISIANA?

### AREAS WE PRIORITIZE:

- *Preservation/Maintenance of the Family*
- *Preservation of the Home*
- *Maintenance of Economic Stability*
- *Preservation of Individual Rights*
- *Maintenance of Safety and Health*
- *Provision for Devolution of Property*
- *Enhancement of Community Development*

**Legal Aid of North Louisiana has four practice groups which focus on different kinds of legal issues:**

**Administrative** - Social Security, TANF, Supplemental Security Income (SSI), SNAP, Medicaid, Medicare, Veterans Benefits

**Child In Need of Care (CINC)** - Children in cases of alleged abuse or neglect, Parental Rights Termination

**Family Law** - Divorce, Child Custody, Child Support, Visitation, Domestic Violence

**Litigation** - Bankruptcy, Civil Rights, Contracts, Education, Employment, Loans, Evictions, Housing, Licenses, Wills & Successions

**We do not handle criminal cases or those in which the case itself will generate a fee to pay the client's attorney.**



## Legal Aid of North Louisiana

## GENERAL INFORMATION

**L**egal Aid of North Louisiana is a private, non-profit law firm providing free legal assistance in civil matters for persons who are unable to afford legal representation and whose household income is at or below the federal poverty level. We are funded by the Legal Services Corporation, the Louisiana State Bar Foundation, and a number of other grants and contracts.

We are a law firm devoted to providing access to justice to those unable to afford it. Our attorneys, paralegals, and support staff are dedicated to helping our clients resolve their legal problems in an efficient and courteous manner.

In addition to direct legal help, we provide community workshops, seminars, speakers, and other information to the communities we serve.



## HOW DO YOU APPLY FOR LEGAL SERVICES?

The fastest and easiest way to apply for our help is to call our nearest office. That may save you the time and expense of an unnecessary trip. Our offices are open Monday-Friday from 8:30 to 5:00. All applications are screened for eligibility using guidelines set by our funders.

Reasonable accommodations are made for applicants who are hearing impaired or disabled. Assistance is also available for persons with limited English proficiency.

Because we get many more requests for help than our funding will cover, we are not able to help everyone. The number of applications we can take each day depends on the levels of our current staffing, and our obligations to existing clients. You may have to call on more than one day before we will be able to take your application.

We represent low-income residents in forty-two parishes through seven offices located in Alexandria, Franklin, Lafayette, Lake Charles, Monroe, Natchitoches and Shreveport.

## LEGAL AID OF NORTH LOUISIANA

We maintain offices in the following North Louisiana locations, serving the listed parishes. You should contact our nearest office, even if it isn't in the parish you live in.

### **Bienville, Bossier, Caddo, Claiborne, and Webster parishes:**

720 Travis Street  
Shreveport, Louisiana 71101  
Phone: (318) 222-7186  
or (800) 826-9265

### **Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, and West Carroll parishes:**

3016 Cameron Street  
Monroe, Louisiana 71201  
Phone: (318) 699-0889  
or (800) 259-6591

### **Catahoula, Concordia, DeSoto, Grant, LaSalle, Natchitoches, Red River, Sabine, and Winn parishes:**

134 St. Denis Street  
Natchitoches, Louisiana 71457  
Phone: (318) 352-7220  
or (800) 960-9109



## Louisiana Wills and Successions

The following is general information concerning your property and what happens to it upon your death.

### **Property is either separate or community.**

Separate Property: This is property that is inherited, “heir property.” It is also property that you had before you married, or property acquired with funds designated as separate from the community estate.

Community Property: This is property earned or acquired during the marriage. The property is classified at the time of acquisition and the manner in which it was acquired.

### **If you choose not to write a will, who inherits?**

**Descendants** (children or grandchildren) and your surviving spouse. The surviving spouse will have a legal **usufruct**, which is the use and enjoyment of your share of the community property inherited by the descendants. That use terminates at the death or upon the remarriage of the surviving spouse. If you die with no descendants or a surviving spouse, Louisiana law provides for others who are still living to inherit, in this order: your siblings, then your parents.

### **Can I write my own will?**

There are two forms of wills recognized in Louisiana, handwritten (called olographic wills) or notarial wills. Each has its own requirements to be valid and enforceable by the courts. An olographic will must be **entirely** written, dated, and signed in the handwriting of the person writing the will. The court will then try to enforce what you’ve written, provided it is legal to do so. You can be sure if what you are trying to do in your will is legal by talking with an attorney. A notarial will is one which is in writing and executed in front of a notary public, following certain rules for the language in the will and how it is signed.

### **With a will, who inherits?**

Louisiana still has **forced heirship**; that is, children under the age of 23 or children who are physically or mentally handicapped are considered “forced heirs.” If you have forced heirs, you are **required by law** to leave a portion of your estate to those forced heirs.

If you have no forced heirs, you may leave your possession to anyone you choose through your last will and testament. Your will controls the division of your estate.

You may be interested to know that Louisiana allows, through the giving of a usufruct in a will, the naked ownership of property to be given to one person while the use or enjoyment of that property can be given to another. It may be given to several persons in divided or undivided shares as well.

### **Can I keep someone from inheriting from me?**

Yes, you can leave someone out of your will or even disinherit someone who would be a forced heir, but there are limits on that freedom, so you should seek the advice of an attorney if you have the need to try to do this.

### **What is a privileged debt?**

The law requires that the following debts of the deceased be paid. If they are not paid, the creditors have a privilege or lien on the movables of the estate. The debts that are privileged on all movables in general are the following and are paid in the following order:

1. Funeral expenses
2. Legal expenses
3. Any expenses caused by the deceased person's last illness.

### **What about bank accounts and employers?**

With respect to bank accounts and employers, the following laws may apply. Please consult with your bank or attorney before making a withdrawal.

Any bank, credit union or other depository may pay to the surviving spouse of a depositor up to \$10,000 out of the deposits of the deceased without any court proceedings. The surviving spouse must give the paying bank an affidavit that the total funds withdrawn do not exceed the \$10,000 limit.

Any employer may pay to the surviving spouse of a deceased employee any wages, sick leave, annual leave or other benefits due the deceased employee up to \$6,000 as long as neither spouse has filed suit for divorce. If the deceased employee leaves no surviving spouse, or if either spouse has filed suit for divorce, the employer may pay the last wages and other benefits to any adult child of the deceased employee. These payments can be made without any court proceedings.

### **Will someone need to go to court after I die to get my belongings?**

The legal process of determining who are a person's legal heirs, if the person left a will, if that will is valid, and who is entitled to the ownership of their belongings is called a **succession**. There is a procedure for small successions which consists of filing some simple paperwork and avoiding any court proceedings. For larger estates, it is necessary to file additional documents, like a sworn list of the belongings the person's owned, a list of their children, etc. An attorney can advise you about what documents, if any, are needed to settle the estate.

### **Getting Legal Help**

If you feel you cannot afford an attorney, free legal assistance may be available by contacting: Acadiana Legal Service Corporation at (318) 222-7186 or by visiting [www.la-law.org](http://www.la-law.org) for more information or to find out if you qualify.

