
The original instrument was prepared by Jerry J. Guillot. The following digest, which does not constitute a part of the legislative instrument, was prepared by Tim Prather.

SCR 39 Engrossed DIGEST Johns
2018 Regular Session

Creates the Child Protection Act Advisory Commission to conduct a broad study of the effectiveness of the Child Protection Act ("the Act"), make recommendations for systemic improvements and legislative changes to ensure the protection of the children of the state from abuse and neglect while being able to be maintained in a safe placement that is in their best interest.

Provides that the commission shall be composed of the following members:

- (1) A representative from the office of the governor designated by the governor.
- (2) The assistant secretary of Child Welfare of the DCFS, or his designee.
- (3) The deputy general counsel of Child Welfare for the DCFS, or his designee.
- (4) The La. State Superintendent of Education, or his designee.
- (5) The secretary of the DPS&C, or his designee.
- (6) The deputy secretary of the office of juvenile justice, or his designee.
- (7) Two representatives appointed by the La. District Attorneys Association. One representative should have knowledge of the criminal justice system, and the other representative should have knowledge of child in need of care or termination proceedings.
- (8) A representative from the Louisiana law enforcement community appointed by the governor.
- (9) A representative from the La. Sheriffs' Association appointed by its board.
- (10) A representative from the La. Public Defender Board who has knowledge of the criminal justice system appointed by the board.
- (11) A representative from the La. Public Defender Board who has represented the interests of parents in child in need of care or termination proceedings appointed by the board.
- (12) The president of the La. Council of Juvenile and Family Court Judges, or his designee.
- (13) The president of the La. District Judges Association, or his designee.
- (14) A mental health professional, who has expertise in the evaluating and/or determining

placement options in abuse or neglect cases, appointed by the governor.

- (15) A member of a citizens group, such as a relative, who participates in child protection programs, appointed by the governor.
- (16) The executive director of the Court Appointed Special Advocates Association, or his designee.
- (17) An attorney who has represented the interests of children in child in need of care or termination proceedings, appointed by the board of trustees of the Child Advocacy Program.

Provides that designees or representatives shall be appointed on a permanent basis, and should be familiar with the intricacies of the child protection system and have the necessary qualifications to review the complex issues presented by the Act.

Requires that the commission study and make recommendations, at a minimum, on the following issues:

- (1) The Act, as a whole including but not limited to the enumerated crimes, prohibitions on individuals with certain convictions, and impact on placements for foster children, to ensure safe placement options for children in state's custody.
- (2) Methods or framework by which the Act can work more effectively and efficiently to provide protection with minimum trauma to the child who has been abused or neglected and requires out of home placement.
- (3) Methods or framework by which the Act can ensure the development and use of expertise in making placement decisions for children.
- (4) Methods or framework by which the Act can ensure that children are protected and that all their needs are addressed appropriately.

Requires that the DCFS provide the necessary support and staff for the commission to be able to conduct the study required and make the report mandated by this Resolution.

Requires that the DCFS assistant secretary of child welfare communicate with all other members and call the first meeting of the commission.

Requires that the commission organize itself, elect officers, adopt rules of procedure, adopt a work schedule, and take whatever additional steps that the commission determines will contribute to conducting the study and making a timely report as required by this Resolution.

Requires that the members of the commission be bound by the confidentiality restrictions set forth in R.S. 46:56, and sign a confidentiality agreement.

Requires that the commission make a report of its findings and its recommendations to the senate and house committees on health and welfare.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill

1. Adds two representatives appointed by the La. District Attorneys Association and the specific criteria for each appointment.
2. Specifies that the president of the La. Council of Juvenile and Family Court Judges, or his designee shall be a member of the commission.