

2018 Regular Session

HOUSE BILL NO. 466

BY REPRESENTATIVE GISCLAIR

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

AN ACT

To amend and reenact Children's Code Articles 424.2, 424.4(B), and 616(C), (D), and (F), relative to court appointed special advocates; to provide authority to access the child's home; to provide relative to the attendance of certain hearings and meetings; to provide for screenings of CASA volunteers, staff members, and board of director members; to provide for contingent effective dates; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Articles 424.2 and 424.4(B) are hereby amended and reenacted to read as follows:

Art. 424.2. CASA; order of assignment

To accomplish the assignment of a CASA volunteer, the court shall issue an order of assignment which shall grant the CASA volunteer the authority to review all relevant documents pursuant to Article 424.6 and to interview all parties and witnesses involved in the proceeding in which he is appointed. The court may also grant the CASA volunteer access to the home in which the child is placed.

\* \* \*

Art. 424.4. CASA; notice

\* \* \*

B. The CASA volunteer shall be notified by the department and shall be entitled to attend all ~~of all~~ administrative review hearings and family team meetings concerning the case to which he has been assigned; unless the parent objects.

1 Section 2. Children's Code Article 616(C) is hereby amended and reenacted to read  
2 as follows:

3 Art. 616. Central registry; screening court-appointed special advocates volunteers,  
4 staff, and board members; confidentiality

5 \* \* \*

6 C. Upon the written request of the court during its evaluation of an  
7 ~~individual applying to work as a court-appointed special advocate~~ any of the  
8 following individuals who will have contact with children served by the court-  
9 appointed special advocate program, and with the consent of the ~~applicant~~ individual,  
10 the department shall search the central registry and report to the court any justified  
11 report of abuse or neglect alleging that the ~~applicant~~ individual is a perpetrator.:

12 (1) An individual applying to work as a court-appointed special advocate.

13 (2) A CASA staff member.

14 (3) A member of the CASA board of directors.

15 \* \* \*

16 Section 3. Children's Code Article 616(C), (D), and (F) are hereby amended and  
17 reenacted as follows:

18 Art. 616. State repository; central registry; screening court-appointed special  
19 advocates volunteers, staff, and board members; confidentiality

20 \* \* \*

21 C. Except as provided in this Article or R.S. 46:56, all records of reports of  
22 child abuse or neglect are confidential. The department shall promulgate rules  
23 regarding the maintenance, deletion, and release of information in the state  
24 repository and central registry.

25 D. Upon the written request of the court during its evaluation of an  
26 ~~individual applying to work as a court-appointed special advocate~~ any of the  
27 following individuals who will have contact with children served by the court-  
28 appointed special advocate program, and with the consent of the ~~applicant~~ individual,  
29 the department shall search the central registry and report to the court any justified  
30 report of abuse or neglect alleging that the ~~applicant~~ individual is a perpetrator.:

1                   (1) An individual applying to work as a court-appointed special advocate.

2                   (2) A CASA staff member.

3                   (3) A member of the CASA board of directors.

4   \*           \*           \*

5                   F. Information from investigations of reports that are inconclusive may be  
6 disclosed, with the applicant's written consent, for the limited purposes of evaluating  
7 the applicant to be a ~~CASA volunteer~~, a foster parent, an adoptive parent, or  
8 caregiver pursuant to R.S. 46:56(F)(11).

9   \*           \*           \*

10                  Section 4. The provisions of Section 3 of this Act shall become effective upon  
11 adoption and publication by the Department of Children and Family Services of the final  
12 rules to implement the provisions of this Act and Act No. 348 of the 2017 Regular Session  
13 of the Legislature.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_