
DIGEST

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HB 358 Original

2020 Regular Session

Pressly

Abstract: Requires the Department of Children and Family Services (DCFS) to be named as an indispensable party in actions involving paternity and requires certification of the receipt of support enforcement services in certain actions.

Present law requires DCFS to be named as an indispensable party to any proceeding involving a support obligation or arrearages owed as part of the family or child support program.

Proposed law requires that only when providing support enforcement services, DCFS is to be named as an indispensable party to any paternity proceedings or proceeding involving a support obligation or arrearages owed under any circumstance.

Proposed law requires that in any action, pleading, or written stipulation in certain proceedings relative to paternity or a support obligation, a party shall certify in the initial pleading whether support enforcement services are being provided by DCFS on behalf of the child involved.

Proposed law provides that if support enforcement services are being provided, the party shall serve a copy of the pleading or stipulation on DCFS.

Proposed law provides that if, during the pendency of the action, a child becomes the recipient of support enforcement services, both parties shall notify the court and the court shall provide DCFS with a copy of any hearing notice pertaining to a pending proceeding.

Proposed law provides that if notice is not given, DCFS shall not be bound by any decision, judgment, or stipulation rendered in the action.

Effective Jan. 1, 2021.

(Amends R.S. 46:236.1.9(C))