

GREEN SHEET REDIGEST

HB 125

2021 Regular Session

Mike Johnson

CHILDREN/SUPPORT: Provides relative to the role of the Department of Children and Family Services as an indispensable party in certain domestic matters

DIGEST

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 when providing support enforcement services, DCFS is to be named as an indispensable party to any paternity proceedings or proceedings 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.

Proposed law defines "support enforcement services" as any action taken by the DCFS when an application or referral for services is requested under the Uniform Interstate Family Support Act and in accordance with corresponding federal and state law, regardless of whether there is any existing court order, delinquency, or presumption of paternity.

Effective Jan. 1, 2022.

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

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the engrossed bill

1. Defines "support enforcement services".