

## HOUSE SUMMARY OF SENATE AMENDMENTS

**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

### Synopsis of Senate Amendments

1. Adds a definition of "support enforcement services".
2. Specifies that DCFS shall be an indispensable party when providing support enforcement services.
3. Requires that the plaintiff, rather than the court, provide DCFS with a copy of the hearing notice.
4. Requires any party who knows, or should know, that a child is receiving support enforcement services during the pendency of an action to notify the court that DCFS is providing such services.
5. Makes technical changes.

### Digest of Bill as Finally Passed by Senate

Present law requires the Department of Children and Family Services (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 in any proceeding concerning paternity, a support obligation, or arrearages owed, DCFS shall be an indispensable party when providing support enforcement services on behalf of a child involved in the proceeding.

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 any party who knows or should know that a child is receiving support enforcement services during the pendency of an action shall notify the court and the plaintiff 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 DCFS upon receipt of an application or referral for services or request under the Uniform Interstate Family Support Act, 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))