
DIGEST

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HB 722 Original

2024 Regular Session

Thomas

Abstract: Provides for the modification of child custody.

Proposed law (C.C. Art. 138) codifies the jurisprudential standards for the modification of custody set forth in *Bergeron v. Bergeron*, 492 So. 2d 1193, 1200 (La. 1986).

Proposed law provides for modification upon a change of circumstances that materially affects the welfare of the child, when the parties consented to the award of custody, if modification is in the best interest of the child.

Proposed law provides for modification in the best interest of the child, when the award of custody was by considered decree and based on evidence presented at a hearing or trial, when either the present custody award is harmful to the child or the harm likely to be caused by a change in custody is outweighed by the advantages.

Proposed law authorizes the parties to agree in writing to the standards provided in proposed law or to lesser standards.

(Adds C.C. Art. 138)