
DIGEST

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HB 787 Original

2024 Regular Session

Egan

Abstract: Provides for the applicability of evidence in child custody cases.

Proposed law provides that C.E. Art. 1101(A) governs the admissibility of all evidence in child custody cases when the court is adjudicating allegations of a parent not acting in the best interest of the child.

Proposed law provides that the Children's Code shall govern cases in courts exercising juvenile jurisdiction pursuant to Ch.C. Arts. 302 through 313.

Proposed law provides that a minor child's testimony shall be governed by the provisions of the Code of Evidence when the minor child has been subject to conduct detrimental to the child.

Proposed law (R.S. 9:330(C)) establishes evidentiary standards for mental health evaluations in child custody cases.

Proposed law provides that the absence of an arrest or criminal prosecution or any child protection agency determinations made under Ch.C. Art. 615 shall not be admissible as evidence that any alleged parental misconduct occurred.

Proposed law provides that in courts not exercising juvenile jurisdiction, a DCFS employee shall not be subpoenaed or compelled to testify in any child custody case concerning the involvement of the employee in any investigation.

Proposed law provides that if the provisions of Ch.C. Art. 327 are satisfied, a video recording made pursuant to Ch.C. Art. 326 shall be admissible in any child custody proceeding.

Proposed law provides that a statement for the purpose of medical treatment shall not be excluded by the court because the health care professional failed to investigate the accuracy of the child's statements.

(Adds R.S. 9:330)