
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Broome

SB No. 73

Proposed law creates the Uniform International Child Abduction Prevention Act.

Proposed law provides that a petition under the Uniform International Child Abduction Prevention Act may be filed only in a court that has jurisdiction to make a custody determination with respect to the child in accordance with the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA).

Proposed law requires cooperation and communication among courts in proceedings under the Uniform International Child Abduction Prevention Act.

Proposed law provides a list of factors the court shall consider in determining the risk of abduction.

Proposed law provides the requirements for pleadings and authorizes courts to impose certain abduction prevention measures and remedies.

Proposed law authorizes the court to issue an ex parte warrant to take physical custody of the child after determining there is a credible risk that the child is imminently likely to be abducted.

Proposed law provides that an abduction prevention order remains in effect until the earliest of the time stated in the order, the emancipation of the child, the child attains 18 years of age, or the time the order is modified, revoked, vacated or superceded by a competent court in accordance with the UCCJEA.

Effective August 15, 2007.

(Adds R.S. 13:1851-1862)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Civil Law and Procedure to the reengrossed bill.

1. Deletes references to the UCCJA and provided other technical amendments.
2. Provides for application to potential international abductions only.
3. Requires the court of consider all of the factors in determining if there is a risk of abduction.