HLS 13RS-465 ORIGINAL

Regular Session, 2013

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HOUSE CONCURRENT RESOLUTION NO. 66

BY REPRESENTATIVE SCHRODER

CHILDREN: Continues the Task Force on Legal Representation in Child Protection Cases

A CONCURRENT RESOLUTION

2	To continue and provide with respect to the Task Force on Legal Representation in Child
3	Protection Cases created in the 2003 Regular Session of the Legislature of Louisiana
4	pursuant to House Concurrent Resolution No. 44 and continued pursuant to House
5	Concurrent Resolution No. 59 of the 2004 Regular Session of the Legislature, House
6	Concurrent Resolution No. 105 of the 2005 Regular Session of the Legislature,
7	House Concurrent Resolution No. 137 of the 2007 Regular Session of the
8	Legislature, and House Concurrent Resolution No. 5 of the 2012 Regular Session of
9	the Legislature.
10	WHEREAS, it is the duty of any responsible society to protect children from abuse
11	and neglect when possible and to ensure a sound process for decisions relative to care and
12	living arrangements of abused and neglected children; and
13	WHEREAS, provision of counsel for abused and neglected children and their parents
14	is an essential due process procedure mandated by law to ensure a sound and fair decision
15	process relative to safety, permanency, and well-being of those children; and
16	WHEREAS, the Task Force on Legal Representation in Child Protection Cases was
17	originally created in the 2003 Regular Session of the Legislature of Louisiana pursuant to
18	House Concurrent Resolution No. 44 to study systemic issues and concerns related to the
19	provision of legal representation for abused and neglected children and indigent parents in
20	child protection cases and to make recommendations on how those services may be more
21	effectively and efficiently provided and funded; and

1	WHEREAS, the work of the task force was continued by the Legislature of Louisiana
2	through house concurrent resolutions in the 2004, 2005, 2007, and 2012 Regular Sessions
3	of the Legislature; and
4	WHEREAS, the provisions of Act Nos. 301, 321, and 664 of the 2004 Regular
5	Session of the Legislature and Act No. 271 of the 2006 Regular Session of the Legislature
6	were drafted from recommendations developed by the task force; and
7	WHEREAS, the task force has met frequently since its inception, bringing together
8	key stakeholders in the child protection system who have contributed greatly to its work,
9	helping shape and realize the vision of a more effective and efficient system of providing
10	legal representation in child protection cases; and
11	WHEREAS, the implementation of recommendations issued to date by this task force
12	has constructed a uniform statewide system of legal representation in child protection cases
13	which emphasizes quality representation provided in an efficient manner.
14	THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
15	continue the Task Force on Legal Representation in Child Protection Cases through final
16	adjournment of the 2014 Regular Session of the Legislature of Louisiana in order to
17	formalize and institutionalize an effective and efficient uniform system of representation in
18	child protection cases.
19	BE IT FURTHER RESOLVED that the membership of the task force shall continue
20	as provided in House Concurrent Resolution No. 5 of the 2012 Regular Session of the
21	Legislature.
22	BE IT FURTHER RESOLVED that the task force shall perform the following tasks:
23	(1) Analyze the structure and functioning of children's representation, including
24	funding, management, and quality assurance, and the efficacy of centralization.
25	(2) Analyze the structure and functioning of parent representation, including
26	funding, management, and quality assurance.
27	(3) Consider potential changes to existing law, policy, procedure, data collection,
28	and reporting prompted by such analysis.
29	(4) Refer prospective amendments to law to the Children's Code Committee of the
30	Louisiana State Law Institute.

- 1 (5) Make recommendations to ensure the permanence of a uniform statewide system 2 of legal representation in child protection cases.
- BE IT FURTHER RESOLVED that the task force shall make its final report to the
- 4 House Committee on Civil Law and Procedure and the Senate Committee on Judiciary A
- 5 prior to the convening of the 2014 Regular Session of the Legislature of Louisiana.
- 6 BE IT FURTHER RESOLVED that the final implementation phase of the task force
- 7 shall be chaired by a member of the Louisiana Legislature.
- 8 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
- 9 secretary of the Department of Children and Family Services, the chief justice of the
- 10 Louisiana Supreme Court, and the president of the Louisiana State Bar Association.

## **DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Schroder HCR No. 66

Continues the Task Force on Legal Representation in Child Protection Cases through final adjournment of the 2014 R.S. Provides that the purpose of the task force is to formalize and institutionalize an effective and efficient system of representation in child protection cases.