

Regular Session, 2013

HOUSE CONCURRENT RESOLUTION NO. 66

BY REPRESENTATIVE SCHRODER

A CONCURRENT RESOLUTION

To continue and provide with respect to the Task Force on Legal Representation in Child Protection Cases created in the 2003 Regular Session of the Legislature of Louisiana pursuant to House Concurrent Resolution No. 44 and continued pursuant to House Concurrent Resolution No. 59 of the 2004 Regular Session of the Legislature, House Concurrent Resolution No. 105 of the 2005 Regular Session of the Legislature, House Concurrent Resolution No. 137 of the 2007 Regular Session of the Legislature, and House Concurrent Resolution No. 5 of the 2012 Regular Session of the Legislature.

WHEREAS, it is the duty of any responsible society to protect children from abuse and neglect when possible and to ensure a sound process for decisions relative to care and living arrangements of abused and neglected children; and

WHEREAS, provision of counsel for abused and neglected children and their parents is an essential due process procedure mandated by law to ensure a sound and fair decision process relative to safety, permanency, and well-being of those children; and

WHEREAS, the Task Force on Legal Representation in Child Protection Cases was originally created in the 2003 Regular Session of the Legislature of Louisiana pursuant to House Concurrent Resolution No. 44 to study systemic issues and concerns related to the provision of legal representation for abused and neglected children and indigent parents in child protection cases and to make recommendations on how those services may be more effectively and efficiently provided and funded; and

WHEREAS, the work of the task force was continued by the Legislature of Louisiana through house concurrent resolutions in the 2004, 2005, 2007, and 2012 Regular Sessions of the Legislature; and

WHEREAS, the provisions of Act Nos. 301, 321, and 664 of the 2004 Regular Session of the Legislature and Act No. 271 of the 2006 Regular Session of the Legislature were drafted from recommendations developed by the task force; and

WHEREAS, the task force has met frequently since its inception, bringing together key stakeholders in the child protection system who have contributed greatly to its work, helping shape and realize the vision of a more effective and efficient system of providing legal representation in child protection cases; and

WHEREAS, the implementation of recommendations issued to date by this task force has constructed a uniform statewide system of legal representation in child protection cases which emphasizes quality representation provided in an efficient manner.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby continue the Task Force on Legal Representation in Child Protection Cases through final adjournment of the 2014 Regular Session of the Legislature of Louisiana in order to formalize and institutionalize an effective and efficient uniform system of representation in child protection cases.

BE IT FURTHER RESOLVED that the membership of the task force shall continue as provided in House Concurrent Resolution No. 5 of the 2012 Regular Session of the Legislature.

BE IT FURTHER RESOLVED that the task force shall perform the following tasks:

(1) Analyze the structure and functioning of children's representation, including funding, management, and quality assurance, and the efficacy of centralization.

(2) Analyze the structure and functioning of parent representation, including funding, management, and quality assurance.

(3) Consider potential changes to existing law, policy, procedure, data collection, and reporting prompted by such analysis.

(4) Refer prospective amendments to law to the Children's Code Committee of the Louisiana State Law Institute.

(5) Make recommendations to ensure the permanence of a uniform statewide system of legal representation in child protection cases.

BE IT FURTHER RESOLVED that the task force shall make its final report to the House Committee on Civil Law and Procedure and the Senate Committee on Judiciary A prior to the convening of the 2014 Regular Session of the Legislature of Louisiana.

BE IT FURTHER RESOLVED that the final implementation phase of the task force shall be chaired by a member of the Louisiana Legislature.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Department of Children and Family Services, the chief justice of the Louisiana Supreme Court, and the president of the Louisiana State Bar Association.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE