

Regular Session, 2014

HOUSE BILL NO. 357

BY REPRESENTATIVE GREENE

CHILDREN/CUSTODY: Provides relative to ex parte orders of temporary child custody

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 3945(F), relative to incidental orders
3 of temporary child custody; to provide for allocation of the minor child's time
4 between parents when an ex parte order is denied; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Civil Procedure Article 3945(F) is hereby amended and enacted
7 to read as follows:

8 Art. 3945. Incidental order of temporary child custody; injunctive relief; exceptions

9 * * *

10 F. In the event an ex parte order of temporary custody is denied, the court
11 shall specifically allocate between the parents the time which the child shall spend
12 with each parent at the hearing on the rule to show cause set pursuant to Paragraph
13 D of this Article, unless immediate and irreparable injury will result to the child.

14 * * *

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)]

Greene

HB No. 357

Abstract: Provides for allocation of the minor child's time between parents at the hearing on the rule to show cause why the respondent should not be awarded the custody, joint custody, or visitation of the child following the denial of an ex parte order of temporary custody.

Present law provides procedures for ex parte orders of temporary custody of a minor child and requires the court to allocate time between the parents when an ex parte order is denied.

Proposed law retains present law and clarifies that the allocation of time occurs at the hearing on the rule to show cause why the respondent should not be awarded the custody, joint custody, or visitation of the child.

(Amends C.C.P. Art. 3945(F))