

RÉSUMÉ DIGEST

ACT 239 (SB 81)

2017 Regular Session

Bishop

New law, regarding curatorship proceedings, defines "diligent effort to locate" to be efforts by the curator, under circumstances known to the curator, that are reasonably calculated to locate the absentee. Provides that these efforts may include review of court records, department records, law enforcement records, vital records, military records, directory assistance, internet search sites, and licensing agencies. Provides that publication is not required unless specifically provided in the Children's Code.

Prior law (Ch.C. Art. 405) provided for payment of curator fees from the parish or other funds available to the court.

New law delineates responsibility for payment of curator expenses and fees depending upon whether the petitioner is the state or a private party.

New law, relative to procedures for unidentified parents, provides that it is not necessary to appoint a curator ad hoc for an unidentified father, including when no party to the proceedings or the mother, if not a party, is unable to identify the putative father.

New law further provides grounds and procedures relative to termination of parental rights, right to counsel and service, and prehearing and scheduling conferences.

Effective August 1, 2017.

(Amends Ch.C. Arts. 405(A) and (B), 1016(A), and 1025.4(A)(2); adds Ch.C. Arts. 116(4.1), 643(C), 1004(D)(6), 1015(10), and 1023(C))