## 2018 Regular Session

#### HOUSE CONCURRENT RESOLUTION NO. 21

#### BY REPRESENTATIVE GAROFALO

# CHILDREN/SUPPORT: Requests the Department of Children and Family Services to study the expedited process fee paid by child support obligors

1	A CONCURRENT RESOLUTION
2	To urge and request the Department of Children and Family Services to study the
3	assessment, collection, and use of the expedited process fee provided for in R.S.
4	46:236.5 and to submit a report of its findings and recommendations to the
5	legislature no later than February 1, 2019.
6	WHEREAS, the Department of Children and Family Services is responsible for
7	providing support enforcement services in accordance with R.S. 46:236.1.1 et seq.; and
8	WHEREAS, R.S. 46:236.5 requires the courts of this state to provide an expedited
9	process for establishment of paternity and establishment or enforcement of child support;
10	and
11	WHEREAS, courts that provide an expedited process also handle other domestic and
12	family related matters; and
13	WHEREAS, R.S. 46:236.5(B)(1) allows courts to assess a fee of not more than five
14	percent of all existing and future support obligations to fund the administrative costs of a
15	system for expedited process and provides that the fee may be assessed and collected by the
16	court against existing and future arrearages as well as ongoing support payments, whether
17	or not an arrearage exists; and
18	WHEREAS, the fee is only assessed against child support obligors and does not
19	reduce the amount of child support owed the obligee.
20	THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
21	urge and request the Department of Children and Family Services to study the use,

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1	assessment, and collection of the fee assessed by the courts of this state in accordance with
2	R.S. 46:236.5(B)(1) and to submit a report of its findings and recommendations to the
3	legislature no later than February 1, 2019.
4	BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge
5	and request the Department of Children and Family Services to convene a task force
6	comprised of the following members in order to conduct the study:
7	(1) The secretary of the Department of Children and Family Services or his
8	designee.
9	(2) The program executive director of the child support enforcement program,
10	division of family support, office of children and family services, Department of Children
11	and Family Services.
12	(3) An attorney employed by the Department of Children and Family Services.
13	(4) Two representatives of the Louisiana Supreme Court as designated by the chief
14	justice.
15	(5) Two designees of the Louisiana District Judges Association, one of whom shall
16	be a judge who currently presides over domestic and family matters as defined by R.S.
17	46:236.5(C)(1).
18	(6) The president of the Louisiana Hearing Officers' Association or his designee.
19	(7) The executive director of the Louisiana Partnership for Children and Families
20	or his designee.
21	(8) One representative designated by the Family Law Section of the Louisiana State
22	Bar Association.
23	BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge
24	and request the Department of Children and Family Services to conduct meetings of the task
25	force at their headquarters in Baton Rouge and provide any necessary staff support needed
26	to ensure timely compliance with the reporting requirement in this Resolution.
27	BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
28	Department of Children and Family Services, the Louisiana Supreme Court, the Louisiana
29	District Judges Association, the Louisiana Partnership for Children and Families, and the
30	Louisiana Hearing Officers' 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)]

### HCR 21 Reengrossed 2018 Regular Session Garofalo

Requests the Dept. of Children and Family Services (DCFS) to study the assessment, collection, and use of the expedited process fee provided for by <u>present law</u>. Requests that DCFS convene a task force comprised of the following individuals to conduct the requested study:

- (1) The secretary of DCFS.
- (2) The program executive director of the child support enforcement program, division of family support, office of children and family services, DCFS.
- (3) An attorney employed by DCFS.
- (4) Two representatives of the La. Supreme Court as designated by the chief justice.
- (5) Two designees by the La. District Judges Assoc.
- (6) The president of the La. Hearing Officers' Assoc.
- (7) The executive director of the La. Partnership for Children and Families.
- (8) One representative from the Family Law Section of the Louisiana State Bar Association.

#### Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

- 1. Add two designees by the La. District Judges Assoc.
- 2. Add the executive director of the La. Partnership for Children and Families.
- 3. Add one representative from the Family Law Section of the Louisiana State Bar Association.