

RÉSUMÉ DIGEST

ACT 241 (HB 537)

2019 Regular Session

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New law provides that parents or other individuals who have custody of children who have been voluntarily or involuntarily placed in foster care, are deemed to have made an assignment of their right to the Department of Children and Family Services (DCFS).

New law provides such assignment includes the parent's or individual's entire right, title, and interest, to any support obligation such parent or individual may have and:

- (1) Occurs without the necessity of signing any documents.
- (2) Constitutes an obligation owed to DCFS.
- (3) Includes voluntary payments made to the parent at the time of placement.

New law provides that during such assignment, without the necessity of signing any document, the parent or individual shall be deemed to have consented to all of the following:

- (1) The designation of DCFS as payee.
- (2) Having the child support enforcement administrator act as his attorney and act in his name, place, and stead.
- (3) Having the child support enforcement administrator perform the specific act of endorsing any and all draft, checks, money orders, or other negotiable instruments representing support payments which are received on behalf of such individual or parent.
- (4) Having DCFS be an indispensable party to any proceeding involving a support obligation or arrearage owed.

New law prohibits any parent or individual who has had a child removed from the parents' custody or voluntarily placed in foster care from entering into a contract for the collection of support. New law provides that any such contract is void and shall be considered a violation of public policy.

New law provides that new law shall apply retroactively to all support rights assigned.

Effective upon signature of governor (June 11, 2019).

(Adds R.S. 46:51.1.1)