Regular Session, 2011

HOUSE BILL NO. 178

BY REPRESENTATIVE SCHRODER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CHILDREN/WELFARE AGY: Provides relative to transfer of funds by the Dept. of Children and Family Services for representation of children and indigent parents in child protection proceedings

AN ACT

To amend and reenact R.S. 46:460.21(A)(2), relative to transfer of funds for representation of children and indigent parents in child protection proceedings; to authorize certain functions of the Department of Children and Family Services relating to child protection proceedings; to delete references to certain entities which provide representation of children and indigent parents; to repeal a requirement for priority in funding; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:460.21(A)(2) is hereby amended and reenacted to read as follows:

§460.21. Fees in child protection cases

A.

* * *

(2) To facilitate more efficient and effective provision of counsel through salaried or contract attorney arrangements, the Department of Children and Family Services, office of children and family services is explicitly authorized to transfer funds appropriated pursuant to this Section ~~to the Child Advocacy Program provided for in Chapter 5, Title V of the Louisiana Children's Code~~ for representation of children and ~~to the Louisiana Indigent Defense Assistance Board, or any successor to that board, provided for in R.S. 15:151 et seq.~~ for representation of indigent

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parents. This transfer of funds shall be guided by the goal of providing for a more efficient and effective statewide system of representation in child protection proceedings by July 1, 2012. The transfer of funds shall not be contingent upon designations for payment of ad hoc fees pursuant to Paragraphs (1) and (6) of this Subsection, or prior utilization patterns. ~~Priority in funding shall be given to maintain salaried or contract attorney arrangements which have begun.~~

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Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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)]

Schroder HB No. 178

Abstract: Provides relative to transfer of funds by the Dept. of Children and Family Services (DCFS) for representation of children and indigent parents in child protection proceedings.

Proposed law repeals authorization in present law for DCFS to transfer funds appropriated pursuant to present law to the Child Advocacy Program for representation of children in child protection proceedings.

Proposed law repeals authorization in present law for DCFS to transfer funds appropriated pursuant to present law to the Louisiana Indigent Defense Assistance Board, or its successor, for representation of indigent parents in child protection proceedings.

Proposed law authorizes DCFS to transfer funds appropriated pursuant to present law to unspecified entities for representation of children and indigent parents in child protection proceedings.

Proposed law repeals requirement in present law that priority in funding be given to maintain salaried or contract attorney arrangements which have begun.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 46:460.21(A)(2))

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