Regular Session, 2011

HOUSE BILL NO. 465

BY REPRESENTATIVE NORTON

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

CHILDREN/ABUSE: Provides for supervised visitation during child abuse investigations

AN ACT

To amend and reenact Children's Code Article 612(A)(2), relative to child abuse; to provide with respect to supervised visitation; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Article 612(A)(2) is hereby amended and reenacted to read as follows:

Art. 612. Assignment of reports for investigation and assessment

A.

* * *

(2) Reports of high and intermediate levels of risk shall be investigated promptly. This investigation shall include a preliminary investigation as to the nature, extent, and cause of the abuse or neglect and the identity of the person actually responsible for the child's condition. This preliminary investigation shall include an interview with the child and his parent or parents or other caretaker. Admission of the investigator on school premises or access to the child in school shall not be denied by school personnel. Notwithstanding a court order of visitation, the department shall require supervised visitation as defined in R.S. 9:362, until a determination is made in accordance with Article 615.

* * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

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)]

Norton HB No. 465

Abstract: Provides for supervised visitation during child abuse investigations.

Present law provides procedures for reports of child abuse or neglect for children not in the custody of the state, which includes an assessment of the level of risk and an investigation into the nature, extent, and cause of the abuse, and a determination of the person responsible for the abuse.

Present law (Ch.C. Art. 136) provides that parents are entitled to reasonable visitation rights unless the court finds, after a hearing, that visitation would not be in the best interest of the child.

Present law (R.S. 9:341) provides that whenever the court finds that a parent has abused the child, the court shall prohibit visitation between the abusive parent and the abused child until such parent proves that visitation would not cause physical, emotional, or psychological damage to the child.

Proposed law requires that visitations shall be supervised until the investigation has been completed to determine if the parent or caretaker has abused the child.

(Amends Ch.C. Art. 612(A)(2))

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.