
DIGEST

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HB No. 912

Abstract: Removes conflicting provisions relative to service of process, clarifies notice provided to parents who may oppose an adoption, and authorizes the redacting of social security numbers in documents being served.

Present law (Ch.C. Art. 1247(A)) provides that a copy of the petition for intrafamily adoption together with all exhibits shall be served by registered or certified mail, return receipt requested, postage prepaid, or by commercial courier when the person to be served is located outside of this state, and properly addressed to the department.

Proposed law repeals present law.

Present law (Ch.C. Art. 1249) provides that if a parent upon whom service is required under Article 1247 does not reside within this state, service shall be made by certified or registered mail to the address indicated in the petition, return receipt required, not less than 30 days prior to commencement of the hearing on the petition.

Proposed law provides that if a parent upon whom service is required under Article 1247 does not reside within this state, service shall be made by certified or registered mail, return receipt requested, postage prepaid, or by commercial courier as defined in R.S. 13:3204(D), to the address indicated in the petition not less than 30 days prior to commencement of the hearing on the petition.

Present law provides for the form of the notice required to be served on a parent whose parental rights have not been terminated.

Proposed law retains present law and specifies that the parent shall file an answer stating his opposition and further specifies that the parent is required to file his answer stating his opposition in order to have an opportunity to present his opposition at a hearing to the adoption.

Proposed law provides that the notice shall inform the parent of the importance of contacting an attorney so that the parent will be informed of his rights.

Present law provides procedures for service of the petition for adoption on resident and nonresident parents, and curators ad hoc appointed for absent parents.

Proposed law provides that any social security numbers contained in the petition or any exhibits

being served may be redacted.

Present law authorizes DCFS to investigate any proposed intrafamily adoption, but requires DCFS to investigate a proposed intrafamily adoption when ordered to do so by the court.

Proposed law amends present law to provide that DCFS shall not investigate a proposed intrafamily adoption except upon order of the court.

(Amends Ch.C. Arts. 1247-1250 and 1252(A))