Louisiana Children's Code 2026, Updated Articles

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Contents

Art. 116. Definitions

Except where the context clearly indicates otherwise, these definitions apply for the following terms used throughout this Code:

(1) "Act" includes a failure or omission to perform a legal duty.

(2) "Capital offense" means an offense that may be punished by death.

(2.1) "CASA program" means a court-appointed special advocate program established in compliance with Louisiana CASA Association standards.

(2.2) "CASA volunteer" means a court-appointed special advocate who has been trained in accordance with Louisiana CASA Association standards and is under the supervision of a CASA program.

(3) "Child" means a person who has not attained the age of eighteen years, except as it is specially defined by a Title of this Code.

(4) "Court" means any city, parish, district, or juvenile, or its judge, when exercising juvenile jurisdiction as provided for in this Code. It does not include a judge of a mayor's court or a justice of the peace.

(4.1) "Diligent effort to locate" means efforts made by a curator that, under the circumstances known to the curator, are reasonably calculated to locate an absentee. Such efforts may include a review of court records, department records, law enforcement records, vital records, military records, directory assistance, internet search sites, and licensing agencies. Publication shall not be required except as specifically provided in this Code.

(5) "Felony" means an offense that may be punished by death or by imprisonment at hard labor.

(5.1) "Guardianship" means the judicial placement of a child under the duty and authority of a guardian to make decisions in matters having a permanent effect on the life and development of the child as set forth in Article 719.

(6) "Home study" means an evaluation of a home environment conducted in accordance with applicable requirements of the state in which the home is located to determine whether a proposed placement of a child would meet the individual needs of the child, including the child's safety, permanency, health, well-being, and mental, emotional, and physical development.

(6.1) "Indian child" means any unmarried child under eighteen years of age who is a member of an Indian tribe or who is eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe.

(6.2) "Indian tribe" means any Indian tribe, band, nation, or other organized group or community of Indians recognized as eligible for the services provided to Indians by the Secretary of the Interior in accordance with their status as Indians.

(7) "Indictment" means a written accusation of crime made by a grand jury.

(8) "Information" means a written accusation of crime made and signed by the district attorney or the city prosecutor. It must be filed in open court in a court having jurisdiction to try the offense, or in the office of the clerk thereof.

(8.1) "Interstate home study" means a home study conducted by a state at the request of another state to facilitate an adoptive or foster placement in the state of a child in foster care under the responsibility of the state.

(9) "Judge" means the judge of a court exercising juvenile jurisdiction.

(9.1) "Juvenile crime victim" means a person, under the age of seventeen, against whom a felony offense against the person has been committed.

(10) "Juvenile detention center" means the same as a secure detention facility.

(11) "Juvenile proceeding" or "juvenile case" means a proceeding or case in which the court is exercising juvenile jurisdiction.

(12) "Legal custody" means the right to have physical custody of the child and to determine where and with whom the child shall reside; to exercise the rights and duty to protect, train, and discipline the child; the authority to consent to major medical, psychiatric, and surgical treatment; and to provide the child with food, shelter, education, and ordinary medical care, all subject to any residual rights possessed by the child's parents.

(13) "Licensed institution", "licensed facility", or "licensed agency" means an institution or agency that has been licensed under state law, if licensure is required by law for such an institution or agency.

(14) "Minor" means a person who has not attained the age of eighteen years.

(15) "Misdemeanor" means an offense other than a felony, and includes the violation of an ordinance providing a penal sanction.

(16) "Offense" includes both felony and misdemeanor.

(17) "Parent" means any living person who is presumed to be a parent under the Civil Code or a biological or adoptive mother or father of a child.

(18) "Parole" means the legal status created by court order whereby a child is conditionally released from a juvenile correctional institution to a less restrictive setting where continued supervision will be provided by a probation officer and standards of conduct will be imposed by the court.

(19) "Peace officer" means any sheriff, police officer, or other person deputized by proper authority to serve as a peace officer.

(20) "Physician" means a person permitted to practice and in active practice as a physician under the laws of Louisiana or a person in a postgraduate medical training program of an accredited medical school in Louisiana or a medical officer similarly qualified by the government of the United States while in this state in the performance of official duties.

(21) "Probation" means the legal status created by court order following an adjudication of delinquency or an adjudication that a family is in need of services or that the child is in need of supervision, whereby a child is permitted to remain in a community subject to supervision by a probation officer and to standards of conduct imposed by the court.

(22) "Probation officer" is a representative of the agency providing supervision services to a court exercising juvenile jurisdiction. It also includes any person designated by the court to serve as the court's probation officer.

(23) "Psychiatrist" means a physician who has at least three years of formal training or primary experience in the diagnosis and treatment of mental illness.

(24) "Residual parental rights" means those rights and responsibilities remaining with the parents after the legal transfer of custody of their child, including but not necessarily limited to right of visitation, consent to adoption, right to determine religious affiliation, responsibility of support, and the right of inheritance from the child.

(24.1) "Secure detention facility" means a facility that provides a physically restricting environment for the temporary care of children in accordance with the Minimum Standards for Licensure of the Louisiana Detention Association.

(24.2) "Secure placement" means a placement characterized by a range of moderate to high security level facilities that include construction, fixtures, and staff supervision designed to restrict the movements and activities of the residents, and to control, on a twenty-four-hour basis, the ability of the residents to enter and leave the premises, and which are intended for the treatment and rehabilitation of children who have been adjudicated delinquent. Secure placements shall include but are not limited to secure correctional centers for children and may include community-based secure detention facilities. However, no placement of a child to a community-based secure detention facility shall occur when a child has been adjudicated for the

commission of a crime listed in Article 897.1 unless notice of such placement is provided to the committing judge and the district attorney.

(25) "Shelter care facility" means a licensed, physically unrestricting public or private child caring facility, a residential facility operated for runaway, homeless, or sexually exploited children, or a safe house as defined in Article 725.1 which provides temporary care for children.

(26) "State" includes a city or other political subdivision of the state.

(27) "Statute" or "law" means a statute, a constitutional provision, or an ordinance of a city or other political subdivision of the state.

(28) "Tutor" means one other than a parent who has qualified for the office and has been confirmed or appointed by a court.

Acts 1991, No. 235, §1, eff. Jan. 1, 1992; Acts 1992, No. 705, §1, eff. July 6, 1992; Acts 1997, No. 732, §2; Acts 1999, No. 275, §1, eff. July 1, 1999; Acts 1999, No. 449, §§1, 2, eff. July 1, 1999; Acts 1999, No. 1317, §1; Acts 2004, No. 484, §1; Acts 2006, No. 344, §3, eff. June 13, 2006; Acts 2007, No. 334, §1; Acts 2011, No. 128, §1; Acts 2017, No. 239, §1; Acts 2017, No. 376, §1; Acts 2018, No. 296, §1; Acts 2018, No. 467, §2; Acts 2025, No. 409, §7.

Art. 412. Confidentiality of records; disclosure exceptions; sanctions

A. Records and reports concerning all matters or proceedings before the juvenile court, except traffic violations, are confidential and shall not be disclosed except as expressly authorized by this Code. Any person authorized to review or receive confidential information shall preserve its confidentiality unless a court order authorizes them to share with others.

B. Nonidentifying information of a general nature, including statistics, is not confidential and may be released without a court order. By court order, an individual may be authorized to review confidential records and reports, including case file samples, for the purpose of collecting nonidentifying general information, including statistics. The court order shall specify the type of information authorized for review and bind the reviewer to preserving the confidentiality of any identifying information reviewed.

C. Records and reports in individual cases may be released to parties, their counsel or other legal representatives, and court-appointed special advocates (CASAs) in accordance with discovery and disclosure provisions of this Code. Notwithstanding any other provision of law to the contrary, access to review all records and reports concerning a child in the custody of the office of juvenile justice, including but not limited to records relating to condition, housing, supervision, treatment, rehabilitation program, education, health, discipline, transition planning, risk assessments, and status reports shall be promptly provided to counsel enrolled for the child or engaged by the child, or to the child's legal guardian, upon written request to the office of juvenile justice. If the child is indigent, copies of all records and reports relevant to post-dispositional defense and reentry advocacy shall be furnished at no cost to the child, the child's

family, legal guardian, or counsel. Representation by a public defender shall create an irrebuttable presumption of indigence for the purposes of this Paragraph.

D. When such information is relevant and necessary to the performance of their respective duties and enhances services to the child or his family, the court may authorize the release of records, reports, or certain information contained therein, limited to the specific purpose for which the court authorizes release, to appropriate individuals who represent any of the following when they are providing services to the child whose records are disclosed during the pendency of the matter about which the records are disclosed:

(1) Other courts and court-affiliated programs.

(2) The Department of Children and Family Services.

(3) The office of juvenile justice of the Department of Public Safety and Corrections.

(4) The Louisiana Department of Health.

(5) The Department of Education or the local school in which the child is a student.

(6) The local district attorney's office.

(7) A multidisciplinary investigative child abuse team.

(8) A child advocacy center.

(9) The attorney general's office.

(10) A district public defender or the district public defender's representative, or the representative of a public defender program established pursuant to the Louisiana Public Defender Act of 2007.

E.(1) For good cause when the information is material and necessary to a specific investigation or proceeding, the court may order the release of individual records and reports, or certain information contained therein, to a petitioner, limited to the specific purpose for which the court authorizes release.

(2) The petition must:

(a) Be filed with the juvenile court and served on the juvenile and his attorney.

(b) State the reason for the request and the intended use of the information, including any intended redisclosure.

(c) State the names of all persons that will have access to the information.

(3) In ruling on the petition, the juvenile court shall consider the privacy of the juvenile, risk of harm to the juvenile, whether a compelling reason exists for releasing the information, and whether the release is necessary for the protection of a legitimate interest. The court shall ensure the juvenile is afforded notice of the hearing and an opportunity to be heard at a contradictory hearing on the petition.

F. The court may release records and reports concerning any proceeding, except adoption, to an adult who, as a child, was the subject of the proceeding. For good cause, the court may also order release of records and reports to the counsel or other appropriate legal representative of a child, still a minor, who was the subject of any proceedings, except adoption.

G.(1) In accordance with Articles 811.1 and 811.3, the district attorney or court shall, upon request, release to the victim of a delinquent act constituting a crime of violence as defined in R.S. 14:2(B), or to the victim's legal representative or designated family member:

(a) The results of adjudication and disposition hearings.

(b) Notice of the taking into custody, release pursuant to Chapter 6 of Title VIII of this Code, release due to a rejection of charges by the district attorney, escape, or re-apprehension of the child accused of the crime of violence against the victim.

(c) Advance notice of court proceedings relating to the delinquent act.

(d) Certain information contained in the predisposition report to the court pursuant to Article 890, limited to those items described in Subparagraph (A)(2) of that Article.

(e) The name of the judge presiding over the adjudication and disposition hearings.

(f) The offense which forms the basis for adjudication.

(g) The name of the accused.

(2) In a juvenile delinquency case involving a crime of violence as defined in R.S. 14:2(B), the court shall, upon written request, release to the public the following:

(a) The nonidentifying results of adjudication and disposition hearings.

(b) The name of the judge presiding over the adjudication and disposition hearings.

(c) The offense which forms the basis for adjudication.

H. In order to assist in finding and taking into custody a child wanted for a felony-grade delinquent act involving an offense against the person or involving a dangerous weapon, law enforcement agencies may release to the public identifying information regarding the child if a court has issued an order for taking the child into custody pursuant to Article 813, or if probable cause that the child committed the alleged delinquent act has already been established pursuant

to Article 820. Identifying information may include the child's name, age, alleged delinquent act, physical description, and photograph.

I. Any violation of the confidentiality provisions of this Article shall be punishable as a constructive contempt of court pursuant to Articles 1507 through 1509.1.

J. Whenever a child escapes from a juvenile detention center, law enforcement agencies are hereby authorized to release to the public the child's name, age, physical description, and photograph.

K. Every person, other than the juvenile, parents of the juvenile, and attorney for the juvenile, to whom a juvenile record or information from a juvenile is disclosed pursuant to this Article shall execute a non-disclosure agreement that certifies the person is familiar with the applicable disclosure provisions and agrees not to disclose any information to unauthorized persons.

L. Juvenile records or information from juvenile records disclosed pursuant to this Article shall be marked "UNLAWFUL DISSEMINATION OF THIS INFORMATION IS PUNISHABLE AS A CONSTRUCTIVE CONTEMPT OF COURT PURSUANT TO LOUISIANA CHILDREN'S CODE ARTICLE 1509(E)".

M. Records of juvenile criminal conduct shall not be disseminated as a criminal background check to anyone outside of the criminal justice system as defined in R.S. 15:576.

N. This Article shall not apply to records relative to any matters identified in Article 879(B)(1), in which those records and reports shall be made available to the public. Records and reports pertaining to the medical records of the juvenile, mental health of the juvenile, social records of the juvenile, school records of the juvenile, and any records related to the victim of the crime shall not be made available to the public.

O.(1) Notwithstanding any other law to the contrary, the state child ombudsman shall have access to judgments and court minute entries concerning matters or proceedings before the juvenile court as needed in furtherance of the ombudsman's statutory duties. Any judgments and court minute entries provided to the state child ombudsman shall remain confidential and shall not be subject to any further disclosure, absent an order of the juvenile court for that purpose.

(2) The office of juvenile justice shall provide to the state child ombudsman, upon written request of the state child ombudsman, any record or report concerning a child in the custody of or under the supervision of the office of juvenile justice needed in furtherance of the ombudsman's statutory duties, including but not limited to records related to condition, housing, supervision, treatment, rehabilitation program, education, health, discipline, transition planning, risk assessments, and status reports.

P. This Article shall not prohibit the creation of an interoperable set of criminal justice information systems at the state and local levels pursuant to R.S. 15:575 et seq., or preclude the

dissemination of criminal history record information as defined in R.S. 15:576 in and to the criminal justice system as defined in R.S. 15:576.

Acts 1991, No. 235, §4, eff. Jan. 1, 1992; Acts 1993, No. 596, §1; Acts 1993, No. 634, §1, eff. June 15, 1993; Acts 1993, No. 840, §1; Acts 1994, 3rd Ex. Sess., No. 23, §2; Acts 1994, 3rd Ex. Sess., No. 76, §1; Acts 1994, 3rd Ex. Sess., No. 120, §1, eff. July 7, 1994; Acts 1994, 3rd Ex. Sess., No. 140, §1; Acts 1995, No. 1313, §1, eff. June 29, 1995; Acts 1999, No. 515, §1; Acts 1999, No. 976, §1; Acts 2001, No. 461, §1; Acts 2003, No. 567, §1; Acts 2008, No. 715, §1; Acts 2012, No. 792, §1; Acts 2016, No. 617, §1; Acts 2017, No. 362, §1; Acts 2023, No. 448, §1, eff. Jan. 1, 2024; Acts 2024, 2nd Ex. Sess., No. 15, §2, eff. March 6, 2024; Acts 2024, No. 92, §1; Acts 2024, No. 507, §5; Acts 2025, No. 364, §1.

Art. 502. Definitions

For the purposes of this Title, the following terms have the following meanings, unless the context clearly indicates otherwise:

(1) "Abuse" means any one of the following acts that seriously endanger the physical, mental, or emotional health, welfare, and safety of the child:

(a) The infliction, attempted infliction, or, as a result of inadequate supervision, the allowance of the infliction or attempted infliction of physical or mental injury upon the child by a parent or any other person.

(b) The exploitation or overwork of a child by a parent or any other person.

(c) The involvement of the child in any sexual act with a parent or any other person, the aiding or toleration by the parent or the caretaker of the child's sexual involvement with any other person, the child's involvement in pornographic displays, or any other involvement of a child in sexual activity constituting a crime under the laws of this state.

(d) Female genital mutilation as defined by R.S. 14:43.4.

(2) "Child" means a person under the age of eighteen years who has not been judicially emancipated or emancipated by marriage as provided by law.

(3) "Child pornography" or "child sexual abuse materials" means visual depiction of a child engaged in actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, sadomasochistic abuse, or lewd exhibition of the genitals.

(4) "Crime against the child" shall include the commission of or the attempted commission of any of the following crimes against the child as provided by federal or state statutes:

(a) Homicide.

(b) Battery.

(c) Assault.

(d) Rape.

(e) Sexual battery.

(f) Kidnapping.

(g) Criminal Neglect.

(h) Criminal Abandonment.

(i) Repealed by Acts 2014, No. 602, §7, eff. June 12, 2014.

(j) Carnal knowledge of a juvenile.

(k) Indecent behavior with juveniles.

(l) Child sexual abuse materials.

(m) Molestation of a juvenile.

(n) Crime against nature.

(o) Cruelty to juveniles.

(p) Contributing to the delinquency or dependency of children.

(q) Sale of minor children.

(r) Female genital mutilation.

(5) "Neglect" means the unreasonable refusal or failure of a parent or caretaker to supply the child with necessary food, clothing, shelter, care, treatment, or counseling for any injury, illness, or condition of the child, as a result of which the child's physical, mental, or emotional health, welfare, and safety is substantially threatened or impaired. Consistent with Article 606(B), the inability of a parent or caretaker to provide for a child's basic support, supervision, treatment, or services due to inadequate financial resources shall not, for that reason alone, be considered neglect. Whenever, in lieu of medical care, a child is being provided treatment in accordance with the tenets of a well-recognized religious method of healing that has a reasonable, proven record of success, the child shall not, for that reason alone, be considered to be neglected or maltreated. However, nothing in this Subparagraph shall prohibit the court from ordering medical services for the child when there is substantial risk of harm to the child's health, welfare, or safety.

(6) "Nonprofit corporation" means a corporation formed in accordance with the provisions of Chapter 2 of Title 12 of the Louisiana Revised Statutes of 1950.

Acts 1994, 3rd Ex. Sess., No. 69, §1, eff. July 7, 1994; Acts 1995, No. 1305, §1, eff. June 29, 1995; Acts 2003, No. 749, §1; Acts 2014, No. 602, §7, eff. June 12, 2014; Acts 2018, No. 458, §2; Acts 2022, No. 272, §1; Acts 2025, No. 261, §6.

Art. 509. Development of interagency protocols; drafting committee membership; meetings; compliance deadline

A. In each judicial district, the district attorney or his designee shall establish a child abuse protocol committee and convene its meetings.

B. At a minimum, each committee shall include the following members:

NOTE: Paragraph B(1) eff. until October 1, 2027. See Acts 2025, No. 477.

(1) A representative of the office of children and family services, Department of Children and Family Services.

NOTE: Paragraph B(1) as amended by Acts 2025. No. 477, eff. October 1, 2027.

(1) A representative of the office of child welfare, Department of Children and Family Services.

(2) The district attorney or his designee.

(3) The coroner or his designee who has responsibility in the district for the investigation of child abuse cases or expertise in the evaluation of child victims.

(4) A representative of the sheriff and of any other law enforcement agency having responsibility in the district for the investigation of child abuse.

(5) A licensed mental health professional who is experienced in the evaluation of child victims.

(6) A licensed medical professional who is experienced in the evaluation of child victims.

(7) A representative of a child advocacy center that is serving the district or if there is no child advocacy center, a child advocate who is appointed by the juvenile court, or if there is no juvenile court, a child advocate appointed by the division of the district court that hears juvenile cases.

(8) A representative of any other community agency which in the opinion of other team members would contribute to the development of comprehensive and integrated protocols.

C. The committee shall confect protocols in accordance with Article 510 of this Part and shall meet as often as needed to complete that task no later than August 15, 2006. Thereafter, the committee shall be convened upon the request of any team member in order to consider any proposed modifications to the existing protocols.

Acts 2003, No. 749, §1; Acts 2025, No. 477, §1, eff. Oct. 1, 2027.

Art. 512. Composition of the multidisciplinary investigative team

A. The permanent members of the multidisciplinary investigative team shall include governmental entities and other professions with an expertise in evaluating child abuse.

B. Governmental entities that have responsibilities imposed by law for the investigation of child abuse include:

NOTE: Paragraph B(1) eff. until October 1, 2027. See Acts 2025, No. 477.

(1) The office of children and family services, Department of Children and Family Services.

NOTE: Paragraph B(1) as amended by Acts 2025, No. 477, eff. October 1, 2027.

(1) The office of child welfare, Department of Children and Family Services.

(2) The district attorney.

(3) The sheriff and any other law enforcement agency having responsibility in the district for the investigation of child abuse.

(4) The coroner or his designee who is a licensed medical professional with experience in the investigation of child abuse or the evaluation of child victims.

C. Professionals whose expertise can contribute significantly to the investigation and evaluation of allegations of child abuse or to the provision of services to child victims and their families include:

(1) A licensed medical professional with experience in the investigation of child abuse or the evaluation of child victims.

(2) A licensed mental health professional with experience in the investigation of child abuse or the evaluation of child victims.

(3) A representative of a child advocacy center that serves the judicial district or if no center exists within the district, a child advocate who is appointed by the juvenile court, or if there is no juvenile court, the division of the district court that hears juvenile cases, to ensure that the best interests of children remain at the forefront of planning and decisionmaking.

(4) A representative of any community agency or other professional who is knowledgeable about child abuse and who might contribute to the decisionmaking process involving the investigation, evaluation or treatment of child victims of abuse.

(5) The victim assistance coordinator of the judicial district.

D. As needed for a particular child abuse case, the team may include an ad hoc representative of any other community agency or a professional who can contribute to the investigation of the specific case or types of cases.

Acts 2003, No. 749, §1; Acts 2025, No. 477, §1, eff. Oct. 1, 2027.

Art. 522. Applicability

A. A child advocacy center is established and becomes subject to the provisions of this Chapter when all of the following have been accomplished:

(1) There is a multidisciplinary investigative team that is operational within the judicial district and in full compliance with the requirements of Part II of Chapter 1 of this Title.

NOTE: Paragraph A(2) eff. until October 1, 2027. See Acts 2025, No. 477.

(2) An agreement to use the services of a child advocacy center has been executed by representatives of the district attorney, the office of children and family services, Department of Children and Family Services, the coroner, the sheriff, and any other law enforcement agency having responsibility in the district for the investigation of child abuse.

NOTE: Paragraph A(2) as amended by Acts 2025, No. 477, eff. October 1, 2027.

(2) An agreement to use the services of a child advocacy center has been executed by representatives of the district attorney, the office of child welfare, Department of Children and Family Services, the coroner, the sheriff, and any other law enforcement agency having responsibility in the district for the investigation of child abuse.

(3) A nonprofit corporation certificate of incorporation has been issued or an agreement to create and assume responsibility for a child advocacy center has been executed by an existing nonprofit corporation or governmental unit.

B. A child advocacy center established before August 15, 2003, has six months from that date in which to revise, if necessary, its policies and procedures to comply with the requirements of this Chapter.

C. A child advocacy center may be established to serve the children and families of one or more judicial districts or parts thereof.

Acts 2003, No. 749, §1; Acts 2025, No. 477, §1, eff. Oct. 1, 2027.

Art. 603. Definitions

As used in this Title:

(1) "Abortion" means that procedure as defined in R.S. 14:87.1.

(2) "Abuse" means any one of the following acts that seriously endanger the physical, mental, or emotional health, welfare, and safety of the child:

(a) The infliction, attempted infliction, or, as a result of inadequate supervision, the allowance of the infliction or attempted infliction of physical or mental injury upon the child by a parent or any other person.

(b) The exploitation or overwork of a child by a parent or any other person, including but not limited to commercial sexual exploitation of the child.

(c) The involvement of the child in any sexual act with a parent or any other person, or the aiding or toleration by the parent, caretaker, or any other person of the child's involvement in any of the following:

(i) Any sexual act with any other person.

(ii) Pornographic displays.

(iii) Any sexual activity constituting a crime under the laws of this state.

(d) A coerced abortion conducted upon a child.

(e) Female genital mutilation as defined by R.S. 14:43.4 of the child or of a sister of the child.

(3) "Administrative review body" means a panel of appropriate persons, at least one of whom is not responsible for the case management of or delivery of services to either the child or the parents who are the subject of the review, including the citizen review boards, state hearing examiners, special department reviewers, or department personnel.

(4)(a) "Caretaker" means any person legally obligated to provide or secure adequate care for a child, including a parent, tutor, guardian, legal custodian, foster parent, an operator or employee of a residential or treatment facility licensed by the Department of Children and Family Services or the Louisiana Department of Health, or other person providing a residence

for the child. "Caretaker" shall not include an operator or employee of a correctional facility, detention facility, nonresidential school, or unlicensed residential or child care provider.

(b) For the purposes of this Subparagraph, "restrictive care facility" means a public or private licensed or unlicensed child care facility, group home, emergency shelter facility, maternity home, psychiatric hospital, or a psychiatric unit located in a state-owned or state-contracted general hospital.

(5) "Case review hearing" means a review hearing by a court or administrative review body for the purpose of determining the continuing necessity for and appropriateness of the child's placement, to determine the extent of compliance with the case plan, to determine the extent of progress which has been made toward alleviating or mitigating the causes necessitating placement, and to project a likely date by which the child may be permanently placed.

(6) "Child" means a person under eighteen years of age who, prior to juvenile proceedings, has not been judicially emancipated under Civil Code Article 366 or emancipated by marriage under Civil Code Article 367.

(7) "Child care agency" means any public or private agency exercising custody of a child.

(8) "Child pornography" or "child sexual abuse materials" means visual depiction of a child engaged in actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, sadomasochistic abuse, or lewd exhibition of the genitals.

(9) "Coerced abortion" means the use of force, intimidation, threat of force, threat of deprivation of food and shelter, or the deprivation of food and shelter by a parent or any other person in order to compel a female child to undergo an abortion against her will, whether or not the abortion procedure has been attempted or completed.

(9.1) "Commercial sexual exploitation" means involvement of the child activity prohibited by the following statutes: R.S. 14:46.2, 46.3, 81.1, 81.3, 82, 82.1, 82.2, 83, 83.1, 83.2, 83.3, 83.4, 84, 85, 86, 89.2, 104, 105, and 282.

(10) "Concurrent planning" means departmental efforts to preserve and reunify a family, or to place a child for adoption or with a legal guardian which are made simultaneously.

(11) "Court-appointed or court-approved administrative body" means a body appointed or approved by a court and subject to the court's supervision for the purposes of assisting the court with permanency hearings, including magistrates or other court or noncourt personnel. This body shall not be a part of the Department of Children and Family Services or the Department of Public Safety and Corrections, nor subject to the supervision or direction of either department.

(12) "Crime against the child" shall include the commission of or the attempted commission of any of the following crimes against the child as provided by federal or state statutes:

(a) Homicide.

(b) Battery.

(c) Assault.

(d) Rape.

(e) Sexual battery.

(f) Kidnapping.

(g) Criminal neglect.

(h) Criminal abandonment.

(i) Repealed by Acts 2014, No. 602, §7, eff. June 12, 2014.

(j) Child sexual abuse materials.

(k) Indecent behavior with juveniles.

(l) Child sexual abuse materials.

(m) Molestation of a juvenile.

(n) Crime against nature.

(o) Cruelty to juveniles.

(p) Contributing to the delinquency or dependency of children.

(q) Sale of minor children.

(r) Human trafficking.

(s) Trafficking of children for sexual purposes.

(t) Female genital mutilation.

(13) "Department" means the Department of Children and Family Services.

(14) "Foster care" means placement in a foster family home, a relative's home, a residential child caring facility, or other living arrangement approved and supervised by the state for provision of substitute care for a child in the department's custody. Such placement shall not include a detention facility.

(15) "Foster parent" means an individual who provides residential foster care with the approval and under the supervision of the department for a child in its custody.

(16) "Institutional abuse or neglect" means any case of child abuse or neglect that occurs in any public or private facility that provides residential child care, treatment, or education.

(17) "Mandatory reporter" is any of the following individuals:

(a) "Health practitioner" is any individual who provides healthcare services, including a physician, surgeon, physical therapist, dentist, resident, intern, hospital staff member, an outpatient abortion facility staff member, podiatrist, chiropractor, licensed nurse, nursing aide, dental hygienist, any emergency medical technician, a paramedic, optometrist, medical examiner, or coroner, who diagnoses, examines, or treats a child or his family.

(b) "Mental health/social service practitioner" is any individual who provides mental health care or social service diagnosis, assessment, counseling, or treatment, including a psychiatrist, psychologist, marriage or family counselor, social worker, member of the clergy, aide, or other individual who provides counseling services to a child or his family. Notwithstanding any other provision of law to the contrary, when representing a child, as defined in this Code, in a case arising out of this Code, a mental health/social service practitioner shall not be considered a mandatory reporter under the following limited circumstances: (i) when the practitioner is engaged by an attorney to assist in the rendition of professional legal services to that child, (ii) when the information that would serve as the basis for reporting arises in furtherance of facilitating the rendition of those professional legal services to that child, and (iii) when the information that would serve as the basis for reporting is documented by the mental health/social service practitioner. The documentation shall be retained by the mental health/social service practitioner until one year after the child has reached the age of majority.

(c) "Member of the clergy" is any priest, rabbi, duly ordained clerical deacon or minister, Christian Science practitioner, or other similarly situated functionary of a religious organization, except that he is not required to report a confidential communication, as defined in Code of Evidence Article 511, from a person to a member of the clergy who, in the course of the discipline or practice of that church, denomination, or organization, is authorized or accustomed to hearing confidential communications, and under the discipline or tenets of the church, denomination, or organization has a duty to keep such communications confidential. In that instance, he shall encourage that person to report the allegations to the appropriate authorities in accordance with Article 610.

(d) "Teaching or child care provider" is any person who provides or assists in the teaching, training, and supervision of a child, including any public or private teacher, teacher's aide, instructional aide, school principal, school staff member, bus driver, coach, professor, technical or vocational instructor, technical or vocational school staff member, college or university administrator, college or university staff member, social worker, an employee or an operator of an early learning center as defined in R.S. 17:407.33, an operator or employee of a registered family child day care home, a licensed or unlicensed day care provider, or any individual who provides these services to a child in a voluntary or professional capacity.

(e) Police officers or law enforcement officials. Any police officer or law enforcement official who works as a school resource officer shall be considered a mandatory reporter.

(f) "Commercial film and photographic print processor" is any person who develops exposed photographic film into negatives, slides, or prints, or who makes prints from negatives or slides for compensation.

(g) Mediators appointed pursuant to Chapter 6 of Title IV.

(h) A parenting coordinator appointed pursuant to R.S. 9:358.1 et seq.

(i) A court-appointed special advocates (CASA) volunteer under the supervision of a CASA program appointed pursuant to Chapter 4 of Title IV.

(j) "Organizational or youth activity provider" is any person who provides organized activities for children, including administrators, employees, or volunteers of any day camp, summer camp, youth center, or youth recreation programs or any other organization that provides organized activities for children.

(k) School coaches, including but not limited to public technical or vocational school, community college, college, or university coaches and coaches of intramural or interscholastic athletics.

(l) A foster parent.

(m) A group home or other institutional child care staff member or personnel of residential home facilities.

(n) A probation officer.

(o) Any employee of the office of juvenile justice or the Department of Children and Family Services, whose duties include supervisory or disciplinary authority over children.

(18) "Neglect" means the refusal or unreasonable failure of a parent or caretaker to supply the child with necessary food, clothing, shelter, care, treatment, or counseling for any injury, illness, or condition of the child, as a result of which the child's physical, mental, or emotional health, welfare, and safety is substantially threatened or impaired. Neglect includes prenatal neglect. Consistent with Article 606(B), the inability of a parent or caretaker to provide for a child due to inadequate financial resources shall not, for that reason alone, be considered neglect. Whenever, in lieu of medical care, a child is being provided treatment in accordance with the tenets of a well-recognized religious method of healing that has a reasonable, proven record of success, the child shall not, for that reason alone, be considered to be neglected or maltreated. However, nothing in this Subparagraph shall prohibit the court from ordering medical services for the child when there is substantial risk of harm to the child's health, welfare, or safety.

(19) "Newborn" means a child who is not more than thirty days old, as determined within a reasonable degree of medical certainty by an examining physician.

(20) "Other suitable individual" means a person with whom the child enjoys a close, established, significant relationship, yet not a blood relative, including a neighbor, godparent, teacher, or close friend of the parent.

(21) "Permanency hearing" means a hearing for the purpose of determining the permanent plan for the child.

(22) "Permanent placement" means:

(a) Return of the legal custody of a child to his parent or parents.

(b) Placement of the child with adoptive parents pursuant to a final decree of adoption.

(c) Placement of the child with a legal guardian.

(23) "Person" means any individual, partnership, association, agency, or corporation, and specifically shall include city, parish, or state law enforcement agencies, and a parish or city school board or a person employed by a parish or city school board.

(24) "Prenatal neglect" means exposure to chronic or severe use of alcohol or the unlawful use of any controlled dangerous substance, as defined by R.S. 40:961 et seq., or in a manner not lawfully prescribed, which results in symptoms of withdrawal in the newborn or the presence of a controlled substance or a metabolic thereof in his body, blood, urine, or meconium that is not the result of medical treatment, or observable and harmful effects in his physical appearance or functioning.

(25) "Protective capacity" means the cognitive, behavioral, and emotional knowledge, abilities, and practices that prevent or control threats of danger to children.

(26) "Reasonable efforts" means the exercise of ordinary diligence and care by the department throughout the pendency of a case pursuant to the obligations imposed on the state by federal and state law to provide services and supports designed and intended to prevent or eliminate the need for removing a child from the child's home, to reunite families after separation, and to achieve safe permanency for children. Reasonable efforts shall be determined by the particular facts and circumstances of each case, including the individualized needs of each child and the family, the imminence and potential severity of the threat of danger, the strengths of each child and the family, and the community of support available to the family. In making reasonable efforts, the health, welfare, and safety of the child shall be the paramount concern.

(27) "Relative" means an individual with whom the child has established a significant relationship by blood, adoption, or affinity.

(28) "Removal" means placing a child in the custody of the state or with someone other than the parent or caretaker during or after the course of an investigation of abuse and neglect to secure the child's health, welfare, and safety.

(29) "Safe" and "safety" mean the condition of not being unsafe. Whether a child is unsafe shall be determined by the particular facts and circumstances of each case, including consideration of the threat of danger to the child, whether the child is vulnerable to the threat, and the parent's or caretaker's protective capacity to manage or control the threat.

(30) "Safety plan" means a plan for the purpose of assuring a child's health, welfare, and safety by imposing conditions for the child to safely remain in the home, or, after a child has been removed from the home, for the continued placement of the child with a custodian and terms for contact between the child and the child's parents or other persons.

(31) "Threat of danger" exists when the behavior of a parent or caretaker or the family situation indicates serious harm, in the near future, to the child's physical, mental, or emotional health, welfare, and safety.

(32) "Vulnerable" means the inability to protect oneself from identified threats of danger.

Acts 1991, No. 235, §6, eff. Jan. 1, 1992; Acts 1992, No. 705, §1, eff. July 6, 1992; Acts 1993, No. 634, §1, eff. June 15, 1993; Acts 1995, No. 444, §1, eff June 17, 1995; Acts 1999, No. 449, §§1, 2, eff. July 1, 1999; Acts 1999, No. 769, §1, eff. July 2, 1999; Acts 1999, No. 894, §1; Acts 2001, No. 567, §1; Acts 2003, No. 567, §1; Acts 2003, No. 1187, §1; Acts 2004, No. 398, §1, eff. June 23, 2004; Acts 2005, No. 148, §1; Acts 2005, No. 338, §1; Acts 2006, No. 157, §1; Acts 2006, No. 278, §1; Acts 2007, No. 119, §1, eff. June 25, 2007; Acts 2007, No. 265, §1; Acts 2007, No. 334, §1; Acts 2007, No. 396, §1, eff. when funds are appropriated by the legislature; Acts 2008, No. 394, §1, eff. June 21, 2008; Acts 2012, No. 268, §2, eff. May 25, 2012; Acts 2012, No. 380, §1; Acts 2012, No. 446, §6; Acts 2012, No. 614, §2, eff. June 7, 2012; Acts 2013, No. 260, §1; Acts 2014, No. 486, §1; Acts 2014, No. 564, §7; Acts 2014, No. 569, §1; Acts 2014, No. 602, §7, eff. June 12, 2014; Acts 2015, No. 217, §1; Acts 2017, No. 359, §§1, 3, 4; Acts 2018, No. 458, §2; Acts 2019, No. 280, §1; Acts 2021, No. 158, §1; Acts 2021, No. 367, §1; Acts 2022, No. 272, §1; Acts 2024, No. 216, §1, eff. May 23, 2024; Acts 2025, No. 195, §1; Acts 2025, No. 261, §6; Acts 2025, No. 409, §7.

Art. 603.1. Required education; reporting child abuse

A. Every person graduating from any teacher preparation program in Louisiana shall have had in his curriculum instruction on the requirements of and how to report suspected child abuse cases pursuant to Article 601 et seq., as well as instruction on how to identify the signs and symptoms of child neglect and abuse, including sexual abuse, in order to receive his teacher certification.

B. Teaching or child care providers as defined by Article 603 shall complete an online training course provided by the Department of Children and Family Services between June first and August thirty-first annually. A record of completion of the course by the teaching or child

care provider shall be provided to each entity at which the teaching or child care provider is employed. No later than September thirtieth of each year and in a manner prescribed by the state Department of Education each entity at which a teaching or child care provider is employed shall submit a list to the state Department of Education of all teaching and child care providers employed by the entity and identify the employees that have complied with the training requirements and those employees that have not complied. The state Department of Education shall publish the completion rates for each entity on its website.

Acts 2003, No. 769, §1; Acts 2020, No. 272, §1, eff. June 11, 2020; Acts 2025, No. 409, §7.

Art. 610. Reporting procedure; reports to the legislature and the United States Department of Defense Family Advocacy Program

A. A reporter shall immediately report suspected child abuse or neglect or that child abuse or neglect was a contributing factor in a child's death in the following ways:

(1) To the Department of Children and Family Services if the reporter has reason to believe that the perpetrator is any of the following:

(a) A parent or caretaker as defined in Article 603.

(b) A person who maintains an interpersonal dating or engagement relationship with the parent or caretaker.

(c) A person living in the same residence as the parent or caretaker.

(d) A person living in the same residence as the child, or any residence of the child, if the child has more than one residence.

(e) An employee or an operator of an early learning center as defined in R.S. 17:407.33.

(f) An operator or employee of a registered family child day care home.

(g) Another child residing in the same residence for cases of suspected sexual abuse.

(h) Indeterminable by the mandatory reporter, but the reporter suspects that the abuse occurred at the child's residence.

(2) To a local or state law enforcement agency if the reporter has reason to believe that the perpetrator is any of the following:

(a) A person other than a person provided for in Subparagraph (1) of this Paragraph.

(b) A teacher, instructor, administrator, staff person, school bus driver, teacher aide, paraprofessional, food service worker, or employee of any public or private elementary, secondary, vocational-technical training, special, or postsecondary school, city, parish, or other local public school board, if the abuse or neglect is perpetrated on a student.

(c) Another child who does not reside in the same residence for cases of suspected sexual abuse.

(3) Dual reporting to both the department and the local or state law enforcement agency is permitted. However, the agency who receives a report pursuant to Subparagraph (1) or (2) of this Paragraph shall be the agency responsible for accepting and acting on the report and shall ensure referral to other agencies as necessary.

(4) Reports to the department shall be made as follows:

(a) A mandatory reporter shall make a report of suspected abuse or neglect requiring immediate assistance via the designated state child protection reporting hotline telephone number. A report of suspected abuse or neglect which is of a nonemergency nature may be reported via the Louisiana Department of Children and Family Services Mandated Reporter Portal online. Reports may also be made in person at any child welfare office.

(b) If a report involves alleged sex trafficking, all mandatory reporters shall report via the hotline telephone number to the department regardless of whether there is alleged parental or caretaker culpability.

(c) A permitted reporter shall make a report through the designated state child protection reporting hotline telephone number or in person at any child welfare office.

(5) If a school resource officer suspects child abuse or neglect of a student or if a mandatory reporter reports suspected child abuse or neglect to a school resource officer, the school resource officer shall immediately notify the officer's employing law enforcement agency or the Department of Children and Family Services in accordance with the provisions of this Article. The school resource officer's employer shall assign investigation of the matter to the most appropriate law enforcement officer, who may be the school resource officer.

(6) If a mandatory reporter is prohibited from immediately making the report required by this Chapter to the department or local or state law enforcement because of an employer's policies or employee manual, the mandatory reporter shall file a complaint with local or state law enforcement. Local or state law enforcement shall investigate the complaint, and an employer violating this Chapter shall be subject to the penalties provided for in R.S. 14:131.1 and 403. An employer shall not discriminate or retaliate against an employee who is a mandatory reporter for complying with this Article. If an employer is found discriminating or retaliating against an employee for complying with this Article, the employer shall be subject to double the fines provided for in R.S. 14:131.1 and 403.

(7) In an investigation of a report of abuse or neglect allegedly committed by a parent or caretaker, the department shall determine whether the person is an active duty member of the United States Armed Forces or the spouse of a member on active duty. If the department determines that the person is an active duty member of the United States Armed Forces or the spouse of a member on active duty, the department shall notify the United States Department of Defense Family Advocacy Program at the closest active duty military installation of the investigation.

B. The report shall contain the following information, if known:

(1) The name, address, age, sex, and race of the child.

(2) The nature, extent, and cause of the child's injuries or endangered condition, including any previous known or suspected abuse to this child or the child's siblings.

(3) The name and address of the child's parent(s) or other caretaker.

(4) The names and ages of all other members of the child's household.

(5) The name and address of the reporter.

(6) An account of how this child came to the reporter's attention.

(7) Any explanation of the cause of the child's injury or condition offered by the child, the caretaker, or any other person.

(8) The number of times the reporter has filed a report on the child or the child's siblings.

(9) Any other information which the reporter believes might be important or relevant.

C. The report shall also name the person or persons who are thought to have caused or contributed to the child's condition, if known, and the report shall contain the name of such person if he is named by the child.

D. If the initial report was in oral form by a mandatory reporter, it shall be followed by a written report made within five days via the online Mandated Reporter Portal of the department or by mail to the centralized intake unit of the department at the address provided on the website of the department; or, if necessary, to the local law enforcement agency. The reporter may use a form for the written report, which shall be developed, approved, and made available by the Department of Children and Family Services. The form is optional and may be available electronically on the department's website.

E.(1) All reports made to any local or state law enforcement agency involving abuse or neglect in which an individual provided for in Subparagraph (A)(1) of this Article is believed responsible shall be reported to the department within twenty-four hours in accordance with Paragraph A of this Article.

(2) All reports made to the department involving abuse or neglect in which someone other than an individual provided for in Subparagraph (A)(1) of this Article is believed to be responsible shall be reported to the appropriate law enforcement agency within twenty-four hours by telephone. The department also shall report all cases of child death which involve a suspicion of abuse or neglect as a contributing factor in the child's death to the local and state law enforcement agencies, the office of the district attorney, and the coroner.

(3) Reports involving a felony-grade crime against a child shall be promptly communicated to the appropriate law enforcement authorities as part of the interagency protocols for multidisciplinary investigations of child abuse and neglect in each judicial district as provided in Articles 509 and 510.

(4) The department shall communicate as soon as possible all reports involving alleged child victims of sex trafficking to the Louisiana State Police for referral to the appropriate local law enforcement agency for investigation or other action as appropriate.

F. Any commercial film or photographic print processor who has knowledge of or observes, within the scope of this professional capacity or employment, any film, photograph, video tape, negative, or slide depicting a child who he knows or should know is under the age of seventeen years, which constitutes child pornography or child sexual abuse materials as defined in Article 603, shall report immediately to the local law enforcement agency having jurisdiction over the case. The reporter shall provide a copy of the film, photograph, videotape, negative, or slide to the agency receiving the report.

G.(1) If a physician has cause to believe that a newborn was exposed in utero to an unlawfully used controlled dangerous substance, as defined by R.S. 40:961 et seq., the physician shall order a toxicology test upon the newborn, without the consent of the newborn's parents or guardian, to determine whether there is evidence of prenatal neglect. If the test results are positive, the physician shall issue a report, as soon as possible, in accordance with this Article. If the test results are negative, all identifying information shall be obliterated if the record is retained, unless the parent approves the inclusion of identifying information. Positive test results shall not be admissible in a criminal prosecution.

(2) If there are symptoms of withdrawal in the newborn or other observable and harmful effects in his physical appearance or functioning that a physician has cause to believe are due to the chronic or severe use of alcohol by the mother during pregnancy or are the effects of fetal alcohol spectrum disorder, the physician shall issue a report in accordance with this Article.

H.(1) All instances of alleged child abuse that occur in a school setting shall be immediately reported to the child's parent or legal guardian and to local or state law enforcement, regardless of the alleged perpetrator.

(2) If more than one child is involved in the allegations, the school shall immediately report to the parent or legal guardian of all involved children.

(3) Law enforcement shall begin an investigation of the allegations within forty-eight hours of receiving the report.

(4) If more than one child is involved in the allegations, law enforcement shall interview the parent or legal guardian of all children involved.

(5) Any sexual abuse cases in which the alleged perpetrator is a child shall be referred to the Department of Children and Family Services. The department shall assess the family of the child victim and the alleged child perpetrator to ensure child safety and well-being in accordance with Children's Code Article 612(A)(3).

(6) For purposes of this Article, the following definitions shall apply:

(a) "School setting" means in a school building, on school grounds, in school vehicles, or at any activities sponsored by a school.

(b) "Sexual abuse" means the perpetration or attempted perpetration of R.S. 14:41, 42, 42.1, 43, 43.1, 43.2, 43.3, 43.4, 80, 81, 81.1, 81.2, 86, 89, or 89.1.

I.(1) The provisions of this Paragraph shall be known and may be cited as The Alfred C. Williams Child Protection Act.

(2) Beginning May 1, 2017, and annually thereafter, the department shall provide to the legislature the following child-specific information regarding reports of child abuse or neglect reported to the department pursuant to the provisions of this Article:

(a) The actual or estimated age, the sex, and the race of each child at the time the latest report was received.

(b) The parish location of primary case name of the latest report accepted for investigation received.

(c) The categories, levels, and final findings assigned to each allegation contained in reports received for each child.

(d) The number of cases accepted for investigation in which the child was an alleged victim during the report year.

(e) The number of cases accepted for investigation in which the child was a substantiated victim during the report year.

(f) The number of reports accepted for investigation prior to report year in which the child was an alleged or substantiated victim.

(g) The number of other alleged victims in reports accepted for investigation in each child's cases prior to report year.

(h) The number of reports accepted for investigation prior to the report year in which the child was a substantiated victim.

(i) The number of other substantiated victims in reports accepted for investigation in each child's cases prior to report year.

(j) The number of distinct reporter names for all investigations in which the child is an alleged or substantiated victim.

(3) For purposes of this Paragraph, the following words shall have the following meanings:

(a) "Alleged victim" includes a child who is the subject of an investigation and for whom there is an allegation of abuse or neglect.

(b) "Substantiated victim" includes an alleged victim for whom one or more allegations of abuse or neglect have been substantiated pursuant to Article 615.

(4) The information provided in the annual report required by Subparagraph (2) of this Paragraph shall not include the name, street address, or other identifying information of any child, parent, sibling, or reporter.

(5) If the department fails to submit timely the report required by Subparagraph (2) of this Paragraph, then the legislature or either house thereof, through its authorized representative, may petition the Nineteenth Judicial District Court for writs of mandamus to compel the submission of the report. Any failure to obey a writ of mandamus issued by the court may be punishable by the court as contempt thereof.

Acts 1991, No. 235, §6, eff. Jan. 1, 1992; Acts 1997, No. 1103, §1, eff. July 14, 1997; Acts 1999, No. 1178, §1, eff. July 9, 1999; Acts 2004, No. 75, §1, eff. May 28, 2004; Acts 2004, No. 78, §1, eff. May 28, 2004; Acts 2006, No. 157, §1; Acts 2007, No. 396, §1; Acts 2012, No. 268, §2, eff. May 25, 2012; Acts 2012, No. 614, §2, eff. June 7, 2012; Acts 2016, No. 302, §1; Acts 2017, No. 359, §§1, 3, and 4; Acts 2018, No. 104, §1; Acts 2018, No. 207, §1; Acts 2022, No. 662, §1, eff. Jan. 1, 2023; Acts 2024, No. 216, §1, eff. May 23, 2024; Acts 2025, No. 195, §1; Acts 2025, No. 261, §6; Acts 2025, No. 409, §7.

Art. 612. Assignment of reports for investigation and assessment

A.(1) Upon receiving a report of abuse or neglect of a child who is not in the custody of the state, the local child protection unit of the department shall promptly assign a level of risk to the child based on the information provided by the reporter.

(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 inquiry as to whether there is reason to know that the

child is an Indian child. This preliminary investigation shall also include an interview with the child and the child's parents or other caretaker and shall include consideration of all available medical information provided to the department pertaining to the child's condition. This preliminary investigation shall also include an immediate assessment of any existing visitation or custody order or agreement involving the alleged perpetrator and the child. The department shall request a temporary restraining order pursuant to Article 617, a protective order pursuant to Article 618, or an instanter safety plan order pursuant to Article 619 or 620 if the department determines that any previously ordered visitation or custody would put the child's health, welfare, and safety at risk. Admission of the investigator on school premises or access to the child in school shall not be denied by school personnel. However, the request for a temporary restraining order or a protective order in accordance with this Article shall not independently confer exclusive jurisdiction on the juvenile court in accordance with Article 303.

(3) In lieu of an investigation, reports of low levels of risk and reports from law enforcement of child sexual abuse as provided for in Article 610 may be assessed promptly through interviews with the family to identify needs and available match to community resources. If during this assessment, it is determined that a child is at immediate substantial risk of harm, the local child protection unit shall promptly conduct or participate in an intensive investigation.

(4) During the investigation of a report from a treating health care practitioner of physical abuse of a child who is not in custody of the state, at the request and expense of the child's parent or caregiver, the department shall provide copies of all medical information pertaining to the child's condition or treatment obtained during the investigation to a board certified child abuse pediatrician for purposes of conducting an independent review of the information. Any resulting report shall be provided to the department and to the child's parent or caretaker and shall be utilized in the department's ongoing assessment of risk and to determine what action may be necessary to protect the health, welfare, and safety of the child. Nothing in this Subparagraph shall be construed to prohibit granting an instanter removal order pursuant to Article 615(B).

B. All persons, including without limitation mandatory and permissive reporters, shall cooperate fully with investigative procedures, including independent investigations and psychological evaluations of the child initiated by the parent on behalf of the child. The provisions of this Paragraph shall not require the disclosure of any communications between an attorney and his client or any confession or other sacred communication between priest, rabbi, duly ordained minister, or Christian Science practitioner and his communicant.

C. All interviews of the child or his parents conducted in the course of a child protective investigation shall be tape-recorded, if requested by the parent or parents.

D. Upon determination that there is reason to believe that the child has been abused or neglected, the local child protection unit shall conduct a more intensive investigation. If necessary, the investigator may apply for an evaluation order authorized by Article 614.

E. When the report concerns a facility under the supervision of the department, the secretary of the department may assign the duties and powers enumerated herein to any office

within the department to carry out the purposes of this Chapter or may enter into cooperative agreements with other state agencies to conduct investigations in accordance with this Article.

F. Violation of the duties imposed by this Article subjects the offender to criminal prosecution authorized by R.S. 14:403(A)(2).

G. The Department of Children and Family Services shall set priorities for case response and allocate staff resources to cases identified by reporters as presenting immediate substantial risk of harm to children. Absent evidence of willful or intentional misconduct or gross negligence in carrying out the investigative functions of the state child protection program, caseworkers, supervisors, program managers, and agency heads shall be immune from civil and criminal liability in any legal action arising from the department's decisions made relative to the setting of priorities for cases and targeting of staff resources.

Acts 1991, No. 235, §6, eff. Jan. 1, 1992; Acts 1992, No. 705, §1, eff. July 6, 1992; Acts 1993, No. 675, §1; Acts 1995, No. 444 §1, eff. June 17, 1995; Acts 1999, No. 1355, §1, eff. July 12, 1999; Acts 2011, No. 189, §1; Acts 2013, No. 225, §1; Acts 2014, No. 486, §1; Acts 2018, No. 296, §1; Acts 2022, No. 272, §1; Acts 2025, No. 409, §7.

Art. 615. Disposition of reports

A. In determining the disposition of the report, the agency shall take into account, in mitigation, the possibility of accidental injury or condition, or that the injury resulted from what might be considered a reasonable exercise of discipline for the child's misbehavior.

B. After investigation, the local child protection unit shall make one of the following determinations:

(1) The child appears to be a child in need of care and the child's immediate removal is necessary for protection from further abuse or neglect, in which case, whenever extraordinary justification arises, the local child protection unit shall apply for an instanter removal order to place the child in the custody of a suitable relative or other suitable individual capable of protecting the health, welfare, and safety of the child or the state as authorized by Articles 619 and 620 and shall notify the district attorney as soon as possible.

(2) The report is substantiated, in that there is evidence of child abuse, or neglect, and a protective order or instanter safety plan order would eliminate the need for removal of the child in order to protect him from further abuse, in which case it may apply for a temporary restraining order or protective order authorized by Articles 617 and 618, or an instanter safety plan order authorized by Article 619 or 620.

(3) The report is substantiated, in that there is evidence of child abuse or neglect, in which case it shall report all pertinent information to the district attorney, as soon as possible but in no case more than thirty days after such determination, for evaluation of whether a child in need of care petition should be filed in the court with juvenile jurisdiction.

(4) The report is inconclusive, in that the evidence tends to support a finding of abuse or neglect, but there is not enough information to confirm a justified report.

(5) The report is unsubstantiated as the evidence does not support a finding of child abuse or neglect.

(6) The investigation indicates the report appears to be false and that the reporter knowingly made a false report in which case all pertinent information shall be forwarded to the district attorney for a determination of whether the evidence supports a finding of a false public report.

C. In addition to investigation or assessment of reports, or both, the local child protection family services unit may offer available information, referrals, or services to the family when there appears to be some need for medical, mental health, social, basic support, supervision, or other services. Assignments for case response and allocation of resources shall be made in the order of children at greatest risk of harm to the lowest risk of harm. The individualized intervention strategies based on this risk assessment may include concurrent planning.

D. Violation of the duties imposed by this Article subjects the offender to criminal prosecution authorized by R.S. 14:403(A)(2).

E. When after the investigation of a report, the determination is made that the report is inconclusive or unsubstantiated, as provided in Subparagraphs (B)(4) and (5) of this Article, the files, records, and pertinent information regarding the report and investigation shall be strictly confidential, shall not become part of the central registry except as otherwise provided in Subparagraph (1) of this Paragraph or in Article 616(F), shall not be disclosed or ordered to be produced in conjunction with any legal proceeding or other matter except as provided in Subparagraph (4) of this Paragraph, and shall be maintained only for the following purposes:

(1) The files, records, and information shall remain unsealed and shall be maintained for the exclusive use of child protective services, to assist in future risk and safety assessments. The Department of Children and Family Services shall maintain all files and records for seven years from the date of the determination, unless a subsequent inconclusive or unsubstantiated report is received during that period. In that case, information from all such reports will be maintained until the youngest child in the alleged victim's family attains the age of eighteen years or seven years from the date of the latest determination, whichever is longer. If information from an inconclusive or unsubstantiated report is used as a part of the basis for a later, related, and substantiated report, the earlier report shall become part of the file of the substantiated report and shall cease to be a separate report.

(2) All files, records, and information shall be admissible in any civil litigation or criminal proceeding against the Department of Children and Family Services or its employees wherein work performance or conduct is at issue. They shall remain confidential and be placed under seal by the court to prevent disclosure to the public. The department shall maintain the files, records and information during the pendency of the litigation or prosecution.

(3) All files, records, and information regarding a report that has been determined to be inconclusive may be released to law enforcement investigators in the course of investigations of crimes involving acts against children in order to assist in the proper evaluation of current reports of abuse which may include a pattern of incidents. Notwithstanding any other provision of law to the contrary, these files, records, and information shall remain confidential and shall not be subject to disclosure pursuant to R.S. 44:1 et seq. If a court determines that the files, records, and information are admissible in criminal proceedings involving acts against children, those files, records, and information shall be placed under seal by the court to prevent disclosure to the public.

(4)(a) All files, records, and information regarding a report that has been determined to be inconclusive or unsubstantiated shall be released to local, state, and federal law enforcement agencies, military authorities, prosecuting authorities, and coroners upon request when such entity is in the course of investigations or legal proceedings and the requesting entity has good cause to believe that the files, records, or information contain information which may be constitutionally required to be disclosed pursuant to Brady v. Maryland, 373 U.S. 83 (1963) and its progeny. The requesting agency shall request the information in writing and state the purpose for which the information is being requested.

(b) Files, records, and information released pursuant to this Subparagraph shall be confidential and shall not be further disclosed except as expressly authorized by Article 412. Notwithstanding any other provision of law to the contrary, files, records, and information released pursuant to this Subparagraph shall not be subject to disclosure pursuant to R.S. 44:1 et seq.

F. The department shall promulgate rules to provide for the disposition, handling, maintenance, and storage of inconclusive and unsubstantiated reports in keeping with this Article. Nothing in this Article shall be construed to modify or abrogate the provisions of R.S. 44:411.

G. Except as provided in Subparagraph (B)(6) of this Article, the name of the reporter shall not be disclosed.

Acts 1991, No. 235, §6, eff. Jan. 1, 1992; Acts 1993, No. 505, §1; Acts 1995, No. 444, §§1, 2, eff. June 17, 1995; Acts 1995, No. 625, §1, eff. June 19, 1995; Acts 1999, No. 449, §1, eff. July 1, 1999; Acts 1999, No. 593, §1; Acts 2003, No. 567, §1; Acts 2004, No. 457, §§1, 2, eff. June 24, 2004; Acts 2005, No. 148, §1; Acts 2006, No. 580, §1, eff. June 23, 2006; Acts 2006, No. 394, §1; Acts 2014, No. 486, §1; Acts 2022, No. 232, §1; Acts 2022, No. 272, §1; Acts 2025, No. 409, §7.

Art. 616. Registry; screening of CASA volunteers, staff, and board members; confidentiality

A. The department shall maintain a state repository of all reports of abuse and neglect. The purpose of this state repository, among other uses, is to provide information of past reports

of child abuse or neglect of children to assist in the proper evaluation of current reports of abuse or neglect which may include a pattern of incidents.

B. Within the state repository, the department shall maintain a state central registry of certain substantiated reports of abuse and neglect as set forth in rules promulgated by the department. The name of an individual who was placed on the state central registry as a perpetrator of abuse or neglect prior to the effective date of Article 616.1.1 shall not be released outside of the department until that individual's administrative appeals are exhausted. After the effective date of Article 616.1.1, the name of an individual who is determined to be a perpetrator of abuse or neglect shall not be placed on the state central registry until that individual's administrative appeals are exhausted. All decisions rendered by an administrative law judge are final, and the decisions shall exhaust the individual's administrative remedy. However, notwithstanding any other provision of law, the department shall provide information involving an investigation from either the repository or the state central registry immediately to the local district attorney's office, or its designee, or to the court, when taking court action is necessary to protect the child from abuse or neglect. The department shall provide information involving an open investigation or a completed investigation determined to be substantiated from either the repository or the state central registry to another state's child welfare agency upon written request when the request is made pursuant to an ongoing child protective services investigation in the other state.

C. Except as provided in this Article or R.S. 46:56, all records of reports of child abuse or neglect are confidential. The department shall promulgate rules regarding the maintenance, deletion, and release of information in the state repository and central registry.

D. Upon the written request of the court during its evaluation of any of the following individuals who will have contact with children served by the court-appointed special advocate program, and with the consent of the individual, the department shall search the central registry and report to the court any substantiated report of abuse or neglect alleging that the individual is a perpetrator:

(1) An individual applying to work as a court-appointed special advocate.

(2) A CASA staff member.

(3) A member of the CASA board of directors.

E. When, after an investigation, the determination is made by the department that the report does appear to be substantiated, any subsequent adjudication by a court exercising juvenile jurisdiction which dismisses the child in need of care petition involving this report shall be added to the central registry.

F. Information from investigations of reports that are inconclusive may be disclosed, with the applicant's written consent, for the limited purposes of evaluating the applicant to be a foster parent, an adoptive parent, or caregiver pursuant to R.S. 46:56(F)(11).

G. Violation of the confidentiality provisions of this Article, Article 615, or the lawful regulations of the department subjects the offender to criminal prosecution authorized by R.S. 14:403(A)(2).

H. The department may charge a fee, that shall not exceed twenty-five dollars, to conduct a search of the state central registry of substantiated abuse or neglect reports to determine whether an individual's name is recorded therein. A search shall be allowed only when specifically authorized. The fee shall not apply to searches for school employees conducted pursuant to R.S. 17:15.

I. The department shall promulgate, in accordance with the Administrative Procedure Act, all rules and regulations necessary to carry out the provisions of this Article.

Acts 1991, No. 235, §6, eff. Jan. 1, 1992; Acts 1993, No. 505, §1; Acts 1995, No. 625, §1, eff. June 19, 1995; Acts 1997, No. 903, §2, eff. July 10, 1997; Acts 1999, No. 593, §1; Acts 2003, No. 567, §1; Acts 2017, No. 348, §1, special eff. date; Acts 2018, No. 320, §§2, 3; Acts 2018, No. 556, §1; Acts 2025, No. 409, §7.

Art. 616.1.1. Appeal and review; correction of central registry entries; procedure

A. When a report alleging abuse or neglect is substantiated by the department, the individual who is or was the subject of the determination may make a formal written request to the division of administrative law for an administrative appeal of the substantiated determination, in accordance with the procedures set forth in Title 67 of the Louisiana Administrative Code.

B. When a report alleging abuse or neglect is determined to be inconclusive by the department, there shall be an internal second level approval of any inconclusive finding.

C. The department shall provide a written notice to the individual who is or was the subject of the determination in clear, concise, and understandable language that is easy to read, containing all of the following:

(1) An explanation of the determination by the department.

(2) An explanation of the consequences of the determination.

(3) The individual's right to an administrative appeal.

(4) The specific procedure for requesting an appeal, including the deadline.

(5) The name and contact information of a department representative the individual may contact for additional information.

D. The department shall promulgate, in accordance with the Administrative Procedure Act, all rules and regulations necessary to implement the provisions of this Article.

Acts 2017, No. 348, §1, eff. upon promulgation and publication by DCFS rules; Acts 2022, No. 535, §1; Acts 2024, No. 507, §5; Acts 2025, No. 409, §7.

Art. 1269.3. Continuing contact agreement; parties; required declarations

A. Every post-adoption contact agreement shall be in writing and signed by the adopting parents and by any adult granted contact. If a sibling granted contact is a minor, his parent or legal custodian shall sign the agreement.

B. In an agency adoption in which the department is the custodian of the child, the department and counsel for the child shall report to the court approval or objection to the agreement and the child's wishes concerning continuing contact. The court-appointed special advocate (CASA) for the child, if any, may also submit recommendations to the court regarding a proposed agreement.

C. If requested by the parties, the court may refer them to mediation to assist them in confecting a continuing contact agreement. If necessary to ensure that the child's best interest is taken into account, the court may also appoint independent counsel for any child involved in future continuing contact.

D. A continuing contact agreement may authorize the exchange of information, communication by telephone, mail, e-mail, or other means, and direct visitation in either the adopting parents' home or elsewhere through a mutually agreed-upon intermediary.

E. Every agreement, in order to be enforceable in accordance with Article 1269.8, must recite the following declarations:

(1) The parties have freely and voluntarily entered into the agreement and it reflects their intent to be bound by its terms, unless later modified by a replacement agreement or by court order.

(2) The sibling, grandparent, parent, or other relative by blood, adoption, or affinity, or his representative, if any, has been counseled and advised by the department, by counsel, or by other appropriate professional about the meaning of these declarations and the effects of a continuing contact agreement and each has had the opportunity to have the agreement reviewed by his counsel.

(3) The sibling, grandparent, parent, or other relative by blood, adoption, or affinity, or his representative, has been informed and understands that upon the execution of the agreement,

any dispute or litigation regarding its terms shall not affect the validity of any surrender, termination of parental rights, adoption, or custody of the adopted child.

(4) The adopting parents have been informed and understand that the sibling, grandparent, parent, or other relative by blood, adoption, or affinity may seek enforcement of the terms of the agreement in accordance with Article 1269.8.

NOTE: Subsection F eff. until October 1, 2027. See Acts 2025, No. 477.

F. The continuing contact agreement shall contain the requirements in substantially the following form:

STATE OF LOUISIANA

PARISH OF (NAME OF PARISH)

AGREEMENT FOR POST-ADOPTION CONTINUING CONTACT

We (NAME OF ADOPTIVE PARENT(S)) and (NAME OF ADULT PERSON PERMITTED CONTACT BY ARTICLE 1269.2) agree to post-adoption continuing contact between (NAME OF ADOPTED CHILD) and (NAME OF PERSON PERMITTED CONTACT) in accordance with the provisions of this Agreement. This Agreement reflects our commitment to an on-going, cooperative relationship focused upon meeting (NAME OF CHILD)'s needs now and in the future, fully recognizing that those needs may change as (HE/SHE) matures.

OR

We (NAME OF ADOPTIVE PARENT(S)) and (NAME OF ADULT PARENT, GUARDIAN OR LEGAL CUSTODIAN OF MINOR SIBLING) agree to post-adoption continuing contact between (NAME OF ADOPTED CHILD) and (NAME OF MINOR SIBLING) in accordance with the provisions of this Agreement. This Agreement reflects our recognition of the significance and enduring nature of sibling relationships and our commitment to supporting and preserving the on-going relationship between (NAME OF CHILD) and (MINOR SIBLING).

We have each freely and voluntarily entered into this Agreement and intend to be bound by its terms. We have been counseled and advised by the Department, our attorney, or other appropriate professional of the meaning of these declarations, the effects of a continuing contact agreement, and the opportunity to have our own respective counsel review this Agreement.

We recognize that any dispute or litigation regarding the terms of this Agreement shall not affect the validity of any surrender or termination of parental rights, adoption, or custody of (NAME OF CHILD).

We also recognize that upon approval of the court, this Agreement becomes legally binding and any party to it may seek enforcement of its terms.

We also agree that (NAME OF DEPARTMENT REPRESENTATIVE or NAME OF COUNSEL FOR ADOPTIVE PARENT) shall file this Agreement with the proper court of jurisdiction by (DATE NO LATER THAN 10 DAYS FROM EXECUTION OF THE AGREEMENT) requesting the court's approval of this Agreement in accordance with Louisiana Children's Code Article 1269.5.

We agree to the following enforceable post-adoption continuing contact:

(INSERT PROVISIONS NEGOTIATED BY PARTIES.)

This Agreement reflects our minimum expectations regarding continuing contact for the duration of the minority of (NAME OF CHILD). We understand that we can agree upon other continuing contact arrangements in the future through informal or formal means. However, we recognize that these minimum expectations must be preserved until such time as we modify them by mutual written agreement or the court modifies or terminates this Agreement in accordance with Louisiana Children's Code Article 1269.8.

We certify that we enter this Agreement in good faith and intend that it always be interpreted to serve (NAME OF CHILD)'s best interest. We agree that we will always attempt to resolve any disagreement that may arise in (HIS/HER) best interest and acknowledge that court modification or enforcement is to be used only as a last resort when all informal means of resolution have been exhausted. We acknowledge that Louisiana Children's Code Article 1269.8 authorizes the court to hear a motion to enforce, modify, or terminate this Agreement only after we have attempted in good faith to mediate the issues underlying our disagreement. Should mediation fail to resolve our differences, the court may modify or terminate this Agreement upon finding a change of circumstances and the Agreement no longer serves the best interest of (NAME OF CHILD).

This instrument reflects the entire agreement between us regarding post-adoption continuing contact. There are no promises, terms, conditions, or obligations other than those stated in this written Agreement.

We acknowledge that unless it is the legal custodian of a minor sibling named in this Agreement, the Department of Children and Family Services, office of children and family services, is not a party to this Agreement and has no responsibility for enforcement of it.

This Agreement becomes effective upon approval of the court in accordance with Louisiana Children's Code Article 1269.5.

THIS DONE, READ, AND SIGNED this day of _____,

20 , Parish of (NAME OF PARISH), State of Louisiana.

_____

ADOPTING PARENT

_____

OTHER ADOPTING PARENT, IF ANY

_____

ADULT PERSON PERMITTED CONTACT

_____

ADULT PARENT, GUARDIAN OR LEGAL CUSTODIAN OF MINOR SIBLING

_____

WITNESS

_____

WITNESS

_____

NOTARY

NOTE: Subsection F as Amended by Acts 2025, No. 477, eff. October 1, 2027.

F. The continuing contact agreement shall contain the requirements in substantially the following form:

STATE OF LOUISIANA

PARISH OF (NAME OF PARISH)

AGREEMENT FOR POST-ADOPTION CONTINUING CONTACT

We (NAME OF ADOPTIVE PARENT(S)) and (NAME OF ADULT PERSON PERMITTED CONTACT BY ARTICLE 1269.2) agree to post-adoption continuing contact between (NAME OF ADOPTED CHILD) and (NAME OF PERSON PERMITTED CONTACT) in accordance with the provisions of this Agreement. This Agreement reflects our commitment to an on-going, cooperative relationship focused upon meeting (NAME OF CHILD)'s needs now and in the future, fully recognizing that those needs may change as (HE/SHE) matures.

OR

We (NAME OF ADOPTIVE PARENT(S)) and (NAME OF ADULT PARENT, GUARDIAN OR LEGAL CUSTODIAN OF MINOR SIBLING) agree to post-adoption continuing

contact between (NAME OF ADOPTED CHILD) and (NAME OF MINOR SIBLING) in accordance with the provisions of this Agreement. This Agreement reflects our recognition of the significance and enduring nature of sibling relationships and our commitment to supporting and preserving the on-going relationship between (NAME OF CHILD) and (MINOR SIBLING).

We have each freely and voluntarily entered into this Agreement and intend to be bound by its terms. We have been counseled and advised by the Department, our attorney, or other appropriate professional of the meaning of these declarations, the effects of a continuing contact agreement, and the opportunity to have our own respective counsel review this Agreement.

We recognize that any dispute or litigation regarding the terms of this Agreement shall not affect the validity of any surrender or termination of parental rights, adoption, or custody of (NAME OF CHILD).

We also recognize that upon approval of the court, this Agreement becomes legally binding and any party to it may seek enforcement of its terms.

We also agree that (NAME OF DEPARTMENT REPRESENTATIVE or NAME OF COUNSEL FOR ADOPTIVE PARENT) shall file this Agreement with the proper court of jurisdiction by (DATE NO LATER THAN 10 DAYS FROM EXECUTION OF THE AGREEMENT) requesting the court's approval of this Agreement in accordance with Louisiana Children's Code Article 1269.5.

We agree to the following enforceable post-adoption continuing contact:

(INSERT PROVISIONS NEGOTIATED BY PARTIES.)

This Agreement reflects our minimum expectations regarding continuing contact for the duration of the minority of (NAME OF CHILD). We understand that we can agree upon other continuing contact arrangements in the future through informal or formal means. However, we recognize that these minimum expectations must be preserved until such time as we modify them by mutual written agreement or the court modifies or terminates this Agreement in accordance with Louisiana Children's Code Article 1269.8.

We certify that we enter this Agreement in good faith and intend that it always be interpreted to serve (NAME OF CHILD)'s best interest. We agree that we will always attempt to resolve any disagreement that may arise in (HIS/HER) best interest and acknowledge that court modification or enforcement is to be used only as a last resort when all informal means of resolution have been exhausted. We acknowledge that Louisiana Children's Code Article 1269.8 authorizes the court to hear a motion to enforce, modify, or terminate this Agreement only after we have attempted in good faith to mediate the issues underlying our disagreement. Should mediation fail to resolve our differences, the court may modify or terminate this Agreement upon finding a change of circumstances and the Agreement no longer serves the best interest of (NAME OF CHILD).

This instrument reflects the entire agreement between us regarding post-adoption continuing contact. There are no promises, terms, conditions, or obligations other than those stated in this written Agreement.

We acknowledge that unless it is the legal custodian of a minor sibling named in this Agreement, the Department of Children and Family Services, office of child welfare is not a party to this Agreement and has no responsibility for enforcement of it.

This Agreement becomes effective upon approval of the court in accordance with Louisiana Children's Code Article 1269.5.

THIS DONE, READ, AND SIGNED this day of _____,

20 , Parish of (NAME OF PARISH), State of Louisiana.

_____

ADOPTING PARENT

_____

OTHER ADOPTING PARENT, IF ANY

_____

ADULT PERSON PERMITTED CONTACT

_____

ADULT PARENT, GUARDIAN OR LEGAL CUSTODIAN OF MINOR SIBLING

_____

WITNESS

_____

WITNESS

_____

NOTARY

Acts 2001, No. 568, §1, eff. Jan. 1, 2002; Acts 2008, No. 583, §§1, 2; Acts 2025, No. 477, §1, eff. Oct. 1, 2027.

Art. 1270. Legislative findings; purpose; release of information

A. Adoption is based upon the legal termination of parental rights and responsibilities of biological parents and the creation of the relationship of parent and child between an adopted person and his adoptive parents. These legal and social premises underlying adoption shall be maintained.

(1) The legislature recognizes that some adults, adopted as children, have a strong interest in identifying information about their biological parents or biological siblings, or both, while other such adult adopted persons have no such interest.

(2) The legislature further recognizes that some biological parents and biological siblings have a strong interest in identifying information about their biological children or siblings who were surrendered for adoption, while others have no such interest.

(3) The legislature also recognizes the potential for special situations whereby other adoptive and biological relatives of an adopted person, such as a parent, sibling, or descendant, or his parent if a minor, of a deceased biological parent and an adoptive parent of a minor or deceased adopted person as well as a descendant of a deceased adopted person, or his parent if a minor, may have a need for identifying information.

(4) The legislature fully recognizes the right to privacy and confidentiality of biological parents whose children were adopted, siblings, adopted persons, and the adoptive family.

NOTE: Subsection B eff. until October 1, 2027. See Acts 2025, No. 477.

B. There is hereby created within the office of children and family services of the Department of Children and Family Services a voluntary registry for the matching of adopted persons, or an adoptive parent of a minor or deceased adopted person, or a descendant of a deceased adopted person, or his parent if a minor, and biological parents or siblings, or both, or a parent, sibling, or descendant, or his parent if a minor, of a deceased biological parent. The purpose of this registry shall be to facilitate voluntary contact between the adopted person, or an adoptive parent of a minor or deceased adopted person, or the descendant of a deceased adopted person, or his parent if a minor, and a biological parent or biological sibling, or both, or a parent, sibling, or descendant, or his parent if a minor, of a deceased biological parent.

NOTE: Subsection B as amended by Acts 2025, No. 477, eff. October 1, 2027.

B. There is hereby created within the office of child welfare, Department of Children and Family Services a voluntary registry for the matching of adopted persons, or an adoptive parent of a minor or deceased adopted person, or a descendant of a deceased adopted person, or his parent if a minor, and biological parents or siblings, or both, or a parent, sibling, or descendant, or his parent if a minor, of a deceased biological parent. The purpose of this registry shall be to facilitate voluntary contact between the adopted person, or an adoptive parent of a minor or

deceased adopted person, or the descendant of a deceased adopted person, or his parent if a minor, and a biological parent or biological sibling, or both, or a parent, sibling, or descendant, or his parent if a minor, of a deceased biological parent.

C. The use of the registry shall be limited to the adopted person who is at least eighteen years of age, the biological mother, the biological father, parents or siblings or a descendant, or his parent if a minor, of a deceased biological parent, an adoptive parent of a minor or deceased adopted person or a descendant of a deceased adopted person, or his parent if a minor, and any biological sibling who is at least eighteen years of age.

D. No registration by an adopted person shall be permitted until all biological siblings who were adopted by the same adoptive parent or parents have reached the age of eighteen years.

NOTE: Subsections E and F eff. until October 1, 2027. See Acts 2025, No. 477.

E. The office of children and family services shall not release any registry information in violation of this Chapter.

F. The office of children and family services shall confirm for an adopted person the fact of his adoption and identify the court in which the adoption was finalized and the agency, firm, or lawyer facilitating the adoption when that information is known. To receive this information, the adopted person shall be eighteen years of age or older, provide proof of identity, and submit a written request.

NOTE: Subsections E and F as amended by Acts 2025, No. 477, eff. October 1, 2027.

E. The office of child welfare shall not release any registry information in violation of this Chapter.

F. The office of child welfare shall confirm for an adopted person the fact of his adoption and identify the court in which the adoption was finalized and the agency, firm, or lawyer facilitating the adoption when that information is known. To receive this information, the adopted person shall be eighteen years of age or older, provide proof of identity, and submit a written request.

Acts 1991, No. 235, §12, eff. Jan. 1, 1992; Acts 1992, No. 705, §1, eff. July 6, 1992; Acts 1997, No. 715, §1; Acts 1999, No. 1062, §4, eff. Jan. 1, 2000; Acts 2008, No. 583, §1; Acts 2010, No. 266, §1; Acts 2025, No. 477, §1, eff. Oct. 1, 2027.

Art. 1271. Registration

NOTE: Subsection A eff until October 1, 2027. See Acts 2025, No. 477.

A. Registration shall be by affidavit filed with the office of children and family services. That office shall develop and furnish standardized affidavit forms appropriate for effecting the purpose of this Chapter.

NOTE: Subsection A as amended by Acts 2025, No. 477, eff. October 1, 2027.

A. Registration shall be by affidavit filed with the office of child welfare. That office shall develop and furnish standardized affidavit forms appropriate for effecting the purpose of this Chapter.

B. Registration shall be effective upon filing and shall remain effective until withdrawn by the affiant's written request.

C. The department may establish registration and renewal fees not to exceed twenty-five dollars.

Acts 1991, No. 235, §12, eff. Jan. 1, 1992; Acts 1992, No. 705, §1, eff. July 6, 1992; Acts 1997, No. 715, §1; Acts 2010, No. 266, §1; Acts 2025, No. 477, §1, eff. Oct. 1, 2027.

NOTE: Art. 1273 eff. until October 1, 2027. See Acts 2025, No. 477.

Art. 1273. Confidentiality

Documents filed with the office of children and family services, pursuant to this Chapter, shall be confidential and shall not be available for inspection, except under the procedures set forth in this Chapter.

NOTE: Art. 1273 as amended by Acts 2025, No. 477, eff. October 1, 2027.

Art. 1273. Confidentiality

Documents filed with the office of child welfare, pursuant to this Chapter, shall be confidential and shall not be available for inspection, except under the procedures set forth in this Chapter.

Acts 1991, No. 235, §12, eff. Jan. 1, 1992; Acts 2010, No. 266, §1; Acts 2025, No. 477, §1, eff. Oct. 1, 2027.

Art. 1283.2. Permissible reimbursement of expenses

A. The petitioner shall file with the petition a preliminary estimate and accounting of fees and charges in accordance with Article 1283.3. The petitioner also shall file a final Adoption Disclosure Affidavit with the court not later than ten days prior to the date scheduled for the final hearing on the adoption.

B. Payments made by or on behalf of the adoptive parents or their representative to the department or to a child-placing agency or its agent or any broker for reimbursement of the following expenses are permissible and not a violation of R.S. 14:286:

(1) Reasonable medical expenses, including hospital, testing, nursing, pharmaceutical, travel, or other similar expenses incurred by the biological mother for prenatal care and those medical and hospital expenses incurred by the biological mother and child incident to birth.

(2) Reasonable medical expenses, including hospital, testing, nursing, pharmaceutical, travel, or other similar expenses and foster care expenses incurred on behalf of the child prior to the decree of adoption.

(3) Reasonable expenses incurred by the department or the agency for adjustment counseling and training services provided to the adoptive parents and for home studies or investigations.

(4) Reasonable administrative expenses incurred by the department or the agency, including overhead, court costs, travel costs, donations required by an orphanage, notarial and interpreter fees, emigration permit costs, and attorney fees.

(5) Any other specific service or fee the court finds is reasonable and necessary.

C. The payment of expenses permitted by Paragraph B may not be made contingent on the placement of a child for adoption, relinquishment of the child, or consent to the adoption.

D. Adoptive parents shall pay to the department any of the expenses listed in Paragraph A of this Article which may be imposed by the department. Such payments shall be imposed solely at the discretion of the department. The department shall not include payment of the expenses listed in Paragraph A of this Article as a requirement for adoption.

E. If a court determines from an accounting that an amount that is going to be or has been disbursed for expenses permitted by Paragraph B is unreasonable, it shall order a reduction in the amount disbursed, or to be disbursed, and order the person who received the disbursement to refund that portion.

F. If a court determines from an accounting that an amount is going to be or has been disbursed for expenses not permitted by Paragraph B, it may:

(1) Issue an injunction prohibiting the disbursement or order the person who received the disbursement to refund it.

(2) Inform the district attorney for the consideration of criminal charges pursuant to R.S. 14:286.

(3) If in the best interest of the child, the court may also refuse to approve the adoption.

G. The court shall not issue a final decree of adoption until it has reviewed and approved the final accounting.

NOTE: Subsection H eff. until October 1, 2027. See Acts 2025, No. 477.

H. A copy of the Adoption Disclosure Affidavit and all orders of the court pursuant to this Article shall be mailed to the office of children and family services, Department of Children and Family Services.

NOTE: Subsection H as amended by Acts 2025, No. 477, eff. October 1, 2027.

H. A copy of the Adoption Disclosure Affidavit and all orders of the court pursuant to this Article shall be mailed to the office of child welfare, Department of Children and Family Services.

Acts 1999, No. 1268, §1; Acts 2013, No. 86, §1; Acts 2025, No. 477, §1, eff. Oct. 1, 2027.

NOTE: Art. 1519 eff. until October 1, 2027. See Acts 2025. No. 477.

Art. 1519. Hearing

The petition shall be set for hearing on the record unless specifically waived by the court. If the Department of Children and Family Services, office of children and family services, has recommended that the petition for voluntary transfer of custody be filed, a representative for the department shall testify at the hearing with particularity the reasons for the recommendation. Further, the department representative shall specify why a child in need of care petition should not be filed and shall testify regarding the preventative services offered by the department to the petitioner to prevent the transfer of custody.

NOTE: Art. 1519 as amended by Acts 2025, No. 477, eff. October 1, 2027.

Art. 1519. Hearing

The petition shall be set for hearing on the record unless specifically waived by the court. If the Department of Children and Family Services, office of child welfare, has recommended that the petition for voluntary transfer of custody be filed, a representative for the department shall testify at the hearing with particularity the reasons for the recommendation. Further, the department representative shall specify why a child in need of care petition should not be filed and shall testify regarding the preventative services offered by the department to the petitioner to prevent the transfer of custody.

Acts 1991, No. 235, §15, eff. Jan. 1, 1992; Acts 2010, No. 266, §1; Acts 2025, No. 477, §1, eff. Oct. 1, 2027.