

Regular Session, 2010

SENATE BILL NO. 236

BY SENATOR QUINN

DIVORCE. Provides that physical custody of children may be shared equally in a joint custody decree. (8/15/10)

1 AN ACT

2 To amend and reenact R.S. 9:335(A)(2)(b), relative to divorce and joint custody of children;
3 to provide relative to a joint custody decree and physical custody of children; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:335(A)(2)(b) is hereby amended and reenacted to read as follows:

7 §335. Joint custody decree and implementation order

8 A. * * *

9 (2) * * *

10 (b) To the extent it is feasible and in the best interest of the child, physical
11 custody of the children ~~should~~ **may** be shared equally.

12 * * *

13 Section 2. The Louisiana State Law Institute is hereby directed to prepare revision
14 comments to the provisions of this Act.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Camille Sebastien Perry.

DIGEST

Present law requires the court in a proceeding in which joint custody is decreed to render a joint custody implementation order except for good cause shown.

Present law requires that the implementation order allocate the time periods during which each parent is to have physical custody of the child so that the child is assured of frequent and continuing contact with both parents and to the extent feasible and in the best interest of the child, physical custody of the children should be shared equally.

Proposed law retains present law but provides that to the extent feasible and in the best interest of the child, physical custody of the children may be shared equally.

Proposed law directs the Louisiana State Law Institute to prepare revision comments to the provisions of this Act.

Effective August 15, 2010.

(Amends R.S. 9:335(A)(2)(b))