CADDO PARISH JUVENILE COURT

FIRST JUDICIAL DISTRICT

CLERK OF COURT

ADOPTION DISCLOSURE PROCEDURES AND PERTINENT LAW CONCERNING CONFIDENTIALITY OF ADOPTIONS

GENERAL GUIDELINES

- By law, the Caddo Parish Clerk of Court for Juvenile Court (hereafter known as "Clerk") shall not provide any legal advice on how to prepare legal documents. You will either need to speak to an attorney or research the Louisiana law books to determine what information should be included in the motion.

- For information regarding adoptions, a person is required to file with the Clerk what is formally called a Motion (or Petition) for Disclosure. This motion should include any and all information relating to the person needing the information from the suit. Information needed, if known to the petitioner, to perform a proper search of the suit record shall include, but not limited to:
    1. Possible date of the Judgment of Adoption
    2. Adoptive parents' full names and dates of birth
    3. Petitioner's full legal name and date of birth
    4. Reasons for need of information in adoption suit (see **PERTINENT LAW**)
    5. Petitioner's name at time of adoption
    6. Any other information that may be useful to the Court

- The Clerk's office requires a fee of $125 at the time of filing the motion. These monies will be used to cover any other fees that may be accrued during the Disclosure process. If there is a positive balance after the process has finished, the Petitioner will be refunded the remainder of the funds from the account.

- Once a motion is filed with the Clerk, it will be forwarded to a judge for review, and a hearing date may or may not be set. You and/or your attorney will need to be present in court on that day. The Clerk will mail a notice of the court date, so please include a valid mailing address on the original motion.

- If a hearing on the matter is required, the Court may appoint a Curator on behalf of the petitioner to review the adoption suit for any relevant information regarding the petitioner's Motion. The Curator will then report to the Court about his findings in the suit record.

- After the hearing is conducted, the Court has the strict authority to either grant or deny the motion. A Judgment/Order will be prepared and copies will be distributed by the Clerk.

- Since each case is different, the Clerk will not provide standardized forms for a Motion (or Petition) for Disclosure.

PERTINENT LAW

- La. Ch. C. Art. 1186 provides that adoption records are confidential and any information contained in adoption suits shall only be released by court order.
- La. Ch. C. Art. 1188 provides that information in those records may only be disclosed upon the filing of a Petition for Disclosure.
- La. Ch. C. Art. 1189 provides that there are certain grounds for disclosure of adoption records. In short, these grounds are:
    1. Inheritance rights which are or may be due from the biological parents
    2. There is a medical necessity requiring information of the biological family of the adopted person
    3. Both the adoptive person … and a person reasonably believed to be his biological parent or sibling … have registered with the department pursuant to Chapter 15 of Title XII of the Louisiana Children's Code.
    4. The information is otherwise required to be disclosed by federal or state law.