

Parental Rights Louisiana

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Question	Answer
Does the state allow for termination or limitation of parental rights when a child is born from rape?	Yes
Does the state require a conviction for the sexual offense to terminate or limit the rapist's parental rights?	No
May the state terminate or limit parental rights when there was a sexual assault that led to the birth of the child, but no conviction?	yes
What parental rights can be terminated or limited?	All rights over child. Additionally, if the rapist parent seeks visitation of the child, if the child was conceived through the commission of a felony rape, the parent who committed the felony rape shall be denied visitation rights and contact with the child. [This applies where the parent's rights have not been terminated.]
Are there any exceptions to the termination or limitation of a rapist's parental rights?	N/A
What other rights may be impacted by terminating a rapist's parental rights?	N/A
What is the procedure for termination or limitation of parental rights in these circumstances?	The victim must petition the court.
What proof do you have to show to terminate or limit the rapist parent's parental rights?	Victim must prove by Clear and Convincing Evidence either that the respondent was convicted for a felony sexual assault against the petitioner, through which the child was conceived; OR that the respondent committed a felony sexual assault against the petitioner through which the child was conceived.
Are there any time limits for when a petition must be filed to terminate or limit the rapist parent's rights?	N/A

Does the law apply to both adult victims and underage victims?	Yes
Does the law have any exceptions for married or co-habiting victims?	N/A
Can a court require the rapist parent to pay child support after parental rights have been terminated?	N/A However, rapist parent is responsible for all court costs from the termination petition, as well as all costs of medical and psychological care for the other parent and/or for the child.
Statutory Citations	See, LSA-Ch.C. Art. 1015 (3) and (9) See also La. Civ. Code. Art. 137. Denial of visitation; felony rape