



GERRY CVITANOVICH, M.D.
Coroner

**2018
JEFFERSON PARISH CORONER'S OFFICE GUIDELINES
FOR CONTINUING TUTORSHIP
WITH CORONER CONCURRENCE
(AS AMENDED BY ACT 164 OF 2018)**

Louisiana law (LSA CIVIL CODE ARTICLE 355) requires that the Coroner sign a Coroner Concurrence in all cases wherein a Petition for Continuing Tutorship is filed in his jurisdiction.

The following guidelines are presented to assist attorneys seeking a Coroner Concurrence in connection with a petition for Continuing Tutorship: under LSA Civil Code Article 355:

GENERAL: This matter generally involves the parents of a person with an intellectual disability who is above the age of fifteen (15) who possesses less than two-thirds of the intellectual functioning of a person the same age,, or the person entitled to custody or tutorship if one or both parents are dead, incapacitated, or an absent person, or if the parents are judicially separated or divorced, filing into Court a petition seeking to place that person under a continuing tutorship which shall not automatically end at any age but shall continue until revoked by the Court of Domicile.

It is based on the individual's failure to possess two thirds of the normal intellectual functioning ability of a person his or her age as evidenced by standard testing procedures and an expert medical report.

Attorneys usually submit the legal pleadings to the Coroner prior to filing in Court and request that the Coroner sign the pleading entitled Coroner Concurrence.

Prior to signing, some items to be checked by the Coroner include but are not limited to:

- 1) The caption or name of the suit should read," CONTINUING TUTORSHIP OF XXXX, A PERSON WITH AN INTELLECTUAL DISABILITY. (LSA CIVIL CODE ART 356)
- 2) The first paragraph should establish the right of the person seeking the tutorship to file this pleading: examples.... NOW INTO COURT, COMES YYY, surviving parent of XXXX, OR divorced spouse of ZZZ, or person entitled to sole custody of YYY, or natural tutor or tutrix of XXXX. (See LSA CIVIL CODE ART 355)

Page 1 of 2

- 3) The legal standard to be met reads as follows: "When a person above the age of fifteen possesses less than two-thirds of the intellectual functioning of a person of the same age with average intellectual functioning, evidenced by standard testing procedures administered by



