



GERRY CVITANOVICH, M.D.
Coroner

2017
JEFFERSON PARISH CORONER'S OFFICE GUIDELINES
FOR CONTINUING TUTORSHIP
WITH CORONER CONCURRENCE

Louisiana law requires that the Coroner sign a Concurrence in all cases wherein a Petition for Continuing Tutorship is filed in his/her jurisdiction. The following guidelines are presented to assist attorneys seeking a Coroner Concurrence in Jefferson Parish prior to submission of documents for signature:

GENERAL: This matter involves a parent or guardian filing into Court a petition seeking a continuing or permanent tutorship of an individual aged between 15 and 18 years of age. It is based on the individual's failure to possess 2/3 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 may be checked by the Coroner including, but not limited to:

1. The caption or name of the suit should read, "CONTINUING TUTORSHIP OF XXX, 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 XXX, or divorced spouse of ZZZ, or person entitled to sole custody of XXX, or natural tutor or tutrix of XXX". (See LSA CIVIL CODE ART. 355)
3. The legal standard to be met reads as follows: When a person above the age of 15 but less than the age of 18 possesses less than 2/3 of the normal intellectual functioning of a person of the same age with average intellectual functioning, evidenced by standard testing procedures administered by competent persons or other relevant evidence acceptable to the Court. (La. Civ. Code Ann. Art 355.) The petition should say what evidence supports this standard.
4. Standard testing, if attached for review, will be reviewed very carefully. If an Individual Education Plan (IEP) is submitted, it normally will not state the standard as



required by law and is usually not current. Because of the lack of current and proper language required by law, the Jefferson Parish Coroner's Office requires a more current Coroner Concurrence Guidelines

Page 2

and notarized statement from a doctor treating the individual which states specifically that the individual possesses less than 2/3 the normal intellectual functioning ability of a person of his/her age.

5. The only acceptable language for the Coroner Concurrence is as follows:

I, Dr. Gerry Cvitanovich, as the duly elected Coroner of Jefferson Parish, after review of the pleadings and supporting documents filed herein, certify that XXX, in my opinion, possesses less than two-thirds of the normal intellectual functioning of a person of the same age with average intellectual functioning, evidenced by standard testing procedures administered by competent persons or other relevant evidence acceptable to the Court and I concur in the recommendation of his parents or guardian that he be placed under a continuing or permanent tutorship.

Harvey, Louisiana, this _____ day of _____, 2017.

Dr. Gerry Cvitanovich
Coroner of the Parish of Jefferson

6. The Coroner can charge no fee for signing this concurrence.