

SENATE BILL NO. 396

BY SENATOR CLOUD

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

AN ACT

To amend and reenact Children's Code Art. 906(B)(1) and (3) and to enact Children's Code Art. 906(B)(5), relative to the office of juvenile justice; to require review hearings via secure video conference; to reclassify detention centers; to provide for confidential virtual conferencing with the child's counsel of record; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Art. 906(B)(1) and (3) are hereby amended and reenacted and Children's Code Art. 906(B)(5) is hereby enacted to read as follows:

Art. 906. Required review hearings; commitment; children in custody of the office of juvenile justice

\* \* \*

B.(1) Any child committed by a court to the custody of the office of juvenile justice ~~must~~ **shall** be physically transported to the committing court for an in-person review hearing not more than six months after the child's commitment, and every six months thereafter, unless such ~~an in-person~~ hearing is waived by counsel for the child and by the committing court. The date of the initial review hearing shall be set by the court at the time of disposition. **The court may order review hearings set more frequently than the in-person hearings every six months, but for such additional hearings the child shall participate via a video conferencing platform. Staff of the office of juvenile justice and contract staff shall participate in each review hearing in the same manner as the child who is required to participate in accordance with this Subparagraph.**

\* \* \*

(3) For the purposes of this Paragraph, a child is deemed "committed by a court to the custody of the office of juvenile justice" if he is judicially committed to the legal custody of the office of juvenile justice, regardless of where the child is

1 physically held, including but not limited to state-run secure facilities, state-run  
2 nonsecure facilities, private facilities with which the office of juvenile justice  
3 contracts, and **juvenile** detention centers.

4 \* \* \*

5 **(5) Notwithstanding any provision of law to the contrary, any child**  
6 **committed by a court to the custody of the office of juvenile justice shall have**  
7 **the right to participate in a private and confidential virtual consultation with**  
8 **his counsel of record prior to any review hearing or other proceeding. The**  
9 **consultation shall be conducted through a secure video conferencing platform**  
10 **that ensures end-to-end confidentiality.**

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_