

Regular Session, 2009

HOUSE BILL NO. 894 (Substitute for House Bill No. 809 by Representative Peterson)

BY REPRESENTATIVE PETERSON

JUVENILES: Creates a pilot program for juveniles based upon a functional family model of intervention

1 AN ACT

2 To enact Children's Code Article 896.1 and Part VI of Chapter 7 of Title 15 of the Louisiana  
3 Revised Statutes of 1950, to be comprised of R.S. 15:971 through 974, relative to  
4 juvenile delinquency; to provide for the disposition and treatment of juveniles  
5 following adjudication; to provide for the creation of the Functional Family Therapy  
6 Pilot Program; to provide for the administration of the program by the Department  
7 of Public Safety and Corrections, youth services, office of juvenile justice; to  
8 authorize the use of cooperative endeavor agreements and contracts to implement the  
9 program; to provide for the eligibility of participants in the pilot program; to  
10 authorize courts to recommend that eligible juveniles participate in the program; to  
11 provide for definitions; and to provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. Children's Code Article 896.1 is hereby enacted to read as follows:

14 §896.1. Alternative disposition

15 In addition to any other disposition which may be ordered as a result of  
16 adjudication, the court may recommend that the child, if eligible, participate in the  
17 pilot program established pursuant to the provisions of Part VI of Chapter 7 of Title  
18 15 of the Louisiana Revised Statutes of 1950.

1           Section 2. Part VI of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950,  
2   comprised of R.S. 15:971 through 974, is hereby enacted to read as follows:

3           PART VI. FUNCTIONAL FAMILY THERAPY PILOT PROGRAM

4           §971. Legislative intent

5           The Louisiana Legislature recognizes the need for intervention in the lives  
6           of juvenile offenders to provide them with the opportunity to lead successful,  
7           productive lives. This legislature also recognizes the importance of providing  
8           family-centered services to assist the family of a juvenile offender in recognizing  
9           harmful behaviors and to provide the family with the tools to correct such behavior.  
10          It is critical that the Louisiana Legislature create a cost-effective pilot program in this  
11          state to treat at risk juveniles and their families by utilizing evidence-based practices  
12          which have demonstrated effectiveness in terms of significant reductions in the  
13          recidivism rate of juvenile offenders.

14          §972. Definitions

15                 For purposes of this Part:

16                 (1) "Evidence-based practices" shall mean practices which have been  
17                 documented based upon scientific research to demonstrate effectiveness in terms of  
18                 a reduction in recidivism rates among participants.

19                 (2) "Office" shall mean the Department of Public Safety and Corrections,  
20                 youth services, office of juvenile justice.

21          §973. Functional Family Therapy Pilot Program; creation

22                 A. The Department of Public Safety and Corrections, youth services, office  
23                 of juvenile justice, shall establish and maintain a pilot program to provide services  
24                 to at risk juveniles and their families based upon a functional family therapy model  
25                 of intervention. This model of intervention shall be based upon evidenced-based  
26                 practices. This pilot program shall provide services which shall include, but are not  
27                 limited to, substance abuse counseling and interventions aimed at enhancing  
28                 interpersonal relationships, developing conflict resolution skills, and developing  
29                 coping mechanisms for managing anger and stress.

1           B. The office is hereby authorized to enter into cooperative endeavor  
2           agreements or contracts with any department or agency of the state or federal  
3           government, any non-profit organization, any public or private service provider, or  
4           any community-based organization which the office determines to be capable of  
5           providing the services required by the provisions of this Part.

6           C. The office shall adopt rules in accordance with the Administrative  
7           Procedure Act to implement the provisions of this Part. Those administrative rules  
8           shall establish the location or locations of the pilot program, the duration of the  
9           program, and all other parameters of the program.

10           §974. Eligibility for participation

11           A. Except as otherwise provided in Subsection B of this Section, juveniles  
12           who are eleven years of age or greater, but less than eighteen years of age who have  
13           been adjudicated delinquent pursuant to the provisions of Title VIII of the Children's  
14           Code may be eligible to participate in the pilot program established pursuant to the  
15           provisions of this Part.

16           B. The following juveniles shall not be eligible for participation in the pilot  
17           program:

18           (1) A juvenile who is subject to the jurisdiction of the criminal court or has  
19           been transferred to the criminal court for prosecution as an adult.

20           (2) A juvenile who is accused of committing a sex offense as defined in R.S.  
21           15:541.

22           (3) A juvenile who is accused of committing a crime of violence as defined  
23           in or as enumerated in R.S. 14:2.

24           Section 3. The provisions of this Act shall take effect and become operative  
25           if and when sufficient funds are appropriated for such purposes.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Peterson

HB No. 894

**Abstract:** Creates a pilot program to provide services to juvenile offenders and their families.

Proposed law creates a pilot program within the Dept. of Public Safety and Corrections, youth services, office of juvenile justice, to provide services to at risk juveniles and their families based upon a functional family therapy model of intervention. This pilot program shall provide services which shall include, but is not limited to, substance abuse counseling and interventions aimed at enhancing interpersonal relationships, developing conflict resolution skills, and developing coping mechanisms for managing anger and stress. Authorizes the office of juvenile justice to enter into cooperative endeavor agreements or contacts with any department or agency of the state or federal government, any non-profit organization, any public or private service provider, or any community-based organization to implement the provisions of proposed law. Requires the promulgation of administrative rules in accordance with the APA.

Proposed law provides that juveniles who are eleven years of age or greater, but less than eighteen years of age who have been adjudicated delinquent may be eligible to participate in the pilot program. Provides that the following juveniles shall not be eligible for participation:

- (1) A juvenile who is subject to the jurisdiction of the criminal court or has been transferred to the criminal court for prosecution as an adult.
- (2) A juvenile who is accused of committing a sex offense.
- (3) A juvenile who is accused of committing a crime of violence.

(Adds Ch. C. Art. 896.1 and R.S. 15:971 - 974)