

Regular Session, 2009

ACT No. 170

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

BY REPRESENTATIVES PETERSON AND BROSSETT AND SENATORS BROOME
AND GRAY EVANS

AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

§896.1. Alternative disposition

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

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

1 PART VI. FUNCTIONAL FAMILY THERAPY PILOT PROGRAM

2 §971. Legislative intent

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

12 §972. Definitions

13 For purposes of this Part:

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

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

19 §973. Functional Family Therapy Pilot Program; creation

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

28 B. The office is hereby authorized to enter into cooperative endeavor
29 agreements or contracts with any department or agency of the state or federal
30 government, any nonprofit organization, any public or private service provider, or

1 any community-based organization which the office determines to be capable of
2 providing the services required by the provisions of this Part.

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

7 §974. Eligibility for participation

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

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

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

17 (2) A juvenile who is accused of committing a sex offense as defined in R.S.
18 15:541.

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

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____