The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ashley E. Menou.

DIGEST

SB 103 Original | 2018 Regular Session | Morrell

Present law requires juvenile courts to ensure all proceedings are conducted with dignity and in an orderly fashion. Present law further authorizes juvenile courts to exclude any person whose conduct is disruptive if that person fails to heed the court's order to refrain from such conduct.

Proposed law retains present law.

Proposed law prohibits the use of restraints on a child in any juvenile court proceeding except in delinquency proceedings under certain circumstances.

Proposed law allows a juvenile court to permit a child to be restrained in a delinquency hearing if the child presents a risk of physical harm or flight and there are no less restrictive alternatives.

Proposed law provides that the fact that a child is detained is not sufficient to warrant the use of restraints.

Proposed law provides that if it is alleged that the use of restraints is necessary, the district attorney or law enforcement must inform the judge and attorney for the child before the proceeding, and the child's attorney must be given the opportunity to speak and object on the record.

Proposed law provides that if the use of restraints is ordered, the judge must state the reasons for the order on the record.

Effective August 1, 2018.

(Amends Ch.C. Art. 408)