
DIGEST

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HB 216 Original

2021 Regular Session

Duplessis

Abstract: Eliminates administrative fees, costs, and taxes related to juvenile delinquency cases.

Under present law, courts are required or allowed to assess administrative fees, costs, and taxes in juvenile delinquency cases. Courts impose these fees, costs, and taxes on juveniles or their parents or guardians.

Present law establishes a judicial expense fund for the Juvenile Courts for Caddo Parish, Orleans Parish, and East Baton Rouge Parish.

Present law allows the fund for the juvenile courts for Caddo Parish, Orleans Parish, and East Baton Rouge Parish to be used for any operating expenses of the courts. Monies for the fund are generated through court fines and court assessed fees and court costs.

Present law allows juvenile detention centers to levy a special cost against a defendant who is convicted of a felony after trial or who enters a plea of guilty or nolo contendere or forfeits bond, excluding traffic offenses and misdemeanors.

Present law also allows for an amount to be deducted from any fine imposed prior to disposition of the fine in lieu of imposing such special costs.

Present law provides that in the parishes of Bienville, Claiborne, DeSoto, Natchitoches, Red River, Sabine, and Webster, in all courts exercising juvenile jurisdiction, special costs in the amount of \$50 shall be levied against every juvenile who is found to have committed a traffic violation or who is adjudicated a delinquent.

Present law provides that the child or the parents or guardians are responsible for the following fees, costs, or taxes, including but not limited to:

- (1) Probation and parole supervision fees.
- (2) Supervision fees associated with the disposition after adjudication of misdemeanor and felony grade delinquent acts.
- (3) Teen or youth court program fee.
- (4) Physical and mental examination fee following an adjudication or for disposition.

- (5) Fees related to lawyer's services when the court appoints a lawyer.
- (6) Special costs against any juvenile defendant who is found to have committed a traffic violation resulting in an injury or property loss or who pleads guilty to or is convicted of a juvenile offense.
- (7) Taxes against every defendant who is convicted after trial or after a plea of guilty or nolo contendere or who forfeits his bond in all criminal matters except for matters involving traffic violations in the parishes of East Baton Rouge, Iberia, St. Mary, and St. Martin.
- (8) Parent's contribution to costs of care and treatment.
- (9) Fee for a copy of the child's transcript for appeal.
- (10) Curator expenses and fees to be paid by the petitioners.

Proposed law eliminates all fees, costs, and taxes in juvenile delinquency cases.

Proposed law authorizes and directs the La. State Law Institute to review and make necessary changes to cross-references in present law.

(Amends R.S. 15:1093(A), R.S. 47:299.1, and Ch.C. Arts. 320(A), 335(D), 405(B) and (G), 607(C), 774(B), 781.1(A), 793.4(A), 809(A), 811.2, 839(C), 848, 868(B), 888(C), 896(G), 897(B)(2)(g), and 899(B)(2)(g); Adds R.S. 13:1595.3(C) and C.Cr.P. Art. 887(I); Repeals R.S. 15:910, 1086, 1094.7, and 1097.7, Ch.C. Arts. 321, 405(D), (E), and (F), 781.1(B), 783, 901.1, and 924(B) and (C))