



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **SB 74** SLS 25RS 210
Bill Text Version: **ENGROSSED**
Opp. Chamb. Action:

Proposed Amd.:
Sub. Bill For.: **REVISED**

Date: May 18, 2025	5:30 PM	Author: SEABAUGH
Dept./Agy.: OJJ/State Public Defender/District Attorneys/Corrections		
Subject: Criminal Court Jurisdiction Over Juveniles		Analyst: Daniel Druilhet

CRIME/PUNISHMENT EG SEE FISC NOTE GF EX Page 1 of 2
Provides relative to criminal court jurisdiction over juveniles. (8/1/25)

Current law provides for jurisdiction applicable to special juvenile courts, parish and city courts, and separate juvenile courts established in specific parishes for criminal matters involving juveniles; provides that a juvenile is subject to the exclusive jurisdiction of the juvenile court if he is 15 years of age or older prior to allegedly committing certain felonies until either an indictment is returned or the juvenile court holds continued custody hearing on a probable cause determination; provides for the district attorney’s (DA) discretion to proceed under either the Children’s Code or the Code of Criminal Procedure. Proposed law provides that notwithstanding any other provision of law, the DA shall have the discretion to transfer, on a case by case basis, any case before a special juvenile court to another court of proper jurisdiction and venue, including transferring to the district court cases involving juveniles charged with a felony that were 15 years of age or older at the time the offense is alleged to have been committed, transferring cases to parish court involving juveniles charged with either a felony or misdemeanor that were less than 15 years of age at the time the offense is alleged to have been committed, transferring cases to city court involving juveniles charged with either a felony or misdemeanor that were less than 15 years of age at the time the offense is alleged to have been committed; and provides the AG, if sitting as a DA ad hoc, with the same discretion.

EXPENDITURES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						
REVENUES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed law may result in an indeterminable increase in workload and associated SGF and Local funds expenditures in city, parish, and district courts, district defenders, district attorneys, sheriffs, and clerks of court located in jurisdictions with special juvenile courts, and may result in a decreased workload in special juvenile courts in Caddo, East Baton Rouge, Jefferson, and Orleans Parish. **This fiscal note outlines potential costs should the DA of the impacted districts (or AG) transfer certain juvenile cases. These costs are speculative, and to the extent cases are not transferred, the costs detailed here may not materialize.**

Juvenile Courts

Proposed law may result in an indeterminable decrease in workload and associated Local Funds expenditures to special juvenile courts, to the extent that district attorneys exercise discretion to transfer certain cases before a special juvenile court to another court of proper jurisdiction. Whether this reduction in workload results in a reduction in associated expenditures in special juvenile courts is not quantifiable.

City Courts, District Courts, Parish Courts (Orleans, East Baton Rouge, Caddo, and Jefferson Parishes)

Proposed law may result in an indeterminable increase in workload and associated Local Funds expenditures for district, city, and parish courts, to the extent that district attorneys exercise discretion to transfer certain cases before a special juvenile court to another court of proper jurisdiction. The four parishes which contain special juvenile courts (Orleans, Jefferson, East Baton Rouge, and Caddo Parish) would likely incur an increase in workload within city courts, parish courts, and district courts related to an increased caseload from cases transferred from special juvenile courts. The exact fiscal impact is indeterminable.

District Attorneys, District Defenders, Sheriffs, and Clerks of Court

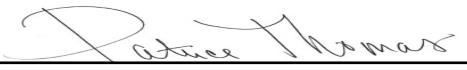
Proposed law may result in additional workload and related SGF and Local Funds expenditures in logistics and scheduling for district attorneys, district defenders, sheriffs, and clerks of court. The exact fiscal impact related to logistics and scheduling is not quantifiable, as it is unknown the number of instances in which district attorneys within the impacted districts will decide to transfer the specific cases within the proposed law to city, parish, or district courts.

Proposed law may result in the impacted jurisdictions making significant logistical adjustments. Courts may choose to mitigate expenditures associated with these adjustments administratively. To the extent that changes cannot be made administratively, the impacted courts may incur additional costs to implement the proposed law. These costs are detailed on page two.

[CONTINUED ON PAGE TWO]

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate	<u>Dual Referral Rules</u>	House	
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}		<input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}	
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	 Patrice Thomas Deputy Fiscal Officer



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **SB 74** SLS 25RS 210
Bill Text Version: **ENGROSSED**
Opp. Chamb. Action:

Proposed Amd.:
Sub. Bill For.: **REVISED**

Date: May 18, 2025	5:30 PM	Author: SEABAUGH
Dept./Agy.: OJJ/State Public Defender/District Attorneys/Corrections		
Subject: Criminal Court Jurisdiction Over Juveniles		Analyst: Daniel Druilhet

CONTINUED EXPLANATION from page one: Page 2 of 2

[CONTINUED FROM PAGE ONE]
For informational purposes, the following serves as a narrative to provide examples regarding the potential expenditures that may be incurred by city, parish, and district courts, district attorneys, district defenders, clerk of court, and sheriffs, with the discretionary authority provided to district attorneys (and the AG if DA ad hoc) to transfer juvenile matters within special juvenile courts (Caddo Parish, East Baton Rouge Parish, Jefferson Parish, and Orleans Parish) to city, parish and district courts. The information provided is relative to logistical and administrative concerns of the proposed law presented in the 5/12/25, hearing of the Senate Finance Committee.

District Attorneys

The impacted district attorneys have advised that transfer of juvenile cases to city, parish, and district courts may result in the district attorneys incurring additional SGF and Local Funds expenditures related to the securing new and training existing assistant district attorneys on the Children’s Code and the securing of additional staff (investigators, secretaries, and victims assistance coordinators) to address additional workload for the district attorneys operating at the impacted city, parish and district courts.

Parish DA	Total Salaries	Total Benefits	Total Operating Services	Total
Caddo	\$411,499	\$237,962	\$152,398	\$801,859
Jefferson	<u>\$325,000</u>	<u>\$105,500</u>	<u>\$ 0</u>	<u>\$430,500</u>
	\$736,499	\$343,462	\$152,398	\$1,232,359

East Baton Rouge Parish and Orleans Parish

The East Baton Rouge Parish District Attorney (EBR DA) has advised that he may be required to secure additional staff to comply with the proposed law. As of the drafting of this note, the LFO is still working to obtain information regarding the number of positions and associated salaries and benefits that may impact expenditures in the EBR DA and Orleans DA.

District Defenders

Impacted district defenders may incur an indeterminable increase in SGF and Local Funds expenditures, should they be required to provide defense for impacted juveniles at city courts, parish courts, and district courts, while maintaining services for juveniles in special juvenile courts. District defenders advise of the following associated costs for defense in district courts, with enactment of the proposed law:

District Defender	Estimated Costs
First	\$200,000
Nineteenth	\$150,000
Twenty-Fourth	\$600,000

Note: The LFO is still working to obtain information regarding potential fiscal impact to the Forty-First District Defender in Orleans Parish. That information will be reported as it becomes available.

City, Parish, and District Courts

The impacted courts have advised that transfer of juvenile cases to city, parish, and district courts may result in courts incurring additional Local Funds expenditures to their judicial expense funds related to reconfiguring their courts to comply with sight and sound separation requirements for juveniles. The respective district courts currently do not provide adequate space for adult defendants held in detention, and it would be impossible to separate juveniles from adults under the courts’ current configuration if a case is transferred from juvenile court. To provide adequate space to hold juveniles sight and sound separated from adult criminal defendants pending trial, the courts would require building modifications (a Sally port and separate holding cells for juveniles). Additionally, to ensure the privacy and security of juveniles, the Judicial Administrator may also require a floor to be cleared at the court or enact other administrative measures to ensure the privacy and security of juveniles for those matters heard in district court. Judicial administrators advise that to ensure the privacy and security of juveniles whose cases are transferred to city, parish or district court, the following costs may be incurred:

Judicial District	Cost Estimates (Building Modifications)
First	\$800,000
Nineteenth	\$3 M to \$10 M
Second Parish Court (Jefferson Parish)	Indeterminable Increase

Note: The LFO has contacted the judicial administrators of the impacted courts to obtain information regarding the fiscal impact of the proposed law to their respective courts. That information will be reported as it becomes available.

Sheriffs

The impacted sheriffs have advised that they may incur Local Funds expenditures related to transporting and holding juveniles to ensure the privacy and security of juveniles in compliance with sight and sound separation requirements of the Children’s Code. Currently, each parish sheriff is responsible for transportation of adult criminal defendants from their respective detention facilities to the respective district courts and would be required to keep juveniles transported and detained at the respective city, parish, and district courts sight and sound separated from adults that are transported and held. To ensure this privacy and security, sheriffs report costs related to securing additional personnel (detention and probation officers) and equipment, as follows:

Parish Sheriff	Total Salaries	Total Benefits	Equipment	Total
Caddo	\$323,434	\$225,890	\$227,000	\$776,324

Note: The LFO has contacted the Jefferson, East Baton Rouge, and Orleans Parish Sheriffs to obtain information regarding the fiscal impact of the proposed law to their respective offices. That information will be reported as it becomes available.

Clerks of Court

The Clerks of Court for each of the impacted courts may incur additional Local Funds expenditures related to securing additional staff (minute clerks) for those cases that may be transferred to the respective courts, as follows:

Judicial District	Cost Estimates
First	\$325,000

Additionally, clerks have advised that additional Local Funds expenditures may be incurred relative to ensuring the privacy of juvenile records that are transferred. Each district clerk of court maintains records for adult criminal defendants for purposes of criminal processing, and would be required to transfer records of juveniles from special juvenile courts and ensure their confidentiality and privacy pursuant to Children’s Code Articles 412 through 417. The impact to Local Funds expenditures is indeterminable, as the administrative procedures that would maintain those records is unknown.

Note: The LFO has contacted the clerks of court for all impacted courts, and that information will be reported as it becomes available.

Senate	Dual Referral Rules	House	
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}		<input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}	 Patrice Thomas Deputy Fiscal Officer
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	