DIGEST

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Patricia Smith HB No. 124

Abstract: Amends provisions relative to the confidentiality of delinquency hearings, allowing the victim and certain members of the victim's family to be present.

Present law provides that with certain exceptions, including an exception for delinquency proceedings, proceedings before the juvenile court shall not be public.

Present law provides that the child, his parents, counsel, the district attorney, authorized officers of the court, and witnesses called by the parties may be present at an adjudication hearing, and provides that the court may admit any other person who has a proper interest in the proceedings or the work of the court.

Present law provides that the court shall allow the proceedings to be open to the public when the alleged delinquent act committed by the child would be considered a crime of violence as defined in R.S. 14:2(B), or when the alleged delinquent act would be a second or subsequent felony-grade adjudication.

Present law provides that in delinquency proceedings involving first degree murder, second degree murder, aggravated rape, aggravated kidnapping, or armed robbery, the court shall admit the victim and the victim's spouse, children, siblings, and parents.

Proposed law amends present law to provide that in all delinquency proceedings, the court shall allow the victim and the victim's spouse, children, siblings, parents, grandparents, guardians, and legal custodians to be present at the hearing.

Proposed law shall be known as the "Christopher Vaughn Act".

(Amends Ch.C. Arts. 407 and 879(A))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Limited the members of the victim's family who are allowed to be present to include the victim's spouse, children, siblings, parents, grandparents, guardians, and legal custodians.

2. Deleted proposed law provision which allowed the court to order certain persons to be excluded from the courtroom or from a place where they can observe or listen to the proceedings or refrain from discussing the facts of the case with anyone other than counsel in the case.