HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 124 by Representative Patricia Smith

JUVENILE PROCEDURE: Amends provisions regarding the confidentiality of delinquency hearings to allow the victim and the victim's family members to be present

Synopsis of Senate Amendments

1. Amended provision which allowed the victim and the victim's spouse, children, siblings, parents, grandparents, guardians, and legal custodians to be present at the adjudication hearing for all delinquency proceedings to provide that the court shall allow these persons to be present only for the adjudication hearing in delinquency proceedings involving first degree murder, second degree murder, aggravated rape, aggravated kidnapping, armed robbery, negligent homicide, or vehicular homicide.

2. Made technical changes.

Digest of Bill as Finally Passed by Senate

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 involving the violation of first degree murder, second degree murder, aggravated rape, aggravated kidnapping, armed robbery, negligent homicide, or vehicular homicide, the court shall allow the victim and the victim's spouse, children, siblings, parents, grandparents, guardians, and legal custodians to be present at the adjudication hearing.

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

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