ENROLLED

Regular Session, 2011

ACT No. 251

HOUSE BILL NO. 124

BY REPRESENTATIVES PATRICIA SMITH AND DOERGE AND SENATORS CHABERT, HEITMEIER, JACKSON, LAFLEUR, MARTINY, AND PETERSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AN ACT

To amend and reenact Children's Code Articles 407 and 879(B), relative to delinquency proceedings; to amend provisions relative to the confidentiality of delinquency proceedings; to allow the victim and certain members of the victim's family to be present; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. This Act shall be known as the "Christopher Vaughn Act" in honor of Christopher Vaughn, a resident of Baton Rouge, Louisiana, who was killed on May 8, 2010.

Section 2. Children's Code Articles 407 and 879(B) are hereby amended and reenacted to read as follows:

Art. 407. Confidentiality of hearings

A. With the exceptions of delinquency proceedings pursuant to Article 879, child support proceedings, traffic violations pursuant to Chapter 2 of Title IX in ~~parishes with a population between three hundred eighty thousand and four hundred thousand~~ East Baton Rouge Parish, and misdemeanor trials of adults pursuant to Chapter 4 of Title XV, proceedings before the juvenile court shall not be public. ~~However, 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.~~

B. 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. The court may admit any other person who has a proper interest in the

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proceedings or the work of the court. ~~In delinquency proceedings involving the violation of R.S. 14:30, first degree murder; R.S. 14:30.1, second degree murder; R.S. 14:42, aggravated rape; R.S. 14:44, aggravated kidnapping; or R.S. 14:64, armed robbery; the court shall admit the victim and the victim's spouse, children, siblings, and parents.~~

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Art. 879. Presence at adjudication hearing; exclusion of witnesses

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B.(1) All proceedings in a juvenile delinquency case involving a crime of violence as defined in R.S. 14:2(B) or a delinquent act which is a second or subsequent felony-grade adjudication shall be open to the public.

(2) Except as otherwise provided by law, in all juvenile delinquency proceedings involving the violation of first degree murder (R.S. 14:30), second degree murder (R.S. 14:30.1), aggravated rape (R.S. 14:42), aggravated kidnapping (R.S. 14:44), armed robbery (R.S. 14:64), negligent homicide (R.S. 14:32) or vehicular homicide (R.S. 14:32.1), the court shall allow the victim, the victim's spouse, children, siblings, parents, grandparents, guardians, and legal custodians to be present at the adjudication hearing.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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