

Regular Session, 2012

HOUSE BILL NO. 433

BY REPRESENTATIVE GREENE

JUVENILE PROCEDURE: Amends procedures relative to adjudication hearings for juvenile offenders charged with crimes of violence

1 AN ACT

2 To amend and reenact Children's Code Article 877(A), relative to juvenile adjudication
3 hearings; to amend procedures relative to adjudication hearings for juvenile
4 offenders charged with a crime of violence; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Children's Code Article 877(A) is hereby amended and reenacted to read
7 as follows:

8 Art. 877. Adjudication hearing; time limitations

9 A. If When the child is charged with a crime of violence as defined in R.S.
10 14:2(B) and the child is continued in custody pursuant to Chapter 5 of this Title, the
11 adjudication hearing shall commence within sixty days of the appearance to answer
12 the petition. In all other cases, if the child is continued in custody pursuant to
13 Chapter 5 of this Title, the adjudication hearing shall commence within thirty days
14 of the appearance to answer the petition.

15 * * *

16 Section 2. This Act shall become effective upon signature by the governor or, if not
17 signed by the governor, upon expiration of the time for bills to become law without signature
18 by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If
19 vetoed by the governor and subsequently approved by the legislature, this Act shall become
20 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Greene

HB No. 433

Abstract: Amends procedures relative to adjudication hearings for juveniles charged with a crime of violence to require that the hearing commence within 60 days of the appearance to answer the petition.

Present law (Chapter 5 of Title VII of the Children's Code) provides for the continued custody of a juvenile prior to adjudication.

Present law provides that if the child is continued in custody pursuant to present law, the adjudication hearing shall commence within 30 days of the appearance to answer the petition.

Present law provides a definition for "crime of violence".

Proposed law retains present law and provides that if the child is charged with a crime of violence as defined by present law and the child is in continued custody pursuant to present law, the adjudication hearing shall commence within 60 days of the appearance to answer the petition.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends Ch.C. Art. 877(A))

Summary of Amendments Adopted by House

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

1. Amended proposed law to decrease the number of days within which the adjudication hearing shall commence for a child charged with a crime of violence from 90 days to 60 days.