

RÉSUMÉ DIGEST

ACT 620 (HB 140)

2026 Regular Session

Cox

Prior law (Ch.C. Art. 315) required the court, where a petition was filed after adjudication, to transfer the proceeding if it received information at any time that the child was domiciled with his parent or tutor in another parish and the court of the child's domicile had proceedings currently pending before it.

New law repeals prior law and instead authorizes the court, where a petition was filed after adjudication, to transfer the proceeding if it received information at any time that the child was domiciled with his parent or tutor in another parish and the court of the child's domicile had proceedings currently pending before it.

Existing law (Ch.C. Art. 412) provides for the confidentiality of juvenile records.

New law (Ch.C. Art. 412(Q)) provides that nothing in existing law prohibits law enforcement officers, prosecuting agencies, or judicial officers from obtaining records relating to delinquency or status offense proceedings which are relevant to an ongoing delinquency or criminal investigation or proceeding.

New law authorizes a custodian of records to seek a protective order prohibiting or limiting the disclosure upon a showing of good cause that such protection is necessary in the interests of justice.

New law requires a recipient to protect all records produced and the information contained in those records from disclosure outside of the criminal justice system as defined in existing law (R.S. 15:572).

Existing law (Ch.C. Art. 804) provides for certain definitions.

New law defines the term "custody".

Existing law (Ch.C. Art. 813) provides for the taking of a child into custody with a court order.

New law requires the officer to advise the court of the custodial location of the child.

Existing law provides for the execution of the court order and notification.

New law requires an officer to promptly notify the district attorney in the jurisdiction where any court order for the child to be taken into custody was issued that the child has been taken into custody.

New law requires notification to the district attorney, even if the court order is issued in a jurisdiction different from the one where the child is taken into custody, by filing notice in the court record where the petition on the original charge is pending that advises the court of the custodial location of the child with a copy provided to the district attorney and certification of notice provided to the district attorney.

Existing law (Ch.C. Art. 815.1) provides for alternatives to detention programs.

Prior law (Ch.C. Art. 815.1(D)) provided that an alternative to detention program was considered a form of detention and the time periods set forth in prior law applied unless waived by the child. Further prohibited the enrollment of a child in an alternative to detention program following a disposition hearing, except as an alternative to placement in detention or other out-of-home placement.

New law repeals prior law.

Existing law provides for the purpose of an alternative to detention program and provides that the child's participation in an alternative to detention program is not considered an adjudication or suspension of delinquency proceedings.

Prior law provided that an alternative to detention program may include rehabilitative components, but continued participation in the program was not required post-adjudication, except as an alternative to detention of the child or other out-of-home placement.

New law removes the provisions of prior law relative to continued participation in the program after adjudication.

Existing law (Ch.C. Art. 818(A)) authorizes a child to be photographed or fingerprinted if taken into custody for the commission of a misdemeanor-grade delinquent act.

New law requires a child to be photographed or fingerprinted if taken into custody for the commission of a felony-grade delinquent act.

Prior law (Ch.C. Art. 843) required a delinquency petition to be filed within 48 hours of a continued custody hearing if the child was continued in custody prior to adjudication.

New law repeals the time frame in prior law and requires a delinquency petition to be filed within five days after the hearing.

New law requires the delinquency petition alleging a misdemeanor-grade delinquent act to be filed within 15 days after the hearing if a child is not continued in custody prior to adjudication.

New law requires the delinquency petition alleging a felony-grade delinquent act to be filed within 30 days after the hearing if a child is not continued in custody prior to adjudication.

Prior law (Ch.C. Art. 877) provided that when the child was charged with a crime of violence and the child was continued in custody, the adjudication hearing was required to commence within 60 days of the appearance to answer the petition.

New law repeals the time frame in prior law and requires the adjudication hearing to commence within 90 days of the appearance to answer the petition.

Prior law provided that in cases when a child was not charged with a crime of violence and the child was continued in custody, the adjudication hearing was required to commence within 30 days of the appearance to answer the petition.

New law repeals the time frame in prior law and requires the adjudication hearing to commence within 45 days of the appearance to answer the petition.

Prior law provided that if the child was not continued in custody, the adjudication hearing was requested to commence within 90 days of the appearance to answer the petition.

New law repeals the time frame in prior law and requires the adjudication hearing to commence within 120 days of the appearance to answer the petition.

Prior law provided that if the hearing had not been commenced timely, upon motion of the child, the court was required to release a child in continued custody and dismiss the petition.

New law repeals prior law and requires the court, upon the expiration of the time limitations established by existing and new law (Ch.C. Art. 877) and upon the child's written motion to dismiss with certification of notice provided to the district attorney, to commence a contradictory hearing with the district attorney where the court is required to dismiss the petition if good cause for the delay is not shown. Further provides that this right of dismissal is waived unless the motion to quash is made prior to adjudication.

New law prohibits any further proceedings against the child for the same or a lesser offense based on the same facts if the petition is dismissed under existing law (Ch.C. Art. 877).

New law requires the suspension of the time limitations established in existing and new law (Ch.C. Art. 877) if certain circumstances occur involving the child and provides for resumption of these time limitations from the date that the cause of suspension no longer exists.

New law defines what constitutes "notice".

New law requires, after the resumption of the time limitations established in existing and new law (Ch.C. Art. 877), that adjudication proceedings commence within either the time period that remained before suspension or within 30 days, whichever time period is longer.

New law provides for duties of the La. State Law Institute relative to technical corrections of existing law (Ch.C. Art. 804).

Effective August 1, 2026.

(Amends Ch.C. Arts. 315(B)(intro. para.), 813(C), 815.1(D), 818(A), 843, and 877; Adds Ch.C. Arts. 412(Q), 804(10), and 877.1; Repeals Ch.C. Art. 815.1(E))