

## RÉSUMÉ DIGEST

ACT 453 (HB 187)

2018 Regular Session

Marino

Existing law authorizes courts to control proceedings to ensure judicial efficiency.

New law retains existing law and prohibits children from being restrained in court proceedings, but in delinquency proceedings, a court may permit restraints upon a particularized determination of necessity.

New law provides that if it is alleged that it is necessary to restrain a child, the child's attorney shall have the opportunity to object on the record, and if restraints are ordered, the court shall state the reasons therefor. Further authorizes the court to authorize the use of restraints when the conduct of the child during the hearing presents an imminent threat, risk of flight, or physical harm.

New law does not apply when the child is in a detention center, when the child is in transport from a detention center to the courthouse, or when the child is held in the courthouse outside of the room where the juvenile delinquency proceeding will occur.

Effective August 1, 2018.

(Amends Ch.C. Art. 408)