
DIGEST

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HB 453 Original

2020 Regular Session

Hilferty

Abstract: Requires motions for modification to be served upon all parties at least 10 days prior to the hearing and provides relative to the court's authority to modify a disposition with or without a contradictory hearing.

Present law provides that a motion for modification may be filed by the district attorney, the child, his parents, the custodian of the child, a probation officer, or the court.

Proposed law requires a motion for modification to be served upon all parties at least 10 days prior to the hearing.

Present law provides that a motion to modify may be denied without a hearing and further provides that a hearing is not required if the motion to modify seeks the imposition of less restrictive conditions.

Proposed law retains the court's authority to deny a motion to modify without a hearing but repeals their authority to impose less restrictive conditions without a contradictory hearing.

Present law provides that when the motion to modify seeks the imposition of more restrictive conditions, the court shall conduct a contradictory hearing, except upon the waiver of the parties.

Proposed law removes the requirement that a contradictory hearing be held when the motion to modify seeks to impose more restrictive conditions.

(Amends Ch.C. Art. 910)