

2022 Regular Session

SENATE BILL NO. 72

BY SENATOR CONNICK

JUVENILE JUSTICE. Provides relative to the authority of juvenile courts in certain proceedings. (8/1/22)

1 AN ACT

2 To amend and reenact Children's Code Art. 657, 658, 763, and 764, relative to juvenile court  
3 proceedings; to remove the authority of the juvenile court to dismiss petitions in  
4 Child in Need of Care and Families in Need of Services petitions on its own motion;  
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Children's Code Art. 657, 658, 763 and 764 are hereby amended and  
8 reenacted to read as follows:

9 Art. 657. Motions to dismiss

10 A. All objections to the proceedings, including objections based on defects  
11 in the petition and defenses capable of determination as a matter of law, may be  
12 raised by a motion to dismiss.

13 **B. Upon a finding of grounds to dismiss the petition as provided in**  
14 **Paragraph A of this Article, the court shall order that the petition be dismissed.**

15 Art. 658. Dismissal of petition

16 ~~A. For good cause, the court may dismiss a petition on its own motion, or on~~  
17 ~~the motion of the child or the parent.~~

