

**SUMMARIES OF 2007 LEGISLATIVE ACTIONS FOR CRIMINAL JUSTICE PROFESSIONALS**  
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<b>CHANGES TO TITLE 14</b>		
<b>STATUTE ADDED, REPEALED, OR AMENDED</b>	<b>2007 ACT NUMBER</b>	<b>GIST</b>
14:30 (C)	125	<b>First Degree Murder.</b> Allows DA to not seek a capital verdict. 10-2 jury OK. [Act does not address issue of sequestration of jury during trial.]
14:32.9	473 & 477	<b>Partial Birth Abortion.</b> Repealed
14:32.10	477	<b>Partial Birth Abortion.</b> Defined and prohibited. Does not apply to the mother as principal, accessory or conspirator. Applies to physicians and other abortionists. Does not apply where performed to preserve the life of the mother. 1 to 10 yrs at HL and a fine of \$10,000 to \$100,000.
14:34.2 (B)(3)	52	<b>Battery on Police with Injury.</b> Penalty of 1 to 5 yrs w/o/w/o/HL amended to require at least 30 days w/o/p/p/s.
14:35.3 (B)(3), L	101	<b>Domestic Abuse Battery.</b> If the DAB involves strangulation (defined), penalty is imprisonment up to 3 yrs. at HL.
14:40.2 (B)(1)(b)	62	<b>Stalking.</b> Penalty when victim is younger than 18 is increased from one yr w/o/w/o HL to 3 years.
14:40.2 (B) (2)(a)	62	<b>Stalking.</b> Penalty when a dangerous weapon is used or the victim is found to have been reasonably placed in fear of death or GBI is increased from one yr w/o/w/o HL to one to five yrs. w/o/p/p/s.
14:40.2 (B)(2)(b)	62	<b>Stalking.</b> When the victim is younger than 18 and a dangerous weapon is used or the victim is found to have been reasonably placed in fear of death or GBI, then 2 year max is increased to 5 yrs w/o/p/p/s.
14:40.2 (B)(3)	62, 226	<b>Stalking.</b> When a protective order or other stay away order is in place in favor of the victim, then penalty of 90 days to 2 years imprisonment is now to be imposed w/o/w/o HL [no longer a misdemeanor].
14:40.2 (B)(4)	62	<b>Stalking.</b> If there has been a prior conviction w/in 7 yrs, the penalty for the new conviction is 5 to 20 yrs w/o/w/o HL w/o p/p/s [was 6 months to 3 yrs] and/or up to \$5,000.

14:40.2 (B)(5)	Act 62	<b>Stalking.</b> On the 3 <sup>rd</sup> or subsequent conviction [former law restricted this to with 7 yrs], the penalty is 10 to 40 yrs w/o/w/o HL [was 2 to 5] and/or up to \$5,000.
14:40.2 (B)(6)(a)	226	<b>Stalking.</b> When perpetrator is 13 or older and victim is 12 or younger and is placed in reasonable fear of “bodily injury” or death of the victim or of “a family member” then penalty is 1 to 3 yrs w/o/w/o HL and a fine of \$1,500 to \$5,000 [a juvenile felony].
14:40.2 (I)	62	<b>Stalking.</b> Conviction for stalking cannot be expunged under 44:9.
14:67.16 (C) (1) (b) & (c)	312	<b>Identity Theft.</b> When the victim is under 17 or 60 or older and the value of the thing obtained is \$1000 or more, then the penalty is 3 to 10 yrs w/o/w/o HL and/or a fine of up to \$10,000.
14:67.16 (C) (2) (b) & (c)	312	<b>Identity Theft.</b> When the victim is under 17 or 60 or older and the value of the thing obtained is \$500 to \$999.99, then the penalty is 2 to 5 yrs w/o/w/o HL and/or a fine of up to \$5,000.
14:67.16 (C) (3) (b) & (c)	312	<b>Identity Theft.</b> When the victim is under 17 or 60 or older and the value of the thing obtained is \$300 to \$499.99, then the penalty is 1 to 3 yrs w/o/w/o HL and/or a fine of up to \$3,000.
14:67.16 (C) (4) (b) & (c)	312	<b>Identity Theft.</b> When the victim is under 17 or 60 or older and the value of the thing obtained is less than \$300 then the penalty is 6 months to 1 yr and/or a fine of up to \$500. If convicted under this paragraph 2 or more times previously, then upon a subsequent conviction the penalty is 1 yr to 3 yrs w/o/w/o HL and/or a fine up to \$3,000.
14:67.24	73	<b>Theft of Utility Property.</b> Utility includes providers of gas, electricity, water, sewer, telephone, radio, railroad, TV, Internet, etc, services. Utility property includes poles, wires, machinery, tools, cable, signals, structures, fixtures, compressors, etc. Value must exceed \$100. 2 to 10 yrs w/o/w/o/HL and/or up to \$10,000.

14:67.25	Act 395	<b>Organized Retail Theft.</b> Procuring, receiving, or concealing stolen retail property (defined) w/ the intent to sell, deliver, or distribute. The owner or operator of a retail establishment (defined) is presumed guilty when 1) two or more violations in 180 days, AND 2) the supplier or owner/operator did not have a "proper business license OR the supplier or owner/operator did not pay sales or use tax OR the supplier was paid in cash w/o an invoice. Penalty: (in 180 day period) value of less than \$500 = 0-2 yrs w/o/w/o HL and/or up to \$2,000 fine; value less than \$500 = 0-10 yrs w/o/w/o HL and/or up to \$10,000 fine. [And if the value is \$500 flat??]
14:81.4	363	<b>Prohibited sexual contact between educator and student.</b> Sexual intercourse [defined] with OR lewd & lascivious acts upon or in the presence of OR anal or genital contact with or by a person aged 17 or 18; not the accused's spouse; and a student [defined] at the school [defined] where the educator [defined] is assigned. Consent is not a defense. Penalty: 6 months and/or a fine up to \$1,000 [misdemeanor]. Second or subsequent offenses: 1 to 5 yrs w/o/w/o HL and/or a fine up to \$5,000. Educators are mandatory reporters without liability for good faith reports. Civil suit procedures are established.
14:90.6	223	<b>Gambling or wagering at cockfights.</b> Aiders & abettors on first offense: 6 months, \$500; on second offense, one year, \$1,000. Managers, directors, financiers, owners or lessors: up to 5 yrs w/o/w/o HL and/or up to \$20,000 fine.
14:98 (A) (1) (e)	227	<b>DWI. Legally obtainable drugs.</b> It is an affirmative defense to driving under the influence of legally obtainable drugs, w/o/w/o a PX, that the operator did not knowingly consume quantities which "substantially exceed" the dosage prescribed or recommended by the manufacturer.
14:102.23	425	<b>Cockfighting.</b> Illegal to organize or conduct fights among chickens. Illegal to possess, train, purchase or sell chickens to engage in fights. <u>Penalty:</u> 6 months and/or a fine up to \$1,000 [misdemeanor]. <u>Second offenses:</u> 6 months to 1 yr w/o/w/o HL and/or a fine of \$750 to \$2,000, and 15 8-hour days of non-suspend able community service. <u>Third conviction:</u> 1 yr to 3 yr w/o/w/o HL and/or a fine of \$1000 to \$2,000. At least 6 months must be served w/o benefits.
14:223	104	Deleted applicability only to recordings "initially fixed prior to February 15, 1972."

<b>CHANGES TO TITLE 15</b>		
<b>STATUTE ADDED, REPEALED, OR AMENDED</b>	<b>2007 ACT NUMBER</b>	<b>GIST</b>
15:85.1 (A) (2) (b) 15:141, 142, 143, 144, 145, 145.1, 146, 147, 148, 149, 149.1, 149.2, 150, 151, 151.2, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 167, 168, 169, 170, 1783, 174, 175, 176, 178	307	<b>Louisiana Public Defender Act of 2007.</b> Eliminates all local Indigent Defender Boards. Re-names LIDAB the La. Public Defender Board. Creates position of Louisiana Public Defender. Chief Defenders re-named District Public Defenders. Requires that there be a local public defender office in each district and provides for state control over many aspects of local offices.
15:185.1	95	<b>Representation of indigent parents in child abuse &amp; neglect cases.</b> Program to be incrementally implemented throughout the state until 7/1/2012.
15:185.2	95	<b>Representation of indigent parents in child abuse &amp; neglect cases.</b> Definitions. Board= LPDB; Child abuse & neglect case= cases under Title VI [CINC, articles 601 through 717] and X [Termination, articles 1001 through 1043] of the Ch.C.; District office= local PDO;; [plus others].
15:185.3	95	<b>Representation of indigent parents in child abuse &amp; neglect cases.</b> Subject to funding, LPDB administers the program with regulatory authority subject to La.S.Ct. authority. Local offices will provide data regarding caseloads, expenditures and resources. LPDB will require special training, approve an annual budget, report to the legislature, secure public funds, and cooperate with all branches of government, the Child Advocacy Program, CASA to promote child welfare policies.
15:185.4	95	<b>Representation of indigent parents in child abuse &amp; neglect cases.</b> LPDB will make rules, attorney standards, and performance guidelines establishing atty qualifications and caseloads, providing for attorney salaries, continuity of representation, documentation of client contacts, supervision, and a method to handle conflicts and client complaints with sanctions for deviation from the standards.
15:185.5	95	<b>Representation of indigent parents in child abuse &amp; neglect cases.</b> Separate fund created to be administered by LPDB.
15:185.6	95	<b>Representation of indigent parents in child abuse &amp; neglect cases.</b> District Public Defender must report annually.

15:185.7	Act 95	<b>Representation of indigent parents in child abuse &amp; neglect cases.</b> No new rights, basis for ineffective assistance claims, rights of action, or causes of action created.
15:185.8	95	<b>Representation of indigent parents in child abuse &amp; neglect cases.</b> District Public Defender must work with Legislative Auditor in developing reports regarding representation of indigent parents.
15:185.9	95	<b>Representation of indigent parents in child abuse &amp; neglect cases.</b> LPDB must consider local variances in delivery of services when establishing a statewide program. Phase-in of the program has specific deadlines.
15:283 (E) (1)	70	<b>Protected persons for taking testimony outside of courtroom.</b> Age reduced to under 17 [was 14 or younger].
15:440.2 (C)	70	<b>Protected persons for taking testimony outside of courtroom.</b> Age reduced to under 17 [was 14 or younger] or has a developmental as defined under R.S. 28:451.2 (12) [was mental retardation under 28:381 (12)].
15:541 (1), (9), (14.1), (14.2), (20), (21), (22)	460	<b>Sex Offender Registration &amp; Notification.</b> Aggravated offense is re-defined to name specific offenses. Criminal offense against a victim who is a minor is re-defined and includes conspiracy. Sex offense includes adjudications under military, territorial, tribal, and foreign laws unless lacking due process safeguards. Sexual offense against a victim who is a minor is defined and lists specific offenses. Definition of worker/employee is amended. Definition of residence amended to include rural areas with no address or shelter. School is defined.
15:542	460	<b>Registration of sex offenders and child predators.</b> Complete re-draft of 15:542. Court may waive sex offender registration and notification requirements only for persons convicted of 14:80, felony CKJ when victim was 13 or older and offender was not more than 4 yrs older than the victim, and only upon DA's motion.

15:542.1	Act 460	<p><b>Notification of sex offenders and child predators.</b> Complete re-draft of 15:542.1 with detailed requirements of registration. Must register w/in 3 business days of conviction or 3 days from relocation to Louisiana from another state, or w/in 10 days of release from DPS&amp;C. Persons convicted of 14:92 (A)(7) and 89 (A)(2) are not required to publish notice of the conviction on the newspaper. Juveniles required to register are exempt from the notification requirements unless they provide recreational instruction to persons under the age of 17. Such persons must post and prominently display a notice with name, photograph of sex offender, and date and place of conviction to alert persons entering the building that the recreational instructor is a convicted sex offender.</p>
15:542.1.1	460	<p><b>In person periodic renewal of registration by offenders.</b> Registration for aggravated offenses must be updated every 3 months. Registration for offenses against a minor must be updated every 6 months. Registration for other offenses must be updated annually. Updates must be done in person. Fingerprints must be taken annually.</p>
15:542.1.2	460	<p><b>Duty of offenders to notify law enforcement of change of address, residence, and other registration information.</b> Must report, in person, within 3 business days, changes or additions of residences, addresses, name, employment. Must report to law enforcement in new and former parish when different parishes are involved. Must report when any address is vacant for 30 consecutive days.</p>
15:542.1.3	460	<p><b>Procedure for out-of-state offenders; Louisiana offenders with out-of-state activities.</b> If required to register in another state, then must register in La. within 3 days of establishing residence, enrolling as a student, or taking employment. Residents required to register in this state must notify law enforcement if leaving the state for more than 7 consecutive days or 30+ days during the calendar year, or if enrolling as a student. If moving out of state, must give 3 days advance notice.</p>
15:542.1.4	460	<p><b>Failure to register as sex offender or child predator.</b> First conviction for failing to truthfully register, update, re-new: 2 yrs to 10 yrs w/o/w/o HL and/or up to \$1,000 fine. Second &amp; subsequent: 5 to 20 yrs at HL and a \$3,000 fine. Falsely certifying offender's address or failure to notify that offender has been absent 30 days or more, 6 mos and/or \$500.</p>

15:542.1.5	Act 460	<b>State Sex Offender &amp; Child Predator Registry.</b> Louisiana Bureau of Criminal Identification & Information maintains central registry with public access to the information with specific exceptions of personal identifying and contact information. Public may request email notification of the residence or employment of a sex offender in the area. The bureau must share the information with local law enforcement and the FBI.
15:542.1.6	460	<b>Additional duties of Louisiana Bureau of Criminal Identification &amp; Information.</b> Will mail non-forward able registration form to last known addresses of offenders annually. Offender must return the form within 10 days or be in violation (see 15:542.1.4). Offender has burden of establishing that he is in compliance w/ registration laws. If there is a failure to renew and update, Bureau must notify the local sheriff, police and DPS&C (if offender is under their supervision).
15:542.1.7	460	<b>Disclosure of court records.</b> All court records are to be made available without court order or other authorization to law enforcement agents to fulfill their duties regarding sex offenders and registration.
15:543	460	<b>Duties of courts, sheriffs and DPS&amp;C.</b> Courts must notify offenders of the duty to register using the form in 15:543.1 and give a copy of the registration and notification laws to the offender. The minutes must show that the written notice was given as part of a guilty plea and at the time of sentencing. The DPS&C and the sheriff shall, upon release from custody: get fingerprints and photograph; get offender to sign a form stating the registration and notification requirements and penalties for failure to comply; notify offenders of the duty to register, duty to provide community notification, in-person verification, proof of residence and change of address, and information when establishing out-of-state residences. Sheriff must give the same written information to anyone who seeks to register.
15:543 (D)	460	<b>REPEALED.</b> [Former provision: A person having charge of a jail shall notify in writing any confined person who is in the custody of the jail for a conviction of any sex offense at the time of the inmate's release from confinement, and shall obtain written acknowledgment of such notification.]
543.1	460	<b>Form to be used by the courts for written notification</b> to offenders of the duties of registration and notification.

15:543.2	Act 460	<b>Emergency situations.</b> Sex offenders entering an emergency shelter must notify management, the local P.D. or the parish sheriff within 24 hours. Management must notify law enforcement of the presence of a sex offender.
15:544	460	<b>Duration of registration &amp; notification period.</b> Increased from 10 to <b>15 years</b> from date of initial registration which shall be reduced to 10 yrs if the offender maintains a “clean record” [defined] during the entire 10 year period. Exceptions: <b>25 years</b> for convictions for sex offenses against a minor (listed at 15:541, paragraph 14.2); <b>lifetime of offender</b> , (which shall be reduced to 25 yrs if the offender maintains a “clean record” [defined] during the entire 25 year period) for convictions for aggravated offenses (listed at 15:541, paragraph 1), and offenders with prior conviction for offense requiring registration. If the offender is subsequently jailed for conviction of a felony or the probation or parole is revoked the registration/notification period commences anew on the date of release from custody without credit for prior time registered.
15:545	460	<b>Duty of law enforcement.</b> Fingerprints must be taken of all convicted sex offenders and those convicted of offenses against a minor and send them within 3 business days to the state for inclusion in the Sex Offender and Child Predator Registry.
15:549	460	<b>Notification of release of escape of inmates.</b> DPS&C now extends to escapes by persons convicted of a criminal offenses against a minor.
15:541 through 15:549	460	15:542.2 is re-designated 15:539. The 2007 new laws apply to all persons convicted of a sex offense or offense against a minor, regardless of date of conviction. Exception: those persons who have completed their required registration. Those required to register as of the date the governor signed the Act [7/11/07] must comply with the new laws and will get credit for the time they have already been registered.
15:560.2, 560.5, 560.6	126	<b>Sex Offender Assessment Panel.</b> Reduced to 3 members [was 6] who are employees of the DPS&C., and may include a physician [was psychologist], and in the absence of the warden, a parole or probation officer w/ 10 yrs service or a retired law enforcement officer w/ at least 5 yrs experience investigating sex offenses. The panel’s decisions may be appealed under the DPS&C administrative procedures. No new rights or causes of action created. No civil or criminal liability for good faith participation on a review panel.

15:571.11 (O)	Act 228	<b>Courts &amp; sheriffs may charge a fee to collect</b> payment of fines, forfeiture, penalties and costs by credit card, EFT, money order <sup>5</sup> , bank check, or automated banking device.
15:572.8	262	<b>Compensation for wrongful conviction.</b> Petitions for compensation must be filed in the district court where conviction was obtained [was 19 <sup>th</sup> JDC]. Attorney General represents state. Copy of petition must be served on the AG, the DA, and the court that vacated the conviction, or the pardon board if conviction was vacated by executive clemency. Other provisions concern delays, content of petition and other procedural matters.
15:574.9 (B), (G)	402	<b>Revocation for a technical parole violation.</b> [Minor changes in this restatement of prior law. Grammatical changes remove some vagueness.]
15:828.3	237	<b>Prison Substance Abuse &amp; Rehabilitation Pilot Program.</b> DPS&C and DH&H shall provide substance abuse counselling to all “eligible defendants” defined as persons convicted of CDS violations and in the custody of DPS&C and designated for participation.
15:893.1	137	<b>Work Training Facility North.</b> Re-named J. Levy Dabadie Correctional Center. Inmates may not be housed there if they have more than 15 yrs to serve [was 7].
15:1310 (D), 1312.1, 1315 (C)	132	<b>Electronic surveillance.</b> Orders issued must direct that the applicant be furnished all means to install a pen register or trap & trace device. A person who furnishes technical assistance or facilities shall be compensated reasonable expenses and they are immune from any cause of action for providing information, facilities or assistance.

<b>CHANGES TO TITLE 32</b>		
<b>STATUTE ADDED, REPEALED, OR AMENDED</b>	<b>2007 ACT NUMBER</b>	<b>GIST</b>
32:65	128	<b>Drag racing.</b> If serious bodily injury or death results the penalty is 1 to 5 yrs w/o/w/o HL and/or \$500 to \$2,000.
32:409.1 (A)92)(d)(x)(ff)	112	<b>Drivers Licenses for foreign nationals.</b> Agricultural workers when presenting a foreign passport must have immigration documents showing applicant is legally present in the USA for at least 60 days.
32:412.2	123	<b>Disabled vets.</b> Veterans who are 60% disabled, receive compensation for that disability, and were honorably discharged may get their drivers' licenses without payment of fees.
32:414	413	<b>Suspension of driver's license.</b> After forfeiture of bail, or conviction, or plea of guilty or nolo and sentence thereon for vehicular negligent injury, or driving under the influence of alcohol, narcotics, or central nervous system stimulants [only], DL shall be suspended for <b>1 year</b> [was 90 days]. Restricted licenses shall be restricted for 1 year. Applies to proceedings in any forum exercising traffic jurisdiction in district, city, or municipal court [parish courts not mentioned] of any state and federal courts and magistrates. <b>2 years</b> [was one] for convictions for negligent or vehicular homicide or manslaughter resulting from operation of a motor vehicle, or upon conviction or guilty plea and sentence thereon, or forfeiture of bail, for the second offense for vehicular negligent injuring or for operating a motor vehicle under the influence of intoxicating beverages, of central nervous system stimulants or depressants, or of narcotic drugs or any other drug or substance. <b>3 years</b> [was 2] after forfeiture of bail, or conviction, or plea of guilty or nolo and sentence thereon for third or subsequent vehicular negligent injury, or driving under the influence of alcohol, narcotics, or central nervous system stimulants [only]. The proceedings in all offenses to be considered must have occurred within 5 years, regardless of what grade the prosecution alleged.
32:414.2	61	<b>Commercial driver's license.</b> Persons convicted of DWI second offense are disqualified for life from having a CDL. CDL will be suspended for a year for negligent driving resulting in a manslaughter conviction.

32:415.1 (A)(1)(f)	Act 413	<b>Hardship licenses.</b> When suspension results from operating a vehicle under the influence of alcohol [only] conditions of restrictions must include ignition interlock device.
32:664	96	<b>Tests of blood.</b> EMT's, nurse practitioners, and technicians may draw blood for testing.
32:666, 668	413	<b>Chemical tests.</b> Physician assistants, EMT's, nurse practitioners, or other qualified technicians are added to the list of persons who must perform chemical tests when directed to do so by a law enforcement officer..
32:667	413	<b>Ignition interlocks.</b> When a DL is suspended for failing the chemical test or refusing the chemical test for the second violation 14:98 or 98.1, ignition interlock device must remain on the motor vehicle for the time of the suspension with credit for time the IID was on as a condition of a restricted license.
32:668	413	<b>Ignition interlock restricted license.</b> Must establish need to drive to maintain livelihood or maintain the necessities of life. Court may order ignition interlock restricted license to be issued.

<b>CHANGES TO TITLE 40</b>		
<b>STATUTE ADDED, REPEALED, OR AMENDED</b>	<b>2007 ACT NUMBER</b>	<b>GIST</b>
40:966 (E)(3)	19	<b>Possession of Marijuana, 3rd &amp; subsequent offenses.</b> In addition to the term of imprisonment of up to 20 yrs w/o/w/o HL, there may now be imposed a fine of up to \$5,000.
40:971 (B)(1)(I)	287	<b>“Doctor Shopping” for Controlled Dangerous Substances.</b> It is illegal to obtain or seek to obtain any CDS or prescription for a CDS from a health care practitioner while being supplied with any CDS or a prescription for any CDS by another health care practitioner, without disclosing the fact of the existing prescription to the practitioner from whom the subsequent prescription is sought. Failure of a practitioner to request the disclosure is not a violation. Disclosure shall be a writing made part of the medical record and include the name of the CDS, the date of the prescription, the amount of the CDS prescribed, and the number of refills if any. 5 yrs w/o/w/o HL and/or \$5,000.
40:1238.1 (B) & (C)	287	<b>“Doctor Shopping” for the legend drug Carisprodol.</b> Same as above and same penalty.
40 2266.1.1	432	<b>Court costs to support Criminalistics Laboratories.</b> \$50 for misdemeanors, \$150 for felonies, up to \$1,000 for cases where scientific tests are performed on items seized in the investigation. The Criminalistics Laboratory Commission may establish a fee schedule of estimated costs of the testing which shall be used by the court. Sheriffs and DAs may pay to alleviate any deficit in the labs’ operating funds. Applies to cases in parishes which are now or in the future will be in an area served by any criminalistics lab commission lab or sheriffs’ lab. Must be imposed as court costs after conviction at trial, pleas of guilty or nolo, or bond forfeiture.

CHANGES TO TITLE 44		
STATUTE ADDED, REPEALED, OR AMENDED	2007 ACT NUMBER	GIST
44:9	314	<b>Criminal records.</b> Records of arrests and dispositions kept for investigative purposes only may be made available the Attorney Disciplinary Board and the Supreme Court Committee on Bar Admissions.

CHANGES TO THE CODE OF EVIDENCE		
STATUTE ADDED, REPEALED, OR AMENDED	2007 ACT NUMBER	GIST
C.E. Art. 507 (E) & 508 (E)	23	<b>Subpoena of lawyers.</b> Procedural protections afforded to lawyers extend to government lawyers including AG, asst. AG, DA, asst. DA, parish or municipal prosecutor, and lawyers employed by the legislature.

<b>CHANGES TO THE CODE OF CRIMINAL PROCEDURE</b>		
<b>STATUTE ADDED, REPEALED, OR AMENDED</b>	<b>2007 ACT NUMBER</b>	<b>GIST</b>
C.Cr.P. Art. 404 (A)(2)	94	<b>Orleans jury commission.</b> Commission will be appointed by the judges en banc [was appointed by the governor].
C.Cr.P. Art. 701 (B)(91)	295	<b>120 days</b> to file indictments in cases punishable by life or death. Was 60.
C.Cr.P. Art. 731 (B)	29	<b>Subpoenas.</b> In Orleans and Jefferson the clerks may sign subpoenas electronically.
C.Cr.P. Art. 883.2	22	<b>Restitution.</b> If the defendant agrees as a term of a plea agreement, the court shall order the defendant to pay restitution to other victims of the defendant's criminal conduct, although those persons are not the victim of the criminal charge to which the defendant pleads.
C.Cr.P. Art. 893.3 (J)(6)	41	<b>Firearms sentencing.</b> Domestic abuse battery is added as an enumerated misdemeanor for purposes of possession-use-discharge of a firearm sentencing.
C.Cr.P. Art. 894 (A)(1)	62	<b>Stalking.</b> Added to CNF as misdemeanors which are not subject to suspension of imposition or execution of sentence.
C.Cr.P. Art. 895 (H)(4)	460	<b>Waiver of registration requirements.</b> Repeal of power of the court to waive certain conditions of registration in cases where the defendant has been convicted of a violation of 14:80(A)(1) [felony carnal knowledge]. [Under the new 15:542 F (2), the DA may move to have the court waive registration and notification requirements for 14:80 if the victim was 13 or older and the offender was not more than 4 years older.
C.Cr.P. Art. 900 (A)(5), (6), (7)	402	<b>Technical violations of probation.</b> Once the defendant serves the time following a revocation for a technical violation, not to exceed 90 days, the defendant is returned to probation. [By moving the word "not" the legislature seems to have made the sentence of up to 90 days mandatory.] The definitional list of non-technical violations is expanded to include failing to complete court ordered drug treatment.

<b>CHANGES TO THE CHILDREN'S CODE</b>		
<b>STATUTE ADDED, REPEALED, OR AMENDED</b>	<b>2007 ACT NUMBER</b>	<b>GIST</b>
<b>Jurisdiction and Court Administration</b> (Articles 100 - 445)		
Ch.C. Art. 116 (6)	334	<b>Home study.</b> Defined as an evaluation of a home environment to determine whether a proposed placement of a child there would meet the specific needs of the child.
Ch.C. Art. 116 (8.1)	334	<b>Interstate home study.</b> Done by one state for another to facilitate adoptive or foster placement.
Ch.C. Art. 323 (2)(a) & (b)	70	<b>Protected person.</b> Re-defined to be one under the age of 17 or who has a developmental disability.
Ch.C. Art. 324 (B)	70	<b>Rape victims.</b> The statements of those under 17 [was 16] may be videotaped by the coroner and DA.
<b>Services to Families</b> (Articles 501 - 533)		
Ch.C. Art. 571	95	<b>Representation of indigent parents.</b> Legislative findings that society to provide representation by counsel w/ specialized knowledge & skills. A uniform system is needed. The local public defender office should not represent children.
Ch.C. Art. 572	95	<b>Representation of indigent parents.</b> Applies to CINC and Termination cases.
Ch.C. Art. 573	95	<b>Representation of indigent parents.</b> Purpose is to provide efficient system of qualified counsel.
Ch.C. Art. 574	95	<b>Representation of indigent parents.</b> Indigent Parents' Representation Program established within the La. Public Defender Board.
Ch.C. Art. 575	95	<b>Representation of indigent parents.</b> The program is to provide qualified counsel in compliance with standards promulgated by LPDB.
<b>Child In Need of Care</b> (Articles 601 - 717)		
Ch.C. Art. 603 (11)	334	<b>Foster parent.</b> One who provides residential foster care for a child.
Ch.C. Art. 603 (13)(h)	265	<b>Parenting coordinator.</b> Added to the list of mandatory reporters [appointed in child custody case under 9:358.1 through 358.9]..
Ch.C. Art. 603 (14.1.1)	396	<b>Newborn.</b> Defined as a child not more than 30 days old.

Ch.C. Art. 603 (16.1)	Act 396	<b>Prenatal neglect.</b> Exposure to chronic or severe use of alcohol or unlawful use of CDS or in a manner not prescribed resulting in withdrawal symptoms in a newborn or the presence of the substance in the newborn's bodily fluids.
Ch.C. Art. 610 (G)	396	<b>Newborns.</b> Physicians must report symptoms in newborns of withdrawal or other harmful effects of alcohol use by the mother.
Ch.C. Art. 622.1	334	<b>Shelter Care facility.</b> Must keep record as to each child received.
Ch.C. Articles 623  624 (B) & (C)(2)  679 (D), & 705 (A) & (C)	334	<b>Notice of hearings.</b> Must be given to parents and foster parent, pre-adoptive parent, and relative providing care. Department must give information to the court as to each party's address and keep it updated. If certain parties do not appear court must be told what efforts were made to notify. Hearing may proceed in person's absence.
Ch.C. Art. 645, 780 (E), 901 (F), & 1025 (B)	334	<b>Federal Parent Locator Service.</b> Department and all state agencies must give to the court all information as the whereabouts of parent and child including info from the FPLS.
Ch.C. Art. 672.1 (D), 682, & 702 (A) & (F)	334	<b>Out-of-state placement.</b> Must be considered as a placement option at the permanency hearing.
Ch.C. Art. 702 (I)	334	<b>Consultation with Child.</b> In permanency hearing, Court shall consult with child, in age appropriate manner, regarding the proposed placement or transition.
Ch.C. Art. 702 (J)	334	<b>Child 16 years old.</b> Permanency hearing shall focus on transition from foster care to independent living.
<b>Families in Need of Service (Articles 726 - 792)</b>		
Ch.C. Art. 791.1 to 791.5	169	<b>Truancy.</b> Truancy service centers authorized statewide [was selected parishes].
<b>Delinquency (Articles 801 - 922)</b>		

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