

Regular Session, 2014

HOUSE BILL NO. 569

BY REPRESENTATIVES STOKES, ABRAMSON, HODGES, AND HOFFMANN AND
SENATOR LONG

COURTS: Relative to human trafficking courts

1 AN ACT

2 To amend and reenact R.S. 13:587.4(A) and (C) and to enact R.S. 13:587.4(D), relative to
3 district courts; to authorize the designation of human trafficking courts; to provide
4 relative to training for the presiding judge; to require certain services for human
5 trafficking victims; to provide for the disposition of human trafficking cases; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:587.4(A) and (C) are hereby amended and reenacted and R.S.
9 13:587.4(D) is enacted to read as follows:

10 §587.4. District courts; specialized divisions or sections; subject matter

11 A. Respecting seniority and the requirement that all cases be assigned
12 randomly within multi-judge divisions or sections, the judges of any judicial district
13 court, by rule adopted by a majority vote of the judges sitting en banc, may designate
14 a certain division or section of the court as a specialized division or section having
15 criminal, civil, drug court, driving while intoxicated court, human trafficking court,
16 mental health court, misdemeanor, traffic, juvenile, violent crimes or homicides, or
17 other specialized subject matter jurisdiction.

18 * * *

1 C.(1) If a special division or section of court is designated as a human
2 trafficking section, the presiding judge may be trained in issues of human trafficking
3 and the support services available to victims.

4 (2) All cases involving prostitution-related offenses shall be identified at
5 arraignment and, if not resolved during arraignment, be transferred to the human
6 trafficking section of the court.

7 (3) If it is determined that a case involves a victim in need of services upon
8 evaluation by the judge, and after a contradictory hearing, the victim shall receive
9 the following if available:

10 (a) The victim shall be mandated to attend the appropriate support services
11 available for victims of human trafficking.

12 (b) The victims who comply with the mandated support services shall have
13 the opportunity to receive non-criminal disposition or dismissal of their cases.

14 D. No rule adopted by the court may designate any division or section,
15 without its consent, as a specialized division or section for a longer period than three
16 years.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Stokes

HB No. 569

Abstract: Authorizes district courts to designate a section or division of court for human trafficking courts and provides for certain procedures.

Present law authorizes the judges of any judicial district court, by majority vote of the judges sitting en banc, to designate a certain division or section of court as a specialized division or section having criminal, civil, drug court, driving while intoxicated court, mental health court, violent crimes or homicides, or other specialized subject matter jurisdiction.

Proposed law retains present law and adds human trafficking court as an authorized division or section.

Proposed law authorizes the presiding judge of the human trafficking court to be trained in issues of human trafficking and the support services available to victims.

Proposed law requires all prostitution-related offenses to be identified at arraignment, and if not resolved, transferred to the human trafficking section of the court.

Proposed law provides that if it is determined by a judge, after a contradictory hearing that a case involves a victim in need of services, the victim shall receive the following if available:

- (1) Appropriate support services available for victims of human trafficking.
- (2) The opportunity to receive non-criminal disposition or dismissal of the case if the victim complies with mandated support services.

Present law prohibits the court from adopting rules that may designate any division or section, without its consent, as a specialized division or section for a longer period than three years.

Proposed law retains present law.

(Amends R.S. 13:587.4(A) and (C); Adds R.S. 13:587.4(D))