

2020 Regular Session

HOUSE BILL NO. 644

BY REPRESENTATIVE JORDAN

CRIMINAL/TRIALS: Provides relative to jury trials in criminal cases

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 791(C) and to enact Code of
3 Criminal Procedure Article 794.1, relative to jury trials; to provide relative to the
4 sequestration of juries in noncapital cases; to provide relative to the hours during
5 which a jury trial may be conducted; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Article 791(C) is hereby amended and
8 reenacted and Code of Criminal Procedure Article 794.1 is hereby enacted to read as
9 follows:

10 Art. 791. Sequestration of jurors and jury

11 * * *

12 C. In noncapital cases, the jury shall not be sequestered ~~after the court's~~
13 ~~charge and may be sequestered at any time~~ except upon order of the court for good
14 cause.

15 * * *

16 Art. 794.1. Trials by jury

17 A. Trials by jury shall be conducted during normal working hours, not to
18 begin prior to 9:00 a.m. nor end after 6:00 p.m., except for good cause determined
19 by the trial court and set forth in writing.

1 B. If a jury trial extends beyond the hours provided in Paragraph A of this
2 Article, additional meals shall be promptly provided to jurors.

3 C. For purposes of this Article, ongoing jury deliberations shall not
4 constitute good cause to extend the jury trial beyond the hours provided in Paragraph
5 A of this Article. However, upon unanimous agreement of the jurors, the jurors may
6 agree to continue beyond the hours provided in Paragraph A of this Article.

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)]

HB 644 Original

2020 Regular Session

Jordan

Abstract: Provides relative to the sequestration of juries in noncapital cases and provides for the hours during which a jury trial may be conducted.

Present law provides that in noncapital cases, the jury shall be sequestered after the court's charge and may be sequestered at any time upon order of the court.

Proposed law amends present law to provide that in noncapital cases, the jury shall not be sequestered except upon order of the court for good cause.

Proposed law requires trials by jury to be conducted during normal working hours, not to begin prior to 9:00 a.m. nor end after 6:00 p.m., except for good cause determined by the trial court and set forth in writing.

Proposed law further provides that if a jury trial extends beyond the proposed law hours, additional meals shall be promptly provided to jurors.

Proposed law provides that ongoing jury deliberations shall not constitute good cause to extend the jury trial beyond the proposed law hours. However, upon unanimous agreement of the jurors, proposed law authorizes the jurors to work beyond the proposed law hours.

(Amends C.Cr.P. Art. 791(C); Adds C.Cr.P. Art. 794.1)