

SUPREME COURT OF LOUISIANA

No. 2019-CK-01653

STATE OF LOUISIANA IN THE INTEREST OF C.G.

On Supervisory Writ to the Juvenile Court,
Parish of Orleans Criminal

PER CURIAM

Writ granted. The juvenile court ruling is reversed. The Louisiana Children’s Code sets forth clear mandatory deadlines within which a juvenile must be adjudicated. The legislature has made it clear that if an adjudication hearing has not commenced timely, upon motion of the child, the court shall dismiss the petition. La. Ch.C. art. 877(D); *State in the Interest of R.D.C., Jr.*, 93-1865 (La. 2/28/94), 632 So.2d 745. *See also State in the Interest of J.M.*, 156 So.3d 1161 (La. 2014). While the juvenile court is afforded discretion in finding good cause to extend the mandatory La. Ch.C. art. 877 adjudication deadline, this Court has found that “in the context of adult criminal proceedings, ‘[t]he court system cannot excuse itself from affording an accused a trial within the delay required by law, simply by relying upon internal operating procedures which result in noncompliance with the statutory mandate.’” *State in the Interest of L.D.*, 2014-1080 (La. 10/15/14), 149 So.3d 763, 765 (*quoting State v. Driever*, 347 So.2d 1132, 1134 (La. 1977)). Further, “[t]his observation applies with even greater force in the context of juvenile proceedings in which ... the provisions of the Children’s Code ‘shall be construed to ... secure simplicity in procedure, fairness in adjudication and administration, and the elimination of unjustifiable delay.’ La. Ch.C. art. 102.” *Id.*