

By: Representative Ketchings

To: Juvenile Justice

HOUSE BILL NO. 441

1 AN ACT TO AMEND SECTION 43-21-753, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE YOUTH COURT OF ADAMS COUNTY TO ESTABLISH A TEEN
3 COURT PROGRAM; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. Section 43-21-753, Mississippi Code of 1972, is
6 amended as follows:

7 43-21-753. The youth courts of Harrison, Hinds, Rankin,
8 Adams and Bolivar counties are authorized to establish a teen
9 court program for the diversion of certain offenders who have
10 waived all right of confidentiality and privilege against
11 self-incrimination. The youth court of Rankin County may extend
12 its teen court program within the city limits of Pearl. The
13 offenders eligible to participate shall be those offenders who in
14 the discretion of the youth court are suitable and
15 compulsory-school-age children who have come into the jurisdiction
16 of the youth court as a result of not attending school. The teen
17 court shall be a preventive program for juveniles comprised of
18 youth from seventh through twelfth grades who are not less than
19 thirteen (13) nor more than seventeen (17) years of age, which
20 students shall serve as prosecutor, defense counsel, bailiff,
21 court clerk and jurors. The program is to administer the
22 "sentencing" or disposition phase of the proceedings against
23 offenders who elect to participate, shall be under the guidance of
24 the local youth court, and shall be approved by the local youth
25 court. The youth court judge, or his designee who is a licensed
26 attorney, shall preside. The teen court is authorized to require

27 eligible offenders who choose to go to teen court in lieu of youth
28 court to perform up to one hundred twelve (112) hours of community
29 service, require offenders to make a personal apology to a victim,
30 require offenders to submit a research paper on any relevant
31 subject, attend counseling and make restitution or any other
32 disposition authorized by the youth court. The youth court shall
33 establish rules and regulations, including sentencing guidelines,
34 for the operation of a teen court. The teen court is authorized
35 to accept monies from any available public or private source,
36 including public or private donations, grants, gifts and
37 appropriated funds for funding expenses of operating the court.

38 Teen court may be held at whatever location the youth court
39 selects at whatever time or times. Eligible offenders shall be
40 only those children who agree to participate in the teen court and
41 to abide by the teen court's rulings, whose parents or legal
42 guardian shall also so agree, and who are otherwise qualified to
43 participate.

44 The youth court judge may require an offender who elects to
45 participate in the teen court to pay a fee not to exceed Five
46 Dollars (\$5.00); any such fees shall be used in administering this
47 article, and such fee shall not be refunded, regardless of whether
48 the child successfully completes the teen court program.

49 SECTION 2. This act shall take effect and be in force from
50 and after July 1, 1999.