

By: Representative Warren

To: Juvenile Justice

HOUSE BILL NO. 477

1 AN ACT TO AUTHORIZE THE ESTABLISHMENT OF THE OFFICE OF YOUTH
2 COURT ADMINISTRATOR; TO PRESCRIBE THE DUTIES OF THE YOUTH COURT
3 ADMINISTRATOR; TO AMEND SECTION 43-21-115, MISSISSIPPI CODE OF
4 1972, TO PRESCRIBE THE DUTIES OF THE YOUTH COURT INTAKE OFFICER;
5 TO AMEND SECTIONS 43-21-119 AND 43-21-123, MISSISSIPPI CODE OF
6 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT AND TO INCLUDE
7 FUNDS APPROPRIATED FOR THE OPERATION OF THE YOUTH COURT IN THE
8 CHANCERY BUDGET; AND FOR RELATED PURPOSES.

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

10 SECTION 1. (1) The youth court judge may, in his
11 discretion, establish the office of youth court administrator by
12 an order entered on the minutes of the court. In the discretion
13 of the youth court judge, the position of youth court
14 administrator may be a full-time or part-time position, and the
15 youth court administrator may also serve as the youth court intake
16 officer as established in Section 43-21-115. The youth court
17 administrator shall be provided office space in the same manner as
18 other county employees.

19 (2) It shall be the duty of the youth court administrator
20 to:

21 (a) Perform all nonjudicial tasks of the youth court,
22 other than those assigned to other youth court employees;

23 (b) Maintain all statistical reports, issue case
24 numbers, and be responsible for the completion of the tracking
25 forms;

26 (c) Serve as liaison with the media, the general
27 public, law enforcement, attorneys, witnesses and all other
28 interested parties;

29 (d) Provide general administrative support for the
30 youth court judge and the youth court referee;

(e) Insure that all needed court files, evidence and witnesses are before the court as and when needed, and to personally appear at youth court hearings as directed by the court; and

(f) Perform other duties assigned by the youth court judge or youth court referee.

(3) The salary and other cost associated with the operation of the office of the youth court administrator shall be fixed on order of the judge as provided in Section 43-21-123 and shall be paid by the county or municipality, as the case may be, out of any available funds budgeted for the youth court or from any available state funds.

(4) For all travel required in the performance of official duties, the youth court administrator shall be paid mileage by the county at the same rate as provided for state employees in Section 25-3-41. The youth court administrator shall file a certificate of mileage expense incurred with the board of supervisors and payment of such expense shall be made out of any available funds budgeted for the youth court.

SECTION 2. Section 43-21-115, Mississippi Code of 1972, is amended as follows:

43-21-115. (1) In every youth court division the judge shall appoint as provided in Section 43-21-123 one or more persons to function as the intake unit for the youth court division. The youth court intake officer shall perform all duties specified by this chapter, including, but not limited to:

(a) Receiving complaints from all law enforcement agencies;

(b) Providing to the county attorney or youth court prosecutor all information needed and necessary for the preparation of pleadings and court filings;

(c) Delivering pleadings, filings and process to the clerk of the youth court for filing;

(d) Serving as an additional process server for all

65 youth court proceedings;

66 (e) Making preliminary inquiries, obtaining needed
67 personal information, and making recommendations to the youth
68 court as to informal or formal adjudications; and

69 (f) Performing other duties assigned by the youth court
70 judge or youth court referee. In the discretion of the youth
71 court judge, the position of youth court intake officer may be a
72 full-time or part-time position, and the youth court intake
73 officer may also serve as the youth court administrator as
74 established in Section 1 of this act. The youth court intake
75 officer shall be provided office space in the same manner as other
76 county employees. If the person serving as the youth court intake
77 officer is not already a salaried public employee, the salary for
78 such person shall be fixed on order of the judge as provided in
79 Section 43-21-123 and shall be paid by the county or municipality,
80 as the case may be, out of any available funds budgeted for the
81 youth court by the board of supervisors.

82 (2) For all travel required in the performance of official
83 duties, the youth court intake officer shall be paid mileage by
84 the county at the same rate as provided for state employees in
85 Section 25-3-41. The youth court intake officer shall file a
86 certificate of mileage expense incurred with the board of
87 supervisors and payment of such expense shall be made out of any
88 available funds budgeted for the youth court.

89 SECTION 3. Section 43-21-119, Mississippi Code of 1972, is
90 amended as follows:

91 43-21-119. The youth court judge or his designee shall
92 appoint as provided in Section 43-21-123 sufficient personnel,
93 responsible to and under the control of the youth court, to carry
94 on the professional, clerical and other work of the youth court.
95 The cost of these persons appointed by the youth court shall be
96 paid as provided in Section 43-21-123 out of any available funds
97 budgeted for the youth court by the board of supervisors.

98 SECTION 4. Section 43-21-123, Mississippi Code of 1972, is

99 amended as follows:

100 43-21-123. * * * (1) The board of supervisors, or the
101 municipal governing board where there is a municipal youth court,
102 shall adequately provide funds for the operation of the youth
103 court division of the chancery court in conjunction with the
104 regular chancery court budget, or the county or family courts
105 where said courts are constituted. The budget shall include any
106 funds specifically appropriated by the legislature for the
107 operation of the youth court or for employment of staff. In
108 preparation for said funding, on an annual basis at the time
109 requested, the youth court judge or administrator shall prepare
110 and submit to the board of supervisors, or the municipal governing
111 board of the youth court wherever the youth court is a municipal
112 court, an annual budget which will identify the number, staff
113 position, title and amount of annual or monthly compensation of
114 each position as well as provide for other expenditures necessary
115 to the functioning and operation of the youth court. When the
116 budget of the youth court or youth court judge is approved by the
117 board of supervisors or the governing authority of the
118 municipality, then the youth court or youth court judge may employ
119 such persons as provided in the budget from time to time.

120 (2) The board of supervisors of any county in which there is
121 located a youth court, and the governing authority of any
122 municipality in which there is located a municipal youth court,
123 are each authorized to reimburse the youth court judges and other
124 youth court employees or personnel for reasonable travel and
125 expenses incurred in the performance of their duties and in
126 attending educational meetings offering professional training to
127 such persons as budgeted.

128 SECTION 5. This act shall take effect and be in force from
129 and after July 1, 1999.