

By: Warren

To: Juvenile Justice

HOUSE BILL NO. 380

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;

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

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

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

43 (4) For all travel required in the performance of official  
44 duties, the youth court administrator shall be paid mileage by the  
45 county at the same rate as provided for state employees in Section  
46 25-3-41. The youth court administrator shall file a certificate  
47 of mileage expense incurred with the board of supervisors and  
48 payment of such expense shall be made out of any available funds  
49 budgeted for the youth court.

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

52 43-21-115. (1) In every youth court division the judge  
53 shall appoint as provided in Section 43-21-123 one or more persons  
54 to function as the intake unit for the youth court division. The  
55 youth court intake officer shall perform all duties specified by

56 this chapter, including, but not limited to:

57 (a) Receiving complaints from all law enforcement  
58 agencies;

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

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

64 (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, 2000.