

By: Representative Flaggs

To: Juvenile Justice

HOUSE BILL NO. 800

1 AN ACT TO AMEND SECTION 43-21-753, MISSISSIPPI CODE OF 1972,
2 TO ABOLISH THE JURISDICTIONAL LIMITATION CONCERNING WHERE THE TEEN
3 COURT PROGRAM MAY BE ESTABLISHED AND TO ALLOW THE TEEN COURT
4 PROGRAM TO BE ESTABLISHED IN ANY COUNTY IN THE STATE; AND FOR
5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 43-21-753, Mississippi Code of 1972, is
8 amended as follows:

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



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

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

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

51 **SECTION 2.** This act shall take effect and be in force from
52 and after July 1, 2003.

