

By: Representative Flaggs

To: Juvenile Justice

HOUSE BILL NO. 845
(As Passed the House)

1 AN ACT TO ESTABLISH THE YOUTH COURT DEFENDER STANDARDS
2 COUNCIL; TO PROVIDE THE PURPOSE AND MEMBERSHIP OF THE COUNCIL; TO
3 PROVIDE THAT THE COUNCIL SHALL EMPLOY AN EXECUTIVE DIRECTOR; TO
4 PROVIDE THAT THE COUNCIL, FOR BUDGETARY PURPOSES ONLY, SHALL
5 OPERATE UNDER THE AUTHORITY OF THE OFFICE OF ADMINISTRATIVE
6 COURTS; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** (1) There is established the Youth Court
9 Defender Standards Council. The purpose of the council is to
10 establish, implement and enforce polices and standards for a
11 comprehensive and effective system of legal representation for
12 children in youth court delinquency proceedings throughout the
13 State of Mississippi. The standards for the council shall
14 include, but are not limited to, the following:

15 (a) Standards for maximum caseloads for youth court
16 defenders taking into consideration the defender's youth court
17 caseload and non-youth court caseload;

18 (b) Standards for minimum education, training and
19 experience of attorneys assigned as youth court defenders;

20 (c) Standards for assessing the need for expert,
21 investigative and social services in youth court public defender
22 offices and on individual cases; and

23 (d) Standards for establishing salary ranges for
24 employees of youth court defender offices and reasonable hourly
25 rates to be paid attorneys and defense team members in individual
26 cases.

27 (2) The membership of the council shall consist of the
28 following five (5) members as follows:

29 (a) One member appointed by the Youth Court Judges
30 Conference;

31 (b) One member appointed by the Director of the
32 Division of Youth Services;

33 (c) One member appointed by the President of the County
34 Supervisors Association;

35 (d) One member appointed by the Mississippi Public
36 Defender Association who must be an attorney with experience in
37 youth court defense; and

38 (e) One member appointed by the Mississippi Bar
39 Association.

40 (3) Council members shall serve for three (3) years. At the
41 first meeting, which shall be organized by the Administrative
42 Office of Courts within ninety (90) days of the effective date of
43 this act, the council shall elect a chairperson from its
44 membership and adopt rules and procedures for conducting its
45 business.

46 (4) The Administrative Office of Courts shall provide
47 administrative support to the council. The council shall operate
48 under the authority of the Administrative Office of Courts.

49 (5) The council shall cooperate with any individual, private
50 or public agency, whether state, local or federal, or with any
51 public or private law school, with any public or private
52 institution of higher learning to obtain by gift, grant or
53 otherwise any financial, professional, investigatory, training,
54 education or research or other assistance; provided, however, that
55 any grants or any financial assistance received for the purposes
56 set out in this subsection shall be paid over to the
57 Administrative Office of Courts and administered consistent with
58 the provisions of this act and the rules and regulations of the
59 Mississippi Department of Finance and Administration.

60 **SECTION 2.** This act shall take effect and be in force from
61 and after July 1, 2007.