

By: Senator(s) Tindell

To: Judiciary, Division A

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2369

1 AN ACT TO AMEND SECTION 43-21-117, MISSISSIPPI CODE OF 1972,  
2 TO REVISE THE APPOINTMENT OF THE YOUTH COURT PROSECUTOR AND TO  
3 REQUIRE THAT THE YOUTH COURT PROSECUTOR RESIDE IN THAT COUNTY; TO  
4 AMEND SECTION 43-21-12, MISSISSIPPI CODE OF 1972, TO CONFORM; AND  
5 FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 43-21-117, Mississippi Code of 1972, is  
8 amended as follows:

9 43-21-117. (1) The youth court prosecutor shall represent  
10 the petitioner in all proceedings in the youth court.

11 (2) The county prosecuting attorney shall serve as the youth  
12 court prosecutor; however, if funds are available pursuant to  
13 Section 43-21-123, the \* \* \* county prosecuting attorney may  
14 designate, as provided in subsection (3) of this section, a  
15 prosecutor or prosecutors in lieu of or in addition to the county  
16 prosecuting attorney. Where there is a municipal youth court  
17 division, the city prosecutor shall serve as youth court  
18 prosecutor \* \* \*, and the district attorney may participate in  
19 transfer proceedings.



20 (3) \* \* \* The designated youth court prosecutor or  
21 prosecutors shall be paid a fee or salary fixed \* \* \* by the board  
22 of supervisors as provided in Section 43-21-123 and shall be paid  
23 by the county out of any available funds budgeted for the youth  
24 court by the board of supervisors, unless the designated youth  
25 court prosecutor or prosecutors serves in a municipal youth court  
26 division, in which case he shall be paid a fee or salary fixed on  
27 order of the \* \* \* municipal governing authority from the funds  
28 available to the municipality.

29 (4) All youth court prosecutors \* \* \* are required to  
30 receive juvenile justice training approved by the Mississippi  
31 Attorney General's office and regular annual continuing education  
32 in the field of juvenile justice. The Mississippi Attorney  
33 General's office shall determine the amount of juvenile justice  
34 training and annual continuing education which shall be  
35 satisfactory to fulfill the requirements of this subsection. The  
36 Administrative Office of Courts shall maintain a roll of youth  
37 court prosecutors, shall enforce the provisions of this  
38 subsection, and shall maintain records on all \* \* \* youth court  
39 prosecutors regarding \* \* \* the required training. Should a youth  
40 court prosecutor miss two (2) consecutive training sessions  
41 sponsored by the Mississippi Attorney General's office as required  
42 by this subsection or fail to attend one (1) \* \* \* training  
43 session within six (6) months of \* \* \* designation as youth court  
44 prosecutor, the youth court prosecutor shall be disqualified to



45 serve and be immediately removed from the office of youth court  
46 prosecutor and another youth court prosecutor shall be designated  
47 by the county prosecuting attorney.

48 **SECTION 2.** Section 43-21-123, Mississippi Code of 1972, is  
49 amended as follows:

50 43-21-123. Except for expenses provided by state funds \* \* \*  
51 and other monies, the board of supervisors, or the municipal  
52 governing board where there is a municipal youth court, shall  
53 adequately provide funds for the operation of the youth court  
54 division of the chancery court in conjunction with the regular  
55 chancery court budget, or the county \* \* \* courts where \* \* \* the  
56 youth courts are constituted. In preparation for \* \* \* receiving  
57 funding, on an annual basis at the time requested, the youth court  
58 judge or administrator shall prepare and submit to the board of  
59 supervisors, or the municipal governing board of the youth court  
60 wherever the youth court is a municipal court, an annual budget  
61 which will identify the number, staff position, title and amount  
62 of annual or monthly compensation of each position as well as  
63 provide for other expenditures necessary to the functioning and  
64 operation of the youth court. When the budget of the youth court  
65 or youth court judge is approved by the board of supervisors or  
66 the governing authority of the municipality, then the youth court  
67 or youth court judge may employ such persons as provided in the  
68 budget from time to time.



69           The board of supervisors of any county in which there is  
70 located a youth court, and the governing authority of any  
71 municipality in which there is located a municipal youth court,  
72 are each authorized to reimburse the youth court judges and other  
73 youth court employees or personnel for reasonable travel and  
74 expenses incurred in the performance of their duties and in  
75 attending educational meetings offering professional training  
76 to \* \* \* those persons as budgeted.

77           **SECTION 3.** This act shall take effect and be in force from  
78 and after July 1, 2017, and shall stand repealed on June 30, 2017.

