

By: Senator(s) Wiggins

To: Judiciary, Division A;  
Appropriations

SENATE BILL NO. 2640

1 AN ACT TO AMEND SECTION 43-21-201, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT CHILDREN ALLEGED TO HAVE BEEN ABUSED OR NEGLECTED  
3 SHALL BE A PARTY AND SHALL BE REPRESENTED BY COUNSEL; TO PROVIDE  
4 THAT A PARTY'S RIGHT TO REPRESENTATION SHALL EXTEND TO SHELTER  
5 HEARINGS; TO CREATE NEW SECTION 43-21-202, MISSISSIPPI CODE OF  
6 1972, TO PROVIDE THAT THE DEPARTMENT OF CHILD PROTECTION SERVICES  
7 SHALL HAVE THE RIGHT TO BE REPRESENTED BY AGENCY COUNSEL EMPLOYED  
8 BY THE DEPARTMENT AT ALL STAGES OF ANY PROCEEDINGS INVOLVING A  
9 CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY; TO AMEND SECTION  
10 43-21-501, MISSISSIPPI CODE OF 1972, TO REQUIRE THE YOUTH COURT TO  
11 ISSUE A SUMMONS TO THE DEPARTMENT OF CHILD PROTECTION SERVICES IF  
12 A PETITION IS FILED THAT INVOLVES A CHILD FOR WHOM THE DEPARTMENT  
13 HAS CUSTODY OF OR MAY BE AWARDED CUSTODY OF; TO AMEND SECTION  
14 43-21-701, MISSISSIPPI CODE OF 1972, TO ADD ADDITIONAL MEMBERS TO  
15 THE MISSISSIPPI COMMISSION ON A UNIFORM YOUTH COURT SYSTEM AND  
16 PROCEDURES; TO REVISE THE QUORUM OF THE COMMISSION; TO AMEND  
17 SECTION 43-21-703, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE  
18 COMMISSION SHALL FILE A REPORT WITH THE LEGISLATURE ON OR BEFORE A  
19 CERTAIN DATE; TO AMEND SECTION 93-15-107, MISSISSIPPI CODE OF  
20 1972, TO REQUIRE THE CLERK TO DOCKET  
21 TERMINATION-OF-PARENTAL-RIGHTS CASES AS PRIORITY CASES ON THE  
22 COURT'S DOCKET; TO REQUIRE IMMEDIATE NOTIFICATION TO THE ASSIGNED  
23 JUDGE UPON FILING; TO AMEND SECTION 93-17-3, MISSISSIPPI CODE OF  
24 1972, TO PROVIDE THAT THE CHANCERY COURT HAS ORIGINAL EXCLUSIVE  
25 JURISDICTION OVER ALL ADOPTION PROCEEDINGS EXCEPT WHEN A COUNTY  
26 COURT SITTING AS A YOUTH COURT HAS ACQUIRED JURISDICTION OF A  
27 CHILD IN AN ABUSE OR NEGLECT PROCEEDING; TO PROVIDE THAT THE  
28 COUNTY COURT SHALL HAVE ORIGINAL EXCLUSIVE JURISDICTION TO HEAR A  
29 PETITION FOR ADOPTION OF A CHILD IN AN ABUSE OR NEGLECT  
30 PROCEEDING; TO REQUIRE THE CLERK TO DOCKET ADOPTION PROCEEDINGS AS  
31 PRIORITY CASES ON THE COURT'S DOCKET; TO REQUIRE IMMEDIATE  
32 NOTIFICATION TO THE ASSIGNED JUDGE UPON FILING; TO BRING FORWARD  
33 SECTION 7-5-1, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE



34 POWERS OF THE ATTORNEY GENERAL, FOR POSSIBLE AMENDMENT; AND FOR  
35 RELATED PURPOSES.

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

37 **SECTION 1.** Section 43-21-201, Mississippi Code of 1972, is  
38 amended as follows:

39 43-21-201. (1) (a) Each party shall have the right to be  
40 represented by counsel at all stages of the proceedings including,  
41 but not limited to, detention, shelter adjudicatory and  
42 disposition hearings and parole or probation revocation  
43 proceedings.

44 (b) In delinquency matters the court shall appoint  
45 legal defense counsel who is not also a guardian ad litem for the  
46 same child. If the party is a child, the child shall be  
47 represented by counsel at all critical stages: detention,  
48 adjudicatory and disposition hearings; parole or probation  
49 revocation proceedings; and post-disposition matters. If  
50 indigent, the child shall have the right to have counsel appointed  
51 for him by the youth court.

52 (c) A child who is alleged to have been abused or  
53 neglected shall be deemed to be a party to the proceedings under  
54 this chapter. The child shall be represented by an attorney at  
55 all stages of any proceedings held pursuant to this chapter. The  
56 court shall appoint an attorney to any child who is unrepresented.

57 (2) When a party first appears before the youth court, the  
58 judge shall ascertain whether he is represented by counsel and, if  
59 not, inform him of his rights including his right to counsel. If



60 the court determines that a parent or guardian who is a party in  
61 an abuse, neglect or termination of parental rights proceeding is  
62 indigent, the youth court judge may appoint counsel to represent  
63 the indigent parent or guardian in the proceeding.

64 (3) An attorney appointed to represent a \* \* \* child shall  
65 be required to complete annual juvenile justice training that is  
66 approved by the Mississippi Office of State Public Defender and  
67 the Mississippi Commission on Continuing Legal Education. An  
68 attorney appointed to represent a parent or guardian in an abuse,  
69 neglect or termination of parental rights proceeding shall be  
70 required to complete annual training that is approved by the  
71 Office of State Public Defender and the Mississippi Commission on  
72 Continuing Legal Education. The Mississippi Office of State  
73 Public Defender and the Mississippi Commission on Continuing Legal  
74 Education shall determine the amount of juvenile justice training  
75 and continuing education required to fulfill the requirements of  
76 this subsection. The State Public Defender shall maintain a roll  
77 of attorneys who have complied with the training requirements and  
78 shall enforce the provisions of this subsection. Should an  
79 attorney fail to complete the annual training requirement or fail  
80 to attend the required training within six (6) months of being  
81 appointed to a youth court case, the attorney shall be  
82 disqualified to serve and the youth court shall immediately  
83 terminate the representation and appoint another attorney.



84 Attorneys appointed by a youth court to five (5) or fewer cases a  
85 year are exempt from the requirements of this subsection.

86 (4) The child's attorney shall owe the same duties of  
87 undivided loyalty, confidentiality and competent representation to  
88 the child or minor as is due an adult client pursuant to the  
89 Mississippi Rules of Professional Conduct.

90 (5) An attorney shall enter his appearance on behalf of a  
91 party in the proceeding by filing a written notice of appearance  
92 with the youth court, by filing a pleading, notice or motion  
93 signed by counsel or by appearing in open court and advising the  
94 youth court that he is representing a party. After counsel has  
95 entered his appearance, he shall be served with copies of all  
96 subsequent pleadings, motions and notices required to be served on  
97 the party he represents. An attorney who has entered his  
98 appearance shall not be permitted to withdraw from the case until  
99 a timely appeal, if any, has been decided, except by leave of the  
100 court then exercising jurisdiction of the cause after notice of  
101 his intended withdrawal is served by him on the party he  
102 represents.

103 (6) Each designee appointed by a youth court judge shall be  
104 subject to the Code of Judicial Conduct and shall govern himself  
105 or herself accordingly.

106 **SECTION 2.** The following shall be codified as Section  
107 43-21-202, Mississippi Code of 1972:



108        43-21-202. (1) The Department of Child Protection Services  
109 shall have the right to be represented by agency counsel employed  
110 by the department at all stages of any proceedings involving a  
111 child for whom the department has custody of or may be awarded  
112 custody of including, but not limited to, detention, shelter,  
113 adjudicatory, disposition and permanency hearings.

114        (2) Agency counsel employed by the Department of Child  
115 Services shall represent the interests of the department in any  
116 proceeding under this chapter.

117        **SECTION 3.** Section 43-21-501, Mississippi Code of 1972, is  
118 amended as follows:

119        43-21-501. When a petition has been filed and the date of  
120 hearing has been set by the youth court, the judge or his designee  
121 shall order the clerk of the youth court to issue a summons to the  
122 following to appear personally at such hearing:

123            (a) The child named in the petition;

124            (b) The person or persons who have custody or control  
125 of the child;

126            (c) The parent or guardian of the child if such parent  
127 or guardian does not have custody of the child; \* \* \*

128            (d) The Department of Child Protection Services if the  
129 petition involves a child for whom the department has custody or  
130 may be awarded custody of; and

131            ( \* \* \*e) Any other person whom the court deems  
132 necessary.



133           **SECTION 4.** Section 43-21-701, Mississippi Code of 1972, is  
134 amended as follows:

135           43-21-701. (1) There is hereby established the Mississippi  
136 Commission on a Uniform Youth Court System and Procedures. The  
137 commission shall consist of the following \* \* \* twenty-one (21)  
138 members:

139           (a) One (1) circuit court judge appointed by the Chief  
140 Justice of the Mississippi Supreme Court;

141           (b) One (1) chancery court judge, appointed by the  
142 Chief Justice of the Mississippi Supreme Court;

143           (c) The President of the Mississippi Council of Youth  
144 Court Judges, or his designee;

145           (d) Two (2) who may be either family court judges or  
146 county court judges, appointed by the President of the Mississippi  
147 Council of Youth Court Judges;

148           (e) Two (2) youth court referees, appointed by the  
149 President of the Mississippi Council of Youth Court Judges;

150           (f) One (1) member of the Mississippi House of  
151 Representatives to be appointed by the Speaker of the House;

152           (g) One (1) member of the Mississippi Senate to be  
153 appointed by the Lieutenant Governor;

154           (h) The directors of the following state agencies or  
155 their designated representatives: the Mississippi Department  
156 of \* \* \* Human Services and the Mississippi Department of \* \* \*  
157 Child Protection Services;



158 (i) The director or his designated representative of  
159 the Governor's Office of Federal-State Programs;

160 (j) \* \* \* Two (2) employees, other than the director,  
161 of the Department of \* \* \* Child Protection Services who \* \* \* are  
162 supervisors of social workers primarily assigned to youth cases,  
163 appointed by the Governor;

164 (k) One (1) employee, other than the director, of the  
165 Department of Child Protection Services who is experienced with  
166 the legal process of youth court cases, appointed by the Governor;

167 ( \* \* \* l) One (1) municipal police chief, appointed by  
168 the Governor;

169 ( \* \* \* m) One (1) county sheriff, appointed by the  
170 Governor;

171 ( \* \* \* n) Two (2) lawyers experienced in youth court  
172 work, appointed by the Governor; and

173 ( \* \* \* o) Two (2) prosecuting attorneys who prosecute  
174 cases in youth court, appointed by the Governor.

175 (2) The members shall be appointed to the commission within  
176 fifteen (15) days of \* \* \* July 1, 2023, and shall serve until the  
177 end of their respective terms of office, if applicable, or until  
178 October 1, \* \* \* 2024, whichever occurs first. Vacancies on the  
179 commission shall be filled in the manner of the original  
180 appointment. Members shall be eligible for reappointment provided  
181 that upon such reappointment they meet the qualifications required  
182 of a new appointee.



183           (3) The commission may elect any officers from among its  
184 membership as it deems necessary for the efficient discharge of  
185 the commission's duties.

186           (4) The commission shall adopt rules and regulations  
187 governing times and places for meetings and governing the manner  
188 of conducting its business. \* \* \* Twelve (12) or more members  
189 shall constitute a quorum for the purpose of conducting any  
190 business of the commission; provided, however, a vote of not less  
191 than \* \* \* fourteen (14) members shall be required for any  
192 recommendations to the Legislature.

193           (5) Members of the commission shall serve without  
194 compensation, except that state and county employees and officers  
195 shall receive any per diem as authorized by law from  
196 appropriations available to their respective agencies or political  
197 subdivisions. All commission members shall be entitled to receive  
198 reimbursement for any actual and reasonable expenses incurred as a  
199 necessary incident to service on the commission, including mileage  
200 as provided by law.

201           (6) The commission may select and employ a research director  
202 who shall perform the duties which the commission directs, which  
203 duties shall include the hiring of such other employees for the  
204 commission as the commission may approve. The research director  
205 and all other employees of the commission shall be in the state  
206 service and their salaries shall be established by the commission  
207 subject to approval by the State Personnel Board. Employees of





208 the commission shall be reimbursed for the expenses necessarily  
209 incurred in the performance of their official duties in the same  
210 manner as other state employees. The commission may also employ  
211 any consultants it deems necessary, including consultants to  
212 compile any demographic data needed to accomplish the duties of  
213 the commission.

214 (7) The Governor's Office of Federal-State Programs shall  
215 support the Commission on a Uniform Youth Court System and shall  
216 act as agent for any funds made available to the commission for  
217 its use. In order to expedite the implementation of the  
218 Commission on a Uniform Youth Court System, any funds available to  
219 the Governor's Office of Federal-State Programs for the \* \* \*  
220 2023-2024 fiscal year may be expended for the purpose of defraying  
221 the expenses of the commission created herein.

222 (8) The commission may contract for suitable office space in  
223 accordance with the provisions of Section 29-5-2, Mississippi Code  
224 of 1972. In addition, the commission may utilize, with their  
225 consent, the services, equipment, personnel, information and  
226 resources of other state agencies; and may accept voluntary and  
227 uncompensated services, contract with individuals, public and  
228 private agencies, and request information, reports and data from  
229 any agency of the state, or any of its political subdivisions, to  
230 the extent authorized by law.

231 (9) In order to conduct and carry out its purposes, duties  
232 and related activities as provided for in this section and Section



233 43-21-703, the commission is authorized to apply for and accept  
234 gifts, grants, subsidies and other funds from persons,  
235 corporations, foundations, the United States government or other  
236 entities, provided that the receipt of such gifts, grants,  
237 subsidies and funds shall be reported and otherwise accounted for  
238 in the manner provided by law.

239 **SECTION 5.** Section 43-21-703, Mississippi Code of 1972, is  
240 amended as follows:

241 43-21-703. (1) The commission shall study the youth court  
242 system in Mississippi, and prepare a report including any proposed  
243 changes in the youth court system and/or its procedures. It shall  
244 submit the report to the Legislature, on or before October  
245 1, \* \* \* 2024, along with a report detailing any legislation which  
246 may be needed to implement the plan. In preparing the report, the  
247 commission shall evaluate the existing juvenile services in the  
248 state and may recommend changes in the organizational concepts,  
249 institutions, laws and resources.

250 (2) In formulating its report, the commission shall take  
251 into consideration the following:

252 (a) Whether a uniform statewide youth court system  
253 would be desirable;

254 (b) How best the service needs of the state could be  
255 met in relation to the taxing and resource capacity of various  
256 multi-county districts now existing or proposed;



257 (c) Whether counties in a given service area or  
258 district may develop district shelters, detention centers and  
259 diagnostic centers to serve a multi-county area; and

260 (d) What proposals or alternatives would update or  
261 modernize the system to provide staffing for all counties and  
262 citizens.

263 (3) The commission, in addition to recommending the plan  
264 described in this section, shall serve as a clearinghouse and  
265 information center for the collection, preparation, analysis and  
266 dissemination of information on the youth court system in  
267 Mississippi and shall conduct ongoing research relating to the  
268 improvement of the youth court system. Pursuant to its duties  
269 under this subsection, the commission may request the regular  
270 submission to it of such reports, information and statistics by  
271 the courts, judges, prosecuting attorneys and agencies of this  
272 state which the commission deems necessary for the development of  
273 its reports.

274 **SECTION 6.** Section 93-15-107, Mississippi Code of 1972, is  
275 amended as follows:

276 93-15-107. (1) (a) Involuntary termination of parental  
277 rights proceedings are commenced upon the filing of a petition  
278 under this chapter. The petition may be filed by any interested  
279 person, or any agency, institution or person holding custody of  
280 the child. The simultaneous filing of a petition for adoption is  
281 not a prerequisite for filing a petition under this chapter.



282           (b) The proceeding shall be triable, either in term  
283 time or vacation, thirty (30) days after personal service of  
284 process to any necessary party or, for a necessary party whose  
285 address is unknown after diligent search, thirty (30) days after  
286 the date of the first publication of service of process by  
287 publication that complies with the Mississippi Rules of Civil  
288 Procedure.

289           (c) Necessary parties to a termination of parental  
290 rights action shall include the mother of the child, the legal  
291 father of the child, the putative father of the child when known,  
292 and any agency, institution or person holding custody of the  
293 child. The absence of a necessary party who has been properly  
294 served does not preclude the court from conducting the hearing or  
295 rendering a final judgment.

296           (d) A guardian ad litem shall be appointed to protect  
297 the best interest of the child, except that the court, in its  
298 discretion, may waive this requirement when a parent executes a  
299 written voluntary release to terminate parental rights. The  
300 guardian ad litem fees shall be determined and assessed in the  
301 discretion of the court.

302           (2) Voluntary termination of parental rights by written  
303 voluntary release is governed by Section 93-15-111.

304           (3) In all cases involving termination of parental rights, a  
305 minor parent shall be served with process as an adult.



306 (4) The court may waive service of process if an adoptive  
307 child was born in a foreign country, put up for adoption in the  
308 birth country, and has been legally admitted into this country.

309 (5) The clerk shall docket cases seeking relief under this  
310 chapter as priority cases. The assigned judge shall be  
311 immediately notified when a case is filed in order to provide for  
312 expedited proceedings.

313 **SECTION 7.** Section 93-17-3, Mississippi Code of 1972, is  
314 amended as follows:

315 93-17-3. (1) Except as otherwise provided in this section,  
316 a court of this state has jurisdiction over a proceeding for the  
317 adoption or readoption of a minor commenced under this chapter if:

318 (a) Immediately before commencement of the proceeding,  
319 the minor lived in this state with a parent, a guardian, a  
320 prospective adoptive parent or another person acting as parent,  
321 for at least six (6) consecutive months, excluding periods of  
322 temporary absence, or, in the case of a minor under six (6) months  
323 of age, lived in this state from soon after birth with any of  
324 those individuals and there is available in this state substantial  
325 evidence concerning the minor's present or future care;

326 (b) Immediately before commencement of the proceeding,  
327 the prospective adoptive parent lived in this state for at least  
328 six (6) consecutive months, excluding periods of temporary  
329 absence, and there is available in this state substantial evidence  
330 concerning the minor's present or future care;



331 (c) The agency that placed the minor for adoption is  
332 licensed in this state and it is in the best interest of the minor  
333 that a court of this state assume jurisdiction because:

334 (i) The minor and the minor's parents, or the  
335 minor and the prospective adoptive parent, have a significant  
336 connection with this state; and

337 (ii) There is available in this state substantial  
338 evidence concerning the minor's present or future care;

339 (d) The minor and the prospective adoptive parent or  
340 parents are physically present in this state and the minor has  
341 been abandoned or it is necessary in an emergency to protect the  
342 minor because the minor has been subjected to or threatened with  
343 mistreatment or abuse or is otherwise neglected, and the  
344 prospective adoptive parent or parents, if not residing in  
345 Mississippi, have completed and provided the court with a  
346 satisfactory Interstate Compact for Placement of Children (ICPC)  
347 home study and accompanying forms;

348 (e) It appears that no other state would have  
349 jurisdiction under prerequisites substantially in accordance with  
350 paragraphs (a) through (d), or another state has declined to  
351 exercise jurisdiction on the ground that this state is the more  
352 appropriate forum to hear a petition for adoption of the minor,  
353 and it is in the best interest of the minor that a court of this  
354 state assume jurisdiction; or



355 (f) The child has been adopted in a foreign country,  
356 the agency that placed the minor for adoption is licensed in this  
357 state, and it is in the best interest of the child to be readopted  
358 in a court of this state having jurisdiction.

359 (2) A court of this state may not exercise jurisdiction over  
360 a proceeding for adoption of a minor if, at the time the petition  
361 for adoption is filed, a proceeding concerning the custody or  
362 adoption of the minor is pending in a court of another state  
363 exercising jurisdiction substantially in conformity with the  
364 Uniform Child Custody Jurisdiction Act or this section unless the  
365 proceeding is stayed by the court of the other state.

366 (3) If a court of another state has issued a decree or order  
367 concerning the custody of a minor who may be the subject of a  
368 proceeding for adoption in this state, a court of this state may  
369 not exercise jurisdiction over a proceeding for adoption of the  
370 minor unless:

371 (a) The court of this state finds that the court of the  
372 state which issued the decree or order:

373 (i) Does not have continuing jurisdiction to  
374 modify the decree or order under jurisdictional prerequisites  
375 substantially in accordance with the Uniform Child Custody  
376 Jurisdiction Act or has declined to assume jurisdiction to modify  
377 the decree or order; or

378 (ii) Does not have jurisdiction over a proceeding  
379 for adoption substantially in conformity with subsection (1) (a)



380 through (d) or has declined to assume jurisdiction over a  
381 proceeding for adoption; and

382 (b) The court of this state has jurisdiction over the  
383 proceeding.

384 (4) Any person may be adopted in accordance with the  
385 provisions of this chapter in term time or in vacation by an  
386 unmarried adult, by a married person whose spouse joins in the  
387 petition, by a married person whose spouse does not join in the  
388 petition because such spouse does not cohabit or reside with the  
389 petitioning spouse, and in any circumstances determined by the  
390 court that the adoption is in the best interest of the child.  
391 Only the consenting adult will be a legal parent of the child. In  
392 those adoption proceedings where the chancery court has  
393 jurisdiction, the adoption shall be by sworn petition filed in the  
394 chancery court of the county in which the adopting petitioner or  
395 petitioners reside or in which the child to be adopted resides or  
396 was born, or was found when it was abandoned or deserted, or in  
397 which the home is located to which the child has been surrendered  
398 by a person authorized to so do. In those adoption proceedings  
399 where the county court sitting as a youth court has jurisdiction,  
400 the adoption shall be by sworn petition filed in that county  
401 court. The petition shall be accompanied by a doctor's or nurse  
402 practitioner's certificate showing the physical and mental  
403 condition of the child to be adopted and a sworn statement of all  
404 property, if any, owned by the child. In addition, the petition





405 shall be accompanied by affidavits of the petitioner or  
406 petitioners stating the amount of the service fees charged by any  
407 adoption agencies or adoption facilitators used by the petitioner  
408 or petitioners and any other expenses paid by the petitioner or  
409 petitioners in the adoption process as of the time of filing the  
410 petition. If the doctor's or nurse practitioner's certificate  
411 indicates any abnormal mental or physical condition or defect, the  
412 condition or defect shall not, in the discretion of the chancellor  
413 or youth court judge, bar the adoption of the child if the  
414 adopting parent or parents file an affidavit stating full and  
415 complete knowledge of the condition or defect and stating a desire  
416 to adopt the child, notwithstanding the condition or defect. The  
417 court shall have the power to change the name of the child as a  
418 part of the adoption proceedings. The word "child" in this  
419 section shall be construed to refer to the person to be adopted,  
420 though an adult.

421 (5) No person may be placed in the home of or adopted by the  
422 prospective adopting parties before a court-ordered or voluntary  
423 home study is satisfactorily completed by a licensed adoption  
424 agency, a licensed, experienced social worker approved by the  
425 chancery court, a court-appointed guardian ad litem that has  
426 knowledge or training in conducting home studies if so directed by  
427 the court, or by the Department of \* \* \* Child Protection Services  
428 on the prospective adoptive parties if required by Section  
429 93-17-11.



430           (6) No person may be adopted by a person or persons who  
431 reside outside the State of Mississippi unless the provisions of  
432 the Interstate Compact for Placement of Children (Section 43-18-1  
433 et seq.) have been complied with. In such cases Forms 100A, 100B  
434 (if applicable) and evidence of Interstate Compact for Placement  
435 of Children approval shall be added to the permanent adoption  
436 record file within one (1) month of the placement, and a minimum  
437 of two (2) post-placement reports conducted by a licensed  
438 child-placing agency shall be provided to the Mississippi  
439 Department of Child Protection Services Interstate Compact for  
440 Placement of Children office.

441           (7) No person may be adopted unless the provisions of the  
442 Indian Child Welfare Act (ICWA) have been complied with, if  
443 applicable. When applicable, proof of compliance shall be  
444 included in the court adoption file prior to finalization of the  
445 adoption. If not applicable, a written statement or paragraph in  
446 the petition for adoption shall be included in the adoption  
447 petition stating that the provisions of ICWA do not apply before  
448 finalization.

449           (8) The readoption of a child who has automatically acquired  
450 United States citizenship following an adoption in a foreign  
451 country and who possesses a Certificate of Citizenship in  
452 accordance with the Child Citizenship Act, CAA, Public Law  
453 106-395, may be given full force and effect in a readoption  
454 proceeding conducted by a court of competent jurisdiction in this



455 state by compliance with the Mississippi Registration of Foreign  
456 Adoptions Act, Article 9 of this chapter.

457 (9) For adult adoptees who consent to the adoption, a  
458 chancellor may waive any of the petition requirements and  
459 procedural requirements within subsections (4), (5), (6) and (7)  
460 of this section.

461 (10) For proceedings filed under this chapter, the chancery  
462 court has original exclusive jurisdiction over all adoption  
463 proceedings except when a county court sitting as a youth court  
464 has acquired jurisdiction of a child in an abuse or neglect  
465 proceeding. In such case, the county court shall have original  
466 exclusive jurisdiction to hear a petition for adoption of that  
467 child pursuant to the procedures of this chapter.

468 (11) The clerk shall docket cases seeking relief under this  
469 chapter as priority cases. The assigned judge shall be  
470 immediately notified when a case is filed in order to provide for  
471 expedited proceedings.

472 **SECTION 8.** Section 7-5-1, Mississippi Code of 1972, is  
473 brought forward as follows:

474 7-5-1. The Attorney General provided for by Section 173 of  
475 the Mississippi Constitution shall be elected at the same time and  
476 in the same manner as the Governor is elected. His term of office  
477 shall be four (4) years and his compensation shall be fixed by the  
478 Legislature. He shall be the chief legal officer and advisor for  
479 the state, both civil and criminal, and is charged with managing



480 all litigation on behalf of the state, except as otherwise  
481 specifically provided by law. No arm or agency of the state  
482 government shall bring or defend a suit against another arm or  
483 agency without prior written approval of the Attorney General. He  
484 shall have the powers of the Attorney General at common law and,  
485 except as otherwise provided by law, is given the sole power to  
486 bring or defend a lawsuit on behalf of a state agency, the subject  
487 matter of which is of statewide interest. He shall intervene and  
488 argue the constitutionality of any statute when notified of a  
489 challenge thereto, pursuant to the Mississippi Rules of Civil  
490 Procedure. His qualifications for office shall be as provided for  
491 chancery and circuit judges in Section 154 of the Mississippi  
492 Constitution.

493       **SECTION 9.** This act shall take effect and be in force from  
494 and after July 1, 2023.

