

By: Senator(s) Fillingane

To: Judiciary, Division A;
Appropriations

SENATE BILL NO. 2490

1 AN ACT TO AMEND SECTION 43-21-111, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT THE SALARY OF A YOUTH COURT REFEREE SHALL BE NO
3 LESS THAN THE SALARY AND BENEFITS OF THE JUSTICE COURT JUDGE IN
4 THE SAME COUNTY; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 43-21-111, Mississippi Code of 1972, is
7 amended as follows:

8 43-21-111. (1) In any county not having a county court or
9 family court the judge may appoint as provided in Section
10 43-21-123 regular or special referees who shall be attorneys at
11 law and members of the bar in good standing to act in cases
12 concerning children within the jurisdiction of the youth court,
13 and a regular referee shall hold office until removed by the
14 judge. The requirement that regular or special referees appointed
15 pursuant to this subsection be attorneys shall apply only to
16 regular or special referees who were not first appointed regular
17 or special referees prior to July 1, 1991.

18 (2) Any referee appointed pursuant to subsection (1) of this
19 section shall be required to receive judicial training approved by



20 the Mississippi Judicial College and shall be required to receive
21 regular annual continuing education in the field of juvenile
22 justice. The amount of judicial training and annual continuing
23 education which shall be satisfactory to fulfill the requirements
24 of this section shall conform with the amount prescribed by the
25 Rules and Regulations for Mandatory Continuing Judicial Education
26 promulgated by the Supreme Court. The Administrative Office of
27 Courts shall maintain a roll of referees appointed under this
28 section, shall enforce the provisions of this subsection and shall
29 maintain records on all such referees regarding such training.
30 Should a referee miss two (2) consecutive training sessions
31 sponsored or approved by the Mississippi Judicial College as
32 required by this subsection or fail to attend one (1) such
33 training session within six (6) months of their initial
34 appointment as a referee, the referee shall be disqualified to
35 serve and be immediately removed as a referee and another member
36 of the bar shall be appointed as provided in this section.

37 (3) The judge may direct that hearings in any case or class
38 of cases be conducted in the first instance by the referee. The
39 judge may also delegate his own administrative responsibilities to
40 the referee.

41 (4) All hearings authorized to be heard by a referee shall
42 proceed in the same manner as hearings before the youth court
43 judge. A referee shall possess all powers and perform all the

44 duties of the youth court judge in the hearings authorized to be
45 heard by the referee.

46 (5) An order entered by the referee shall be mailed
47 immediately to all parties and their counsel. A rehearing by the
48 judge shall be allowed if any party files a written motion for a
49 rehearing or on the court's own motion within three (3) days after
50 notice of referee's order. The youth court may enlarge the time
51 for filing a motion for a rehearing for good cause shown. Any
52 rehearing shall be upon the record of the hearing before the
53 referee, but additional evidence may be admitted in the discretion
54 of the judge. A motion for a rehearing shall not act as a
55 supersedeas of the referee's order, unless the judge shall so
56 order.

57 (6) The salary for the referee shall be fixed on order of
58 the judge as provided in Section 43-21-123 and shall be paid by
59 the county out of any available funds budgeted for the youth court
60 by the board of supervisors but shall be no less than the salary
61 and benefits of the justice court judge in the same county.

62 (7) Upon request of the boards of supervisors of two (2) or
63 more counties, the judge of the chancery court may appoint a
64 suitable person as referee to two (2) or more counties within his
65 district, and the payment of salary may be divided in such ratio
66 as may be agreed upon by the boards of supervisors.

67 **SECTION 2.** This act shall take effect and be in force from
68 and after July 1, 2025.

