

By: Ford

To: Juvenile Justice

HOUSE BILL NO. 345  
(As Passed the House)

1 AN ACT TO AMEND SECTION 43-27-20, MISSISSIPPI CODE OF 1972,  
2 WHICH CREATES THE DIVISION OF COMMUNITY SERVICES OF THE DEPARTMENT  
3 OF YOUTH SERVICES AND ITS DIRECTOR AND PRESCRIBES THEIR POWERS AND  
4 DUTIES, TO PROVIDE THAT SECTION 43-27-20, MISSISSIPPI CODE OF  
5 1972, SHALL STAND REPEALED ON JULY 1, 2003; TO AMEND SECTION 2,  
6 CHAPTER 552, LAWS OF 1998, TO DELETE THE CURRENT REPEALER ON  
7 SECTION 43-27-20, MISSISSIPPI CODE OF 1972; AND FOR RELATED  
8 PURPOSES.

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

10 SECTION 1. Section 43-27-20, Mississippi Code of 1972, is  
11 amended as follows:

12 43-27-20. (a) Within the Department of Youth Services there  
13 shall be a Division of Community Services which shall be headed by  
14 a director appointed by and responsible to the Director of the  
15 Department of Youth Services. He shall hold a master's degree in  
16 social work or a related field and shall have no less than three  
17 (3) years' experience in social services, or in lieu of such  
18 degree and experience, he shall have a minimum of eight (8) years'  
19 experience in social work or a related field. He shall employ and  
20 assign the community workers to serve in the various areas in the  
21 state and any other supporting personnel necessary to carry out  
22 the duties of the Division of Community Services.

23 (b) The Director of the Division of Community Services shall  
24 assign probation and aftercare workers to the youth court or  
25 family court judges of the various court districts upon the  
26 request of the individual judge on the basis of caseload and need,  
27 when funds are available. The probation and aftercare workers  
28 shall live in their respective districts except upon approval of  
29 the Director of the Division of Community Services. The Director

of the Division of Community Services is authorized to assign a youth services counselor to a district other than the district in which the youth services counselor lives upon the approval of the youth court judge of the assigned district and the Director of the Division of Youth Services. Every placement shall be with the approval of the youth court or the family court judge, and a probation and aftercare worker may be removed for cause from a youth or family court district.

(c) Any counties or cities which, on July 1, 1973, have court counselors or similar personnel may continue using this personnel or may choose to come within the statewide framework.

(d) A probation and aftercare worker may be transferred by the division from one court to another after consultation with the judge or judges in the court to which the employee is currently assigned.

(e) The Division of Community Services shall have such duties as the Department of Youth Services shall assign to it which shall include, but not be limited to, the following:

(1) Preparing the social, educational and home-life history and other diagnostic reports on the child for the benefit of the court or the training school; however, this provision shall not abridge the power of the court to require similar services from other agencies, according to law.

(2) Serving in counseling capacities with the youth or family courts.

(3) Serving as probation agents for the youth or family courts.

(4) Serving, advising and counseling of children in the various institutions under the control of the Division of Juvenile Correctional Institutions as may be necessary to the placement of the children in proper environment after release and the placement of children in suitable jobs where necessary and proper.

(5) Supervising and guiding of children released or conditionally released from institutions under the control of the Division of Juvenile Correctional Institutions.

(6) Counseling in an aftercare program.

(7) Coordinating the activities of supporting community

67 agencies which aid in the social adjustment of children released  
68 from the institution and in an aftercare program.

69 (8) Providing or arranging for necessary services  
70 leading to the rehabilitation of delinquents, either within the  
71 division or through cooperative arrangements with other  
72 appropriate agencies.

73 (9) Providing counseling and supervision for any child  
74 under ten (10) years of age who has been brought to the attention  
75 of the court when other suitable personnel is not available and  
76 upon request of the court concerned.

77 (10) Supervising the aftercare program and making  
78 revocation investigations at the request of the court.

79 (f) This section shall stand repealed on July 1, 2003.

80 SECTION 2. Section 2, Chapter 552, Laws of 1998, is amended  
81 as follows:

82 Section 2. This act shall take effect and be in force from  
83 and after July 1, 1998 \* \* \*.

84 SECTION 3. This act shall take effect and be in force from  
85 and after July 1, 2000.