

By: Ford

To: Juvenile Justice

HOUSE BILL NO. 345
(As Sent to Governor)

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5 1972, SHALL STAND REPEALED ON JULY 1, 2003; TO AMEND SECTION 2,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

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

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

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

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

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

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

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

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

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

65 (6) Counseling in an aftercare program.

66 (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.