

April 17, 2000

TO THE HOUSE OF REPRESENTATIVES:

GOVERNOR'S VETO MESSAGE FOR HOUSE BILL 1072

I am returning House Bill No. 1072: "AN ACT TO AMEND SECTIONS 43-21-609, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AFTER A YOUTH COURT GRANTS DURABLE LEGAL CUSTODY IN NEGLECT AND ABUSE CASES, SUBSEQUENT JUDICIAL PROCEEDINGS IN WHICH THE YOUTH COURT DOES NOT HAVE ORIGINAL JURISDICTION SHALL BE IN CHANCERY COURT; AND FOR RELATED PURPOSES" without my approval, and assign the following reasons for my veto:

House Bill Number 1072 was an honest effort to resolve a problem that some youth court judges face when parties attempt to litigate matters in youth court that actually belong in chancery court. Unfortunately, House Bill Number 1072 does not accomplish the end that it sought to accomplish. This bill would allow parties whose child is subject to a durable legal custody order to forum shop from the youth court into a chancery court. The result of this would be youth court judges being reluctant to use durable legal custody, an innovation which was passed by the Legislature to provide more humane and more consistent justice for children adjudicated abused or neglected and removed from custody of both parents.

If youth court judges have a problem with parties trying to burden them with matters not subject to the youth court's jurisdiction, then that matter needs to be resolved through another mechanism. I call upon the Mississippi Council of Youth Court Judges and any other entity to work with me to find a solution to this problem. House Bill Number 1072 is not the solution.

Respectfully submitted,

RONNIE MUSGROVE
GOVERNOR