

By: Representative Flaggs

To: Juvenile Justice

HOUSE BILL NO. 800
(As Passed the House)

1 AN ACT TO AMEND SECTION 43-21-753, MISSISSIPPI CODE OF 1972,
2 TO ABOLISH THE JURISDICTIONAL LIMITATION CONCERNING WHERE THE TEEN
3 COURT PROGRAM MAY BE ESTABLISHED AND TO ALLOW THE TEEN COURT
4 PROGRAM TO BE ESTABLISHED IN ANY COUNTY IN THE STATE; TO DELETE
5 THE GRADE REQUIREMENT FOR PARTICIPATION IN THE TEEN COURT PROGRAM;
6 AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 43-21-753, Mississippi Code of 1972, is
9 amended as follows:

10 43-21-753. The youth court of any county in the state may
11 establish a teen court program for the diversion of certain
12 offenders who have waived all right of confidentiality and
13 privilege against self-incrimination. The youth court of Rankin
14 County may extend its teen court program within the city limits of
15 Pearl. The offenders eligible to participate shall be those
16 offenders who in the discretion of the youth court are suitable
17 and compulsory-school-age children who have come into the
18 jurisdiction of the youth court as a result of not attending
19 school. The teen court shall be a preventive program for
20 juveniles comprised of youth * * * who are not less than thirteen
21 (13) nor more than seventeen (17) years of age, which students
22 shall serve as prosecutor, defense counsel, bailiff, court clerk
23 and jurors. The program is to administer the "sentencing" or
24 disposition phase of the proceedings against offenders who elect
25 to participate, shall be under the guidance of the local youth
26 court, and shall be approved by the local youth court. The youth
27 court judge, or his designee who is a licensed attorney, shall
28 preside. The teen court is authorized to require eligible
29 offenders who choose to go to teen court in lieu of youth court to



30 perform up to one hundred twelve (112) hours of community service,
31 require offenders to make a personal apology to a victim, require
32 offenders to submit a research paper on any relevant subject,
33 attend counseling and make restitution or any other disposition
34 authorized by the youth court. The youth court shall establish
35 rules and regulations, including sentencing guidelines, for the
36 operation of a teen court. The teen court is authorized to accept
37 monies from any available public or private source, including
38 public or private donations, grants, gifts and appropriated funds
39 for funding expenses of operating the court.

40 Teen court may be held at whatever location the youth court
41 selects at whatever time or times. Eligible offenders shall be
42 only those children who agree to participate in the teen court and
43 to abide by the teen court's rulings, whose parents or legal
44 guardian shall also so agree, and who are otherwise qualified to
45 participate.

46 The youth court judge may require an offender who elects to
47 participate in the teen court to pay a fee not to exceed Five
48 Dollars (\$5.00); any such fees shall be used in administering this
49 article, and the fee shall not be refunded, regardless of whether
50 the child successfully completes the teen court program.

51 **SECTION 2.** This act shall take effect and be in force from
52 and after July 1, 2003.

