

## **Commission on Children’s Justice recommends changes**

December 19, 2013

The Mississippi Commission on Children’s Justice has recommended creation of a state funded, uniform youth court system and called for a comprehensive review of all state laws related to child protection and foster care under the jurisdiction of youth courts.

Those are among numerous recommendations made by the Commission after it completed more than three years of study of the state’s child protection systems. The Commission’s report was presented to the Mississippi Supreme Court on Dec. 12.

Supreme Court Justice Randy G. Pierce of Leakesville, co-chair of the Commission, said, “The Commission’s goal is to have better outcomes for children. The report contains recommendations that will ensure the judiciary is accountable and that we work with the other branches of state government to achieve a model system. Our children deserve the best we have to offer. I believe the implementation of these recommendations will result in a more efficient and responsive child protection system.”

Currently, youth court structure, staffing and resources vary greatly across the state. In the 21 counties which have a county court, a county court judge oversees the youth court. The chancery court has jurisdiction over youth court in those counties which do not have a county court. The chancery court may either hear the youth court cases, or appoint an attorney as a part-time youth court referee to preside over youth court. In 60 counties, youth court cases are heard by youth court referees. Carroll County is the only county in which a chancellor currently presides in youth court.

“We need to get some uniformity in our youth court system of justice,” said Rankin County Court Judge Thomas Broome, co-chair of the Commission on Children’s Justice and chair of the Council of Youth Court Judges.

Some of the other recommendations of the Commission include:

- enact legislation to give indigent parents a right to a court-appointed attorney in court proceedings in which parents may face termination of parental rights. Mississippi is the only state in the country which does not provide appointed counsel. Adams, Forrest, Harrison and Rankin counties currently provide counsel for indigent parents under a pilot project. Before the pilot began, Madison County was the only county in the state which appointed counsel for indigent parents facing termination of parental rights in abuse and neglect cases.

- create a permanent staff position in each chancery court district for a guardian ad litem, an attorney whose role is to represent the best interests of the child.

- establish a state position of resident jurist to assist the Mississippi Supreme Court in performing its supervisory role with respect to effective administration of justice in youth courts, serve as a liaison to the Department of Human Services and other state agencies involved in child protection, and provide training to youth court judges.

- evaluate youth court case loads assigned to youth court prosecutors and public defenders.

- seek funding and statutory authority to create positions for in-house counsel in MDHS regions to advise case workers.

- establish a court performance improvement program in local youth courts in collaboration with DHS.

The Commission's complete report is available on the Mississippi Judiciary website at this link: <http://courts.ms.gov/reports/ChildrensJusticedoc.pdf>.

The Mississippi Supreme Court created the Commission on Children's Justice in April 2006. The Commission laid the groundwork for the Supreme Court's adoption of Uniform Rules of Youth Court Practice. The Supreme Court reestablished the Commission in June 2010. The Supreme Court charged the Commission with developing a statewide comprehensive approach to improving the child welfare system; coordinating the three branches of government in assessing the impact of government actions on children who are abused or neglected; and recommending changes to improve children's safety, strengthen and support families and promote public trust and confidence in the child welfare system.

Supreme Court Justice Randy G. Pierce of Leakesville and Rankin County Youth Court Judge Thomas Broome of Brandon are co-chairs. Judge Broome heads a subcommittee focused on the Youth Court system. Court of Appeals Judge Virginia Carlton of Jackson leads a subcommittee addressing education issues.

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