

3/18 5:30p

Chapter No. 359
13/SS02/R271
BJ / TB/TR

SENATE BILL NO. 2076

Originated in Senate *Irby Welch* Secretary

SENATE BILL NO. 2076

AN ACT TO AMEND SECTION 43-21-651, MISSISSIPPI CODE OF 1972, TO CONFORM THE TIME FOR APPEAL FROM THE YOUTH COURT TO THE SUPREME COURT TO THE JUDICIAL RULES OF APPELLATE PROCEDURE; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 43-21-651, Mississippi Code of 1972, is amended as follows:

43-21-651. (1) The court to which appeals may be taken from final orders or decrees of the youth court shall be the Supreme Court of Mississippi. In any case wherein an appeal is desired, written notice of intention to appeal shall be filed with the youth court clerk within * * * the time, and costs in the youth court and the filing fee in the Supreme Court shall be paid, as is otherwise required * * * for appeals to the Supreme Court. If the appellant shall make affidavit that he is unable to pay such costs and filing fee, he shall have an appeal without prepayment of court costs and filing fee. Only the initials of the child shall appear on the record on appeal.

(2) The pendency of an appeal shall not suspend the order or decree of the youth court regarding a child, nor shall it discharge the child from the custody of that court or of the person, institution or agency to whose care such child shall have been committed, unless the youth court or Supreme Court shall so order. If appellant desires to appeal with supersedeas, the matter first shall be presented to the youth court. If refused, the youth court shall forthwith issue a written order stating the reasons for the denial, which order shall be subject to review by the Supreme Court. If the Supreme Court does not dismiss the proceedings and discharge the child, it shall affirm or modify or reverse the order of the youth court and remand the child to the jurisdiction of the youth court for placement and supervision in accordance with its order, and thereafter the child shall be and remain under the jurisdiction of the youth court in the same manner as if the youth court had made the order without an appeal having been taken.

(3) Appeals from the youth court shall be preference cases in the Supreme Court.

SECTION 2. This act shall take effect and be in force from and after its passage.

PASSED BY THE SENATE
February 7, 2013



PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 5, 2013



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

3/18/13
5:30pm