

Disposition Alternatives Comparison Chart

§43-21-605 (Delinquency)	§43-21-607 (CHINS)
Release the child without further action;	Release the child without further action;
Place the child in custody of the parents, a relative or other persons subject to any conditions and limitations, including restitution , as the youth court may prescribe;	Place the child in custody of the parent, a relative or other person subject to any conditions and limitations as the youth court may prescribe;
Place the child on probation subject to any reasonable and appropriate conditions and limitations, including restitution, as the youth court may prescribe;	Place the child under youth court supervision subject to any conditions and limitations the youth court may prescribe;
Order terms of treatment calculated to assist the child and the child's parents or guardian which are within the ability of the parent or guardian to perform, and which are not in conflict with a provider's determination of medical necessity;	Order terms of treatment calculated to assist the child and the child's parent, guardian or custodian which are within the ability of the parent, guardian or custodian to perform;
Order terms of supervision which may include participation in a constructive program of service or education or civil fines not in excess of Five Hundred Dollars (\$500.00) , or restitution not in excess of actual damages caused by the child to be paid out of his own assets or by performance of services acceptable to the victims and approved by the youth court and reasonably capable of performance within one (1) year;	Order terms of supervision which may include participation in a constructive program of service or education or restitution not in excess of actual damages caused by the child to be paid out of his own assets or by the performance of services acceptable to the parties and reasonably capable of performance within one (1) year;
Suspend the child's driver's license by taking and keeping it in custody of the court for not more than one (1) year;	
Give legal custody of the child to any of the following:	Give legal custody of the child to any of the following but in no event to any state training school;

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<p>(i) The Department of Human Services for appropriate placement; or (ii) Any public or private organization, preferably community-based, able to assume the education, care and maintenance of the child, which has been found suitable by the court; or (iii) The Division of Youth Services for placement in the least restrictive environment, except that no child under the age of twelve (12) years shall be committed to the state training school. Only a child who has been adjudicated delinquent for a felony may be committed to the training school. In the event a child is committed to the Oakley Youth Development Center by the court, the child shall be deemed to be committed to the custody of the Department of Human Services which may place the child in the Oakley Youth Development Center or another appropriate facility.</p> <p>No child shall be placed in the custody of the state training school for a status offense or for contempt of or revocation of a status offense adjudication unless the child is contemporaneously adjudicated for having committed an act of delinquency that is not a status offense.</p>	<p>(i) The Department of Human Services for appropriate placement which may include a wilderness training program; or (ii) Any private or public organization, preferably community-based, able to assume the education, care and maintenance of the child, which has been found suitable by the court. Prior to assigning the custody of any child to any private institution or agency, the youth court, through its designee shall first inspect the physical facilities to determine that they provide a reasonable standard of health and safety for the child;</p>
<p>Recommend to the child and the child's parents or guardian that the child attend and participate in the Youth Challenge Program under the Mississippi National Guard, as created in Section 43-27-203, subject to the selection of the child for the program by the National Guard; however, the child must volunteer to participate in the program. The youth court shall not order any child to apply for or attend the program</p>	
<p>Adjudicate the juvenile to the Statewide Juvenile Work Program if the program is established in the court's jurisdiction. The juvenile and his or her parents or guardians must sign a waiver of liability in order to participate in the work program.</p>	

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<p>Order the child to participate in a youth court work program as provided in Section 43-21-627;</p>	<p>Order the child to participate in a youth court work program as provided in Section 43-21-627</p>
<p>Order the child into a juvenile detention center operated by the county or into a juvenile detention center operated by any county with which the county in which the court is located has entered into a contract for the purpose of housing delinquents, except that a child under the age of twelve (12) years cannot be held in secure detention as a disposition. The time period for detention cannot exceed ninety (90) days, and any detention exceeding forty-five (45) days shall be administratively reviewed by the youth court no later than forty-five (45) days after the entry of the order.</p>	
<p>The judge may consider house arrest in an intensive supervision program as a reasonable prospect of rehabilitation within the juvenile justice system. The Department of Human Services shall promulgate rules regarding the supervision of juveniles placed in the intensive supervision program;</p>	
<p>Referral to A-team provided system of care services;</p>	
<p>Place the child on electronic monitoring subject to any conditions and limitations as the youth court may prescribe</p>	
<p>In addition to any of the disposition alternatives authorized under subsection (1) of this section, the disposition order in any case in which the child is adjudicated delinquent for an offense under Section 63-11-30 shall include an order denying the driver's license and driving privileges of the child as required under Section 63-11-30(9).</p>	

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The youth court may require drug testing as part of a disposition order. If a child tests positive, the court may require treatment, counseling and random testing, as it deems appropriate. The costs of such tests shall be paid by the parent, guardian or custodian of the child unless the court specifically finds that the parent, guardian or custodian is unable to pay.

The court may order drug testing as provided in [Section 43-21-605\(6\)](#).