

IN THE YOUTH COURT OF _____ COUNTY,
STATE OF MISSISSIPPI

In the Interest of _____, a Child

Cause No.: _____ Youth Court
File No.: _____

**ORDER OF DISPOSITION OF
CHILD IN NEED OF SUPERVISION
and
VALID COURT ORDER**

THIS DAY THIS CAUSE came on to be heard and this Court having heard and considered the same does hereby find that the Child has been adjudicated a child in need of supervision;

AND FURTHER, in accordance with Subsection 43-21-601(1) of Mississippi's Youth Court Law, that this Court had immediately set a time and place for a disposition hearing, the same being separate, distinct and subsequent to the adjudicatory hearing;

If the child has been taken into custody, unless good cause had been shown for postponement of hearing — **AND FURTHER**, in accordance with Subsection 43-21-601(2) of Mississippi's Youth Court Law, that this disposition hearing has been held within fourteen (14) days after the adjudicatory hearing;

AND FURTHER, in accordance with Subsection 43-21-603(1) of Mississippi's Youth Court Law, that this Court, at the beginning of this disposition hearing, had informed the parties of the purpose of the hearing;

AND FURTHER, that the Child, the Child's attorney, the Child's (parent(s); guardian or custodian), and the Child's guardian ad litem have participated in these proceedings to the extent permitted by Mississippi's Youth Court Law and as required by due process of law;

AND FURTHER, in accordance with Subsection 43-21-603(2) of Mississippi's Youth Court Law, that all testimony at this hearing has been under oath unless waived by all parties; that a portion of the sworn testimony may have been in narrative form; that this Court may have considered any evidence which was material and relevant to the disposition of the cause, including hearsay and opinion evidence; and that, at the conclusion of the evidence, the Court had given the parties an opportunity to present oral argument;

AND FURTHER, in accordance with Subsection 43-21-603(4) of Mississippi's Youth Court Law, that this Court, prior to entering the disposition order, had considered the following relevant factors: the nature of the offense; the manner in which the offense was committed; the nature and number of a child's prior adjudicated offenses; the child's need for care and assistance; and other relevant factors, to wit: _____;

If child is found to be a child in need of special care — **AND FURTHER**, that the Child is 'a child in need of special care' as defined by Subsection 43-21-105(o) of Mississippi's Youth Court Law;

WHEREUPON, this Court having conducted this hearing accordingly, and as otherwise required by law, finds that the disposition as set forth below is in the State's and Child's best interest;

THEREFORE, IT IS HEREBY ORDERED, in accordance with Section 43-21-607 (Authorized dispositions, children in need of supervision) and Section 43-21-611 (Authorized disposition, special care needed) as applicable, that:

Specify terms and conditions of disposition: _____.

ORDERED this the _____ day of _____, 20____.

Youth Court Judge

IN THE YOUTH COURT OF _____ COUNTY,
STATE OF MISSISSIPPI

In the Interest of _____, a Child

Cause No.: _____ Youth Court
File No.: _____

VALID COURT ORDER

This Court hereby orders the Child in the above Cause to comply with the terms of the Order of Disposition of Child in Need of Supervision, as attached and incorporated herein. If the Child is placed in secure detention for an alleged Contempt of Court for a violation of this Valid Court Order, this Court shall conduct a hearing within twenty-four (24) hours of such detention, excluding weekends and statutory state holidays, to determine whether there is probable cause to believe the Child has committed a violation of this Valid Court Order.

AND FURTHER, upon a finding of probable cause, this Court can order continued secure juvenile detention of the Child pending a violation hearing of this Valid Court Order provided such hearing is conducted within seventy-two (72) hours of the original detention, excluding weekends and statutory state holidays.

AND FURTHER, if at a violation hearing the Child is found to have violated this Valid Court Order, this Court can order the Child to be held in secure juvenile detention or an appropriate correctional facility provided that: the Child is advised of his or her Constitutional due process rights; this Court determines that the Child violated the Valid Court Order; and this Court determines, based on a written report prepared by the Mississippi Department of Human Services, that there are no less restrictive alternatives available. Such written report shall contain the following: a review of the Child's behavior; a determination of the reasons for that behavior; and a determination that all other dispositions other than secure juvenil detention are inappropriate.

AND FURTHER, this Court has advised the Child and parties of the following due process rights:

1. The right to have the petition against the Child served upon him or her in a reasonable time before the hearing;
2. The right to a hearing on the petition before this Court;
3. The right to an explanation of the nature and consequences of the proceedings;
4. The right to remain silent;
5. The right to legal counsel, and the right to have such counsel appointed by the court if indigent;
6. The right to confront witnesses;
7. The right to present witnesses;
8. The right to have a transcript or record of the proceedings; and
9. The right of appeal.

A VIOLATION OF THIS VALID COURT ORDER IS CONTEMPT OF COURT AND MAY RESULT IN YOU BEING ORDERED TO SECURE JUVENILE DETENTION. IF A REPORT OR COMPLAINT OF A VIOLATION OF THIS VALID COURT ORDER IS RECEIVED BY THIS COURT, YOU ARE HEREBY COMMANDED TO APPEAR BEFORE THIS COURT WITHIN 72 HOURS OF YOUR ORIGINAL SECURE JUVENILE DETENTION PERTAINING TO THE VIOLATION OF THE VALID COURT

ORDER, EXCLUDING SATURDAYS, SUNDAYS, AND STATUTORY STATE HOLIDAYS FOR A CONTEMPT HEARING ON THE VIOLATION OF THE VALID COURT ORDER. YOU HAVE A RIGHT TO BE REPRESENTED BY AN ATTORNEY. YOU ARE REQUESTED TO IMMEDIATELY NOTIFY THIS COURT OF THE NAME OF YOUR ATTORNEY. IF INDIGENT, YOU HAVE THE RIGHT TO HAVE AN ATTORNEY APPOINTED FREE OF CHARGE, AND YOU SHOULD IMMEDIATELY APPLY TO THIS COURT FOR SUCH APPOINTED COUNSEL. YOU HAVE A RIGHT TO SUBPOENA WITNESSES IN YOUR BEHALF. THIS NOTICE SHALL BE LEGAL AND SUFFICIENT NOTICE TO YOU, YOUR PARENT(S), GUARDIAN, OR CUSTODIAN, YOUR GUARDIAN AD LITEM, IF ANY, AND YOUR COUNSEL WITH RESPECT TO SUCH HEARING.

ORDERED this the _____ day of _____, 20____.

Youth Court Judge

We hereby acknowledge having received a true copy of this Valid Court Order and have been duly advised of its contents:

Child: _____

Attorney for Child: _____

Parent or Legal Guardian: _____

Sworn to and subscribed before me, this the _____ day of _____, 20____.

Youth Court Clerk