

*State of Mississippi Judiciary*



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# **MISSISSIPPI JUVENILE DRUG INTERVENTION COURT RULES**

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As Promulgated by the State Intervention Courts Advisory Committee  
April 30, 2021

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# I. OPERATIONAL MANAGEMENT

## Section 1 Applicability

Youth Courts of Mississippi are governed by Title 43, Chapter 21 of Miss. Code Ann. (Rev. 2019). The following rules should be applied in conjunction with the state law.

These rules apply to any person, firm, corporation, partnership, association, foundation, governmental unit, or agency, whether public or private, that provides or intends to provide certified juvenile drug intervention court services pursuant to Section Eleven of the Alyce Griffin Clarke Intervention Court Act. See Miss. Code Ann. § 9-23-11 (Rev. 2019).

## Section 2 Definition of Terms

The following terms, when used in these rules, shall have the meanings below unless the context clearly indicates a different meaning:

**“Active Participant”** refers to a participant who is under court order to attend juvenile intervention court and is receiving services under the juvenile intervention court. A participant who has absconded by failing to report for six (6) months or more, or has not received services for six (6) months or more is not to be considered an “active” participant.

**“Administrative Office of Courts” (AOC)** refers to the entity established pursuant to Miss. Code Ann. §9-21-1 (Rev. 2014) et seq., to assist the Chief Justice in the efficient administration of the nonjudicial business of the courts of the state. The courts of the state include any tribunal recognized as part of the judicial branch of government, and any reference to the “AOC” includes any employee of the Administrative Office of Courts (AOC).

**“Budget”** means an estimate of income and expenditure for a set period of time.

**“Case Management”** means goal-oriented activities in which the case manager and participant identify and address criminogenic/risk/responsivity needs based on the results of a validated risk and needs assessment tool. The case management process helps set agreed-upon goals (both short-term and long-term) and connects the participant to any needed resources.

**“Case Management Plan”** means a comprehensive plan that directs the monitoring, supervision and activities of a participant. The plan is based upon the results of a validated risk and needs assessment, is developmentally appropriate, and incorporates the participant’s clinical treatment plan goals.

**“Case Termination”** means following the procedure for terminating a participant’s court imposed obligation to participate in the services of a certified juvenile intervention court.

**“Certified Juvenile Intervention Court”** means a juvenile intervention court that has successfully applied for and has received a certificate of approval from the AOC.

**“Certified Services”** include the services a certified juvenile intervention court may provide under Miss. Code Ann. § 9-23-13 (Rev. 2019) but do not include substance use treatment services.

**“Certified Treatment Program”** means a provider of inpatient treatment, inpatient detoxification, intensive outpatient, partial hospitalization, outpatient, primary residential, and/or secondary residential programs, which is certified by the Mississippi Department of Mental Health, another appropriate state agency, or the equivalent agency of another state.

**“Chemical Tests”** means the analysis of an individual’s (i) blood, (ii) breath, (iii) hair, (iv) sweat, (v) saliva, (vi) urine, or (vii) other bodily substance to determine the presence of alcohol or a controlled or mood-altering substance.

**“Clinical Screening Staff”** means a juvenile intervention court staff member or team member who refers the participant to an appropriate treatment provider, evaluates whether the participant meets clinical eligibility requirements for participation in the certified juvenile intervention court, or both.

**“Director of Intervention Courts,”** an AOC employee, who has the primary responsibility for facilitating development, certification, oversight, and support of all intervention courts operating in the State of Mississippi.

**“Documentation”** means a written record acceptable as evidence to demonstrate compliance with these rules.

**“Documented Revenue Schedule”** means a schedule of any monies received by the juvenile intervention court for any reason. This includes, but is not limited to, allocations, grants, fees for providing testing services, fees received from other courts for any reason, screening fees, any fees received from a third party, and donations.

**“Drug”** includes any controlled or mood-altering substance as defined in Miss. Code Ann. § 41-29-105(f) and any drug as defined in Miss. Code Ann. § 41-29-105(n) (Rev. 2005)

**“Drug Intervention Court Case Management System”** also referred to as “CaseWorx” is the official intervention court case management system that shall be used by all intervention court programs for monitoring and tracking client progress throughout the participant’s entire enrollment in intervention court.

**“Eligibility Screening”** means a procedure for determining a potential participant’s legal eligibility for admission to the certified juvenile intervention court under Miss. Code Ann. § 9-23-15 (Rev. 2019) and court guidelines.

**“Evaluation”** means a systematic process used to measure a program’s effectiveness and/or the extent to which a program is operating as it was designed (i.e. with fidelity to the intended program structure).

**“Evidence-Based Practices”** are practices which have been empirically researched and proven to have measurable positive outcomes; have been rigorously tested; have yielded consistent, replicable results; and have proven safe, beneficial and effective for a specific population.

**“Expense”** means the outflow of monies from the juvenile intervention court.

**“Intervention Court Act”** refers to the Alyce Griffin Clarke Intervention Court Act. Miss. Code Ann. § 9-23-1, et seq. (Rev. 2019).

**“Intervention Courts Financial Analyst”** refers to the employee of the AOC whose primary job responsibilities are to ensure all certified intervention court programs are in compliance with all federal laws, state laws, Mississippi juvenile drug intervention court rules, and the Office of Juvenile Justice and Delinquency Prevention Guidelines and treatment standards with an emphasis on financial matters. The employee may also provide an array of technical assistance to ensure compliance.

**“Intervention Courts Operations Analyst”** refers to the employee of the AOC whose primary job responsibility is to ensure all certified intervention court programs are in compliance with all federal laws, state laws, Mississippi juvenile drug intervention court rules and OJJDP JDTC Guidelines. The employee may also provide an array of technical assistance to ensure compliance.

**“Juvenile Drug Treatment Court Guidelines”** means the guidelines as published by the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention which provide juvenile courts with an evidence-based, treatment-oriented approach that emphasizes family engagement, and addresses the substance use and often co-occurring mental health disorders experienced by youth.

**“Juvenile Intervention Court”** means a highly structured, multidisciplinary approach designed for youth with substance use disorders that come into contact with the juvenile justice system. These youth are provided an evidence-based, treatment-oriented program, which follows the Juvenile Drug Treatment Court Guidelines published by the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention, in addition to the Mississippi Juvenile Drug Intervention Court Rules and Standards promulgated by the State Intervention Courts Advisory Committee.

**“Juvenile Intervention Court Advisory Body”** is a group of people that the supervising judge may appoint to provide advice on juvenile intervention court matters.

**“Juvenile Intervention Court Case Manager”** means an employee of the juvenile intervention court who provides case management services to clients enrolled in the juvenile intervention court. Essential functions include processing forms and reports, case supervision, compiling data for monthly reporting, and maintaining case files.

**“Juvenile Intervention Court Coordinator”** means the administrative head or person responsible for the management and coordination of certified juvenile intervention court functions and operations. This person is responsible for the certified juvenile intervention court’s compliance with these rules and provides the daily supervision and coordination of the juvenile intervention court’s staff.

**“Juvenile Intervention Court Field Officer”** means an employee of the juvenile intervention court who provides supervision and casework services to clients enrolled in juvenile intervention court. Essential functions generally include enforcing probation agreements, drug testing of clients, and compiling data for monthly reporting.

**“Juvenile Intervention Court Judge”** means the judicial officer who presides over a certified juvenile intervention court.

**“Juvenile Intervention Court Services”** means a broad range of planned care, including intervention, clinical screening, referral, treatment services, case management, and monitoring

that may be extended to a certified juvenile intervention court participant and that influence the behavior of the participant toward identified goals and objectives. The services and the manner in which they are provided are guided by the Office of Juvenile Justice and Delinquency Prevention's Juvenile Drug Treatment Court Guidelines and the Mississippi Juvenile Intervention Court Standards.

**"Juvenile Intervention Court Team"** has the meaning set forth in Section 12 of Operational Management.

**"Juvenile Intervention Court Treatment Counselor"** means an employee of the juvenile intervention court who provides treatment and counseling services to clients enrolled in the juvenile intervention court program.

**"Local Juvenile Intervention Court Fund"** means a fund established within the County or State Treasury, maintained by the County or Municipality's fiscal officer, and used exclusively for juvenile intervention court related expenses.

**"Mississippi Juvenile Intervention Court Standards"** is a set of standards promulgated by the State Intervention Courts Advisory Committee that includes references to the evidence based OJJDP Juvenile Drug Treatment Court Guidelines. When implemented by juvenile intervention courts, clients are expected to obtain improved outcomes.

**"Mood-Altering Substance"** means any substance used by an individual to produce the effect of a controlled substance or drug, although the substance may not be classified as a controlled substance under current Mississippi law.

**"Participant"** means any person who has signed a participant agreement and has begun receiving services from a certified juvenile intervention court. However, for the purposes of orientation and confidentiality (sections 19(c) and 19(d) of Operational Management), "participant" means any person who has applied for or is being screened for services from the certified juvenile intervention court.

**"Participant Orientation"** means the administrative process conducted before or after a participant is admitted into a certified juvenile intervention court.

**"Policy"** means a statement of the principles that guide and govern the activities, procedures, and operations of a certified juvenile intervention court.

**"Procedure"** means a series of activities designed to implement certified juvenile intervention court goals or policy.

**"Protective Factors"** means attributes (i.e. skills, strengths, resources, supports) that aid, lessen, or eliminate an individual's risk to re-offend.

**"Revenue"** means inflow of monies to the juvenile intervention court.

**"Risk/Needs Assessment"** is a process used to determine a participant's criminogenic risk and needs level using empirically-validated tools for the purpose of determining program eligibility, identifying risk and protective factors, and developing case management plan goals.

**“Risk/Criminogenic Factors”** means static or dynamic factors that increase an individual's likelihood to re-engage in criminal behavior. Static factors are aspects about a participant's life that can't be changed (i.e. age, gender, criminal history, and age at first arrest) and dynamic factors are ones that can be changed through interventions (i.e. substance use, antisocial personality patterns, pro-criminal attitudes, and educational deficiencies).

**“Screening”** is an ongoing decision-making process that examines information regarding an individual's substance use and criminal history to help determine his/her eligibility and appropriateness for participation in a juvenile intervention court program. Screening for juvenile intervention court participants consists of a legal eligibility screening (delinquency history, risk of recidivism, etc.) and a clinical screening (substance use disorder identification). Formal assessments are conducted after the brief screening processes.

**“State Intervention Courts Advisory Committee”** is a committee, created by Miss. Code Ann. §9-23-9 (Rev. 2019), that is appointed by the Supreme Court of Mississippi whose directive is to provide recommendations to the Chief Justice and other state officials concerning the improvement to intervention court policies and procedures.

**“Substance”** means any drug, controlled substance, or alcohol, substance used in a mood-altering manner.

**“Substance Use Disorder”** means the recurrent use of alcohol and/or drugs causing clinically significant impairment in daily life or noticeable distress, including health problems, disability, and/or failure to meet major responsibilities at work, school, or home. Substance use disorders are defined by severity level as mild, moderate, or severe – which is determined by the number of diagnostic criteria met by an individual.

**“Substance Use Treatment Services”** means a broad range of planned and continuing care, treatment, and rehabilitation, including, but not limited to, counseling, psychological, medical, and social service care designed to influence the behavior of individual clients diagnosed with a substance use disorder, and based on an individual treatment plan.

**“Supervising Judge”** means the judge who has ultimate responsibility for a certified juvenile intervention court. This may or may not be the same person as the juvenile intervention court judge.

**“Therapeutic Adjustment”** means an alteration or response to a participant's treatment requirements or recommendations based upon their assessed needs or issues.

**“Treatment Plan”** means a plan that addresses substance use and/or mental health issues by identifying the individual participants' strengths and needs through clinical assessment; defining goals and objectives based on those identified strengths and needs; and identifying the services to be provided.

**“Volunteer”** means a person who, without financial remuneration, provides ongoing services to the certified juvenile intervention court.

### **Section 3 Approval Requirements**

- (a) Any person, firm, corporation, partnership, association, foundation, governmental unit, or agency, whether public or private, that provides or intends to provide any certified juvenile

intervention court service to or for persons ordered by the court to participate in the certified juvenile intervention court must submit to the requirements for certification.

- (b) In addition to the requirements contained in section 3(a), any unfunded juvenile intervention court must be certified by the AOC and follow all state statutes and rules.

## Section 4 Administrative Office of Courts

The Administrative Office of Courts (AOC) is charged with "...assisting the Chief Justice of the Supreme Court of Mississippi with his duties as the chief administrative officer of all courts of this state...." *Miss. Code Ann. § 9-21-3 (1)(Rev. 2014)*. This includes oversight of Mississippi's juvenile intervention courts.

- (a) **Judicial and Financial Operations:** The AOC Director or his/her designee is mandated "...to require the filing of reports, the collection and compilation of statistical data and other information on the judicial and financial operation of the courts and on the operation of other offices directly related to and serving the courts." *Miss. Code Ann. § 9-21-9(a) (Rev. 2015)*.
- (b) **Improve and Effect the Efficient Administration of Justice and Operation of Courts:** The AOC is "...authorized to use the services of any member of the judiciary of any court and any court-supportive personnel, including, without limitation, court reporters, clerks, bailiffs, law clerks, court administrators, secretaries and employees in the clerks' offices to carry out studies, projects and functions designed to improve or effect the efficient administration of justice and the operation of courts." *Miss. Code Ann. § 9-21-17*.
- (c) **Cooperation of Judges, Clerks and other Employees of Courts:** "All judges, clerks of court, and other officers or employees of the courts and of offices related to and servicing the courts shall comply with all requests made by the Administrative Director for information and statistical data relative to the work of the courts and of such offices and relative to the expenditure of public monies for their maintenance and operation." *Miss. Code Ann. § 9-21-19*.
- (d) **Withholding Finances:** Failure to comply with any request from the AOC, or any employee of the AOC, may result in the loss or delay of funding, reimbursements, or the loss of certification for a juvenile intervention court. Contested, minor reimbursement requests may be unilaterally withheld by the AOC until resolved. However, any significant loss or delay of funding or the loss of certification for a juvenile intervention court is governed by Section 9 and Section 10 of these juvenile drug intervention court rules.
- (e) **Withholding Finances During an Audit:** If a juvenile intervention court is being audited by an internal auditor of the Mississippi Supreme Court, funding may only be withheld after consultation and approval by the State Intervention Courts Advisory Committee. Under normal circumstances, the consultation and approval of the withholding request by the State Intervention Courts Advisory Committee should occur at the next, regularly scheduled committee meeting. In an emergency situation, this consultation and approval by the State Intervention Courts Advisory Committee may be done by electronic means and without any type of notice to the juvenile intervention court.

## Section 5 Compliance



- (a) The AOC may take any and all administrative actions necessary to ensure compliance with these rules, including, but not limited to requests for information, reviews, surveys, audits, or inspections which may or may not be scheduled or announced.
- (b) In order for a certified juvenile intervention court to secure and retain a certificate of approval, it must demonstrate compliance or progress to align with the *Juvenile Drug Treatment Court Guidelines* and standards imposed by these rules.  
  
A certified juvenile intervention court that demonstrates compliance or progress to align with all the standards for a certified juvenile intervention court shall be issued a certificate of approval that is valid for a two-year period unless otherwise suspended or revoked.
- (c) A certified juvenile intervention court is in compliance with a standard only when it has met all requirements contained in the standard.
- (d) Unless otherwise indicated, these rules and any amendments to these rules take effect thirty (30) days after adoption by the State Intervention Courts Advisory Committee. Once the new rules or amendments take effect, each juvenile intervention court will have sixty (60) days to become compliant with the same.

### **Section 5(b) Juvenile Drug Treatment Court Guidelines**

The term Juvenile Drug Treatment Court Guidelines (JDTC) refers to the guidelines as published by the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention which provides juvenile courts with an evidence-based, treatment-oriented approach that emphasizes family engagement and addresses the substance use and often co-occurring mental health disorders experienced by youth. The seven (7) objectives are listed below. Additional information and specific Guidelines will be provided in the Mississippi Juvenile Intervention Court Standards.

- Objective 1. Focus the JDTC philosophy and practice on effectively addressing substance use and criminogenic needs to decrease future offending and substance use and to increase positive outcomes.

- Guideline 1.1: Team committed to JDTC's philosophy and practice
- Guideline 1.2: Team member roles clearly articulated
- Guideline 1.3: Involve local schools
- Guideline 1.4: Access to high-quality TTA
- Guideline 1.5: Engage family throughout the process
- Guideline 1.6: Interpreters for non-English speaking families

- Objective 2. Ensure equitable treatment for all youth by adhering to eligibility criteria and conducting an initial screening.

- Guideline 2.1: Eligibility criteria
- Guideline 2.2: Validated risk assessment
- Guideline 2.3: Screening for substance use disorder
- Guideline 2.4: Divert from JDTC or process in traditional juvenile court
- Guideline 2.5: Equity of access

- Objective 3. Provide a JDTC process that engages the full team and follows procedures fairly.

Guideline 3.1: Collaboration with parents and guardians

Guideline 3.2: Judge is nonjudgmental and fair

Guideline 3.3: Consistent application of requirements

Guideline 3.4: Ongoing review of process

Objective 4. Conduct comprehensive needs assessments that inform individualized case management.

Guideline 4.1: Assessment of youth and parent needs

Guideline 4.2: Plans individualized and culturally appropriate

Objective 5. Implement contingency management, case management, and community supervision strategies effectively.

Guideline 5.1: Incentives > sanctions

Guideline 5.2: Fair assignment of incentives and sanctions

Guideline 5.3: Fees and detention rarely used

Guideline 5.4: Addressing youth's needs

Guideline 5.5: Address drug test concerns

Guideline 5.6: Respond to return to use based on RNR (risk needs responsivity)

Objective 6. Refer participants to evidence based substance use treatment, to other services, and for prosocial connections.

Guideline 6.1: Continuum of treatment services

Guideline 6.2: Evidence-based treatments

Guideline 6.3: Fidelity to the programmatic models

Guideline 6.4: Evidence-based treatments for all identified needs

Guideline 6.5: Participants encouraged to practice prosocial skills

Objective 7. Monitor and track program completion and termination.

Guideline 7.1: Facilitate equivalent outcomes for all participants

Guideline 7.2: Termination only as last resort

Guideline 7.3: Performance measures

## **Section 6 Mississippi Juvenile Intervention Court Standards**

- (a) All juvenile intervention courts shall use, to the best of their abilities and access to resources allow, the Mississippi Juvenile Intervention Court Standards as enumerated below:

[A summary of the Mississippi Juvenile Intervention Court Standards will be listed in this section once said standards are promulgated by the State Intervention Courts Advisory Committee.]

## **Section 7 Certification Procedures for a New Juvenile Intervention Court**

Per Miss. Code Ann. §9-23-7(Rev. 2019), the AOC shall be responsible for certification and monitoring of juvenile intervention courts according to standards promulgated by the State

Intervention Courts Advisory Committee. Under Miss Code Ann. §9-23-11(1)(Rev. 2019), the AOC shall establish, implement, and operate a uniform certification process for all intervention courts including juvenile courts, which are designed to adjudicate delinquent acts as defined by Miss. Code Ann. § 43-21-105(j). This is to ensure funding for juvenile intervention courts supports effective and proven practices that reduce recidivism and substance misuse among their participants.

- (a) Any court seeking to establish a juvenile intervention court program must:
  - (1) Complete and submit the Application for Intervention Court Program Certification provided by the AOC and all related materials required in the application to the AOC and
  - (2) Obtain either a provisional certificate of approval from the AOC or a two-year certification from the AOC.
- (b) Supporting documentation required by the application shall include detail of how the juvenile intervention court will, under Miss. Code Ann. §9-23-11(2)(a)(i-vii)(Rev. 2019):
  - (1) implement and use evidence-based practices including, but not limited to, the use of a valid and reliable risk and needs assessment tool for identifying participants and to deliver appropriate interventions;
  - (2) target youth with a substance use disorder and a medium to high risk of reoffending;
  - (3) use current, evidence-based interventions proven to decrease future delinquent behaviors and substance use and to increase positive outcomes;
  - (4) incorporate frequent and random testing procedures for alcohol and drugs;
  - (5) use a coordinated strategy between all juvenile intervention court team members involving the use of graduated incentives, sanctions, and therapeutic adjustments;
  - (6) use ongoing judicial interaction with each participant; and
  - (7) monitor juvenile intervention court outcomes through data collection, reporting, and analysis.
- (c) Upon receipt of all required documents, the AOC will review the materials submitted. The AOC may conduct an on-site visit to determine whether all requirements for certification have been met. The AOC shall offer recommendations or suggested corrections as are necessary and appropriate.
- (d) Provisional Certificate of Approval
  - (1) If the AOC finds that the applicant is in substantial compliance with all applicable requirements, the AOC will provide the applicant with a provisional certificate of approval approving the juvenile intervention court's application and plans for operation.
  - (2) The prospective juvenile intervention court must have the provisional certificate of approval from the AOC, approving the court's application before the court may operate as a certified juvenile intervention court and receive the benefits of the provisions in the Intervention Court Act.
  - (3) A provisional certificate of approval is valid for one hundred eighty (180) days of operation during which time the AOC will review the certified juvenile intervention court's actual delivery of services and record-keeping practices. This provisional

certificate must be kept on file at the court, and a copy shall be kept on file at the AOC.

- (4) No later than one hundred eighty (180) days after receipt of the provisional certificate of approval, the provisionally certified juvenile intervention court must obtain a two-year certification from the AOC.

(e) Certificate of Approval

- (1) If the AOC finds that the applicant is in compliance with all applicable requirements, the AOC will provide the applicant with a certificate of approval for the juvenile intervention court's application and plans for operation. In addition to the previously mentioned requirements, the juvenile intervention court must show how:
  - (a) the certified juvenile intervention court will provide each of the services and functions it is required to perform under these rules;
  - (b) the certified juvenile intervention court has the capability to provide the services proposed in its policies, procedures, and practices;
  - (c) adequate revenues and other resources will be provided to support the certified juvenile intervention court and its services;
  - (d) the services of the certified juvenile intervention court will be delivered through methods likely to assure that its participants will benefit; and
  - (e) the certified juvenile intervention court will be operated in compliance with these rules, the requirements of the Intervention Court Act, and other applicable federal and state laws.
- (2) After the applicant has met all requirements, the AOC will issue a certificate of approval.
- (3) The certificate is valid for a period of two (2) years or until the scheduled re-certification. This document must be kept on file at the court and a copy shall be kept on file at the AOC.

## **Section 8 Re-Certification Procedures for Existing Juvenile Intervention Courts**

- (a) The certified juvenile intervention court must follow the procedures described in this section to initiate a re-certification review and obtain re-certification of the juvenile intervention court.
- (b) No later than ninety (90) days prior to, or earlier if determined as necessary by the AOC, the actual expiration date of the certificate, the juvenile intervention court must do the following:
  - (1) submit the Application for Intervention Court Program Re-Certification and all supporting materials to the AOC; and
  - (2) schedule a review date with the State Intervention Courts Operations Analyst.
- (c) Re-certification review by the State Intervention Courts Operations Analyst shall include evaluation of each of the following:
  - (1) the certified juvenile intervention court's compliance with the Miss. Code Ann. §9-

23-1 through 9-23-23 (Rev. 2019), state, and federal law.

- (2) the certified juvenile intervention court's compliance with the Juvenile Drug Intervention Court Rules contained herein;
  - (3) the certified juvenile intervention court's compliance with its own policy and procedural manual.
  - (4) to the best of its ability and access to resources allow, the certified juvenile intervention court's compliance with the Mississippi Juvenile Intervention Court Standards and the Office of Juvenile Justice and Delinquency Prevention's Juvenile Drug Treatment Court Guidelines;
  - (5) the qualifications and certifications of any contractor that provides services to the certified juvenile intervention court or its participants and the contractor's compliance with the terms of the contract;
  - (6) the qualifications and certifications of any treatment provider that provides treatment services to the certified juvenile intervention court's participants and the provider's compliance with the terms of the provider referral agreement;
  - (7) any other issues or subjects that the AOC determines are relevant to the review.
- (d) The State Intervention Courts Operations Analyst must provide written assurance that all standards required by these rules have been met before the AOC will issue a new certificate of approval.
- (e) When the certified juvenile intervention court has satisfied the requirements of this section and the AOC determines that all standards required by these rules have been met, the AOC shall issue a new certificate of approval for a period of two (2) years or until the scheduled re-certification. This document must be kept on file at the certified juvenile intervention court and a copy shall be provided to and kept on file at the AOC.

## **Section 9 Grounds for Denial or Revocation**

The AOC may revoke any current certificate, or deny an Application for Intervention Court Certification or Re-Certification for one (1) or more of the following reasons:

- (a) violation of any rule set forth in these rules by the certified juvenile intervention court, its coordinator, staff member or team;
- (b) permitting, aiding, or abetting the commission of an unlawful act;
- (c) conduct or practices found by the AOC to be harmful to the health or safety of any participant in the certified juvenile intervention court;
- (d) deviation by the certified juvenile intervention court from the plan of operation originally certified which, in the judgment of the AOC, adversely affects the character, quality, or scope of services being provided to participants;
- (e) failure of the applicant or holder of a certificate of approval to cooperate with the AOC in connection with the certification process, an investigation, a review, or an audit;
- (f) failure of the applicant or holder of a certificate of approval to provide accurate or reliable information on the application or other written documentation regarding the certified juvenile intervention court's administrative operations, financial operations, or service delivery practices (omission of information may also be considered grounds for

denial or revocation); or

- (g) previous denial or revocation of a certificate of approval.

## **Section 10 Revocation Procedures**

- (a) Whenever the AOC determines that any certified juvenile intervention court may have committed an act, or may have been engaged in conduct or practices justifying revocation of its certificate under these rules, the AOC must notify, in writing, the supervising judge and all members of the State Intervention Courts Advisory Committee of the revocation. The letter to the supervising judge shall be served personally or by certified mail, and shall also be electronically communicated. All members of the State Intervention Courts Advisory Committee shall receive the letter through electronic communications. The letter shall include:
  - (1) a brief statement explaining the reason for the revocation, including the date the court's certification will be permanently revoked;
  - (2) a statement that the decision to revoke the court's certification will become final unless the supervising judge submits a written objection and response to the AOC within thirty (30) days of receipt of the notice, stating why the revocation should not become final;
  - (3) a statement that if the supervising judge submits a written objection and response to the revocation within the thirty (30) days specified in subdivision (2), the juvenile intervention court's current certificate remains in effect, except in extraordinary circumstances, until the conclusion of the investigation and a final resolution is decided; and
  - (4) a statement that in extraordinary circumstances, the AOC may limit or deny this period of extension if it determines that continued certified juvenile intervention court operations present an imminent danger to the public health or safety.
- (b) Upon the AOC determining that any reason exists that justifies the revocation of a juvenile intervention court's certification, the AOC must provide an opportunity, before the State Intervention Courts Advisory Committee, for the supervising judge to respond to any and all allegations that served as reason for the revocation of the certification.
- (c) Within thirty (30) days of receiving the supervising judge's written objection and response to the AOC's allegations, the State Intervention Courts Advisory Committee shall provide a response by notifying the AOC and the supervising judge of its findings and recommendations.

## **Section 11 Termination of Operation**

- (a) Termination of Operation of a Juvenile Intervention Court: Any court that terminates its certified juvenile intervention court must provide the AOC a written notice at least thirty (30) days prior to termination of its certified juvenile intervention court, outlining its intent, reasons for termination, and plan of action to address the status of any current juvenile intervention court participants.

## **Section 12 Juvenile Intervention Court Team**

- (a) A certified juvenile intervention court must have a juvenile intervention court team which shall, at a minimum, consist of the following members:

- (1) the juvenile intervention court judge;
  - (2) the local prosecuting attorney or a representative from the prosecuting attorney's office;
  - (3) a local defense attorney;
  - (4) one (1) or more local treatment providers;
  - (5) the juvenile intervention court coordinator; and
  - (6) one (1) or more juvenile intervention court case managers or field officers
- (b) The certified juvenile intervention court shall maintain on file a list of the members of the juvenile intervention court team along with a description of each member's role and responsibilities. Any changes to a certified juvenile intervention court's team membership should be timely provided to the AOC.
- (c) If the certified juvenile intervention court has a juvenile intervention court coordinator or judge change, for any reason, then an audit of the local juvenile intervention court shall be immediately conducted by an internal auditor of the Mississippi Supreme Court.

### **Section 13 Personnel Management**

- (a) Juvenile intervention court employees serve at the will and pleasure of the local juvenile intervention court judge. The certified juvenile intervention court should follow its county's written personnel policy and procedure manual, which should contain:
- (1) employment procedures;
  - (2) rules for professional conduct;
  - (3) wages and benefits; and
  - (4) vehicle and cell phone usages procedures
- (b) A copy of the county's policy and procedure manual must be kept on file at the AOC and the juvenile intervention court. If the county's policy and procedure manual does not address any of the policies listed in subsection (a), the juvenile intervention court shall address the missing policy(ies) in its policy and procedure manual's personnel section.
- (c) The certified juvenile intervention court must keep records for all staff that contain the following information:
- (1) application or resume;
  - (2) credentials;
  - (3) licensure and/or credential verification, when applicable;
  - (4) performance evaluations;
  - (5) salary and position changes;
  - (6) documentation of staff development activities and continuing education activities; and
  - (7) copies of all bonds.

- (d) The following personnel documentation must be kept on file, kept up to date and provided to the AOC:
  - (1) hire orders or letters;
  - (2) termination orders or letters;
  - (3) resumes including qualifications;
  - (4) copies of all licensing certificates; and
  - (5) documentation of staff development and continuing education activities.
- (e) Upon hiring an individual for employment, the certified juvenile intervention court must provide the employee's resume and licensing certificates to the Director of Intervention Courts.
- (f) Upon increasing a juvenile intervention court employee's salary, the certified juvenile intervention court must notify the Director of Intervention Courts.

### **Section 14 Juvenile Intervention Court Staff Minimum Qualifications**

The following apply only to those persons employed by the juvenile intervention court program. Job characteristics, experience and educational requirements are subject to change.

(a) Juvenile Intervention Court Coordinator

The juvenile intervention court coordinator is a professional whose work involves the overall management of the juvenile intervention court program. The juvenile intervention court coordinator is responsible for management and coordination of juvenile intervention court functions and operations and for the juvenile intervention court's compliance with all legislation and rules as applicable to the juvenile intervention court program. The coordinator provides supervision to other juvenile intervention court staff and coordination between juvenile intervention court team members. The juvenile intervention court coordinator assumes all duties as assigned by the juvenile intervention court judge and works at the will and pleasure of the juvenile intervention court judge. A certified juvenile intervention court must have written evidence that the juvenile intervention court coordinator has achieved and maintained professional status per Section 16 of these rules.

(1) Juvenile Intervention Court Coordinator I:

Education and Experience:

- (A) A Bachelor's degree from an accredited four-year college or university; or
- (B) graduation from a standard four-year high school or equivalent (GED) and four (4) years of relevant experience.

(2) Juvenile Intervention Court Coordinator II

Education and Experience:

- (A) A Master's degree from an accredited four-year college or university and two (2) years of relevant experience or
- (B) A Bachelor's degree from an accredited four-year college or university and four (4) years of relevant experience or



- (C) Graduation from a standard four-year high school or equivalent (GED) and eight (8) years of relevant experience.

(3) Juvenile Intervention Court Coordinator III

Education and Experience:

- (A) A Master's degree from an accredited four-year college or university and four (4) years of relevant experience or
- (B) A Bachelor's degree from an accredited four-year college or university and eight (8) years of relevant experience or
- (C) Graduation from a standard four-year high school or equivalent (GED) and twelve (12) years of relevant experience.

(b) Juvenile Intervention Court Case Manager

The juvenile intervention court case manager is a professional who provides casework services to participants enrolled in the juvenile intervention court program. The case manager works closely with the juvenile intervention court coordinator, juvenile intervention court field officer, and the juvenile intervention court judge. Essential functions to be performed by the case manager include, but are not limited to, maintaining contact with juvenile intervention court participants for various interviews and programs, preparing and processing forms and reports, and compiling data for monthly reporting. Additional duties and job functions shall be identified and included by the juvenile intervention court judge. The juvenile intervention court case manager serves at the will and pleasure of the juvenile intervention court judge. A certified juvenile intervention court must have written evidence that the juvenile intervention court case manager has achieved and maintained professional status per Section 16 of these rules.

Education and Experience:

- (A) A Bachelor's degree from an accredited four-year college or university or
- (B) Graduation from a standard four-year high school or equivalent (GED) and four (4) years of relevant experience.

- (c) If the juvenile intervention court judge is unable to find a coordinator or case manager with the above requirements, the judge must request a written waiver from the AOC prior to hiring an employee for this position.

(d) Juvenile Intervention Court Field Officer

The juvenile intervention court field officer performs professional work involving intensive supervision and casework services to participants enrolled in the juvenile intervention court programs. Other functions performed by the juvenile intervention court field officer include enforcing probation agreements set forth by the juvenile intervention court judge and compiling data for monthly reporting. Additional duties and job functions may be identified and included by the juvenile intervention court judge. The juvenile intervention court field officer serves at the will and pleasure of the juvenile intervention court judge.

**Note:** In all cases, the applicant must have successfully completed the Mississippi Law Enforcement Officers Training Program as mandated by Miss. Code Ann. § 47-7-9(b) (Rev. 2015) as amended.

(1) Juvenile Intervention Court Field Officer I

Education and Experience:

- (A) A Bachelor's degree from an accredited four-year college or university in criminal justice, sociology, social work, psychology or a related field and one (1) year of experience in related work or
- (B) Graduation from a standard four-year high school or equivalent (GED) and five (5) years of experience in related work.

(2) Juvenile Intervention Court Field Officer II

Education and Experience:

- (A) A Master's degree from an accredited four-year college or university in criminal justice, sociology, social work, psychology or a related field and two (2) years of experience in related work or
- (B) A Bachelor's degree from an accredited four-year college or university in criminal justice, sociology, social work, psychology or a related field and three (3) years of experience in related work or
- (C) Graduation from a standard four-year high school or equivalent (GED) and seven (7) years of experience in related work.

(3) Juvenile Intervention Court Field Officer III

Education and Experience:

- (A) A Master's degree from an accredited four-year college or university in criminal justice, sociology, social work, psychology or a related field and four (4) years of experience in related work or
- (B) A Bachelor's degree from an accredited four-year college or university in criminal justice, sociology, social work, psychology or a related field and five (5) years of experience in related work or
- (C) Graduation from a standard four-year high school or equivalent (GED) and nine (9) years of experience in related work.

(e) Juvenile Intervention Court Treatment Counselor

The juvenile intervention court treatment counselor is a professional who operates within the juvenile intervention court system working with participants actively enrolled in the juvenile intervention court program and is employed directly by the local juvenile intervention court. Work involves performing activities in the preliminary study of cases; conducting individual, group or family counseling to participants enrolled in juvenile intervention court; preparing and maintaining files, documentation, legal documents and various reports; and having frequent conferences with juvenile intervention court team members to discuss problems arising within their work and for instructions as to subsequent steps to be taken with the juvenile intervention court participant. Additional duties and job functions shall be identified and included by the juvenile intervention court judge. The juvenile intervention court treatment counselor serves at the will and pleasure of the juvenile intervention court judge.

(1) Juvenile Intervention Court Treatment Counselor I

Education: A Master's degree from an accredited four-year college or university in social work, counseling, or one of the behavioral sciences.

(2) Juvenile Intervention Court Treatment Counselor II

Education and Experience:

A Master's degree from an accredited four-year college or university in social work, counseling, or one of the behavioral sciences and one (1) year of experience directly related to the above described characteristics.

(3) Juvenile Intervention Court Treatment Counselor III

Education and Experience:

A Master's degree from an accredited four-year college or university in social work, counseling, or one of the behavioral sciences and two (2) years of experience directly related to the above described characteristics.

- (f) A certified juvenile intervention court must provide written documentation to the AOC that a juvenile intervention court coordinator, case manager, treatment counselor, or field officer who is employed by the juvenile intervention court program is in compliance with all experience and educational requirements set forth in these rules, including continuing educational requirements and any licensing requirements.

## Section 15 Juvenile Intervention Court Personnel Salary Scales

The annual salary scale is based on a Full Time Employee (FTE) of the juvenile intervention court program. All annual salaries shall be limited to the current pay scales of similar or equivalent positions as defined by the Mississippi State Personnel Board. The below salaries became effective July 1, 2017.

Job Title	Salary Range
Juvenile Intervention Court Coordinator I	\$ 27,100.00 - \$ 49,800.00
Juvenile Intervention Court Coordinator II	\$ 31,400.00 - \$ 57,700.00
Juvenile Intervention Court Coordinator III	\$ 34,700.00 - \$ 63,750.00
Juvenile Intervention Court Field Officer I	\$ 27,100.00 - \$ 49,800.00
Juvenile Intervention Court Field Officer II	\$ 31,400.00 - \$ 57,700.00
Juvenile Intervention Court Field Officer III	\$ 34,700.00 - \$ 63,750.00
Juvenile Intervention Court Case Manager	\$ 27,100.00 - \$ 49,800.00

If a juvenile intervention court hires an in-house treatment provider, the annual salary shall be limited to the current pay scales of similar or equivalent positions as defined by the Mississippi State Personnel Board. The salary scale is based on a Full Time Employee (FTE) of the juvenile intervention court program.

Job Title	Salary Range
Juvenile Intervention Court Treatment Counselor I	\$ 26,000.00 - \$ 47,800.00
Juvenile Intervention Court Treatment Counselor II	\$ 28,700.00 - \$ 52,500.00
Juvenile Intervention Court Treatment Counselor III	\$ 31,500.00 - \$ 57,850.00

### Section 16 Professional Status

- (a) Professional status is achieved when a juvenile intervention court coordinator, case manager, or field officer meets all educational requirements and experience requirements.
- (b) If a waiver for hire was granted per Section 14(c), an individual will be allowed one (1) calendar year, from the date of first hire, as a juvenile intervention court coordinator, case manager, or field officer to achieve professional status.
- (c) Professional status, once achieved, is maintained by documenting, with the AOC, twelve (12) hours annually of continuing education or training related to substance use disorder and the dynamics of recovery, use of evidence based practices in substance use treatment and assessment, adolescent development, and/or criminal justice issues.

### Section 17 Continuing Education Units (CEUs)

- (a) Continuing Education Units (CEUs) should be earned by juvenile intervention court coordinators, case managers, and juvenile intervention court field officers on an annual basis. Each juvenile intervention court coordinator, case manager, and field officer should earn twelve (12) hours of CEUs every twelve month period beginning July 1<sup>st</sup> of each year.
- (b) Approval should be sought and granted prior to the actual occurrence of the activity, but approval may be given retroactively.
- (c) Requests for the award of CEUs should be submitted to the AOC for proper awarding and documentation.
- (d) Continuing Education Unit credits should be approved by the AOC before the credits are awarded to the requesting party.
- (e) Pre-Approval - To determine if a program or meeting qualifies for CEUs:
  - (1) The requesting party should provide to the AOC the following:
    - (A) Agenda of the meeting or program;
    - (B) Curriculum vitae of speakers or presenters; and
    - (C) Synopsis of each portion of the meeting or program.
    - (D) If an online program or seminar, the website should be provided to the

AOC as well as the information requested in parts A-C above.

- (2) The AOC will review the information provided per subsection (1) and determine if the meeting or program meets the criteria for juvenile intervention court CEUs as set forth in subsection (3) below.
- (3) Criteria
  - (A) The activity should have significant intellectual or practical content and its primary objective should be to increase the participant's professional competence as a juvenile intervention court coordinator, case manager, or field officer.
  - (B) The activity should deal primarily with matters related to the operation of juvenile intervention courts or the professional responsibility or ethical obligations of a juvenile intervention court coordinator, case manager, or field officer.
  - (C) The activity should itself be conducted by an individual or group qualified by practical or academic experience.
  - (D) Each online program or online seminar will be reviewed for approval on a case by case basis. The course content, interactivity, as well as the effectiveness of the delivery method will be considered in the approval process. Applications for approval should be submitted by the sponsor and submitted 30 days prior to the beginning date of the program. Applications will not be approved retroactively. Sponsors should be able to verify attendance and the number of hours attended. Attendance should be reported to the AOC immediately following the conclusion of the program.
- (4) Continuing education unit activities sponsored by the following organizations are presumptively approved for credit, provided the criteria set out in sections (3)(A)-(D) are met.

American University

Bureau of Justice Assistance

Bureau of Justice Statistics

Center for Court Innovation

Mississippi Association of Addiction Professionals

Mississippi Association of Drug Court Professionals

Mississippi Department of Mental Health

National Association of Drug Court Professionals

National Council of Juvenile and Family Court Judges

National Council on Juvenile Justice

National Criminal Justice Reference Service

National Drug Court Institute

National Drug Court Resource Center  
National Institute of Justice  
National Institute on Drug Abuse  
Office of Juvenile Justice and Delinquency Prevention  
Substance Abuse and Mental Health Services Administration  
Treatment Courts Online: The National Training System for Treatment Court Practitioners  
United States Department of Justice

- (5) The AOC may at any time reevaluate a program and revoke approval of the organization or of a particular meeting or program.
- (6) Any organization not included in subsection (4) above, desiring approval of a course, program, or other activity, should apply to the AOC by submitting a required application form and supporting documentation no less than forty-five (45) days prior to the date for which the course or program is scheduled. The AOC will advise the applicant in writing by mail within thirty (30) days of the receipt of the completed application whether the activity is approved or disapproved.

## **Section 18 Specimen Collection Staff**

- (a) All employees, contractors, or volunteers of a certified juvenile intervention court performing specimen collection must have training and experience in each of the following:
  - (1) the administration of chemical tests;
  - (2) specimen collection;
  - (3) chain-of-custody and documentation procedures; and
  - (4) confidentiality of specimen collection and chemical test results.
- (b) An individual will be allowed ninety (90) days cumulatively from the date of first hire to attain and document training as a member of the specimen collection staff.
- (c) The juvenile intervention court must provide written documentation to the AOC that the appropriate staff has been trained pursuant to subsection (a).

## **Section 19 Juvenile Intervention Court Operations**

- (a) Policy and Procedure Manual

Each certified juvenile intervention court must have a written policy and procedure manual to govern the day-to-day operations of the juvenile intervention court. A copy of the certified juvenile intervention court's policy and procedure manual must be provided to and kept on file at the AOC.

  - (1) A certified juvenile intervention court must do each of the following in regards to its manual:

- (A) incorporate and implement the Juvenile Drug Treatment Court Guidelines and the Mississippi Juvenile Intervention Court Standards into its policies, procedures, and practices;
  - (B) incorporate evidence-based best practices into its policies and procedures;
  - (C) update the policy and procedure manuals as needed, timely providing written updates to the AOC for review.
  - (D) make the manual available to the juvenile intervention court team and staff; and
  - (E) operate consistently with the policies and procedures contained in the manual.
- (2) The manual must contain, at a minimum, the following:
- (A) a written statement of the goals and objectives that clearly reflects the certified juvenile intervention court's philosophy and guides the operation of the certified juvenile intervention court and the delivery of services;
  - (B) written description of policy and procedures that:
    - (1) identify certified juvenile intervention court lines of authority;
    - (2) identify all staff positions;
    - (3) accurately reflect current certified juvenile intervention court practice; and
    - (4) includes a description of all staff functions.
  - (C) a policy and practice of nondiscrimination in providing juvenile intervention court services, which must address nondiscrimination on the basis of each of the following:
    - (1) race;
    - (2) color;
    - (3) gender;
    - (4) sexual orientation;
    - (5) age;

(Notwithstanding the policy and practice of nondiscrimination on basis of age, a juvenile intervention court may consider juveniles who are waived into adult court or excluded from juvenile court to be ineligible.)

    - (6) religion;
    - (7) ethnicity;
    - (8) national origin;
    - (9) limited English proficiency;
    - (10) disabilities; and

- (11) ability to pay.
- (D) a description of the criteria for the acceptance of participants who are eligible to receive one (1) or more services provided by the certified juvenile intervention court;
- (E) a written policy and procedure for conducting an orientation for each participant, and when appropriate, the participant's family;
- (F) a written policy and procedure, conforming to applicable state and federal laws, that ensures the confidentiality and security of participant records;
- (G) a written policy and procedure in place for recording participant progress in CaseWorx, the drug intervention court case management system. All participant progress should be recorded contemporaneously in CaseWorx but not later than seven (7) days from the end of the calendar month in which the progress occurred;
- (H) a written policy and procedure for:
  - (1) terminating a participant's court imposed obligation to participate in the certified juvenile intervention court; and
  - (2) providing written notice to the court after the participant has:
    - (a) successfully complied with the treatment plan and the participation agreement; or
    - (b) violated or failed to complete any requirement of the treatment plan or the participation agreement.
- (I) a written policy and procedure for scheduling and conducting chemical tests;
- (J) a written policy and procedure regarding regular staffing to discuss the compliance or non-compliance, progress, incentives, sanctions, or termination of participants prior to the participants' scheduled court appearances;
- (K) a documented revenue schedule;
- (L) a copy of each form used by the juvenile intervention court; and
- (M) job descriptions for all juvenile intervention court personnel and volunteers, which accurately reflect their actual job situations, and describe, at a minimum:
  - (1) job title;
  - (2) qualifications;
  - (3) credentials, if applicable;
  - (4) duties and responsibilities; and
  - (5) reporting and supervisory responsibilities.
- (3) If an amendment to a certified juvenile intervention court's policy and procedure



manual is necessary prior to the next recertification period, the certified juvenile intervention court must timely provide the amendment to the AOC for review in a timely manner.

(b) Eligibility Screenings

A member or members of the juvenile intervention court team, or any other person, must be designated to conduct an eligibility screening. The designated member or members of the juvenile intervention court team must do each of the following:

- (1) determine the participant's legal eligibility for juvenile intervention court under Miss. Code Ann. § 9-23-15 (Rev. 2019); and
- (2) determine the participant's clinical eligibility for juvenile intervention court by conducting or providing for a screening/assessment of any substance use treatment needs; and
- (3) recommend the youth to the juvenile intervention court team as a potential participant in the certified juvenile intervention court if appropriate.

(c) Orientation

- (1) A certified juvenile intervention court must have and observe a written policy and procedure for conducting an orientation for each participant, and when appropriate, the participant's family. Orientation may be conducted during an individual or a group appointment and must include explanations of the following:
  - (A) specific eligibility requirements for juvenile intervention court participation;
  - (B) the services offered by the certified juvenile intervention court either directly or through referral;
  - (C) the requirements for successful completion of the certified juvenile intervention court, including a description of the scheduling and attendance requirements for court dates, chemical testing, day reporting, appointments with case managers and/or treatment providers, ancillary services, and other regularly scheduled requirements;
  - (D) conduct and behavior that could result in sanctions or termination from juvenile intervention court;
  - (E) possible sanctions for non-compliance with juvenile intervention court requirements;
  - (F) information about the treatment providers used by the juvenile intervention court; and
  - (G) information about any treatment, confirmatory drug-testing, and/or restitution costs to participants and the procedure and schedule for paying those costs. (In accordance with Miss. Code Ann. §43-21-205, no court costs shall be charged against any party to a petition. Juvenile Intervention Court is an extension of the Youth Court, therefore, no participation fee may be charged to the parties.)

(2) A certified juvenile intervention court must have an Orientation Acknowledgment form to advise each participant in writing of the information described in subsection (1). The form must contain a signature line and date line for the participant to indicate that the participant has been provided a copy of the form and understands the information provided. It must also contain the signature and date of the juvenile intervention court staff member who conducted the orientation. The certified juvenile intervention court must place the form or the signature page with the participant's original signature and date in the participant's record.

(d) Privacy and Confidentiality of Records

(1) A certified juvenile intervention court must have a written policy and procedure, in accordance to Miss. Code Ann. § 43-21-251 (2) and conforming to any other applicable state and federal laws, that ensures the confidentiality and security of participant records. The juvenile intervention court must specify in its policy and procedure manual how participant confidentiality is maintained.

(2) A certified juvenile intervention court must have a Notice of Rights of Confidentiality form and a Consent for Disclosure form to inform a participant of his/her privacy rights and to obtain the necessary consent for the release of confidential information to specified individuals for defined purposes. The forms should follow the model forms provided by the AOC. The Consent for Disclosure form must meet the following requirements:

- (A) contain a statement indicating that the participant understands that matters relating to the participant's case and compliance will be discussed in open court;
- (B) contain a signature and date line for the participant and his/her parent(s) or guardian(s) to indicate that the participant and his/her parent(s) or guardian(s) understand the rights described in the form;
- (C) contain a signature and date line for a juvenile intervention court staff member; and
- (D) any blank lines remaining after the form has been completed must be crossed out or marked "N/A" to ensure the forms cannot be altered after being signed by the participant.

The certified juvenile intervention court must place the form with the participant's, his/her parent's or guardian's original signatures and dates in the participant's record.

(e) Participation Agreement for Juvenile Intervention Court Participants

- (1) A certified juvenile intervention court must develop and utilize a participation agreement that contains each of the following:
- (A) the county of jurisdiction of the certified juvenile intervention court;
  - (B) all parties to the participation agreement;
  - (C) the terms under which the participant enters the program, whether as a result of an adjudication of a delinquent offense, a condition of probation, or the result of a violation of probation;

- (D) the case number or cause number;
  - (E) the minimum and approximate maximum length of the juvenile intervention court program;
  - (F) a list of juvenile intervention court requirements and participant responsibilities;
  - (G) the effect of successful completion of juvenile intervention court on the participant's case;
  - (H) the consequences to the participant of unsuccessful completion of or termination from the juvenile intervention court;
  - (I) full disclosure of any and all financial obligations that may be imposed on a juvenile intervention court participant. These financial obligations shall not conflict with the disposition order; and
  - (J) a statement indicating that participation is contingent upon the participant's consent to the discussion in open court of information that would otherwise be confidential, relating to the participant's case and compliance.
- (2) A certified juvenile intervention court must provide each participant the opportunity to review the participation agreement with the advice of counsel.
  - (3) The participation agreement must include the signature of the juvenile intervention court coordinator, participant, participant's defense counsel, and the participant's parent/guardian. A copy of the signed and dated participation agreement must be maintained in the participant's record and a copy shall be provided to the participant.
- (f) Case Management
- (1) The Drug Intervention Court Case Management System (CaseWorx) shall be the primary case management system used by all certified juvenile intervention court programs. The use of CaseWorx as the primary case management system is subject to change by adoption and approval by the AOC. The CaseWorx shall be used to track participant progress, including both financial and programmatic progress, from initial screening and throughout the program until release from the juvenile intervention court's supervision.
  - (2) The CaseWorx case management program shall be used in conjunction with the Mississippi Youth Court Information Delivery System (MYCIDS) as required by Mississippi Supreme Court's Administrative Order No. 2015-AD-00001. As Juvenile Intervention Courts fall under the authority of the local Youth Court, the following shall be required as a minimum standard: (1) Youth Courts to prepare all court orders, petitions, summons, and notices in MYCIDS; (2) Youth Courts to save all documents filed in a Youth Court case in MYCIDS; and (3) Youth Courts to timely input, into MYCIDS, all intake, custody, referral, petition, and hearing data related to a youth, his or her family, and the Youth Court's involvement with the same.
  - (3) A certified juvenile intervention court must have a written policy and procedure in place for recording participant progress in CaseWorx. All participant progress should be recorded contemporaneously in CaseWorx but not later than seven (7) days from the end of the calendar month in which the progress occurred.

- (4) The certified juvenile intervention court must monitor the progress of each participant in satisfactorily completing the participant's treatment plan goals and participation agreement and other requirements governing the participant's progress, conduct, and performance during participation in the certified juvenile intervention court. The monitoring procedure must, at a minimum, be capable of determining participants who have:
  - (A) failed, as scheduled or required, to meet treatment plan goals;
  - (B) failed to comply with the participation agreement requirements and/or with the rules of conduct of a service provider to which the participant was referred; or
  - (C) been successfully discharged or unsuccessfully terminated by a service provider to which the participant was referred.
  
- (5) The juvenile intervention court coordinator shall be responsible for maintaining an accurate and current listing of all persons with access to the Drug Intervention Court Case Management System (CaseWorx) along with their assigned level of access. It shall be the duty of the juvenile intervention court coordinator to immediately block access to CaseWorx for any previous user who is no longer working for the juvenile intervention court program.
  - (A) The juvenile intervention court coordinator is responsible for assigning users the appropriate levels of access in CaseWorx necessary for the performance of their jobs.
  - (B) The juvenile intervention court coordinator is responsible for ensuring that all users sign a confidentiality form prior to receiving access and provide a copy to AOC.
  
- (g) Chemical Testing
  - (1) A certified juvenile intervention court must establish and follow a written policy and procedure for scheduling and conducting chemical tests.
  - (2) At a minimum, the policy on chemical tests must address the following:
    - (A) the specific method or methods of chemical testing used by the juvenile intervention court;
    - (B) what samples the juvenile intervention court collects and tests, such as urine, blood, breath, sweat, saliva, and hair;
    - (C) substances identified by the tests;
    - (D) frequency and randomization of drug testing schedules;
    - (E) circumstances requiring a confirmation test, if any;
    - (F) the juvenile intervention court's procedures for confirmation including the type of confirmation test used;
    - (G) the party responsible for paying the cost of a confirmation test;
    - (H) collection procedures including chain of custody; and
    - (I) procedures in place to ensure samples, reagents, and testing equipment

are in a secure environment.

(h) Staffing

The juvenile intervention court team must establish a written policy and practice regarding staff meetings to discuss the compliance or non-compliance, progress, incentives, sanctions, or termination of participants prior to the participants' scheduled court appearances. All of the required members of the juvenile intervention court team, see §12, shall participate in staffing. A certified juvenile intervention court's staffing shall occur at the same frequency of its court status hearings, preferably be face-to-face meetings, and shall be closed to the public. Since outcomes in juvenile intervention courts are optimal when participants appear in court no less frequently than every two weeks, a certified juvenile intervention court's staffing and court hearings are expected to occur no less frequently than every two weeks.

(i) Treatment Providers

(1) Any substance use treatment or mental health provider to which the certified juvenile intervention court refers participants must be licensed and certified by the Mississippi Department of Mental Health, other appropriate state agency, the equivalent agency of another state, or the appropriate accreditation and licensing board. Written confirmation of a provider's valid license and/or current certification must be maintained on file with the juvenile intervention court and with the AOC.

(2) Juvenile intervention courts should have a written referral agreement or memorandum of understanding (MOU) with the treatment services providers that at a minimum includes procedures for the following:

- (A) initiation and acceptance of referrals;
- (B) exchange of participant-related information; and
- (C) post-referral reporting by the treatment services provider that enables the juvenile intervention court to perform its participant-monitoring responsibilities.

(j) Status Hearings/Court Hearings

The juvenile intervention court team must establish a written policy and procedure regarding regular status hearings or court hearings that are expected to occur at the same frequency of the juvenile intervention court staffing. Only the needed members of the juvenile intervention court team should be available for a status or court hearing.

## Section 20 Programmatic Reporting

A monthly programmatic report includes specific details, information, and progress of all participants enrolled in the certified juvenile intervention court program. As part of the monthly programmatic report, a certified juvenile intervention court must collect and submit to the AOC each month the following data, in accordance with Miss. Code Ann. §9-23-11(4)(a)(Rev. 2019):

- (i) Total number of participants on the first day of the month;
- (ii) Total number of participants on the last day of the month;

- (iii) Total number of participants who were enrolled into the juvenile intervention court program in the month;
- (iv) Total number of participants who successfully completed the juvenile intervention court in the month;
- (v) Total number of participants who left the program in the month for any reason other than successful completion of the program;
- (vi) Total number of participants who were detained for a new delinquent offense while in the juvenile intervention court program during the month;
- (vii) Total number of participants who were adjudicated for a new delinquent offense while in the juvenile intervention court program during the month; and
- (viii) Total number of participants who committed at least one (1) violation while in the juvenile intervention court program and any resulting sanction(s).

In addition to the aforementioned statutory requirements of the monthly programmatic report, the certified juvenile intervention court must provide any other data or information as required by the AOC.

- (a) By the twentieth (20th) day of each month, each certified juvenile intervention court program must submit to the AOC a programmatic report which details the status of participants enrolled in or dismissed from the program. The submission of the programmatic report must include supporting documentation to reflect the activity of the previous month.
- (b) Programmatic reports may be either uploaded, e-mailed, or sent by U.S. mail to the AOC and must be signed and dated by both the juvenile intervention court judge and coordinator. Do NOT send by more than one (1) method.

- (1) Upload URL:

<https://courts.ms.gov/upload/fileupload.php>

- (2) E-mail:

[interventioncourts@courts.ms.gov](mailto:interventioncourts@courts.ms.gov)

- (3) U.S. Mail

Administrative Office of Courts

Attn: Intervention Courts Operations Analyst

P.O. Box 117

Jackson, MS 39205-0117

- (c) Failure to submit programmatic reports by the twentieth (20th) day of each month may jeopardize the juvenile intervention court's ability to receive reimbursement in a timely manner.
- (d) During their initial startup year, new juvenile intervention courts shall report monthly like established juvenile intervention courts and shall show a steady progress of growth toward their program goals. If absence of reasonable progress is shown, the AOC will

consider issuance of warnings, sanctions, or reductions in reimbursement amounts.

- (e) Each juvenile intervention court program is responsible for maintaining a monthly file of all documentation that ties participant progress to the monthly programmatic report. This paper or electronic file must be readily available for review by AOC. Programmatic data and supporting documentation shall be maintained for a period of three (3) state fiscal years in addition to the state fiscal year in progress and in accordance with the policies of the Mississippi Department of Archives and History.

## II. FISCAL MANAGEMENT

### Section 21 Funding Authorization

- (a) Certified juvenile intervention court programs operating in Mississippi may qualify for state funding. The source of the funding comes from a bill passed by the Mississippi Legislature during its 2004 Regular Session. The purpose of this funding is to provide funding to all certified juvenile intervention court programs operating in Mississippi. Distinct guidelines and standards have been created by the State Intervention Courts Advisory Committee and must be met by the juvenile intervention court program in order to receive and maintain annual funding. Failure to meet these guidelines and standards can result in the loss of funding for a juvenile intervention court program.
- (b) Any new juvenile intervention court seeking access to state intervention court funds must have received a certificate of approval or a provisional certificate of approval as a certified intervention court program through the AOC.
- (c) Any established juvenile intervention court seeking access to state intervention court funds must have received a Certificate of Approval during the re-certification cycle immediately preceding the request for state intervention court funds.
- (d) Any juvenile intervention court that is not certified by the AOC, or an applicant whose plan of operation does not comply with the requirements of certification under these rules, shall not receive a favorable review or recommendation from the AOC on any application for funding of services from state, federal, or private funding sources.

### Section 22 Fiscal Management Requirements

- (a) A certified juvenile intervention court:
  - (1) may set and require the assessment and collection of fees authorized by Miss. Code Ann. § 9-23-19 (Rev. 2019).
  - (2) must establish written procedures concerning the receipt of and accountability of fees collected.
  - (3) must establish a Local Juvenile Intervention Court Fund and/or a separate budget department within the County or State Treasury, maintained by the County or Municipality's fiscal officer. All expenditures associated with each juvenile intervention court must adhere to County or State purchasing regulations. All revenue associated with each juvenile intervention court must be on deposit within the County or State. A certified juvenile intervention court shall not maintain an independent bank account or a petty cash fund. State or Local intervention court monies shall not be maintained outside of the County of State Treasury.
  - (4) must deposit all revenue and/or monies derived from any source into the Local Juvenile Intervention Court Fund. The Local Juvenile Intervention Court Fund shall be used exclusively for juvenile intervention court-related expenses.
  - (5) state or local juvenile intervention court monies shall not be used to supplement pre-existing salaries of non-juvenile intervention court personnel. Supplemental compensation may only be provided to non-juvenile intervention court personnel for the performance of additional, after-hours duties that are not normally part of



the employee's job description.

- (6) State or local juvenile intervention court monies may be used to reimburse a time-apportioned percentage of salary of a non-juvenile intervention court employee for the performance of additional, after-hours duties, that are not normally part of the employee's job description, who is receiving a full-time salary elsewhere.
  - (7) In accordance with Miss. Code Ann. §43-21-205, no court costs shall be charged against any party to a petition. Juvenile Intervention Court is an extension of the Youth Court, therefore, no participation fee may be charged to the parties.
  - (8) A certified juvenile intervention court program may allow juvenile intervention court staff members to accept monies. If a certified juvenile intervention court program chooses to accept monies directly, the certified juvenile intervention court must:
    - (A) Identify a primary and secondary juvenile intervention court staff member assigned the responsibility for collection of monies.
    - (B) Ensure that both the primary and secondary collection staff designated pursuant to subsection (5)(A) are bonded.
    - (C) Provide to the AOC copies of all bonds issued to juvenile intervention court personnel. Copies shall also be kept on file at the local juvenile intervention court.
    - (D) Not accept cash.
- (b) The certified juvenile intervention court must have developed and implemented an accounting system with the capability to ensure financial transactions are thoroughly documented and handled in a uniform and consistent manner.
  - (c) The certified juvenile intervention court must have a current budget.
  - (d) It is the responsibility of the juvenile intervention court coordinator to ensure the certified juvenile intervention court is operating within its annual budget approved by the AOC.
  - (e) Each juvenile intervention court program is responsible for maintaining a monthly file of all documentation that ties the expenditures to the monthly report. This file must be readily available for review by AOC. Each juvenile intervention court program is responsible for maintaining records to support expenditures for a period of three (3) state fiscal years in addition to the state fiscal year in progress.

## **Section 23 Budget Information**

- (a) The program year for the Mississippi Intervention Court Program shall coincide with the State's fiscal year beginning July 1 and ending June 30 of the following year. Each juvenile intervention court is required to submit an annual request for program funding to the AOC, no later than sixty (60) days before the beginning of each program year. The request should be submitted by either mail, upload or email to:

Administrative Office of Courts  
Attn: Intervention Courts Financial Analyst  
P.O. Box 117  
Jackson, MS 39205  
[interventioncourts@courts.ms.gov](mailto:interventioncourts@courts.ms.gov)

- (b) Existing juvenile intervention courts are encouraged to review their prior year expenditures to date as part of the request process. Each court must provide detailed justification for the requested funding by submitting a budget narrative along with the Annual Intervention Court Budget Request form, signed and dated by the juvenile intervention court judge and individual responsible for the juvenile intervention court's financials. Budgets must be submitted on approved AOC forms. Final budget awards for each juvenile intervention court should be established no later than June 30<sup>th</sup>.
- (c) During their initial year, new juvenile intervention courts shall report monthly like established juvenile intervention courts and shall show a steady progress of growth toward their budgeted goals. If absence of reasonable progress is shown, the AOC will consider issuance of warnings, sanctions, or reductions in reimbursement amounts.
- (d) Along with the Annual Intervention Court Budget Request form and supporting budget narrative, a juvenile intervention court shall include any and all contracts or memorandums of understanding associated with the submitted budget. The contracts must be current for the fiscal year and previously approved by the appropriate Board of Supervisors.

## Section 24 Budget Narrative

The following budget line items, if requested, should include detailed information to assist the AOC in determining the proper amount of funding for the juvenile intervention court program.

- (a) Salaries/Fringe Benefits
  - (1) Include personnel who work directly for the juvenile intervention court program, excluding treatment staff. Information in this section must include each employee's annual salary and fringe benefits, either percentage of time on the project or Full-Time Equivalent (FTE) (1 FTE=100%), and the duration of the budget request period. This listing may include the juvenile intervention court coordinator, case manager(s), and field officer(s).  
  
**Note: Please do NOT include treatment personnel in this category.**
  - (2) Include all employees being reimbursed by AOC funds, local juvenile intervention court funds, grant funds, local government funds, and private foundation/donation funds *with the exception of in-house treatment employees.*
  - (3) All salaries shall be limited to the current pay scales provided in this policy, or if the position salary is not outlined in this policy, the salary of similar or equivalent positions as defined by the Mississippi State Personnel Board.
  - (4) Fringe benefit percentage can include FICA, Medicare, unemployment, worker's compensation, retirement match, and/or health insurance. The percentage will fluctuate between employees. A juvenile intervention court coordinator or

financial person should confirm with its county and the previous year's salaries and fringe benefits to support the budget request.

- (5) All full-time juvenile intervention court personnel shall receive the same benefits as are received by full-time county employees in the lead county. Referee juvenile intervention court personnel shall be paid by the lead county.

(b) Treatment

- (1) Include the costs of a juvenile intervention court's clinical treatment program, including the costs of substance use disorder and/or mental health screenings or assessments, detoxification services, inpatient treatment, residential treatment, outpatient services, etc.
- (2) If treatment is provided in-house (by a licensed court employee), the salary, fringe benefits, and expense information of these clinicians should be explained in this category. Also, include the costs of any part-time or contractual treatment/counseling personnel.
- (3) Recurring, contractual service charges for a treatment provider, program, or facility should be included under the treatment category. A contract approved by your county's Board of Supervisors must be provided to the AOC for compliance.
- (4) Treatment materials for participants or training materials for treatment providers, such as software, DVDs, or books should also be included in treatment.

(c) Testing/Lab Expenses

- (1) Include the entire cost of laboratory expenses such as urine screening and analysis.
- (2) If drug screening is performed in-house, include the cost of supplies and reagents.
- (3) The cost of testing and laboratory equipment should be included under this category whether the equipment is leased or bought outright.
- (4) All shipping costs associated with testing and lab materials should also be included.
- (5) Confirmation testing costs.

(d) Travel/Training

- (1) Only juvenile intervention court personnel may use juvenile intervention court funding for travel/training purposes. Juvenile intervention court funding shall not be used for travel or training for youth court staff, other state or county staff, or any other individuals who do not work directly in, or provide services to or oversight of, the juvenile intervention court program.
- (2) Include all costs associated with continuing education, training, national or state conferences, membership costs, and meetings directly related to the juvenile intervention court program.
- (3) Include registration or conference fees for training whether in-state or out-of-state.
- (4) Include in-state travel for training purposes or approved non-commuting and daily mileage for program coordination. Juvenile intervention court staff should

adhere to the lead county's travel regulations and reimbursement rates.

(5) Out-of-State Travel

(A) Any juvenile intervention court program using state funds, approved through the AOC, shall be reimbursed for no more than four (4) out-of-state trips per year (i.e. 1 person on 4 trips or 4 persons on 1 trip).

(B) All out-of-state travel shall be limited to juvenile intervention court-related training such as those provided by the National Association of Drug Court Professionals, National Drug Court Institute, State Drug Court Associations, National Council of Juvenile and Family Court Judges, National Council of Juvenile Justice, Department of Justice, or Judicial College-sponsored intervention court training conferences.

(C) All travel reimbursements must comply with the AOC travel guidelines.

(e) Commodities

(1) In general, commodities are tangible items not tagged with an asset sticker.

(2) The following items are examples of commodities:

Office supplies (pens, paper, stapler)

Printed materials (letterhead, certificates)

Fuel for vehicle

Carrying case for a laptop

Postage meter supplies (ink, labels)

Books for juvenile intervention court employee use

Incentive gift cards or awards for a participant

Ammunition

Vehicle needs: tires, windshield, duplicate car keys, headlights, etc.

Food/food supplies for graduation ceremonies

(3) A juvenile intervention court employee is prohibited from receiving a check from the county made payable to said juvenile intervention court staff member in advance for the purchase of commodities. The juvenile intervention court is encouraged to always use the county's purchase order system to secure items. However, if a juvenile intervention court staff member purchases items with personal funds and requests reimbursement from the county, a receipt must be provided, and the employee must follow the county's guidelines for reimbursement. This same documentation shall be provided to the AOC within the supporting documents attached to the monthly Intervention Court Fiscal Reporting form.

(f) Contractual Services

(1) Examples include:

Costs for bonds  
Monthly/yearly parking fees  
Membership dues  
Postage/stamps  
Vehicle insurance  
Cost for employee background checks  
Utilities  
Attorney or professional fees  
Computer software/maintenance/repair  
Post Office Box rental/renewal  
Postage meter rental fee  
Copier leases  
Rental agreement for building  
GPS monitoring  
Cell phones (Cell phones should be obtained through the county, not individually.)  
Shipping charges on commodity orders  
Maintenance or repair to vehicles - oil and fluid changes, tire balance/rotation, tire patch/plug, required maintenance

- (2) Contracts must be approved by the county's board of supervisors and all parties must sign in the appropriate section.
- (3) Copies of all fully executed contracts must be forwarded to the AOC.

(g) Equipment

- (1) Equipment includes all items on which your county will place on an inventory report with an asset number.
- (2) Examples include, but are not limited to: vehicle, desk, chair, conference table, bookcase, large file cabinet, desktop computer, monitor, laptop printer, scanner, cell phone, two-way radio, gun, camera, phone system, surveillance system, projector, TV, TV/DVD.
- (3) Any item that will not be placed on an inventory report with an asset number should be accounted for under the "Commodities" category.
- (4) Testing machines or other testing-related equipment should be placed under the "Testing" category.
- (5) A copy of the yearly audited juvenile intervention court inventory report provided by the county must be kept on file in the AOC.

## Section 25 Fiscal Reporting

- (a) The completed, signed, and dated Intervention Court Fiscal Reporting form along with supporting documentation is due by the (20th) day of each month to the AOC.
- (b) Intervention Court Fiscal Reporting forms and accompanying documentation may be either uploaded, e-mailed, or sent by U.S. mail to the AOC and must contain the signatures of the juvenile intervention court judge and of the person preparing the report. Do NOT send by more than one (1) method.
  - (1) Upload URL:  
<https://courts.ms.gov/upload/fileupload.php>
  - (2) E-mail:  
[interventioncourts@courts.ms.gov](mailto:interventioncourts@courts.ms.gov)
  - (3) U.S. Mail:  
Administrative Office of Courts  
Attn: Intervention Courts Financial Analyst  
P.O. Box 117  
Jackson, MS 39205-0117
- (c) Upon receipt and approval of a correctly completed Intervention Court Fiscal Reporting form, the AOC will issue a payment to the local county, board of supervisors, or juvenile intervention court for expenditures reported during a month.
- (d) Reimbursement Documentation Requirements
  - (1) Copy of the reporting month's Cash Disbursement Report for all funding sources, copy of the General Ledger for all funding sources, and the Cash Receipt report for all funding sources.
  - (2) Salaries/Fringe Benefits - copy of check stubs with payroll detail for full and part-time employees.
  - (3) Treatment Expenses
    - (A) Copy of check stubs with payroll detail for full and part-time treatment employees.
    - (B) Paid invoices for treatment services provided.
  - (4) Testing/Lab Expenses - paid invoices for drug screening/testing, lab services, and testing supplies along with shipping charges.
  - (5) Travel/Training
    - (A) Travel vouchers
    - (B) Hotel, airline, railroad and/or rental car receipts/ticket stubs showing date(s) of travel, purpose of travel, employee name(s), and total expense of trip

- (C) Travel reimbursement forms for automobile travel, date(s) of travel, purpose of travel, employee name, total number of miles, and reimbursement at the currently approved rate per mile, parking, taxi/transportation/rideshare, and toll receipts
  - (D) Conference agenda
  - (E) Out-of-state travel shall have a justification statement detailing the benefits to be obtained by the juvenile intervention court from the training. This shall be reviewed and will be considered in approving travel and training budgets for the subsequent budget year
- (6) Commodities – paid invoices on company letterhead depicting item name, unit price, total purchase amount and date of purchase, service agreement, or other contracts.
  - (7) Contractual - paid invoices on company letterhead depicting recipient of services and services rendered
  - (8) Equipment
    - (A) Paid invoices on company letterhead depicting item name, unit price, total purchase amount and date of purchase.
    - (B) Bid and quote information if required.
  - (9) Donations
    - (A) Receipts that show the donation along with any specific purposes attached as well as the bonded juvenile intervention court personnel who received the money.
    - (B) Paid invoices that show the spending of the donation for the purpose in which it was donated.

## **Section 26 Juvenile Intervention Court Appropriation Scale**

### (a) Juvenile Intervention Court

Juvenile intervention court programs are funded based on an average enrollment rate. The average will be determined by using the juvenile intervention court program's highest 3 months of enrollment from the previous (12) months of enrollment.

#### (1) County Juvenile Intervention Court

- (A) For certified juvenile intervention court programs operating within the jurisdiction of the County Youth Court, the following table will be used in determining the annual amount of state funds for which the program will qualify:

Average Number of Clients	AOC Allocation
1 – 19	\$75,000.00
20 – 29	\$112,500.00
30 – 39	\$125,000.00
40 or more	\$150,000.00

(B) Expansion of this program is contingent upon funds being made available from the state legislature.

(2) Referee Juvenile Intervention Court

(A) For certified juvenile intervention courts operating within the jurisdiction of the Chancery Court district and presided over by a Youth Court Referee, the following table will be used in determining the annual amount for which the program will qualify. The average will be determined by using the juvenile intervention court program's highest 3 months of enrollment from the previous (12) months of enrollment.

Average Number of Clients	AOC Allocation
1 – 19	\$75,000.00
20 – 29	\$112,500.00
30 – 39	\$125,000.00
40 or more	\$150,000.00

(B) Neighboring counties operating within the same Chancery Court District may combine referrals to create a co-op referee juvenile intervention court but must have a comprehensive plan to ensure that youth in each of the counties are served with an appropriate level of service.

**Please contact the AOC with any questions. Any final interpretation of the Mississippi Juvenile Drug Intervention Court Rules is to be determined by the State Intervention Courts Advisory Committee.**