

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**J.H. AND
DISABILITY RIGHTS MISSISSIPPI**

PLAINTIFFS

V.

CAUSE NO. 3:11-CV-327-DPJ-FKB

HINDS COUNTY, MISSISSIPPI

DEFENDANT

AGREED ORDER RECOGNIZING TEMPORARY ARRANGEMENT

On May 23, 2016, the Court convened a telephone conference among counsel for the Plaintiffs, Hinds County, and would-be intervenor Youth Court Judge William Skinner (hereinafter collectively “the litigants”). At the time, this matter was set for a hearing on June 1, 2016. However, since the time that hearing was scheduled, additional motions have been filed. At the conclusion of the telephone conference, the litigants agreed to attempt to negotiate a temporary arrangement that would maintain the status quo while rescheduling the hearing for later in June 2016.

On May 24, 2016, the litigants notified the Court that they had reached a temporary arrangement. The litigants agree that:

1. The Hinds County Youth Court is empowered by Mississippi law to detain children for as long as 90 days in a juvenile detention center. However, Henley-Young Juvenile Detention Center is a 21-day facility. Therefore, the litigants agree that, when the Youth Court desires to place children under sentences of longer than 21 days, it shall explicitly note in its disposition orders that a certain portion of that sentence not to exceed 21 days shall be served at Henley-Young, with the remainder of the sentence to be served at a transferee facility, with

transfer to said transferee facility not to occur any later than 21 days after the child's arrival at Henley-Young. The impending transfer shall be specifically recorded in the MYCIDS system, as called for by Mississippi law.

2. The litigants agree that it is incumbent upon the Youth Court to provide explicitly for such transfers in its disposition orders. If the Youth Court fails to provide in its disposition orders for a transfer according with this arrangement, or if the Youth Court fails to record the impending transfer in the MYCIDS system, then Henley-Young shall release the child after 21 days.
3. The litigants agree that, if the Youth Court elects to sentence children to more than 21 days, then the transferee facility shall be either the Rankin County Juvenile Detention Center in Pelahatchie or the Adams County Juvenile Detention Center in Natchez.
4. The litigants agree that Hinds County and Judge Skinner shall not proceed with the *Skinner v. Graham* suit filed in Hinds County Circuit Court until such time that this Court has ruled on the merits of the pending motion to enjoin the state-court proceedings. The litigants agree that counsel for Hinds County will notify the Mississippi Supreme Court concerning the state-court matter and request that it be held in abeyance until this Court rules on the motion to enjoin the state-court proceedings.
5. The litigants agree that Hinds County will hold in abeyance reallocation of funding as referenced in Paragraph 13.1 of the Amended Consent Decree. The litigants further agree that neither Hinds County nor Judge Skinner, nor either's agents, employees, or assigns, shall make any statement concerning Hinds County's holding in abeyance of said reallocation.

6. The litigants agree to postpone the hearing originally scheduled for June 1, 2016, until Monday, June 27, 2016, at 9 a.m.

The Court hereby ORDERS the parties to conform to this agreement until the Court resolves the motions currently outstanding.

The standard briefing schedule set out in the Court's Local Rules will govern the responses and replies to outstanding motions.

SO ORDERED this 25th day of May 2016.

s/ Daniel P. Jordan III
Hon. Daniel P. Jordan, III
United States District Judge

AGREED TO BY:

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