

Roderick & Solange
MacArthur Justice Center
UNIVERSITY OF MISSISSIPPI

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**City of Pearl, Mississippi Youth Court Judge Resigns Under Pressure;
City Closes Court Upon Learning That Judge Prohibited Young
Mother From Seeing Her Baby Due to Unpaid Court Fees**
MacArthur Justice Center initiated demands in fight against 'judicial kidnapping'

MISSISSIPPI – Wednesday, in the Jackson suburb of Pearl, Mississippi, Youth Court Judge John Shirley resigned under pressure and the Pearl Municipal Youth Court was permanently closed in the wake of demands made by the Roderick and Solange MacArthur Justice Center at the University of Mississippi School of Law on behalf of their client who was deprived of contact with her four-month-old child until she paid court-imposed fees.

According to Cliff Johnson, Director of the MacArthur Justice Center's Mississippi office, Judge Shirley entered an order on August 22, 2016, prohibiting Johnson's client, referred to as "Mother A" due to strict youth court confidentiality laws, from having any contact with her baby until she paid court fees in full. Despite the fact that those fees have not yet been paid, an order was entered on Wednesday reversing Judge Shirley's earlier decision and returning custody to "Mother A." Judge Shirley's "no contact" order was in place for 14 months, and the child is now 18-months-old. "Mother A" was not represented by a lawyer in the Youth Court proceedings. Mississippi law allows youth court judges to appoint counsel for parents in youth court matters, but Johnson says that rarely happens.

Johnson expressed disbelief concerning Judge Shirley's order, "As a civil rights lawyer in Mississippi, I am no stranger to injustice, but for a judge to prohibit an impoverished mother from having any contact with her baby until monetary payments are made is shocking and repugnant. Such orders are tantamount to judicial kidnapping."

In August 2016, "Mother A," an African-American resident of Jackson, was traveling through Pearl while looking for employment. She was a passenger in a friend's car, and her child rode with them in a car seat. When the car was stopped for a minor traffic violation, it was discovered that both adults had outstanding warrants for routine misdemeanor offenses. Upon arresting the women, the officer contacted DHS claiming that the child was "abandoned" as a result of the women being detained. The baby's grandmother arrived on the scene within minutes, yet the officer still insisted that the child be taken before Judge Shirley at the Pearl

Youth Court. Less than half an hour later, Judge Shirley awarded custody to the baby's grandmother. An order was later entered prohibiting "Mother A" from having any contact with her baby until court fees were paid in full.

"Mother A" contacted the MacArthur Justice Center last week, and Johnson immediately conducted an investigation and contacted Pearl officials to inform them of Judge Shirley's order and his belief that Shirley has issued similar orders in several other cases conditioning custody or visitation on payment of money. After receiving Johnson's demands, including that Judge Shirley be fired and the Youth Court closed, an emergency meeting of the Pearl Board of Aldermen was scheduled for Wednesday evening. The agenda items for the meeting were "threatened litigation by the MacArthur Justice Center" and a vote on whether to close Pearl's youth court. At that meeting, Judge Shirley resigned from both his Youth Court and Municipal Court positions and the Board voted unanimously to close the Youth Court permanently. Pearl was the only city in Mississippi with its own youth court. All other youth courts operate at the county level. Matters previously handled by the Pearl Youth Court now will come under the jurisdiction of the Rankin County Youth Court.

"As a Mississippian with deep roots in this state that I love, I am deeply troubled by the many ways in which poor Mississippians, especially African-Americans, are victimized by Mississippi's legal system," Johnson added. "We have litigated matters involving excessive bail, illegal jailing of misdemeanor offenders for unpaid fines, and the refusal to provide poor criminal defendants with counsel, and now we see that not even the right to raise one's children is beyond the reach of the injustice that befalls poor Mississippians. All of these abuses are imposed by judges who are either openly hostile to poor people or completely insensitive to the unconstitutional disparity between how the Mississippi legal system deals with those who have money and those who don't. Judges of good conscience and Mississippians who believe in equal justice for all must demand more from our judiciary."

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