



Lynn Fitch
ATTORNEY GENERAL
OPINIONS AND POLICY

June 6, 2022

The Honorable Carlos D. Palmer
Greenwood Municipal Judge
406 Main Street
Greenwood, Mississippi 38935

Re: Veterans Treatment Court Program

Dear Judge Palmer:

The Office of the Attorney General has received your request for an official opinion.

Background

Recently, you requested our office to provide an opinion as to whether the Greenwood Municipal Court could establish a municipal veterans misdemeanor treatment court. In response we said, the Legislature has granted circuit courts the sole authority to establish veterans misdemeanor treatment courts. MS AG Op., *Palmer* at *1 (Sept. 29, 2020).

Question Presented

In your present request, you pose several underlying questions concerning the classification and intent of intervention courts in the State of Mississippi to ultimately ask, again, whether a municipal court may establish and operate a misdemeanor veterans intervention court based on the answers to the other questions.

Brief Response

It remains the opinion of this office that the sole authority for establishing and operating veterans treatment courts rests with the circuit courts of Mississippi because it is explicitly granted by the Legislature in Mississippi Code Annotated Section 9-25-1.

Applicable Law and Discussion

Section 9-25-1 states, in pertinent part, “[a] circuit court judge may establish a Veterans Treatment Court program. The Veterans Treatment Court may, at the discretion of the circuit court judge, be

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a separate court program or as a component of an existing intervention court program.” Miss. Code Ann. § 9-25-1(2). Because the Legislature so clearly vested the circuit courts of Mississippi with the authority to establish Veterans Treatment Court programs, it is the opinion of this office that a municipal court does not have the authority to establish and operate a misdemeanor veterans intervention court.

If this office may be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

LYNN FITCH, ATTORNEY GENERAL

By: */s/ Abby C. Overby*

Abby C. Overby
Special Assistant Attorney General

OFFICIAL OPINION