



### Access to Protection Orders

In Mississippi, minors can obtain Protection Orders (POs),<sup>1</sup> but the law does not specify whether POs can be granted against minor abusers. Mississippi also allows people in dating relationships to seek POs against their abusers.<sup>2</sup>

### Procedure

State law does not specify whether minors can petition for POs on their own behalf. A parent, adult household member, or court-appointed guardian may petition for a PO on the minor's behalf.<sup>3</sup> If a minor is able to file on their own behalf, Mississippi law does not specify whether the parent or guardian of the minor will be notified about the PO.

### Definition of Abuse

A judge may issue a PO when the respondent has physically abused, sexually abused, threatened to physically abuse or stalked the petitioner or damaged the petitioner's property.<sup>4</sup> The statute fails to explicitly recognize harassment as a form of abuse that qualifies for relief. The statute may recognize other forms of abuse not specifically listed here.

### Relief Available

The court may order<sup>5</sup> the respondent to:

- stay away from the petitioner (including petitioner's school);
- vacate the petitioner's residence;
- comply with a custody/visitation schedule;
- pay child support and spousal support;
- participate in a counseling or batterers' intervention program;
- pay restitution for other harm; and/or
- other relief within the court's discretion.

The statute may allow other forms of relief not specifically listed here and may cover individuals other than the petitioner. The Protection Orders is modifiable.<sup>6</sup>

### Minors' Access to Sensitive Services<sup>7,8</sup>

All minors can consent to:

- HIV/STI testing and treatment\*
- Prenatal care
- Adoption
- Medical care for child(ren)

\*Includes HIV testing only, not treatment.

Some minors may consent to contraceptive services. Parental consent is required for abortion services.

### School Response to Dating Violence

Mississippi law does not provide for a school response to dating violence.

### Recommendations for Immediate Policy Change

In order to improve Mississippi's response to teen dating violence, the following changes are recommended:

- Allow minors to petition for POs on their own behalf.
- Allow courts to issue POs against minors.
- Allow victims of intimate partner sexual abuse and harassment to access POs.
- Allow all minors to access all sensitive services without parental involvement.

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## State Law Report Card



## Mississippi

### References

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<sup>1</sup> MISS. CODE ANN. § 93-21-7(1) (2009).

<sup>2</sup> *Id.* § 93-21-3(a).

<sup>3</sup> *Id.* § 93-21-7(1).

<sup>4</sup> *Id.* § 93-21-3(a).

<sup>5</sup> *Id.* § 93-21-15(2)(a).

<sup>6</sup> *Id.* § 93-21-17(2).

<sup>7</sup> Guttmacher Institute, An overview of minors' consent law, *State Policies in Brief*, New York: Guttmacher Institute, 2009, [http://www.guttmacher.org/statecenter/spibs/spib\\_OMCL.pdf](http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf), accessed December 1, 2009.

<sup>8</sup> Guttmacher Institute, Minors' Access to STI Services, *State Policies in Brief*, New York: Guttmacher Institute, 2009, [http://www.guttmacher.org/statecenter/spibs/spib\\_MASS.pdf](http://www.guttmacher.org/statecenter/spibs/spib_MASS.pdf), accessed December 1, 2009.

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