

SUPREME COURT OF MISSISSIPPI

Pass Christian School District v. Harrison County Youth Court of Mississippi

275 So. 3d 1096 (Miss. 2019) · No. No. 2017-CA-00915-SCT · Decided July 25, 2019

SUMMARY

The Mississippi Supreme Court considered whether Pass Christian School District was entitled to access confidential youth-court records and trial transcripts for use in a related civil negligence action. The court held that the records should not be disclosed directly to the school district, but remanded for the circuit court to conduct an in camera review and ordered disclosure of the names and addresses of youth-court witnesses. Any information disclosed was limited to use in the pending civil litigation.

CASE DETAILS

COURT	Supreme Court of Mississippi
WRITING FOR THE COURT	Justice Ishee; Chief Justice Randolph; Justice Griffis; Justice King; Justice Maxwell; Justice Beam; Justice Coleman; Justice Chamberlin; Justice Kitchens
JURISDICTION	Mississippi
DECIDED	July 25, 2019
DOCKET	No. 2017-CA-00915-SCT
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Pass Christian School District appealed the Harrison County Youth Court's denial of its petitions for disclosure of youth-court records and trial transcripts for use in a related negligence action pending in circuit court.
STANDARD OF REVIEW	Abuse of discretion
PRECEDENTIAL VALUE	Published Mississippi Supreme Court opinion; precedential
PARTIES	Pass Christian School District v. Harrison County Youth Court of Mississippi, Roy Cuevas, Kimberly Cuevas, individually and as next friend and guardian to E.C., a minor

TOPICS

discovery dispute

civil procedure

evidence

due process

appellate procedure

PRACTICE AREAS

Civil procedure

Juvenile justice

Evidence

Constitutional law

QUESTIONS PRESENTED

1. Whether the youth-court judge abused her discretion by denying Pass Christian School District's petitions for disclosure of youth-court records and trial transcripts.
2. Whether maintaining the confidentiality of the youth-court records and transcript would deny Pass Christian School District due process and a fair opportunity to defend the related civil action.
3. Whether the records could be disclosed to the circuit court for an in camera review to determine whether information material to the civil case should be disclosed.

HOLDINGS

1. Pass Christian School District was not entitled to direct disclosure or inspection of the confidential youth-court records and trial transcripts.
2. The youth-court record and trial transcript should be disclosed to the Harrison County Circuit Court for an in camera review to determine whether they contain information material and relevant to Pass Christian's defense.
3. The names and addresses of witnesses who testified in the related youth-court proceedings should be disclosed to Pass Christian; after depositions, Pass Christian may request an in camera review of earlier testimony, and any conflicting testimony found relevant may be disclosed solely for the pending civil litigation.

KEY QUOTATIONS

“the right of ‘confidentiality’ on behalf of the child is a ‘qualified’ and not an ‘absolute’ privilege.” (at 1101)

“the right to impeach or attack a witness’ credibility is secured both by the Mississippi Rules of Evidence and the confrontation clauses of the state and federal constitutions.” (at 1102)

“the State’s interest in the confidentiality of such records is protected, our statutory scheme is satisfied, our youth courts function within constitutional parameters, and our rules of discovery are honored, while allowing [Pass Christian] limited access to information which might prove vital to [its] defense.” (at 1102)

FACTUAL BACKGROUND

E.C. alleged that she was sexually assaulted at Pass Christian High School after a supervising teacher left her unsupervised following a school-program practice. Three minor students were tried in Harrison County Youth Court and adjudicated not delinquent. E.C. and her parents later sued Pass Christian School District for negligence in circuit court, and the school district sought the youth-court records and trial transcripts to investigate potentially conflicting testimony relevant to its defense.

PROCEDURAL HISTORY

After the alleged perpetrators were adjudicated not delinquent in youth court, E.C. and her parents filed a negligence action against Pass Christian School District in Harrison County Circuit Court. Pass Christian subpoenaed the youth-court files, but the circuit court entered a protective order leaving disclosure to the youth court's discretion. The youth court denied Pass Christian's subsequent petitions and later denied further requests to include the records in the appellate record. The Supreme Court of Mississippi affirmed in part and reversed and remanded in part for the circuit court to conduct an in camera review under the conditions stated in the opinion.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The circuit court must conduct an in camera review of the youth-court record and transcript. The names and addresses of witnesses who testified in the youth-court proceeding are to be disclosed to Pass Christian so that it may depose them. If deposition testimony conflicts with earlier youth-court testimony, Pass Christian may request circuit-court review; only relevant conflicting information may then be disclosed, and all disclosed information must be used solely for the related civil litigation.

CASES CITED

- State v. U.G., 726 So. 2d 151, 154 (Miss. 1998)
- In re J.E. v. State, 726 So. 2d 547, 549-53 (Miss. 1998)
- Yarborough v. State, 514 So. 2d 1215, 1219 (Miss. 1987)
- Daniels by Glass v. Wal-Mart Stores, Inc., 634 So. 2d 88, 93 (Miss. 1993)
- Ex parte State Farm Fire & Casualty Co., 529 So. 2d 975, 977 (Ala. 1988)
- Brown v. State, 690 So. 2d 276, 292 (Miss. 1997)
- In re R.J.M.B. v. Jackson County Department of Human Services, 133 So. 3d 335, 341 (Miss. 2013)