Mississippi Treatment Law Report Card

Last Updated: *January 2026*

Method and scoring: *State involuntary civil commitment laws* are evaluated using a 100-point grading scale. The scoring criteria are in accordance with TAC's values and policy recommendations. Up to 50 points are awarded to a state based on the quality of its inpatient commitment law, and up to 50 points are awarded based on the quality of its outpatient commitment law. *Grades reflect solely what is written in law and not how those laws are implemented or applied.* Final letter grades are computed using the following scale:

97 or above	A+	87–89	B+	77–79	C+	67–69	D+	59 or below	F
93–96	A	83–86	B	73–76	C	63–66	D		
90–92	A-	80–82	B-	70–72	C-	60–62	D-		

PART ONE: Inpatient Commitment Statute (up to 50 points)			
Criterion	Citation	Specifications	Points
1. Citizen access to court, emergency evaluation (5 pts)	Miss. Code Ann. § 41-21-65(5)	☒Authorizes family/enumerated adults (3 pts) ☒Authorizes any responsible adult (2 pts)	5
2. Quality of emergency petition process (5 pts)	Miss. Code Ann. § 41-21-65(5)	☐Process specified and reasonable (2 pts) ☒Timelines specified and reasonable (2 pts) ☒Responsible entities identified (1 pt) ☐Requires certification by more than one professional (-2 pts) ☐Emergency evaluation criteria inconsistent with inpatient commitment criteria (-5 pts) ***Unreasonably permits civil custody in carceral settings (See comment below)***	3
3. Emergency hold duration (5 pts)	Miss. Code Ann. § 41-21-67(6)(a)	☒At least 48-hour hold allowed (3 pts) ☒At least 72-hour hold allowed (2 pts) ***Not to exceed 72 hours***	5
4. Citizen access to court, inpatient petition (5 pts)	Miss. Code Ann. § 41-21-65(5)	☒Authorizes family/enumerated adults (3 pts) ☒Authorizes any responsible adult (2 pts)	5
5. Quality of criteria for harm or violence to self or others (up to 10 pts)	Miss. Code Ann. § 41-21-61(f)	☒Contains explicit criteria (10 pts) ☐Language is vague/ambiguous (-3 pts) ☐Harm must be imminent (-3 pts)	10
6. Quality of criteria for grave disability/basic needs (up to 10 pts)	Miss. Code Ann. § 41-21-61(f)	☒Contains explicit criteria (10 pts) ☐Language is vague/ambiguous (-3 pts) ☐Endangerment must be imminent (-3 pts) ☐Criteria require family to turn person out of home to receive treatment (-3 pts) ☐Unreasonably high risk of harm (-3 pts)	10
7. Quality of criteria for psychiatric deterioration (up to 10 pts)	Miss. Code Ann. § 41-21-61(f)	☒Contains explicit criteria (10 pts) ☐Language is vague/ambiguous (-3 pts)	10
		SUBTOTAL	48
PART ONE: Extra Credit			
1. Specifies in which court a petition for inpatient commitment shall be filed (1 pt)	Miss. Code Ann. § 41-21-65(5)	***Chancery court in the county where the person resides***	1
		Extra Credit	1
		PART ONE TOTAL	49

PART TWO: Outpatient Commitment Statute (up to 50 points)			
Criterion	Citation	Specifications	Points
1. AOT explicitly authorized (5 pts)	Miss. Code Ann. § 41-21-73(4)	☐Requires local government to adopt (-3 pts)	5

2. Citizen access to court for AOT (5 pts)	Miss. Code Ann. § 41-21-65(5)	☒Authorizes family/enumerated adults (3 pts) ☒Authorizes any responsible adult (2 pts) ☐Authorizes citizen petition to mental health system only (-2 pts)	5
3. Criteria sufficiently broad to provide actual access (up to 10 pts)	Miss. Code Ann. § 41-21-61(f)	**Evaluate applicable provision only:** ☒If inpatient/outpatient criteria are the same: ☒Inpatient criteria include psychiatric deterioration standard (10 pts) or ☐No psychiatric deterioration standard, adequate grave disability standard (5 pts) **or** ☐If outpatient criteria are distinct from inpatient criteria: ☐Allows consideration of length of treatment history ≥ 36 months (2 pts) ☐Does not exclude periods of incarceration or hospitalization (-1 pt) ☐Does not limit application to those currently dangerous or unstable (4 pts) ☐Does not limit application to those refusing service or currently lacking insight (4 pts)	10
4. Authorizes AOT directly from community (5 pts)	Miss. Code Ann. § 41-21-73(4)	***Following a brief evaluation period***	5
5. Procedures sufficiently detailed to guide practitioners (up to 5 pts)	Miss. Code Ann. §§ 41-21-73(4), 41-21-74, 41-21-82, 41-21-104	☒Process specified and reasonable (1 pt) ☒Timelines specified and reasonable (1 pt) ☒Responsible entities identified (1 pt) ☐Periodic reporting to court required (1 pt) ☒Renewal process expressly specified (1 pt)	4
6. Procedures require the treatment plan to be shared with the court (5 pts)			0
7. Specifies procedures and consequences for nonadherence (5 pts)	Miss. Code Ann. § 41-21-74(2)–(3)		5
8. Duration of initial order	Miss. Code Ann. § 41-21-73(4)	☒= 90 days (2 pts) or ☐> 90 days (5 pts) ***Shall not exceed three months***	2
9. Duration of continued order	Miss. Code Ann. § 41-21-82	☐= 180 days (2 pts) or ☐> 180 days (5 pts) ***Not specified***	0
		SUBTOTAL	36
PART TWO: Extra Credit			
1. Specifies court for AOT (1 pt)	Miss. Code Ann. § 41-21-65(5)	***Chancery court in the county where the person resides***	1
2. Court monitoring of voluntary settlement agreements (5 pts)			
		Extra Credit	1
		PART TWO TOTAL	37

FINAL SCORE	
PART ONE TOTAL	49
PART TWO TOTAL	37
TOTAL	86
TREATMENT LAW GRADE	**B**

Comment: Miss. Code Ann. § 41-21-67(5)(b) permits civil detention in a jail or other detention center when "the community mental health center has explored and exhausted the availability of other appropriate facilities, ... the chancellor specifically authorizes it; and the respondent is actively violent."