

By: Representative Perry

To: Fees and Salaries of
Public Officers;
County Affairs

HOUSE BILL NO. 763

1 AN ACT TO AMEND SECTION 9-13-19, MISSISSIPPI CODE OF 1972, TO
2 ALLOW ADDITIONAL COMPENSATION FOR COURT REPORTERS PERFORMING COURT
3 ADMINISTRATOR DUTIES TO BE TAKEN FROM A JUDGE'S SUPPORT STAFF
4 ALLOWANCE; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. Section 9-13-19, Mississippi Code of 1972, is
7 amended as follows:

8 9-13-19. (1) Court reporters for circuit and chancery
9 courts shall be paid an annual salary of Thirty-eight Thousand
10 Dollars (\$38,000.00) payable by the Administrative Office of
11 Courts. In addition, any court reporter performing the duties of
12 a court administrator in the same judicial district in which the
13 person is employed as a court reporter may be paid additional
14 compensation for performing the court administrator duties. The
15 annual amount of the additional compensation shall be set by vote
16 of the judges and chancellors for whom the court administrator
17 duties are performed, with consideration given to the number of
18 hours per month devoted by the court reporter to performing the
19 duties of a court administrator. The additional compensation
20 shall be submitted to the Administrative Office of Courts for
21 approval.

22 (2) The several counties in each respective court district
23 shall transfer from the general funds of those county treasuries
24 to the Administrative Office of Courts a proportionate amount to
25 be paid toward the annual compensation of the court reporter,
26 including any additional compensation paid for the performance of
27 court administrator duties. The additional compensation for
28 performing court administrator duties should first be paid from

29 monies remaining in the judge's support staff fund, as is provided
30 in Section 9-1-36, before county funds are expended. The amount
31 to be paid by each county shall be determined by the number of
32 weeks in which court is held in each county in proportion to the
33 total number of weeks court is held in the district. For purposes
34 of this section, the term "compensation" means the gross salary
35 plus all amounts paid for benefits, or otherwise, as a result of
36 employment or as required by employment, but does not include
37 transcript fees otherwise authorized to be paid by or through the
38 counties. However, only salary earned for services rendered shall
39 be reported and credited for retirement purposes. Amounts paid
40 for transcript fees, benefits or otherwise, including
41 reimbursement for travel expenses, shall not be reported or
42 credited for retirement purposes.

43 For example, if there are thirty-eight (38) scheduled court
44 weeks in a particular district, a county in which court is
45 scheduled five (5) weeks out of the year would have to pay
46 five-thirty-eighths (5/38) of the total annual compensation.

47 (3) The salary and any additional compensation for the
48 performance of court administrator duties shall be paid in twelve
49 (12) installments on the last working day of each month after it
50 has been duly authorized by the appointing judge or chancellor and
51 an order duly placed on the minutes of the court. Each county
52 shall transfer to the Administrative Office of Courts one-twelfth
53 (1/12) of the amount required to be paid pursuant to subsection
54 (2) of this section by the twentieth day of each month for the
55 salary that is to be paid on the last working day of the month.
56 The Administrative Office of Courts shall pay to the court
57 reporter the total amount of salary due for that month. Any
58 county may pay, in the discretion of the board of supervisors, by
59 the twentieth day of January of any year, the amount due for a
60 full twelve (12) months.

61 (4) From and after October 1, 1996, all circuit and chancery
62 court reporters will be employees of the Administrative Office of
63 Courts.

64 (5) No circuit or chancery court reporter shall be entitled
65 to any compensation for any special or extended term of court
66 after passage of this section.

67 (6) No chancery or circuit court reporter shall practice law
68 in the court within which he or she is the court reporter.

69 (7) For all travel required in the performance of official
70 duties, the circuit or chancery court reporter shall be paid
71 mileage by the county in which the duties were performed at the
72 same rate as provided for state employees in Section 25-3-41. The
73 court reporter shall file in the office of the clerk of the court
74 which he serves a certificate of mileage expense incurred during
75 that term and payment of such expense to the court reporter shall
76 be paid on allowance by the judge of such court.

77 SECTION 2. This act shall take effect and be in force from
78 and after its passage.