

By: Representative Smith (39th)

To: Fees and Salaries of
Public Officers;
Appropriations

HOUSE BILL NO. 1055

1 AN ACT TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE COMPENSATION OF FULL-TIME LEGAL ASSISTANTS EMPLOYED BY
3 THE DISTRICT ATTORNEYS; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 25-3-35, Mississippi Code of 1972, is
6 amended as follows:

7 25-3-35. (1) The annual salaries of the following judges
8 are fixed as follows, to begin at the commencement of the next
9 term of office immediately succeeding the existing term:

10	Chief Justice of the Supreme Court.....	\$100,900.00
11	Presiding Justice of the Supreme Court.....	98,900.00
12	Associate Justices of the Supreme Court, each.....	98,300.00

13 However, in addition to their present official duties, there
14 are imposed upon the Supreme Court Justices the extra duties of
15 making a special study of existing laws and reporting to each
16 regular session of the Legislature such constructive suggestions
17 as they may deem necessary for the improvement of the
18 administration of justice, and of advising and counseling with the
19 State Librarian in the selection of law books for purchase and use
20 in the State Law Library, advising with the librarian thereof upon
21 the removal from the library of any books which may be the least
22 frequently used, and for the placing of same in a convenient
23 location so as to provide additional space for such books and
24 other current publications which may be more frequently used or
25 called for. For such extra services each justice, from and after
26 July 1, 1997, shall receive a sum sufficient when added to the
27 present salaries of the justices to aggregate One Hundred Thousand

28 Nine Hundred Dollars (\$100,900.00) for the Chief Justice,
29 Ninety-eight Thousand Nine Hundred Dollars (\$98,900.00) for the
30 Presiding Justice, and Ninety-eight Thousand Three Hundred Dollars
31 (\$98,300.00) for Associate Justices, per annum. As each existing
32 term expires and the above-captioned salaries become effective in
33 due course, the extra duties and compensation provided for shall
34 cease.

35 (2) The annual salaries of the judges of the Court of
36 Appeals of Mississippi are fixed as follows:

37 Chief Judge of the Court of Appeals..... \$94,300.00
38 Associate Judges of the Court of Appeals
39 each..... 91,500.00

40 (3) The annual salaries of the chancery and circuit court
41 judges are fixed as follows:

42 Chancery Judges, each..... \$88,700.00
43 Circuit Judges, each..... 88,700.00

44 In addition to their present official duties, there are
45 imposed upon the chancery and circuit court judges the extra
46 duties of making a special study of existing laws relating to
47 trial courts and reporting to the Supreme Court of the State of
48 Mississippi such constructive suggestions as they may deem
49 necessary for the improvement of the administration of justice,
50 which shall be recommended to the Legislature by the Supreme Court
51 in the manner provided by law. The judges shall advise and
52 supervise in the purchase of law books for the libraries of each
53 district, and shall study and evaluate the inventory of books and
54 facilities now existing in the libraries of each district to
55 effect the removal and relocation of obsolete publications so as
56 to provide additional space for those books and current
57 publications more frequently used. The judges shall study the
58 existing rules promulgated by the circuit and chancery court
59 judicial associations governing the operation of chancery and
60 circuit courts, and revise the same pursuant to existing laws.
61 For such extra services each judge, from and after July 1, 1997,
62 shall receive a sum sufficient when added to the present salaries
63 of the judges to aggregate Eighty-eight Thousand Seven Hundred
64 Dollars (\$88,700.00) per annum for each judge. Upon the
65 expiration of the existing term, the above-captioned salaries

66 become effective in due course, and the extra duties and
67 compensation provided for shall cease.

68 (4) The Supreme Court shall prepare a payroll for chancery
69 judges and circuit judges and submit such payroll to the
70 Department of Finance and Administration.

71 (5) The annual salary of the full-time district attorneys
72 shall be Seventy-nine Thousand Eight Hundred Thirty Dollars
73 (\$79,830.00).

74 (6) (a) Subject to the provisions of paragraph (e) of this
75 subsection, the annual salary of the full-time legal assistants
76 who have practiced law actively for less than two (2) years shall
77 be not less than Twenty-five Thousand Dollars (\$25,000.00) nor
78 more than Fifty Thousand Dollars (\$50,000.00), as established by
79 the district attorney. However, the maximum salary of Fifty
80 Thousand Dollars (\$50,000.00) shall not apply to any full-time
81 legal assistant who has practiced law actively for less than two
82 (2) years and whose salary exceeds Fifty Thousand Dollars
83 (\$50,000.00) on July 1, 1999.

84 (b) Subject to the provisions of paragraph (e) of this
85 subsection, the annual salary of full-time legal assistants who
86 have actively practiced law for two (2) or more years, but less
87 than six (6) years, shall not be less than Fifty Thousand Dollars
88 (\$50,000.00) nor more than Sixty-seven Thousand Five Hundred
89 Dollars (\$67,500.00), as established by the district attorney.

90 (c) Subject to the provisions of paragraph (e) of this
91 subsection, the annual salary of full-time legal assistants who
92 have actively practiced law for six (6) or more years, but less
93 than ten (10) years, shall not be less than Sixty-seven Thousand
94 Five Hundred Dollars (\$67,500.00) nor more than Seventy-five
95 Thousand Dollars (\$75,000.00), as established by the District
96 Attorney.

97 (d) Subject to the provisions of paragraph (e) of this
98 subsection, the annual salary of full-time legal assistants who
99 have practiced law actively for ten (10) or more years shall not

100 be less than Seventy-five Thousand Dollars (\$75,000.00) and, in
101 the discretion of the district attorney, may include an additional
102 amount of One Thousand Dollars (\$1,000.00) for each year the legal
103 assistant has practiced law in excess of ten (10) years; however,
104 the total salary of the legal assistant shall not exceed
105 Eighty-five Thousand Dollars (\$85,000.00).

106 (e) A full-time legal assistant may not receive an
107 increase in salary which exceeds fifteen percent (15%) of the
108 legal assistant's previous year's salary.

109 SECTION 2. This act shall take effect and be in force from
110 and after July 1, 1999.