

By: Moak

To: Fees and Salaries of  
Public Officers

HOUSE BILL NO. 863

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

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

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

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

23           (2) The several counties in each respective court district  
24 shall transfer from the general funds of those county treasuries  
25 to the Administrative Office of Courts a proportionate amount to  
26 be paid toward the annual compensation of the court reporter,  
27 including any additional compensation paid for the performance of  
28 court administrator duties. The additional compensation for  
29 performing court administrator duties shall be paid from any  
30 monies remaining in the judge's support staff fund, as provided  
31 for under Section 9-1-36, before county funds are expended. The  
32 amount to be paid by each county shall be determined by the number  
33 of weeks in which court is held in each county in proportion to  
34 the total number of weeks court is held in the district. For  
35 purposes of this section, the term "compensation" means the gross  
36 salary plus all amounts paid for benefits, or otherwise, as a  
37 result of employment or as required by employment, but does not  
38 include transcript fees otherwise authorized to be paid by or  
39 through the counties. However, only salary earned for services  
40 rendered shall be reported and credited for retirement purposes.  
41 Amounts paid for transcript fees, benefits or otherwise, including  
42 reimbursement for travel expenses, shall not be reported or  
43 credited for retirement purposes.

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

48           (3) The salary and any additional compensation for the  
49 performance of court administrator duties shall be paid in twelve  
50 (12) installments on the last working day of each month after it  
51 has been duly authorized by the appointing judge or chancellor and  
52 an order duly placed on the minutes of the court. Each county  
53 shall transfer to the Administrative Office of Courts one-twelfth

54 (1/12) of the amount required to be paid pursuant to subsection  
55 (2) of this section by the twentieth day of each month for the  
56 salary that is to be paid on the last working day of the month.  
57 The Administrative Office of Courts shall pay to the court  
58 reporter the total amount of salary due for that month. Any  
59 county may pay, in the discretion of the board of supervisors, by  
60 the twentieth day of January of any year, the amount due for a  
61 full twelve (12) months.

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

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

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

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

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