

By: Representative Watson

To: Judiciary A

HOUSE BILL NO. 1204

1 AN ACT TO AMEND SECTION 9-1-107, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE QUALIFICATIONS FOR THE DESIGNATION AS SENIOR JUDGE; AND
3 FOR RELATED PURPOSES.

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

5 SECTION 1. Section 9-1-107, Mississippi Code of 1972, is
6 amended as follows:

7 9-1-107. (1) Retired Court of Appeals, chancery, circuit or
8 county court judges or retired Supreme Court Justices * * *, who
9 have served as a judge or justice for at least eight (8) years and
10 who are either at least sixty-two (62) years of age or are
11 receiving state retirement benefits and who desire to be
12 designated as senior judges of the State of Mississippi shall file
13 a certificate for such designation with the Supreme Court. The
14 certificate shall be in such form as prescribed by the Supreme
15 Court. The filing of such certificate shall place such judge on
16 senior status.

17 (2) If judges who are placed on senior status are receiving
18 retirement benefits by virtue of the provisions of the Public
19 Employees' Retirement Law of 1952, appearing as Sections 25-11-1
20 through 25-11-139, Mississippi Code of 1972, such benefits shall
21 not be reduced in any sum whatsoever because of being placed on
22 senior status or because of service as a special judge, pursuant
23 to Section 9-1-105, nor shall any sum be deducted as contributions
24 toward retirement under such law.

25 (3) The Supreme Court shall have the authority to promulgate
26 rules and regulations governing the service and tenure of senior
27 judges on senior status, and may remove from senior status any

28 judge who does not comply with the dictates of this statute or
29 who, without good cause, refuses appointment under Section
30 9-1-105.

31 (4) Any person appointed as senior judge on senior status
32 hereunder shall, for the period of his service as a special judge
33 pursuant to Section 9-1-105, receive compensation from the state
34 for each day's service a sum equal to 1/260 of the current salary
35 in effect for the judicial offices. Any person appointed as a
36 senior judge on senior status shall be reimbursed for travel
37 expenses incurred in the performance of the official duties to
38 which he may be appointed hereunder in the same manner as other
39 public officials and employees as provided by Section 25-3-41,
40 Mississippi Code of 1972. Each judge so serving shall make out an
41 itemized account of the number of days he in good faith served,
42 and make affidavit to same and file it with the Clerk of the
43 Supreme Court. The said clerk shall issue a certificate showing
44 the length of time such senior judge or judges on senior status
45 served, and the Department of Finance and Administration shall
46 issue its warrant therefor.

47 (5) During tenure as a senior judge, senior judges shall be
48 deemed active members of the Mississippi Conference of Judges and
49 shall be required to satisfy the requirements of continuing
50 judicial education.

51 SECTION 2. The Attorney General of the State of Mississippi
52 shall submit this act, immediately upon approval by the Governor,
53 or upon approval by the Legislature subsequent to a veto, to the
54 Attorney General of the United States or to the United States
55 District Court for the District of Columbia in accordance with the
56 provisions of the Voting Rights Act of 1965, as amended and
57 extended.

58 SECTION 3. This act shall take effect and be in force from
59 and after the date it is effectuated under Section 5 of the Voting
60 Rights Act of 1965, as amended and extended.