HOUSE BILL NO. 1474


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

SECTION 1. Section 9-21-21, Mississippi Code of 1972, is reenacted as follows:

9-21-21. The Mississippi Judicial Advisory Study Committee is hereby created. It shall consist of twenty-one (21) voting and two (2) nonvoting members who are to be selected as follows:

(a) The Chief Justice of the Supreme Court of the State of Mississippi shall appoint three (3) members.

(b) The Chief Judge of the Court of Appeals shall appoint one (1) member who shall be a member of the Court of Appeals.

(c) One (1) chancery judge shall be elected by the Conference of Chancery Judges, one (1) circuit judge shall be elected by the Conference of Circuit Judges, one (1) county court judge shall be elected by the Conference of County Court Judges, and one (1) justice court judge shall be elected by the Conference of Justice Court Judges.

(d) One (1) chancery clerk shall be elected by the Chancery Clerks Association, and one (1) circuit clerk shall be elected by the Circuit Clerks Association.
(e) The Governor shall appoint three (3) members who are not to be members of the Mississippi Bar.

(f) The Chairman of the Senate Judiciary Committee and the Chairman of the House of Representatives Judiciary En Banc Committee shall serve as legislative liaisons and nonvoting members.

(g) The Lieutenant Governor shall appoint two (2) members, neither of whom is an attorney nor a member of the Legislature.

(h) The Speaker of the House shall appoint two (2) members, neither of whom is an attorney nor a member of the Legislature.

(i) The Presidents of the Mississippi Bar and the Magnolia Bar Association shall each appoint two (2) members, all of whom shall be licensed to practice law in the State of Mississippi.

Members shall be appointed for three-year terms.

Appointments and vacancies on the study committee shall be filled by the respective selecting and appointing authorities.

SECTION 2. Section 9-21-23, Mississippi Code of 1972, is reenacted as follows:

9-21-23. The purpose of the study committee shall be to make recommendations to the Administrative Office of the Courts in the administration of the courts, including obtaining statistical information with reference to cases in the various courts in Mississippi; conducting research relating to improvement of the judicial system in the State of Mississippi; and making a comprehensive study of the judicial system of the state for the purpose of the improvement thereof. In addition, the study committee may make such policy recommendations as will promote the administration of justice and the operation of the courts.

SECTION 3. Section 9-21-25, Mississippi Code of 1972, is reenacted as follows:
9-21-25. The Chief Justice shall set and give notice of the
time, date and place of the initial meeting, at which time the
study committee shall elect a chairperson from its members and who
shall preside at the meetings of the study committee. The chair
shall not vote unless necessary to break a tie vote of the study
committee. In addition, the study committee shall elect a vice
chair who shall preside over meetings in the absence of the chair.
The study committee shall elect any other officers which it
considers necessary to carry out the purpose of the study
committee. The study committee may form any committees from its
membership in order to assist the study committee in accomplishing
its purposes as provided in this chapter.

SECTION 4. Section 9-21-27, Mississippi Code of 1972, is
reenacted as follows:

9-21-27. The study committee shall meet quarterly and at
such other times as meetings may be called by the chair. A
majority of the members shall constitute a quorum at any meeting.
Any final action taken by the study committee shall require the
affirmative vote of a majority of the nonlegislative members.

SECTION 5. Section 9-21-29, Mississippi Code of 1972, is
reenacted as follows:

9-21-29. The Administrative Office of the Courts shall
provide such support of the Judicial Advisory Study Committee as
is necessary to accomplish the purposes of this chapter,
including, but not limited to, research and clerical assistance.

SECTION 6. Section 9-21-31, Mississippi Code of 1972, is
reenacted as follows:

9-21-31. (1) In addition to the duties set forth in Section
9-21-23, the study committee shall file an annual report with the
Mississippi Supreme Court no later than June 30 of each year of
its existence. The document shall report on the operational and
administrative state of the court system, with emphasis on the
state of the case docket. The report shall also make specific
recommendations for improvement in the administration and
operation of the courts.

(2) The study committee is authorized and empowered for the
accomplishment of its purposes to undertake any studies, reviews,
inquiries, hearings, examinations, surveys or analyses as it may
deen pertinent, relevant and justified. The study committee shall
propose and prepare in detailed form from time to time for the
consideration of the Legislature of the State of Mississippi such
amendments to existing law, such statutes, and such constitutional
amendments as in the judgment of the study committee will improve
the judicial system of the State of Mississippi and promote the
administration of civil and criminal justice therein.

(3) The study committee shall submit a report to the
Legislature of the State of Mississippi not later than the first
Tuesday after the first Monday in January of the year 1994 and
each year of its existence thereafter, which reports shall make
specific proposals and recommendations for the improvement of the
judicial system of the State of Mississippi and for the
administration of criminal and civil justice in the courts
thereof, such reports to be based upon the information received
and the research conducted by the study committee.

SECTION 7. Section 9-21-33, Mississippi Code of 1972, is
reenacted as follows:

9-21-33. The study committee is authorized to call upon any
and all existing courts, agencies, departments, divisions,
officers, employees, boards, bureaus, commissions and institutions
of the State of Mississippi, or any political subdivision,
thereof, to furnish such information, data and assistance as will
enable it to carry out its powers and duties hereunder and all
such agencies, departments, divisions, officers, employees,
boards, bureaus, commissions and institutions of the State of
Mississippi and its political subdivisions are hereby directed to
cooperate with the study committee and render such information,
data, aid and assistance as may be requested by the study committee.

SECTION 8. Section 9-21-35, Mississippi Code of 1972, is reenacted as follows:

9-21-35. The study committee shall have the power to enlist the services of any agency, either public or private, or any individual or educational institution, bar association, research organization, foundation, or educational or civic organization for assistance in accomplishing the purposes of this chapter, conducting research studies, gathering information or printing and publishing its reports. The study committee is authorized to make and sign any agreements or contracts to do or perform any actions that may be necessary, desirable or proper to carry out the purposes and objectives of this chapter.

SECTION 9. Section 9-21-37, Mississippi Code of 1972, is reenacted as follows:

9-21-37. The study committee may employ any agents, clerks, researchers, counsel, consultants and other personnel necessary for the performance of the duties of the study committee and fix their respective rates of compensation, all subject to the approval of the State Personnel Board and within the amounts made available by appropriation therefor or received from other sources.

SECTION 10. Section 9-21-39, Mississippi Code of 1972, is reenacted as follows:

9-21-39. Members of the study committee shall receive a per diem as provided in Section 25-3-69 for actual attendance upon meetings of the study committee, together with reimbursement for traveling and subsistence expenses incurred as provided in Section 25-3-41, Mississippi Code of 1972, except that members of the study committee who are members of the Legislature shall not receive per diem for attendance while the Legislature is in session and no member whose regular compensation is payable by the
state or any political subdivision of the state shall receive per

diem for attendance upon meetings of the study committee.

SECTION 11. Section 9-21-41, Mississippi Code of 1972, is

reenacted as follows:

9-21-41. The study committee is authorized and empowered to
receive and expend any funds appropriated to it by the Legislature
and any funds received by it from any other source in carrying out
the objectives and purposes of this chapter.

SECTION 12. Section 22 of Chapter 610, Laws of 1993, as
amended by Section 12 of Chapter 315, Laws of 1996, as amended by
Section 12 of Chapter 503, Laws of 1998, is amended as follows:

Section 22. This act shall take effect and be in force from
and after passage ** **.

SECTION 13. This act shall take effect and be in force from
and after its passage.