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

SECTION 1. (1) There is created in the House of Representatives the Judicial Appointment Committee for the purpose of appointing judges of the Supreme Court and the Court of Appeals which shall be comprised of eleven (11) members appointed by the Speaker of the House. Three (3) members shall be appointed from each of the Supreme Court Districts and two (2) members shall be appointed from the state at large.

(2) There is created in the Mississippi State Senate the Judicial Confirmation Committee for the purpose of confirming appointees to the Supreme Court and the Court of Appeals which shall be comprised of eleven (11) members appointed by the Lieutenant Governor. Three (3) members shall be appointed from each of the Supreme Court Districts and two (2) members shall be appointed from the state at large.
(3) No attorneys shall be appointed to the committees created in subsections (1) and (2) of this section.

SECTION 2. The Judicial Appointment Committee shall consider all qualified applicants for judges of the Supreme Court and the Court of Appeals. To be qualified a judicial candidate shall have a minimum of ten (10) years experience practicing law and a minimum of four (4) years as a circuit court judge, chancellor or county court judge. The Judicial Appointment Committee shall select three (3) applicants for each vacant position on the Supreme Court or the Court of Appeals from which the Governor shall select one (1) as the appointee.

SECTION 3. The Judicial Confirmation Committee shall consider the appointees selected by the Governor as provided in Section 2 of this act and may make a recommendation to the full Senate for confirmation. If an appointee fails to receive a recommendation from the Judicial Confirmation Committee or if the full Senate fails to confirm an appointee, the process provided in Section 2 of the act shall begin again until an appointee is confirmed.

SECTION 4. Judges of the Supreme Court and the Court of Appeals shall serve for a term of twelve (12) years and no such judge shall serve more than two (2) terms. At the end of a first term a sitting judge shall be given priority by the Judicial Appointment Committee for a second term if the judge desires to serve a second term.

SECTION 5. A judge may be called up for a no confidence vote and removed from office if a member of the Legislature introduces a bill of no confidence in the Legislature and such bill is passed by the Legislature and signed by the Governor. A no confidence bill shall not be double referred in either the House of Representatives or the State Senate. A veto of a no confidence bill may be overridden by a two-thirds (2/3) vote of both the House of Representatives and the State Senate.
SECTION 6. The provisions of this act shall apply to each current judge of the Supreme Court and the Court of Appeals upon the expiration of the current term to which the respective judge was elected.

SECTION 7. Section 9-4-5, Mississippi Code of 1972, is amended as follows:

9-4-5. (1) The term of office of judges of the Court of Appeals shall be eight (8) years. An election shall be held on the first Tuesday after the first Monday in November 1994, to elect the ten (10) judges of the Court of Appeals, two (2) from each congressional district. The judges of the Court of Appeals shall begin service on the first Monday of January 1995. From and after the adoption of House Bill No.______, 2001 Regular Session, judges of the Court of Appeals shall be appointed for terms of twelve (12) years.

(2) (a) In order to provide that the offices of not more than a majority of the judges of said court shall become vacant at any one (1) time, the terms of office of six (6) of the judges first to be elected shall expire in less than eight (8) years. For the purpose of all elections of members of the court, each of the ten (10) judges of the Court of Appeals shall be considered a separate office. The two (2) offices in each of the five (5) congressional districts shall be designated Position Number 1 and Position Number 2, and in qualifying for office as a candidate for any office of judge of the Court of Appeals each candidate shall state the position number of the office to which he aspires and the election ballots shall so indicate.

(i) In Congressional District Number 1, the judge of the Court of Appeals for Position Number 1 shall be that office for which the term ends January 1, 1999, and the judge of the Court of Appeals for Position Number 2 shall be that office for which the term ends January 1, 2003.
(ii) In Congressional District Number 2, the judge of the Court of Appeals for Position Number 1 shall be that office for which the term ends on January 1, 2003, and the judge of the Court of Appeals for Position Number 2 shall be that office for which the term ends January 1, 2001.

(iii) In Congressional District Number 3, the judge of the Court of Appeals for Position Number 1 shall be that office for which the term ends on January 1, 2001, and the judge of the Court of Appeals for Position Number 2 shall be that office for which the term ends January 1, 1999.

(iv) In Congressional District Number 4, the judge of the Court of Appeals for Position Number 1 shall be that office for which the term ends on January 1, 1999, and the judge of the Court of Appeals for Position Number 2 shall be that office for which the term ends January 1, 2003.

(v) In Congressional District Number 5, the judge of the Court of Appeals for Position Number 1 shall be that office for which the term ends on January 1, 2003, and the judge of the Court of Appeals for Position Number 2 shall be that office for which the term ends January 1, 2001.

(b) The laws regulating the general elections shall apply to and govern the elections of judges of the Court of Appeals except as otherwise provided in Sections 23-15-974 through 23-15-985.

(c) In the year prior to the expiration of the term of an incumbent, and likewise each eighth year thereafter, an election shall be held in the manner provided in this section in the congressional district from which the incumbent Court of Appeals judge was elected at which there shall be elected a successor to the incumbent, whose term of office shall thereafter begin on the first Monday of January of the year in which the term of the incumbent he succeeds expires.
(3) No person shall be eligible for the office of judge of the Court of Appeals who has not attained the age of thirty (30) years at the time of his election and who has not been a practicing attorney and citizen of the state for five (5) years immediately preceding such election.

(4) Any vacancy on the Court of Appeals shall be filled by appointment of the Governor for that portion of the unexpired term prior to the election to fill the remainder of said term according to provisions of Section 23-15-849, Mississippi Code of 1972.

(5) Judges of the Court of Appeals shall be appointed as provided in Sections 1 through 6 of House Bill No.______, 2001 Regular Session upon passage of House Bill No.______, 2001 Regular Session.

SECTION 8. Section 23-15-975, Mississippi Code of 1972, is amended as follows:

23-15-975. As used in Sections 23-15-974 through 23-15-985 of this subarticle, the term "judicial office" includes the office of circuit judge, chancellor, county court judge and family court judge. All such justices and judges shall be full-time positions and such justices and judges shall not engage in the practice of law before any court, administrative agency or other judicial or quasi-judicial forum except as provided by law for finalizing pending cases after election to judicial office.

SECTION 9. Section 23-15-977, Mississippi Code of 1972, is amended as follows:

23-15-977. (1) All candidates for judicial office as defined in Section 23-15-975 of this subarticle shall file their intent to be a candidate with the proper officials not later than 5:00 p.m. on the first Friday after the first Monday in May prior to the general election for judicial office and shall pay to the proper officials the following amounts:

**
(a) Candidates for circuit judge and chancellor, the sum of One Hundred Dollars ($100.00).

(b) Candidates for county judge and family court judge, the sum of Fifteen Dollars ($15.00).

(2) Candidates for judicial offices listed in paragraph (a) of subsection (1) of this section shall file their intent to be a candidate with, and pay the proper assessment made pursuant to subsection (1) of this section to, the State Board of Election Commissioners.

(3) Candidates for judicial offices listed in paragraph (b) of subsection (1) of this section shall file their intent to be a candidate with, and pay the proper assessment made pursuant to subsection (1) of this section to, the circuit clerk of the proper county. The circuit clerk shall notify the county commissioners of election of all persons who have filed their intent to be a candidate filed with, and paid the proper assessment to, such clerk. Such notification shall occur within two (2) business days and shall contain all necessary information.

SECTION 10. Section 23-15-849, Mississippi Code of 1972, is amended as follows:

23-15-849. * * * Vacancies in the office of * * * circuit judge or chancellor shall be filled for the unexpired term by the qualified electors at the next regular election for state officers or for representatives in Congress occurring more than nine (9) months after the existence of the vacancy to be filled, and the term of office of the person elected to fill a vacancy shall commence on the first Monday in January following his election. Upon the occurring of such a vacancy, the Governor shall appoint a qualified person from the district in which the vacancy exists to hold the office and discharge the duties thereof until the vacancy shall be filled by election as hereinabove provided.

* * *
SECTION 11. Section 23-15-991, Mississippi Code of 1972, is amended as follows:

23-15-991. The term of office of judges of the Supreme Court shall be twelve (12) years and the judges shall be selected as provided in Sections 1 through 6 of House Bill No._____, 2001 Regular Session.

SECTION 12. Section 23-15-993, Mississippi Code of 1972, is amended as follows:

23-15-993. For the purpose of all elections, each of the nine (9) judgeships of the Supreme Court shall be considered a separate office. The three (3) offices in each of the three (3) Supreme Court districts shall be designated Position Number 1, Position Number 2 and Position Number 3, and in qualifying for office as a candidate for any office of judge of the Supreme Court each candidate shall state the position number of the office to which he aspires and the regular election ballots shall so indicate. In Supreme Court District Number 1: Position Number 1 shall be that office for which the term ends in January, 1966; Position Number 2 shall be that office for which the term ends in January, 1965; and Position Number 3 shall be that office for which the term ends in January, 1969. In District Number 2: Position Number 1 shall be that office for which the term ends in January, 1972; Position Number 2 shall be that office for which the term ends in January, 1969; and Position Number 3 shall be that office for which the term ends in January, 1969. In District Number 3: Position Number 1 shall be that office for which the term ends in January, 1969; Position Number 2 shall be that office for which the term ends in January, 1969; and Position Number 3 shall be that office for which the term ends in January, 1965.

From and after the adoption of House Bill No._____, 2001 Regular Session, the judgeships of the Supreme Court shall be filled as provided in Sections 1 through 6 of House Bill No._____, 2001 Regular Session.
SECTION 13. Section 25-3-35, Mississippi Code of 1972, is amended as follows:

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

Chief Justice of the Supreme Court................. $104,900.00
Presiding Justice of the Supreme Court............. 102,900.00
Associate Justices of the Supreme Court, each..... 102,300.00

However, in addition to their present official duties, there are imposed upon the Supreme Court Justices the extra duties of making a special study of existing laws and reporting to each regular session of the Legislature such constructive suggestions as they may deem necessary for the improvement of the administration of justice, and of advising and counseling with the State Librarian in the selection of law books for purchase and use in the State Law Library, advising with the librarian thereof upon the removal from the library of any books which may be the least frequently used, and for the placing of same in a convenient location so as to provide additional space for such books and other current publications which may be more frequently used or called for. For such extra services each justice, from and after June 17, 1999, shall receive a sum sufficient when added to the present salaries of the justices to aggregate One Hundred Four Thousand Nine Hundred Dollars ($104,900.00) for the Chief Justice, One Hundred Two Thousand Nine Hundred Dollars ($102,900.00) for the Presiding Justice, and One Hundred Two Thousand Three Hundred Dollars ($102,300.00) for Associate Justices, per annum. As each existing term expires and the above-captioned salaries become effective in due course, the extra duties and compensation provided for shall cease.

(b) The salaries of judges of the Supreme Court shall increase by five percent (5%) for each four (4) years served but shall not exceed One Hundred Fifty Thousand Dollars ($150,000.00).
(2) (a) The annual salaries of the judges of the Court of Appeals of Mississippi are fixed as follows:

Chief Judge of the Court of Appeals.................. $ 98,300.00
Associate Judges of the Court of Appeals, each...... 95,500.00

(b) The salaries of judges of the Court of Appeals shall increase by five percent (5%) for each four (4) years of service but shall not exceed One Hundred Fifty Thousand Dollars ($150,000.00).

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

Chancery Judges, each............................. $94,700.00
Circuit Judges, each............................... 94,700.00

In addition to their present official duties, there are imposed upon the chancery and circuit court judges the extra duties of making a special study of existing laws relating to trial courts and reporting to the Supreme Court of the State of Mississippi such constructive suggestions as they may deem necessary for the improvement of the administration of justice, which shall be recommended to the Legislature by the Supreme Court in the manner provided by law. The judges shall advise and supervise in the purchase of law books for the libraries of each district, and shall study and evaluate the inventory of books and facilities now existing in the libraries of each district to effect the removal and relocation of obsolete publications so as to provide additional space for those books and current publications more frequently used. The judges shall study the existing rules promulgated by the circuit and chancery court judicial associations governing the operation of chancery and circuit courts, and revise the same pursuant to existing laws. For such extra services each judge, from and after June 17, 1999, shall receive a sum sufficient when added to the present salaries of the judges to aggregate Ninety-four Thousand Seven Hundred Dollars ($94,700.00) per annum for each judge. Upon the
expiration of the existing term, the above-captioned salaries become effective in due course, and the extra duties and compensation provided for shall cease.

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

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

(6) The annual salary of the full-time legal assistants shall be not less than Fifteen Thousand Dollars ($15,000.00) nor more than Sixty-seven Thousand Five Hundred Dollars ($67,500.00), as established by the district attorney.

SECTION 14. Section 9-4-15, Mississippi Code of 1972, which provides for the time for electing judges of the Court of Appeals, is repealed.

SECTION 15. Section 23-15-995, Mississippi Code of 1972, which provides for the applicability of election laws to the election of judges of the Supreme Court, is repealed.

SECTION 16. The Attorney General of the State of Mississippi shall submit this act, immediately upon approval by the Governor, or upon approval by the Legislature subsequent to a veto, to the Attorney General of the United States or to the United States District Court for the District of Columbia in accordance with the provisions of the Voting Rights Act of 1965, as amended and extended.

SECTION 17. This act shall take effect and be in force from and after the date it is effectuated under Section 5 of the Voting Rights Act of 1965, as amended and extended, provided that House Concurrent Resolution No. _____, 2001 Regular Session, has been ratified by the electorate.