HOUSE CONCURRENT RESOLUTION NO. 52

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION
2 171, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT JUSTICE
3 COURTS SHALL HAVE JURISDICTION OVER FELONIES AS PRESCRIBED BY THE
4 LEGISLATURE.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF
MISSISSIPPI, That the following amendment to the Mississippi
Constitution of 1890 is proposed to the qualified electors of the
state:

Amend Section 171, Mississippi Constitution of 1890, to read
as follows:

"Section 171. A competent number of justice court judges and
constables shall be chosen in each county in the manner provided
by law, but not less than two (2) such judges in any county, who
shall hold their officer for the term of four (4) years. Each
justice court judge shall have resided two (2) years in the county
next preceding his selection and shall be high school graduate or
have a general equivalency diploma unless he shall have served as
a justice of the peace or been elected to the office of justice of
the peace prior to January 1, 1976. All persons elected to the
office of justice of the peace in November 1975, shall take office
in January 1976, as justice court judges.

The maximum civil jurisdiction of the justice court shall
extend to causes in which the principal amount in controversy is
Five Hundred Dollars ($500.00) or such higher amount as may be
prescribed by law. The justice court shall have jurisdiction
concurrent with the circuit court over all crimes whether felony
or misdemeanor; but the Legislature may limit the felony offenses

which may be heard in justice court.

In all causes tried in justice court, the right of appeal
shall be secured under such rules and regulations as shall be
prescribed by law, and no justice court judge shall preside at the
trial of any cause where he may be interested, or the parties or
either of them shall be connected with him by affinity or
consanguinity, except by the consent of the justice court judge
and of the parties.

All reference in the Mississippi Code to justice of the peace
shall mean justice court judge."

BE IT FURTHER RESOLVED, That this proposed amendment shall be
submitted by the Secretary of State to the qualified electors at
an election to be held on the first Tuesday after the first Monday
of November 2002, as provided by Section 273 of the Constitution
and by general law.

BE IT FURTHER RESOLVED, That the explanation of this proposed
amendment for the ballot shall read as follows: "This proposed
constitutional amendment will provide that justice court shall
have concurrent jurisdiction with the circuit court over
misdemeanors and felonies as may be prescribed by the
Legislature."