

By: Senator(s) Turner

To: Judiciary

SENATE BILL NO. 2574

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.