

By: Senator(s) Ross, Kirby, Smith

To: Judiciary

SENATE BILL NO. 2298

1 AN ACT TO CODIFY SECTION 9-9-18, MISSISSIPPI CODE OF 1972, TO  
2 CREATE AN ADDITIONAL COUNTY JUDGESHIP FOR RANKIN COUNTY; TO AMEND  
3 SECTION 9-9-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR  
4 RELATED PURPOSES.

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

6 **SECTION 1.** The following shall be codified as Section  
7 9-9-18, Mississippi Code of 1972:

8 9-9-18. (1) In order to relieve the crowded condition of  
9 the docket in the county court and in the youth court of Rankin  
10 County and particularly to facilitate and make possible the trial  
11 and disposition of the large number of causes on said docket and  
12 in the youth court, there shall be two (2) county judges for  
13 Rankin County, provided for and elected as herein set out.

14 (2) For purposes of appointment, nomination and election,  
15 the two (2) judgeships shall be separate and distinct, to be  
16 denominated for purposes of appointment, nomination and election  
17 only as Place One and Place Two. There shall be no distinction  
18 whatsoever in the powers, duties and emoluments of the two (2)  
19 offices of county judge, except that the county judge of Rankin  
20 County who has been for the longest time continuously a county  
21 judge of said county, shall have the right to assign causes, terms  
22 and dockets. Should neither judge have served longer in office  
23 than the other, then the judge of the county court of Rankin  
24 County who has been for the longest time a member of The  
25 Mississippi Bar shall have the right to assign causes, terms and  
26 dockets.

27 (3) While there shall be no limitation whatsoever upon the  
28 powers and duties of the said county judges other than as cast



29 upon them by the Constitution and laws of this state, the county  
30 court in Rankin County, in the discretion of the county judge who  
31 has been for the longest time continuously a judge of said court,  
32 may be divided into civil, criminal and youth court divisions as a  
33 matter of convenience by the entry of an order upon the minutes of  
34 the court.

35 (4) The additional judgeship created by this section, or  
36 Place Two, shall be filled by a person elected in the regular  
37 election of November 2002, and all candidates therefor shall  
38 qualify not later than sixty (60) days prior to that election.  
39 The person elected in that election shall begin the term of office  
40 at the same time as county judges generally, and the office shall  
41 not otherwise exist.

42 **SECTION 2.** Section 9-9-5, Mississippi Code of 1972, is  
43 amended as follows:

44 9-9-5. (1) The county judge shall possess all of the  
45 qualifications of a circuit judge as prescribed by the Mississippi  
46 Constitution. In the event of the establishment of a county court  
47 by agreement between two (2) or more counties as provided in  
48 Section 9-9-3, the judge of said court may be a qualified elector  
49 of any one (1) of said counties, and shall have such other  
50 qualifications as provided for by law. The county judge shall be  
51 elected by the qualified electors of his county at the time and in  
52 the manner as circuit judges are elected, unless a different time  
53 or manner of qualification or election is specifically provided by  
54 law, and he shall hold office for the same term. Vacancies in the  
55 office of county judge shall be filled in the \* \* \* manner  
56 provided by law for county officers.

57 (2) Provided, however, that in any county having a total  
58 population in excess of eleven thousand (11,000) according to the  
59 1970 federal decennial census and a total assessed valuation of  
60 real and personal property of not less than Sixteen Million  
61 Dollars (\$16,000,000.00) and not more than Seventeen Million



62 Dollars (\$17,000,000.00) and in which Mississippi Highway 4 and  
63 United States Highway 61 intersect, in which there is a vacancy in  
64 the post of county judge resulting from the failure of a candidate  
65 to qualify for that post, the board of supervisors of such county  
66 may, upon certification of such vacancy to the board, appoint a  
67 county judge to serve out the term so vacated who shall be a  
68 licensed attorney from such county or an adjoining county. The  
69 compensation of such attorney shall be the same he would have  
70 otherwise received if elected.

71 (3) In the event that any county wherein is located a state  
72 hospital and wherein U.S. Highway 80 and Mississippi Highway 43  
73 intersect shall establish a county court, the county judge of such  
74 county shall be elected at the general election to be held on  
75 Tuesday after the first Monday of November 1982, after qualifying  
76 therefor as provided by law. Provided, however, that the board of  
77 supervisors of such county may appoint a county judge who shall be  
78 a licensed attorney from such county until the office of county  
79 judge shall be filled pursuant to said election.

80 **SECTION 3.** This act shall take effect and be in force from  
81 and after July 1, 2002.

