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AMENDMENT No. 4 PROPOSED TO

House Bill NO. 11

By Representative(s) Reeves

1 **AMEND** by deleting lines _____ and

2 **inserting in lieu thereof the following:**

3 11-7-30. When a civil action is filed in circuit, chancery,
4 or county court, the clerk of court shall immediately assign the
5 action to the judge of said court. If there is more than one
6 judge in the court district, the clerk shall assign the action to
7 a judge in the court district on a blind rotation basis. No
8 person, including, but not limited to, the attorneys for the
9 parties, the parties, or any judge, shall participate in any
10 manner, or attempt to influence in any manner, the assignment of
11 the action to a particular judge. If the action is dismissed at
12 any time for any reason and is re-filed in the same court or an
13 action substantially similar to the dismissed action is filed in
14 the same court after dismissal of the first action, the new action
15 shall be immediately assigned by the clerk of the court to the
16 judge to whom the first action was assigned. No judge other than
17 the judge to whom the action was first assigned shall have any
18 authority to hear or decide any aspect of the action.

19 If the judge to whom an action is assigned by the clerk of
20 the court recuses himself from hearing the action, the judge shall
21 not re-assign the case to another judge. In such event, the judge
22 shall immediately deliver his recusal order to the clerk of court
23 who shall re-assign the action to another judge of said court on a

24 blind rotation basis as provided in this section. If there is no
25 other judge of the court, the judge shall immediately cause a copy
26 of the recusal order to be forwarded to the clerk of the Supreme
27 Court. The Supreme Court shall then immediately appoint a special
28 judge to hear the case.

29 It shall be frivolous per se for any attorney, party, judge
30 or any other person to engage in any conduct, other than the
31 timely filing in the action of appropriate pleadings, motions and
32 related papers for public record, calculated or designed in any
33 way to manipulate the filing of any action so as to accomplish the
34 assignment of an action to a particular judge or to attempt to
35 influence the assignment of any action to a particular judge. The
36 court shall impose substantial sanctions against any person found
37 to have engaged in such conduct.