To: Judiciary

MISSISSIPPI LEGISLATURE
REGULAR SESSION 2003

By: Senator(s) Dawkins (By Request)

SENATE BILL NO. 2480

AN ACT TO AMEND SECTION 9-3-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT COMMENCING JANUARY 1, 2004, THE POSITION OF CHIEF JUSTICE OF THE SUPREME COURT SHALL BE ROTATED AMONG THE SENIOR JUDGES OF EACH SUPREME COURT DISTRICT; TO PROVIDE THAT A SENIOR JUDGE SHALL HOLD THE POSITION FOR TWO YEARS BEFORE THE POSITION IS ROTATED TO THE SENIOR JUDGE OF ANOTHER DISTRICT; TO PROVIDE THE ORDER IN WHICH THE POSITION SHALL BE ROTATED; TO PROVIDE THAT THE SENIOR JUDGES FROM THE SUPREME COURT DISTRICTS WHO ARE NOT SERVING AS CHIEF JUSTICE SHALL BE PRESIDING JUSTICES; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 9-3-11, Mississippi Code of 1972, is amended as follows:

9-3-11. (1) The judge of each Supreme Court district who has been for the longest time continuously a member of the court in the district from which he is elected shall be the senior judge of such district.

(2) The position of Chief Justice of the Supreme Court shall be held by a senior judge of one (1) of the Supreme Court districts for a term of two (2) years and such position shall be rotated among the senior judges of each Supreme Court District in the following order:

(a) The Second Supreme Court District;
(b) The Third Supreme Court District; and
(c) The First Supreme Court District.

(3) The senior judges from each Supreme Court district who are not serving as chief justice shall be presiding justices.

(4) In case of the absence of the chief justice, the presiding justice who has been for the longest time continuously a member shall preside.
In the event that two (2) or more judges of the Supreme Court shall have served as members of the Supreme Court for equal periods of time, then seniority shall be determined according to the length of time that such judges shall have been members of The Mississippi Bar.

SECTION 2. This act shall take effect and be in force from and after January 1, 2004.