

By: Representative Moak

To: Fees and Salaries of
Public Officers

HOUSE BILL NO. 36

1 AN ACT TO AMEND SECTION 9-13-19, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE ADDITIONAL COMPENSATION PAID TO COURT REPORTERS FOR
3 PERFORMING COURT ADMINISTRATOR DUTIES TO BE PAID FROM ANY
4 REMAINING FUNDS IN A JUDGE'S SUPPORT STAFF ALLOWANCE; AND FOR
5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 9-13-19, Mississippi Code of 1972, is
8 amended as follows:

9 9-13-19. (1) Court reporters for circuit and chancery
10 courts shall be paid an annual salary * * * payable by the
11 Administrative Office of Courts not to exceed Forty Thousand Five
12 Hundred Dollars (\$40,500.00) for court reporters with five (5)
13 years experience or less; not to exceed Forty-three Thousand Five
14 Hundred Dollars (\$43,500.00) for court reporters who have more
15 than five (5) years experience but less than ten (10) years; and
16 not to exceed Forty-six Thousand Dollars (\$46,000.00) for court
17 reporters who have ten (10) years or more experience. In
18 addition, any court reporter performing the duties of a court
19 administrator in the same judicial district in which the person is
20 employed as a court reporter may be paid additional compensation
21 for performing the court administrator duties. The annual amount
22 of the additional compensation shall be set by vote of the judges
23 and chancellors for whom the court administrator duties are
24 performed, with consideration given to the number of hours per
25 month devoted by the court reporter to performing the duties of a
26 court administrator. The additional compensation shall be
27 submitted to the Administrative Office of Courts for approval.

28 (2) The several counties in each respective court district
29 shall transfer from the general funds of those county treasuries
30 to the Administrative Office of Courts a proportionate amount to
31 be paid toward the annual compensation of the court reporter,
32 including any additional compensation paid for the performance of
33 court administrator duties. The additional compensation for
34 performing court administrator duties must be paid from any monies
35 remaining in the judge's support staff fund, as provided for under
36 Section 9-1-36, before county funds may be expended. The amount
37 to be paid by each county shall be determined by the number of
38 weeks in which court is held in each county in proportion to the
39 total number of weeks court is held in the district. For purposes
40 of this section, the term "compensation" means the gross salary
41 plus all amounts paid for benefits, or otherwise, as a result of
42 employment or as required by employment, but does not include
43 transcript fees otherwise authorized to be paid by or through the
44 counties. However, only salary earned for services rendered shall
45 be reported and credited for retirement purposes. Amounts paid
46 for transcript fees, benefits or otherwise, including
47 reimbursement for travel expenses, shall not be reported or
48 credited for retirement purposes.

49 For example, if there are thirty-eight (38) scheduled court
50 weeks in a particular district, a county in which court is
51 scheduled five (5) weeks out of the year would have to pay
52 five-thirty-eighths (5/38) of the total annual compensation.

53 (3) The salary and any additional compensation for the
54 performance of court administrator duties shall be paid in twelve
55 (12) installments on the last working day of each month after it
56 has been duly authorized by the appointing judge or chancellor and
57 an order duly placed on the minutes of the court. Each county
58 shall transfer to the Administrative Office of Courts one-twelfth
59 (1/12) of the amount required to be paid pursuant to subsection
60 (2) of this section by the twentieth day of each month for the

61 salary that is to be paid on the last working day of the month.
62 The Administrative Office of Courts shall pay to the court
63 reporter the total amount of salary due for that month. Any
64 county may pay, in the discretion of the board of supervisors, by
65 the twentieth day of January of any year, the amount due for a
66 full twelve (12) months.

67 (4) From and after October 1, 1996, all circuit and chancery
68 court reporters are employees of the Administrative Office of
69 Courts.

70 (5) No circuit or chancery court reporter shall be entitled
71 to any compensation for any special or extended term of court
72 after passage of this section.

73 (6) No chancery or circuit court reporter shall practice law
74 in the court within which he or she is the court reporter.

75 (7) For all travel required in the performance of official
76 duties, the circuit or chancery court reporter shall be paid
77 mileage by the county in which the duties were performed at the
78 same rate as provided for state employees in Section 25-3-41. The
79 court reporter shall file in the office of the clerk of the court
80 which he serves a certificate of mileage expense incurred during
81 that term and payment of such expense to the court reporter shall
82 be paid on allowance by the judge of such court.

83 **SECTION 2.** This act shall take effect and be in force from
84 and after its passage.