

By: Representative Warren

To: Fees and Salaries of  
Public Officers;  
Appropriations

HOUSE BILL NO. 636

1 AN ACT TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO  
2 EXTEND THE DATE OF REPEAL ON THE PROVISION OF LAW THAT PROVIDES  
3 THE SALARIES OF ELECTED JUDICIARY, DISTRICT ATTORNEYS AND LEGAL  
4 ASSISTANTS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 25-3-35, Mississippi Code of 1972, is  
7 amended as follows:

8 25-3-35. (1) The annual salaries of the following judges  
9 are fixed as follows, to begin at the commencement of the next  
10 term of office immediately succeeding the existing term:

11	Chief Justice of the Supreme Court.....	\$115,390.00
12	Presiding Justice of the Supreme Court.....	113,190.00
13	Associate Justices of the Supreme Court, each....	112,530.00

14 However, in addition to their present official duties, there  
15 are imposed upon the Supreme Court justices the extra duties of  
16 making a special study of existing laws and reporting to each  
17 regular session of the Legislature such constructive suggestions  
18 as they may deem necessary for the improvement of the  
19 administration of justice, and of identifying and directing the  
20 State Librarian to apply for grants and donations from any public  
21 or private source for the purpose of enhancing the holdings of the  
22 state law library, and of advising and counseling with the State  
23 Librarian in the selection of law books for purchase and use in  
24 the State Law Library, advising with the librarian thereof upon  
25 the removal from the library of any books which may be the least  
26 frequently used, and for the placing of same in a convenient  
27 location so as to provide additional space for such books and  
28 other current publications which may be more frequently used or

29 called for. For such extra services each justice, from and after  
30 January 1, 2004, shall receive a sum sufficient when added to the  
31 present salaries of the justices to aggregate One Hundred Fifteen  
32 Thousand Three Hundred Ninety Dollars (\$115,390.00) for the Chief  
33 Justice, One Hundred Thirteen Thousand One Hundred Ninety Dollars  
34 (\$113,190.00) for the presiding justice, and One Hundred Twelve  
35 Thousand Five Hundred Thirty Dollars (\$112,530.00) for associate  
36 justices, per annum. As each existing term expires and the  
37 above-captioned salaries become effective in due course, the extra  
38 duties and compensation provided for shall cease.

39 The fixed salaries as specified in this subsection (1) shall  
40 be the exclusive and total compensation which can be reported to  
41 the Public Employees' Retirement System for retirement purposes;  
42 however, any judge in office on December 31, 2003, may continue to  
43 report his expense allowance as part of his compensation for  
44 retirement purposes.

45 (2) The annual salaries of the judges of the Court of  
46 Appeals of Mississippi are fixed as follows, to begin at the  
47 commencement of the next term of office immediately succeeding the  
48 existing term:

49 Chief Judge of the Court of Appeals..... \$108,130.00  
50 Associate Judges of the Court of Appeals, each... 105,050.00

51 However, in addition to their present official duties, there  
52 are imposed upon the judges of the Court of Appeals the extra  
53 duties of making a special study of existing laws and reporting to  
54 the Supreme Court of the State of Mississippi such constructive  
55 suggestions as they may deem necessary for the improvement of the  
56 administration of justice, and assisting in advising and  
57 counseling with the State Librarian in the selection of law books  
58 for purchase and use in the State Law Library, assisting in  
59 advising with the librarian thereof upon the removal from the  
60 library of any books which may be the least frequently used, and  
61 for the placing of same in a convenient location so as to provide

62 additional space for such books and other current publications  
63 which may be more frequently used or called for. For such extra  
64 services each judge, from and after January 1, 2004, shall receive  
65 a sum sufficient when added to the present salaries of the judges  
66 to aggregate One Hundred Eight Thousand One Hundred Thirty Dollars  
67 (\$108,130.00) for the Chief Judge and One Hundred Five Thousand  
68 Fifty Dollars (\$105,050.00) for associate judges, per annum. As  
69 each existing term expires and the above-captioned salaries become  
70 effective in due course, the extra duties and compensation  
71 provided for shall cease.

72 The fixed salaries as specified in this subsection (2) shall  
73 be the exclusive and total compensation which can be reported to  
74 the Public Employees' Retirement System for retirement purposes;  
75 however, any judge in office on December 31, 2003, may continue to  
76 report his expense allowance as part of his compensation for  
77 retirement purposes.

78 (3) The annual salaries of the chancery and circuit court  
79 judges are fixed as follows, to begin at the commencement of the  
80 next term of office immediately succeeding the existing term:

81	Chancery Judges, each.....	\$104,170.00
82	Circuit Judges, each.....	104,170.00

83 In addition to their present official duties, there are  
84 imposed upon the chancery and circuit court judges the extra  
85 duties of making a special study of existing laws relating to  
86 trial courts and reporting to the Supreme Court of the State of  
87 Mississippi such constructive suggestions as they may deem  
88 necessary for the improvement of the administration of justice,  
89 which shall be recommended to the Legislature by the Supreme Court  
90 in the manner provided by law. The judges shall advise and  
91 supervise in the purchase of law books for the libraries of each  
92 district, and shall study and evaluate the inventory of books and  
93 facilities now existing in the libraries of each district to  
94 effect the removal and relocation of obsolete publications so as

95 to provide additional space for those books and current  
96 publications more frequently used. The judges shall seek and  
97 identify any grants and donations from any public or private  
98 source for the purpose of enhancing the holdings of the libraries  
99 of each district. The judges shall study the existing rules  
100 promulgated by the circuit and chancery court judicial  
101 associations governing the operation of chancery and circuit  
102 courts, and revise the same pursuant to existing laws. For such  
103 extra services each judge, from and after January 1, 2004, shall  
104 receive a sum sufficient when added to the present salaries of the  
105 judges to aggregate One Hundred Four Thousand One Hundred Seventy  
106 Dollars (\$104,170.00) per annum for each judge. Upon the  
107 expiration of the existing term, the above-captioned salaries  
108 become effective in due course, and the extra duties and  
109 compensation provided for shall cease.

110 (4) The Supreme Court shall prepare a payroll for chancery  
111 judges and circuit judges and submit such payroll to the  
112 Department of Finance and Administration.

113 (5) The annual salary of the full-time district attorneys  
114 shall be Ninety-five Thousand Seven Hundred Ninety-six Dollars  
115 (\$95,796.00).

116 (6) The annual salary of the full-time legal assistants  
117 shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor  
118 more than eighty percent (80%) of the salary of the district  
119 attorney for legal assistants who have been licensed to practice  
120 law for five (5) years or less; eighty-five percent (85%) of the  
121 salary of the district attorney for legal assistants who have been  
122 licensed to practice law for at least five (5) years but less than  
123 fifteen (15) years; and ninety percent (90%) of the salary of the  
124 district attorney for legal assistants who have been licensed to  
125 practice law for at least fifteen (15) years or more.

126 (7) This section shall stand repealed from and after January  
127 1, 2009.

128           **SECTION 2.** The Attorney General of the State of Mississippi  
129 shall submit this act, immediately upon approval by the Governor,  
130 or upon approval by the Legislature subsequent to a veto, to the  
131 Attorney General of the United States or to the United States  
132 District Court for the District of Columbia in accordance with the  
133 provisions of the Voting Rights Act of 1965, as amended and  
134 extended.

135           **SECTION 3.** This act shall take effect and be in force from  
136 and after the date it is effectuated under Section 5 of the Voting  
137 Rights Act of 1965, as amended and extended.