

By: Representative Gadd

To: Fees and Salaries of
Public Officers; Judiciary B

HOUSE BILL NO. 1464

1 AN ACT TO AMEND SECTION 25-7-25, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE UNIFORM FILING FEE IN JUSTICE COURT; AND FOR RELATED
3 PURPOSES.

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

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

7 25-7-25. (1) Costs and fees in the justice court shall be
8 charged as follows and shall be paid in advance to the clerk of
9 the justice court in accordance with the provisions of Section
10 9-11-10:

11 (a) A uniform total fee in all civil cases, whether
12 contested or uncontested, which shall include all services in
13 connection therewith, except as hereinafter stated, each \$35.00

14 (b) For more than one (1) defendant, for service of
15 process on each defendant..... 5.00

16 (c) After final judgment has been enrolled, further
17 proceedings involving levy of execution on judgments, and
18 attachment and garnishment proceedings..... 15.00

19 (d) For all services in connection with the issuance of
20 a peace bond..... 25.00

21 (e) For celebrating a marriage, and certificate
22 thereof..... 10.00

23 (f) Commission to take depositions..... 5.00

24 (g) Appeal with proceedings and bond..... 5.00

25 (h) A clerk's fee to be collected in all criminal cases
26 in which the defendant is convicted, as follows:

27 (i) For all violations in Title 63 other than
28 driving under the influence of intoxicating liquor or reckless
29 driving..... 5.00

30 (ii) All other criminal cases..... 25.00

31 (2) The justice court shall have the power to impose a fee
32 not to exceed Fifty Dollars (\$50.00) for dismissal of any criminal
33 affidavit, complaint or charge.

34 (3) In addition to the salary provided for in subsection (1)
35 of Section 25-3-36, each justice court judge may receive a fee of
36 not more than Twenty-five Dollars (\$25.00) for each marriage
37 ceremony he performs in the courtroom or offices of the justice
38 court at any time the courtroom or offices are open to the public.
39 This fee shall be paid by the parties to the marriage. Each
40 justice court judge may receive money or gratuities for marriage
41 ceremonies performed outside of and away from the courtroom and
42 the offices of the justice court, that the parties to the marriage
43 request to have performed at any time the courtroom or offices of
44 the justice court are closed. These monies or gratuities, in an
45 amount agreed upon by the parties to the marriage, are not
46 considered fees for the justice court and are not subject to the
47 requirements set forth in the provisions of Section 9-11-10.

48 **SECTION 2.** This act shall take effect and be in force from
49 and after July 1, 2006.