

By: Representative Blackmon

To: Judiciary A; Fees and
Salaries of Public Officers

HOUSE BILL NO. 1158

1 AN ACT TO AMEND SECTIONS 9-4-7 AND 9-4-13, MISSISSIPPI CODE
2 OF 1972, TO CREATE THE POSITION OF OPINION EDITOR; AND FOR RELATED
3 PURPOSES.

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

5 **SECTION 1.** Section 9-4-7, Mississippi Code of 1972, is
6 amended as follows:

7 9-4-7. (1) The Court of Appeals shall be subject to the
8 administrative policies and procedures as may be established by
9 the Supreme Court, including docket control of the Court of
10 Appeals cases. Whenever feasible, and subject to approval of the
11 Supreme Court, the administrative structure of the Supreme Court
12 shall also support the Court of Appeals.

13 (2) The Clerk of the Supreme Court shall be the Clerk of the
14 Court of Appeals and appointment of employees by the Court of
15 Appeals shall be governed by personnel policies adopted and
16 approved by the Administrative Office of the Courts. Whenever
17 feasible and approved by the Supreme Court, employees of the
18 Supreme Court shall also serve the Court of Appeals. The records
19 of the Court of Appeals shall be kept by the Supreme Court Clerk
20 or a deputy of the clerk.

21 (3) The Chief Justice of the Supreme Court shall appoint a
22 Chief Judge of the Court of Appeals for a term of four (4) years,
23 and the person so named shall be eligible for reappointment,
24 subject to the discretion of the Chief Justice.

25 (4) The Chief Justice may assign one or more Court of
26 Appeals Judges to serve as lower court trial judges to provide
27 docket relief as he deems necessary.

28 (5) The Chief Justice shall appoint an Opinion Editor of the
29 Court of Appeals.

30 **SECTION 2.** Section 9-4-13, Mississippi Code of 1972, is
31 amended as follows:

32 9-4-13. (1) The judges of the Court of Appeals shall
33 receive salaries as provided for in Section 25-3-35, shall be
34 reimbursed for mileage expenses incurred in performing their
35 duties at the rate authorized by law for public officials and
36 employees as provided for in Section 25-3-41, and shall receive an
37 expense allowance as provided for in Section 25-3-43.

38 (2) Staff attorneys, law clerks, the opinion editor and all
39 other employees of the Court of Appeals shall be of the same grade
40 classification as Supreme Court employees performing the same or
41 similar duties.

42 **SECTION 3.** This act shall take effect and be in force from
43 and after July 1, 2007.