

## Senate Amendments to House Bill No. 1158

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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 Court of Appeals shall be authorized to employ an  
29 Opinion Editor of the Court of Appeals. The employment of an

30 Opinion Editor shall be subject to the availability of funds  
31 specifically appropriated therefor by the Legislature.

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

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

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

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

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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.

SS02\HB1158A.J

John O. Gilbert  
Secretary of the Senate