

By: Representative Kinkade

To: County Affairs;  
Appropriations

HOUSE BILL NO. 165

1 AN ACT TO AMEND SECTION 9-17-1, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE THE COUNTIES TO PAY THE COUNTY COURT ADMINISTRATORS; TO  
3 BRING FORWARD SECTION 9-13-19, MISSISSIPPI CODE OF 1972, WHICH  
4 PROVIDES FOR THE COMPENSATION OF COURT REPORTERS, FOR THE PURPOSE  
5 OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 9-17-1, Mississippi Code of 1972, is  
8 amended as follows:

9 9-17-1. (1) The judges and chancellors of judicial  
10 districts, including chancery, circuit and county courts, may, in  
11 their discretion, jointly or independently, establish the office  
12 of court administrator in any county by an order entered on the  
13 minutes of each participating court in the county.

14 The establishment of the office of court administrator shall  
15 be accomplished by vote of a majority of the participating judges  
16 and chancellors in the county, and such court administrator shall  
17 be appointed by vote of a majority of the judges or chancellors  
18 and may be removed by a majority vote of the judges or



19 chancellors. In case of a tie vote, the senior judge or senior  
20 chancellor shall cast two (2) votes.

21 (2) The court administrator shall be provided office space  
22 in the same manner as such is afforded the judges and chancellors.

23 (3) The annual salary of each court administrator appointed  
24 pursuant to this section shall be set by vote of the judges and  
25 chancellors of each participating county and shall be submitted to  
26 the Administrative Office of Courts for approval pursuant to  
27 Section 9-1-36. The salary of the circuit and chancery court  
28 administrators shall be paid in twelve (12) installments on the  
29 last working day of the month by the Administrative Office of  
30 Courts after it has been authorized by the participating judges  
31 and chancellors and an order has been duly placed on the minutes  
32 of each participating court. The participating counties shall pay  
33 the annual salary of each county court administrator directly to  
34 each county court administrator in the same manner as all other  
35 county employees are paid.

36 Any county within a judicial district having a chancery or  
37 circuit court administrator shall transfer to the Administrative  
38 Office of Courts one-twelfth (1/12) of its pro rata cost of  
39 authorized compensation as defined in Section 9-1-36 for the  
40 chancery or circuit court administrator by the twentieth day of  
41 each month for the compensation that is to be paid on the last day  
42 of that month. The board of supervisors may transfer the pro rata



43 cost of the county from the funds of that county pursuant to  
44 Section 9-17-5(2) (b) .

45 (4) For all travel required in the performance of official  
46 duties, the court administrator shall be paid mileage by the  
47 county in which the duties were performed at the same rate as  
48 provided for state employees in Section 25-3-41 \* \* \*. The court  
49 administrator shall file a certificate of mileage expense incurred  
50 during that term with the board of supervisors of each  
51 participating county and payment of such expense shall be paid  
52 proportionately out of the court administration fund established  
53 pursuant to Section 9-17-5.

54 **SECTION 2.** Section 9-13-19, Mississippi Code of 1972, is  
55 brought forward as follows:

56 9-13-19. (1) Court reporters for circuit and chancery  
57 courts may be paid an annual salary payable by the Administrative  
58 Office of Courts not to exceed Forty-nine Thousand Five Hundred  
59 Dollars (\$49,500.00) for court reporters with five (5) years'  
60 experience or less; not to exceed Fifty-eight Thousand Five  
61 Hundred Dollars (\$58,500.00) for court reporters who have more  
62 than five (5) years' experience but less than ten (10) years; and  
63 not to exceed Sixty-four Thousand Dollars (\$64,000,00) for court  
64 reporters who have ten (10) years or more experience. No amount  
65 of the increase in the maximum salary authorized by this section  
66 shall be paid from the State General Fund. The board of  
67 supervisors of any county is authorized to pay its court reporters



68 the applicable amount of the maximum salary authorized by this  
69 section. In addition, any court reporter performing the duties of  
70 a court administrator in the same judicial district in which the  
71 person is employed as a court reporter may be paid additional  
72 compensation for performing the court administrator duties. The  
73 annual amount of the additional compensation shall be set by vote  
74 of the judges and chancellors for whom the court administrator  
75 duties are performed, with consideration given to the number of  
76 hours per month devoted by the court reporter to performing the  
77 duties of a court administrator. The additional compensation  
78 shall be submitted to the Administrative Office of Courts for  
79 approval.

80 (2) The several counties in each respective court district  
81 shall transfer from the general funds of those county treasuries  
82 to the Administrative Office of Courts a proportionate amount to  
83 be paid toward the annual compensation of the court reporter,  
84 including any additional compensation paid for the performance of  
85 court administrator duties. The amount to be paid by each county  
86 shall be determined by the number of weeks in which court is held  
87 in each county in proportion to the total number of weeks court is  
88 held in the district. For purposes of this section, the term  
89 "compensation" means the gross salary plus all amounts paid for  
90 benefits, or otherwise, as a result of employment or as required  
91 by employment, but does not include transcript fees otherwise  
92 authorized to be paid by or through the counties. However, only



93 salary earned for services rendered shall be reported and credited  
94 for retirement purposes. Amounts paid for transcript fees,  
95 benefits or otherwise, including reimbursement for travel  
96 expenses, shall not be reported or credited for retirement  
97 purposes.

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

102 (3) The salary and any additional compensation for the  
103 performance of court administrator duties shall be paid in twelve  
104 (12) installments on the last working day of each month after it  
105 has been duly authorized by the appointing judge or chancellor and  
106 an order duly placed on the minutes of the court. Each county  
107 shall transfer to the Administrative Office of Courts one-twelfth  
108 (1/12) of the amount required to be paid pursuant to subsection  
109 (2) of this section by the twentieth day of each month for the  
110 salary that is to be paid on the last working day of the month.  
111 The Administrative Office of Courts shall pay to the court  
112 reporter the total amount of salary due for that month. Any  
113 county may pay, in the discretion of the board of supervisors, by  
114 the twentieth day of January of any year, the amount due for a  
115 full twelve (12) months.



116 (4) From and after October 1, 1996, all circuit and chancery  
117 court reporters will be employees of the Administrative Office of  
118 Courts.

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

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

124 (7) For all travel required in the performance of official  
125 duties, the circuit or chancery court reporter shall be paid  
126 mileage by the county in which the duties were performed at the  
127 same rate as provided for state employees in Section 25-3-41. The  
128 court reporter shall file in the office of the clerk of the court  
129 which he serves a certificate of mileage expense incurred during  
130 that term and payment of such expense to the court reporter shall  
131 be paid on allowance by the judge of such court.

132 **SECTION 3.** This act shall take effect and be in force from  
133 and after July 1, 2018.

