

By: Representative Watson

To: Judiciary A; Ways and Means

HOUSE BILL NO. 1290

1 AN ACT TO AMEND SECTION 9-21-43, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE EACH CIRCUIT AND CHANCERY COURT TO REMIT FIFTEEN DOLLARS
3 OF ANY MONIES IT COLLECTS FROM CRIMINAL OR CIVIL ACTIONS TO THE
4 CIVIL LEGAL ASSISTANCE FUND; TO PROVIDE THAT THE MONIES SO
5 REMITTED TO THE CIVIL LEGAL ASSISTANCE FUND SHALL BE ALLOCATED TO
6 THE MISSISSIPPI CENTER FOR LEGAL SERVICES; AND FOR RELATED
7 PURPOSES.

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

9 **SECTION 1.** Section 9-21-43, Mississippi Code of 1972, is
10 amended as follows:

11 9-21-43. (1) There is hereby created in the State Treasury
12 a special fund designated as the Civil Legal Assistance Fund. The
13 funds shall be administered by the Supreme Court through the
14 Administrative Office of Courts. The Administrative Office of
15 Courts may also accept monies from any public or private source
16 for deposit into the fund. Money remaining in the fund at the end
17 of a fiscal year shall not lapse into the State General Fund, and
18 any interest earned from the investment of monies in the fund
19 shall be deposited to the credit of the * * * fund.



20 (2) All monies shall be allocated to only those
21 organizations providing legal services to low income
22 Mississippians. Furthermore, no monies from this fund shall be
23 expended to provide legal services in matters currently prohibited
24 by the Legal Services Corporation, Washington, D.C., and no funds
25 shall be expended on persons who are not financially eligible to
26 receive legal services as directed by the Legal Services
27 Corporation, Washington, D.C.

28 (3) The monies appropriated shall be distributed to eligible
29 legal services programs based on the percentage of poverty
30 population within the program service area, consistent with the
31 formula used by the Legal Services Corporation.

32 (4) Monies appropriated to the fund may be used to promote
33 increased participation by the private bar in the delivery of
34 legal services to the indigent through the Mississippi Volunteer
35 Lawyers Project.

36 (5) Recipients of funds shall have the following duties:

37 (a) To develop, operate and administer programs within
38 their respective service areas that provide free legal services to
39 indigent clients involved in civil matters;

40 (b) To report annually to the Supreme Court, through
41 the Administrative Office of Courts, on its activities, including
42 providing a copy of its annual audit that accounts for the use of
43 the funds; and

44 (c) To refund annually all unused or uncommitted funds.



45 (6) Each circuit and chancery court shall remit Fifteen
46 Dollars (\$15.00) of any monies the court collects from a criminal
47 or civil action to the Civil Legal Assistance Fund to be allocated
48 to the Mississippi Center for Legal Services.

49 **SECTION 2.** This act shall take effect and be in force from
50 and after July 1, 2018.

