

By: Representatives Read, Shanks, Stamps,
Anthony, Foster

To: Appropriations

HOUSE BILL NO. 1423
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE FOR AN INCREASE IN THE ANNUAL SALARIES OF THE JUSTICES OF
3 THE SUPREME COURT, THE JUDGES OF THE COURT OF APPEALS, THE
4 CHANCERY AND CIRCUIT COURT JUDGES, AND THE DISTRICT ATTORNEYS,
5 EFFECTIVE ON JANUARY 1, 2023; TO AMEND SECTION 25-31-39,
6 MISSISSIPPI CODE OF 1972, TO AUTHORIZE DISTRICT ATTORNEYS TO
7 EMPLOY PART-TIME LEGAL ASSISTANTS; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 25-3-35, Mississippi Code of 1972, is
10 amended as follows:

11 25-3-35. (1) The annual salaries of the following judges
12 are fixed as follows:

13 * * *

14 **Through December 31, 2022:**

15	<u>Chief Justice of the Supreme Court.....</u>	<u>\$174,000.00</u>
16	<u>Presiding Justices of the Supreme Court, each.....</u>	<u>169,500.00</u>
17	<u>Associate Justices of the Supreme Court, each.....</u>	<u>166,500.00</u>

18 **From and after January 1, 2023:**

19	<u>Chief Justice of the Supreme Court.....</u>	<u>\$181,491.00</u>
20	<u>Presiding Justices of the Supreme Court, each.....</u>	<u>176,737.00</u>



21 Associate Justices of the Supreme Court, each..... 173,800.00

22 There are imposed upon the Supreme Court justices the extra
23 duties of taking all necessary action to promote judicial
24 education in schools, intervention courts, electronic filing and
25 case management systems as developed by the Administrative Office
26 of Courts, or such other additional duties as may be assigned by
27 the Chief Justice of the Supreme Court. For such extra services
28 each justice, from and after January 1, * * * 2023, shall receive
29 a sum sufficient to aggregate, per annum, the salaries set forth
30 in this subsection (1).

31 The fixed salaries in this subsection (1) shall be paid from
32 the State General Fund and from the Judicial System Operation Fund
33 created under Section 9-21-45. No less than: One Hundred Fifteen
34 Thousand Three Hundred Ninety Dollars (\$115,390.00) of the Chief
35 Justice's salary in this subsection (1), One Hundred Thirteen
36 Thousand One Hundred Ninety Dollars (\$113,190.00) of the salary of
37 a presiding justice in this subsection (1), and One Hundred Twelve
38 Thousand Five Hundred Thirty Dollars (\$112,530.00) of the salary
39 of an associate justice in this subsection (1) shall be paid from
40 general fund monies; in addition, the Legislature shall
41 appropriate annually from the Judicial System Operation Fund a sum
42 sufficient to increase the salary of the Chief Justice, a
43 presiding justice and an associate justice to the levels set forth
44 in this subsection (1).



45 The fixed salaries as specified in this subsection (1) shall
46 be the exclusive and total compensation which can be reported to
47 the Public Employees' Retirement System for retirement purposes;
48 however, any judge in office on December 31, 2003, may continue to
49 report his expense allowance as part of his compensation for
50 retirement purposes.

51 (2) The annual salaries of the judges of the Court of
52 Appeals of Mississippi are fixed as follows:

53 * * *

54 **Through December 31, 2022:**

55 Chief Judge of the Court of Appeals.....\$161,500.00

56 Associate Judges of the Court of Appeals, each.... 158,500.00

57 **From and after January 1, 2023:**

58 Chief Judge of the Court of Appeals.....\$169,349.00

59 Associate Judges of the Court of Appeals, each.... 168,467.00

60 From and after January 1, * * * 2023, each judge shall
61 receive a sum sufficient to aggregate, per annum, the salaries set
62 forth in this subsection (2).

63 The fixed salaries in this subsection (2) shall be paid from
64 the State General Fund and from the Judicial System Operation Fund
65 created under Section 9-21-45. No less than One Hundred Eight
66 Thousand One Hundred Thirty Dollars (\$108,130.00) of the Chief
67 Judge's salary in this subsection (2) shall be paid from general
68 fund monies; in addition, the Legislature shall appropriate
69 annually from the Judicial System Operation Fund a sum sufficient



70 to increase the Chief Judge's salary to the level set forth in
71 this subsection (2). No less than One Hundred Five Thousand Fifty
72 Dollars (\$105,050.00) of the salary of an associate judge in this
73 subsection (2) shall be paid from general fund monies; in
74 addition, the Legislature shall appropriate annually from the
75 Judicial System Operation Fund a sum sufficient to increase the
76 salary of an associate judge to the level set forth in this
77 subsection (2).

78 The fixed salaries as specified in this subsection (2) shall
79 be the exclusive and total compensation which can be reported to
80 the Public Employees' Retirement System for retirement purposes;
81 however, any judge in office on December 31, 2003, may continue to
82 report his expense allowance as part of his compensation for
83 retirement purposes.

84 (3) The annual salaries of the chancery and circuit court
85 judges are fixed as follows:

86 * * *

87 **Through December 31, 2022:**

88 Chancery Judges, each.....\$149,000.00

89 Circuit Judges, each..... 149,000.00

90 **From and after January 1, 2023:**

91 Chancery Judges, each.....\$158,000.00

92 Circuit Judges, each..... 158,000.00

93 In addition to their present official duties, the circuit and
94 chancery judges shall take necessary action to promote judicial



95 education in schools, intervention courts, electronic filing and
96 case management systems as developed by the Administrative Office
97 of Courts, or such other additional duties as may be assigned by
98 the Chief Justice of the Supreme Court. For such extra services
99 each judge, from and after January 1, * * * 2023, shall receive a
100 sum sufficient to aggregate, per annum, the salaries set forth in
101 this subsection (3).

102 The fixed salaries in this subsection (3) shall be paid from
103 the State General Fund and from the Judicial System Operation Fund
104 created under Section 9-21-45. No less than One Hundred Four
105 Thousand One Hundred Seventy Dollars (\$104,170.00) of the salary
106 of a chancery or circuit judge in this subsection (3) shall be
107 paid from general fund monies; in addition, the Legislature shall
108 appropriate annually from the Judicial System Operation Fund a sum
109 sufficient to increase the salary of a chancery or circuit judge
110 to the levels set forth in this subsection (3).

111 (4) From and after January 1, 2019, and every four (4) years
112 thereafter, the annual salaries of the judges in subsections (1),
113 (2) and (3) shall be fixed at the level of compensation
114 recommended by the State Personnel Board according to the board's
115 most recent report on judicial salaries, as required under Section
116 25-9-115, to the extent that sufficient funds are available. The
117 annual salaries fixed in accordance with this subsection (4) shall
118 not become effective until the commencement of the next
119 immediately succeeding term of office.



120 (5) The Supreme Court shall prepare a payroll for chancery
121 judges and circuit judges and submit such payroll to the
122 Department of Finance and Administration.

123 (6) The annual salary of the full-time district attorneys
124 shall be:

125 * * *

126 **From and after January 1, 2016, through December 31, 2022:**

127 One Hundred Twenty-five Thousand Nine Hundred Dollars
128 (\$125,900.00).

129 **From and after January 1, 2023:**

130 One Hundred Thirty-four Thousand Four Hundred Dollars
131 (\$134,400.00).

132 (7) The annual salary of the full-time legal assistants
133 shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor
134 more than eighty percent (80%) of the salary of the district
135 attorney for legal assistants who have been licensed to practice
136 law for five (5) years or less; eighty-five percent (85%) of the
137 salary of the district attorney for legal assistants who have been
138 licensed to practice law for at least five (5) years but less than
139 fifteen (15) years; and ninety percent (90%) of the salary of the
140 district attorney for legal assistants who have been licensed to
141 practice law for at least fifteen (15) years or more.

142 **SECTION 2.** Section 25-31-39, Mississippi Code of 1972, is
143 amended as follows:



144 25-31-39. * * * To the extent the district attorney's office
145 receives funds from any source, the district attorney may employ
146 one or more part-time legal assistants who shall serve at the will
147 and pleasure of the district attorney to assist in the performance
148 of the duties of the district attorney. A part-time legal
149 assistant must not engage in the private practice of law, and must
150 possess the qualifications and be subject to removal as provided
151 in Section 25-31-6. The term "any source" has the meaning
152 ascribed in Section 25-31-5.

153 **SECTION 3.** This act shall take effect and be in force from
154 and after July 1, 2022.

