

By: Representatives Sanford, Mickens

To: Judiciary B

HOUSE BILL NO. 1403

1 AN ACT TO AMEND SECTION 9-11-9, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE JURISDICTION OF JUSTICE COURT; TO AMEND SECTION
3 25-7-25, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN FILING FEES
4 FOR JUSTICE COURT; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 9-11-9, Mississippi Code of 1972, is
7 amended as follows:

8 9-11-9. Justice court judges shall have jurisdiction of all
9 actions for the recovery of debts or damages or personal property,
10 where the principal of the debt, the amount of the demand, or the
11 value of the property sought to be recovered shall not exceed
12 Three Thousand Five Hundred Dollars (\$3,500.00).

13 The justice court judges shall have no pecuniary interest in
14 the outcome of any action once suit has been filed.

15 **SECTION 2.** Section 25-7-25, Mississippi Code of 1972, is
16 amended as follows:

17 **[Until June 30, 2025, this section shall read as follows:]**

18 25-7-25. (1) Costs and fees in the justice court shall be
19 charged as follows and shall be paid in advance to the clerk of



20 the justice court in accordance with the provisions of Section
21 9-11-10:

22 (a) A uniform total fee in all civil cases, whether
23 contested or uncontested, which shall include all services in
24 connection therewith, except as hereinafter stated,
25 each * * *..... 45.00

26 (b) For more than one (1) defendant, for service of
27 process on each defendant..... 5.00

28 (c) After final judgment has been enrolled, further
29 proceedings involving levy of execution on judgments, and
30 attachment and garnishment proceedings..... 15.00

31 (d) For all services in connection with the issuance of
32 a peace bond..... 25.00

33 (e) For celebrating a marriage, and certificate
34 thereof..... 10.00

35 (f) Commission to take depositions..... 5.00

36 (g) Appeal with proceedings and bond..... 5.00

37 (h) A clerk's fee to be collected in all criminal cases
38 in which the defendant is convicted, as follows:

39 (i) For all violations in Title 63 other than
40 driving under the influence of intoxicating liquor or reckless
41 driving..... * * * 10.00

42 (ii) All other criminal cases..... 25.00



43 (2) The justice court shall have the power to impose a fee
44 not to exceed Fifty Dollars (\$50.00) for an expungement or
45 dismissal of any criminal affidavit, complaint or charge.

46 (3) In addition to the salary provided for in subsection (1)
47 of Section 25-3-36, each justice court judge may receive a fee of
48 not more than Twenty-five Dollars (\$25.00) for each marriage
49 ceremony he performs in the courtroom or offices of the justice
50 court at any time the courtroom or offices are open to the public.
51 This fee shall be paid by the parties to the marriage. Each
52 justice court judge may receive money or gratuities for marriage
53 ceremonies performed outside of and away from the courtroom and
54 the offices of the justice court, that the parties to the marriage
55 request to have performed at any time the courtroom or offices of
56 the justice court are closed. These monies or gratuities, in an
57 amount agreed upon by the parties to the marriage, are not
58 considered fees for the justice court and are not subject to the
59 requirements set forth in the provisions of Section 9-11-10.

60 **[From July 1, 2025, until June 30, 2026, this section shall**
61 **read as follows:]**

62 25-7-25. (1) Costs and fees in the justice court shall be
63 charged as follows and shall be paid in advance to the clerk of
64 the justice court in accordance with the provisions of Section
65 9-11-10:

66 (a) A uniform total fee in all civil cases, whether
67 contested or uncontested, which shall include all services in



68 connection therewith, except as hereinafter stated,
69 each.....\$ * * * 55.00
70 (b) For more than one (1) defendant, for service of
71 process on each defendant..... 5.00
72 (c) After final judgment has been enrolled, further
73 proceedings involving levy of execution on judgments, and
74 attachment and garnishment proceedings 15.00
75 (d) For all services in connection with the issuance of
76 a peace bond..... 25.00
77 (e) For celebrating a marriage, and certificate
78 thereof..... 10.00
79 (f) Commission to take depositions..... 5.00
80 (g) Appeal with proceedings and bond..... 5.00
81 (h) A clerk's fee to be collected in all criminal cases
82 in which the defendant is convicted, as follows:
83 (i) For all violations in Title 63 other than
84 driving under the influence of intoxicating liquor or reckless
85 driving..... * * * 12.50
86 (ii) All other criminal cases..... 25.00
87 (2) The justice court shall have the power to impose a
88 fee not to exceed Fifty Dollars (\$50.00) for an expungement or
89 dismissal of any criminal affidavit, complaint or charge.
90 (3) In addition to the salary provided for in subsection (1)
91 of Section 25-3-36, each justice court judge may receive a fee of
92 not more than Twenty-five Dollars (\$25.00) for each marriage



93 ceremony he performs in the courtroom or offices of the justice
94 court at any time the courtroom or offices are open to the public.
95 This fee shall be paid by the parties to the marriage. Each
96 justice court judge may receive money or gratuities for marriage
97 ceremonies performed outside of and away from the courtroom and
98 the offices of the justice court, that the parties to the marriage
99 request to have performed at any time the courtroom or offices of
100 the justice court are closed. These monies or gratuities, in an
101 amount agreed upon by the parties to the marriage, are not
102 considered fees for the justice court and are not subject to the
103 requirements set forth in the provisions of Section 9-11-10.

104 **[From and after July 1, 2026, this section shall read as**
105 **follows:]**

106 25-7-25. (1) Costs and fees in the justice court shall be
107 charged as follows and shall be paid in advance to the clerk of
108 the justice court in accordance with the provisions of Section
109 9-11-10:

110 (a) A uniform total fee in all civil cases, whether
111 contested or uncontested, which shall include all services in
112 connection therewith, except as hereinafter stated,
113 each.....\$ * * * 65.00

114 (b) For more than one (1) defendant, for service of
115 process on each defendant..... 5.00



116 (c) After final judgment has been enrolled, further
117 proceedings involving levy of execution on judgments, and
118 attachment and garnishment proceedings..... 15.00

119 (d) For all services in connection with the issuance of
120 a peace bond..... 25.00

121 (e) For celebrating a marriage, and certificate
122 thereof..... 10.00

123 (f) Commission to take depositions..... 5.00

124 (g) Appeal with proceedings and bond..... 5.00

125 (h) A clerk's fee to be collected in all criminal cases
126 in which the defendant is convicted, as follows:

127 (i) For all violations in Title 63 other than
128 driving under the influence of intoxicating liquor or reckless
129 driving..... * * * 15.00

130 (ii) All other criminal cases..... 25.00

131 (2) The justice court shall have the power to impose a fee
132 not to exceed Fifty Dollars (\$50.00) for an expungement or
133 dismissal of any criminal affidavit, complaint or charge.

134 (3) In addition to the salary provided for in subsection (1)
135 of Section 25-3-36, each justice court judge may receive a fee of
136 not more than Twenty-five Dollars (\$25.00) for each marriage
137 ceremony he performs in the courtroom or offices of the justice
138 court at any time the courtroom or offices are open to the public.
139 This fee shall be paid by the parties to the marriage. Each
140 justice court judge may receive money or gratuities for marriage



141 ceremonies performed outside of and away from the courtroom and
142 the offices of the justice court, that the parties to the marriage
143 request to have performed at any time the courtroom or offices of
144 the justice court are closed. These monies or gratuities, in an
145 amount agreed upon by the parties to the marriage, are not
146 considered fees for the justice court and are not subject to the
147 requirements set forth in the provisions of Section 9-11-10.

148 **SECTION 3.** This act shall take effect and be in force from
149 and after July 1, 2024.

