

By: Senator(s) Jackson, Thomas, Hickman,
Butler, Brumfield, Jordan

To: Judiciary, Division A;
Appropriations

SENATE BILL NO. 2551

1 AN ACT TO AMEND SECTION 25-7-61, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE RANGE OF COMPENSATION PAID TO A JUROR PER DAY FOR HIS
3 OR HER SERVICE; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 25-7-61, Mississippi Code of 1972, is
6 amended as follows:

7 **[Effective until January 1, 2008, or such time as the Lengthy**
8 **Trial Fund is fully funded by a specific appropriation of the**
9 **Legislature, whichever is later, this section shall read as**
10 **follows:]**

11 25-7-61. (1) Fees of jurors shall be payable as follows:

12 (a) Grand jurors and petit jurors in the chancery,
13 county, circuit and special eminent domain courts shall be paid an
14 amount to be set by the board of supervisors, not to be less
15 than * * * Seventy-five Dollars (\$75.00) per day and not to be
16 greater than * * * Ninety Dollars (\$90.00) per day, plus mileage
17 authorized in Section 25-3-41. In the trial of all cases where
18 jurors are in charge of bailiffs and are not permitted to



19 separate, the sheriff with the approval of the trial judge may pay
20 for room and board of jurors on panel for actual time of trial.

21 No grand juror shall receive any compensation except mileage
22 unless he has been sworn as provided by Section 13-5-45; and no
23 petit juror except those jurors called on special venires shall
24 receive any compensation authorized under this subsection except
25 mileage unless he has been sworn as provided by Section 13-5-71.

26 (b) Jurors making inquisitions of intellectual
27 disability, mental illness or unsound mind and jurors on coroner's
28 inquest shall be paid * * * Fifteen Dollars (\$15.00) per day plus
29 mileage authorized in Section 25-3-41 by the county treasurer on
30 order of the board of supervisors on certificate of the clerk of
31 the chancery court in which the inquisition is held.

32 (c) Jurors in the justice courts shall be paid an
33 amount of not less than * * * Twenty-five Dollars (\$25.00) per day
34 and not more than * * * Thirty Dollars (\$30.00) per day, to be
35 established by the board of supervisors. In all criminal cases in
36 the justice court in which the prosecution fails, the fees of
37 jurors shall be paid by the county treasurer on order of the board
38 of supervisors on certificate of the county attorney in all
39 counties that have county attorneys, otherwise by the justice
40 court judge.

41 (2) Any juror may return the fees provided as compensation
42 for service as a juror to the county that paid for the person's
43 service as a juror. The fees returned to the county may be



44 earmarked for a particular purpose to be selected by the juror,
45 including:

- 46 (a) The local public library;
- 47 (b) Local law enforcement;
- 48 (c) The Mississippi Burn Care Fund created in Section
49 7-9-70; or
- 50 (d) Any other governmental agency.

51 **[From and after January 1, 2008, or such time as the Lengthy**
52 **Trial Fund is fully funded by a specific appropriation of the**
53 **Legislature, whichever is later, this section shall read as**
54 **follows:]**

55 25-7-61. (1) Fees of jurors shall be payable as follows:

56 (a) Grand jurors and petit jurors in the chancery,
57 county, circuit and special eminent domain courts shall be paid an
58 amount to be set by the board of supervisors, not to be less
59 than * * * Seventy-five Dollars (\$75.00) per day and not to be
60 greater than * * * Ninety Dollars (\$90.00) per day, plus mileage
61 authorized in Section 25-3-41. In the trial of all cases where
62 jurors are in the charge of bailiffs and are not permitted to
63 separate, the sheriff with the approval of the trial judge may pay
64 for room and board of jurors on panel for actual time of trial.

65 No grand juror shall receive any compensation except mileage
66 unless the juror has been sworn as provided by Section 13-5-45;
67 and no petit juror except those jurors called on special venires
68 shall receive any compensation authorized under this subsection



69 except mileage unless the juror has been sworn as provided by
70 Section 13-5-71.

71 (b) Jurors making inquisitions of intellectual
72 disability, mental illness or unsound mind and jurors on coroner's
73 inquest shall be paid * * * Fifteen Dollars (\$15.00) per day plus
74 mileage authorized in Section 25-3-41 by the county treasurer on
75 order of the board of supervisors on certificate of the clerk of
76 the chancery court in which the inquisition is held.

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80 established by the board of supervisors. In all criminal cases in
81 the justice court in which the prosecution fails, the fees of
82 jurors shall be paid by the county treasurer on order of the board
83 of supervisors on certificate of the county attorney in all
84 counties that have county attorneys, otherwise by the justice
85 court judge.

86 (2) Any juror may return the fees provided as compensation
87 for service as a juror to the county that paid for the person's
88 service as a juror. The fees returned to the county may be
89 earmarked for a particular purpose to be selected by the juror,
90 including:

- 91 (a) The local public library;
92 (b) Local law enforcement;



93 (c) The Mississippi Burn Care Fund created in Section
94 7-9-70; or

95 (d) Any other governmental agency.

96 (3) The Administrative Office of Courts shall promulgate
97 rules to establish a Lengthy Trial Fund to be used to provide full
98 or partial wage replacement or wage supplementation to jurors who
99 serve as petit jurors in civil cases for more than ten (10) days.

100 (a) The Uniform Circuit and County Court Rules shall
101 provide for the following:

102 (i) The selection and appointment of an
103 administrator for the fund.

104 (ii) Procedures for the administration of the
105 fund, including payments of salaries of the administrator and
106 other necessary personnel.

107 (iii) Procedures for the accounting, auditing and
108 investment of money in the Lengthy Trial Fund.

109 (iv) A report by the Administrative Office of
110 Courts on the administration of the Lengthy Trial Fund in its
111 annual report on the judicial branch, setting forth the money
112 collected for and disbursed from the fund.

113 (v) The Lengthy Trial Fund Administrator and all
114 other necessary personnel shall be employees of the Administrative
115 Office of Courts.

116 (b) The administrator shall use any monies deposited in
117 the Lengthy Trial Fund to pay full or partial wage replacement or



118 supplementation to jurors whose employers pay less than full
119 regular wages when the period of jury service lasts more than ten
120 (10) days.

121 (c) To the extent funds are available in the Lengthy
122 Trial Fund, and in accordance with any rules or regulations
123 promulgated by the Administrative Office of Courts, the court may
124 pay replacement or supplemental wages out of the Lengthy Trial
125 Fund not to exceed Three Hundred Dollars (\$300.00) per day per
126 juror beginning on the eleventh day of jury service. In addition,
127 for any jurors who qualify for payment by virtue of having served
128 on a jury for more than ten (10) days, the court, upon finding
129 that the service posed a significant financial hardship to a
130 juror, even in light of payments made with respect to jury service
131 after the tenth day, may award replacement or supplemental wages
132 out of the Lengthy Trial Fund not to exceed One Hundred Dollars
133 (\$100.00) per day from the fourth to the tenth day of jury
134 service.

135 (d) Any juror who is serving or has served on a jury
136 that qualifies for payment from the Lengthy Trial Fund, provided
137 the service began on or after January 1, 2008, may submit a
138 request for payment from the Lengthy Trial Fund on a form that the
139 administrator provides. Payment shall be limited to the
140 difference between the jury fee specified in subsection (1) of
141 this section and the actual amount of wages a juror earns, up to



142 the maximum level payable, minus any amount the juror actually
143 receives from the employer during the same time period.

144 (i) The form shall disclose the juror's regular
145 wages, the amount the employer will pay during the term of jury
146 service starting on the eleventh day and thereafter, the amount of
147 replacement or supplemental wages requested, and any other
148 information the administrator deems necessary for proper payment.

149 (ii) The juror also shall be required to submit
150 verification from the employer as to the wage information provided
151 to the administrator, for example, the employee's most recent
152 earnings statement or similar document, before initiation of
153 payment from the fund.

154 (iii) If an individual is self-employed or
155 receives compensation other than wages, the individual may provide
156 a sworn affidavit attesting to his or her approximate gross weekly
157 income, together with such other information as the administrator
158 may require, in order to verify weekly income.

159 (4) Nothing in this section shall be construed to impose an
160 obligation on any county to place monies in the Lengthy Trial Fund
161 or to pay replacement or supplemental wages to any juror from
162 county funds.

163 **SECTION 2.** This act shall take effect and be in force from
164 and after July 1, 2024.

