

By: Senator(s) Sparks

To: Judiciary, Division A

SENATE BILL NO. 2822

1 AN ACT TO BRING FORWARD SECTION 9-21-1, MISSISSIPPI CODE OF
2 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD
3 SECTION 9-21-3, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF
4 POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-21-5, MISSISSIPPI
5 CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING
6 FORWARD SECTION 9-21-7, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE
7 OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-21-9,
8 MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT;
9 TO BRING FORWARD SECTION 9-21-11, MISSISSIPPI CODE OF 1972, FOR
10 THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION
11 9-21-13, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE
12 AMENDMENT; TO BRING FORWARD SECTION 9-21-14, MISSISSIPPI CODE OF
13 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD
14 SECTION 9-21-15, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF
15 POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-21-17, MISSISSIPPI
16 CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING
17 FORWARD SECTION 9-21-19, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE
18 OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

20 **SECTION 1.** Section 9-21-1, Mississippi Code of 1972, is
21 brought forward as follows:

22 9-21-1. The Administrative Office of Courts is hereby
23 created. The purpose of the Administrative Office of Courts shall
24 be to assist in the efficient administration of the nonjudicial
25 business of the courts of the state and in improving the



26 administration of justice in Mississippi by performing the duties
27 and exercising the powers as provided in this chapter.

28 As used in this chapter, unless the context clearly indicates
29 otherwise, the term "court" means any tribunal recognized as a
30 part of the judicial branch of government, but not including
31 county boards of supervisors.

32 **SECTION 2.** Section 9-21-3, Mississippi Code of 1972, is
33 brought forward as follows:

34 9-21-3. (1) The Administrative Office of Courts shall be
35 specifically charged with the duty of assisting the Chief Justice
36 of the Supreme Court of Mississippi with his duties as the chief
37 administrative officer of all courts of this state, including
38 without limitation the task of insuring that the business of the
39 courts of the state is attended with proper dispatch, that the
40 dockets of such courts are not permitted to become congested and
41 that trials and appeals of cases, civil and criminal, are not
42 delayed unreasonably.

43 (2) The office shall also perform the following duties:

44 (a) To work with the clerks of all youth courts and
45 civil and criminal trial courts in the state to collect, obtain,
46 compile, digest and publish information and statistics concerning
47 the administration of justice in the state.

48 (b) To serve as an agency to apply for and receive any
49 grants or other assistance and to coordinate and conduct studies
50 and projects to improve the administration of justice by the



51 courts of the state, and it may conduct such studies with or
52 without the assistance of consultants.

53 (c) To supply such support to the Judicial Advisory
54 Study Committee necessary to accomplish the purposes of this
55 chapter, including without limitation, research and clerical
56 assistance.

57 (d) To promulgate standards, rules and regulations for
58 computer and/or electronic filing and storage of all court records
59 and court-related records maintained throughout the state in
60 courts and in offices of circuit and chancery clerks.

61 (e) It shall perform such other duties relating to the
62 improvement of the administration of justice as may be assigned by
63 the Supreme Court of Mississippi.

64 **SECTION 3.** Section 9-21-5, Mississippi Code of 1972, is
65 brought forward as follows:

66 9-21-5. The Administrative Director shall be appointed by
67 and shall serve at the pleasure of the Supreme Court of
68 Mississippi as the Director of the Administrative Office of
69 Courts. The Administrative Director shall devote full time to the
70 duties of the office to the exclusion of engagement in any other
71 business or profession for profit.

72 **SECTION 4.** Section 9-21-7, Mississippi Code of 1972, is
73 brought forward as follows:

74 9-21-7. The Administrative Director, with the approval of
75 the Supreme Court, is authorized to employ and set the



76 compensation of such assistants and other employees as are
77 necessary to enable him to perform his duties, subject to approval
78 of the State Personnel Board.

79 **SECTION 5.** Section 9-21-9, Mississippi Code of 1972, is
80 brought forward as follows:

81 9-21-9. The Administrative Director of Courts shall have the
82 following duties and authority with respect to all courts in
83 addition to any other duties and responsibilities as may be
84 properly assigned by the Supreme Court:

85 (a) To require the filing of reports, the collection
86 and compilation of statistical data and other information on the
87 judicial and financial operation of the courts and on the
88 operation of other offices directly related to and serving the
89 courts;

90 (b) To determine the state of the dockets and evaluate
91 the practices and procedures of the courts and make
92 recommendations concerning the number of judges and other
93 personnel required for the efficient administration of justice;

94 (c) To prescribe uniform administrative and business
95 methods, systems, forms and records to be used in the offices of
96 the clerks of courts;

97 (d) To devise, promulgate and require the use of a
98 uniform youth court case tracking system, including a youth court
99 case filing form for filing with each individual youth court
100 matter, to be utilized by the Administrative Office of Courts and



101 the youth courts in order that the number of youthful offenders,
102 abused, neglected, truant and dependent children, as well as
103 children in need of special care and children in need of
104 supervision, may be tracked with specificity through the youth
105 court and adult justice systems; in support of the uniform case
106 docketing system, the director shall require that all youth courts
107 utilize the Mississippi Youth Court Information Delivery System
108 (MYCIDS);

109 (e) To develop, promulgate and require the use of a
110 statewide docket numbering system to be utilized by the youth
111 courts, which youth court docket numbers shall standardize and
112 unify the numbering system by which youth court docket numbers are
113 assigned, such that each docket number would, among other things,
114 identify the county and year in which a particular youth court
115 action was commenced;

116 (f) To develop, promulgate and require the use of
117 uniform youth court orders and forms in all youth courts and youth
118 court proceedings;

119 (g) To prepare and submit budget recommendations for
120 state appropriations necessary for the maintenance and operation
121 of the judicial system and to authorize expenditures from funds
122 appropriated for these purposes as permitted or authorized by law;

123 (h) To develop and implement personnel policies for
124 nonjudicial personnel employed by the courts;



125 (i) To investigate, make recommendations concerning and
126 assist in the securing of adequate physical accommodations for the
127 judicial system;

128 (j) To procure, distribute, exchange, transfer and
129 assign such equipment, books, forms and supplies as are acquired
130 with state funds or grant funds or otherwise for the judicial
131 system;

132 (k) To make recommendations for the improvement of the
133 operations of the judicial system;

134 (l) To prepare and submit an annual report on the work
135 of the judicial system to the Supreme Court;

136 (m) To take necessary steps in the collection of unpaid
137 court costs, fines and forfeitures;

138 (n) To perform such additional administrative duties
139 relating to the improvement of the administration of justice as
140 may be assigned by the Supreme Court; and

141 (o) To promulgate standards, rules and regulations for
142 computer and/or electronic filing and storage of all court records
143 and court-related records maintained throughout the state in
144 courts and in offices of circuit and chancery clerks.

145 **SECTION 6.** Section 9-21-11, Mississippi Code of 1972, is
146 brought forward as follows:

147 9-21-11. (1) The Administrative Director of Courts is
148 authorized and empowered to: study and apply for any and all
149 applications for funds and grants directed to the office from any



150 federal governmental agency or entity; disburse such aid,
151 assistance, funds, monies, grants or subgrants; and coordinate the
152 same with the overall administration of justice in Mississippi to
153 assist or aid in the administration of justice, criminal or civil,
154 or the improvement of courts and the judicial system.

155 (2) The courts of the state, regardless of the name they
156 bear, shall be proper local units or entities of government to
157 apply for and receive such assistance, aid, funds, monies, grants
158 and subgrants.

159 (3) Grants to youth courts shall be made in accordance with
160 Section 43-21-801.

161 **SECTION 7.** Section 9-21-13, Mississippi Code of 1972, is
162 brought forward as follows:

163 9-21-13. (1) The Administrative Director of Courts shall
164 coordinate the functions and duties of administrative personnel,
165 including court administrators and court administrative aides to
166 judges, to facilitate cooperation and so that the overall
167 administration of justice may be accomplished with efficiency in
168 all courts of the state.

169 (2) The Administrative Director of Courts is authorized to
170 direct the expenditure of state monies appropriated to the
171 Administrative Office of Courts or any courts of the state for any
172 and all functions or projects directly or indirectly affecting the
173 operation of any court and may transfer monies appropriated for



174 the office or any account to any one or more other accounts or
175 office.

176 **SECTION 8.** Section 9-21-14, Mississippi Code of 1972, is
177 brought forward as follows:

178 9-21-14. (1) There is created in the State Treasury a
179 special fund to be known as the Comprehensive Electronic Court
180 Systems Fund. The purpose of the fund shall be to provide funding
181 for the development, implementation and maintenance of a
182 comprehensive case management and electronic filing system, one of
183 the purposes of which will be to provide duplicate dockets and
184 case files at remote sites. The system will be designed to:

185 (a) Provide a framework for the seamless, transparent
186 exchange of data among courts and with appropriate law
187 enforcement, children's services and public welfare agencies.

188 (b) Allow judges and prosecutors to determine whether
189 there are holds or warrants from other jurisdictions for
190 defendants prior to release on bail or otherwise.

191 (c) Assist related agencies in tracking the court
192 activity of individuals in all participating jurisdictions.

193 (d) Assist child protection and human services agencies
194 to determine the status of children and caregivers in the
195 participating jurisdictions.

196 (e) Duplicate and preserve court documents at remote
197 sites so that they may be protected against catastrophic loss.



198 (f) Improve the ability of the Administrative Office of
199 Courts and the state courts to handle efficiently monies flowing
200 through the courts and to collect delinquent fees, fines and
201 costs.

202 (g) Enable the state courts and clerks to generate
203 management reports and analysis tools, allowing them to constantly
204 track individual cases and the overall caseload.

205 (h) Provide a uniform system for docketing and tracking
206 cases and to automatically generate status reports.

207 (i) Enable the Administrative Office of Courts to
208 acquire statistical data promptly and efficiently.

209 (j) Make trial court and individual case dockets
210 available to the public online through use of the Internet.

211 (2) Monies from the fund shall be distributed by the State
212 Treasurer upon warrants issued by the Administrative Office of
213 Courts.

214 (3) The fund shall be a continuing fund, not subject to
215 fiscal-year limitations, and shall consist of:

216 (a) Monies appropriated by the Legislature for the
217 purposes of funding the comprehensive case management and
218 electronic filing system;

219 (b) The interest accruing to the fund;

220 (c) Monies received from the federal government;

221 (d) Donations; and



222 (e) Monies received from such other sources as may be
223 provided by law.

224 (4) The Supreme Court may utilize and fund as a pilot
225 program any case management and electronic filing system of the
226 Three Rivers Planning and Development District or that of any
227 county or vendor that complies with the data and case management
228 and electronic filing policy standards adopted by the Supreme
229 Court. No statewide comprehensive case management and electronic
230 system shall be implemented by the Mississippi Supreme Court
231 unless such system is approved by the Legislature.

232 **SECTION 9.** Section 9-21-15, Mississippi Code of 1972, is
233 brought forward as follows:

234 9-21-15. The Administrative Director of Courts is authorized
235 and empowered to employ consultants and consultant firms and to
236 contract with the same for their services for reasonable
237 compensation and as necessary to improve the administration of
238 justice and the courts of the state. The contracts with such
239 consultants or consultant firms shall be considered as contracts
240 for professional services.

241 **SECTION 10.** Section 9-21-17, Mississippi Code of 1972, is
242 brought forward as follows:

243 9-21-17. The Administrative Director of Courts and the
244 Supreme Court are authorized to use the services of any member of
245 the judiciary of any court and any court-supportive personnel,
246 including, without limitation, court reporters, clerks, bailiffs,



247 law clerks, court administrators, secretaries and employees in
248 clerks' offices to carry out studies, projects and functions
249 designed to improve or effect the efficient administration of
250 justice and the operation of courts.

251 **SECTION 11.** Section 9-21-19, Mississippi Code of 1972, is
252 brought forward as follows:

253 9-21-19. All judges, clerks of court, and other officers or
254 employees of the courts and of offices related to and serving the
255 courts shall comply with all requests made by the Administrative
256 Director for information and statistical data relative to the work
257 of the courts and of such offices and relative to the expenditure
258 of public monies for their maintenance and operation.

259 **SECTION 12.** This act shall take effect and be in force from
260 and after July 1, 2024.

