

By: Representative Yancey

To: Judiciary B

HOUSE BILL NO. 123

1 AN ACT TO AMEND SECTION 25-7-61, MISSISSIPPI CODE OF 1972, TO
2 INCREASE FROM \$40.00 TO \$100.00 THE MAXIMUM DAILY AMOUNT THAT
3 COUNTIES MAY PAY GRAND JURORS AND PETIT JURORS SERVING IN THE
4 CHANCERY, COUNTY, CIRCUIT AND SPECIAL EMINENT DOMAIN COURTS; AND
5 FOR RELATED PURPOSES.

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

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

9 25-7-61. (1) Fees of jurors shall be payable as follows:

10 (a) Grand jurors and petit jurors in the chancery,
11 county, circuit and special eminent domain courts shall be paid an
12 amount to be set by the board of supervisors, not to be less than
13 Twenty-five Dollars (\$25.00) per day and not to be greater
14 than * * * One Hundred Dollars (\$100.00) per day, plus mileage
15 authorized in Section 25-3-41. In the trial of all cases where
16 jurors are in the charge of bailiffs and are not permitted to
17 separate, the sheriff with the approval of the trial judge may pay
18 for room and board of jurors on panel for actual time of trial.



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

25 (b) Jurors making inquisitions of intellectual
26 disability, mental illness or unsound mind and jurors on coroner's
27 inquest shall be paid Five Dollars (\$5.00) per day plus mileage
28 authorized in Section 25-3-41 by the county treasurer on order of
29 the board of supervisors on certificate of the clerk of the
30 chancery court in which the inquisition is held.

31 (c) Jurors in the justice courts shall be paid an
32 amount of not less than Ten Dollars (\$10.00) per day and not more
33 than Fifteen Dollars (\$15.00) per day, to be established by the
34 board of supervisors. In all criminal cases in the justice court
35 in which the prosecution fails, the fees of jurors shall be paid
36 by the county treasurer on order of the board of supervisors on
37 certificate of the county attorney in all counties that have
38 county attorneys, otherwise by the justice court judge.

39 (2) Any juror may return the fees provided as compensation
40 for service as a juror to the county that paid for the person's
41 service as a juror. The fees returned to the county may be
42 earmarked for a particular purpose to be selected by the juror,
43 including:



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

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

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

55 (i) The selection and appointment of an
56 administrator for the fund.

57 (ii) Procedures for the administration of the
58 fund, including payments of salaries of the administrator and
59 other necessary personnel.

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

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

66 (v) The Lengthy Trial Fund Administrator and all
67 other necessary personnel shall be employees of the Administrative
68 Office of Courts.



69 (b) The administrator shall use any monies deposited in
70 the Lengthy Trial Fund to pay full or partial wage replacement or
71 supplementation to jurors whose employers pay less than full
72 regular wages when the period of jury service lasts more than ten
73 (10) days.

74 (c) To the extent funds are available in the Lengthy
75 Trial Fund, and in accordance with any rules or regulations
76 promulgated by the Administrative Office of Courts, the court may
77 pay replacement or supplemental wages out of the Lengthy Trial
78 Fund not to exceed Three Hundred Dollars (\$300.00) per day per
79 juror beginning on the eleventh day of jury service. In addition,
80 for any jurors who qualify for payment by virtue of having served
81 on a jury for more than ten (10) days, the court, upon finding
82 that the service posed a significant financial hardship to a
83 juror, even in light of payments made with respect to jury service
84 after the tenth day, may award replacement or supplemental wages
85 out of the Lengthy Trial Fund not to exceed One Hundred Dollars
86 (\$100.00) per day from the fourth to the tenth day of jury
87 service.

88 (d) Any juror who is serving or has served on a jury
89 that qualifies for payment from the Lengthy Trial Fund, provided
90 the service began on or after January 1, 2008, may submit a
91 request for payment from the Lengthy Trial Fund on a form that the
92 administrator provides. Payment shall be limited to the
93 difference between the jury fee specified in subsection (1) of



94 this section and the actual amount of wages a juror earns, up to
95 the maximum level payable, minus any amount the juror actually
96 receives from the employer during the same time period.

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

102 (ii) The juror also shall be required to submit
103 verification from the employer as to the wage information provided
104 to the administrator, for example, the employee's most recent
105 earnings statement or similar document, before initiation of
106 payment from the fund.

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

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

116 **SECTION 2.** This act shall take effect and be in force from
117 and after July 1, 2025.

