

**No Action
AMENDMENT NO 1 PROPOSED TO**

House Bill No. 162

BY: Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

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

11 9-11-9. Justice court judges shall have jurisdiction of all
12 actions for the recovery of debts or damages or personal property,
13 where the principal of the debt, the amount of the demand, or the
14 value of the property sought to be recovered shall not
15 exceed * * * Five Thousand Dollars (\$5,000.00).

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



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

20 **[Until June 30, 2026, this section shall read as follows:]**

21 25-7-25. (1) Costs and fees in the justice court shall be
22 charged as follows and shall be paid in advance to the clerk of
23 the justice court in accordance with the provisions of Section
24 9-11-10:

25 (a) A uniform total fee in all civil cases, whether
26 contested or uncontested, which shall include all services in
27 connection therewith, except as hereinafter stated, each.....
28 * * * \$45.00

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

31 (c) After final judgment has been enrolled, further
32 proceedings involving levy of execution on judgments, and
33 attachment and garnishment proceedings..... 15.00

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

36 (e) For celebrating a marriage, and certificate
37 thereof..... 10.00

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

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

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



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

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

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

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

[From July 1, 2026, until June 30, 2027, this section shall read as follows:]

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



67 the justice court in accordance with the provisions of Section
68 9-11-10:

69 (a) A uniform total fee in all civil cases, whether
70 contested or uncontested, which shall include all services in
71 connection therewith, except as hereinafter stated,
72 each..... * * * \$55.00

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

75 (c) After final judgment has been enrolled, further
76 proceedings involving levy of execution on judgments, and
77 attachment and garnishment proceedings..... 15.00

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

80 (e) For celebrating a marriage, and certificate
81 thereof..... 10.00

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

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

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

86 (i) For all violations in Title 63 other than
87 driving under the influence of intoxicating liquor or reckless
88 driving..... * * * 12.50

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



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

93 (3) In addition to the salary provided for in subsection (1)
94 of Section 25-3-36, each justice court judge may receive a fee of
95 not more than Twenty-five Dollars (\$25.00) for each marriage
96 ceremony he performs in the courtroom or offices of the justice
97 court at any time the courtroom or offices are open to the public.
98 This fee shall be paid by the parties to the marriage. Each
99 justice court judge may receive money or gratuities for marriage
100 ceremonies performed outside of and away from the courtroom and
101 the offices of the justice court, that the parties to the marriage
102 request to have performed at any time the courtroom or offices of
103 the justice court are closed. These monies or gratuities, in an
104 amount agreed upon by the parties to the marriage, are not
105 considered fees for the justice court and are not subject to the
106 requirements set forth in the provisions of Section 9-11-10.

107 **[From and after July 1, 2027, this section shall read as**
108 **follows:]**

109 25-7-25. (1) Costs and fees in the justice court shall be
110 charged as follows and shall be paid in advance to the clerk of
111 the justice court in accordance with the provisions of Section
112 9-11-10:

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



connection therewith, except as hereinafter stated,
each..... * * * \$65.00

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

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

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

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

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

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

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

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

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

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

(3) In addition to the salary provided for in subsection (1)
of Section 25-3-36, each justice court judge may receive a fee of
not more than Twenty-five Dollars (\$25.00) for each marriage



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

SECTION 3. Section 25-7-13, Mississippi Code of 1972, is amended as follows:

25-7-13. (1) The clerks of the circuit court shall charge the following fees:

(a) Docketing, filing, marking and registering each complaint, petition and indictment.....\$ 85.00

The fee set forth in this paragraph shall be the total fee for all services performed by the clerk up to and including entry of judgment with respect to each complaint, petition or indictment, including all answers, claims, orders, continuances and other papers filed therein, issuing each writ, summons, subpoena or other such instruments, swearing witnesses, taking and recording bonds and pleas, and recording judgments, orders, fiats and certificates; the fee shall be payable upon filing and shall



accrue to the clerk at the time of collection. The clerk or his successor in office shall perform all duties set forth above without additional compensation or fee.

(b) Docketing and filing each motion to renew judgment, notice of renewal of judgment, suggestion for a writ of garnishment, suggestion for a writ of execution and judgment debtor actions and issuing all process, filing and recording orders or other papers and swearing witnesses.....\$ 35.00

(c) For every civil case filed, an additional fee to be deposited to the credit of the Comprehensive Electronic Court Systems Fund established in Section 9-21-14.....\$ 10.00

(d) For every civil case filed, an additional fee to be deposited to the credit of the Judicial System Operation Fund established in Section 9-21-45.....\$ 40.00

(2) Except as provided in subsection (1) of this section, the clerks of the circuit court shall charge the following fees:

(a) Filing and marking each order or other paper and recording and indexing same.....\$ 2.00

(b) Issuing each writ, summons, subpoena, citation, capias and other such instruments.....\$ 1.00

(c) Administering an oath and taking bond.....\$ 2.00

(d) Certifying copies of filed documents, for each complete document.....\$ 1.00

(e) Recording orders, fiats, licenses, certificates, oaths and bonds:



190 First page.....\$ 2.00

191 Each additional page.....\$ 1.00

192 (f) Furnishing copies of any papers of record or on

193 file and entering marginal notations on documents of record:

194 If performed by the clerk or his employee, per page

195\$ 1.00

196 If performed by any other person, per page.....\$.25

197 (g) Judgment roll entry.....\$ 5.00

198 (h) Taxing cost and certificate.....\$ 1.00

199 (i) For taking and recording application for marriage

200 license, for filing and recording consent of parents when required

201 by law, for filing and recording medical certificate, filing and

202 recording proof of age, recording and issuing license, recording

203 and filing returns.....\$ 35.00

204 The clerk shall deposit Fourteen Dollars (\$14.00) of each fee

205 collected for a marriage license in the Victims of Domestic

206 Violence Fund established in Section 93-21-117, on a monthly

207 basis.

208 (j) For certified copy of marriage license and search

209 of record, the same fee charged by the Bureau of Vital Statistics

210 of the State Board of Health.

211 (k) For public service not particularly provided for,

212 the circuit court may allow the clerk, per annum, to be paid by

213 the county on presentation of the circuit court's order, the

214 following amount.....\$5,000.00



215 However, in the counties having two (2) judicial districts,
216 such above allowance shall be made for each judicial district.

217 (1) For drawing jurors and issuing venire, to be paid
218 by the county.....\$ 5.00

219 (m) For each day's attendance upon the circuit court
220 term, for himself and necessary deputies allowed by the court,
221 each to be paid by the county.....\$ 75.00

222 (n) Summons, each juror to be paid by the county upon
223 the allowance of the court.....\$ 1.00

224 (o) For issuing each grand jury subpoena, to be paid by
225 the county on allowance by the court, not to exceed Twenty-five
226 Dollars (\$25.00) in any one (1) term of court.....
227\$ 1.00

228 (p) For each civil filing, to be deposited into the
229 Civil Legal Assistance Fund.....\$ 5.00

230 (3) On order of the court, clerks and deputies may be
231 allowed five (5) extra days for attendance upon the court to get
232 up records.

233 (4) The clerk's fees in state cases where the state fails in
234 the prosecution, or in cases of felony where the defendant is
235 convicted and the cost cannot be made out of his estate, in an
236 amount not to exceed Four Hundred Dollars (\$400.00) in one (1)
237 year, shall be paid out of the county treasury on approval of the
238 circuit court, and the allowance thereof by the board of
239 supervisors of the county. In counties having two (2) judicial



districts, such allowance shall be made in each judicial district; however, the maximum thereof shall not exceed Eight Hundred Dollars (\$800.00). Clerks in the circuit court, in cases where appeals are taken in criminal cases and no appeal bond is filed, shall be allowed by the board of supervisors of the county after approval of their accounts by the circuit court, in addition to the above fees, for making such transcript the rate of Two Dollars (\$2.00) per page.

(5) The clerk of the circuit court may retain as his commission on all money coming into his hands, by law or order of the court, a sum to be fixed by the court not exceeding one-half of one percent (1/2 of 1%) on all such sums.

(6) On no less than a quarterly basis, the circuit clerk may submit a cost bill to the county board of supervisors to be paid from the county general fund for the difference between the amount that would have been charged in accordance with Section 25-7-25(1)(a) in 2025 for the quarter at issue for civil-case filings and the amount actually charged in accordance with Section 25-7-25(1)(a) for the quarter for civil-case filings.

(* * *7) For making final records required by law, including, but not limited to, circuit and county court minutes, and furnishing transcripts of records, the circuit clerk shall charge Two Dollars (\$2.00) per page. The same fees shall be allowed to all officers for making and certifying copies of records or papers which they are authorized to copy and certify.



265 (* * *8) The circuit clerk shall prepare an itemized
266 statement of fees for services performed, cost incurred, or for
267 furnishing copies of any papers of record or on file, and shall
268 submit the statement to the parties or, if represented, to their
269 attorneys within sixty (60) days. A bill for same shall accompany
270 the statement.

271 **SECTION 4.** This act shall take effect and be in force from
272 and after January 1, 2026, and shall stand repealed on December
273 30, 2025.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 9-11-9, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE JURISDICTION OF JUSTICE COURT FROM \$3,500.00 TO
3 \$5,000.00; TO AMEND SECTION 25-7-25, MISSISSIPPI CODE OF 1972, TO
4 REVISE CERTAIN FILING FEES FOR JUSTICE COURT; TO AMEND SECTION
5 25-7-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CIRCUIT CLERKS TO
6 SUBMIT A COST BILL TO THE COUNTY BOARD OF SUPERVISORS UNDER
7 CERTAIN CONDITIONS; AND FOR RELATED PURPOSES.

