

By: Ross

To: Judiciary

SENATE BILL NO. 2464

1 AN ACT TO AUTHORIZE CHANGE OF VENUE DUE TO FORUM NON  
2 CONVENIENS FOR CIVIL ACTIONS ACCRUING OUTSIDE THE COUNTY IN WHICH  
3 THE COURT IS LOCATED; TO PRESCRIBE THE FACTORS FOR DETERMINING  
4 INCONVENIENCE; AND FOR RELATED PURPOSES.

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

6 SECTION 1. (1) Each court of this state may decline to  
7 exercise jurisdiction of any civil cause of action accruing  
8 outside the county in which the court is located if there is  
9 another forum with jurisdiction of the parties and proper venue as  
10 allowed by statute in which the trial can be more appropriately  
11 held taking into account the following:

12 (a) Place of accrual of the cause of action;

13 (b) Location of witnesses;

14 (c) The residence of the parties; and

15 (d) The public factor of the convenience to and burden  
16 upon the court.

17 (2) Upon motion to be filed not later than ninety (90) days  
18 after the last day allowed for the filing of that party's answer  
19 and upon such party's showing that the existing forum constitutes  
20 an inconvenient forum based on the factors in subsection (1) of  
21 this section, the court may transfer the case to a convenient  
22 forum with proper venue as allowed by statute.

23           (3) If a court transfers a case pursuant to subsection (2)  
24 of this section, the clerk of the court from which the transfer is  
25 granted shall immediately certify and transmit to the clerk of the  
26 court to which the transfer is ordered the originals of all papers  
27 filed in the case together with copies of all orders entered in  
28 such case.

29           SECTION 2. This act shall take effect and be in force from  
30 and after July 1, 2000.