

By: Senator(s) Turner

To: Constitution

SENATE CONCURRENT RESOLUTION NO. 547

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION
2 171, MISSISSIPPI CONSTITUTION OF 1890, TO REVISE THE EDUCATIONAL
3 REQUIREMENTS AND TERMS OF JUSTICE COURT JUDGES; AND FOR RELATED
4 PURPOSES.

5 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF
6 MISSISSIPPI, That the following amendment to the Mississippi
7 Constitution of 1890 is proposed to the qualified electors of the
8 state:

9 Amend Section 171, Mississippi Constitution of 1890, to read
10 as follows:

11 Section 171. A competent number of justice court judges and
12 constables shall be chosen in each county in the manner provided
13 by law, but not less than two (2) such judges in any county, who
14 shall hold their office for the term of six (6) years. Each
15 justice court judge shall have resided two (2) years in the county
16 next preceding his selection and shall have a bachelor's degree
17 from a recognized and accredited four-year college unless he shall
18 have served as a justice of the peace or been elected to the
19 office of justice of the peace prior to January 1, 2002. All
20 persons elected to the office of justice of the peace in November
21 1975, shall take office in January 1976, as justice court judges.

22 The maximum civil jurisdiction of the justice court shall
23 extend to causes in which the principal amount in controversy is
24 Five Hundred Dollars (\$500.00) or such higher amount as may be
25 prescribed by law. The justice court shall have jurisdiction
26 concurrent with the circuit court over all crimes whereof the
27 punishment prescribed does not extend beyond a fine and
28 imprisonment in the county jail; but the Legislature may confer on



29 the justice court exclusive jurisdiction in such petty
30 misdemeanors as the Legislature shall see proper.

31 In all causes tried in justice court, the right of appeal
32 shall be secured under such rules and regulations as shall be
33 prescribed by law, and no justice court judge shall preside at the
34 trial of any cause where he may be interested, or the parties or
35 either of them shall be connected with him by affinity or
36 consanguinity, except by the consent of the justice court judge
37 and of the parties.

38 All reference in the Mississippi Code to justice of the peace
39 shall mean justice court judge.

40 BE IT FURTHER RESOLVED, That this proposed amendment shall be
41 submitted by the Secretary of State to the qualified electors at
42 an election to be held on the first Tuesday after the first Monday
43 of November 2002, as provided by Section 273 of the Constitution
44 and by general law.

45 BE IT FURTHER RESOLVED, That the explanation of this proposed
46 amendment for the ballot shall read as follows: "This proposed
47 constitutional amendment will require justice court judges elected
48 after January 1, 2002, to have a bachelor's degree and it will
49 increase the term of office for justice court judges from four to
50 six years."

