

By: Senator(s) Albritton

To: Judiciary, Division A

SENATE BILL NO. 2450

1 AN ACT TO AMEND SECTION 25-7-25, MISSISSIPPI CODE OF 1972, TO
2 CONFORM COSTS OF COURT IN JUSTICE COURT TO THE COSTS ALLOWED BY
3 STATUTE IN MUNICIPAL COURT FOR DISMISSAL OF AFFIDAVIT, COMPLAINT
4 OR CHARGE; AND FOR RELATED PURPOSES.

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

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

8 25-7-25. (1) Costs and fees in the justice court shall be
9 charged as follows and shall be paid in advance to the clerk of
10 the justice court in accordance with the provisions of Section
11 9-11-10:

12 (a) A uniform total fee in all civil cases, whether
13 contested or uncontested, which shall include all services in
14 connection therewith, except as hereinafter stated, each... \$25.00

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

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

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

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

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

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

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

28 (i) For all violations in Title 63 other than
29 driving under the influence of intoxicating liquor or reckless
30 driving..... 5.00

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

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

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

49 **SECTION 2.** This act shall take effect and be in force from
50 and after July 1, 2005.