

By: Senator(s) Gordon, Thames, Albritton,
Dearing, Frazier, Posey, Ross, Walley,
Williamson, Walls, Jackson (11th)

To: Fees, Salaries and
Administration;
Appropriations

SENATE BILL NO. 2547
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE SALARIES OF THE ELECTED JUDICIARY AND DISTRICT
3 ATTORNEYS; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 25-3-35, Mississippi Code of 1972, is
6 amended as follows:

7 25-3-35. (1) The annual salaries of the following judges
8 are fixed as follows, to begin at the commencement of the next
9 term of office immediately succeeding the existing term:

10	Chief Justice of the Supreme Court.....	<u>\$133,400.00</u>
11	Presiding Justice of the Supreme Court.....	<u>130,900.00</u>
12	Associate Justices of the Supreme Court, each....	<u>130,100.00</u>

13 However, in addition to their present official duties, there
14 are imposed upon the Supreme Court justices the extra duties of
15 making a special study of existing laws and reporting to each
16 regular session of the Legislature such constructive suggestions
17 as they may deem necessary for the improvement of the
18 administration of justice, and of identifying and directing the
19 State Librarian to apply for grants and donations from any public
20 or private source for the purpose of enhancing the holdings of the
21 State Law Library, and of advising and counseling with the State
22 Librarian in the selection of law books for purchase and use in
23 the State Law Library, advising with the librarian thereof upon
24 the removal from the library of any books which may be the least
25 frequently used, and for the placing of same in a convenient
26 location so as to provide additional space for such books and
27 other current publications which may be more frequently used or

28 called for, and of making a special study of the concerns and
29 needs of the state judiciary for emergency and disaster
30 response and developing and maintaining an emergency response
31 plan for the Supreme Court, and for making a special study of
32 electronic case management and electronic filing systems for
33 the courts of the state, and for additional judicial services
34 performed after usual state business hours to reduce delays,
35 backlogs and inefficiencies to comply with time standards adopted
36 by and for the appellate and trial courts, and for promoting
37 public awareness of our judicial processes and openness and
38 accessibility of our courts by being available to conduct programs
39 and give speeches to civic, educational, governmental and
40 religious organizations and entities, and of making a special
41 study of the concerns and needs of the state judiciary for
42 emergency and disaster response and developing and
43 maintaining an emergency response plan for the Court of
44 Appeals, and for being available for special trial judge
45 appointments because of a statewide increase in litigation and
46 insufficient resources to fully fund trial judge positions needed
47 across the state, and for additional judicial services performed
48 after usual state business hours to reduce delays, backlogs and
49 inefficiencies to comply with time standards adopted by and for
50 the appellate and trial courts, and for promoting public awareness
51 of our judicial processes and openness and accessibility of our
52 courts by being available to conduct programs and give speeches to
53 civic, educational, governmental and religious organizations and
54 entities. For such extra services each justice, from and after
55 July 1, 2007, shall receive a sum sufficient when added to the
56 present salaries of the justices to aggregate One Hundred
57 Thirty-three Thousand Four Hundred Dollars (\$133,400.00) for the
58 Chief Justice, One Hundred Thirty Thousand Nine Hundred Dollars
59 (\$130,900.00) for the presiding justice, and One Hundred Thirty
60 Thousand One Hundred Dollars (\$130,100.00) for associate justices,

61 per annum. As each existing term expires and the above-captioned
62 salaries become effective in due course, the extra duties and
63 compensation provided for shall cease.

64 The fixed salaries as specified in this subsection (1) shall
65 be the exclusive and total compensation which can be reported to
66 the Public Employees' Retirement System for retirement purposes;
67 however, any judge in office on December 31, 2003, may continue to
68 report his expense allowance as part of his compensation for
69 retirement purposes.

70 (2) The annual salaries of the judges of the Court of
71 Appeals of Mississippi are fixed as follows, to begin at the
72 commencement of the next term of office immediately succeeding the
73 existing term:

74 Chief Judge of the Court of Appeals..... \$125,000.00

75 Associate Judges of the Court of Appeals, each... 121,400.00

76 However, in addition to their present official duties, there
77 are imposed upon the judges of the Court of Appeals the extra
78 duties of making a special study of existing laws and reporting to
79 the Supreme Court of the State of Mississippi such constructive
80 suggestions as they may deem necessary for the improvement of the
81 administration of justice, and assisting in advising and
82 counseling with the State Librarian in the selection of law books
83 for purchase and use in the State Law Library, assisting in
84 advising with the librarian thereof upon the removal from the
85 library of any books which may be the least frequently used, and
86 for the placing of same in a convenient location so as to provide
87 additional space for such books and other current publications
88 which may be more frequently used or called for, and of making a
89 special study of the concerns and needs of the state
90 judiciary for emergency and disaster response and developing
91 and maintaining an emergency response plan for the Court of
92 Appeals, and for being available for special trial judge
93 appointments because of a statewide increase in litigation and

94 insufficient resources to fully fund trial judge positions needed
95 across the state, and for additional judicial services performed
96 after usual state business hours to reduce delays, backlogs and
97 inefficiencies to comply with time standards adopted by and for
98 the appellate and trial courts, and for promoting public awareness
99 of our judicial processes and openness and accessibility of our
100 courts by being available to conduct programs and give speeches to
101 civic, educational, governmental and religious organizations and
102 entities. For such extra services each judge, from and after July
103 1, 2007, shall receive a sum sufficient when added to the present
104 salaries of the judges to aggregate One Hundred Twenty-five
105 Thousand Dollars (\$125,000.00) for the Chief Judge and One Hundred
106 Twenty-one Thousand Four Hundred Dollars (\$121,400.00) for
107 associate judges, per annum. As each existing term expires and
108 the above-captioned salaries become effective in due course, the
109 extra duties and compensation provided for shall cease.

110 The fixed salaries as specified in this subsection (2) shall
111 be the exclusive and total compensation which can be reported to
112 the Public Employees' Retirement System for retirement purposes;
113 however, any judge in office on December 31, 2003, may continue to
114 report his expense allowance as part of his compensation for
115 retirement purposes.

116 (3) The annual salaries of the chancery and circuit court
117 judges are fixed as follows, to begin at the commencement of the
118 next term of office immediately succeeding the existing term:

119 Chancery Judges, each.....	<u>\$120,400.00</u>
120 Circuit Judges, each.....	<u>120,400.00</u>

121 In addition to their present official duties, there are
122 imposed upon the chancery and circuit court judges the extra
123 duties of making a special study of existing laws relating to
124 trial courts and reporting to the Supreme Court of the State of
125 Mississippi such constructive suggestions as they may deem
126 necessary for the improvement of the administration of justice,

127 which shall be recommended to the Legislature by the Supreme Court
128 in the manner provided by law. The judges shall advise and
129 supervise in the purchase of law books for the libraries of each
130 district, and shall study and evaluate the inventory of books and
131 facilities now existing in the libraries of each district to
132 effect the removal and relocation of obsolete publications so as
133 to provide additional space for those books and current
134 publications more frequently used. The judges shall seek and
135 identify any grants and donations from any public or private
136 source for the purpose of enhancing the holdings of the libraries
137 of each district. The judges shall study the existing rules
138 promulgated by the circuit and chancery court judicial
139 associations governing the operation of chancery and circuit
140 courts, and revise the same pursuant to existing laws. The
141 judges shall make a special study of the concerns and needs
142 of the district for emergency and disaster response and
143 develop and maintain an emergency response plan for the
144 district. The judges shall be available after usual state
145 business hours to perform additional judicial services to reduce
146 delays, backlogs and inefficiencies to comply with time standards
147 adopted by and for the trial courts. The judges shall be
148 available to conduct programs and give speeches to civic,
149 educational, governmental and religious organizations and entities
150 for promoting public awareness of our judicial processes and
151 openness and accessibility of our courts. For such extra services
152 each judge, from and after July 1, 2007, shall receive a sum
153 sufficient when added to the present salaries of the judges to
154 aggregate One Hundred Twenty Thousand Four Hundred Dollars
155 (\$120,400.00) per annum for each judge. Upon the expiration of
156 the existing term, the above-captioned salaries become effective
157 in due course, and the extra duties and compensation provided for
158 shall cease.

159 (4) The Supreme Court shall prepare a payroll for chancery
160 judges and circuit judges and submit such payroll to the
161 Department of Finance and Administration.

162 (5) The annual salary of the full-time district attorneys
163 shall be One Hundred Ten Thousand Two Hundred Dollars
164 (\$110,200.00).

165 (6) The annual salary of the full-time legal assistants
166 shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor
167 more than eighty percent (80%) of the salary of the district
168 attorney for legal assistants who have been licensed to practice
169 law for five (5) years or less; eighty-five percent (85%) of the
170 salary of the district attorney for legal assistants who have been
171 licensed to practice law for at least five (5) years but less than
172 fifteen (15) years; and ninety percent (90%) of the salary of the
173 district attorney for legal assistants who have been licensed to
174 practice law for at least fifteen (15) years or more.

175 (7) This section shall stand repealed from and after July 1,
176 2009.

177 **SECTION 2.** The Attorney General of the State of Mississippi
178 shall submit this act, immediately upon approval by the Governor,
179 or upon approval by the Legislature subsequent to a veto, to the
180 Attorney General of the United States or to the United States
181 District Court for the District of Columbia in accordance with the
182 provisions of the Voting Rights Act of 1965, as amended and
183 extended.

184 **SECTION 3.** This act shall take effect and be in force from
185 and after the date it is effectuated under Section 5 of the Voting
186 Rights Act of 1965, as amended and extended, or July 1, 2007,
187 whichever occurs later, and shall stand repealed on June 30, 2007.