Serial: **131805**

IN THE SUPREME COURT OF MISSISSIPPI

No. 89-R-99015-SCT

FILED

MAY 18 2006

OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

IN RE: LOCAL RULES

ORDER

This matter is before the Court en banc on the Court's own motion. The local rules for those certain circuit, chancery and county courts which maintain such rules have been converted into a consistent format for publication in *Mississippi Rules of Court.* The re-formatted local rules are attached as exhibits, as follows:

First Chancery Court District	Exhibit A
First Circuit Court District	Exhibit B
Second Chancery Court District	Exhibit C
Fourth Chancery Court District	Exhibit D
Fifth Chancery Court District	Exhibit E
Fifth Circuit Court District	Exhibit F
Sixth Chancery Court District	Exhibit G
Sixth Circuit Court District	Exhibit H
Seventh Chancery Court District	Exhibit I
Seventh Circuit Court District	Exhibit J
Eighth Chancery Court District	Exhibit K
Eighth Circuit Court District	Exhibit L
Tenth Chancery Court District	Exhibit M
Eleventh Circuit Court District	Exhibit N
Fourteenth Chancery Court District	Exhibit O
Fifteenth Circuit Court District	Exhibit P
Sixteenth Chancery Court District	Exhibit Q
Eighteenth Chancery Court District	Exhibit R
Eighteenth Circuit Court District	Exhibit S
Nineteenth Chancery Court District	Exhibit T
County Court of Harrison County	Exhibit U
County Court of Lowndes County	Exhibit V
County Court of Rankin County	Exhibit W

After due consideration, the Court finds that the re-formatted local rules should be approved.

IT IS THEREFORE ORDERED that local rules are hereby revised as set forth in Exhibits A through W attached hereto.

IT IS FURTHER ORDERED that the Clerk of the Supreme Court shall record this order in the minutes of the Court and shall forward a true certified copy of this order to West Publishing Company for inclusion in the *Southern Reporter, Second Series (Mississippi Edition)*. The Clerk shall also forward a copy of the revised local rules as set forth in Exhibits A through W attached hereto to West Publishing Company for publication in the *Mississippi Rules of Court.*

SO ORDERED, this the 10th day of May, 2006.

/s/ William L. Waller, Jr.
WILLIAM L. WALLER, JR,
PRESIDING JUSTICE

NOT PARTICIPATING: DIAZ AND RANDOLPH, JJ.

EXHIBIT A

LOCAL RULES
FOR
FIRST CHANCERY COURT DISTRICT OF MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1. ASSIGNMENT OF CASES

(a) Pursuant to Uniform Chancery Court Rule 1.06, and subject to Paragraphs (b) and (c) of this rule, all matters filed in this district on and after September 8, 2003, shall be assigned to a single active Chancellor of this district at the time of filing of the action by such method as described in Paragraph (a)(1) of this rule and in such fashion as to ensure such assignments shall be equal and random, that no discernible pattern of assignment exists, and that no person shall know to whom the case will be assigned until such time as it has been accomplished.

(1) Unless the matter is indicated by the party or his attorney by separate certificate as "exempt from initial assignment" pursuant to Paragraph (b) or a "continued assignment" pursuant to Paragraph (c) at the time of filing of the pleadings, the Clerk, upon receiving the Civil Case Filing Form and the pleadings, shall proceed to draw by lot from a pool of thirty (30) lots bearing in equal numbers the first letter of the last name of the active Chancellors. The case shall be assigned to the Chancellor indicated upon the first lot drawn from the pool. Once drawn from the pool, a lot shall not be replaced until all lots have been drawn from the pool. Upon the drawing of the final lot, the pool shall be replenished with all of the aforesaid lots, and the process shall resume in a like manner.

(2) If a Chancellor has directed reassignment of a case pursuant to Paragraph (e) of this rule, then the matter shall be assigned to the Chancellor indicated on the next lot drawn by the Clerk from the pool described in Paragraph (a)(1) which does not indicate the Chancellor directing the reassignment; and each lot drawn during this reassignment bearing the mark of the Chancellor by whom the reassignment was directed shall be returned to the pool.

(3) The lots comprising the pool described in Paragraph (a)(1) shall be so fashioned as to bear no marks or characteristics which would differentiate one or more from the others, other than the required markings specified in Paragraph (a)(1).

(4) Upon assigning or reassigning a case pursuant to these rules, the Clerk shall notate the result accordingly upon the docket book.

(b) The following matters may be exempt from initial assignment to an active Chancellor if the party or his attorney shall certify by a separate Certificate of Exemption from Initial Assignment submitted simultaneously with the filing of the pleadings, in the manner set out in section (3) of this paragraph:

(1) Joint Complaints, including irreconcilable differences divorce actions and other uncontested matters; Pro se irreconcilable differences divorce actions; Name Changes or Birth Certificate Corrections; uncontested Adoptions; uncontested Guardianship or Conservatorship matters; Removal of Minority; Commitments; Bond validations; and any actions initiated by the Department of Human Services, Child Support Enforcement Division.

(2) If a matter listed in Paragraph (b)(1) which has not otherwise been assigned pursuant to these rules becomes a contested matter, or a response from the other party or parties indicating opposition to the requested relief is filed or stated to the Court, the Chancellor to whom the matter is submitted may, on his own motion or on the motion of any party, direct the Clerk to thereafter assign the case by the method specified in Paragraphs (a) or (c).

(3) If a party or his attorney desires to proceed with his case as "exempt from initial assignment," the party or his attorney must file a signed Certificate of Exemption from Initial Assignment with the Clerk simultaneous with the filing of the pleadings, which certifies that (1) he has reviewed Uniform Chancery Court Rule 1.06 and Local Rule 1, and (2) that the matter is exempt from initial assignment.

(4) For purposes of this rule, "uncontested" means that no summons shall be issued in the matter.

(5) Actions initiated by the Department of Human Services, Child Support Enforcement Division, shall be "exempt from initial assignment" without the necessity of filing the separate certificate as otherwise required under this Rule.

(c) All modification, contempt, or other matters seeking enforcement, clarification, amendment, or relief from a prior order entered by the Court, except those concerning orders entered in the categories listed in Paragraph (b)(1), shall be assigned to the active Chancellor by whom the order at issue was entered. The party or his attorney shall certify by a separate Certificate of Continued Assignment submitted simultaneously with the filing of the pleadings, in the manner set out in section (1) of this paragraph, that the matter is a "continued assignment." Upon receipt of the pleadings, and the aforesaid certificate, a lot containing a mark representing that Chancellor's name shall be removed by the Clerk from

the pool described in Paragraph (a)(1) and assignment made thereby. In any case in which the Chancellor by whom the order at issue was entered is no longer serving as Chancellor in this district, the matter shall be assigned by the Clerk as specified in Paragraph (a)(1).

(1) The Certificate of Continued Assignment shall be submitted simultaneously with the filing of the pleadings, signed by the party or his attorney, and shall state (1) that he has reviewed Uniform Chancery Court Rule 1.06 and Local Rule 1; (2) that the case was previously assigned pursuant to the Local Rule on Assignment of Cases; and (3) the name of the Chancellor to whom the case remains assigned.

(2) Matters remanded from the appellate courts or transferred from the chancery court of another county in this district shall be assigned in the manner set forth in Paragraph (a), unless the foregoing provisions on "continued assignments" are applicable.

(3) Matters that are transferred from the chancery court of another county outside of this district, or from the county court or circuit court of any county, or matters that are brought before the chancery court on appeal from any inferior tribunal, shall be assigned in the manner set forth in Paragraph (a).

(d) Temporary Restraining Orders are to be presented to the assigned Chancellor. However, in the event the assigned Chancellor is not available and the matter is of a genuine emergency nature, it may be presented to any available Chancellor who may act for and on behalf of the assigned Chancellor. The matter shall be heard on the merits by the assigned Chancellor.

(e) The assignment of a civil action is permanent, unless, and for good cause stated, the assigned Chancellor directs the Clerk to reassign the case to one of the other Chancellors. Where such reassignment is necessary, the Clerk shall use the method described in Paragraph (a)(2) if no method is directed by the Chancellor.

(f) Each case filed in this district after September 8, 2003, shall bear a number as follows: The last two digits of the calendar year in which the case is filed, followed by the sequential number of the case for the county and year, followed by the numerical designation for the county in which the matter is filed, followed by the first letter of the last name of the Judge to whom the case is assigned (e.g., 03-1234-02-M or 03-1234-02-L or 03-1234-02-S).

The following numerical designations shall be used for the counties of this district:

County	Numerical Designation
Alcorn	02
Itawamba	29
Lee	41
Monroe	48
Pontotoc	58
Prentiss	59
Tishomingo	71
Union	73

(g) If a divorce action has been assigned pursuant to these rules, and the parties have prepared and executed an agreement concerning all issues in the case, including withdrawal of all requests for relief based on fault grounds for divorce, an attorney of record may submit the agreed Judgment for Divorce-Irreconcilable Differences to any available Chancellor, if the requested Chancellor shall consent for the convenience of the parties and their attorneys. However, any subsequent action in such cause shall be brought before the Chancellor who was assigned to the case pursuant to these rules.

(h) Any matter not otherwise addressed by these rules shall be assigned in accordance with Paragraph (a) of this rule.

[Adopted by order entered August 30, 2004 and approved by the Supreme Court by order entered on October 11, 2004.]

EXHIBIT B

LOCAL RULES
FOR
FIRST CIRCUIT COURT DISTRICT OF MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1. CASE ASSIGNMENT PROCEDURE

(a) All Civil Cases filed after December 31, 1989, in the Circuit Courts of this district shall be assigned at the time of filing by such method as to insure that such assignment shall be random; that no discernable pattern of assignment exists and that no person shall know to whom the case will be assigned until such time as it has been accomplished.

(b) Each Civil Case filed in this Court after December 31, 1989 shall bear a number as follows: The last two digits of the year in which the case is filed followed by the sequential number of the case for the county and year, followed in parenthesis by the first letter of the name of the Judge to whom the case is assigned. The suffix (G) designates Gardner; the suffix (PF) designates Funderburk; the suffix (A) designates Aycock. In addition, the first letter of the County name shall be added. Pontotoc County shall be (PO), Prentiss County shall be (PR).

(c) The Circuit Clerks of each of the Counties of this district shall immediately adapt a method of making assignments contemplated by this Order and have same approved by the Court prior to the effective date of this rule. In addition the Court Administrator's shall maintain a trial calendar so the Court, the Court Administrator and the Attorneys may schedule the trial of cases at times other than regularly scheduled term times.

RULE 2. TRIAL SETTINGS, DOCKET SETTINGS

(a) All Civil matters assigned to a Judge will be scheduled for trial by the Judge at such time, in term or otherwise, as shall insure the rapid disposition of the Court's business and in accord with the rules of discovery.

(b) All Criminal Cases shall be set by the Court on regularly scheduled docket setting on the suggested trial calendar prepared by the Office of the District Attorney. In the event the Court Administrator's Office is unable to resolve any conflicts concerning trial dates, the attorney for the Defendant will seek a continuance from the date scheduled by the trial docket prepared by the District Attorney.

(c) The matter of scheduling all cases for trial shall be under the direction and control of the Administrator, subject to approval of the Judges.

RULE 3. SCHEDULING ORDER

(a) Within thirty (30) days after issue is joined in a case, but no later than 120 days after the complaint is filed, counsel are required to present the Court a proposed Order setting forth deadlines for the joining of other parties and amending the pleadings; service of motions; and the completion of discovery. If more than six months discovery time is requested, the proposed Order should be accompanied by an explanation of the necessity for the protracted period. The proposed order shall provide that motions to add parties or amend the pleadings must be served no more than thirty (30) days after the date scheduled for completion of discovery. All counsel are required to make a realistic estimate of the time needed for discovery, but all requested periods of discovery shall remain under the supervision of the Court, and lengthened or shortened as the case dictates, and the Court shall enter a Scheduling Order accordingly. In the event counsel are unable to agree upon the terms of the scheduling order or fail to submit a proposed order to the Court within the time required by this paragraph, discovery shall be limited to the time provided in the Mississippi Rules of Civil Procedure. Extensions of deadlines will be granted by the Court only upon a showing of good cause.

(b) Within thirty (30) days after expiration of the time provided for discovery, Counsel are required to present an order to the Court setting a date for status conference or pretrial conference or providing that no pretrial conference is needed or required.

(c) If no pretrial conference is to be had the parties shall file with the Court an agreed pretrial order or note in the form previously provided by the Court. A copy of said form is appended to this rule.

(d) Following the pretrial conference or status conference, counsel shall submit to the Court an order setting the cause for trial and reflecting any ruling by the Court during such meeting.

RULE 4. MOTION PRACTICE

(a) Applicability. The provisions of this rule apply to all written motions filed in civil actions.

(b) Filing; Proposed Orders. The original of each motion, and all affidavits and

other supporting documents shall be filed with the Clerk where the action is filed. The moving party at the same time shall mail a copy thereof to the Judge presiding in the action at his home office mailing address.

A proposed Order shall accompany the court's copy of any motion which may be heard ex parte or is granted by consent.

(c) Responses. The original of any response to the motion, all opposing affidavits, and other supporting documents shall be filed with the Clerk where the action is filed and any response to the motion and all objections shall be filed and copies distributed as provided in Paragraph (B) of this rule.

(d) Memoranda; Documents Required With Motions to Dismiss or for Summary Judgment; Failure to Submit Required Documents. At the time the motion is served, other than motions or applications which may be heard ex parte or those involving necessitous or urgent matters, counsel for movant shall mail to the Judge the original of a memorandum of authorities upon which he relies and pertinent portions of the pleadings filed in the case. Counsel for respondent shall submit the original memorandum of authorities in reply, and shall do so within (10) days after service of movant's memorandum. Counsel for movant desiring to submit a rebuttal memorandum may do so within (5) days after the service of the respondent's memorandum. Any requests for extension of time shall be made in writing to the Judge before whom the motion is noticed. Memoranda submitted in connection with any dispositive motion shall be accompanied by separate proposed findings and conclusions. Failure to timely submit the required motion documents may result in the denial of the motion and/or the imposition of appropriate sanctions.

(e) Length of Memoranda. Movant's original and rebuttal memoranda together shall not exceed a total of thirty-five (35) pages, and respondent's memorandum shall not exceed thirty-five (35) pages. Memoranda and other submissions required by Paragraph (D), except as therein provided, are not to be filed with the Clerk's office.

(f) Notice and Hearings. All Motions in which a hearing is requested shall be noticed for hearing "as soon as counsel can be heard" but no date certain shall be set by the moving party except as approved by the Court Administrator's Office.

All motions shall be decided by the Court without a hearing or oral argument unless otherwise ordered by the Court on its own motion, or, in its discretion, upon written motion made by either counsel.

The scheduling of an evidentiary hearing or oral argument, where allowed, shall be

set at such time and place as may suit the convenience of Counsel and the Judge assigned to the case. The Court may, in its discretion, hear oral argument by telephone conference.

(g) Urgent or Necessitous Matters. Where the motion relates to an urgent or necessitous matter, counsel for the movant shall, prior to the filing the motion, contact the Judge to whom the action has been assigned, and arrange a definite time and place for the hearing of the motion. In such cases, counsel for movant shall endorse upon the motion a separate certificate giving notice to the other parties of the time and place fixed by the Court for hearing of the motion. The Court, upon receipt of the motion, may in its own discretion direct counsel as to the submission of memoranda of authorities for the Court's consideration.

(h) Service. Movant and respondent shall serve copies of all motions, responses, and/or memoranda upon opposing counsel. When service is by mail, three (3) days shall be added to the periods prescribed in Paragraph (D) of this rule.

(i) Court Reporters. If the hearing of a motion, whether at a regular motion day, pretrial conference, or special setting, requires the presence of a court reporter, the party requesting a court reporter shall obtain prior approval from the Judge before the motion is set.

(j) Untimely Motions. Any motion served beyond the motion deadline imposed in the Scheduling Order entered pursuant to Rule 3, may be denied solely because the motion is served untimely.

(k) Sanctions-Frivolous Motions or Opposition. A patently frivolous motion or opposition to a motion on patently frivolous grounds may result in the imposition of appropriate sanctions, including the assessment of costs and attorney fees.

(l) Sanctions-Unreasonable Delays. Delays, or continuances, or waste of the Court's time occasioned by the failure of a party to follow the procedures outlined in this rule may result in the imposition of appropriate sanctions, including assessment of costs and attorney's fees. In this regard, counsel shall notify the appropriate Judge immediately if a submitted motion is resolved by the parties or the case in which the motion has been pending is settled.

(m) All pleadings shall, in addition to other requirements, clearly indicate the complete name, mailing address and phone number of counsel filing same.

RULE 5. PRETRIAL CONFERENCES AND PRETRIAL ORDERS

(a) Cases In which Conference to Be Held; Scheduling. A pretrial conference may be held in all civil actions pursuant to a calendar periodically prepared by the Court Administrator's Office at the direction of the Court Administrator or the Judge and furnished by mail to counsel for all parties.

(b) Whenever possible, pretrial conferences shall be separately scheduled at a date, place and hour and for such period of time as the subject matter of the particular case may require, but in all events, pretrial conferences shall be scheduled in such manner as not to cause undue or inordinate inconvenience to counsel scheduled for pretrial conferences in other cases.

RULE 6. CONTINUANCES

No Continuance of any case may be agreed to by the parties after the cause has been scheduled for trial. Unless an order is entered by the Court prior to the date set for trial, the matter will proceed to trial as to all parties. This provision shall apply to civil and criminal matters.

RULE 7. CONFLICTS, RECUSAL

In the event a case is assigned to a Judge having a conflict as contemplated by the Canon (3) et seq. Code of Judicial Conduct which requires that he disqualify himself, then he shall advise the Clerk of the Court making the assignment of such conflict and return all materials connected with the matter.

Upon receipt of such notification the Clerk shall proceed to reassign the case to another of the judges, returning the disqualified Judges name to the pool so that he will draw another case to replace that one returned.

In the event all Judges of the District disqualify themselves the Senior Circuit Judge shall make proper application for appointment of a Judge from without the District.

RULE 8. NON-FILING OF DISCOVERY MATERIALS

(a) Interrogatories under Rule 33, M.R.C.P., and the answers thereto, Request for Production of Inspection under Rule 34, M.R.C.P., Request for Admissions under Rule 36, M.R.C.P., and responses thereto, and depositions under Rule 30 and 31, M.R.C.P., shall be served upon other counsel or parties as provided by the Rules, but *shall not* be filed with the Circuit Court Clerks. The party responsible for service of the discovery material shall retain the original and become the custodian.

(b) If relief is sought under the Mississippi Rules of Civil Procedure concerning any interrogatories, requests for production or inspection, request for admissions, answers to interrogatories, responses to request for admission or depositions, copies of the *portions* of the interrogatories, requests, answers, responses or depositions *in dispute* shall be filed with the appropriate Circuit Court Clerk and with the assigned Judge contemporaneously with any motion filed under said Rules.

(c) If interrogatories, requests, answers, responses or depositions are to be used at trial or are necessary to a pre-trial motion which might result in a final order on any issue, the portions to be used shall be considered an exhibit and filed with the Clerk at the outset of the trial or at the filing of the motion insofar as their use can be reasonably anticipated.

(d) When documentation of discovery not previously in the record is needed for appeal purpose, upon an application and order of the Court, or by stipulation of counsel, the necessary discovery papers shall be filed with the Clerk.

(e) The Clerks of this Court are authorized and directed to return forthwith any discovery materials submitted for filing which does not comply with the requirements set forth hereinabove. This order shall be spread on the minutes of this Court and a copy thereof made available to any attorney and/or party requesting same.

RULE 9 VIDEOTAPE DEPOSITIONS

The videotaping of a deposition in addition to the preparation of the usual written transcript shall be permitted as a matter of course provided the order or stipulation authorizing such deposition contains the following requirements:

(a) The time and place of the taping of the deposition shall be set by notice served in the same manner as for a regular deposition, except it shall state that a videotape deposition is being taken.

(b) The videotape operation technician shall certify as to the correctness and completeness of the videotape.

(c) At the beginning of the deposition the parties and counsel shall be shown in the visual portion of the deposition.

(d) During the deposition the witness shall be recorded in as near to courtroom atmosphere and standards as possible. There will not be any "zoom in" procedures to unduly emphasize any portion of the testimony, but "zoom in" will be allowed for exhibits and charts

to make them visible to the jury. The camera shall focus as much as possible on the witness. The attorneys may be shown on introduction, the beginning of examination and during objections.

(e) It shall not be necessary for a witness to view and/or approve the videotape of a deposition.

(f) Any party may purchase a duplicate original or edited tape from the video operator technician at any time.

[Adopted by order entered December 27, 1989 and approved by the Supreme Court by order entered on February 14, 1990.]

EXHIBIT C

AMENDED LOCAL RULES FOR
SECOND CHANCERY COURT DISTRICT OF MISSISSIPPI
Adopted November, 2001

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

Table of Rules

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APPENDIX OF FORMS

I.
GENERAL RULES

RULE NO. 1. Commencement of Court. (Revised 04/90).
Court shall commence each day at 9:00 o'clock a.m. unless otherwise set by order of the Court.

RULE NO. 2. Establishment of Terms of Court and Ex Parte/Motion Days. (Revised 04/90)
The Court will enter an Order annually establishing the commencement and continuation of regular terms of Court as well as Motion and Ex Parte Days in the various Counties comprising the Second Chancery Court District. If no such order is entered prior to January 1, the Order for the previous year shall remain in effect.

RULE NO. 3. Duties of the Clerk/Court files. (Revised 11/01)

A. It shall be the duty of the Clerk, or the Clerk's designated representative, to be present in the courtroom at all times Court is in session, unless excused by the Court.

B. Other than Ex Parte and Motion Days, it shall also be the duty of the Clerk to have available in the courtroom the Court files and Exhibits of all cases set for hearing or motions that day.

C. At all other times, the files of this court shall not be removed from the office of the Clerk except by permission of the Clerk. The Clerk shall maintain an appropriate system whereby court files may be checked out in accordance with this rule.

D. Only attorneys, or parties who represent themselves, may remove files from the office of the Clerk, and they shall assume full responsibility for the safekeeping and return of such files. In addition, attorneys who have actions set on the court calendar when the Court is setting in another county shall check out the file from the Clerk's office and bring same to Court for such hearing. In either event, all files shall be promptly returned to the Clerk's office following the hearing by the Court, or within ten (10) working days from the day such file is checked out. (§ 9-5-165; M.R.C.P. 79; U.C.C.R. 1.02, 1.04)

E. It shall also be the responsibility of the Clerk to notify the Bailiff of each day and time the Court will be sitting in their County.

RULE NO. 4. Dockets and Calendars. (Revised 11/01)

F. The Clerk of the Court and the Court Administrator shall maintain General Dockets, Trial Calendars, Trial Dockets and other records and books as set forth in Rules 79

and 40 of the Mississippi Rules of Civil Procedure. [§9-17-1, et seq., Miss.Code.Ann] As a minimum, the following dockets shall be maintained at all times:

1. General Docket: A chronological log of activities of all actions filed with the Court. Every case filed with the Court is listed on this docket. (§ 9-5-201)
2. Probate Docket: All actions for the administration of estates, probate of a will, appointment of a Guardian, and appointment of a Conservator are hereby assigned to the Probate Docket, and shall be listed thereon.
3. Family Master Docket: All actions filed to establish paternity pursuant to the Mississippi Uniform Law on Paternity, and all actions filed by the State or County Department of Human Services, or its successor, for the purpose of establishing, modifying and enforcing orders for support, are hereby assigned to the Family Master from the date of filing of same, and shall be placed on the Family Master Docket until disposed of by the Family Master by written report or recommendation to the Chancellor (§ 9-5-255). The duly appointed Family Master shall be authorized to enter general administrative orders including, but not limited to Orders setting causes for trial, Orders of continuance, and Orders requiring paternity testing. All final Orders or Judgments shall be entered by the Chancellor
4. Trial Calendar: All cases which have been filed for more than one hundred twenty (120) days, other than cases on the Probate or Family Master Dockets, shall be placed on the Trial Calendar to be set for final hearing, if no final hearing has been previously set. (M.R.C.P. 40 & 78)
5. Trial Docket: The trial Docket shall be prepared by the Court Administrator at the time actions are set for trial and shall state the case to be tried, the date of the trial, the attorneys of record in the case, and the place of the trial. Additionally, if the matter is set for trial at a duly conducted docket call, the Trial Docket shall reflect such attorneys of record and parties representing themselves as were present personally or by design when the trial docket was set. (M.R.C.P. 40(b) and §9-17-1, et seq., Miss.Code.Ann.) In the discretion of the Court, matters and actions on the trial docket may be tried and disposed of in such a manner as to give preference to those matters and actions which are approaching the trial standards deadline as established by the Supreme Court.

RULE NO. 5. Scheduling trials, hearings and ex parte matters. (Revised 11/01)

A. Scheduling Rule 81(d)(1) and (2) matters.

1 Upon the filing of any action or matter listed in M.R.C.P. 81 (d)(1) and (2), Summons substantially similar to Form 1D or Form 1DD of said Rules shall be prepared by the party filing same and issued by the Clerk commanding the defendant or respondent to appear and defend at a time and place, either in term time or vacation, at which the same shall be heard. Pursuant to this rule, the attorney filing same may select any Ex Parte or Motion Day as the time and place of such hearing, and shall immediately notify the Court Administrator thereof.

Alternatively, the attorney filing such matter may, prior to the issuance of a summons thereon, obtain a different time and place for such hearing [other than an Ex Parte or Motion Day] by contacting the office of the Court Administrator.

2 If such action or matter is not heard on the day set for hearing, it may, by order signed on that day, be continued to a later day for hearing without additional summons on the defendant or Respondent, provided sufficient process on the Defendant was acquired to make the case otherwise triable on that date. Pursuant to this rule, the Clerk of the Court in the county in which said action is filed is hereby authorized to execute Orders setting such cases for hearing, or continuing same, on dates, and at locations within the district to be designated by the attorney filing same. It shall be the responsibility of said attorney to obtain the date, time and place of such setting from the Court Administrator.

3 In the event that Summons is issued pursuant to this rule for any actions or matters enumerated in Rule 81(d)(1) and (2) M.R.C.P., and there is not sufficient service of process upon the Defendant or Respondent to make the cause triable on the date set in the summons, such process shall be void and a new Summons must issue pursuant to this rule for the Defendant or Respondent. (M.R.C.P. 81)

B. Scheduling other cases for Trial.

1 All Irreconcilable Difference divorce actions, and all actions wherein process is issued pursuant to MRCP 4, wherein the defendant is in default, will automatically be placed on the trial calendar by the Court Administrator. The Court Administrator will then prepare and forward to counsel for Plaintiff a Notice of Trial Setting advising counsel of the date, time and place of final hearing of said matter. The Notice of Trial Setting shall be in substantial conformity with Form CA.5B1.100.

2 Upon completion of process in any action wherein process is issued pursuant to MRCP 4, and the defendant has answered or otherwise made an appearance, the Court will enter a Time Standards Order which will, inter alia, set the matter for trial, subject to the following provisions. The Time Standards Order shall be in substantial conformity with Form CT.5B2.100 for contested domestic relations matters, and with Form CT. 5B2.200 for general civil actions.

a In all actions in which an answer has been filed by any Defendant, the Court will select a trial date which follows the date for completion of discovery as allowed by Uniform Chancery Court Rule 1.10, but prior to the deadline established by the Supreme Court in its Time Standards for Trial Courts. If no answer is filed following completion of process, the Court will place the action on the Trial Docket for the first available trial date for final resolution of the matter.

b Counsels for all parties should reserve the entire court term in which each action is set for trial. Although the trial date established by the Court in its Time Standards Order is the preferred date for trial of the matter, same may

be called up for trial at any time during the entire court term upon proper notice from the Court.

c In the event any attorney shall have any conflicts with the assigned trial date, notice thereof must be received by the Court Administrator within 10 days from the date of the Trial Standards Order. In such event, counsel with such conflict should, within 15 days from the date of the Trial Standards Order, arrange a conference call between the Court Administrator and all counsels for the purpose of selecting an alternate trial date, failing in which the trial date assigned in the Time Standards Order shall stand.

d Absent unforseen emergency or immediate exigent circumstances, only conflicts noticed to the Court Administrator within 10 days of the date of the Time Standards Order shall be considered by the Court. Unforseen emergency or immediate exigent circumstances shall be considered by the Court on a case by case basis.

3. Any action may be set for trial by submission to the Court Administrator of an Agreed Order setting cause for hearing signed by at least one attorney of record for each party. Such Agreed Order shall provide either that:
   a All discovery has been completed, and all motions have been previously filed and finally disposed of; or alternatively,
   b Such Order may establish deadlines for the completion of all discovery, joinder of parties, designation of experts, as well as the filing and hearing of Motions. The Court Administrator should be contacted to ascertain available dates for trial settings.
4. Alternatively, cases may be set for trial upon the Motion for Trial Setting of any party, and proper notice to all other parties. Such Motion shall be set for hearing on any Ex Parte or Motion day, with notice of such setting provided to the Court Administrator by the party setting same. However, notice of such Motion need not be made to any party in default for failure to appear. (M.R.C.P. 5(a))
5. Cases may also be set for trial at a duly noticed and conducted Docket Setting pursuant to M.R.C.P. 40.
6. In no event will such actions be set for trial unless and until process is completed on all parties, all motions have been filed, heard and finally disposed of, and all discovery is completed, unless prior authorization is obtained from the Court, and an Agreed Order is entered establishing deadlines for the completion of all discovery, as well as the filing and hearing of all Motions. **Once an action is set for Trial, all outstanding motions shall be deemed withdrawn, and all outstanding discovery shall be deemed waived, unless provided otherwise in the Order setting said cause for hearing.**

C. Scheduling motions and ex parte matters.

1. Pursuant to M.R.C.P. 78, all Motions and Ex Parte Matters shall be scheduled for hearing in the following manner:

a. The Court has established and will maintain scheduled days in vacation for hearing ex parte matters and motions. Any day designated as an Ex Parte day shall also be a Motion Day.
b. The Court Administrator shall maintain an Ex Parte and Motion Docket for each Ex Parte and Motion Day. Cases will be called on such days as they appear on the Ex Parte and Motion Docket. Attorneys, or parties representing themselves, who have matters they wish to schedule on an Ex Parte or Motion Day may do so by contacting the Court Administrator, whose address is Post Office Box 434, Forest, Mississippi 39074, and whose telephone number is (601) 469-2447.
c. It shall be the responsibility of each attorney, or each party representing themselves, to produce to the Court the original court file prior to the hearing of any case scheduled on an Ex Parte and Motion Day.

RULE NO. 6. Pre-Trial procedures. (Adopted 11/01)

A. Definitions:
1. The term "Filing Date" shall refer to the date of the filing of any original complaint or petition in any matter.
2. The term "Service of an Answer" shall refer to the date upon which an answer is due from the last of the Defendants required to respond. If no answer is required by applicable statutes or rules, the date of "Service of an Answer" shall be that date which is thirty days for divorce actions and all Rule 81(d)(1) matters, or seven days for all Rule 81(d)(2) matters after the date of service of process on the defendant, all as calculated pursuant to M.R.C.P.6.
3. The term "Target Date" shall refer to that date which is one year following the date of the filing of the complaint/petition [Filing Date] in contested domestic relations cases, or 18 months following the date of the filing of the complaint/petition [Filing Date] in general civil cases.
4. The terms "Counsels" or "Attorneys" shall include not only attorneys but also pro se litigants.

B. Scheduling Orders.
1. An appropriate Scheduling Order, in substantial conformity with Form CT.6B1.100, shall be submitted to the Court within thirty (30) days of the date of "Service of an Answer", as defined in this rule.
2. Counsels for all parties are under an affirmative duty to timely present the proposed Scheduling Order to the Court setting forth deadlines required therein, including, but not limited to deadlines for the joinder of other parties, amendments to pleadings, service of motions, designation of experts [whether requested by counsel opposite or not], service of dispositive motions and the ***completion*** of discovery. [The discovery deadline shall require that all discovery be ***completed*** and not simply filed by that date. For example, interrogatories should be filed more than thirty days prior to the discovery deadline, plus three days for mailing, if applicable. (See M.R.C.P. 6(e))]

3. Not later than twenty (20) days after the date of "Service of an Answer", as defined in this rule, lead counsel for Plaintiff shall initiate a conference call between counsels for all parties who shall then confer regarding preparation of the Scheduling Order and the content thereof. By agreement of all counsels, this conference may be conducted in person at a locations to be agreed upon. Unless agreed otherwise, Counsel for Plaintiff shall thereupon prepare the proposed Scheduling Order and submit same to Counsels for all defendants within four (4) days thereafter. Counsel for Defendants shall thereafter submit same to the Court no later than thirty (30) days following the date of "Service of an Answer".
4. In selecting applicable deadlines to be prescribed by the Scheduling Order, counsels for all parties must consider the "Target Date" as designated by the Supreme Court. Further, counsels for all parties should consider that all requests for continuances and all request for extensions of the deadlines set forth in the Scheduling Order will require a showing of good cause.
5. In the event counsels for all parties cannot agree on applicable deadlines to be contained in the Scheduling Order, all counsels shall submit to the Court, no later than twenty-six (26) days after the date of "Service of an Answer", a proposed Scheduling Order containing the deadlines which they propose for this case. In this situation, counsel should attach to the proposed Scheduling Order an Affidavit explaining the disagreement between counsels regarding the proposed deadlines, as well as an explanation as to why their proposed deadlines are more applicable to this situation.
6. In arriving at the deadlines to be prescribed in the Scheduling Order, counsels for all parties should consider the following as an initial guide:

a. Discovery Deadline	90 days from Service of an Answer, pursuant to U.C.C.R. 1.10;
b. Joinder of Parties	45 days from Service of an answer;
b. Amendments to Pleadings	45 days from Service of an Answer;
c. Designation of Experts	45 days from Service of an Answer;
d. Motions	120 days from Service of an Answer;
e. Dispositive Motions	150 days from Service of an Answer.

7. No new discovery shall be commenced after a case is set on the Trial Docket except by Order of the Court. (M.R.C.P. 16, 40)

RULE NO. 7. Filing and special contents of pleadings. (Revised 11/01)

A. All pleadings, accounts and other papers filed in any action shall be mailed or delivered to the Office of the Clerk of the appropriate County, and not to the Court Administrator nor to the Chancery Judge. Such pleadings shall conform to the paper size and margin requirements set forth in the Rules and/or Tracking System of the Mississippi Supreme Court governing transcripts of judicial proceedings, and those which do not so comply shall not be accepted or filed by the Clerk.

B. For the benefit and convenience of the Court and the Clerk, all documents (complaints, answers, motions, judgments, discovery pleadings, etc.) shall have typed

thereon the style of the case and the case number (if a number has been previously assigned).

C. The Complaint/Petition and the Answer shall include the complete physical and mailing address and telephone number of the party upon whose behalf such is filed.

D. Every pleading or motion of a party represented by an attorney shall be signed by at least one attorney of record in his individual name, and whose address and telephone number shall also be stated. (M.R.C.P. 5 and 11; U.C.C.R. 2.02)

RULE NO. 8. Preparation of process. (Revised 04/90)

All process shall be prepared by the party requesting issuance of same, and presented to the Clerk of the Court for issuance.

RULE NO. 9. Administrative/Ex Parte matters. (Revised 11/01)

Administrative/Ex parte matters, or matters submitted on sworn pleadings not requiring testimony, may be handled by mail, provided "FILED" stamped copies of the pleadings and all exhibits, and proof of sufficient process are included with the requested or proposed Judgment or Order. Any correspondence by mail with the Court shall include an addressed and stamped envelope for the Court's response, or return of said Judgment or Order. (U.C.C.R. 7.02)

RULE NO. 10. Preparation and submission of judgments and orders. (Adopted 11/01)

A The Court shall designate the attorney to prepare all judgments and orders of the Court. The attorney designated to prepare the judgment or order shall submit same to counsel opposite who shall sign said judgment or order indicating approval of same as to form. The purpose for this is to let the Court know that opposing counsel has had the opportunity to read the judgment or order and, while he may disagree with the ruling of the Court, agrees that the judgment or order contains what the Court did in fact hold. When there is no opposite counsel and the judgment or order is sent to the Court by mail, the accompanying letter shall contain sufficient facts as to remind the Chancellor of the specific case.

B All agreed judgments or orders shall be presented to the Court within ten (10) days from the announcement of such agreement to the Court, failing in which, see Rule 10(c)(5) below. All agreed judgments and orders shall be signed by all attorneys in such fashion as to indicate their agreement with the adjudications contained therein.

C Problems have arisen with regard to compliance with UCCR Rule 5.04 requiring that judgments be presented to the Chancellor within ten (10) calendar days. In an effort to avoid such problems and to ensure compliance with UCCR 5.04, the following procedure for preparation and submission of judgments and order is hereby adopted by the Court.

1. Upon the completion of the hearing of any matter, the Court will designate which attorney is to prepare the judgment or order.

2. The attorney designated by the Court to prepare the judgment or order shall forward a proposed judgment or order to counsel opposite, if any, within three

days following the hearing. When there is no opposite counsel and the judgment or order is sent to the Court by mail, the accompanying letter shall contain sufficient facts as to remind the Chancellor of the specific case.

3. Upon receipt of the proposed judgment or order, counsel opposite shall immediately review it and sign it, if correct, and send it to the Court, copying the attorney who prepared same. If counsel opposite disagrees with the form of the order or judgment, he/she shall immediately contact the attorney who prepared same in an attempt to resolve the disagreement. If additional time is absolutely necessary to resolve this disagreement, counsel opposite shall advise the Court *prior to expiration of the ten (10) day period* and obtain an extension of time within which to submit the judgment or order, *but in no event shall such addition time exceed ten (10) additional days.*

4. If counsels are able to resolve the disagreement, an appropriate judgment or order shall be forwarded to the Court within the ten (10) day period, plus any extension allowed by the Court, not to exceed ten (10) additional days. If counsels are unable to resolve the disagreement, counsel opposite shall so notify the Court Administrator *prior to the expiration of the ten (10) day period, plus any extension of time allowed by the Court.* The Court Administrator shall then schedule the matter for further hearings for the purpose of entry of a judgment or order. Such hearing for the entry of an appropriate judgment or order shall be scheduled as soon as possible, but in no event later than twenty (20) days following the date of the hearing at which the Court directed the preparation of the judgment or order. Notice of such hearing, in substantial conformity with form CA.10C4.100, shall be provided to both counsels by the Court Administrator. Both counsel are required to personally appear before the Court at such hearing and to present to the Court a proposed judgment or order.

5. If the judgment or order is not presented to the Court within the ten (10) day period allowed, plus any extension of time granted by the Court, and neither attorney has contacted the Court Administrator to have the matter set for hearing for the purpose of entry of a judgment or order, the Court will enter an **ORDER TO SHOW CAUSE** in substantial conformity with Form CT.10C5.100 directing that both attorneys personally appear before the Court to show cause why they should not be held in contempt of Court and assessed cost and expenses, if appropriate.

RULE NO. 11. Willful violation of rules constitutes contempt. (Revised 04/90)

Any willful violation of these rules shall constitute contempt of Court, for which any person may be fined and/or imprisoned in the County jail

II.
RULES CONCERNING DOMESTIC RELATIONS MATTERS

RULE NO. 12. Full financial information in domestic relations matters.(Revised 11/01)

A. In all domestic case wherein economic issues and/or property division has been plead, the parties and their attorneys shall comply with Rule 8.05, Uniform Chancery Court Rules. Each party shall provide the opposite party or counsel, if known, the following disclosures:

1 A detailed written statement of actual income and expenses and assets and liabilities in the forms proscribed by Rule 8.05, Uniform Chancery Court Rules;

2 Copies of the preceding year's Federal and State Income Tax returns, in full form as filed, or copies of W-2's if the return has not yet been filed;

3 A general statement of the providing party describing employment history and earnings from the inception of the marriage or from the date of divorce, whichever is applicable.

B. The party providing the required written statement shall immediately file a Certificate of Compliance, in the form contained in Rule 8.05 with the Chancery Clerk for filing in the Court file.

C. These voluntary disclosures shall be made by Plaintiff not later than the time that the Defendant's Answer is due, and by the Defendant at the time that the Defendant's Answer is due but not later than 45 days from the date of the filing of the commencing pleading, if discovery was filed with the commencing pleading.

D. If the original consideration of the matter by the Court is in the form of a Temporary Hearing or Contempt Hearing, such financial information shall be furnished to the Court and to opposing counsel as soon as Court convenes on the date of the hearing; except that, in contempt cases, Plaintiff need not submit full financial information.

RULE NO. 13. Family Support Act of 1988--Findings of fact. (Revised 04/90)

Pursuant to the Family Support Act of 1988, [P.L. 100-485, Section 103, 42 U.S.C. Section 667(b)], and § 43-19-101, Mississippi Code of 1972, as amended (Miss.Laws, ch. 439, 1989), the guidelines adopted by the State of Mississippi for establishing child support obligations shall be considered by the Court, along with those items of consideration heretofore enumerated by the Supreme Court, in all cases wherein child support is awarded or modified, whether such award be by agreement or by opinion of the Court. In all actions in which § 43-19-101, Mississippi Code of 1972, as amended is applicable, any party who requests a variance from the guidelines enumerated therein, either by way of increase or decrease, should present to the Court, at the time of the hearing, proposed written findings of facts as to why the application of the guidelines would be unjust or inappropriate in that particular case. Such proposed written findings may be in the form of a proposed Judgment containing the reasons for deviation.

RULE NO. 14. Appointment of valuation expert. (Adopted 11/01)

A. In all domestic case wherein equitable division of marital property is at issue, the Court must, prior to making the equitable division, determine the fair market value of all marital assets. Ferguson v Ferguson, 639 So.2d 921 (Miss. 1994). The parties are encouraged to negotiate a reasonable agreement as to the value of each separate item of marital property, if possible. An agreement, signed by both parties and their counsels, setting forth the agreement of the parties as to the value of any or all marital assets should be filed with the Clerk no later than the deadline for designation of experts. In the event that the parties are unable to agree on the fair market value of any or all marital assets by that deadline, Counsel for Plaintiff should notify the Court Administrator by letter, with copy to all counsels of record. Such letter should be forwarded to the Court Administrator no later than 5:00 O'clock. p.m., on the date designated in the Scheduling Order as the deadline for designation of experts. [Mail: P. O. Box 434, Forest, MS 39074: Fax: 601-469-3116] The Court will thereafter enter an Order To Show Cause why an expert should not be appointed pursuant to M.R.E. 706. The Order to Show Cause shall be in substantial conformity with Form CT.14A.100.

B. The failure by counsel for Plaintiff to notify the Court of the inability of the parties to agree as to the value of all items of marital property by the deadline for designation of experts shall be treated as a contempt of Court.

C. In the event the Court elects to appoint experts to value any or all marital property, an Order Appointing MRE 706 Experts in substantial conformity with Form CT.14C.100 shall be entered. The Order shall provide that the compensation for such experts shall be paid by the parties in such proportion and at such time as the Court directs, and thereafter charged in like manner as other cost. The parties will be required to deposit with the Court sufficient funds to cover the anticipated cost thereof. The specific amounts to be deposited by each party shall be considered by the Court at the hearing noticed by the Order to Show Cause. M.R.E. 706(b).

D. Alternatively, in order to expedite the process of securing an Expert pursuant to M.R.E. 706, the parties may agree to the appointment of an expert by the Court by the execution of an Agreed Order For Court Appointed Experts in substantial conformity with Form CT.14D.100. The Court will thereafter select the name of the experts and the amount to be deposited by each party to be inserted in the Order.

E. Upon the appoint of an expert by the Court, an Amended Scheduling Order shall be entered extending the deadline for designation of experts and completion of discovery.

F. Nothing contained herein shall limit the right of either party to retain an expert of their own. M.R.E. 706(d).

III.
RULES CONCERNING ESTATE MATTERS

RULE NO. 15. Estates, Guardianships and Conservatorships. (Adopted 11/01)

A. Information worksheets required.

1 At the time of filing a petition to open an estate, guardianship or conservatorship, the attorney and petitioners shall complete and file a Probate Worksheet in substantial conformity with Form CL.15A1.100. The clerk shall not issue Letters to the fiduciary until such information worksheet is complete and filed.

B. Bonds required in estate matters

1 Pursuant to § 91-7-67, Miss.Code.Ann., unless the requirement for bond is waived in a property probated last will and testament, bond in any estate may only be waived if the administrator is the decedent's sole heir or if all the heirs are competent and present their sworn petition to waive or reduce such bond.

2 Unless properly waived, bond should be established in an amount at least equal to the value of the estate. (§91-7-41). As the Court has no basis upon which to gauge the value of an estate at the time of the entry of an Order opening same, it is the responsibility of the Attorney to include in the original Petition a statement as to the value of the estate so as to allow for the establishment of an appropriate bond.

3 If bond has not been properly waived, it is the responsibility of the attorney to advise the Court if, at any time, the value of the estate exceeds the bond posted by the fiduciary.

C. Annual accountings required.

1 Annual accountings are required in all estate matters unless property waived or pretermitted by the Court upon proper petition therefor.

2 In order to insure the proper and timely filing of accountings by all fiduciaries and their attorneys, the Court hereby adopts the following procedure:

a Upon the entry of any Judgment or Order appointing a fiduciary in any estate, a Notice of Due Date of Accounting in substantial conformity with Form CL.15C2a.100 shall be mailed by the Clerk to each fiduciary and the fiduciary's attorney notifying them that the first annual accounting is due one year from the date such estate is opened.

b Thereafter, each year in which an accounting is due, a Notice of Accounting Due in substantial conformity with Form CL.15C2b.100 shall be mailed by the Clerk to each fiduciary and the fiduciary's attorney notifying them of the month in which an accounting is due. Such Notice shall be mailed at least thirty (30) days prior to the due date of the accounting.

c The Clerk shall determine in the month following the month in which an accounting is due the identity of each file in which the fiduciary and attorney have failed to file an accounting or failed to have the accounting excused or deferred in writing by the Court. Such information shall be provided by the

Clerk to the Court Administrator, who shall bring same to the attention of the Court.

d An Order To Show Cause for failure to file the accounting in shall thereupon issue to such derelict, fiduciary and attorney citing them to appear before the Court at a time and date certain to show cause why such accounting was not filed and for the Court to consider whether the fiduciary and attorney should be fined and removed for such failure, and to consider such further action as the Court may deem appropriate. Such Order to Show Cause shall be in substantial conformity with Form CT.15C2d.100.

e Attorneys and fiduciaries desiring to defer an accounting shall present to the Court a written Motion setting forth the reason such deferment is appropriate. Attached to such written request shall be the proposed Court order granting such deferment of annual accountings.

f Absent compelling reason therefor, no such deferment of annual accountings will be granted in any estate in which regular withdrawals are made or anticipated.

IV.
RULES CONCERNING SETTLEMENT CONFERENCES

RULE NO. 16. Settlement Conferences. (Adopted 11/01)

A. **SCHEDULING.** Any action before the Court may be set for Settlement Conference at the request of any party, or on the Court's own motion, by entry of an Order Setting Settlement Conference in substantial conformity with Form CT.16.100.

B. **PARTICIPANTS.** All counsels shall be present at the settlement conference. Absent unforseen emergency or immediate exigent circumstances, all parties shall be personally present at the settlement conference unless previously excused by Order of the Court.

C. **PRODUCTION.** Counsels for all parties shall be prepared to produce to the Court and counsel opposite at the time of the settlement conference the following:

1 The original Court File;
2 The original of any and all unfiled discovery;
3 Copies of all proposed trial exhibits;
4 Copies of all documentation required under U.C.C.R. 8.05;
5 Copies of all written reports from all experts expected to testify at the final hearing, or whose reports will be submitted to the Court, including copies of all documentary evidence expected to be offered into evidence by or through such expert;
6 Copies of any and all other documentary evidence expected to be offered at trial.

V.
PRIORITY.

RULE NO. 17. Priority. (Adopted 04/90)

These Rules are in addition and supplemental to the Uniform Chancery Court Rules, the Mississippi Rules of Civil Procedure, and other applicable rules promulgated by the Mississippi Supreme Court, and are not intended to override, rescind or repeal any of same. However, these rules shall supersede and replace any and all former and preceding local rules of the Second Chancery Court District.

ADOPTED by the Court, this 30th day of November, 2001, to be effective upon approval by the Mississippi Supreme Court, pursuant to M.R.C.P. 83(b).

_____

CHANCELLOR

revised 11/2001

APPENDIX OF FORMS

ORDERS OF THE COURT:

Form #		
	CT.5B2.100	TIME STANDARDS ORDER - Domestic Relations
	CT.5B2.200	TIME STANDARDS ORDER - General Civil Actions
	CT.6B1.100	SCHEDULING ORDER
	CT.10C5.100	ORDER TO SHOW CAUSE - Failure to submit judgment
	CT.14A.100	ORDER TO SHOW CAUSE - Appointment of MRE 706 Expert
	CT.14C.100	ORDER APPOINTING MRE 706 EXPERTS
	CT.14D.100	AGREED ORDER FOR COURT APPOINTED EXPERTS
	CT.15C2d.100	ORDER TO SHOW CAUSE - Failure to file accounting
	CT.16.100	ORDER SETTING SETTLEMENT CONFERENCE

COURT ADMINISTRATOR FORMS:

Form #		
	CA.5B1.100	NOTICE OF TRIAL SETTING - Uncontested Matters
	CA.10C4.100	NOTICE OF HEARING FOR ENTRY OF JUDGMENT

CHANCERY CLERK FORMS:

Form #		
	CL.15A1.100	PROBATE WORKSHEET
	CL.15C2a.100	NOTICE OF DUE DATE OF ACCOUNTING
	CL.15C2b.100	NOTICE OF ACCOUNTING DUE

IN THE CHANCERY COURT OF _____ COUNTY, MISSISSIPPI
_____ JUDICIAL DISTRICT

JANE DOE **PLAINTIFF**

VS. **C.A.N. _____**

JOHN DOE **DEFENDANT**

TIME-STANDARDS ORDER
Contested Domestic Relations

This matter is before the Court Ex Mero Motu upon notification by the Clerk that process has been completed. Pursuant to Administrative Order 2001-AD-00001 entered by the Supreme Court, State of Mississippi, on November 15, 2001, as well as the Mississippi Rules of Civil Procedure, the Uniform Chancery Court Rules and the Local Rules of the Second Chancery Court District, State of Mississippi, it is hereby Ordered and Adjudged as follows:

I.

SCHEDULING ORDER

1. This matter was filed on [**January 3, 2002**]. Process was completed on the Defendant on [**January 4, 2002**] An answer was filed in this matter by the Defendant on [**February 4, 2002**], which date is hereinafter referred to as the date of "Service of an Answer". [If no answer is required by applicable statutes or rules, the date of "Service of an Answer" shall be that date which is thirty days for divorce actions and all Rule 81(d)(1) matters or seven days for all Rule 81(d)(2) matters after the date of service of process on the defendant, all as calculated pursuant to M.R.C.P.6.] This matter shall be adjudicated or otherwise concluded

within 365 days of the date of filing, being **[January 3, 2003]**, hereinafter referred to as the "Target Date", pursuant to a Scheduling Order to be entered in the following manner:

a. An appropriate Scheduling Order, in the form required by local court rules, shall be submitted to the Court within thirty (30) days of the date of Service of an Answer.

b. Counsels for all parties are under an affirmative duty to timely present the proposed Scheduling Order to the Court setting forth deadlines required therein, including, but not limited to deadlines for the joinder of other parties, amendments to pleadings, service of motions, designation of experts [whether requested by counsel opposite or not], service of dispositive motions and the ***completion*** of discovery. [The discovery deadline shall require that all discovery be ***completed*** and not simply filed by that date. For example, interrogatories should be filed more than thirty days prior to the discovery deadline, plus three days for mailing, if applicable. (See M.R.C.P. 6(e))].

c. Not later than twenty (20) days after the date of Service of an Answer, lead counsel for Plaintiff shall initiate a conference call between counsels for all parties who shall then confer regarding preparation of the Scheduling Order and the content thereof. By agreement of all counsels, this conference may be conducted in person at a locations to be agreed upon. Unless agreed otherwise, Counsel for Plaintiff shall thereupon prepare the proposed Scheduling Order and submit same to Counsels for all defendants within four (4) days thereafter. Counsel for Defendants shall thereafter submit same to the Court no later than thirty (30) days following the date of Service of an Answer.

d. In selecting applicable deadlines to be prescribed by the Scheduling Order, counsels for all parties must consider the Target Date as designated by the Supreme Court. Further, counsels

for all parties should consider that all requests for continuances and all request for extensions of the deadlines set forth in the Scheduling Order will require a showing of good cause.

e. In the event counsels for all parties cannot agree on applicable deadlines to be contained in the Scheduling Order, all counsels shall submit to the Court, no later than twenty-six (26) days after the date of Service of an Answer, a proposed Scheduling Order containing the deadlines which they propose for this case. In this situation, counsel should attach to the proposed Scheduling Order an Affidavit explaining the disagreement between counsels regarding the proposed deadlines, as well as an explanation as to why their proposed deadlines are more applicable to this situation. The Court shall thereafter enter the appropriate Scheduling Order, subject to the right of the Court to require the personal presence of counsels for all parties at a hearing noticed by the Court for the purpose of considering same.

f. In arriving at the deadlines to be prescribed in the Scheduling Order, counsels for all parties should consider the following as an initial guide:

i.	Discovery Deadline	90 days from "Service of an Answer", pursuant to U.C.C.R. 1.10;
ii.	Joinder of Parties	45 days from Service of an Answer;
iii.	Amendments to Pleadings	45 days from Service of an Answer;
iv.	Designation of Expert Witnesses	45 days from Service of an Answer;
v.	Motions	120 days from Service of an Answer;
vi.	Dispositive Motions	150 days from Service of an Answer.

II.
DISCOVERY

2. Discovery in this matter shall be controlled by the Mississippi Rules of Civil Procedure, the Uniform Chancery Court Rules, including but not limited to Rule 1.10 thereof, as well as the Local Rules of the Second Chancery Court District, State of Mississippi.

III.

RULE 8.05

3. If this is a domestic case wherein economic issues and/or property division has been plead, the parties and their attorneys shall comply with Rule 8.05, Uniform Chancery Court Rules. Each party shall provide the opposite party or counsel, if known, the following disclosures:

a. A detailed written statement of actual income and expenses and assets and liabilities in the forms proscribed by Rule 8.05, Uniform Chancery Court Rules;

b. Copies of the preceding year's Federal and State Income Tax returns, in full form as filed, or copies of W-2's if the return has not yet been filed;

c. A general statement of the providing party describing employment history and earnings from the inception of the marriage or from the date of divorce, whichever is applicable. The party providing the required written statement shall immediately file a Certificate of Compliance, in the form contained in Rule 8.05 with the Chancery Clerk for filing in the Court file.

d. These voluntary disclosures shall be made by Plaintiff not later than the time that the Defendant's Answer is due, and by the Defendant at the time that the Defendant's

Answer is due but not later than 45 days from the date of the filing of the commencing pleading, if discovery was filed with the commencing pleading.

e. The remaining provisions of Rule 8.05, Uniform Chancery Court Rules, shall also be applicable to this action.

IV.

SETTLEMENT CONFERENCE

4. This action is hereby set for settlement conference on the ***[4TH]*** day of ***[August]***, 2002, in the Courtroom of the ***[Scott]*** County Courthouse, in ***[Forest]***, Mississippi, at 9:00 O'clock, a. .m., subject to the following:

   a. **EXCEPTIONS**. No settlement conference shall be required or conducted in the following actions:

      i. Actions which have been fully and completely resolved as to all issues raised in the pleadings **and FINAL JUDGMENT has already been entered by the Court;**

      ii. Any action in which the Court has previously entered and Order dispensing with the requirement of a settlement conference for good cause shown.

   b. **PARTICIPANTS**. All counsels shall be present at the settlement conference. Absent unforseen emergency or immediate exigent circumstances, all parties shall be personally present at the settlement conference unless previously excused by Order of the Court.

c. **PRODUCTION.** Counsels for all parties shall be prepared to produce to the Court and counsel opposite at the time of the settlement conference the following:

i. The original Court File;

ii. The original of any and all unfiled discovery;

iii. Copies of all proposed trial exhibits;

iv. Copies of all documentation required under U.C.C.R. 8.05;

v. Copies of all written reports from all experts expected to testify at the final hearing, or whose reports will be submitted to the Court, including copies of all documentary evidence expected to be offered into evidence by or through such expert;

vi. Copies of any and all other documentary evidence expected to be offered at trial.

IV.
TRIAL DATE

5. This matter is hereby set for final hearing on the *[12th]* day of *[September]*, 2002, in the Courtroom of the *[Jasper]* County Courthouse, in *[Bay Springs]*, Mississippi, at 9:00 O'clock, a..m., with the following understandings:

a. **RESERVE *PERIOD*. Although the Trial Date noted above is the preferred date for trial of this matter, same may be called up for trial at any time during the entire term, beginning on the [9th day of September, 2002] and**

continuing through the [20th day of September, 2002].. Counsels for both parties should reserve the entire term in which this matter is set for trial.

b. **CONFLICTS**. In the event either counsels have any conflicts with the assigned Trial Date, notice thereof must be received by the Court Administrator within 10 days from the date of this Order. In such event, counsel with such conflict should, within 15 days from the date of this Order, arrange a conference call between the Court Administrator and all counsels for the purpose of selecting an alternate Trial Date, failing in which the Trial Date assigned above shall stand.

c. **UNNOTICED CONFLICTS**. Absent unforseen emergency or immediate exigent circumstances, only conflicts noticed to the Court Administrator within 10 days of the date of this Order shall be considered by the Court. Unforseen emergency or immediate exigent circumstances shall be considered by the Court on a case by case basis.

SO ORDERED AND ADJUDGED, this the _____ day of _____, 200___.

_____

CHANCELLOR

Form CT.5B2.100

IN THE CHANCERY COURT OF _____ COUNTY, MISSISSIPPI
_____ JUDICIAL DISTRICT

JANE DOE **PLAINTIFF**

VS. **C.A.N. _____**

JOHN DOE **DEFENDANT**

TIME-STANDARDS ORDER
General Civil

This matter is before the Court Ex Mero Motu upon notification by the Clerk that process has been completed. Pursuant to Administrative Order 2001-AD-00001 entered by the Supreme Court, State of Mississippi, on November 15, 2001, as well as the Mississippi Rules of Civil Procedure, the Uniform Chancery Court Rules and the Local Rules of the Second Chancery Court District, State of Mississippi, it is hereby Ordered and Adjudged as follows:

I.

SCHEDULING ORDER

1. This matter was filed on [**January 3, 2002**]. Process was completed on the Defendant on [**January 4, 2002**] An answer was filed in this matter by the Defendant on [**February 4, 2002**], which date is hereinafter referred to as the date of "Service of an Answer". [If no answer is required by applicable statutes or rules, the date of "Service of an Answer" shall be that date which is thirty days for divorce actions and all Rule 81(d)(1) matters or seven days for all Rule 81(d)(2) matters after the date of service of process on the defendant, all as calculated pursuant to M.R.C.P.6.] This matter shall be adjudicated or otherwise concluded

within eighteen (18) months of the date of filing, being **[July 3, 2003]**, hereinafter referred to as the "Target Date", pursuant to a Scheduling Order to be entered in the following manner:

a. An appropriate Scheduling Order, in the form required by local court rules, shall be submitted to the Court within thirty (30) days of the date of Service of an Answer.

b. Counsels for all parties are under an affirmative duty to timely present the proposed Scheduling Order to the Court setting forth deadlines required therein, including, but not limited to deadlines for the joinder of other parties, amendments to pleadings, service of motions, designation of experts [whether requested by counsel opposite or not], service of dispositive motions and the ***completion*** of discovery. [The discovery deadline shall require that all discovery be ***completed*** and not simply filed by that date. For example, interrogatories should be filed more than thirty days prior to the discovery deadline, plus three days for mailing, if applicable. (See M.R.C.P. 6(e))].

c. Not later than twenty (20) days after the date of Service of an Answer, lead counsel for Plaintiff shall initiate a conference call between counsels for all parties who shall then confer regarding preparation of the Scheduling Order and the content thereof. By agreement of all counsels, this conference may be conducted in person at a locations to be agreed upon. Unless agreed otherwise, Counsel for Plaintiff shall thereupon prepare the proposed Scheduling Order and submit same to Counsels for all defendants within four (4) days thereafter. Counsel for Defendants shall thereafter submit same to the Court no later than thirty (30) days following the date of Service of an Answer.

d. In selecting applicable deadlines to be prescribed by the Scheduling Order, counsels for all parties must consider the Target Date as designated by the Supreme Court. Further, counsels for all parties should consider that all requests for continuances and all request for extensions of the deadlines set forth in the Scheduling Order will require a showing of good cause.

e. In the event counsels for all parties cannot agree on applicable deadlines to be contained in the Scheduling Order, all counsels shall submit to the Court, no later than twenty-six (26) days after the date of Service of an Answer, a proposed Scheduling Order containing the deadlines which they propose for this case. In this situation, counsel should attach to the proposed Scheduling Order an Affidavit explaining the disagreement between counsels regarding the proposed deadlines, as well as an explanation as to why their proposed deadlines are more applicable to this situation. The Court shall thereafter enter the appropriate Scheduling Order, subject to the right of the Court to require the personal presence of counsels for all parties at a hearing noticed by the Court for the purpose of considering same.

f. In arriving at the deadlines to be prescribed in the Scheduling Order, counsels for all parties should consider the following as an initial guide:

i	Discovery Deadline	90 days from "Service of an Answer", pursuant to U.C.C.R. 1.10;
ii.	Joinder of Parties	45 days from Service of an Answer;
iii.	Amendments to Pleadings	45 days from Service of an Answer;
iv.	Designation of	45 days from Service of an Answer;

Expert Witnesses

v. Motions — 120 days from Service of an Answer;

vi. Dispositive Motions — 150 days from Service of an Answer.

II.
DISCOVERY

2. Discovery in this matter shall be controlled by the Mississippi Rules of Civil Procedure, the Uniform Chancery Court Rules, including but not limited to Rule 1.10 thereof, as well as the Local Rules of the Second Chancery Court District, State of Mississippi.

III.

SETTLEMENT CONFERENCE

3. This action is hereby set for settlement conference on the ***[4TH]*** day of ***[August]***, 2002, in the Courtroom of the ***[Scott]*** County Courthouse, in ***[Forest]***, Mississippi, at 9:00 O'clock, a..m., subject to the following:

a. **EXCEPTIONS**. No settlement conference shall be required or conducted in the following actions:

i. Actions which have been fully and completely resolved as to all issues raised in the pleadings **and FINAL JUDGMENT has already been entered by the Court**;

ii. Any action in which the Court has previously entered and Order dispensing with the requirement of a settlement conference for good cause shown.

b. **PARTICIPANTS**. All counsels shall be present at the settlement conference. Absent unforseen emergency or immediate exigent circumstances, all parties shall be

personally present at the settlement conference unless previously excused by Order of the Court.

c. **PRODUCTION.** Counsels for all parties shall be prepared to produce to the Court and counsel opposite at the time of the settlement conference the following:

i. The original Court File;

ii. The original of any and all unfiled discovery;

iii. Copies of all proposed trial exhibits;

iv. Copies of all written reports from all experts expected to testify at the final hearing, or whose reports will be submitted to the Court, including copies of all documentary evidence expected to be offered into evidence by or through such expert;

v. Copies of any and all other documentary evidence expected to be offered at trial.

IV.
TRIAL DATE

4. This matter is hereby set for final hearing on the *[12th]* day of *[September]*, 2002, in the Courtroom of the *[Jasper]* County Courthouse, in *[Bay Springs]*, Mississippi, at 9:00 O'clock, a..m., with the following understandings:

a. **RESERVE *PERIOD*. Although the Trial Date noted above is the preferred date for trial of this matter, same may be called up for trial at any time during the entire term, beginning on the [9th day of September, 2002] and continuing through**

the [20th day of September, 2002].. Counsels for both partics should reserve the entire term in which this matter is set for trial.

b. **CONFLICTS**. In the event either counsels have any conflicts with the assigned Trial Date, notice thereof must be received by the Court Administrator within 10 days from the date of this Order. In such event, counsel with such conflict should, within 15 days from the date of this Order, arrange a conference call between the Court Administrator and all counsels for the purpose of selecting an alternate Trial Date, failing in which the Trial Datc assignod above shall stand.

c. **UNNOTICED CONFLICTS**. Absent unforseen emergency or immediate exigent circumstances, only conflicts noticed to the Court Administrator within 10 days of the date of this Order shall be considered by the Court. Unforseen emergency or immediate exigent circumstances shall be considered by the Court on a case by case basis.

SO ORDERED AND ADJUDGED, this the _____ day of _____, 200___.

_____

CHANCELLOR

Form CT.5B2.200

IN THE CHANCERY COURT OF _____ COUNTY, MISSISSIPPI

_____ **PLAINTIFF**

VS. **C.A.N.** _____

_____ **DEFENDANT**

SCHEDULING ORDER

This matter is before the Court for the entry of an appropriate Scheduling Order. See Amended Local Court Rules, Second Chancery Court District, State of Mississippi, for definitions of *italicized* words.

IT IS, THEREFORE, ORDERED AND ADJUDGED:

1 This matter is hereby set for final hearing on the ____ day of_____, 200___, in the Courtroom of the _____County Courthouse, in _____, Mississippi, at 9:00 O'clock, a..m., subject to all applicable provisions of the Time Standards Order previously entered in this cause.

2. The following deadlines shall apply.

   a. All discovery shall be completed no later than the 90th day following the date of *Service of an Answer*, said deadline being the _____ day of _____, 200___;

   b. All motions to join additional parties shall be filed and heard no later than the 45th day following the date of *Service of an Answer*, said deadline being the _____ day of _____, 200___;

c. All motions to amend the pleadings shall be filed and heard no later than the 45th day following the date of *Service of an Answer*, said deadline being the _____ day of _____, 200___;

d. All experts shall be designated no later than the 45th day following the date of *Service of an Answer*, said deadline being the _____ day of _____, 200___;

e. All motions, other than motions to amend pleadings or dispositive motions, shall be filed and heard no later than the 120th day following the date of *Service of an Answer*, said deadline being the _____ day of _____, 200___;

f. All dispositive motions shall be filed and heard no later than the 150th day following the date of *Service of an Answer*, said deadline being the _____ day of _____, 200___;

SO ORDERED AND ADJUDGED, this the _____ day of _____, 200___.

_____

CHANCELLOR

Form CT.6B1.100

IN THE CHANCERY COURT OF _____ COUNTY, MISSISSIPPI
_____ JUDICIAL DISTRICT

_____	PLAINTIFF(S)
VS.	C.A.N. _____
_____	DEFENDANT(S)

ORDER TO SHOW CAUSE
Failure to Submit Judgment or Order

ATTORNEY(S) FOR PLAINTIFF(S):

ATTORNEY(S) FOR DEFENDANT(S):

It having come to the attention of the Court that no judgment or order has been entered in this cause as directed by the Court and required by UCCR 5.04 and the Local Rules of this Court, this matter is hereby set for further hearing for the propose of entry of an appropriate judgment or order, and the attorneys are hereby ordered and directed to personally appear before the Court on _____, 200__, at 9:00 o'clock. a.m., in the _____ County Courthouse, _____, Mississippi, to show cause why they should not be held in contempt of Court and assessed cost and expenses, if appropriate.

SO ORDERED AND ADJUDGED, this the ____ day of _____, 200__.

CHANCELLOR

Form CT.10C5.100

IN THE CHANCERY COURT OF _____ COUNTY, MISSISSIPPI

_____ PLAINTIFF

V. C.A.N. _____

_____ DEFENDANT

ORDER TO SHOW CAUSE

Appointment of Expert per M.R.E. 706

The Court being advised that the parties to this domestic relations matter have been unable to agree as to the value of items alleged to be marital property, notice is hereby given that the Court shall consider the appointment of an expert pursuant to M.R.E. 706 at a hearing to be conducted at 9:00 o'clock, a.m., on the _____ day of _____, 200 , at the _____ County Courthouse, in _____, Mississippi. Both parties, and their attorneys, are hereby ordered and directed to personally appear and show cause why such expert should not be appointed. The parties to this action having been unable to agree as to the value of all items alleged to be marital property, and being of the opinion that an expert should be appointed by the Court pursuant to M.R.E. 706, do hereby consent and agree to the entry of this Order.

SO ORDERED AND ADJUDGED, this the _____ day of _____, 200___.

_____

CHANCELLOR

Form CT.14A.100

IN THE CHANCERY COURT OF _____ COUNTY, MISSISSIPPI

_____ **PLAINTIFF**

V. **C.A.N.** _____

_____ **DEFENDANT**

ORDER APPOINTING M.R.E. 706 EXPERTS

The parties to this action having been unable to agree as to the value of all items alleged to be marital property, and the Court, following proper notice to the parties, having considered same, is of the opinion that an expert should be appointed by the Court pursuant to M.R.E. 706.

IT IS, THEREFORE, ORDERED AND ADJUDGED as follows.

1. _____ be, and is hereby appointed by the Court to determine the **fair market value** of the following items of personal property alleged by one or both of the parties to be marital property subject to equitable distribution pursuant to Ferguson v Ferguson, 639 So.2d 921 (Miss. 1994).

a. X
b. X
c. X
d. X
e. X
f. X
g. X

Herein list any and all items alleged by either party to be marital property subject to equitable distribution.

2. _____ be, and is hereby appointed by the Court to determine the **fair market value** of the following described real property alleged by one or both of the parties to be marital property subject to equitable distribution pursuant to Ferguson v Ferguson, 639 So.2d 921 (Miss. 1994).

a. Exact legal description inserted here.

b. Exact legal description inserted here.

3. _____ be, and is hereby appointed by the Court to determine the **fair market value** of all standing timber on the following described real property alleged by one or both of the parties to be marital property subject to equitable distribution pursuant to Ferguson v Ferguson, 639 So.2d 921 (Miss. 1994).

a. Exact legal description inserted here.

b. Exact legal description inserted here.

4. _____ be, and is hereby appointed by the Court to determine the **fair market value** of the business known and operated as _____ Insert name of business here. _____ alleged by one or both of the parties to be marital property subject to equitable distribution pursuant to Ferguson v Ferguson, 639 So.2d 921 (Miss. 1994).

5. The parties and their attorneys are hereby ordered and directed to fully and timely cooperate with such experts in securing any and all information needed, including, but not limited to affording such experts full and unfettered access to such property.

6. Plaintiff shall, within fifteen (15) days of the date of this Order, deposit with the Clerk of this Court the sum of $_____ to defray the anticipated cost of such experts. In the event such deposit proves to be insufficient, further deposits may be required by the Court at a later date.

7. Defendant shall, within fifteen (15) days of the date of this Order, deposit with the Clerk of this Court the sum of $_____ to defray the anticipated cost of such experts. In the event such deposit proves to be insufficient, further deposits may be required by the Court at a later date.

8. As time is of the essence in the final adjudication and disposition of this matter, the experts hereby appointed shall file a full and complete report with the Clerk of this Court, with copies to all counsels of record, as soon as possible, but in no event later than sixty (60) days.

SO ORDERED AND ADJUDGED, this the _____ day of _____, 200___.

_____

CHANCELLOR

Form CT.14C.100

IN THE CHANCERY COURT OF _____ COUNTY, MISSISSIPPI

_____ **PLAINTIFF**

V. **C.A.N.** _____

_____ **DEFENDANT**

AGREED ORDER FOR COURT APPOINTED EXPERTS

The parties to this action having been unable to agree as to the value of all items alleged to be marital property, and being of the opinion that an expert should be appointed by the Court pursuant to M.R.E. 706, do hereby consent and agree to the entry of this Order.

IT IS, THEREFORE, ORDERED AND ADJUDGED as follows.

1. _____ be, and is hereby appointed by the Court to determine the **fair market value** of the following items of personal property alleged by one or both of the parties to be marital property subject to equitable distribution pursuant to Ferguson v Ferguson, 639 So.2d 921 (Miss. 1994).

a. X
b. X
c. X
d. X
e. X
f. X
g. X

Herein list any and all items alleged by either party to be marital property subject to equitable distribution.

2. _____ be, and is hereby appointed by the Court to determine the **fair market value** of the following described real property alleged by one or both of the parties to be marital property subject to equitable distribution pursuant to Ferguson v Ferguson, 639 So.2d 921 (Miss. 1994).

a. Exact legal description inserted here.

b. Exact legal description inserted here.

3. _____ be, and is hereby appointed by the Court to determine the **fair market value** of all standing timber on the following described real property alleged by one or both of the parties to be marital property subject to equitable distribution pursuant to Ferguson v Ferguson, 639 So.2d 921 (Miss. 1994).

a. Exact legal description inserted here.

b. Exact legal description inserted here.

4. _____ be, and is hereby appointed by the Court to determine the **fair market value** of the business known and operated as _____ Insert name of business here. _____ alleged by one or both of the parties to be marital property subject to equitable distribution pursuant to Ferguson v Ferguson, 639 So.2d 921 (Miss. 1994).

5. The parties and their attorneys are hereby ordered and directed to fully and timely cooperate with such experts in securing any and all information needed, including, but not limited to affording such experts full and unfettered access to such property.

6. Plaintiff shall, within fifteen (15) days of the date of this Order, deposit with the Clerk of this Court the sum of $_____ to defray the anticipated cost of such experts. In the event such deposit proves to be insufficient, further deposits may be required by the Court at a later date.

7. Defendant shall, within fifteen (15) days of the date of this Order, deposit with the Clerk of this Court the sum of $_____ to defray the anticipated cost of such experts. In the event such deposit proves to be insufficient, further deposits may be required by the Court at a later date.

8. As time is of the essence in the final adjudication and disposition of this matter, the experts hereby appointed shall file a full and complete report with the Clerk of this Court, with copies to all counsels of record, as soon as possible, but in no event later than sixty (60) days.

SO ORDERED AND ADJUDGED, this the _____ day of _____, 200___.

_____

CHANCELLOR

APPROVED AND AGREED:

_____	_____
PLAINTIFF	**ATTORNEY FOR PLAINTIFF**
_____	_____
DEFENDANT	**ATTORNEY FOR DEFENDANT**

Form CT.14D.100

IN THE CHANCERY COURT OF _____ COUNTY, MISSISSIPPI
_____ JUDICIAL DISTRICT

IN THE MATTER OF THE ESTATE OF _____

C.A.N. _____
[ ] EX [ ] ADM [ ] CONS [ ] GND

ORDER TO SHOW CAUSE
Failure to file Accounting

FIDUCIARY:

ATTORNEY FOR FIDUCIARY:

It having come to the attention of the Court that an Annual Accounting has not been filed in this cause as required, notice is hereby given that the above referenced duly appointed Fiduciary and the Attorney are hereby Ordered and Directed to personally appear before the Court on the _____ day of _____, 200__, at 9:00 o'clock. a.m., in the _____ County Courthouse, _____, Mississippi, to show cause, if any they have, why they should not be fined and/or removed.

SO ORDERED AND ADJUDGED, this the _____ day of _____, 200___.

_____
CHANCELLOR

Form CT.15C2d.100

IN THE CHANCERY COURT OF _____ COUNTY, MISSISSIPPI
_____ JUDICIAL DISTRICT

_____	PLAINTIFF(S)
VS. C.A.N. _____	
_____	DEFENDANT(S)

ORDER SETTING SETTLEMENT CONFERENCE

ATTORNEY(S) FOR PLAINTIFF(S):

ATTORNEY(S) FOR DEFENDANT(S):

It having come to the attention of the Court that a Settlement Conference should be conducted in this matter so as to narrow the issues to the extent possible.

IT IS, THEREFORE ORDERED AND ADJUDGED that this cause is hereby set for Settlement Conference at 9:00 o'clock, a.m., on the ___ day of _____, 200__, in the _____ County Courthouse, _____, Mississippi. All counsels shall be personally present at the settlement conference. Absent unforseen emergency or immediate exigent circumstances, all parties shall be personally present at the settlement conference unless excused by Order of the Court for good cause shown. Counsels for all partics shall be prepared to produce to the Court and counsel opposite at the time of the settlement conference the following:

a. The original Court File;

b. The original of any and all unfiled discovery;

c. Copies of all proposed trial exhibits;

d. Copies of all documentation required under U.C.C.R. 8.05, if applicable;

e. Copies of all written reports from all experts expected to testify at the final hearing, or whose reports will be submitted to the Court, including copies of all documentary evidence expected to be offered into evidence by or through such expert;

f. Copies of any and all other documentary evidence expected to be offered at trial.

SO ORDERED AND ADJUDGED, this the ____ day of _____, 200___.

_____

CHANCELLOR

Form CT.16.100

IN THE CHANCERY COURT OF _____ COUNTY, MISSISSIPPI
_____ JUDICIAL DISTRICT

_____	PLAINTIFF(S)
VS. C.A.N. _____	
_____	DEFENDANT(S)

NOTICE OF TRIAL SETTING
Uncontested Matters

ATTORNEY(S) FOR PLAINTIFF(S):

Notice is hereby given that the above styled and numbered cause has been set for **TRIAL** on the _____ day of _____, 200__, at 9:00 o'clock. a.m., in the _____ County Courthouse, _____, Mississippi.

IF YOU DO NOT AGREE TO THE ABOVE SETTING, PLEASE NOTIFY THE OFFICE OF THE COURT ADMINISTRATOR WITHIN FIVE (5) DAYS AFTER RECEIPT OF THIS NOTICE. IF WE DO NOT HEAR FROM YOU WITHIN THAT TIME, THE COURT WILL CONSIDER THIS A FIRM SETTING.

CERTIFICATE

I, the undersigned Court Administrator, do hereby certify that I have this date mailed, postage prepaid, this **NOTICE OF TRIAL SETTING** to the above named Attorney(s) at the address stated above.

This, the _____ day of _____, 200__.

_____
COURT ADMINISTRATOR*

*Post Office Box 434, Forest, MS 39074 VOICE: (601) 469-2447 FAX: (601) 469-3116

Form CA.5B1.100

IN THE CHANCERY COURT OF _____ COUNTY, MISSISSIPPI

_____ JUDICIAL DISTRICT

_____	PLAINTIFF(S)
VS. C.A.N. _____	
_____	DEFENDANT(S)

NOTICE OF HEARING FOR ENTRY OF JUDGMENT OR ORDER

ATTORNEY(S) FOR PLAINTIFF(S):

ATTORNEY(S) FOR DEFENDANT(S):

It having come to the attention of the Court that no judgment or order has been entered in this cause as directed by the Court and required by UCCR 5.04, notice is hereby given that the above styled and numbered cause has been set for **HEARING FOR ENTRY OF JUDGMENT OR ORDER** on the _____ day of _____, 200__, at 9:00 o'clock. a.m., in the _____ County Courthouse, _____, Mississippi.

CERTIFICATE

I, the undersigned Court Administrator, do hereby certify that I have this date mailed, postage prepaid, this **NOTICE OF HEARING FOR ENTRY OF JUDGMENT OR ORDER** to the above named Attorneys at the address stated above.

This, the _____ day of _____, 200__.

_____

COURT ADMINISTRATOR*

*Post Office Box 434, Forest, MS 39074 VOICE: (601) 469-2447 FAX: (601) 469-3116

Form CA.10C4.100

Form CL.15A1.100

PROBATE WORKSHEET

2nd Chancery Court District
State of Mississippi

Civil Action Number _____

For Clerk's use only:
Per Court order, Accountings
Due every _____ years.

Style: _____

DATE ANNUAL ACCOUNTINGS DUE: _____
To be completed by Clerk. Unless waived by the Court, accountings are due yearly on the anniversary of the date of filing.

WARD/DECEDENT	**ATTORNEY**
NAME: _____	BAR NUMBER _____
SOCIAL SECURITY NO: _____	NAME: _____
(For Guardian/conservatorship cases only)	FIRM: _____
D.O.B.: _____	ADDRESS: _____
AGE: _____	_____
	TELEPHONE: _____
	FAX: _____
FIDUCIARY	**DEPOSITORY**
(Circle one) CONS GND ADM EXECUTOR	NAME: _____
NAME: _____	ADDRESS; _____
ADDRESS: _____	_____
_____	_____
TELEPHONE: _____	TELEPHONE: _____
FAX: _____	FAX: _____
SOCIAL SECURITY NO: _____	ACCOUNT NO. _____
BOND	**INVENTORY, APPRAISAL & ACCOUNTING (Required unless waived by Will)**
VALUE OF ESTATE: _____	INVENTORY WAIVED BY WILL? _____YES _____NO
AMOUNT OF BOND: _____	APPRAISAL WAIVED BY WILL? _____YES _____NO
____ WAIVED BY WILL ____ WAIVED PER §91-7-67 ____ WAIVED PER §93-13-17	ANNUAL ACCOUNTING WAIVED BY WILL? _____YES _____NO

IN THE CHANCERY COURT OF _____ COUNTY, MISSISSIPPI
_____ JUDICIAL DISTRICT

IN THE MATTER OF THE ESTATE OF _____ [ ] EX [ ] ADM [ ] CONS [ ] GND C.A.N. _____

NOTICE OF DUE DATE OF ACCOUNTING

FIDUCIARY:

ATTORNEY FOR FIDUCIARY:

Pursuant to Uniform Chancery Court Rules and the Local Rules of the Second Chancery Court District, State of Mississippi, notice is hereby given as follows:

1. Annual accountings are due in this estate on the _____ day of _____,

   a. [ ] Each year, or

   b. [ ] Every _____ years.

CERTIFICATE

I, the undersigned Chancery Clark, do hereby certify that I have this date mailed, postage prepaid, this **NOTICE OF DUE DATE OF ACCOUNTING** to the above named Attorney(s) and Fiduciary at their address stated above.

This, the _____ day of _____, 200__.

_____

CHANCERY CLERK

Form CL.15C2a.100

IN THE CHANCERY COURT OF _____ COUNTY, MISSISSIPPI

_____ JUDICIAL DISTRICT

IN THE MATTER OF THE ESTATE OF _____

C.A.N. _____

[ ] EX [ ] ADM [ ] CONS [ ] GND

NOTICE OF ACCOUNTING DUE

FIDUCIARY:

ATTORNEY FOR FIDUCIARY:

Pursuant to Uniform Chancery Court Rules and the Local Rules of the Second Chancery Court District, State of Mississippi, notice is hereby given as follows:

1. An accounting is due in this estate on the _____ day of _____, 200___.

CERTIFICATE

I, the undersigned Chancery Clerk, do hereby certify that I have this date mailed, postage prepaid, this **NOTICE OF ACCOUNTING DUE** to the above named Attorney(s) and Fiduciary at their address stated above.

This, the _____ day of _____, 200__.

_____

CHANCERY CLERK

Form CL.15C2b.100

SUPREME COURT OF MISSISSIPPI

IN THE MATTER OF THE LOCAL RULES OF THE
SECOND CHANCERY COURT DISTRICT
(Superceded April 11, 2002)

August 12, 1992

NO. 89-R-99015

ORDER

Subsequent to this Court's Order of June 27, 1991, the Second Chancery Court District resubmits its local rules for approval by this Court. Upon resubmission, the Court referred the proposed local rules to the Advisory Committee on Rules and the Court's Internal Rules Committee.

The Court, having considered the proposed local rules and the recommendations of the Rules Advisory Committee and the Court's Internal Rules Committee, hereby approves the Local Rules for the Second Chancery Court District, attached as Exhibit "A", subject to the following exception:

Rule 13 is disapproved and should be deleted.

The Clerk of this Court shall be, and she hereby is, authorized and directed to spread this Order at large on the Minutes of the Court and to forward certified copies of this order and the exhibit hereto to West Publishing Company for publications as soon as is reasonably practicable in a forthcoming issue of the Advance Sheets of the *Southern Reporter*, Mississippi Cases, the official reporter of decisions of this court and said Clerk is directed further to deliver a certified copy of this Order and the exhibit hereto the Mississippi State Bar for publication as soon as is reasonably practicable in a forthcoming edition of *The Mississippi Lawyer*.

SO ORDERED, this the 12th day of August 1992.

DAN LEE
Presiding Justice

Exhibit A

AMENDED LOCAL RULES OF THE SECOND CHANCERY COURT DISTRICT

Adopted April, 1990

Table of Rules

Rule

1. Commencement of Court.
2. Establishment of Terms of Court and Ex Parte/Motion Days.
3. Duties of the Clerk/Court files.
4. Dockets and Calendars.
5. Scheduling trials, hearings and ex parte matters.
6. Pre-Trial procedures.
7. Filing and special contents of pleadings.
8. Preparation of process.
9. Administrative matters.
10. Full financial information in domestic relations matters.
11. Family Support Act of 1988--Findings of fact.
12. Withholding Orders.
13. Paternity cases.
14. Jury Trials.
15. Clerk notifies Bailiff of Court days.
16. Willful violation of rules constitutes contempt.
17. Uniform Chancery Court Rules.
18. Priority.

LOCAL COURT RULES

RULE NO. 1.

Court shall commence each day at 9:00 o'clock a.m. unless otherwise set by order of the Court.

RULE NO. 2.

The Court will enter an Order annually establishing the commencement and continuation of regular terms of Court as well as Motion and Ex Parte Days in the various Counties comprising the Second Chancery Court District. If no such order is entered prior to January 1, the Order for the previous year shall remain in effect.

RULE NO. 3.

A. It shall be the duty of the Clerk, or the Clerk's designated representative, to be present in the courtroom at all times Court is in session, unless excused by the Court.

B. Other than Ex Parte and Motion Days, it shall also be the duty of the Clerk to have available in the courtroom the Court files of all cases set for hearing or motions that day.

C. At all other times, the files of this court shall not be removed from the office of the Clerk except by permission of the Clerk. The Clerk shall maintain an appropriate system whereby court files may be checked out in accordance with this rule.

D. Only attorneys, or parties who represent themselves, may remove files from the office of the Clerk, and they shall assume full responsibility for the safekeeping and return of such files. In addition, attorneys who have actions set on the court calendar when the Court is setting in another county shall check out the file from the Clerk's office and bring same to Court for such hearing. In either event, all files shall be promptly returned to the Clerk's office following the hearing by the Court, or within ten (10) working days from the day such file is checked out. (§ 9-5-165; M.R.C.P. 79; U.C.C.R. 1.02, 1.04)

RULE NO. 4.

The Clerk of the Court shall maintain General Dockets, Trial Calendars, Trial Dockets and other records and books as set forth in Rules 79 and 40 of the Mississippi Rules of Civil Procedure. As a minimum, the following dockets shall be maintained at all times:

General Docket:

A chronological log of activities of all actions filed with the Court. Every case filed with the Court is listed on this docket. (§ 9-5-201)

Irreconcilable Differences Docket:

All divorces on the sole grounds of irreconcilable differences are hereby assigned to the Irreconcilable Differences Docket, and shall be listed thereon.

Probate Docket:

All actions for the administration of estates, probate of a will, appointment of a Guardian, and appointment of a Conservator are hereby assigned to the Probate Docket, and shall be listed thereon.

Family Master Docket:

All actions filed to establish paternity pursuant to the Mississippi Uniform Law on Paternity, and all actions filed by the State or County Department of Human Services, or its successor, for the purpose of establishing, modifying and enforcing orders for support, are hereby assigned to the Family Master from the date of filing of same, and shall be placed on the Family Master Docket until disposed of by the Family Master by written or recommendation to the Chancellor (§ 9-5-255).

Trial Calendar:

All cases that are ready for trial or final hearing, other than cases on the Irreconcilable Differences, Probate or Family Master Dockets, and actions and matters enumerated under M.R.C.P. 81(d)(1) and (2), shall be placed on the Trial Calendar to await the setting of a trial date. (M.R.C.P. 40 & 78)

Trial Docket:

The trial Docket shall be prepared by the Clerk, with the assistance of the official court Reporter at the time actions are set for trial and shall state the case to be tried, the date of the trial, the attorneys of record in the case, and the place of the trial. Additionally, the Trial Docket shall reflect such attorneys of record and parties representing themselves as were present personally or by design when the trial docket was set. The Clerk shall maintain the Trial Docket during any term of Court. (M.R.C.P. 40(b))

RULE NO. 5.

A. Scheduling Rule 81(d)(1) and (2) matters. Upon the filing of any action or matter listed in M.R.C.P. 81 (d)(1) and (2), Summons substantially similar to Form 1D or Form 1DD of said Rules shall be prepared by the party filing same and issued by the Clerk commanding the defendant or respondent to appear and defend at a time and place, either in term time or vacation, as which the same shall be heard. Pursuant to this rule, the attorney filing same and issued by the Clerk commanding the defendant or respondent to appear and defend at a time and place, either in term time or vacation, at which the same shall be heard. Pursuant to this rule, the attorney filing same may select any Ex Parte and Motion Day as the time and place of such hearing, and shall immediately notify the Court Administrator thereof. Alternatively, the attorney filing such matter may, prior to the issuance of a summons thereon, obtain a different time and place for such hearing by contacting the office of the Court Administrator.

If such action or matter is not heard on the day set for hearing, it may, by order entered on that day, be continued to a later day for hearing without additional summons on the defendant or Respondent, provided sufficient process on the Defendant was acquired to make the case otherwise triable on that date. Pursuant to this rule, the Clerk of the Court in the county in which said action is filed is hereby authorized to execute Orders setting such cases for hearing, or

continuing same, on dates, and at locations within the district to be designated by the attorney filing same. It shall be the responsibility of said attorney to obtain the date, time and place of such setting from the Court Administrator.

In the event that Summons is issued pursuant to this rule for any actions or matters enumerated in Rule 81(d)(1) and (2) M.R.C.P., and there is not sufficient service of process upon the Defendant or Respondent to make the cause triable on the date set in the summons, such process shall be void and a new Summons must issue pursuant to this rule for the Defendant or Respondent. (M.R.C.P. 81)

B. Scheduling other cases for Trial. Pursuant to M.R.C.P. 41, cases other than those designated under M.R.C.P. 81(D)(1) and (2) may be scheduled for Trial (final hearing) in the following manner:

1. All actions which have been filed for more the ninety (90) days shall be automatically placed on the Trial Calendar by the Clerk. All other actions may be placed on the Trial Calendar by the Clerk upon the request of any party to the action. Cases appearing on the Trial Calendar shall be set for trial at the regular docket call as provided in sub-paragraph number (3) below, unless set for trial pursuant to sub-paragraphs number (2) or (4) below.

2. Any action may be set for trial by submission to the Court Administrator of an Agreed Order setting cause for hearing signed by at least one attorney of record for each party. Such Agreed Order shall provide either that:

(a) all discovery has been completed, and all motions have been previously filed and finally disposed of; or alternatively,

(b) such Order may establish deadlines for the completion of all discovery, as well as the filing and hearing of Motions.

The Court Administrator should be contacted to ascertain available dates for trial settings. In the event that all parties to an action have agreed to a continuance, and Agreed Order of Continuance may likewise be submitted to the Court Administrator, said Order to be signed by at least one attorney of record for each party.[M.R.C.P. 40(c)]

3. In the absence of an Agreed Order either setting the case for trial, or continuing the case, cases may be set for trial, or continued, on the date set for docket call in each respective county, pursuant to M.R.C.P. 40(b).

(a) At least five (5) days prior to the date designated by the Court for such docket call, the Clerk shall mail notice of the docket call to all attorneys of record and to parties without attorneys. When no announcement is made concerning a case at the docket call, such case may be dismissed for lack of prosecution upon proper

motion. [M.R.C.P. 40(b), 41 and 79]

(b) Within three (3) days after each docket call, the Clerk of the Court shall notify all parties who were not present at such docket call, either personally or by and through their attorney of record, of the setting of such case on the trial docket.

(c) On or before the morning of each docket call, the Court Administrator shall advise the Clerk of all cases which have been pre-set through the office of the Court Administrator, or by the Court.

4. Alternatively, cases may be set for trial upon the Motion for Trial Setting of any party, and proper notice to all other parties. Such Motion shall be set for hearing on any Ex Parte or Motion day, with notice of such setting provided to the Court Administrator by the party setting same. However, notice of such Motion need not be made to any party in default for failure to appear. (M.R.C.P. 5(a))

5. In no event will such actions be set for trial unless and until process is completed on all parties, all motions have been filed, heard and finally disposed of, and all discovery is completed, unless prior authorization is obtained from the Court, and an Agreed Order is entered establishing deadlines for the completion of all discovery, as well as the filing and hearing of all Motions. *Once an action is set for Trial, all outstanding motions shall be deemed withdrawn, and all outstanding discovery shall be deemed waived, unless provided otherwise in the Order setting said cause for hearing.*

C. Scheduling motions and ex parte matters. Pursuant to M.R.C.P. 78, all Motions and Ex Parte Matters shall be scheduled for hearing in the following manner:

1. The Court has established and will maintain scheduled days in vacation for hearing ex parte matters and motions. Any day designated as an Ex Parte day shall also be a Motion Day.

2. The Court Administrator shall maintain an Ex Parte and Motion Docket for each Ex Parte and Motion Day. Cases will be called on such days as they appear on the Ex Parte and Motion Docket. Attorneys, or parties representing themselves, who have matters they wish to schedule on an Ex Parte or Motion Day may do so by contacting the Court Administrator, whose address is Post Office Box 434, Forest, Mississippi 39074, and whose telephone number is (601) 469-2447.

3. It shall be the responsibility of each attorney, or each party representing themselves, to produce to the Court the original court file prior to the hearing of any case scheduled on an Ex Parte and Motion Day.

4. If the party causing any case to be set on this docket and/or such party's attorney is not present when said cause is called, same will fall to the end of the docket. Upon their failure to appear the next time the case is called, unless the parties have previously notified the Court of the

reason for their absence, same shall be continued until reset by any party requesting same.

RULE NO. 6.

A. At the request of any party, or on the Court's own motion, the Court may require the filing of an appropriate Scheduling Order so as to expedite the joinder of issues, completion of discovery, etc.; and upon the request of any party, may schedule a pre-trial conference in any action.

B. No new discovery shall be commenced after a case is set on the Trial Docket, without permission of the Court. (M.R.C.P. 16, 40)

RULE NO. 7.

A. All pleadings, accounts and other papers filed in any action shall be mailed or delivered to the Office of the Clerk of the appropriate County, and not the Chancery Judge. Such pleadings shall conform to the paper size and margin requirements set forth in the Rules and/or Tracking System of the Mississippi Supreme Court governing transcripts of judicial proceedings, and those which do not so comply shall not be accepted or filed by the Clerk.

B. For the benefit and convenience of the Court and the Clerk, all documents (complaints, answers, motions, judgments, discovery pleadings, etc.) shall have typed thereon the style of the case, the case number (if a number has been previously assigned), and the name, address and office telephone number of the attorney preparing, filing or presenting same.

C. Every pleading or motion of a party represented by an attorney shall be signed by at least one attorney of record in his individual name, and whose address and telephone number shall also be stated. (M.R.C.P. 5 and 11; U.C.C.R. 2.02)

RULE NO. 8.

All process shall be prepared by the party requesting issuance of same, and presented to the Clerk of the Court for issuance.

RULE NO. 9.

Administrative matters, or matters submitted on sworn pleadings not requiring testimony, may be handled by mail, provided "FILED" stamped copies of the pleadings and all exhibits, and proof sufficient process are included with the requested or proposed Judgment or Order. Any correspondence by mail with the Court shall include an addressed and stamped envelope for the Court's response, or return of said Judgment or Order. (U.C.C.R. 7.02)

RULE NO. 10.

In all contested domestic relations matters wherein an initial award or modification of financial relief or support is sought, the parties shall furnish full financial information to the Court, and to opposing counsel at the original consideration of the matter. Full financial information includes an itemization of all assets and liabilities, income and expenses, and a financial statement, along with supporting documentation.

If the original consideration of the matter by the Court is in the form of a Temporary Hearing or Contempt Hearing, such financial information shall be furnished to the Court and to opposing counsel as soon as Court convenes on the date of the hearing; except that, in contempt cases, Plaintiff need not submit full financial information. Otherwise, such financial information shall be provided to counsel opposite at least five (5) days prior to the date of the hearing, and to the Court on the date of the hearing.

In any action seeking divorce, annulment or separate maintenance, wherein real or personal property is in dispute, each side shall present to counsel opposite at least five (5) days prior to the final hearing an itemized written list identifying all such disputed property, and specifying which property each party contends to be (1) separate property of that party; (2) separate property of the other party; and (3) jointly owned property. Such list shall be provided to the Court on the date of the hearing.

Forms for use pursuant to this Rule are available at the office the Clerk. (U.C.C.R. 8.05) (See Exhibit "A" and Exhibit "B" attached hereto.)

RULE NO. 11.

Pursuant to the Family Support Act of 1988, [P.L. 100-485, Section 103, 42 U.S.C. Section 667(b)], and § 43-19-101, Mississippi Code of 1972, as amended (Miss.Laws, ch. 439, 1989), the guidelines adopted by the State of Mississippi for establishing child support obligations shall be considered by the Court, along with those items of consideration heretofore enumerated by the Supreme Court, in all cases wherein child support is awarded or modified, whether such award be by agreement or by opinion of the Court. In all actions in which § 43-19-101, Mississippi Code of 1972, as amended is applicable, any party who requests a variance from the guidelines enumerated therein, either by way of increase or decrease, should present to the Court, at the time of the hearing, proposed written findings of facts as to why the application of the guidelines would be unjust or inappropriate in that particular case. Such proposed written findings may be in the form of a proposed Judgment.

RULE NO. 12.

No support payments shall be paid through the office of the Chancery Clerk; and child support orders will not be entered unless a Withholding Order is presented therewith.

RULE NO. 13. [Deleted]

RULE NO. 14.

In any action filed in this Court wherein any party has the right to request a trial by jury, such right to a trial by jury shall be deemed to have been waived by such party unless an appropriate Motion requesting same is filed: (1) before default is entered; or, (2) if an Answer is filed, before the case is set on the Trial Docket; or (3) before any hearing is conducted on any issue in the matter.

RULE NO. 15.

It shall be the responsibility of the Clerk to notify the Bailiff of each day and time the Court will be sitting in their County.

RULE NO. 16.

Any willful violation of these rules shall constitute contempt of Court, for which any person may be fined and/or imprisoned in the County jail.

RULE NO. 17.

All attorneys filing cases in the Second Chancery Court District shall be familiar with the Uniform Chancery Court rules, which apply to all cases heard by this Court.

RULE NO. 18.

These Rules are in addition and supplemental to the Uniform Chancery Court Rules, the Mississippi Rules of Civil Procedure, and other applicable rules promulgated by the Mississippi Supreme Court, and are not intended to override, rescind or repeal any of same. However, these rules shall supersede and replace any and all former and preceding local rules of the Second Chancery Court District.

ADOPTED by the Court, this 9th day of April, 1990, to be effective upon approval by the Mississippi Supreme Court, pursuant to M.R.C.P. 83(b).

revised 04/90

ORDER

On April 10, 1990, Local Rules for the Second Chancery Court District were submitted to this Court for approval pursuant to Miss.R.Civ.P. 83. The court having now considered the Rules finds that all Local Rules should be approved with the exception of the following:

This Court finds that Local Rule 11 should be amended by the addition of the following: "*See Thurman v. Thurman*, 559 So.2d 1014, 1017-18 (Miss.1990); *Jellenc v. Jellenc*, 567

So.2d 847, 848 (Miss.1990)";

This Court finds that the portion of Local Rule 12, "and child support orders will not be entered unless a Withholding Order is presented therewith," should either be deleted or that the Second Chancery Court District should file an explanation with this Court as to the necessity, validity, and practical application of this provision should it still seek approval of this Local Rule;

This Court finds that Local Rule 13 may be inconsistent with Miss.Code Ann. § 93-9-21 (Supp.1990) and cases annotated therein, and directs that if the Second Chancery District seeks to have this Local Rule approved that it submit an explanation of how Local Rule 13 is consistent with the statute.

Therefore, the Local Rules for the Second Chancery Court District are hereby remanded to the Second Chancery Court District in that the judge thereof may, if desired, prepare and present for this Court's approval Local Rules which are not inconsistent with above outlined concerns.

SO ORDERED, this the 27th day of June 1991.

FOR THE COURT:
ROY NOBLE LEE
Chief Justice

EXHIBIT D

LOCAL RULES
FOR
FOURTH CHANCERY COURT DISTRICT OF MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1. PLACING ACTIONS ON CALENDARS

(a) On or before Thursday receding each scheduled term of this Court, the Clerk shall prepare a list of all actions triable at such term, separated as to Trial Calendar and Divorce Calendar, and shall provide sufficient copies thereof for all attorney having business before the Court.

(b) The Trial Calendar will be called at 9:30 a.m. on the First Monday of each term.

(c) At the conclusion of the Trial Calendar, the Court will proceed to hear the motions noticed for hearing on said date or previously continued until said date. Motions not reached on the first day shall be set over for a date certain by the Court and will be disposed of as soon as possible.

(d) The Divorce Calendar will be called at 9:30 a.m. on the First Tuesday of each term, and all uncontested divorces heard.

RULE 2. VACATION AND MOTION DAYS

(a) The following are designated as Vacation and Motion Days and are set apart for Vacation matters and motions:

Amite County:	First and Third Wednesday, 1:30 p.m.
Franklin County:	First and Third Wednesday, 9:30 a.m.
Pike County:	First and Third Friday, 9:30 a.m.
Walthall County:	First and Third Thursday, 9:30 a.m.

(b) The Vacation and Motion Day Schedule will not be followed during a term of Court.

(c) In addition to the opening day of each regular term of Court, Motions may be made returnable to a regularly scheduled Vacation and Motion Day. Motions will be heard on said day or on such day thereafter as may be set by the Court in the event that it cannot be reached

on said date.

(d) Specific authority of the Chancellor will be obtained before setting any motion for modification of a judgment of divorce, for a contempt proceeding, for temporary support or other temporary relief.

(e) If the Chancellor shall be unable to be present for Vacation or Motion Days, he will notify the Clerk of cancellation of the day as far ahead as practicable.

(f) Counsel shall notify the Chancellor promptly upon learning that a scheduled matter will not be heard.

RULE 3. PRE-TRIAL CONFERENCES

Pre-Trial Conferences shall be set at the discretion of the Court, either in term time or vacation, upon application of the parties or as deemed necessary by the Court.

RULE 4. FINANCIAL DISCLOSURE STATEMENTS

In all domestic matters wherein financial relief is sought, the parties shall be prepared to furnish full financial information to the Court and opposing counsel at the original consideration of the matter. It is suggested that this information be furnished on Financial Disclosure Statement Forms provided by the Chancery Clark's Office.

RULE 5. APPLICATION OF RULE 78 (MOTION DAY)

(a) In domestic matters where temporary relief is sought, written statements in support and opposition of motions scheduled for hearing under Rule 78 shall be submitted in lieu of oral presentation.

(b) Should circumstances warrant, the Court may, in its discretion, upon motion of either party, proceed to hear the issues presented.

RULE 6. DISTRIBUTION OF LOCAL RULES

(a) The Clerk of this Court shall certify and file with the Supreme Court of Mississippi, a copy of this Order.

(b) The Clerk of this Court shall provide copies of this Order to all members of the Bar having a need therefor, and further shall maintain a supply of copies to be provided to

interested parties as the need may arise.

[Adopted by order entered December 4, 1989 and approved by the Supreme Court by order entered January 24, 1990.]

EXHIBIT E

LOCAL RULES
FOR
FIFTH CHANCERY COURT DISTRICT OF MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1.

The Chancery Court of the Fifth Chancery District is divided into four divisions, and the Chancellors are as follows: Division 1, Stuart Robinson; Division 2. William H. Singletary; Division 3, Denise Owens; and Division 4, Patricia D. Wise. The division will hold hearings in the courtroom of the same number.

RULE 2.

Administrative acts and policy decisions for the Fifth Chancery District will be determined by majority vote.

RULE 3.

Ex Parte days are as follows: Division 1, Wednesday morning (9:00 - 11:30) by appointment: Division 2, Thursday morning (9:00 - 11:30) by appointment; Division 3, Tuesday morning (9:00 -11:30) by appointment; Division 4 Monday morning (9:00 - 11:30) no appointed needed.

RULE 4.

Division of civil cases shall be as follows:

(a) General docket civil actions shall be given a sequential number by the Chancery Clerk in the order being filed and shall then be divided in rotation by number in sequence to divisions of the Court and Judges as part of the docket number.

(b) Ex parte civil actions are distributed in the same manner to divisions but may be presented to any division on the ex parte day designated for that division, except for contested matters, which must be heard by the division designated.

(c) Probate civil actions will also be so distributed and heard until they become controverted, at which time the Court Administrator shall put them in line to be heard in

regular sequence by the division assigned.

(d) Division 1 shall supervise the handling of mental cases for commitment, etc., appoint necessary special masters, defendant's attorneys, and doctors.

(e) When a civil action is designated for a division, that division shall hear all matters and sign all judgments except as otherwise set forth herein.

RULE 5.

Motions for modification of former judgments shall be heard by the division assigned to, or his successor, but not until after a contempt, if pending.

RULE 6.

By prior arrangements with the Chancellor, ex parte matters may be heard at other times, and, in case of emergency, at any time, but attorneys are urged to remember that Judges need a break during trials and an opportunity to study, write opinions etc., during time when not engaged in trials.

RULE 7.

Trial shall begin at 9:00 a.m. and terminate at 5:00 p.m., unless otherwise specified in the setting or by the Chancellor.

RULE 8.

Irreconcilable differences divorces will be heard during ex parte assigned periods.

RULE 9.

Uncontested divorces, which must be tried in open court, will be tried between the hours of 9:00 a.m. and 10:00 a.m. as follows: Division 1, on 1st Friday of each month; Division 2, on the 2nd Friday of each month; Division 3, on the 3rd Friday of each month; and Division 4, on the 4th Friday of each month.

RULE 10.

All trials and motions requiring testimony or lasting over fifteen minutes will be set by the Court Administrator for all divisions. (Phone: 968-6521). Short motions will be heard in chambers on ex parte mornings. This arrangement will avoid long delays when many lawyers and clients are waiting on ex parte periods.

RULE 11.

The Court Administrator may continue and reset trials by agreement of counsel at any time. Otherwise, the Chancellor must approve if the setting is within ten days of the motion for continuance.

RULE 12.

Attorneys trying civil actions involving alimony or child support on original trial or subsequent modification, including irreconcilable differences, shall prepare and file with the Chancery Clerk a financial statement and disclosure in accordance with the form which appears as Exhibit"A" to Rule 8.05 of the Uniform Chancery Court Rules. The required financial statements shall be filed during the time frame set out in Rule 8.05. It shall be the responsibility of the plaintiff or movant to ascertain that all financial statements are in the court file before requesting a setting of the case.

RULE 13.

[Note: Rule 13was disapproved by the Supreme Court entered April 15, 1999.]

RULE 14.

A case may be transferred to another division by agreement of the Chancellors of the divisions involved.

RULE 15.

Court terms for the Second Judicial District, Raymond, Mississippi, are set and hearings will be conducted by the Judges in rotation on the second Monday in February, the second Monday in June, and the second Monday in October. Court terms for the First Judicial District have been abolished by Section 9-5-3 (as amended September, 6, 1994) of the Mississippi Code of 1972.

RULE 16.

Second District actions will also be divided by rotation in numerical sequence and will be tried during term time except: hearings involving temporary support, custody, maintenance, uncontested divorces, contested motions, and contempt in domestic relations action will be handled as they are in the First Judicial District and may be heard in Jackson.

RULE 17.

All cases will be set by the Court Administrator in Jackson. Emergency motions, including TROs, may be heard by any division, if the civil action has not been given to a division or the division to which it is given is not available, or the Chancellor granting the initial order may hear the matter on its merits or have it placed in rotation.

RULE 18.

Judgements and orders should be presented in person to the Chancellor unless prior arrangements otherwise have been made.

RULE 19.

All pleadings, judgements, and orders must show the name and Mississippi State Bar number of the individual attorney actually presenting it, and it may not be presented to another Chancellor except on order of the Chancellor to whom it was first presented.

RULE 20.

Civil actions which need to be consolidated with similar civil actions will, upon approval of the Chancellors involved, be all consolidated in the division where the civil action with the lowest number has been pleaded.

RULE 21.

[Note: Rule 21 was disapproved by the Supreme Court entered April 15, 1999.]

RULE 22.

Stale cases, including probate matters, will be dismissed pursuant to Rule 41(d) M.R.C.P. if no action has been taken of record within the preceding twelve months if due after thirty days written notice by mail from the Clerk of the Court, unless application in writing is made to the Court and good cause shown to continue the case. These cases will be handled under the direction of Division 3.

RULE 23.

In any case where an attorney who actively practices in the Fifth Chancery Court District is a party, all of the Judges recuse themselves and will submit the case to the Supreme Court for assignment to another chancellor unless the attorneys for the parties can agree that some other member of the Bar may hear the same.

RULE 24.

There will be a standard fine of One Hundred Dollars ($100.00) for contempt imposed against all attorneys in any case which has been set for trial where a settlement has been reached and the Court is not advised to remove the same from the trial docket or where an attorney shall fail to appear within 15 minutes of the time for hearing without prior notification to the Court and the other attorneys.

RULE 25.

Appeals to the Chancery Court shall be set on the trial calendar by the Court Administrator on request of the appellant after all briefs have been filed. The appellant has thirty (30) days to file the Assignment of Errors and brief after record is filed, and the appellee shall file a reply brief and or cross appeal within twenty (20) days after filing by the appellant. Appellant, at his election, may file a reply brief within ten (10) day of filing by the appellee. It is not necessary to send extra copies of the brief to the Judge, but the case must be set on the trial docket, even though oral argument is not desired, to be considered by the Court. The court may require oral argument if neither party has requested such or deny oral argument as the Court deems necessary.

[Adopted by order entered November 19, 1998 and approved by the Supreme Court by order entered in April, 1999.]

EXHIBIT F

LOCAL RULES
FOR
FIFTH CIRCUIT COURT DISTRICT OF MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1.
ASSIGNMENT OF CIVIL CASES AND TRIAL SETTINGS FOR CIVIL CASES

(a) All civil cases that are filed in this court shall be randomly assigned to one of the judges by the clerk of the court by lot, with the clerk placing the names of the judges in a box, and drawing one of the names from the box. The last letter in the assigned cause number shall begin with the first letter of the last name of the judge to whom the case is assigned. The clerk shall notify the party filing a complaint, and when an answer is filed, the party answering the complaint, of the case assignment.

(b) Excepted from this procedure are motions for post-conviction collateral relief. Those motions shall be assigned to the judge who originally presided over the criminal proceeding that is the subject of the motion.

(c) In the event that cases are consolidated that had originally been assigned to separate judges, the consolidated case will be assigned a judge by the clerk of the court in the same manner as if the case were an original filing. If a case is assigned to a judge that has a conflict of interest that necessitates the recusal of the judge, the case shall be assigned to the other judge.

(d) Any party that wishes to have a case set for trial shall contact the court administrator for the judge to whom the case is assigned, at least thirty (30) days prior to the commencement of the term of court in which that judge is to preside, to obtain a trial setting. If a case is triable at a term of court that is being held by a judge to whom the case is not assigned, the case may be tried by that judge, irrespective of case assignment, so long as both judges, and all parties are in agreement.

(e) Any party that desires a vacation trial setting shall contact the administrator of the judge to whom the case is assigned, concerning possible vacation trial settings. Trials will be held in vacation when the time and schedule of the judge, and the parties, can accommodate a vacation setting.

RULE 2. NON-FILING OF DISCOVERY MATERIALS

(a) Rule 7(a) of the Mississippi Rules of Civil Procedure limits and defines the pleadings which are allowed to be filed in any action. Therefore, due to the considerable cost to the parties of furnishing discovery materials, and the problem encountered with storage, this Court adopts the following procedure with regard to the non-filing of discovery materials with the Court:

(1) Interrogatories under Rule 33, M.R.C.P., and the answers thereto, Requests for Production or Inspection under Rule 34, M.R.C.P., Requests for Admissions under Rule 26, M.R.C.P., and responses thereto, and depositions under Rule 30 and 31, M.R.C.P., shall be served upon other counsel or parties as provided by the Rules, but shall not be filed with the Circuit Court Clerk. The party responsible for service of the discovery material shall retain the original and become the custodian.

(2) If relief is sought under the Mississippi Rules of Civil Procedure concerning any interrogatories, requests for production or inspection, requests for admissions, answers to interrogatories, responses to requests for admissions or depositions, copies of the portions of the interrogatories, requests, answers, responses or depositions in dispute shall be filed with the appropriate Circuit Court Clerk and with the assigned Judge contemporaneously with any motion filed under said Rules.

(3) If interrogatories, requests, answers, responses or depositions are to be used at trial or are necessary to a pre-trial motion which might result in a final order on any issue, the portions to be used shall be considered an exhibit and filed with the Clerk at the outset of the trial or at the filing of the motion insofar as their use can be reasonably anticipated.

(4) When documentation of discovery not previously in the record is needed for appeal purposes, upon an application and order of the Court, or by stipulation of counsel, the necessary discovery papers shall be filed with the Clerk.

The Clerk of this Court is authorized and directed to return forthwith any discovery materials submitted for filing which does not comply with the requirements set forth herein above.

RULE 3 . SCHEDULING ORDERS

(a) Counsel in all civil cases shall, within fifteen (15) days after answer is filed, submit to the Court an agreed scheduling order setting forth:

(1) The date by which all discovery, including all evidentiary depositions and all

supplementation of responses to discovery, shall be completed.

(2) The date by which all motions to amend, and all motions to additional parties, shall be served.

(3) The date by which all other pre-trial motions, both dispositive and non-dispositive excepting only evidentiary in limine motions, shall be served.

(b) If no scheduling order is presented to the Court within fifteen days after the answer is filed the following schedule will be in effect, to-wit:

As to Item 1 above, 90 days after answer
As to Item 2 above, 45 days after answer
As to Item 3 above, 90 days after answer.

RULE 4.

[Rule 4 as submitted to the Supreme Court was disapproved by order entered September 4, 2003.]

RULE 5.

TRANSFER OF MISDEMEANOR CRIMINAL CASES TO JUSTICE COURT

In the best interest of justice, and for the efficient administration of the criminal docket of the court, and based on the inherent authority of this court to transfer cases with concurrent jurisdiction to an inferior court, any misdemeanor criminal case that is initially filed in this court, whether by indictment, bill of information, or affidavit, may on motion of either party or on the court's own motion, be transferred to the justice court.

[Adopted by order entered June 9, 2003 and approved by the Supreme Court by order entered September 4, 2003.]

[Note: By order of the Supreme Court issued December 15, 2005, the local rule approved March 5, 1979 was, at the request of the judges of the district, repealed.]

EXHIBIT G

LOCAL RULES
FOR
SIXTH CHANCERY COURT DISTRICT OF MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1. ASSIGNMENT OF TERMS OF COURT

The terms of Court of this District are assigned to the Judges as follows:

Attala County	2nd Mon., January,	2 weeks ---------	Love
	2nd Mon., April,	1 week ---------	Kilpatrick
	2nd Mon., July	2 weeks ---------	Kilpatrick
	2nd Mon., October,	1 week ---------	Love
Carroll County, 1st District	4th Mon., January,	1 week ---------	Kilpatrick
	4th Mon., June,	1 week ---------	Love
Carroll County, 2nd District	3rd Mon., April,	1 week ---------	Love
	3rd Mon., October,	1 week ---------	Kilpatrick
Choctaw County	3rd Mon., March,	1 week ----------	Love
	3rd Mon., June,	1 week ----------	Kilpatrick
	3rd Mon., September,	1 week ----------	Kilpatrick
	3rd Mon., December,	1 week ----------	Love
Kemper County	2nd Mon., March,	1 week ----------	Love
	2nd Mon., June,	1 week ----------	Kilpatrick
	2nd Mon., September,	1 week ----------	Kilpatrick
	2nd Mon., December,	1 week ----------	Love
Neshoba County	4th Mon., February,	1 week ----------	Kilpatrick
	4th Mon., May,	2 weeks ----------	Love
	4th Mon., August,	1 week ----------	Love
	4th Mon., November,	2 weeks ----------	Kilpatrick
Winston County	3rd Mon., January,	1 week ----------	Kilpatrick
	4th Mon., March,	2 weeks ----------	Kilpatrick
	4th Mon., July	1 week ----------	Love

4th Mon., September 1 week ---------- Love

RULE 2. ASSIGNMENT OF CASES TO JUDGES

(a) After the approval of these Rules by the Supreme Court, all cases except Youth Court, Mental Commitments and Drug and Alcohol Commitments will continue to be assigned to a Judge immediately upon the filing of the complaint by the use of a web based Computer program which shall be programmed to randomly select judges by a software algorithm which shall duplicate a mathematical random selection. The Clerk shall obtain the random judge selection by accessing web address courttools.com or some other web address which may be designated by this Court by Order of the Judges of this District and forwarded to the Clerks of the Sixth Chancery District. Access to the random judge selection function of the web address shall be by unique User ID and Password for each clerk. After obtaining a judge assignment, the Clerk shall print the judge assignment from the web page and docket and file assignment as the first document in the court file. Once a case is so assigned to a judge, only the judge to whom it is assigned will consider the matter, EXCEPT: (1) where the judge must recuse himself for good cause, (2) where the judge to whom it is assigned will be unavailable for at least five days to consider the matter for reasons such as sickness, duties outside the district, seminars and vacations, then the other judge may consider emergency matters, ex parte matters and uncontested or agreed matters. When a judge has signed an order under the above exception, it shall remain the case of the judge to whom it was originally assigned.

Any order entered by the judge to whom a case is not assigned under the provision of said item (2) shall contain an explanation of the basis for the non-assigned judge signing the order.

(b) Because of the urgency of mental, alcohol and drug commitments they shall be assigned by the clerk to the most readily available judge.

(c) Youth Court cases from Attala, Carroll and Choctaw Counties shall be assigned to Judge Love. Youth Court cases from Kemper, Neshoba and Winston Counties shall be assigned to Judge Kilpatrick. This system shall be used because many of these are urgent matters and there is need for coordination between the Court, the County Attorney, the Department of Human Services and Law Enforcement. In cases involving shelter hearings and detention hearings which are urgent, the other judge may hear the case when the designated Youth Court Judge is not available.

(d) All cases filed before the implementation of these new rules, which have not been considered by either judge, shall be assigned to the judge who is designated to hold the next regular term of court in the county wherein they are filed as above set out.

(e) All cases filed before the implementation of these new rules, which have previously been heard or set by a judge will be heard by the judge who has already begun the case. All Department of Human Services child support cases and all estate and guardianship matters, which have previously been considered by both judges, are assigned to the judge who signed the last order in the cause.

(f) All cases heretofore assigned to Judge Prisock, either by the random assignment method or by virtue of the signing of the last order, are hereby assigned to Judge Kilpatrick, except that all cases assigned to Judge Prisock in which J. Max Kilpatrick served as counsel shall automatically be assigned to Judge Love.

RULE 3. TRIAL SETTINGS

(a) Pursuant to Rule 40 of the Mississippi Rules of Civil Procedure matters other than Motions and initial Rule 81 matters may be set for trial by the following methods.

(1) On order of the Court upon request of counsel for all parties, any contested matter may be set for trial at any time with the approval of the Chancellor, Court Administrator or Staff Attorney. When an attorney receives a particular date, he is representing to the Court that the case is ready for trial on that date and no impediment exist to a trial on that date. A matter is not firmly set for a date until an order is signed by the judge setting it.

(2) On motion of any party for a trial setting as provided by MRCP 40 (a), after duly giving notice of a hearing on such motion, the Court will enter an order setting the matter for trial, if it determines it is ready for trial.

(b) Motions may be noticed for hearing on Motion Days or at such other times as can be arranged with the Court.

(c) Settings for Rule 81 (d)(5) actions:

In any action instituted under the provisions of Rule 81 (d) (5) summons may be issued returnable to a Motion Day established in these rules. No special order shall be required to so set such cases. However, it should be noted that such a date is a return date only and this date should not be considered a firm trial date, but a date at which uncontested matters may be heard and matters which require very short hearings, normally less than thirty (30) minutes, may be heard. Other cases will be continued to a day certain at a time and place convenient to the attorneys and the Court. Cases set pursuant to Rule 81 (d) (5) which are not made returnable to a Motion Day shall require a Special Order setting the same.

(d) Uncontested fault ground divorces and irreconcilable difference divorces will be heard only during regular Terms of Court, on the Motion Days hereinafter designated, or on a day when the cause is scheduled for trial as a contested matter. These will only be heard in the county where they are filed. In Carroll County irreconcilable difference divorces may be presented in either district, but fault ground divorces will be heard in the district where they are filed. As provided in Rule 8.05 of the Uniform Chancery Rules, each party in every domestic case involving economic issues shall file or provide the opposite party or counsel, if known, the disclosures required by said rule.

(e) Ex parte matters will be considered on the Motion Days hereinafter designated or at such other times as may be scheduled by the Court.

RULE 4. MOTION PRACTICE

The Court will hold Motion Days as prescribed by Rules 78 and 83 of the Rules of Civil Procedure in each county of the district each month. Any party may notice a motion for hearing on any of these days. A copy of the notice of hearing on a motion should be mailed to the Chancellor who is to hear the motion. The motions will be heard in the order the notices are received by the Chancellor unless for good cause the Chancellor determines deviation from that order should be made. If all matters noticed for a particular Motion Day cannot be heard on that day, an order will be entered on that day continuing them to another day, and the entry of such continuance order shall constitute notice to all parties who have notice of the hearing of the new time and place for hearing.

The following days are hereby designated as Motion Days for this District:

FOR CHANCELLOR J. MAX KILPATRICK:

ATTALA COUNTY - the fourth Wednesday of each Month in the Chancery Court Building in Kosciusko at 9:00 A.M.

CARROLL COUNTY FIRST JUDICIAL DISTRICT
The second Wednesday of each Month at 9:30 A.M. in Carrollton.

CARROLL COUNTY SECOND JUDICIAL DISTRICT
The second Wednesday of each Month at 1:30 P.M. in Vaiden.

CHOCTAW COUNTY - the fourth Thursday of each Month at 9:00 A.M. in Ackerman.

KEMPER COUNTY - the third Tuesday of each Month in the Courthouse in DeKalb at 9:00 A.M.

NESHOBA COUNTY - the first and third Thursday of each month in the Courthouse in Philadelphia at 9:00 A.M.

WINSTON COUNTY - the first and third Wednesday of each month in the Courthouse in Louisville at 9:00 A.M.

FOR CHANCELLOR JOHN C. LOVE, JR.:

ATTALA COUNTY - the first and third Thursday of each month in the Chancery Court Building in Kosciusko at 9:00 A.M.

CARROLL COUNTY FIRST JUDICIAL DISTRICT - the first Tuesday of each month in the Courthouse in Carrollton at 9:00 A.M.

CARROLL COUNTY SECOND JUDICIAL DISTRICT - the first Tuesday of each month in the Courthouse in Vaiden at 1:30 P.M.

CHOCTAW COUNTY - the second Tuesday of each month in the Courthouse in Ackerman at 9:00 A.M.

KEMPER COUNTY - the second Friday of each month in the Courthouse in DeKalb at 9:30 A.M.

NESHOBA COUNTY - the fourth Thursday of each month in the Courthouse in Philadelphia at 9:00 A.M.

WINSTON COUNTY - the second Thursday of each month in the Courthouse in Louisville at 9:00 A.M.

RULE 5. NOTICE REQUIREMENTS

(a) It shall be the duty of each attorney who obtains a trial setting, who obtains the continuance of a setting, or who obtains a dismissal of an action to notify the Clerk, Judge and Court Reporter of the time and place of such settings and of any cancellation or change in setting dates.

(b) On motions for modification of divorce judgements and for contempt citations notice to the attorney of record at the preceding hearing in the matter will not be sufficient. In theses matters notice shall be given to the last counsel of record and summons shall be issued to the respondent to said motion.

RULE 6. ADMINISTRATIVE MATTERS

The Chancery Clerks of the District are to retain in their possession and control all court files, and no attorney or other person shall be allowed to take court files out of the clerk's offices except by special order of the Chancellor to whom the case is assigned, or where the attorney representing one of the parties to the action removes the file to take it to the Chancellor in another county of the district when a hearing in the matter is set for the other county. All files so removed from the clerk's office by the attorney shall be returned within twenty-four business hours of the time of removal. Nothing in this rule shall prohibit the clerk from making copies of documents in the court file except as prohibited by law in confidential matters or where a file has been ordered sealed.

[Adopted by order entered July 28, 2003 and approved by the Supreme Court by order entered September 4, 2002, superceding all previous local rules; amended by order entered July 12, 2005 and approved by the Supreme Court by order entered on August 25, 2005.]

EXHIBIT H

LOCAL RULES
FOR
THE SIXTH CIRCUIT COURT DISTRICT

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1. ASSIGNMENT OF CASES

(a) Cases in Adams County shall be assigned at random, in a manner determined by mutual agreement of the two judges and in compliance with URCCC 1.05A. The resulting division of the assigned cases shall be one-half to each judge.

(b) Cases in Amite County shall be assigned at random, in a manner determined by mutual agreement of the two judges and in compliance with URCCC 1.05A. The resulting division of the assigned cases shall be one-third to the judge elected from subdistrict 6-1 and two-thirds to the judge elected from subdistrict 6-2.

(c) Cases in Franklin County shall be initially assigned to the judge elected from subdistrict 6-2.

(d) Cases in Wilkinson County shall all be initially assigned to the judge elected from subdistrict 6-1.

EXHIBIT I

LOCAL RULES
FOR
SEVENTH CHANCERY COURT DISTRICT OF MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1. PLACING ACTIONS ON THE TRIAL CALENDAR

(a) Those cases which have had a responsive pleading filed or any other formal or informal response filed by the defendant shall be placed on the trial docket. No cases in default or with insufficient process shall be placed on the trial docket, but shall be noted on the docket as such.

(b) On or before Thursday preceding each scheduled term of this Court, the Clerk shall prepare a list of all actions triable at such term, and shall provide sufficient copies thereof for all members of the Bar practicing before said Court and any other attorneys representing parties on said docket. At least 5 days prior to the terms, the clerk shall notify all parties on the trial docket who are without attorneys of the time and place of the docket setting.

(c) The said docket shall be called, and the trial calendar for the term and thereafter will be set, at 9:30 o'clock A.M. on the first day of each term.

(d) Hearings on Motion Days shall be set as hereinafter provided in these Local Rules.

(e) All other hearings shall be set by the Court Administrator or Chancellor on request of counsel and on reasonable notice to other counsel or unrepresented parties.

RULE 2. MOTIONS DAYS

(a) Friday of each week, including terms of court, is designated as Motion Day for each of the counties of this Court and is set apart for hearing motions and other Vacation matters at the County Courthouse in the City of Greenwood, Mississippi.

(b) In addition to the Motion Day for all of the counties in this subdistrict, the following days are set aside as Motion Days for certain designated counties as hereinafter set forth: Second Monday of March, Tallahatchie I and II-morning (at Charleston); Quitman and

Tunica afternoon (at Marks); Fourth Monday of April-afternoon Quitman & Tunica (at Marks); Fourth Monday of June, Tallahatchie I and II-morning (at Charleston) Quitman-afternoon (at Marks); Second Monday of August, Tallahatchie I and II (at Charleston); Third Monday of August-afternoon Tunica County (at Marks); First Monday of October, Quitman County; Third Monday of November, Tallahatchie I and II (at Charleston).

(c) The Court Administrator shall prepare and maintain schedules for Motion Days and shall provide copies of said schedules to the Clerks of the court on a regular basis. On request of counsel any motion or other Vacation matter will be set down at any open time on said schedule. Matters will normally be set for 15 or 30 minutes each and may be set for as long as an hour if counsel estimates such time will be necessary. Specific authority of the Chancellor will be obtained before making any setting estimated to last more than one hour, and before setting any motion for modification of a judgment of divorce or separate maintenance, and before scheduling any matter more than 45 days distance.

(d) The Clerks of this court are authorized, without further order of this court, to issue vacation process returnable to a Motion Day in accordance with Rule 81(d) and all applicable statutes. For motions or other matters not requiring process, counsel shall give any required notice of a hearing set on Motion Day.

(e) The Clerks of this court are further authorized to enter orders continuing such matters as previously set on Motion Days to such other days as the Court Administrator may advise are available for the Court to hear such matter.

(f) If the Chancellor shall be unable to be present for a Motion Day on any Friday or any of the other days hereinabove designated, he will notify the Clerk of cancellation of the day as far ahead as practicable.

(g) Counsel shall notify the Court Administrator promptly upon learning that a scheduled matter will not be heard, and the Court Administrator shall remove such matter from the day's schedule.

(h) The Court Reporter will not attend Motion Day unless she or the Chancellor is notified in advance that a record will be requested in a particular matter.

RULE 3. DISTRIBUTION OF LOCAL RULES

(a) Upon approval of these rules by the Supreme Court of Mississippi, copies of said rules shall be filed with the Clerks of this Court and shall be placed in a conspicuous place in said Clerk's office for easy access to all persons.

(b) The Clerks of this court shall further maintain a supply of copies of this order to be provided to interested parties as the need may arise. The Court Administrator of this court shall mail copies to all members of the bar of each of the aforementioned counties and to members of the bar outside of the counties who customarily practice in this court.

(c) Distribution as provided shall be considered by this Court to satisfy the notice required by the first sentence of M.R.C.P. 40(b) and shall further be considered to be sufficient notice to all attorneys of the date and time on which the trial docket will be set.

[Adopted by order entered December 3, 1992 and approved by the Supreme Court by order entered April 18, 1993.]

EXHIBIT J

LOCAL RULES
FOR
SEVENTH CIRCUIT COURT DISTRICT OF MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1.

(a) Interrogatories under Rule 33, M.R.C.P., and the answers thereto, Requests for production or Inspection under Rule 34, M.R.C.P., Requests for Admissions under Rule 36, M.R.C.P., and responses thereto, and depositions under Rule 30 and 31, M.R.C.P., shall be served upon other counsel or parties as provided by the Rules, but shall not be filed with the Circuit Court Clerk. The party responsible for service of the discovery material shall retain the original and become the custodian.

(b) If relief is sought under the Mississippi Rules of Civil Procedure concerning any interrogatories, requests for production or inspection, requests for admissions, answers to interrogatories, responses to requests for admissions or depositions, copies of the portions of the interrogatories, request, answers, responses or depositions in dispute shall be filed with the appropriate Circuit Court Clerk and with the assigned Judge contemporaneously with any motion filed under said Rules.

(c) If interrogatories, requests, answers, responses or depositions are to be used at trial or are necessary to a pre-trial motion which might result in a final order on any issue, the portions to be used shall be considered an exhibit and filed with the Clerk at the outset of the trial or at the filing of the motion insofar as their use can be reasonably anticipated.

(d) When documentation of discovery not previously in the record is needed for appeal purposes, upon an application and order of the Court, or by stipulation of counsel, the necessary discovery papers shall be filed with the Clerk.

(e) The Clerk of this Court is authorized and directed to return forthwith any discovery material submitted for filing which does not comply with the requirements set forth hereinabove. This order shall be spread on the minutes of this Court and a copy thereof made available to any attorney and/or party requesting the same.

RULE 2.

(a) All letters and numerals identifying instructions submitted by parties for the court's consideration in civil or criminal cases in this district shall be in conformity with

Rule 51(b)(2), Mississippi Rules of Civil Procedure and shall be placed in the bottom right hand corner of each page. All instructions shall be entitled "Jury Instruction # ____" in order to allow the court to number the instructions given in such sequence as it deems proper.

[Adopted by order entered November 30, 1989 and approved by the Supreme Court by order entered February 14, 1990.]

EXHIBIT K

LOCAL RULES
FOR
EIGHTH CHANCERY COURT DISTRICT OF MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1. ASSIGNMENT OF CASES [As Amended]

(a) Pursuant to Uniform Chancery Court Rule 1.06, and subject to subsection (c) of this rule, all matters filed in this district on and after August 16, 2003, shall be assigned to a single active Chancellor of this district at the time of filing of the action by such method as described in subsection (b) of this rule and in such fashion as to ensure such assignments shall be equal and random, that no discernible pattern of assignment exists, and that no person shall know to whom the case will be assigned until such time as it has been accomplished. Except as otherwise noted, all sections of this Rule shall be applicable to each county within the district.

(b) Unless the civil case filing form indicates that the matter submitted for filing is a continued assignment pursuant to subsection (c) below, upon receiving the Civil Case Filing Form and the Pleadings, the Chancery Clerk of the county in which the case is filed shall assign the matter to a single Chancellor either by computer or by drawing of lots as hereinafter set forth.

If the assignment is made by lots, the procedure shall be as follows: Upon receiving the Civil Case Filing Form and the Pleadings, the Chancery Clerk shall assign the case by drawing a lot from a pool of lots bearing an equal number of the place number of the active Chancellors as hereinafter set forth. The case shall be assigned to the Chancellor indicated upon the first lot drawn from the pool. Once drawn from the pool, a lot shall not be replaced until all lots have been drawn from the pool. Upon the drawing of the final lot, the pool shall be replenished with all of the aforesaid lots, and the process shall resume in a like manner.

(1) Harrison County First and Second Judicial Districts: The random assignment of cases shall be performed pursuant to computer program to conform with the dictates of Uniform Chancery Court Rule 1.06 and this rule.

(2) Stone County: The Stone County Chancery Clerk maintains the following three (3) separate Chancery Court dockets: General Docket, Adoption

Docket, and Commitment Docket. In accordance with this rule, the Chancery Clerk shall maintain a separate pool for each of these dockets.

The lots to be maintained in each pool shall be as follows:

General docket .....18 lots for each place number...total 72 lots
Adoption docket.....02 lots for each place number...total 08 lots
Commitment docket.....04 lots for each place number...total 16 lots

(3) Hancock County: The Hancock County Chancery Clerk maintains the following three (3) separate Chancery Court dockets: General Docket, Adoption Docket, and Reciprocal Docket. In accordance with this rule, the Chancery Clerk shall maintain a separate pool for each of these dockets.

The lots to be maintained in each pool shall be as follows:
General docket.....65 lots for each place number...total 260 lots
Adoption docket.....02 lots for each place number...total 08 lots
Commitment docket.....04 lots for each place number...total 16 lots

(c) If a Chancellor has directed reassignment of a case pursuant to subsection (g) of this rule, then the matter shall be assigned to the chancellor indicated on the next lot drawn by the Chancery Clerk from the designated pool which does not indicate the Chancellor directing the reassignment; and each lot drawn during this reassignment bearing the place number of the Chancellor by whom the reassignment was directed shall be returned to the pool.

(d) The lots comprising the aforementioned pools shall be so fashioned as to bear no marks or characteristics which would differentiate one or more from the others, other than the required markings specified in subsection (b).

(e) All modification and/or contempt matters shall be assigned to the active Chancellor by whom the order at issue was entered. The attorney shall note on the Civil Case Filing Form that the matter is a "continued assignment" or "C.A." and shall indicate the place number of the active Chancellor by whom the order at issue was entered (e.g. CA-1 or CA-2 or CA-3 or CA-4). Upon receipt of the Civil Case Filing Form bearing this notation and pleading, a lot containing that Chancellor's place shall be removed by the Chancery Clerk from the pool as described in subsection (b).

(f) Temporary Restraining Orders are to be presented to the assigned Chancellor. However, in the event the assigned Chancellor is not available and the matter is of a genuine emergency nature, it may be presented to any available Chancellor who

may act for and on behalf of the assigned Chancellor. The matter shall be heard on the merits by the assigned Chancellor.

(g) The assignment of a civil action is permanent, unless, and for good cause stated and order entered, the assigned Chancellor directs the Chancery Clerk to reassign the case to one of the other Chancellors. Where such reassignment is necessary, the Chancery Clerk shall use the method described in subsection (b).

(h) Each case filed in this district after September 1, 2003, shall bear a number as follows: The letter "C" followed by the numerical designation for the county in which the matter is filed, followed by the number of the judicial district ("1" for the first and "2" for the second), followed by the last two digits of the calendar year in which the case is filed, followed by the sequential number of the case for the county, followed by the place number of the Chancellor to whom the case is assigned. Examples follow:
Harrison County, First Judicial District C2401 03-1234-1
Harrison County, Second Judicial District C2402 03-1234-2
Hancock County C2301 03-1234-3
Stone County C6601 03-1234-4

(i) Matters to be heard by Family Masters duly appointed pursuant to § 9-5-255 Miss. Code Ann. shall be upon referral of the Chancellors of the District in compliance with § 9-5-255.

(j) Matters to be heard by the Special Master Pro Tem duly appointed pursuant to Miss. R. Civ. P. 53 shall be made by the Chancellors of the District in the Order Appointing the Special Master Pro Tem and Order of Reference entered at the time of the appointment. The Order of Reference may be amended as the Chancellors of the District deem necessary.

RULE 2. TERMS OF COURT AND EX PARTE DAYS

(a) The Court will enter an Order annually establishing the commencement and continuation of regular terms of Court as well as Ex Parte Days in the three Counties comprising the Eighth Chancery Court District. If no such order is entered prior to January 1, the Order for the previous year shall remain in effect.

(b) This District specifically adopts Uniform Chancery Court Rule 1.06 in all respects. To the extent that these local rules are in conflict with Uniform Chancery Court Rule 1.06, Uniform Chancery Court Rule 1.06 shall be followed.

(c) On motion/ex parte days, any contested matters, including temporaries, may be heard by the judge assigned for that motion/ex parte day unless either party or any judge requests a hearing on the matter. In the event that a hearing is requested, the matter shall not be heard on motion/ex parte day and it shall be set upon the docket on the assigned judge for said hearing.

(d) On regular days set aside for Ex Parte vacation hearings, the following matters may be presented to the Chancellor assigned to those duties as permitted by UCCR 1.06, subject to the discretion of the Chancellor assigned to those duties to refer the matter to the Chancellor assigned to the case for a record hearing:

(1) Uncontested divorce decrees, with the consent of the assigned Chancellor;

(2) Uncontested approval of inventories and accountings;

(3) Uncontested opening of administration of estates, with the provision that if a contest develops in any such estate that such contest will be heard and determined by the Chancellor to whom the case is assigned;

(4) Routine orders in the administration of estates, such as sale of assets, annual accounts, but not Petitions for Directions, which must be submitted to the Chancellor to whom the case is assigned;

(5) Uncontested appointments of guardians;

(6) Uncontested routine orders in guardianship matters;

(7) Uncontested change of name petitions; and

(8) Other routine uncontested matters.

RULE 3. COURT PROCEEDINGS

(a) Trials shall be set in the following manner after completion of discovery:

(1) By agreement of the parties with the approval of the Court Administrator of the assigned chancellor as to the time and place; or

(2) Upon Motion for trial setting of a party and properly noticed to other parties. The return date for such motion shall be provided by the Court Administrator of the assigned chancellor upon request; or

(3) By the Court after proper notice to all parties.

After trial is set, the Court Administrator shall mail notice of the trial date and location to all attorneys of record or unrepresented parties.

(b) Any contested motions shall be set on the assigned Chancellor's regular docket.

(c) Judges may schedule pre-trial conferences on their own motion or on the motion of either attorney; however, pre-trials shall be held within forty-five (45) days of trial, and the time and date of conference shall be secured with the Court Administrator.

(d) Continuances and Pre-Trial Settlements: When an action has been set for a trial or hearing and before the trial or hearing date it has been settled, or when the parties agree that a continuance is unavoidable, it is the duty of the party who had obtained the setting (or his authorized representative) to promptly notify the Court Administrator.

(e) Exhibits In all contested matters before the Court the attorneys shall check with the court reporter in advance to determine whether pre-marking of exhibits and an exhibit list are required. Attorneys must provide sufficient copies of exhibits so that counsel for all parties, the witness, and the Court can review the exhibits.

(f) Courtroom decorum: Conversation in the courtroom shall be kept to an absolute minimum. Any sudden outbursts by anyone, including a party, shall subject that person to removal.

Attire in Court shall be appropriate. Hats, shorts, tank tops, tops which bear the midriff, untucked shirts, and other such attire are inappropriate. In the Court's discretion, a person wearing inappropriate attire will not be allowed in the courtroom. Attorneys are responsible for the appearance of their clients and witnesses.

Devices such as telephones and/or pagers must be turned off in the courtroom. Violation will make the devices subject to confiscation. Laptop computers are allowed for counsel but volume must be muted.

RULE 4. PROCEDURE

(a) Court files: Deputy Chancery Clerks alone are authorized to withdraw or replace court files in filing cabinets in the Clerks' offices. Attorneys may check out files only by Order (available in the Clerk's office) signed by a chancellor.

Attorneys who have actions set on the court calendar when the Court is sitting in another county shall check out the file from the Clerk's office and bring same to Court

for such hearing.

Attorneys coming before judges on uncontested matters are required to bring the court file with them.

Files shall be returned to the Clerk within 10 days and checked in by a Deputy Clerk before the attorney is released from responsibility for the file.

(b) Presentation of documents: Every document and pleading, etc. to be filed with the Clerk, or Court, including briefs and proposed findings, shall conclude with the name, mailing address, phone and facsimile numbers of the attorney or *pro se* party.

Proposed judgments prepared by attorneys shall conclude with the names, mailing addresses, phone and facsimile numbers of all of the attorneys and/or *pro se* parties.

Where a bond or bonds are required to be posted, the order prepared by Counsel shall provide that such bonds are to be approved by the Clerk of the Court unless statutory law requires otherwise.

(c) Financial information: It shall be the responsibility of the plaintiff or movant to ascertain that the certifications of completion of all financial statements required by Rule 8.05, Uniform Chancery Court Rules, are in the court file before requesting a setting of the case.

(d) Probate matters: When an attorney representing a fiduciary desires to defer the filing of a required accounting, a written motion setting out the reasons therefore shall be filed and an order shall be secured before said accounting is deferred.

RULE 5. SANCTIONS

Any person subject to these rules who violates the provisions hereof may be subjected to sanctions, contempt proceedings or other disciplinary actions imposed or initiated by the court.

RULE 6. PRIORITY

These local rules, when approved by the Mississippi Supreme Court, shall supersede and replace any and all former local rules of the Eighth Chancery Court District.

If there be any conflict between these local rules and the Uniform Chancery Court Rules, the Mississippi Rules of Civil Procedure, the Rules of Evidence, any applicable Mississippi statute and the Mississippi Constitution, the latter shall be followed.

RULE 7. CONFLICTS IN TRIAL SETTINGS

When a case has been set for trial, other hearing or conference that conflicts with a court appearance of counsel in other courts, the first case having a firm setting shall control, whether such first case is set by this or some other court, and other courts are expected to yield to the prior firm setting, as this court will do when other cases have prior settings in other courts. When a case has not been reached as scheduled, the parties, in resetting the case, shall take into account the obligations of counsel on the basis of the first-setting rule. If a conflict develops, it is the absolute duty of counsel to immediately advise the court of the later setting in writing by filing the appropriate motion to which is attached a copy of the other court's notice of setting and presenting said motion for resolution, in order that the conflict might be resolved with calendars cleared for other settings. It is essential for counsel and the court or courts involved to resolve potential conflicts at the earliest practical date.

[Adopted by the Eighth Chancery Court District and approved by the Supreme Court by order entered February 23, 2006.]

EXHIBIT L

LOCAL RULES
FOR
EIGHTH CIRCUIT COURT DISTRICT OF MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1. PROVIDING FOR COURT TERMS AND ASSIGNMENT OF CASES

As per the authority of the Senior Circuit Judge as granted by Mississippi Code Annotated, Section 9-7-3(5) and as per the order of the Supreme Court entered on the 2nd day of October, 2000, the following suggested local rule for the Eighth Circuit Court Judicial District is herewith presented.

Recognizing that the Eighth Circuit Court Judicial District is comprised of Leake, Scott, Newton, and Neshoba Counties, and that therein there are five presiding Chancery Judges representing three Chancery Court Districts that serve the same four counties of the Circuit Court District, and in attempting to work around the terms set by the various Chancellors, with only Scott County having a separate chancery courtroom, there is provided for each county of the Eighth Circuit Court Judicial District to have three terms of Court, three weeks in duration, and for an additional week of Grand Jury for Scott and Neshoba Counties. Said terms of Court to commence, as near to as is possible, the first Monday of each month, all as provided and illustrated by Exhibit "1" hereto attached and requested to be considered herewith as if fully copied herein.

That in addition to the terms of Court and Vacation Grand Juries as herein above indicated, there are three motion days set for each Judge at different times and in different counties, all as illustrated in the attached exhibit.

The three established motion days will be for the benefit of the attorneys of the state, so that they will at all times know of a date on which to notice the hearing of their motions. Each Judge will have full discretion in hearing motions at different times and different places, all within his discretion.

The first week of each term will be set aside for the joint handling of civil cases, with said cases to be set by each Judge in their discretion, and the second week to be the exclusive week of Place I Judge for the handling of civil and criminal cases, and the third week to be the exclusive week of the Place II Judge for the handling of his assigned civil and criminal cases.

The Presiding Judge will be rotated, with said Judge organizing court and charging the Grand Jury. The Presiding Judge will rotate within the counties, so that he will have full exposure to the juries of the four counties. Therefore, each Judge will have six terms each to serve as the Presiding Judge.

The civil suits will be assigned by the Clerk of the Court after a case has been filed and has been assigned a case number. Such assignment will be on a random assignment system, with one case assigned to the Judge of Place I, the next one to Judge of Place II, then three cases to the Judge of Place I and three cases to the Judge of Place II, then two cases to Judge of place I and two to Judge of Place II. and so forth. In the event a Plaintiff files multiple cases for a cause of action arising out of the same occurrence, then said cases shall be assigned on the rotation basis as per the first numbered case.

The Clerk shall, from time to time, randomly change the rotation system so as to prevent litigants, attorneys, and others from having accurate knowledge of who will be the assigned Judge prior to the filing of the complaint. The Clerk will have a duty to assure that each Judge will have an equal number assigned to him, and the Clerk shall be subject to sanctions and penalties in the event the Clerk makes disclosure in advance of the identity of the assigned Judge to any person.

Upon the filing of an indictment by the Grand Jury or the Grand Jury Foreman, the Clerk shall assign the cases at random to each Judge on an odd and even number basis. By way of illustration, Judge of Place I shall be assigned all even numbers, and the Judge of Place II shall be assigned all odd numbers. In the event a Defendant has multiple indictments, all of his cases will be assigned to the Judge as per the first cause number.

The Judges shall continue to handle all cases, civil and criminal heretofore assigned.

The purpose of the assignment of civil and criminal cases shall be for an assignment system that is fair, equal, and just to both Judges.

Any pleas and arraignments will be made on any day of the term of court within the discretion of each Judge, provided that said proceeding does not interfere with a matter in progress within the Courtroom.

Post conviction matters are, in law, treated as civil cases and will be rotated by the Clerk under the formula herein above indicated.

The Senior Circuit Judge will be assigned the civil rights cases. Capital murder cases to be assigned by the Senior Circuit Judge on a fair and equitable basis, considering the trial involvement, time attention of the Judge, and other factors that may be considered in making a fair and reasonable distribution.

The criminal matters for revocation and contempt will be heard by the assigned Judge of the case, pursuant to the method for assignment as herein above indicated, and to be heard at such place and time as per the discretion of the assigned Judge.

Whenever a Judge determines a case should be set down for trial, he shall give the desired date for trial to the Court Administrator, with the case to be set for the first week of the term or during his assigned week of the term.

The Court Administrator, with the assistance of the Senior Circuit Judge's secretary, shall maintain the docket for each term of Court. Upon execution of a dispositive order or an order of continuance, a copy thereof shall be immediately forwarded or deposited with the Senior Judge's secretary and the Court Administrator, who will be required to maintain a current record of all pending civil and criminal matters.

A current docket of cases shall be presented to each Judge prior to the opening day of a term of Court. Also, a current jury list shall be provided to the Presiding Judge prior to the opening day of a term of court or prior to a week provided for the Vacation Grand Juries.

No prospective jurors will be excused for cause except by the Senior Judge, with the Presiding Judge having the authority to excuse jurors for cause when organizing the juries for a term of Court.

A copy of said rule shall be immediately forwarded to the Mississippi Supreme Court for its approval as provided by Rule 83 of the Mississippi Rules of Civil Procedure. This rule to take effect upon approval by the Supreme court.

[Adopted by order entered October 2, 2000 and approved by the Supreme Court by order entered December, 2000.]

EXHIBIT M

LOCAL RULES
FOR
TENTH CHANCERY COURT DISTRICT OF MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

PREAMBLE

The purpose of these rules is to continue the fair and orderly disposition of civil actions filed in the Tenth Chancery Court District of Mississippi. These rules shall govern the management and disposition of all civil actions filed in this district.

These Local Rules shall be effective upon the approval of the Supreme Court of Mississippi. All amendments to these Rules shall be by Order of the Court and shall require the approval of a majority of the Chancellors of the District and of the Supreme Court of Mississippi.

RULE 1. TERMS OF COURT AND CASE ASSIGNMENT

(a) The Chancery Court of the Tenth Chancery District shall be in continuous terms in each county of the District. The Court Calendar or Docket shall not be called at any time except by special order of any Chancellor or Chancellors of the District with proper notice being given at least thirty (30) days in advance to the attorneys of record or unrepresented parties.

(b) All civil actions filed in this District shall be assigned equally and randomly among the three Chancellors. The assignment of a civil action is permanent unless, for good cause stated, the assigned Chancellor transfers the case to the general docket for reassignment by way of Order or Recusal.

(c) The assigned Chancellor shall have the sole responsibility for the management and disposition of all cases assigned to his docket.

(d) If an assigned civil action is settled, the case may be presented to any Chancellor for Final Order provided the assigned Chancellor or his Court Administrator is notified immediately by the attorneys of the final dispositions and approval given for another Chancellor to sign the order.

(e) If an assigned non-contested divorce or an irreconcilable differences divorce is heard as an accommodation by another Chancellor, the case shall nonetheless remain the assigned Chancellor's case for all future action.

RULE 2. SCHEDULING EX PARTE

(a) The Senior Chancellor shall prepare and publish an annual schedule for Ex Parte Days

(Mondays) to be held each month in each county for the conduct of court business.

(b) Unless otherwise permitted by the presiding Chancellor or his Administrator, all Ex Parte Days are reserved exclusively for non-contested matters as well as any conferences set in advance by the presiding Chancellor's Court Administrator.

RULE 3. TRIAL SETTINGS

Trial shall be set in the following manner after completion of discovery:

(a) By agreement of the parties with the approval of the Court Administrator of the assigned Chancellor as to the time and place;

(b) Upon Motion for Trial Setting of a party and properly noticed to other parties. The return date for such motion shall be provided by the Court Administrator of the assigned Chancellor upon request; or

(c) By the Court after proper notice to the parties.

(d) After trial is set, the Court Administrator shall mail notice of the trial date and location to all attorneys of record or unrepresented parties.

RULE 4. MOTIONS

(a) Motions not requiring testimony and which can be heard in less than fifteen (15) minutes shall be treated as non-contested matters and will be heard on Ex parte Days after the other matters have been completed.

(b) Pleadings to Modify and pleadings for Citations for Contempt shall be treated as Complaints to Modify and Complaints for Citation for Contempt and shall be heard as contested matters and therefore set for hearing by the Court Administrator.

(c) [Section (c) of Rule 4, having been disapproved by the Supreme Court, has been deleted.]

(d) Temporary Restraining Orders are to be presented to the assigned Chancellor. However, in the event that the assigned Chancellor is not available, outside of the district or upon approval of the assigned Chancellor and the matter is of a truly emergency nature, it may be presented to any available Chancellor, who may act for and on behalf of the assigned Chancellor.

(e) Upon filing of any post-trial or post-judgment motions, a copy of such motion shall be forwarded immediately to the presiding Chancellor, and subsequently set for hearing and/or conference by the Court Administrator of the assigned Chancellor.

RULE 5. RULE 81 RETURN DATES

(a) In all civil actions governed by M.R.C.P. 81(d) the summons shall be made returnable to a scheduled Ex Parte Day of the assigned Chancellor unless another date is obtained from the Court Administrator for the assigned Chancellor and a Setting Order presented to the Chancellor to authorize issuance of such process. If any case is not heard on the date set for original hearing, the process may be preserved by compliance with M.R.C.P. Rule 81 and Notice of the new hearing date shall be given by Plaintiff, all as provided by M.R.C.P. 5(b). All trial dates shall be provided by the Court Administrator for the assigned Chancellor.

(b) Any M.R.C.P. 81 process returnable to a regularly scheduled Ex Parte Day shall be considered as a return day only. If the Respondent or Defendant appears to contest the matters asserted in the Complaint, a later trial date will be set by the Court Administrator of the assigned Chancellor; otherwise, the case may be proceeded upon at the time provided no testimony is required of record.

RULE 6. FILING OF DISCOVERY MATERIALS

[Rule 6, having been disapproved by the Supreme Court, has been deleted.]

RULE 7. PRE-TRIAL/SETTLEMENT CONFERENCES

(a) This Court encourages the use of informal conferences for the purpose of settlement or resolution of pre-trial issues.

(b) The Court Administrator of the assigned Chancellor will provide, upon request, available dates for informal or formal (M.R.C.P. 16) conferences.

ADDENDUM

All attorneys are expected to be familiar with the Uniform Chancery Court rules and particular attention is invited to the following:

Rule 1.08 **WITHDRAWAL OF COUNSEL**

Rule 6.08 **ALLOWANCE FOR SUPPORT OF WARD**

Rule 6.13 **PLEADINGS MUST BE SWORN TO**

Rule 7.02 **RETURN ENVELOPE MUST BE ENCLOSED**

Rule 8.05 **FINANCIAL STATEMENT AND DISCLOSURE REQUIRED**

Rule 8.06 **CHANGE OF ADDRESS OF CHILDREN**

[Adopted by order entered October 25, 1991 and approved by the Supreme Court by order entered June 24, 1992.]

EXHIBIT N

LOCAL RULES
FOR
ELEVENTH CIRCUIT COURT DISTRICT OF MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1. REQUIRED MEDIATION IN CIVIL CASES

(a) All civil matters filed in the Eleventh District Circuit Court, except those specifically exempted in subsection (b), shall be submitted to mediation prior to the parties obtaining a trial date from the Court unless all parties agree in writing that to submit the matter to mediation would be futile.

(b) Medical malpractice cases are exempt from the requirement of mediation.

(c) The term mediation as used in this rule refers to the form of alternative dispute resolution by which a neutral third party is retained by both parties to assist them in reaching a settlement. The mediator does not render a decision, binding or otherwise, as in arbitration.

Notes

The Judges of the Eleventh District Circuit Court find that mediation is private, informal, and efficient. It has proven to be an effective tool for resolving cases in numerous instances where parties alone seem unable to do so.

This rule also recognizes the fact that mediation is not effective or useful in all situations.

[Adopted by the Eleventh Circuit District Court and approved by the Supreme Court by order entered February 2, 2006.]

EXHIBIT O

LOCAL RULES
FOR
FOURTEENTH CHANCERY COURT DISTRICT OF MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1. EX PARTE MATTERS

Notwithstanding the random assignment of cases to the chancellors of the district, the following ex parte matters may be heard by any judge of the district if the requested judge shall consent for the convenience of the parties and their attorneys: joint bills for an irreconcilable differences divorce where children are not involved, uncontested settlement of a doubtful claim, opening uncontested guardianships, opening and closing uncontested estates, uncontested name changes and corrections of birth certificates, uncontested legitimation and paternity actions, admissions to the bar, probate of muniments of title, uncontested heirship suits, uncontested adoptions, uncontested removal of disabilities of minority, commitments if a special master is unavailable, uncontested bond validations, opening uncontested conservatorships and such other uncontested matters as may be appropriate under this rule.

[Adopted by order entered April 28, 2004 and approved by the Supreme Court by order entered June 21, 2004.]

EXHIBIT P

LOCAL RULES
FOR
FIFTEENTH CIRCUIT COURT DISTRICT OF MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1.

The Circuit Court shall meet in each county according to the terms established by Order entered each year pursuant to Section 9-7-3(2) of the Mississippi Code of 1972 as amended, and Court will convene at 9:00 a.m. unless attorneys are otherwise notified by the Circuit Clerk. Court terms shall be divided between Place 1 and Place 2, pursuant to Exhibit "A" attached hereto and made a part hereof as though copied at length herein.

RULE 2.

The 15th Judicial Circuit Court District shall utilize a "Place System" for assigning civil cases. The Place System shall be filled by seniority first, and should future judges have equal seniority, then the system shall be filled alphabetically. As of the adoption of this rule, Judge R.I. Prichard, III fills Place One Judge Michael R. Eubanks fills Place Two.

The Circuit Clerk of each County of the District shall keep a separate Judges' civil docket for each Place and cases shall be assigned to each Place by the first letter of the last name of the Judge. Upon receipt of the complaint the clerk shall file the complaint and assign a case number but not a judge. The party presenting a complaint to the clerk shall provide a 3" x 5" index card stating the name of the first plaintiff vs. the name of the first defendant which the clerk shall place in a box. At the end of the work day the clerk shall randomly determine which Judge will receive the first case drawn by rolling a six-sided die with 1-3 representing Place One and 4-6 representing Place Two. Should a third judge be added to the District, 1-2 shall represent Place One, 3-4 shall represent Place Two and 5-6 shall represent Place Three. After determining which Judge will receive the first case drawn, the clerk shall then draw out the index cards and assign Judges accordingly. Should a third judge be added to the District, after determining which Judge will receive the first case drawn, the clerk shall assign cases in ascending order.

Once a case is assigned to a Judge by the letter system, that Judge shall handle that case until final disposition. For good cause, a Judge may transfer a case to another Judge of the District for that Judge's handling and, upon transfer, the clerk is to add a hyphen and the letter of that Judge's Place to show the case has been transferred. This rule is for the assignment of civil cases only and shall not be used in the assignment of criminal cases.

RULE 3.

The Circuit Clerk of each county of the District shall maintain a trial calendar as provided pursuant to Rule (40)(a) of the Mississippi Rules of Civil Procedure. Said calendar shall contain all cases pending in said county in which issue has been joined and that, unless otherwise notified, the trial calendar shall be called on the first day of each term of Court at 9:00 a.m. and the Circuit Clerk shall notify the attorneys of record or the parties, if not represented by counsel, of the calling of said trial calendar at least five days in advance thereof. If either judge decides to call his trial calendar in any county other than on the first day of a regular term therein, he shall notify said Circuit Clerk in writing of the date, time and place of the calling of such trial calendar and, at least five days prior to said date, the Circuit Clerk shall notify all attorneys of record and parties, if unrepresented, of the calling of such trial calendar in and for said county. That, at the calling of the said trial calendar, each case placed thereon shall be set for trial within the time frame set out in Rule 40 unless prior to the calling of said trial calendar the plaintiff or defendant, pursuant to Rule 26(c), requests a discovery conference with the Court and state therein that said matter is still in need of discovery and is not, at that time, ready for trial. That upon such notice by either the plaintiff or defendant, the Court, at the calling of said trial calendar, shall schedule said case for a Rule 26(c) conference rather than for trial.

RULE 4.

The Circuit Clerk will maintain a trial docket pursuant to Rule 40 of the Mississippi Rules of Civil Procedure whereon shall be kept the cases set for trial at the calling of the trial calendar and, in addition to this method of setting a case for trial, attorneys may set cases by agreement in vacation for a day certain during the next regular term of Court. That upon the attorneys agreeing to a trial date, the Clerk shall be notified in writing by the parties to set the case for trial on the date as agreed to between the parties and said case shall then be placed on the trial docket in addition to the cases set during the calling of the trial calendar. Once a case is set on the trial docket, either by setting at the calling of the trial calendar or by agreement of the parties, no continuance will be allowed without a pre-trial conference with the Court at least one week prior to trial date and then only on good cause shown. No case can be set peremptorily except for the next regular term of Court even by agreement of the parties.

RULE 5.

All other cases then pending in each county which are not listed on either the trial calendar or trial docket shall be maintained on the general docket in and for said county. That on the first Monday of each Court term in and for each county the general docket shall be called by the Court. At the call of the general docket, each attorney shall be required to make an appropriate announcement, which announcement shall be limited to the following; 1) the case may be set for trial or for preliminary matters, 2) the case may be dismissed, 3) a default judgment may be taken, 4) the case may be set for call on the last Friday of the term, and 5) the case may be continued for good cause shown.

RULE 6.

Whenever an announcement of final disposition is made to the Court, a final order must be submitted to the Court on or before the last day of the term, or said call will be dismissed.

RULE 7.

When a case is settled in vacation the Clerk will immediately be notified and the case removed from the Circuit Court docket.

RULE 8.

In an effort to keep each civil docket in a current status, the trial Judge for each place shall have the inherent authority to set for pre-trial any case appearing as one of the oldest 20% of the cases on the docket. Said setting shall be done pursuant to Rule 2.03 Uniform Circuit Court Rules, and upon the setting by said Court, the Circuit Clerk shall notify the parties involved in said action at least five days prior to the pre-trial conference of said setting. The purpose of said pre-trial conference is for the Court to ascertain the status of said case and to alleviate any problems involved in said case with the purpose being to prepare said case for trial as expeditiously as possible. That if either party fails to appear at said pre-trial conference upon proper notification by the Clerk, and fails to notify the Court in advance of their inability to attend as required, appropriate sanctions can be taken by the trial Court.

RULE 9.

Parties to civil actions are encouraged by the Court to attempt settlement of each case on the docket. If the Court, in its discretion, finds that a case has been set for trial and one of the parties has failed to make a diligent effort to settle the case until the date of trial and then attempts serious settlement negotiations, which had they been taken earlier would have resulted in the settlement of the case prior to the trial day, the Court may, in its discretion,

assess the actual cost to the county of the jury in attendance on that date to any party that the Court finds did not engage in prior diligent efforts to settle the case.

RULE 10.

All cases dismissed pursuant to Rule 41(a)(1) shall be dismissed by order pursuant to said Rule signed by the judge to which the case was assigned and said order shall be place of record in the minutes of the Court as any other order.

RULE 11.

At 1:00 o'clock p.m. on the first Monday of all court terms, Motion day shall be held pursuant to Rule 78 of the Mississippi Rules of Civil Procedure, wherein motions may be presented on cases assigned to that Judge on any of the dockets of that Judge in any of the counties of the district. However, motions under Rule 56 or 57, or any other motion requiring testimony, shall be set at an appropriate time by prior arrangement with the Court. The attorney bringing the motion shall be responsible for having the court file and notifying the Court and the opposing attorney of the motion and when it is to be heard. The Circuit Clerk where the court is sitting shall keep a calendar of all motions scheduled for facilitating the disposition of motions. Attorneys having motions pursuant to Rule 56 or 57, or motions requiring testimony, should apply to the proper Judge wherein said case is pending for a time, place and setting of the motion and, upon the setting by the proper Judge, the moving attorneys shall notify opposing counsel pursuant to the Mississippi Rules of Civil Procedure.

[Adopted by order entered July 25, 1986 and approved by Supreme Court by order dated April 14, 1993; amended by order entered June 27, 2003 and approved as amended by Supreme Court by order entered September 4, 2003.]

EXHIBIT Q

LOCAL RULES
FOR
SIXTEENTH CHANCERY COURT DISTRICT OF MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1.

Each individual attorney shall be assigned a number for computer purposes by the Court Administrator. All pleadings and motions filed by an attorney with this Court shall include the computer number of such attorney at the conclusion of the pleading or motion where the attorney's name, address and telephone number appears.

RULE 2.

The clerk of the Court is directed to refuse to receive and docket any pleading presented by an attorney who has been suspended by the Mississippi Supreme Court or Mississippi State Bar until the suspension is formally removed.

RULE 3. ASSIGNMENT OF CASES

(a) Pursuant to Uniform Chancery Court Rule 1.06, all matters filed in this District on and after the date of this Order shall be assigned to a single active Chancellor of this District at the time of filing of the action by such method as described in paragraph II of this Order and in such fashion as to ensure such assignments shall be equal and random, that no discernable pattern of assignment exists, and that no person shall know to whom the case will be assigned until such time as it has been accomplished. Except as otherwise noted, all sections of this Order shall be applicable to each county within the District.

(b) Unless the Civil Case Filing Form indicates that the matter submitted for filing is a continued assignment, upon receiving the Civil Case Filing Form and the pleadings, the Chancery Clerk of the county in which the case is filed shall assign the matter to a single Chancellor either by computer or by drawing lots as hereinafter set forth.

JACKSON COUNTY

The random assignment of cases shall be performed pursuant to computer program to conform with the dictates of Uniform Chancery Court Rule 1.06 and this Order, as to all

filings on the general, probate, adoption and commitment dockets, as implemented and in place prior to the adoption of Uniform Chancery Court Rule 1.06.

GEORGE AND GREENE COUNTIES

The Chancery Clerk of George and Greene Counties shall immediately implement the following random method of assigning cases to Chancellors in George and Greene Counties in the Sixteenth Chancery Court District of Mississippi.

The Clerk shall prepare a container to hold thirty pieces of paper (herein referred to as ballots). Each ballot shall have the number of a judicial place written thereon, as follows:

Ten (10) ballots shall have the numeral "1" written thereon. This shall represent Place 1, currently held by the Honorable Pat H. Watts, Jr.;

Ten (10) ballots shall have the numeral "2" written thereon. This should represent Place 2, currently held by Honorable Jaye A. Bradley;

Ten (10) ballots shall have the numeral "3" written thereon. This shall represent Place 3, currently held by Honorable Randy Pierce;

The thirty (30) ballots shall be folded so that the number thereon is not visible and placed in the container prepared by the Clerk and maintained in his custody. The ballots shall be shuffled by the Clerk after being placed in the container.

At the time a complaint is filed with the Chancery Clerk's Office, and upon being assigned a cause number, the Clerk individually shall at a designated time every day, draw a ballot from the container for each complaint filed. The ballot will determine the judicial assignment. Used ballots shall be kept separate from the container of unused ballots.

The Clerk, under no circumstances, shall use his/her discretion to draw more than one (1) ballot per complaint.

The Clerk is responsible for maintaining the integrity of the container and the ballots.

Once all the ballots have been drawn from the container, the Clerk replenishes the ballots with the original thirty (30) ballots and the process begins anew.

The Clerk shall, at the end of each thirty (30) case assignment interval, compile a written accounting to the three Chancellors of this District showing which cases were assigned to the respective Chancellors stating the case type, the style of each case, and the attorneys involved.

The Clerk shall not change this method of assignment where a known conflict with a Chancellor exists. Each Chancellor having a conflict, requiring recusal, will address this issue on a case by case basis.

The above procedure shall at all times remain confidential and the Clerk shall not allow any party to participate or otherwise have any knowledge as to the actual drawing of the ballots, and not allow anyone to influence him/her in conducting the above procedure.

(c) The following matters shall be exempt from initial assignment to an active Chancellor, and such shall be notated accordingly as "exempt form initial assignment":

Joint Complaints, including irreconcilable differences divorce actions and other uncontested matters; Pro se irreconcilable differences divorce actions; Name Change or Birth Certificate Corrections; uncontested Adoptions; uncontested Guardianship or Conservatorship matters; Removal of Minority; Commitments; and Bond Validations. Otherwise, these limited areas of the dockets shall be heard by any available Chancellor.

When a matter listed in the above paragraph becomes a contested matter, or a response from the other party or parties indicating opposition to the requested relief is filed or stated to the Court, the Chancellor to whom the matter is submitted may, on his own motion, direct the Clerk to thereafter assign the case by the method specified above.

(d) All modification and/or contempt matters, except those concerning orders entered in the foregoing paragraph, shall be assigned to the active Chancellor by whom the order at issue was entered.

(e) Temporary Restraining Orders are to be presented to the assigned Chancellor. However, in the event the assigned Chancellor is not available and the matter is of a genuine emergency nature, it may be presented to any available Chancellor who may act for and on behalf of the assigned Chancellor. The matter shall be heard on the merits by the assigned Chancellor.

(f) The assignment of a civil action is permanent, unless, for good cause stated and order entered, the assigned Chancellor directs the Chancery Clerk to reassign the case to one of the other Chancellors. Where such reassignment is necessary, the Chancery Clerk shall assign the case as herein required.

(g) Once a case is so assigned to a Chancellor, only the Chancellor to whom it is assigned will consider the matter. EXCEPT: (1) where the Chancellor must recuse for good cause, (2) where the Chancellor to whom a case is assigned will be unavailable for at least five (5) days to consider the matter due to reasons such as sickness, duties outside the District, seminars, and vacations, then another Chancellor may consider emergency matters,

ex parte matters and uncontested or agreed matters. When a Chancellor has signed an order under the above exception, it shall remain the case of the Chancellor to whom it was originally assigned.

Because of the urgency of mental, alcohol and drug commitments, they shall be assigned by the Clerk to the most readily available Chancellor if not handled by a Special Master.

Youth Court cases are assigned to the Youth Court Referee. In cases involving shelter hearings and detention hearings which are urgent, any Chancellor may hear the case when the designated Youth Court Referee is not available.

All cases filed before the implementation of this Order, which have not been considered by any Chancellor, shall be assigned in equal proportions, giving each Chancellor one-third (1/3) of the pending unassigned cases in the same manner as those cases originally filed.

All cases before the implementation of this Order, which have been previously heard will be heard by the Chancellor who has already begun the case. All Department of Human Services child support cases and all estate and guardianship matters, which have previously been considered are to be assigned to a Chancellor as set out above with each Chancellor receiving as near as possible an equal number of these cases.

(h) Ex parte matters will be considered on the Ex Parte Days hereinafter designated or at such other times as may be scheduled by the separate order signed by the Senior Chancellor September 22, 2003 establishing Court Terms, Vacation and Ex Parte Days. Order establishing Court Terms, Vacation and Ex Parte Days is filed with the Clerk of Court of each county of the Sixteenth Chancery District as well as the Administrative Office of Courts and the Secretary of State. Each Chancellor may set Motion Days or hear same at times agreeable to the Court in Term, or Vacation, or Ex Parte Days involving the motion in the cases assigned to each Chancellor.

(I) Each case filed in this District after the date of this Order shall bear a number as follows: The calendar year in which the case is filed, followed by the chronological number of the case, then followed by the Chancellor's initials to whom assigned, being the same numbering system used presently in the Sixteenth Chancery District.

RULE 4.

In all estates the initial pleading shall state:

1. The social security number of the deceased and of any proposed fiduciary,

2. The last home address of the deceased and the current address and phone number of any proposed fiduciary, and

3. The name, age, relationship and current address of any heir at law of the deceased.

The clerk shall not receive or docket a pleading which does not comply with this rule.

RULE 5.

In all guardianships, the initial pleading shall state:

1. The age, address and social security number of the ward and of any proposed fiduciary.

2. The names, ages, and addresses of the members of the immediate family of the ward.

The clerk shall not receive or docket a pleading which does not comply with this rule.

RULE 6.

In all conservatorships, the initial pleading shall state:

1. The age of the ward and the social security number of the ward and of any proposed fiduciary.

2. The home address of the ward and of any proposed fiduciary.

3. The names, address and relationships of other parties in interest.

The clerk shall not receive or docket a pleading which does not comply with this rule.

RULE 7.

In complying with Uniform Chancery Court Rule 1.09 in cases where a petition to remove the disabilities of minority is filed:

(a) Such petition shall identify fully any guardianship which may exist and a copy of the petition to remove disabilities shall be served on the guardian and the attorney for the guardianship in advance of the petition being presented to the court:

(b) Such petition shall state what effect the removal of the disabilities would have on the guardianship;

(c) If the guardianship is in the 16th Chancery Court district, the attorney shall present the guardianship court file to the court at the time he presents the petition to remove the disabilities of minority. If the guardianship is not in the 16th chancery Court District, such petition shall have attached an attested copy of the most recent guardianship accounting and court order approving such accounting.

RULE 8.

In all adoption proceedings filed in the Sixteenth Chancery Court District of Mississippi, each minor to be adopted shall have a Guardian Ad Litem appointed to represent said minor.

RULE 9.

Before announcing ready in an uncontested divorce, the attorney shall have with him a proposed Judgment for same. Before any testimony is offered, the attorney shall present the Chancellor or Master a worksheet and the proposed Judgment.

RULE 10.

Unless excused by the Court for good cause shown, in actions between parents involving custody and/or visitation of children, every judgment entered shall contain a provision to the following effect:

Each parent shall keep the other informed of their actual residence address and mailing address at all times. If a change of address occurs, the parent so moving shall notify the other parent and the clerk of this Court in writing of the new residence address and mailing address within 5 days of making such move. The clerk shall make a docket entry of such writing and place the writing in the Court file.

The purpose of this rule is to prevent a parent from concealing the correct address where the children are residing.

RULE 11.

The Court, sua sponte, considering the mandatory provisions of the law pertaining to accountings in estates, guardianship and conservatorships, and the utilization by the court of technology, including computers to enable an effective implementation of such laws for the benefits of the litigants, lawyers, the public and the Court, hereby adopts the Order establishing procedures to be followed by the clerk and administrator of this Court as well as by the litigants, fiduciaries and lawyers:

(a) Written notice shall be mailed by the administrator to each fiduciary and the fiduciary's attorney notifying them of the month in which an accounting is due.

(b) The administrator and clerk shall determine in the month following the month in which an accounting is due the identity of each file in which the fiduciary and attorney failed to file an accounting or failed to have the accounting excused or deferred in writing by the Court.

(c) An Order shall thereupon issue to such derelict, fiduciary and attorney citing them to appear before the Court at a time and date certain to show cause why such accounting was not filed and for the Court to consider whether the fiduciary and attorney should be removed for such failure, and to consider such further action as the Court may deem appropriate.

Attorneys and fiduciaries desiring to defer an accounting shall present to the Court a brief statement in writing of the reason such deferment is appropriate. Attached to such written request shall be the proposed Court order granting the defendant.

At the time of filing a petition to open an estate, guardianship or conservatorship, the attorney and petitioners shall complete and file an information worksheet which shall be supplied by the clerk of this Court. The clerk shall not process the original petition until such information worksheet is complete and filed.

[Adopted by orders entered by the Sixteenth Chancery Court District and approved by the Supreme Court by orders entered January 14, 1988; February 18, 1991; December 11, 1996; and, March 18, 2004.]

EXHIBIT R

LOCAL RULES
FOR
THE EIGHTEENTH CHANCERY COURT DISTRICT

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

The purpose of these Local Rules is to establish within this Chancery Court District uniform procedures to expedite the docketing and final disposition of actions and to conform our procedures to the requirements of the M.R.C.P., and to the Uniform Chancery Court Rules.

RULE 1.

The attorney who files any pleading which requires the issuance of a summons is charged with the responsibility to prepare the summons in proper form and content and to provide the Clerk with appropriate instructions for its service, all of which shall be done in a manner prescribed by the Mississippi Rules of Civil Procedure.

RULE 2.

The docket for each regular term of court will be called commencing at 10:00 o'clock in the morning on the Monday which is three(3)weeks before the first day of each regular term.

(a) All persons concerned should be present in person or by authorized representative.

(b) Actions will be set for trial during the term or in vacation and may be so set even though only one party is represented at the docket call.

(c) A change of a docket setting will be considered upon motion made in a manner provided by the M.R.C.P., or in a manner satisfactory to the Court.

Before docket call day, the Clerk shall prepare a *trial calendar* by listing thereon in numerical order the pending actions ready for trial, including the action number, style, type of action and the names of the attorneys of record. On the day the docket is called, copies of the *trial calendar* shall be distributed to all parties present. As each action is called, the Clerk shall note on the *trial docket* the date and time it is set for trial, or such other comment made by the Court. Within three (3) days thereafter, the Clerk shall mail or personally deliver to all parties a copy of the *trial calendar/trial docket.*

RULE 3.

Within a reasonable time before the end of each year the Court shall prepare and publish an annual schedule of Friday vacation days to be held in each month during the next year (with the name of the Chancellor assigned to preside) as follows:

Calhoun	1st Friday	Tippah
Marshall	2nd Friday	Lafayette
Tippah	3rd Friday	Calhoun
Lafayette	4th Friday	Marshall

In its discretion, the Court may: (a) schedule a Friday vacation day to any other day; (b) omit a Friday vacation day when it occurs during a regular term of court held in that county; or (c) omit a Friday vacation day in its entirety.

No regular Friday vacation day will be scheduled for Benton County. Benton County actions may be conducted in either Marshall or Tippah Counties. The attorney of record shall deliver to the Court the file jacket and shall return it to the Chancery Clerk of Benton County.

The schedule shall be furnished to each Chancery Clerk who shall post a copy in a conspicuous place in his office and in the courtroom. The Clerk shall circulate copies to all local attorneys and others who may have business before his court.

RULE 4.

The Clerk shall prepare and present to the Chancellor the Friday Vacation Court Calendar and Trial Docket which shall be so arranged so as to permit the entry of actions in three (3) categories as follows:

(a) Motions and Other Preliminary Matters

(b) Ex-Parte Matters

(c) Actions Pre-Set for Trial

Ex-parte matters shall be entered in the order presented to the Clerk, together with the name of the attorney of record.

Categories (a) and (b) shall be priority matters.

Category (c) matters will be heard providing there is time during that day for that purpose.

Any other matter entered on the calendar AFTER Court business is commenced shall be placed at the foot of the docket and will be heard after all other matters are concluded and if time is available.

RULE 5.

Motions and other preliminary matters, not requiring process, may be noticed to any Regular Friday Vacation Day in the County wherein such action is pending, except that Benton County actions may be noticed for any Regular Friday Vacation Day scheduled to be held in either Tippah County or Marshall County.

RULE 6.

In response to a pleading filed by any party to an action, or at the request of both parties, an action may be specially set for a trial or hearing during any available day of a regular term or to a day in vacation. The exact date, time and place for such trial or hearing shall be set by an Order signed by the Chancellor. The request for a special setting may be made by appearance before the Court for that purpose, or, may be made by mailing to the Chancellor a copy of the pleading and an Order (with appropriate blank spaces for the insertion of the date, time and place for trial or hearing), together with a self-addressed and stamped envelope.

RULE 7.

Upon a written motion directed to the Clerk by any party to an action, the Clerk, without further Order from this Court, is authorized and empowered to issue a summons returnable to a Regular Friday Vacation Day scheduled in his County.

This authority is limited, however, only to actions described in *Rule 81(d)(2),* M.R.C.P., which are:

(a) Removal of disabilities of minority; or

(b) Temporary relief in divorce, separate maintenance, child custody, or support matters; or

(c) Modification or enforcement of custody, support, and alimony judgments; or

(d) Contempt; or

(e) Estate matters and wards' business in which notice is required but the time for notice is not prescribed by statute or by *Rule 81(d)(1),* M.R.C.P.

The form of the summons shall comply with FORM 1D or FORM 1DD (Rule 81 Summons)-See *Appendix A,* M.R.C.P.

The summons may be issued for service in any manner authorized by *Rule 4,* M.R.C.P., and shall be made returnable to a Regular Friday Vacation Day sufficiently distant in time so as to allow for its service and its return.

RULE 8.

When an action has been set for a trial or hearing and before the trial or hearing date has been settled, or when the parties agree that a continuance is unavoidable, and it is apparent that the presence of the Chancellor and/or his Court Reporter is not required, it is the duty of the party who had obtained the setting (or his authorized representative) to promptly notify the Chancellor and, if required, his Court Reporter.

RULE 9.

In all irreconcilable differences divorce actions (no-fault), the attorney is required to appear before the Court with the file jacket to request approval of the Agreement and to obtain the signature of the Chancellor to the *Judgment for Divorce-Irreconcilable Differences.* The attorney must be prepared to answer all inquiries that may be raised by the Court. In some cases, the Court may defer approval until proof from the parties is submitted.

RULE 10.

In addition to the advanced payment of costs that may be required by a statute, the Mississippi Rules of Civil Procedure, or by the Uniform Chancery Court Rules, whenever the Clerk believes that the deposit made is NOT adequate to cover all of the costs accrued, or to accrue, he may request an additional deposit to cover such deficiency or projected deficiency. If the requested additional deposit is not promptly paid, the Clerk shall NOT be compelled to proceed further, but shall file a motion to give security as prescribed by *Rule 3(b),* M.R.C.P., and the matter shall then be resolved by the Court.

RULE 11.

The Clerk shall provide copies of this Order and these Local Rules to all members of the Local Bar of his County and to such other attorneys or parties from other areas who appear before this Court from time to time.

The distribution of this Order and these Local Rules shall be considered by this Court to satisfy the notice requirements to all attorneys and parties which is required by *Rule 40(b),* M.R.C.P.

A copy of this Order and these Local Rules shall be filed with the Mississippi Supreme Court as required by *Rule 83,* M.R.C.P.

On January 1, 1987, all prior Orders pertaining to the adoption of local rules and all former Local Rules heretofore adopted shall stand repealed, and, this Order and the Local Rules herein contained shall take full force and effect and be adopted for use within the Eighteenth Chancery Court District.

[Adopted by order entered December 8, 1986 and November 25, 1991and approved by the Supreme Court by order entered March 31, 1992.]

EXHIBIT S

LOCAL RULES
FOR
EIGHTEENTH CIRCUIT COURT DISTRICT OF MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1. DISPOSITION OF CRIMINAL CASE

(a) The Court having determined the necessity of establishing a local rule for the 18th Circuit Court District of Mississippi relating to the disposition of criminal cases on the docket of said court in order that all such matters may be handled more expeditiously and that the court files in all criminal cases may be as complete as possible for present and future use and contain relevant information accurately reflecting proceedings had and done and the rationale surrounding the dispositive orders entered therein.

(b) From and after January 1, 1992, in each criminal matter coming on for hearing on a proposed plea of guilty that an appropriate petition to plead guilty shall be completed and filed with the Clerk of this Court at least 24 hours prior to hearing; further, that the original of said petition shall be initialed as received and/or approved by the District Attorney before being filed with the Clerk of this Court for placement in the file; further, that additional copies of said petition shall be delivered to the District Attorney and to the Court a minimum of 24 hours in advance of said matter coming on for disposition.

(c) In all criminal cases coming on for disposition on an adjudicated or non-adjudicated basis, whether a plea of guilty to the original charge as reflected in the indictment or bill of criminal information, a plea of guilty to a lesser included offense, cases transferred to the diversion or other programs, transfers to youth court, nolle prosequi, etc., that the District Attorney and/or the Assistant District Attorney shall state into the record during appropriate courtroom hearing of said matter the State's recommendation as to disposition and/or sentencing in each case, and in addition thereto they shall prepare and file in each case a written statement containing the State's reasons for its recommendation as to sentence and/or other disposition.

RULE 2. FORM TO BE USED REGARDING A CRIMINAL DEFENDANT'S CONTACT WITH COUNSEL PRIOR TO TRIAL

(a) It appearing to the Court, after consultation with the office of the District Attorney, the Public Defender's office, and private attorneys in the area, that many delays

are occurring in the hearing of motions, trial on the merits, and other matters needing attention in cases on the criminal docket of the 18th Circuit Court District, because defendants are not making regular or timely calls or visits to the office of their attorneys, court-appointed and private, relative to pending criminal charges, that the attached form shall be completed and signed by defendants in all criminal matters, approved by defense counsel and the district attorney, and filed with the Clerk of this Court in each criminal matter at the time same comes on for arraignment.

(b) The Clerk of this Court shall maintain a minimum of 250 of these forms in the courtroom at all times for distribution to defense attorneys in each criminal matter coming before the Court at time of arraignment. The original of each completed form shall be marked filed and placed in the appropriate court file, with a copy for the District Attorney's file and the defense attorney's file.

(RULE 2 FORM)

IN THE CIRCUIT COURT FOR THE SECOND/FIRST JUDICIAL

DISTRICT OF JONES COUNTY, MISS.

STATE OF MISSISSIPPI

VS. NO. _____

_____

THIS DAY this agreement entered into by and between the defendant and his attorney of record relative to the above styled and numbered cause presently pending on the criminal docket, Circuit Court, Jones County, Mississippi.

The defendant having been duly arraigned and entered a plea of not guilty to the charge preferred by grand jury indictment, and this case having been set for trial and/or motion hearing on _____.

The defendant herein agrees to make regular and timely contacts by telephone or visits to the office of his attorney and that no less than one week before the trial/motion date in this case, above stated, to appear in person at said attorney's office. Telephone number and address of defense counsel is: _____.

The defendant also expressly understands and agrees that the appearance bond in this matter is conditioned upon his/her compliance with the above requirements, and that failure to do so will result in his/her arrest and detention by the Jones County Sheriff's Department without further notice.

Defense Attorney hereby agrees to advise the Court and the District Attorney a minimum

of one week in advance of trial/motion date if said defendant has not been cooperative in making regular and timely contact with their office.

This agreement to be executed in triplicate, with the original of same being placed in the court file in this cause, a copy being placed in the file of defense counsel and a copy in the file of the District Attorney.

This _____ day of _____, 20____.

_____

Defendant

APPROVED:

_____

Attorney for Defendant

_____

District Attorney/Asst. D.A.

RULE 3. NON-FILING OF DISCOVERY MATERIALS

(a) Rule 7(a) of the Miss.Rules of civil Procedure provides which pleadings are to be filed with the Clerk in any action. Because of storage restraints and the considerable costs involved in furnishing discovery materials, this local rule shall govern the filing of discovery materials in the Circuit Court of Jones County, Mississippi.

(1) The Court Reporter shall forward the original of the deposition to the party responsible for taking the deposition. Such party shall retain the original and become the custodian thereof. Upon receipt of the original deposition the party serving as custodian shall forthwith file with the Clerk a copy of the cover sheet of the deposition and a notice that all parties of record have been notified of the receipt of the deposition by the custodian. The form of the notice shall be clear and concise and shall be styled "Notice of Receipt of Original of Deposition."

(2) Under Rule 33 of the Miss.R.Civ.P. and the responses thereto and Request for Production or Inspection under Rule 34 of the Miss.R.Civ.P. and responses thereto: These pleadings shall be served upon other counsel or parties and shall not be filed with the Court. The party responsible for service of the discovery request or the response shall retain the original and become the custodian thereof and shall file a notice with the Clerk of this Court notifying all

counsel that the document has been received and is being held by the custodian. The form of the notice shall be clear and concise and shall be styled "Notice of Service of Interrogatories or Request for Production of Documents or Responses."

(3) These documents shall not be filed with the Clerk of Court and the party responsible for service of the discovery request or response thereto, shall retain the original and become the custodian thereof. A Notice of Service of Request for Admissions and Responses thereto shall be filed with the Clerk of this Court and served on all counsel of record.

(4) If relief is sought under Rules 26(c) or 37 of the Miss.R.Civ.P. concerning any interrogatories, request for production or inspection, requests for admissions, answers to interrogatories, or responses to requests for admissions, copies of the portion of the interrogatories, requests, answers, or responses in dispute shall be filed with the Court contemporaneously with any motion filed under said Rules.

(5) If interrogatories, requests, answers, responses or depositions are to be used at trial, or are necessary to a pretrial motion which might result in a final order on any issue, the portions to be used shall be considered an Exhibit and filed with the Clerk at the outset of the trial or at the filing of the motion insofar as their use can be reasonably anticipated.

(6) When documentation of discovery not previously in the record is needed for appeal purposes, upon an application and order of the Court, or by stipulation of counsel, the necessary discovery papers shall be filed with the Clerk.

(b) The Clerk of this Court is authorized and directed to return forthwith any discovery materials submitted for filing which does not comply with the requirements set forth herein above.

[Adopted by order entered December 31, 1991 and order entered May 24, 1993 and approved by the Supreme Court by order entered April 12, 1994 and June 24, 1992.]

EXHIBIT T

LOCAL RULES
FOR
NINETEENTH CHANCERY COURT DISTRICT

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1. GENERAL ORDER REGARDING THE SETTING OF ACTIONS AND MATTERS SPECIFIED IN RULE 81, MRCP

(a) Pursuant to Rule 81, Mississippi Rules of Civil Procedure, it is the General Order of this Court that the actions and matters specified therein shall be set for hearing as follows:

(1) No process shall issue in any action or matter unless it has first been set for a day and time certain by the Court or the Court Administrator on the appropriate docket of the Court.

(2) If such action or matter is not heard on the day set for the original hearing, it may by order be continued to a later day for hearing without additional summons on the defendant or respondent.

(3) In the absence of the Court, the Clerk of Court, or his Deputy, is authorized to continue such actions and matters to a later date.

RULE 2. COMPLETION OF DISCOVERY MATTERS

(a) All discovery must be completed within ninety days from service of an answer by the applicable defendant. Additional discovery time may be allowed with leave of court upon written motion setting forth good cause for the extension. Absent special circumstances the court will not allow testimony at trial of an expert witness who was not designated as an expert witness to all attorneys of record at least sixty days before trial.

(b) When responding to discovery requests, interrogatories, requests for production, and requests for admission, the responding party shall, as part of the responses, set forth immediately preceding the response the question or request to which such response is given. Responses shall not be deemed to have been served without compliance to this subdivision.

(c) No motion to compel shall be heard unless the moving party shall incorporate in the motion a certificate that movant has conferred in good faith with the opposing attorney in an effort to resolve the dispute and has been unable to do so. Motions to compel shall quote verbatim each contested request, the specific objection to the request, the grounds for the objection and the reasons supporting the motion.

RULE 3. LOCAL RULE REGARDING EXHIBITS

(a) In all contested matters before the Court the attorneys shall confer prior to trial for the purpose of identifying and marking all exhibits (other than for rebuttal purposes) proposed to be offered into evidence at trial by any party:

(1). PRE-MARKING EXHIBITS. All proposed exhibits shall be pre-marked using evidence labels specified by the Court Reporter. They shall be marked consecutively beginning with number 1 and shall not be identified as to which party is offering the exhibit. The exhibit label shall be centered at the bottom of the first page of each exhibit. The exhibits shall be furnished to the Clerk of Court prior to the time the case is called for trial.

(2). EXHIBIT LIST. The attorneys shall prepare a single list of all proposed exhibits to be offered by the parties. The list shall identify each exhibit by its number and contain a brief description of each exhibit. The exhibit list shall be furnished to the Clerk of Court prior to the time the case is called for trial. A copy shall also be furnished to the Court Reporter prior to trial.

(3). COPIES OF EXHIBITS. The copies of exhibits as required by Rule 3.05 Uniform Chancery Court Rules shall also be marked but exhibit labels are not required.

(4). SANCTIONS. Every contested case in which this rule is not followed when the case is called for trial shall be passed until this rule is complied with. All other cases on The trial docket for that day will have priority over the non-conforming case.

(b) Any attorney who has attempted to comply with this rule but received no response or cooperation from other counsel shall be allowed to briefly make a record of same before the Court. Opposing counsel will be allowed to respond. Should the Court determine that the failure to comply was the fault of an attorney or attorneys, the Court will consider it as a contempt of court, and the attorney or attorneys responsible shall be subject to the maximum penalties allowed by law for contempt of court.

[Adopted by orders entered April 17, 1995; May 12, 2000; and, July 13, 2001; and,

approved by the Supreme Court by orders entered October 10, 1995; May 15, 2000; and, January 2, 2002.]

EXHIBIT U

LOCAL RULES
FOR
COUNTY COURT OF HARRISON COUNTY, MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1.

Each term of Court shall commence and be held on the second Monday of each consecutive calendar month at the hour of 9:30 A.M. for the morning session; and each afternoon session of Court shall commence promptly at the hour of 1:30 P.M., unless otherwise stated by the Court. Such terms of Court shall continue from day to day, unless recessed or adjourned by the Court, until the end of the Friday session before the beginning of the next succeeding term of Court.

RULE 2.

The court clerk shall not receive or file any original declaration, bill of complaint, petition or other original pleadings, including all exhibits thereto, unless and until: A., it contains, or has endorsed or stamped thereon, (1) the full name, place of residence, street, house and post office address, if known of each and every party thereto, or in lieu thereof, such information as may be necessary or required to locate such parties for the purpose of serving process or other legal notice upon them; and (2) the full name, post office address, and telephone number of the attorney filing the same; and B., there is tendered and filed with such original pleadings exact legible copies thereof for each defendant or respondent therein named, which legible copies the court clerk shall deliver to the parties entitled to receive the same, or their attorneys, upon proper request therefor.

RULE 3.

Unless filed in forma pauperis as required by statute, at the time of filing any original declaration, bill of complaint, petition or other pleading, the party or attorney filing the same shall make a deposit for court costs with the court clerk in an amount estimated by the clerk to be sufficient to cover the court costs to accrue in such case or cause; but in no event shall such costs deposit be less than $15.00

RULE 4.

The court clerk shall not receive or file any pleading subsequent to any original declaration, bill of complaint, petition or other legal pleading unless and until it contains, or

has endorsed or stamped thereon the full name, post office address, and telephone number of the party or attorney filing the same and the statutory certificate showing when, where and how the same was served upon the opposing party or attorney.

RULE 5.

No court file shall be checked out of the court clerk's office without the express consent thereof, and in no event shall a court file be checked out for more than ten (10) days.

RULE 6.

No attorney, county attorney, district attorney, officer of the court, county, district or state officer of the State of Mississippi shall sign as surety on any recognizance or bond in a civil or criminal cases either from a lower court to this court, or in this court, or from this court to the Circuit, Chancery, or Supreme Court of this state; nor shall any recognizance or bond violating this rule be approved, accepted or filed; and all recognizances and bonds when executed, approved and filed as herein provided shall be delivered promptly to the proper court clerk, who shall keep the same in a safe place for presentation to the respective courts when required so to do.

RULE 7.

Before docketing an appeal case from either a Justice of the Peace or Municipal Court, the court clerk shall make certain that all necessary papers are in the appeal record, including but not limited to, a transcript of the records of the justice or judge, the appeal bond, a list of the names and addresses of the witnesses (if available), the prosecutor, and defense attorney, if any; and if any such appeal record is not so completed, the court clerk shall require that the same be completed before filing and docketing the appeal.

RULE 8.

Unless otherwise ordered by the court, on the first (1st) day of each term of court the court's criminal docket will be called, and the criminal cases thereon that are triable at said term will then and there be set for hearing or trial, as the case may warrant; and all prosecutors, and all defendants, or their attorneys, shall personally be present in court for such docket calling and setting.

RULE 9.

In any criminal case where an appeal is taken to this court, and the appellant (defendant), when called as provided by the Rules, makes default, the court, at its election, may either return the cause to the court from which it was appealed on a writ of procedendo,

or take a judgment nisi on the recognizance or appeal bond; and when the court takes either of said actions, it will not be set aside during the term of court taken without good cause shown upon the hearing of a statutory motion reasonably filed therefor and allowed by the court; and final judgment shall be rendered at the term of the Court to which a scire facias is returnable and executed.

RULE 10.

Unless otherwise provided by statute or allowed by order of the court entered on its minutes after proper notice given, and a hearing thereon, on demurrer, motions, and dilatory pleas shall be filed, called to the attention of the court, set down, heard, and disposed of, and issues joined in all cases, causes, petitions counter-claims, set-offs, or cross-bills pending in the court at the return term; and failing therein, the court may treat the same as being waived or abandoned. However, all defenses filed that go to the merits of the cause of action or to the jurisdiction shall be called to the attention of the court and disposed of as soon as practicable.

RULE 11.

All cases, causes, petitions, counter-claims, set-offs or cross-bills, pending and triable on the civil or equity docket of the court may, with the assent of the court, be set for hearing or trial as the matter may warrant, by the parties thereto or their attorneys in open court, or a party thereto or his attorney; but notice thereof must be given immediately to the opposing litigant or his counsel. The court, however, at its election reserves the right to set any of the above matters for hearing or trial by entry of an order therefor upon the minutes and giving notice as hereinafter stated to each party concerned or his attorney by mailing a copy of the order to their usual post office address at least 14 days prior to the dates of the setting.

RULE 12.

Any cases, cause, petition, counterclaim setoff, or cross-bill pending on the civil or equity docket of the court for such period of time as shall have been prescribed by local rule of court without any affirmative action being taken therein by either of the parties, or their attorneys, shall without notice, be passed to the files or dismissed without prejudice at the cost of the plaintiff, complainant, or petitioner on the motion of either the court or its clerk, may be reinstated only upon petition filed, payment of accrued court costs, and order of the court.

RULE 13.

All requests for subpoenas for witnesses must be made in writing to the court clerk at least one (1) week prior to the day a case, cause, petition, motion or other legal pleading

is set for hearing or trial, which request must contain, if known, the full name, post office, street and house address of each witness requested or in lieu thereof, such information as may be necessary or required to locate and serve such witnesses; and thereafter no subpoenas, subpoenas instanter or subpoenas duces tecum shall be issued without the express consent of the Court.

RULE 14.

No person summoned for jury duty shall be excused from such duty except in the manner and for the causes provided by the statute unless it be made to appear that unusual and great injury would be caused by the retention of the particular person.

RULE 15.

All jurors, attorneys, prosecutors, officers of the court and witnesses whose presence is necessary or required for the hearing or trial of any legal matter set down for hearing or trial shall be present in court promptly on the date and at the time and place fixed for such hearing or trial; and where delay is caused by the absence of any such person, a fine may be levied against him by the court.

RULE 16.

In all civil and equity cases, causes or hearings where the Rule is invoked, the interested parties, or their representatives who are excused from the Rule, shall, at their election, either testify before calling their witnesses or retire during the examination of such witnesses.

RULE 17.

The examination of witnesses shall be limited to the direct examination, the cross-examination, and the redirect examination concerning matters brought out on cross-examination. Only one attorney at a time shall be permitted to examine or cross-examine a witness.

In all cases the examination must be conducted in an orderly and decorous manner without improper interruptions from opposing counsel except for the purpose of interposing objections. Counsel and the witness must be courteous to each other. Counsel shall not abuse and mistreat the witness and the witness shall show counsel proper respect. If a witness shall attempt to evade or refuse to answer any proper question, the court will, on request of counsel, require the witness to answer. The breach of this paragraph of this rule shall constitute contempt and is punishable as such. All objections to testimony must be made to the judge and not to opposing counsel. The objection must be specific and not general.

Counsel will not be permitted to argue between themselves. Irrespective of personal feeling opposing counsel shall be respectful to the court and to each other. The attorneys shall stand when addressing the court, examining witnesses, and addressing the jury except when excused for good cause by the court.

Leading questions will not be allowed by the party having the affirmative, except where proper, and specifically allowed; nor shall counsel be allowed to ask the witness again a question where there had been a full answer given to the question; but his rule shall not apply rigidly to cross-examination, where more latitude may be required to test the truthfulness, bias, or interest of the witness. And it shall be the duty of the court to enforce this rule of its own motion and without objection being made, but the courts failure so to do, where there is no objection made, will not constitute a ground for exception.

RULE 18.

When possible, all conferences between attorneys or prosecutors and witnesses must be had before the commencement of the hearing or trial, and during the hearing or trial no conferences between the attorneys or prosecutors and witnesses will be permitted unless expressly directed or allowed by the court.

RULE 19.

At least 24 hours prior to the time that a case is set for trial each of the attorneys shall file his jury instructions with the clerk and submit to opposing counsel a copy of the instructions so filed in the case. If the court deems it necessary and/or justice requires it, the judge may initiate and give appropriate jury instructions in addition to those proposed by the litigants and approved by the Judge. All jury instructions approved by the court may be read to the jury by the judge before final argument begins, and will be made available to the attorneys during their argument and may be taken out by the jury when considering its verdict, and the judge in his discretion, if so requested by the jury, subsequent to retirement to consider its verdict may grant additional written jury instructions, but the judge shall not be put in error for his failure to instruct on any particular point of law unless specifically requested so to do in writing duly filed by the litigants. The unnumbered instructions presented by either party shall eliminate the phrase "The Court instructs the jury for the Plaintiff," and/or "The Court instructs the jury for the Defendant." Instead such written instructions shall leave out the identification of the plaintiff or the defendant.

The attorneys shall dictate their specific objection to the courts written instruction in the record and will be afforded an opportunity to do so in the absence of the jury and may dictate in the record counsels objection to the refusal by the court of any instruction requested and may make such specific objections or make exception to any written instructions given by the Court.

Other than general instructions pertinent to all cases being tried regarding the responsibilities of the jury in determining the facts, the litigants are limited to six instructions unless authorized by the court to have additional instructions in unusual cases where additional instructions might be warranted.

RULE 20.

Unless before argument to the jury begins, the defendant or respondent, or his attorney, waive argument, he will not be allowed to submit his case after opening argument and thereby cut off further argument by the party or attorney having the right to opening and closing arguments.

RULE 21.

During their summations to the jury, attorneys and prosecutors will not be allowed:

A. To abuse, personally criticize or humiliate the opposing attorney or prosecutor.

B. To call any juror by name, have any personal contact with or solicit audible answers from the jurors individually or collectively.

C. To inject therein any matters not testified to or reasonably deductible therefrom.

D. After a verdict is returned, no party, attorney, or spectator shall be allowed to congregate or thank the jury for its verdict.

RULE 22.

In all cases, causes or hearings the mileage and per diem of all witnesses who are subpoenaed but not called to testify shall be taxed against the party causing them to be subpoenaed unless good cause to the contrary be shown to the Court.

RULE 23.

The Court may, in its discretion, direct the attorneys for any of the parties to a case, cause, petition, motion or other legal pleading to submit written briefs on any or all questions and issues involved in any such pending matters.

RULE 24.

No attorney, county, or county district officers or any other officer of the court shall sign bonds in civil or criminal cases either from the lower courts to the County Court or from

the County Court to the Circuit Court. All bonds when executed shall be delivered promptly by the sheriff, or other officer granting said bond, to the clerk of the court, who shall file and keep said bonds separately in a safe place where they be safely kept for presentation at the trial of the cause.

RULE 25.

These Rules are adopted for the purpose of regulating and expediting the business of the court, and when, in the opinion of the court, right and justice requires, the court may amend or waive any of the provisions of these Rules.

RULE 26.

In order to avert possible controversial incidents between attorneys, and to give the defendant an opportunity to file a Motion to Set Aside the Judgment in the event some mistake may have occurred, the Court has decided no default judgments shall be taken during the last week of the court term.

RULE 27.

For the protection of the court, jurors, litigants, and attorneys, there will be no smoking in the courtroom by any spectators; and it is requested that the jurors, litigants, and attorneys keep their smoking to a minimum.

LOCAL RULE FOR THE YOUTH COURT OF HARRISON COUNTY, MISSISSIPPI

The Youth Court of Harrison County, Mississippi hereby authorizes the Clerk of the Youth Court, Jo Lynn Higdon, and her successors in office, or her or her successor designee, to set termination of parental rights cases, paternity and grandparent's visitation for original hearings and to continue the same for hearing at later date, if necessary, for the Youth Court of Harrison County, Mississippi.

[Adopted by order entered in the trial court and approved by the Supreme Court by order entered March 23, 1979.]

EXHIBIT V

LOCAL RULES
FOR
COUNTY COURT OF LOWNDES COUNTY, MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

Pursuant to the Mississippi Rules of Civil Procedure and in addition to the Uniform County Court Rules and the Uniform Criminal Rules of County Court Practice effective March 15, 1985, this Court adopts the following Local Rules of the County Court of Lowndes County, Mississippi:

INTRODUCTION

These rules are adopted for the purpose of regulating and expediting the business of the County. They shall be construed to secure simplicity in procedure, fairness in administration, and elimination of unjustifiable expense and delay. The Court may amend or waive any of the provisions of these rules, when, in the opinion of the Court, justice requires.

CIVIL PROCEEDINGS

RULE 1.

Each term of Court shall commence and be held on the second Monday of each consecutive calendar month at 9:00 o'clock a.m., unless otherwise stated by the Court. Such terms of court shall continue from day to day, unless recessed or adjourned by the Court, until the end of the Friday session before the beginning of the next succeeding term of Court.

RULE 2.

Civil cases may be set down for trial and entered on the Trial Calendar only by an Order of the Court; or upon motion of a party and notice to the other parties.

RULE 3.

As the County Court has Civil, Criminal and Youth Court Divisions, the pleadings must reflect in which division such pleadings are filed.

RULE 4.

Within ten days after the service of the answer in any civil case originally filed in this Court, or within ten days after transfer or appeal of any civil case to this Court, any party may demand a jury in writing by endorsing such demand conspicuously upon the complaint or answer, or by separate written demand. A demand for a jury otherwise presented will be addressed to the sound judicial discretion of the Court.

RULE 5.

The jury shall consist of six members in all civil cases, with two peremptory challenges allowed to each opposing party. In its discretion, the Court may impanel one or two alternate jurors, with one peremptory challenge allowed to each of the opposing parties.

RULE 6.

With the exception of orders of dismissal, remand or continuance, all orders must be presented to the Court. Only dismissals, remands or continuances will be received via mail and signed by the Court. All other orders such as defaults, final judgments, etc. may be presented on Motion Days to the Court commencing at 8:30 o'clock a.m. or at any time convenient to the Court.

All agreed orders, or orders submitted where the Court deems the necessity, shall bear the signature of all parties or representatives or attorneys for the parties before the Court will sign same.

All orders presented to the Court must also bear the number of the case before the Court will sign same.

RULE 7.

Motion Days are also return days for replevins and are days the Court will entertain and receive default judgments, dismissals and other uncontested matters.

RULE 8.

All motions shall be in writing unless made during a hearing or trial and the original of each motion, and all affidavits and other supporting documents shall be filed with the clerk. The moving party at the same time shall mail or hand deliver a copy thereof to the opposing attorney, or party if not represented, and the Judge at her office in the Lowndes County Courthouse. Any and all responses shall be filed within ten (10) days after receipt of the original motion and copies shall be furnished to the Judge and opposing attorney, or party if not represented. The filing of memorandum of authorities is discretionary with the parties, but if done it must accompany the motion and response. Such memorandum shall be limited

to ten (10) pages, unless waived by the Court. Copies of said memorandum shall also be forwarded to the Judge and opposing attorney, or party if not represented.

All motions in which a hearing is requested shall be noticed for hearing "as soon as counsel can be heard" but no date certain shall be set by the moving party.

All nondispositive motions shall be decided by the Court without a hearing or oral argument unless otherwise ordered by the Court on its own motion, or, in its discretion, upon written request made by counsel in an easily discernable manner on the face of the motion or response.

All dispositive motions shall be decided by the Court only after a hearing unless all parties file a written waiver of said hearing.

The scheduling of an evidentiary hearing or oral argument, where allowed, shall be set at such time and place as may suit the convenience of the Judge. The Court may, in its discretion, hear oral argument by telephone conference.

RULE 9.

All cases, causes, petitions, counter-claims, set-offs or crossbills, pending and triable on the docket of the Court, may, with the assent of the Court, be set for hearing or trial as the matter may warrant, by the parties thereto or their attorneys in open Court; but notice thereof must be given immediately to the opposing litigant or his counsel. The Court, however, at its election reserves the right to set any of the above matters for hearing or trial by entry of an order therefor upon the minutes and giving notice, per MRCP, to each party involved or his attorney by mailing a copy of the order to their usual address.

RULE 10.

After a case has been set for either a jury trial, bench trial, motion hearing or other Courtroom proceeding, the same shall not be continued except on showing of good cause by way of a written motion to the Court with the reasons for the request of continuance incorporated therein. The motion shall be immediately brought to the attention of the Court for hearing on same. No change will be made in the dates for which cases are set without consent of the Court.

RULE 11.

Appeals taken during a term of the County Court, from an inferior Court, are triable at the term then in session, at the discretion of the Judge.

RULE 12.

In all motions to compel discovery for whatever reason, all counsel shall be under a duty to confer in good faith to determine to what extent discovery disputes can be resolved before presenting the issue to the Judge. No such motion shall be heard by the Judge unless counsel for the moving party shall file a certificate that he has conferred in good faith with opposing counsel in an effort to resolve the dispute and has been unable to do so.

In the memorandum accompanying any motion to compel discovery, the moving party shall set forth the question, request or interrogatory, the response thereto and the specific deficiency of the response. General comments such as "the answer is incomplete or evasive" are not adequate. If a common specific deficiency allegedly occurs in the response to more than one interrogatory, question or request, then the moving party may discuss those interrogatories, questions, or requests together.

RULE 13.

Whenever any civil action scheduled for jury trial is required to be postponed, or is settled, or otherwise disposed of in advance of the actual trial, then, except for good cause shown, jury costs, including sheriffs fees, mileage and per diem, may, in the Court's discretion, be assessed equally against the parties and their counsel or otherwise assessed as directed by the Court, unless the Court is notified at least one full business day prior to the day on which the action is scheduled for trial so that the jurors can be notified that it will not be necessary for them to attend.

When a civil action is postponed, settled or otherwise disposed of after the case is called and prior to the verdict of the jury, the court may, except for good cause shown, assess jury costs, as described above, equally against the parties and their counsel, or against the party responsible for the postponement or late settlement.

RULE 14.

Motions for Attorney's Fees:

In all cases where Attorney's fees are sought, there shall be submitted in writing to the Court an affidavit of counsel addressing the following factors, among others:

1. Time and labor required

2. Customary fee

3. In contract suit whether Attorney's fee is contracted for fee based on % or reasonable amount.

RULE 15.

Due to the considerable cost to the parties of furnishing discovery materials, and the serious problems encountered with storage, this Court adopts the following procedure with regard to the non-filing of discovery materials with the Court:

1. Interrogatories under Rule 33, Mississippi Rules of Civil Procedure, and the answers thereto, Requests for Production or Inspection under Rule 34, Mississippi Rules of Civil Procedure, Requests for Admissions under Rule 36, Mississippi Rules of Civil Procedure, and responses thereto, and depositions under Rules 30 and 31, Mississippi Rules of Civil Procedure, shall be served upon other counsel or parties, but shall not be filed with the Court. The party responsible for service of the discovery material shall retain the original and become the custodian.

2. If relief is sought under Rules 26(d) or 37, Mississippi Rules of Civil Procedure, concerning any interrogatories, requests for production or inspection, request for admissions, answers to interrogatories or responses to requests for admissions, copies of the portions of the interrogatories, requests, answers or responses in dispute shall be filed with the Court contemporaneously with any motion filed under said Rules.

3. If interrogatories, requests, answers, responses or depositions are to be used at trial or are necessary to a pre-trial motion which might result in a final order on any issue, the portions to be used shall be considered an exhibit and filed with the Clerk at the outset of the trial or at the filing of the motion insofar as their use can be reasonably anticipated.

4. When documentation of discovery not previously in the record is needed for appeal purposes, upon an application and order of the Court, or by stipulation of counsel, the necessary discovery papers shall be filed with the Clerk.

RULE 16.

Discovery shall be completed within 90 days after service of the answer by the applicable defendant. No additional discovery time will be allowed except with leave of Court upon written motion setting forth good cause for the extension.

RULE 17.

Default Judgments shall be approved by the Plaintiff's attorney, which approval will be considered by the Court as a certification by said attorney that:

1. The Complaint states a cause of action both as to liability and amount.

2. Valid process has been issued by the Circuit Clerk and served according to law.

3. The Plaintiff has met all requirements of applicable law including the Mississippi Rules of Civil Procedure.

4. The Plaintiff is entitled to a Default Judgment in the form and amount as submitted.

RULE 18.

In lieu of a pre-trial conference, all of the parties at least twenty-four (24) hours prior to the time that a case is set for trial shall submit to the Court a one-page summary of the case, together with all authorities upon which the party relies.

RULE 19.

At least twenty-four (24) hours prior to the time that a case is set for trial each of the attorneys shall number and file his jury instructions with the clerk and submit to the Court and to counsel a numbered copy of the instructions so filed in the case. Each instruction shall be on a separate sheet of paper and shall be supported by appropriate citation of authority on separate sheets of paper. Except for good cause shown and as justice so requires, the Court will not entertain requests for additional instruction which have not been pre-filed.

RULE 20.

In any civil case where an appeal is taken to this Court, and the appellant takes no action or demands a trial for two terms of Court, said appeal shall be dismissed and the case remanded to the Court from which it was appealed for entry of judgment; when the Court takes such action, it will not be set aside during the term of the Court taken without good cause shown upon the hearing of a motion seasonably filed therefor and allowed by the Court.

CRIMINAL PROCEEDINGS

RULE 1.

On the first (1st) day of each term of court, the Court's criminal docket will be called, and the criminal cases thereon that are triable at said term will then and there be set for hearing or trial, as the case may warrant; and all prosecutors, and all defendants, or their attorneys, shall personally be present in court for such docket calling and setting; and when such criminal case has been so set for hearing or trial, the same may not be changed or reset

except for good cause shown upon the hearing of a statutory motion seasonably filed therefor and allowed by the court.

RULE 2.

In any criminal case where an appeal is taken to this Court, and the appellant (defendant) when called as provided by the Uniform Criminal Rules of County Court Practice, makes default, the Court, at its election, may either return the cause to the Court from which it was appealed on a writ of procedendo, or take a judgment nisi on the recognizance or appeal bond; and when the Court takes either action, it will not be set aside during the term of the Court taken without good cause shown upon the hearing of a statutory motion seasonably filed therefor and allowed by the Court; and final judgment shall be rendered at the term of the Court to which a scire facias is returnable and executed.

RULE 3.

In all criminal misdemeanor actions a six (6) person jury shall be used whether the case originated in County Court or was appealed from a lower court. Each party may exercise three (3) peremptory challenges.

RULE 4.

At least twenty-four (24) hours prior to the time that a case is set for trial each of the attorneys shall number and file his jury instructions with the clerk and submit to the Court and to counsel a numbered copy of the instructions so filed in the case. Each instruction shall be on a separate sheet of paper and shall be supported by appropriate citation of authority on separate sheets of paper. Except for good cause shown and as justice so requires, the Court will not entertain requests for additional instructions which have not been pre-filed.

DISTRIBUTION OF LOCAL RULES

1. The Clerk of this Court shall certify and file with the Supreme Court of Mississippi a copy of this Order.

2. The Clerk of this Court shall provide copies of this Order to all members of the Bar having a need therefore, and, further, shall maintain a supply of copies to be provided to interested parties as the need may arise.

3. Distribution as herein provided shall be considered by this Court to satisfy the notice required by the first sentence of M.R.C.P. 40(b).

[Adopted by order entered in the trial court on January 26, 1987 and January 25, 1991 and approved by the Supreme Court by order entered June 27, 1991.]

EXHIBIT W

LOCAL RULES
FOR
COUNTY COURT OF RANKIN COUNTY, MISSISSIPPI
AND
YOUTH COURT OF RANKIN COUNTY, MISSISSIPPI

[Renumbered and codified by order of the Supreme Court effective May 18, 2006.]

RULE 1. DIVISIONS OF COURT

(a) Pursuant to the provisions of *Section 9-9-18, Mississippi Code Annotated, Supp. 2002,* the undersigned, as County Judge who has been for the longest time continuously a judge of the Court, does hereby divide the duties and responsibilities of the County Court and Youth Court of Rankin County, Mississippi as follows:

(1) There is hereby created a Youth Court Division within the County Court of Rankin County, Mississippi, and the Judge serving in Place Two referred to in the aforementioned statute shall, effective January 2, 2003, and thereafter until changed by further order of this Court, serve as the Judge of the Youth Court Division, and all duties and responsibilities related in any way to the Youth Court Act and any other laws effecting children within the jurisdiction of the Act shall be handled by said Judge of Place Two, specifically including those administrative responsibilities related to or arising out of *Subsection 5* of *Section 9-9-18.*

(2) The Judge serving in Place One referred to in the aforementioned statute shall, effective January 2, 2003, and thereafter until changed by further order of this Court, have all duties and responsibilities related in any way to the civil, equity, and criminal jurisdiction of County Court.

(b) Nothing in the aforementioned division of duties and responsibilities shall impede or prevent the exercise of jurisdiction by either Judge in the Division assigned to the other Judge when such exercise of jurisdiction is necessitated by schedule conflicts, emergencies, recusal, and the like, toward the end that the best interests of justice and judicial economy and the interests of the public in the prompt disposition of the business of the Court will be served by each such exercise of jurisdiction.

(c) The Circuit Clerk of Rankin County, Mississippi is directed to spread this order

on the minutes of the County Court and the Youth Court.

[Adopted by order entered December 6, 2002, and approved by the Supreme Court by order entered March 12, 2004.]