

Serial: 100503

IN THE SUPREME COURT OF MISSISSIPPI

No. 89-R-99001-SCT

***RE: THE RULES OF CIVIL
PROCEDURE***

ORDER

This matter has come before the Court en banc on the Court's own motion for amendment of Rule 11 of the Mississippi Rules of Civil Procedure. Having considered the matter, the Court finds that the amendment of Rule 11 as set forth in this order will promote the fair and effective administration of justice and that the rule should be so amended.

IT IS THEREFORE ORDERED that Rule 11 of the Mississippi Rules of Civil Procedure is amended as set forth in Exhibit "A" hereto.

IT IS FURTHER ORDERED that the Clerk of this Court shall spread this order upon the minutes of the Court and shall forthwith forward a true certified copy hereof to West Publishing Company for publication as soon as practical in the advance sheets of *Southern Reporter, Second Series (Mississippi Edition)* and in the next edition of *Mississippi Rules of Court*.

SO ORDERED, this the 15th day of January, 2003.

/s/ William L. Waller, Jr.
WILLIAM L. WALLER, JR., JUSTICE
FOR THE COURT

McRAE, P.J., AND EASLEY, J., DISSENT

EXHIBIT “A” TO ORDER

MISSISSIPPI RULES OF CIVIL PROCEDURE

RULE 11. SIGNING OF PLEADINGS AND MOTIONS

(a) Signature Required. Every pleading or motion of a party represented by an attorney shall be signed by at least one attorney of record in ~~his~~ that attorney's individual name, whose address shall be stated. A party who is not represented by an attorney shall sign ~~his~~ that party's pleading or motion and state ~~his~~ the party's address. Except when otherwise specifically provided by rule or statute, pleadings need not be verified or accompanied by affidavit. The rule in equity that the averments of an answer under oath must be overcome by the testimony of two witnesses or of one witness sustained by corroborating circumstances is abolished. The signature of an attorney constitutes a certificate ~~by the him that he~~ that the attorney has read the pleading or motion; that to the best of ~~his~~ the attorney's knowledge, information, and belief there is good ground to support it; and that it is not interposed for delay. The signature of an attorney who is not regularly admitted to practice in Mississippi, except on a verified application for admission pro hac vice, shall further constitute a certificate by the attorney that the foreign attorney has been admitted in the case in accordance with the requirements and limitations of Rule 46(b) of the Mississippi Rules of Appellate Procedure.

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[Amended effective March 13, 1991; amended effective January 16, 2003]

[Comment not changed.]