

Serial: 158792

IN THE SUPREME COURT OF MISSISSIPPI

No. 89-R-99001-SCT

*IN RE: THE RULES OF CIVIL PROCEDURE*

**ORDER**

This matter is before the Court en banc on the Court's own motion to amend Rule 83(b) of the Rules of Civil Procedure. After due consideration, the Court finds that the amendment of Rule 83(b) as set forth in Exhibit "A" will promote the fair and efficient administration of justice.

IT IS THEREFORE ORDERED Rule 83(b) is amended as set forth in Exhibit "A" hereto. This amendment is effective on July 1, 2010.

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

SO ORDERED, this the 6<sup>th</sup> day of November, 2009.

/s/ Randy Grant Pierce

RANDY GRANT PIERCE, JUSTICE

AGREE: ALL JUSTICES.

## Exhibit A

### RULES OF CIVIL PROCEDURE

#### RULE 83. LOCAL COURT RULES

**(a) When Permissible.** The conference of circuit, chancery and county court judges may hereafter make uniform rules and amendments thereto concerning practice in their respective courts not inconsistent with these rules. Likewise, any court by action of a majority of the judges thereof may hereafter make local rules and amendments thereto concerning practice in their respective courts not inconsistent with these rules. In the event there is no majority, the senior judge shall have an additional vote.

**(b) Procedure for Approval.** All such local rules and uniform rules adopted before being effective must be filed in ~~submitted to~~ the Supreme Court of Mississippi for approval. Such motions shall also include a copy of the motion and of the proposed rules in an electronically formatted medium (such as USB Flash Drive or CD-ROM). Upon receipt of such proposed rules and prior to any approval of the same, the Supreme Court may submit them to the Supreme Court Advisory Committee on Rules for advice as to whether any such rules are consistent or in conflict with these rules or any other rules adopted by the Supreme Court.

**(c) Publication.** All local and uniform rules hereinafter approved by the Supreme Court shall be submitted for publication in the Southern Reporter (Mississippi cases).

[Amended effective March 1, 1989; November 29, 1989; February 1, 1990; March 13, 1991; December 16, 1991; amended March 10, 1994, effective retroactively from and after January 1, 1993; amended October 13, 1995, effective from and after April 14, 1994; amended effective July 1, 2010.]