

Trial Judge Handbook

# OFFICE ALLOWANCE

Section 3

TOPIC	OFFICE ALLOWANCE	SUB-SECTION	03.10.10
SECTION	OVERVIEW	ISSUANCE DATE	10/31/2018
SUB-SECTION	GENERAL INFO & REIMBURSEMENT REQUIREMENTS	REVISION NUMBER	
		REVISION DATE	

According to Miss. Code Ann. § 9-1-36 (1)(b)(Rev. 2014) each chancery and circuit judge is allowed \$9,000 per fiscal year (July-June) to be used as a reimbursement for the necessary and incident expenditures in maintaining the office of the judge.

We would prefer you submit your office allowance requests monthly. At the end of the fiscal year, June 30<sup>th</sup>, all office allowance submissions must be received by mid-July. A specific date will be given to you in advance.

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### **Reimbursement Requirements**

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When submitting your request, please include the following:

- Legible invoice, bill, or receipt
  - If providing small receipts, please tape these on an 8 ½ x 11 piece of copy paper to avoid loss.
  
- Proof of purchase
  - Zero balance receipt
  - Copy of front and back of the cleared check
  - Receipt or invoice showing last four digits of credit card
  - Credit card statement
  
- Furniture & Equipment
  - Serial numbers for any electronic equipment
  - Make
  - Model
  - Picture/photo of the item
  - Location or person responsible for item
  
- Bids, if purchasing a single piece of furniture or equipment over \$5,000
  
- *Please redact any personal information (i.e. account numbers, SSNs, etc.) as all payment submissions are public record.*

TOPIC	OFFICE ALLOWANCE	SUB-SECTION	03.20.10
SECTION	ALLOWABLE EXPENSES	ISSUANCE DATE	10/31/2018
SUB-SECTION	GENERAL INFO	REVISION NUMBER	
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The items listed below are deemed an allowable expense on your office allowance request. If you have a question regarding a purchase, please contact Laurie.

- Bottled water or water cooler rental
- Business cards, envelopes, and stationary
  - Must provide a sample with reimbursement request
- Copier lease or purchase, whichever option is more cost advantageous
- Computers and computer equipment
  - Desktops, laptops, tablets, printers, scanners, carrying cases, covers, keyboards, monitors, mouse, etc.
  - Please refer to section 07.20.00 regarding cost limits for inventoried items
- Computer software, upgrades, and repairs
- Furniture and equipment
  - Shredders, fax machines, desks, chairs, filing cabinets, bookcases, transcription/dictation devices, TVs, coffee makers, small refrigerators, microwaves, etc.
  - Please refer to section 07.20.00 regarding cost limits for inventoried items
- Internet and/or data plan (limit of 2 per month)
  - Internet reimbursement will only be for the judge's home or office
  - Data plans are allowed for judges or support staff; i.e. law clerk, staff attorney
    - Data plans are available through Wende Weaver in AOC and will be billed directly to the AOC C-Spire account (see section 5)
    - Data plan cost will be deducted directly from your office allowance balance at the beginning of each fiscal year
- Legal books
- Liability insurance for judge (i.e. Herbert Jamison [www.jamisongroup.com](http://www.jamisongroup.com))

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- Membership dues/CLE for judges and staff
- Monthly home security monitoring service
  - Does not include installation or equipment fees
- Newspaper subscriptions
- Office Phone bill
  - Include all pages of bill, front and back with stub
- Office Supplies
  - Paper, toner, staples, pens, tape, paper clips, folders, etc.
- Post Office Box rental and business postage
  - Reimbursement for 12 month box rental allowed
- Public parking fees for judge and support staff only
  - Support staff includes court administrator, court reporter, or legal staff
- Registration/conference fees for judge and staff
- Robe, robe garment bag, and dry cleaning for robe
  - Up to two robes
  - Monogramming of robe ONLY

TOPIC	OFFICE ALLOWANCE	SUB-SECTION	03.20.20
SECTION	ALLOWABLE EXPENSES	ISSUANCE DATE	10/31/2018
SUB-SECTION	BUILDING IMPROVEMENTS	REVISION NUMBER	
		REVISION DATE	

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### **Building Improvements**

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If improvements are requested to be made to a county-owned or personally rented/owned building, you **MUST** obtain prior approval for any expenditure. Any one repair costing over \$5,000 must obtain at least (2) bids/quotes. Examples include:

- Painting of interior or exterior of building
- Carpet removal and installation
- Sound systems and courtroom cameras
- Building maintenance and repairs

TOPIC	OFFICE ALLOWANCE	SUB-SECTION	03.30.00
SECTION	NON-ALLOWABLE EXPENSES	ISSUANCE DATE	10/31/2018
SUB-SECTION		REVISION NUMBER	
		REVISION DATE	

The items listed below are not reimbursable. If you have question regarding a purchase, please contact Laurie.

- Campaign materials of any kind
- Cell phones – see section 05.10.00 regarding the wireless communications policy
- Clothing/uniforms
- Coffee, coffee supplies, food, candy, and eating utensils/plates/cups/napkins
- Curtains or window coverings other than basic blinds
- Decorations including paintings, artwork, portraits, pictures, or seasonal
- Firearms, firearm certification, or ammunition
- Framing of any kind
- Gifts or gift cards for any purpose
  - Including room rentals, awards, plaques, or food
- Greeting cards or associated postage
- Late fees/past due charges
- Luggage
- Plants or flowers for any purpose
- Salary or fees associated with court reporters or temporary support staff



TOPIC	OFFICE ALLOWANCE	SUB-SECTION	03.50.00
SECTION	MISS CODE ANN § 9-1-36	ISSUANCE DATE	10/31/2018
SUB-SECTION		REVISION NUMBER	
		REVISION DATE	

*Miss. Code Ann. § 9-1-36*

MISSISSIPPI CODE of 1972

\*\*\* Current through the 2018 Regular Session \*\*\*

TITLE 9. COURTS  
CHAPTER 1. PROVISIONS COMMON TO COURTS  
GENERAL PROVISIONS

Miss. Code Ann. § 9-1-36 (2015)

§ 9-1-36. Office allowance for circuit judges, chancellors and certain staff; procedure to employ certain staff members; title to tangible property; reports; adoption of rules and regulations

(1) Each circuit judge and chancellor shall receive an office operating allowance for the expenses of operating the office of the judge, including retaining a law clerk, legal research, stenographic help, stationery, stamps, furniture, office equipment, telephone, office rent and other items and expenditures necessary and incident to maintaining the office of judge. The allowance shall be paid only to the extent of actual expenses incurred by the judge as itemized and certified by the judge to the Supreme Court in the amounts set forth in this subsection; however, the judge may expend sums in excess thereof from the compensation otherwise provided for his office. No part of this expense or allowance shall be used to pay an official court reporter for services rendered to said court.

(a) Until July 1, 2008, the office operating allowance under this subsection shall be not less than Four Thousand Dollars (\$4,000.00) nor more than Nine Thousand Dollars (\$9,000.00) per annum.

(b) From and after July 1, 2008, the office operating allowance under this subsection shall be Nine Thousand Dollars (\$9,000.00) per annum.

(2) In addition to the amounts provided for in subsection (1), there is hereby created a separate office allowance fund for the purpose of providing support staff to judges. This fund shall be managed by the Administrative Office of Courts.

(3) Each judge who desires to employ support staff after July 1, 1994, shall make application to the Administrative Office of Courts by submitting to the Administrative Office of Courts a proposed personnel plan setting forth what support staff is deemed necessary. The plan may be submitted by a single judge or by any combination of judges desiring to share support staff. In the process of the preparation of the plan, the judges, at their request, may receive advice, suggestions, recommendations and other assistance from the Administrative Office of Courts. The Administrative Office of Courts must approve the positions, job descriptions and salaries before the positions may be filled. The Administrative Office of Courts shall not approve any plan which does not first require the expenditure of the funds in the support staff fund for compensation of any of the support staff before expenditure is authorized of county funds for that purpose. Upon approval by the Administrative Office of Courts, the judge or judges may appoint the employees to the position or positions, and each employee so appointed will work at the will and pleasure of the judge or judges who appointed him but will be employees of the Administrative Office of Courts. Upon approval by the Administrative Office of Courts, the appointment of any support staff shall be evidenced by the entry of an order on the minutes of the court. When support staff is appointed jointly by two (2) or more judges, the order setting forth any appointment shall be entered on the minutes of each participating court.



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(4) The Administrative Office of Courts shall develop and promulgate minimum qualifications for the certification of court administrators. Any court administrator appointed on or after October 1, 1996, shall be required to be certified by the Administrative Office of Courts.

(5) Support staff shall receive compensation pursuant to personnel policies established by the Administrative Office of Courts; however:

(a) From and after July 1, 1994, the Administrative Office of Courts shall allocate from the support staff fund an amount of Forty Thousand Dollars (\$40,000.00) per fiscal year per judge for whom support staff is approved for the funding of support staff assigned to a judge or judges; and

(b) From and after July 1, 2008, the Administrative Office of Courts shall allocate from the support staff fund an amount of Forty Thousand Dollars (\$40,000.00), in addition to the amount provided in paragraph (a). Of the amount provided in this paragraph (b), each judge shall utilize an amount sufficient to ensure that judge has access to the services of a law clerk, whether hired by the judge separately or in concert with another judge. Any excess funds remaining upon satisfaction of this requirement may be used for any other support staff as defined in this section. Any employment pursuant to this subsection shall be subject to the provisions of Section 25-1-53.

The Administrative Office of Courts may approve expenditure from the fund for additional equipment for support staff appointed pursuant to this section in any year in which the allocation per judge is sufficient to meet the equipment expense after provision for the compensation of the support staff.

(6) For the purposes of this section, the following terms shall have the meaning ascribed herein unless the context clearly requires otherwise:

(a) "Judges" means circuit judges and chancellors, or any combination thereof;

(b) "Support staff" means court administrators, law clerks, legal research assistants or secretaries, or any combination thereof, but shall not mean school attendance officers;

(c) "Compensation" means the gross salary plus all amounts paid for benefits or otherwise as a result of employment or as required by employment; provided, however, that only salary earned for services rendered shall be reported and credited for Public Employees' Retirement System purposes. Amounts paid for benefits or otherwise, including reimbursement for travel expenses, shall not be reported or credited for retirement purposes;

(d) "Law clerk" means a clerk hired to assist a judge or judges who has a law degree or who is a full-time law student who is making satisfactory progress at an accredited law school.

(7) Title to all tangible property, excepting stamps, stationery and minor expendable office supplies, procured with funds authorized by this section, shall be and forever remain in the State of Mississippi to be used by the circuit judge or chancellor during the term of his office and thereafter by his successors.

(8) Any circuit judge or chancellor who did not have a primary office provided by the county on March 1, 1988, shall be allowed an additional Four Thousand Dollars (\$4,000.00) per annum to defray the actual expenses incurred by the judge or chancellor in maintaining an office; however, any circuit judge or chancellor who had a primary office provided by the county on March 1, 1988, and who vacated the office space after that date for a legitimate reason, as determined by the Department of Finance and Administration, shall be allowed the additional office expense allowance provided under this subsection. The county in which a circuit judge or chancellor sits is authorized to provide funds from any available source to assist in defraying the actual expenses to maintain an office.

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(9) The Supreme Court, through the Administrative Office of Courts, shall submit to the Department of Finance and Administration the itemized and certified expenses for office operating allowances that are directed to the court pursuant to this section.

(10) The Supreme Court, through the Administrative Office of Courts, shall have the power to adopt rules and regulations regarding the administration of the office operating allowance authorized pursuant to this section.

#### History

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Codes, 1942, § 4175.6; Laws, 1972, ch. 398, §§ 1, 2, 3; Laws, 1978, ch. 531, § 1; Laws, 1988, ch. 528, § 1; Laws, 1990, ch. 485, § 1; Laws, 1991, ch. 373, § 1; Laws, 1993, ch. 518, § 42; Laws, 1994, ch. 506, § 1; Laws, 1996, ch. 414, § 1; Laws, 1999, ch. 524, § 1; Laws, 2004, ch. 534, § 1; Laws, 2007, ch. 557, § 3; brought forward without change, Laws, 2010, ch. 561, § 4, eff from and after July 1, 2010.