

**IN THE SUPREME COURT OF MISSISSIPPI**

**2001-AD-00001**

**IN RE: TIME STANDARDS FOR TRIAL COURTS**

**ADMINISTRATIVE ORDER**

Now before the Court, en banc, are proposed time standards for the chancery, circuit and county courts of Mississippi. By order issued June 14, 2001, the Court adopted, for comment, time standards which were then disseminated for comment to the judiciary, the bar, and the public at large. Having given careful consideration to those standards and the comments submitted, the Court authorized the submission of the modified and amended proposed time standards to the Conferences of Judges of the Chancery, Circuit and County Courts of the state. The Conferences have since endorsed the standards as modified and amended, and those modified and amended standards are now before the Court. The Court finds that such standards as set forth in Exhibit "A" hereto will promote the fair and efficient administration of justice, and that they should be adopted.

IT IS THEREFORE ORDERED, that Time Standards in the Chancery, Circuit and County Courts of Mississippi as set forth in Exhibit "A" hereto be and are hereby adopted. These standards shall be effective from and after January 1, 2002.

SO ORDERED, this the 15<sup>th</sup> day of November, 2001.

/s/ Edwin Lloyd Pittman

EDWIN LLOYD PITTMAN, CHIEF JUSTICE,

FOR THE COURT

## EXHIBIT "A"

# TIME STANDARDS IN THE CHANCERY, CIRCUIT AND COUNTY COURTS OF MISSISSIPPI

## PURPOSE AND PREAMBLE

The fair and efficient administration of justice requires that controversies, civil and criminal, receive the timely attention of the courts. This requires that the judicial system achieve a disposition of cases as expeditiously as is consistent with care, fairness and sound decisions. It is the responsibility of the judiciary to manage the dockets of the courts.

These time standards represent aspirational goals against which to measure the actual movement of cases in the trial courts. They should not be treated as rules of court which limit the discretion of the trial courts to schedule individual cases and proceedings within individual cases. They do not supercede time periods applicable to specific cases under court rules or statute. Each case is unique and the judges of the courts must, within the bounds of the rules of court and statutes, exercise sound judgment in such a manner as to provide the parties with a fair opportunity to be heard and to allow the court to achieve a reasoned disposition. However, our justice system has grown to the point that only by observing and comparing the flow of matters in all the trial courts can we determine the special needs of each court and allocate resources to the best end.

There are many factors that determine the movement of the business of the courts, some which are within the control of the judges presiding, and some which are not. Depending on case loads, types of cases, the number of judges in a district, population, commercial activity, staffing and support, it can be expected that the parties in one county or district may find that their cases proceed more rapidly or more slowly than in other districts or counties.

To use these benchmarks alone as a measure of the quality of a court or its judges would be to misunderstand and misapply them. Their purpose is to provide each judge and the judiciary as a whole with tools for the improvement of procedures and the allocation of resources.

Estates and will probate proceedings, guardianships, conservatorships, commitment proceedings, petitions for name change, petitions for registration of foreign judgments and uncontested adoptions are not covered by these standards.

<b>CRIMINAL*</b>	
<b>Felony</b>	270 days from arraignment
<b>Misdemeanor</b> (originating in circuit or county court)	120 days from filing
<b>Misdemeanor</b> (appeals to circuit or county court)	180 days from notice of appeal
<b>Preliminary hearing</b>	30 days from arrest or initial appearance
<b>Post trial motions</b>	30 days from filing of post trial motion
<b>Sentencing</b>	90 days from verdict or ruling on post trial motions
<b>CIVIL*</b>	
<b>General civil</b>	18 months from filing of complaint
<b>DOMESTIC RELATIONS*</b>	
<b>Contested</b>	1 year from filing of complaint
<b>Uncontested</b>	180 days from filing of complaint
<b>JUVENILE *</b>	
<b>Detention/shelter hearings</b>	48 hours after taking into temporary custody exclusive of weekends and statutory state holidays
<b>Adjudicatory hearing</b> (if in detention)	21 days from first detention hearing

<b>Adjudicatory hearing</b> (if in shelter)	30 days after taken into custody
<b>Adjudicatory hearing</b> (not detained, not in shelter, not in protective custody)	90 days from filing of petition
<b>Disposition hearing</b>	14 days following adjudicatory hearing

\* Except for individual cases in which the court determines by written order that exceptional circumstances exist and for which a continuing review should occur.