

Task Force recommends changes for Justice Courts

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Increased education requirements and non-partisan elections are among recommendations of a task force studying the Mississippi Justice Court system.

The Justice Court Task Force report issued Nov. 30 made recommendations with regard to qualifications, judicial training, elections, salaries, jurisdiction and discretion to limit jury trials.

Recommendations include:

- Requiring an associate degree or equivalent work experience of five years as a certified law enforcement officer, a certified paralegal, a court clerk, a deputy clerk or court administrator. A grandfather clause would exempt judges elected in 2007. The current requirement is a high school diploma or General Educational Development degree (GED).
- Increasing training to require 80 hours of legal and judicial training and completion of a minimum competency examination administered by the Mississippi Judicial College prior to assuming judicial duties, as well as requiring 24 hours of continuing education training each year. The current requirement is 32 hours of judicial training within six months of assuming office and 18 hours of continuing education each year.
- Making Justice Court judges run in non-partisan elections, but leaving the timing of the four-year election cycle unchanged so that Justice Court judges continue to run during the general election with other county officials. Justice Court judges are currently the only category of elected judges who declare political party affiliations.
- Requiring Justice Court judge candidates to reside within their judicial district for two years preceding the qualification date for that election. The current requirement under the Mississippi Constitution is residency within the county for two years preceding the election.
- Making Justice Court judges' salaries commensurate with supervisors in the same county. The recommendation would mean a salary range of \$29,000 to \$46,700. There are currently 11 different pay scales for Justice Court judges with annual salaries ranging from \$14,400 in counties with a population less than 8,000, to \$55,559 a year in counties with a population of more than 200,000.
- Increasing jurisdictional limits to \$3,500. The current jurisdictional limit is \$2,500.
- Giving Justice Court judges the same discretion accorded to Circuit and County Court judges to grant or limit jury trials.
- Allowing Justice Court judges to carry firearms if they complete training required by Mississippi Code Section 45-6-11. The statute currently excludes Justice Court judges.
- Requiring constables to provide courtroom security when Justice Court is in session unless the county otherwise provides security under the direction of the sheriff.
- Calling for the Justice Court Judges Association to work closely with the Mississippi Supreme Court and the Supreme Court's Rules Advisory Committee to revise the Uniform Rules of Procedure for Justice Court.

The 2007 Mississippi Legislature passed Senate Bill 2567 calling for a Task Force to study the

Justice Court system. The Justice Court Task Force report was delivered on Friday, Nov. 30, to Gov. Haley Barbour and to the offices of the Lieutenant Governor, the Speaker of the House of Representatives and the Secretary of State.

Mississippi Supreme Court Justice Mike Randolph of Hattiesburg, chairman of the Task Force, noted that the report and recommendations are the product of lengthy study and extensive public discussion. The Task Force conducted nine public hearings across the state and considered written comments submitted by a variety of interest groups and individuals.

Justice Randolph said, "When we began the study, I admonished the Task Force members to set aside all their different and conflicting viewpoints to do what is best for the people of this state I am pleased to report that the final recommendations reflect that the Task Force admirably set aside regional, political, personal and sometimes competing interests in reaching unanimous consent regarding all recommendations, without dissent."

Webster County Justice Court Judge Jerry Jones, a member of the Task Force and Executive Director of the Mississippi Justice Court Judges Association, said that a majority of Justice Court judges have for several years been supportive of efforts to increase education qualifications and judicial training requirements.

"We need to be better educated. That's going to help us make better decisions on the bench," Judge Jones said.

The Task Force is made up of nine voting members and four ex-officio members. Members are: Supreme Court Justice Mike Randolph of Hattiesburg, chair; Circuit Judge James T. Kitchens Jr. of Columbus, vice-chair; Amite County Justice Court Judge Roger Arnold; Marshall County Justice Court Judge Ernest Cunningham; Webster County Justice Court Judge Jerry Jones; Carroll County Circuit Clerk Durward Stanton; Forrest County Circuit Clerk Lou Ellen Adams; Warren County Court Judge John S. Price Jr.; Copiah County Supervisor Perry Hood; Sen. Terry Burton of Newton; Sen. Charlie Ross of Brandon; Rep. Willie L. Bailey of Greenville; and Rep. Thomas U. Reynolds II of Charleston.

Mississippi has 82 Justice Courts with 197 Justice Court judges. Justice Courts have jurisdiction over small claims civil cases, misdemeanor criminal cases and any traffic offense that occurs outside a municipality. Justice Court judges may conduct bond hearings and preliminary hearings in felony criminal cases and may issue search warrants and arrest warrants.

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