SUPREME COURT OF MISSISSIPPI

2011 ANNUAL REPORT

A MESSAGE FROM CHIEF JUSTICE WILLIAM L. WALLER, JR.

Two thousand eleven was historic: Nineteen new trial judges assumed office, significant transitions occurred in our appellate courts, and work was completed on the Supreme Court and the Court of Appeals' new courthouse.

Presiding Justice James E. Graves, Jr., stepped down from the Court on February 14, 2011, after the U.S. Senate confirmed his Presidential appointment to the United States Court of Appeals for the Fifth Circuit. The Court is honored to have one of its own appointed to the Fifth Circuit. Judge Graves is the second justice to be appointed to the Fifth Circuit; judge and former Governor J.P. Coleman was appointed to that court in 1965.

Justice Leslie D. King replaced Presiding Justice Graves, becoming the fourth African-American justice to serve on the Supreme Court of Mississippi. Governor Haley Barbour appointed Justice King on February 23, 2011, and Justice King took office on March 1. Before his appointment, Justice King had been the last original member of the Court of Appeals still serving on that court. He provided effective leadership as Chief Judge of the Court of Appeals from April 30, 2004, until March 1, 2011.

Justice Jess H. Dickinson became a Presiding Justice after Presiding Justice Graves left the Court. And in November 2011, the Court's other Presiding Justice, George C. Carlson Jr., announced that he would not seek re-election in 2012 and would retire at the end of his term.

Governor Barbour appointed Ermea J. Russell fill to Justice King's former seat on the Court of Appeals. Judge Russell, who took office May 20, 2011, was the first African-American woman to serve on a Mississippi appellate court.

Judge L. Joseph Lee was named Chief Judge of the Court of Appeals on March 3, 2011. Judge Lee, in turn, selected Judges Tyree Irving and T. Kenneth Griffis as Presiding Judges.

Court of Appeals Judge William H. Myers retired effective December 31, 2011, after eleven-and-a-half years of service, including more than five years as a Presiding Judge.

The 2010 elections brought nineteen new trial judges, eleven of whom had never held judicial office before. The new judges are: John Gregory, Third Circuit; William A. Gowan and Jeff Weill Sr., Seventh Circuit; Johnnie E. Walls Jr., Eleventh Circuit; John Emfinger, Twentieth Circuit; Anthony A. Mozingo, Fifteenth Circuit; Lee S. Coleman, Sixteenth Circuit; Smith Murphey V and Gerald W. Chatham, Seventeenth Circuit; W.M. Sanders and Catherine Farris-Carter, Seventh Chancery; Jennifer Schloegel, Eighth Chancery; Dawn H. Beam and Deborah Gambrell, Tenth Chancery; David Shoemake, Thirteenth Chancery; Margaret Alfonso, Harrison County Court; Melvin Priester, Hinds County Court; Steve Ratcliff, Madison County Court; and Richelle Lumpkin, Pearl River County Court.

United States Supreme Court Justice Antonin Scalia was the keynote speaker at the May 20, 2011, dedication ceremony of the new courthouse, known as the Carroll Gartin Justice Building. Justice Scalia told a crowded courtroom that the Supreme Court of Mississippi is the most important court that impacts the day-to-day lives of Mississippi's citizens. He also paid tribute to the only Mississippian to serve on the Supreme Court of the United States, Lucius Quintus Cincinnatus Lamar II. Lamar served on our nation's highest court from 1888 to 1893.

The building dedication ceremony marked the completion of a lengthy major construction project. Planning for a new justice facility began in 1993, when the Legislature created the Court of Appeals and the Administrative Office of Courts. The new building was first occupied in 2008, as construction work continued. It is the sixth building to house the state's highest court. The building also houses the Court of Appeals, the Supreme Court Clerk's Office, the State Library, the Administrative Office of Courts (AOC), the Board of Bar Admissions, the Commission on Continuing Legal Education, the Board of Certified Court Reporters, and the Mississippi Electronic Courts (MEC).

The Supreme Court continues to search for ways to improve access to the civil legal system for low-income persons. In 2011, the Court distributed $698,000 for civil legal aid. Funding for the Civil Legal Assistance Fund comes from special assessments on court filings and from fees charged to out-of-state attorneys appearing *pro hac vice*. The Court implemented rule changes in previous years to create a means of support for civil legal assistance without relying on tax dollars. In 2011, the Court revised the Rules of Professional Conduct to address limited-scope representation and to encourage lawyers to provide volunteer services to legal hotlines and clinics. The Access to Justice Commission presented the Court with well-researched rule proposals that addressed these needs.

The Supreme Court's Rules Committee on Civil Practice and Procedure and its Rules Committee on the Legal Profession continued to study extensive proposals for the Rules of Criminal Procedure, as well as proposed amendments to address attorney discipline and assistance for lawyers and judges who have alcohol, drug, or mental-health issues.

The AOC adopted Standards for Court Interpreters and a Code of Ethics for Court Interpreters in October 2011. This allowed the AOC to move forward with efforts to create a statewide program for credentialing language interpreters in court proceedings. The increasing diversity of Mississippi's population requires a credentialed pool of language interpreters to assist the courts and litigants.

Implementation of MEC continued to be a priority. In 2011, MEC expanded beyond the three pilot programs in Madison, Scott, and Warren counties. The chancery courts of DeSoto, Harrison, Holmes, and Yazoo counties and the circuit and county courts of Harrison County were approved as MEC participants.

Expanding drug courts statewide continued to be a priority as well, with 39 programs in operation at the end of 2011. Additionally, judges and staff of existing drug courts continued to expand their services, reaching out to meet the needs of special populations, such as military veterans. Adult drug courts provided an estimated cost savings of $38 million to the state, considering the amount it would cost to incarcerate the 2,500 adults who were enrolled in drug

courts. Drug courts spent $6.5 million to operate in the 2011 fiscal year. However, the continuing growth in drug courts will soon surpass available funding. Currently, they are funded by a $10 special assessment on felony and misdemeanor fines and traffic tickets, without any General Fund appropriation.

Adequate funding for the Judiciary remains a significant challenge. The National Center for State Courts ranked Mississippi last in the nation for judicial compensation. Though efforts to pass judicial pay legislation failed, notable progress was made. Further, the Legislature funded the Judiciary $2 million more than the Legislative Budget Office had recommended. Securing these funds was critical for maintaining minimum funding for the Judiciary. Six additional personnel positions were authorized, including a Deputy Marshal, a Deputy Director of AOC, and four positions in the rapidly expanding MEC.

As Chief Justice, I will do all within my power, with the assistance of my colleagues, to continue to improve our judicial system.

William L. Waller, Jr.
Chief Justice
Supreme Court of Mississippi

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MISSISSIPPI JUDICIAL SYSTEM

The Mississippi Judiciary is made up of Justice and Municipal Courts at the most basic level; County, Chancery, and Circuit Courts comprising the trial courts of record; and two appellate courts, the Court of Appeals, and the Supreme Court, Mississippi's court of last resort.

There are 82 Justice Courts with 197 judges. Justice Courts have jurisdiction over civil actions involving sums of $3,500 or less and misdemeanors. They also hold preliminary hearings in felony cases. Appeals from the Justice Courts may be taken to circuit courts, or county courts if available, and the cases appealed are tried de novo.

There are 226 Municipal Courts with 227 judges. They have limited criminal jurisdiction and jurisdiction over violations of municipal ordinances. Appeals from the Municipal Courts may be taken to County or Circuit courts, and the cases appealed are tried de novo in the appellate court.

There are 21 County Courts with 30 judges. These courts have concurrent civil jurisdiction with the Chancery and Circuit Courts in suits involving $200,000 or less. They also have limited criminal jurisdiction and appellate jurisdiction from the Justice Courts and Municipal Courts. In counties with County Courts, the Youth Courts function as a division of the County Courts handling juvenile matters.

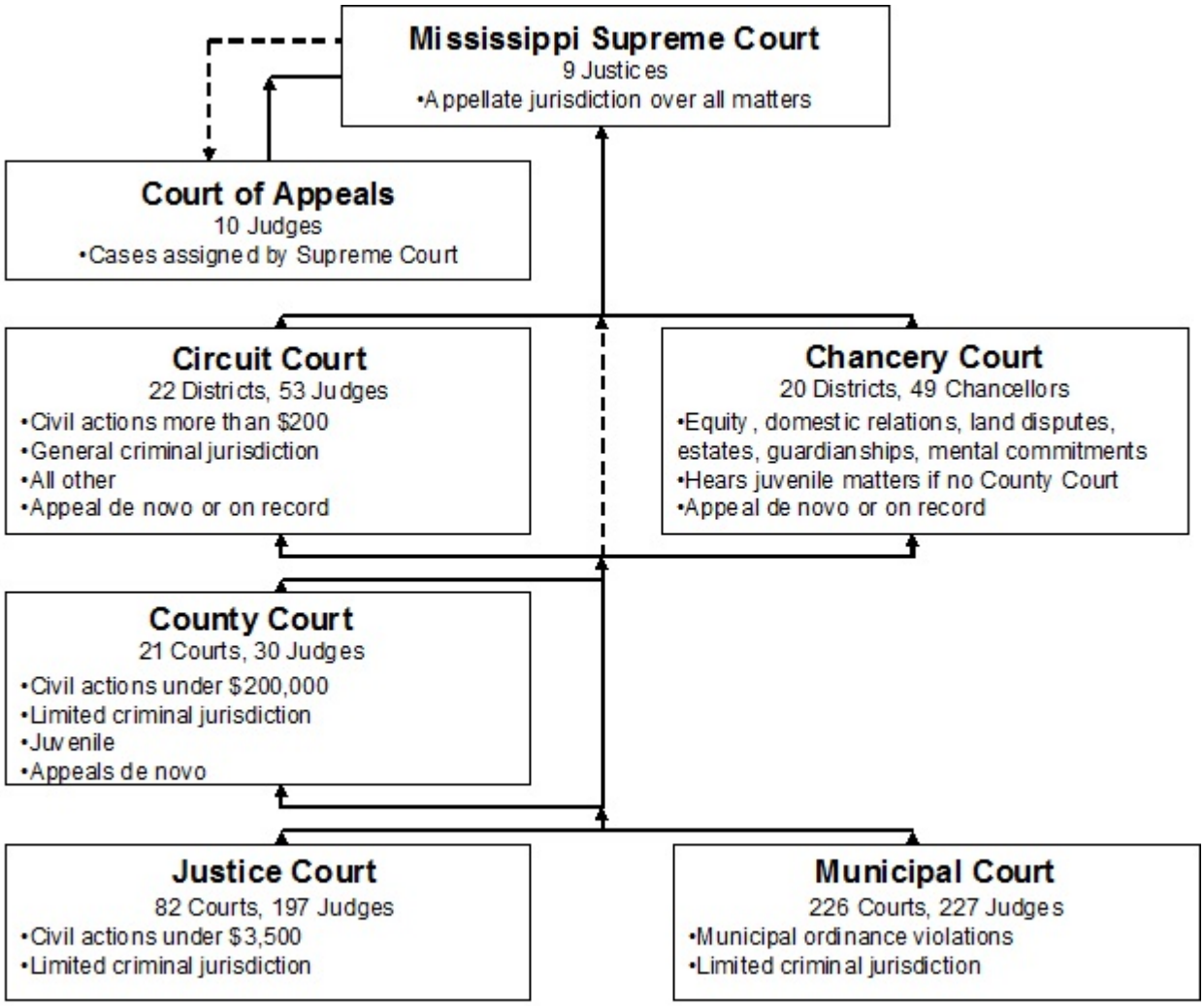
There are Chancery Courts in each county which are organized into 20 districts with 49 chancellors. They have jurisdiction over matters of equity, domestic relations, land disputes, estates, guardianships, and mental commitments. In counties without County Courts, the Chancery Courts handle Youth Court functions. They also receive appeals on the record from County Courts in matters over which the two courts have concurrent subject matter jurisdiction.

The Circuit Courts are the general jurisdiction trial courts in Mississippi. There are Circuit Courts in each county, organized into 22 districts with 53 judges. They have jurisdiction of all civil actions at law seeking recovery in excess of $200 and of all criminal cases under state law. They receive appeals de novo from the Justice Courts and on the record from County Courts.

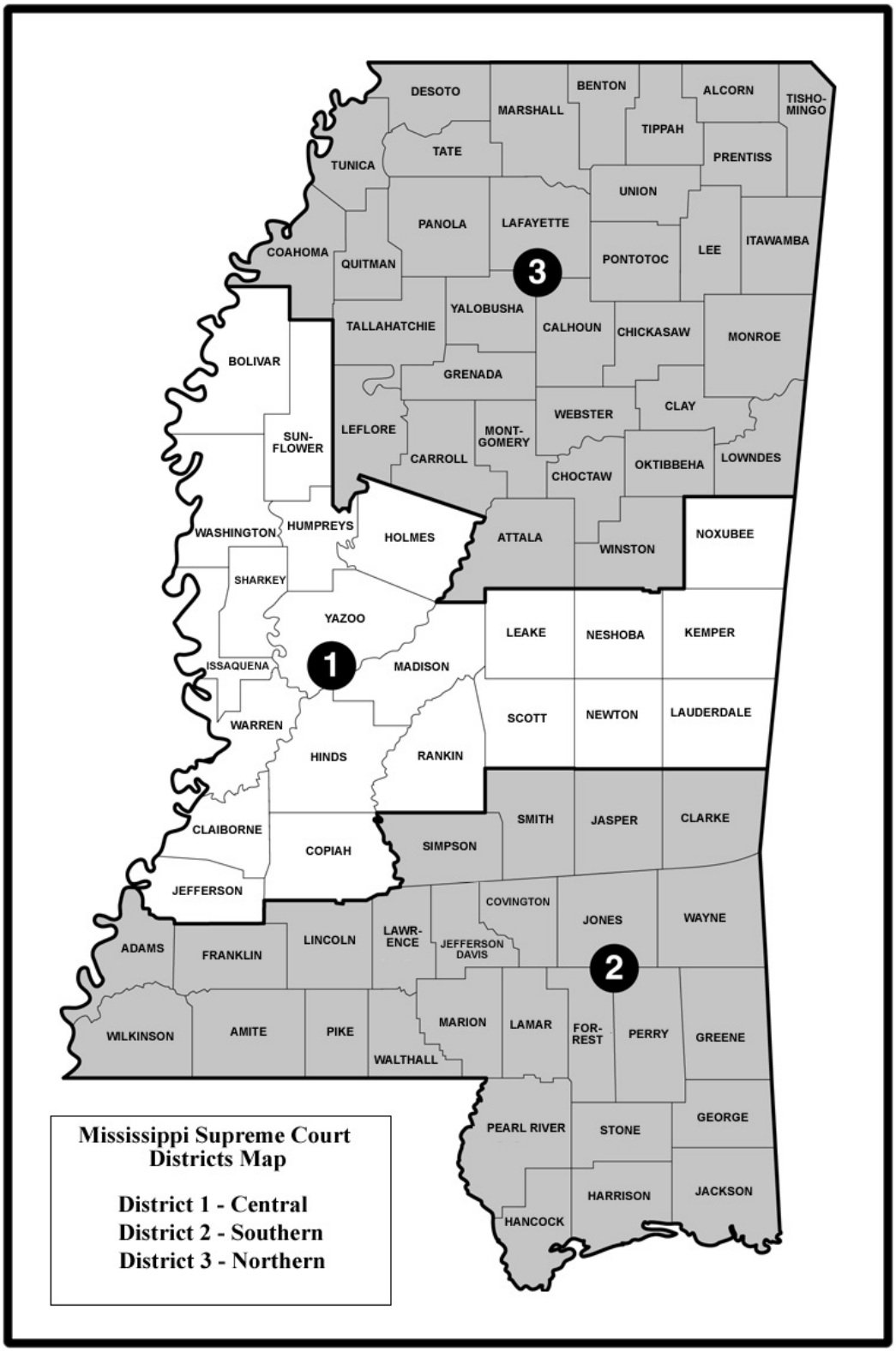
Appeals from the Chancery, Circuit, and, in limited situations, the County Courts are taken to the Supreme Court. The Supreme Court may either retain the appeal or assign it to the Court of Appeals. Generally, the Supreme Court retains cases involving issues of first impression and cases involving interpretation of the Constitution, statutes or regulations. There are also a few categories of cases which the Supreme Court retains, such as death

penalties, utility rates and annexations. The Court or Appeals typically hears cases in which the issues are ones of error correction, such as whether the judgment is supported by the evidence, or whether the judge correctly ruled on evidentiary challenges. All decisions of the Court of Appeals are subject to discretionary review by the Supreme Court on petition for writ of certiorari. There are nine justices on the Supreme Court and ten judges on the Court of Appeals.

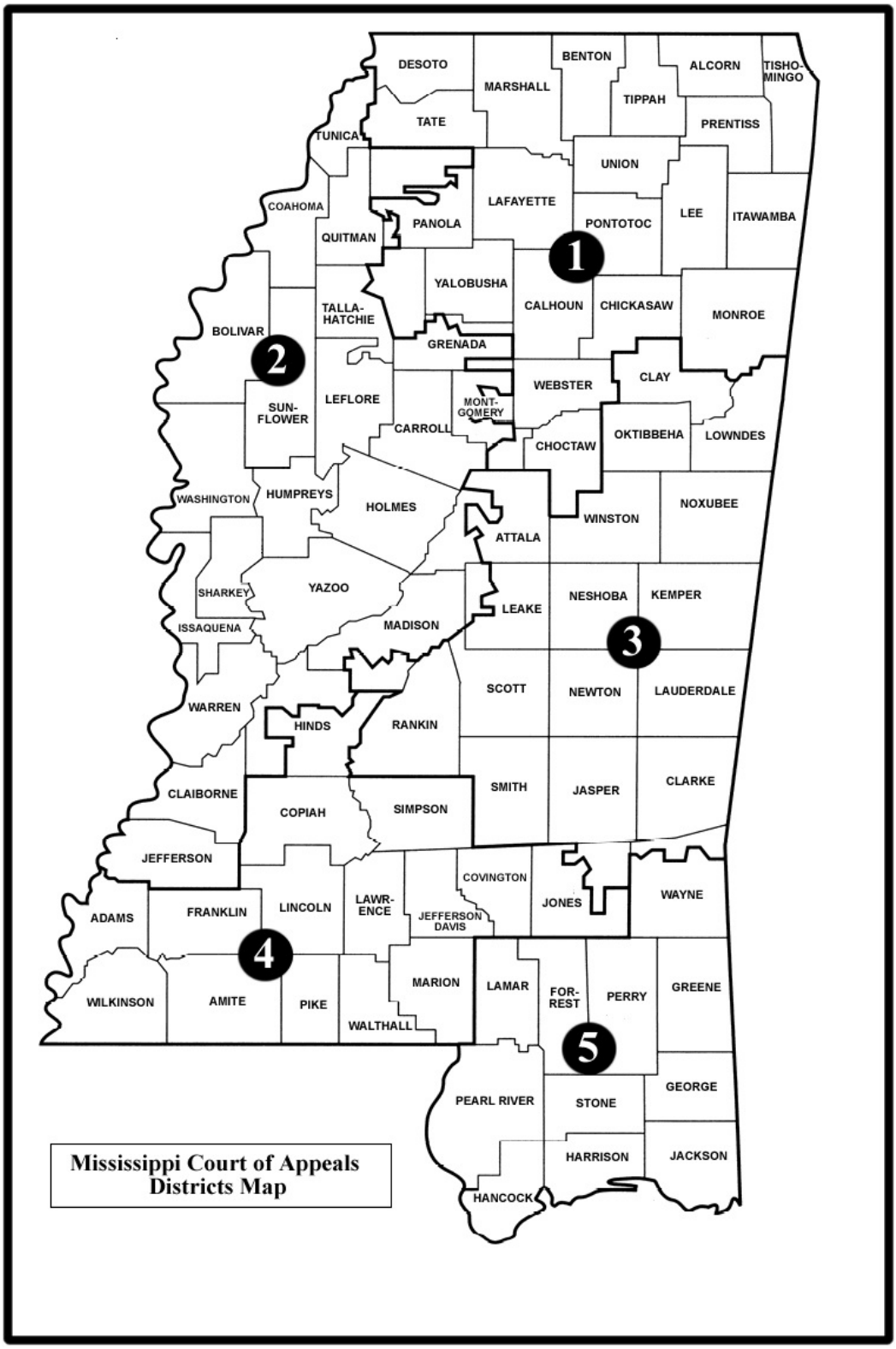
ORGANIZATIONAL CHART



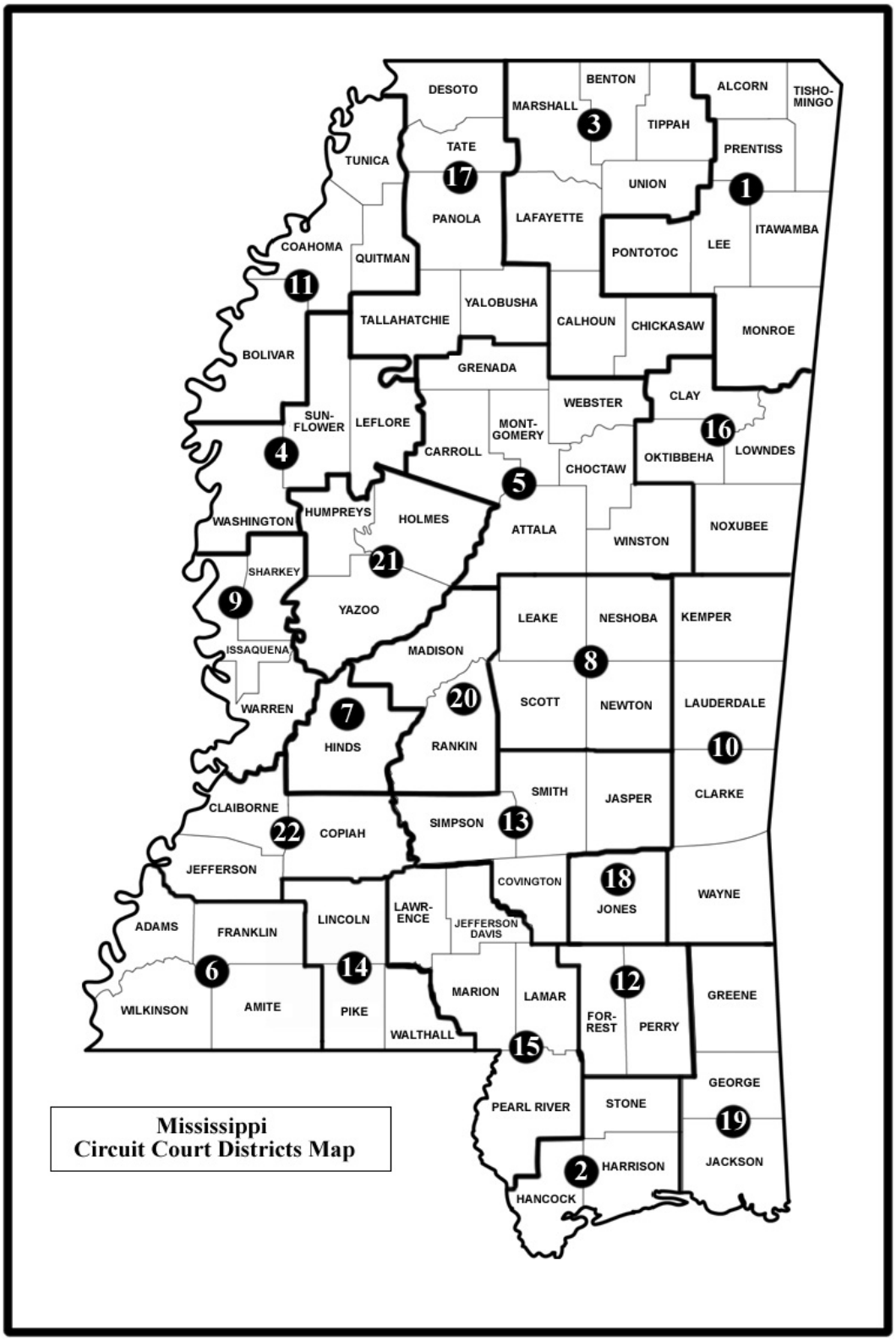
SUPREME COURT DISTRICTS



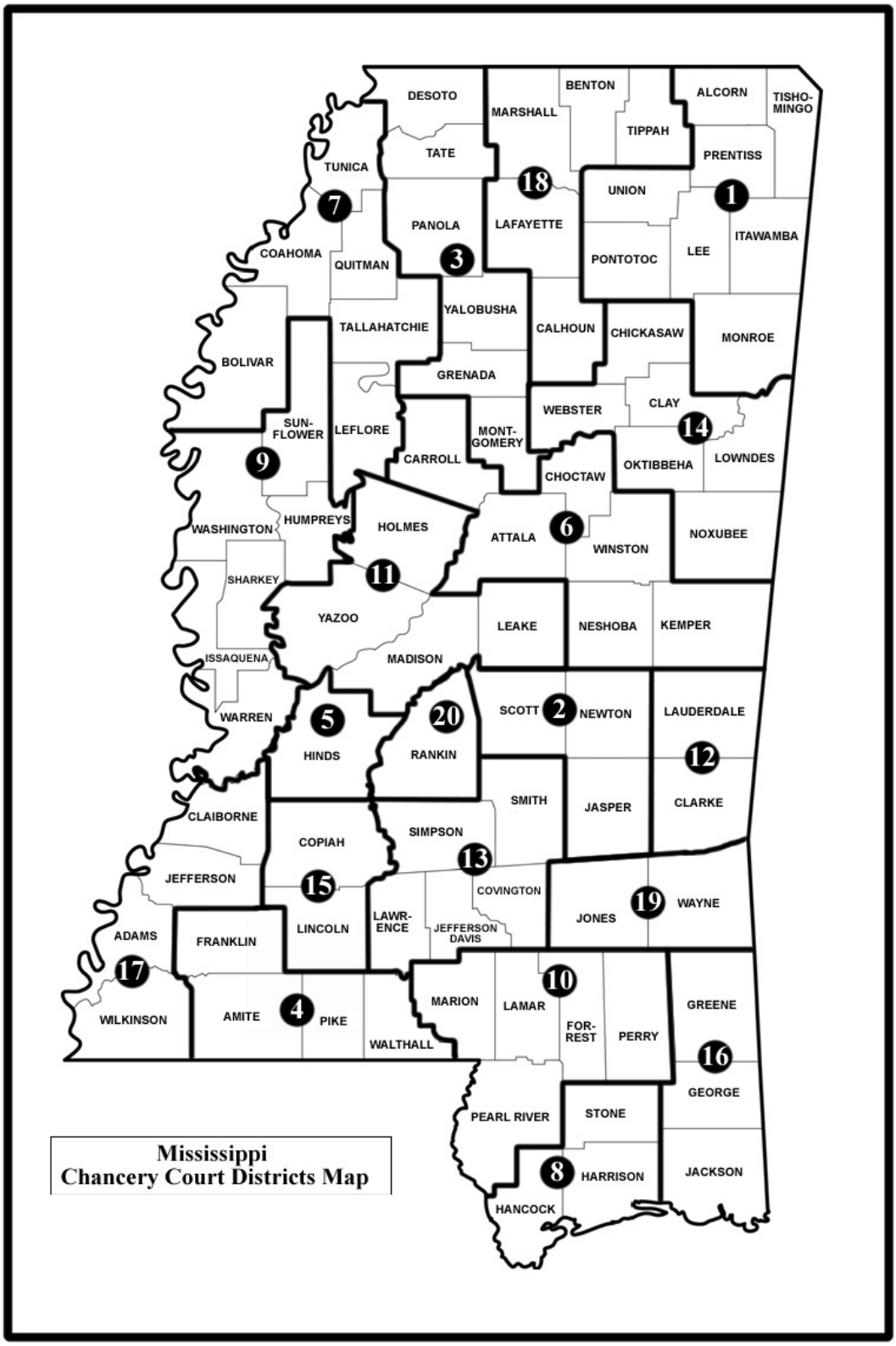
COURT OF APPEALS DISTRICTS



CIRCUIT COURT DISTRICTS



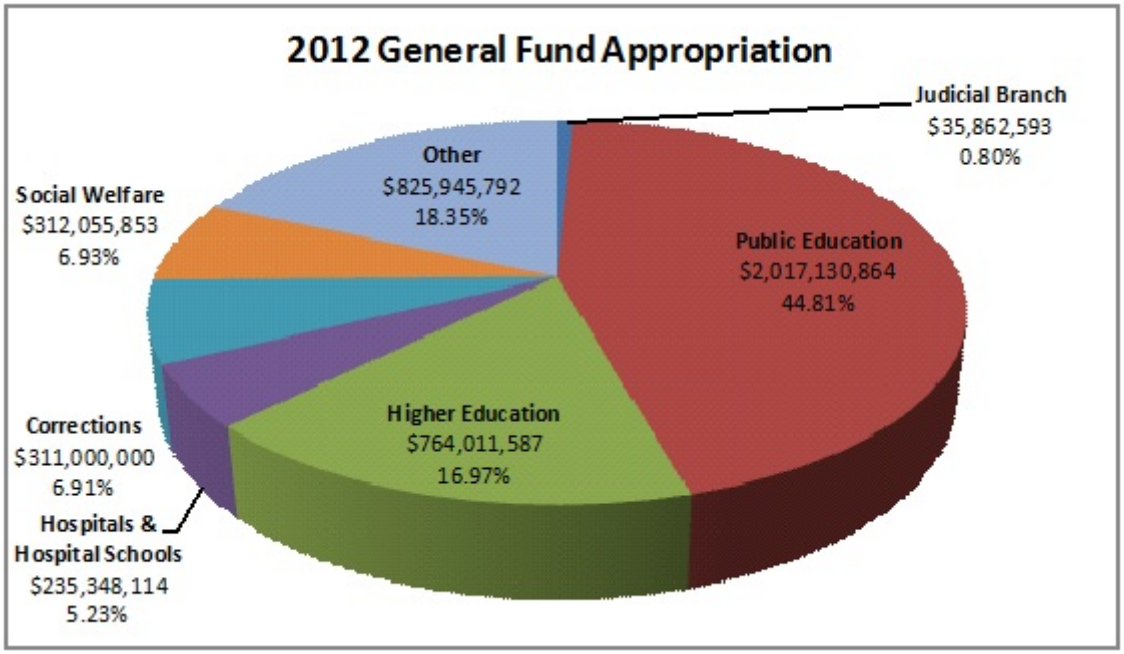
CHANCERY COURT DISTRICTS



FUNDING AND ADMINISTRATION OF THE COURTS

The state judiciary is funded primarily by general fund appropriations with additional funding for specific mandates by way of grants and special funds.

For fiscal year 2012, the entire general fund appropriations for all three branches of state government was $4,501,354,803. The appropriation for the Administrative Office of Courts and all courts of record in the state (the Supreme Court, the Court of Appeals, the 82 circuit courts, the 82 chancery courts, and the 21 county courts) was $35,862,593. This represents performance of all judicial functions by these courts for less than one per cent of the general fund expenditures.



MILESTONES

New Supreme Court Building Dedicated

U.S. Supreme Court Justice Antonin Scalia was the keynote speaker at the May 20, 2011, dedication ceremony for the Supreme Court Courthouse and Carroll Gartin Justice Building. The dedication ceremony celebrated completion of a lengthy major construction project. Planning for a new justice building began in 1993 when the Legislature authorized creation of the Court of Appeals and the Administrative Office of Courts. Construction began in 2001 and was completed in stages. The Gartin Justice Building houses the Supreme Court, Court of Appeals, Supreme Court Clerk, State Library, Administrative Office of Courts, Board of Bar Admissions, the Commission on Continuing Legal Education and the Board of Certified Court Reporters.

The neo-classical architecture of the building was designed to complement the New Capitol. The first floor Court of Appeals Courtroom and the Supreme Court's second floor En Banc Courtroom reflect architectural design elements of the Old Supreme Court Chambers in the New Capitol. The four-story, 162,000 square foot structure is topped with a copper roof. The building has limestone columns and an exterior of more than 10,000 pieces of gray Indiana limestone.

Historic Appointments

Gov. Haley Barbour appointed Justice Leslie D. King to the Supreme Court vacancy created by Justice James E. Graves' appointment to the Fifth U.S. Circuit Court of Appeals. Justice King, who began his duties on March 1, 2011, is the fourth African-American justice to serve on the Mississippi Supreme Court. He was the last original member of the Court of Appeals, having served for 16 years, including seven years as Chief Judge. Chief Justice Bill Waller Jr. appointed Judge L. Joseph Lee as Chief Judge of the Court of Appeals. Judge Lee is the fifth judge to lead the Court of Appeals since the court began hearing cases in 1995. Gov. Barbour appointed Judge Ermea J. Russell to the vacancy on the Court of Appeals. She was the first African-American woman to sit on a Mississippi appellate court.

OUTREACH AND INNOVATION

Access to Justice

The Access to Justice Commission was created by the Mississippi Supreme Court in 2006, to develop a unified strategy to improve access to the civil courts for the poor. The Commission draws together organizations concerned with providing legal services to the poor in Mississippi. Co-Chairs are Chancery Judge Denise Owens and former Mississippi Bar President H. Rodger Wilder. The Commission includes members of the judiciary, a representative of the Governor, legislators, business and community leaders, and clergy. Representatives of entities which provide legal services to the poor are ex-officio members.

The Commission, which meets quarterly, develops and recommends policies, programs, and initiatives to assist the judiciary in meeting needs for civil legal services to the poor. Responding to recommendations from the Commission, the Supreme Court revised Rules of Professional Conduct, effective July 1, 2011,in an effort to increase the availability of legal services for low income people. Court of Appeals Judge Donna Barnes of Tupelo chaired the Access to Justice subcommittee which submitted proposals for the rule changes. Rule amendments addressed limited scope representation in an effort to encourage lawyers to provide some services to clients who are limited in what they can afford. The rule amendments address what has become known as "unbundling" of legal services, allowing a lawyer to undertake specific tasks for a client, without the obligation to represent the client at each step of a legal process. The Court also adopted a new Rule 6.5 Nonprofit and Court-Annexed Limited Legal Services Programs rule intended to encourage lawyers to provide volunteer services to legal hotlines and clinics without fear of creating conflicts of interest.

Harrison County in September 2011 began offering form pleadings at the county law library to assist pro se litigants. The forms were developed by County Court Judge Margaret Alfonso, who previously served as a chancellor, and Law Librarian and attorney Fran Perry, with the assistance of Access to Justice Co-Chair Rodger Wilder.

Mississippi Commission on Children's Justice

The Supreme Court reestablished the Mississippi Commission on Children's Justice in 2010 as an advisory group to examine the juvenile justice system and recommend improvements. The Commission is working to address the structure and operation of the Youth Court system and interactions of the juvenile justice, child welfare and education systems. The Supreme Court directed the commission to develop a statewide comprehensive approach to improving the child welfare system; coordinate the three branches of government in assessing the impact of government actions on children who are abused or neglected; and recommend changes to improve children's safety, strengthen and support families and promote public trust and confidence in the child welfare system. The commission held two public hearings in 2011 in Jackson and Oxford.

Rankin County Court Judge Thomas Broome and Supreme Court Justice Randy G. Pierce are co-chairs. Judge Broome leads a subcommittee which focuses on the Youth Court system. Court of Appeals Judge Virginia Carlton leads a subcommittee which deals with education issues.

Civil Legal Assistance Fund

The Supreme Court during 2011 distributed $698,000 for civil legal assistance to low income people. This Civil Legal Assistance Fund distribution was from special assessments on court filings and from fees charged to out-of-state attorneys appearing *pro hac vice*. No general fund appropriations were used.

Court Interpreter Credentialing Program

The Mississippi Court Interpreter Credentialing Program works toward creation of a statewide program to provide credentialing of language interpreters for court proceedings. The Administrative Office of Courts adopted Standards for Court Interpreters and a Code of Ethics for Court Interpreters on Oct. 17, 2011. Rules apply to municipal court, justice court, youth court, county court, circuit court, chancery court and grand jury proceedings.

AOC conducted the first Court Interpreter Workshop Nov. 3 and 4, 2011, to introduce prospective foreign language interpreters to interpreting in a legal setting including the courtroom, depositions and other legal proceedings. The workshop began a program which will train, certify, and test individuals who wish to serve as interpreters in Mississippi courtrooms. Court interpreters must understand court proceedings as well as be fluent in English and a second language.

AOC started a registry of interpreters who are qualified to assist in court proceedings involving parties who have limited understanding of English. Language interpreters may be included on the list after having completed the AOC's credentialing program that includes registered and certified levels. Rules for interpreters require a court to use a certified court interpreter if one is available. If no certified court interpreter is available, a registered interpreter may be used. Interpreters must have a high level of mastery of two languages, be highly skilled in all modes of interpreting, and understand and be able to explain court terms and procedures. Written and verbal testing as well as background checks are required.

The AOC program can provide judges in all state courts with a list of language interpreters who have demonstrated proficiency in oral interpretation and written translation of court proceedings. Interpreters are not employees of the AOC. It is up to the individual courts, attorneys or agencies to provide compensation for the court interpreter.

Drug Courts

Drug court programs saw continuing growth and expansion as state court leaders continued to respond to the 2008 Legislature's direction to the Drug Courts Advisory Committee to develop plans to expand the number of drug court programs and increase program enrollment. Thirty-nine drug court programs were operating throughout the state at the end of 2011. Programs included 18 Circuit Court programs, 10 County Court youth programs, four referee court youth programs, five misdemeanor programs in municipal and justice courts, and two family court pilot programs.

The 12th Circuit Court of Forrest and Perry counties started a separate Veterans Court in November 2011. It was the second program to address the unique needs of veterans. The 8th Circuit Court of Leake, Neshoba, Newton and Scott counties started a veteran's component within that Drug Court in August 2010.

More than 50 drug court participants, drug court staff and judges from across the state were on the floor of the House of Representatives March 25, 2011, as House resolutions were read commending the state's drug court programs and the 1,583 people who had graduated since 2004, when statistics began being kept. Chief Justice Bill Waller Jr. said that expanding the reach of drug courts is a priority. Rep. Alyce Griffin Clarke, a pioneer of the drug court movement, asked fellow legislators to push for creation of more programs in counties which do not have drug courts.

However, the Drug Courts Advisory Committee estimated that continuing program growth would soon exceed funding at its current level. Funding for drug courts comes from a $10 special assessment on felony and misdemeanor fines and traffic tickets. The state's 2011 Fiscal Year expenditure on drug courts was $6.5 million. During that same time period, the State Drug Court Fund took in $4,458,665.41 in special assessments.

Drug courts produce a much larger savings for the state. Drug courts have an average adult enrollment of 2,500. It would have cost approximately $38 million to incarcerate that

number of inmates.

At the end of 2011, 3,176 people, including adults and juveniles, were enrolled in drug court programs. During 2011, 412 people graduated from drug courts statewide, including from adult and juvenile programs. Fines paid to the counties totaled $813,786.78. Participants paid $1,098,739.58 in fees to help support the programs. Fifty-six drug-free babies were born to women enrolled in drug courts during 2011. A total of 321 drug-free babies have been born since 2005, when those statistics began to be kept.

Court Administration – Electronic Filing and Case Management

Development of the Mississippi Electronic Courts (MEC) electronic filing system expanded beyond the original pilot project counties in 2011. On May 26, 2011, Chancery Courts of DeSoto, Harrison, Holmes and Yazoo counties and the Circuit and County Courts of Harrison County were approved as MEC participants. Madison, Scott and Warren counties were the original tests sites.

MEC on May 1, 2011, began work toward development of the criminal component of e-filing for Circuit and County courts. Pilot courts to date have used MEC only in civil cases.

The Supreme Court in an order signed May 26, 2011, addressed public access to records via MEC. The court set a $10 annual registration and renewal fee and a viewing fee of 20 cents per page. Fees became effective July 1, 2011. Subscriber fees are retained by MEC to help fund system operation. Page viewing fees are split between clerks' offices and MEC. Public Access to Mississippi Electronic Courts (PAMEC) is similar to the federal court records subscriber-based access portal known as PACER.

The Supreme Court, working with the Administrative Office of Courts, the State Department of Information Technology Services and state trial courts, is implementing a major long-range initiative to provide a uniform electronic case filing and court management system for distribution to the chancery and circuit courts and their respective clerks' offices. The Mississippi Electronic Courts program is adapted from the electronic filing system used in federal district courts.

Mississippi Youth Court Information Delivery System (MYCIDS)

A longstanding technology program for Youth Courts began in 1999. In 2011, the Mississippi Youth Court Information Delivery System (MYCIDS) was operating in 81 Youth Court and Referee Courts and in the City of Pearl Municipal Youth Court. MYCIDS is designed to help Youth Courts organize their work and records efficiently and save staff time and other resources. The MYCIDS system includes electronic docketing and record keeping. Case tracking features assist court staff in scheduling all hearings and other events required by law to occur within a specific time frame. Judges and court staff are able to track juveniles' encounters with multiple jurisdictions. Computer hardware, staff training and a help desk are provided by the Supreme Court at no charge to local Youth Courts.

In 2011, MYCIDS continued to make improvements to better serve the needs of Youth Courts. The system got software and hardware upgrades to allow greater stability and provide for future expansions. Department of Human Services social workers gained easier access to records through a modification which allows access through MDHS's MACWIS system. MYCIDS gave courts and court clerks the ability to track case fees and payments for fines, restitution and court costs. Orders generated by the system were updated to comply with statutory requirements.

Information Technology

The Supreme Court and the Administrative Office of Courts function with a technology staff that distributes and maintains all computer hardware and software in the trial courts and appellate courts, distributes and installs MYCIDS, and trains, develops and maintains the appellate court case management system (CITS) and the AOC Statistical System (SCATS), maintains the Judicial Branch web site, and advises the Court on future technology initiatives.

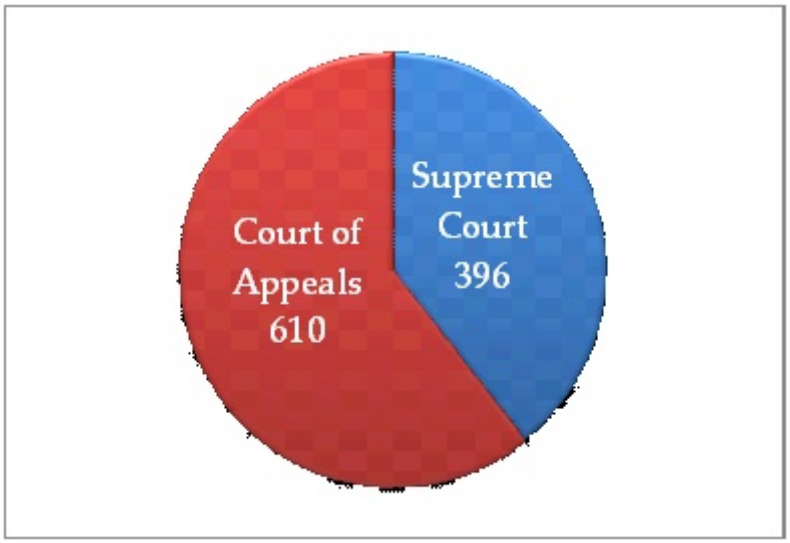
THE APPELLATE COURTS OF MISSISSIPPI

All appeals from the Circuit, Chancery and Youth Courts of the state come to the Supreme Court. Appeals from the Justice Courts go to the Circuit Courts or to the County Courts where available. County Court appeals are to either the Circuit Courts, the Chancery Courts, or the Supreme Court, depending on the subject matter and type of case.

Certain appeals are, as a class, retained and decided by the Supreme Court. Others may be assigned by the Supreme Court to the Court of Appeals. In deciding whether to retain a case, the Supreme Court considers the uniqueness of the case, the likelihood that its decision will be of important precedential value, whether it raises issues of first impression or interpretation, and the relative workloads of the two appellate courts.

Cases which must be retained by the Supreme Court are those which involve:

(a) the imposition of the death penalty;
(b) utility rates;
(c) annexations;
(d) bond issues;
(e) election contests;
(f) a trial court's holding a statute unconstitutional;
(g) bar discipline matters;
(h) judicial performance matters;
(i) certified questions from federal court.

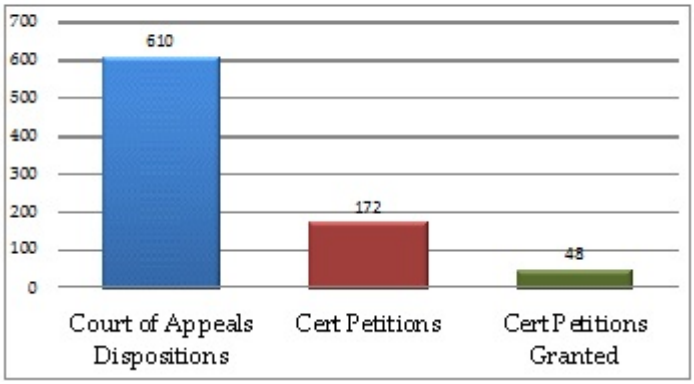


In addition to its workload of retained cases, the Supreme Court also decides most interlocutory appeals and all petitions for writ of certiorari from the Court of Appeals, and has significant administrative responsibilities such as rule making obligations ranging from rules of procedure to Bar admissions.

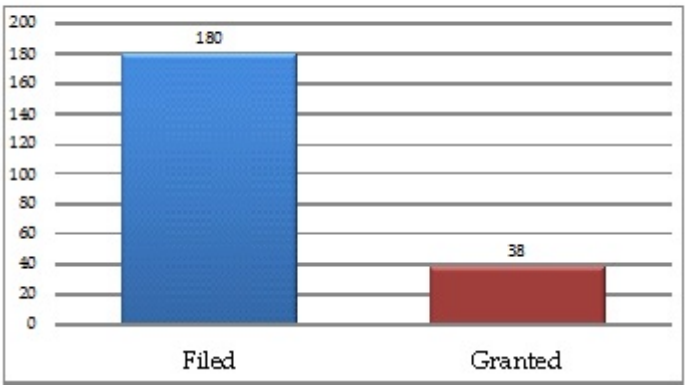
The Court of Appeals does an outstanding job of deciding a high level of direct appeals. Typical cases assigned to the Court of Appeals are referred to as error correction cases. These cases deal with evidentiary issues which arose during the course of the trial, and with the weight and sufficiency of the evidence supporting the judgment. Additionally, by rule, all Workers Compensation cases are referred to the Court of Appeals.

Since July 2004, both appellate courts have decided cases within 270 days following completion of briefing, and, in most cases, decisions are made even more expeditiously. All petitions for writ of certiorari from the Court of Appeals are either granted, denied or dismissed by the Supreme Court within 90 days following the filing of the responses to the petitions, and all cases on review by certiorari are decided within 180 days after the petitions are granted. Petitions for interlocutory appeal are generally granted, denied, or dismissed within 45 days after the responses are filed.

Petitions for Certiorari



Interlocutory Appeals



STATISTICAL SUMMARY FOR APPELLATE COURTS

Case Filings

Notices of Appeal, General	707
Death Penalty Direct Appeal	1
Death Penalty PCR Applications	6
Bar Discipline Cases	6
Bar Discipline Appeals	0
Bar Reinstatement Cases	3
Judicial Performance Cases	6
Election Contests	1
Interlocutory Appeals Granted	38
Certiorari Petitions Granted	48
Workers' Comp Appeals	27
Utility Rate Cases	0
Federally Certified Questions	1
Total New Cases Filed	844

Case Dispositions		Supreme Court	Court of Appeals	Courts Combined
Dismissed by Clerk's Rule 2 Notice		87	45	132
Dismissed by Order of Court		105	12	117
Certiorari Petitions Dismissed after Grant		5	0	5
Decided by Published Opinion		178	553	731
Per Curiam Affirmed		14	0	14
Decided by Order		7	0	7
Total Case Dispositions		396	610	1,006

In 2011, the Supreme Court heard oral argument in 28 cases, while the Court of Appeals heard oral argument in 42 cases.

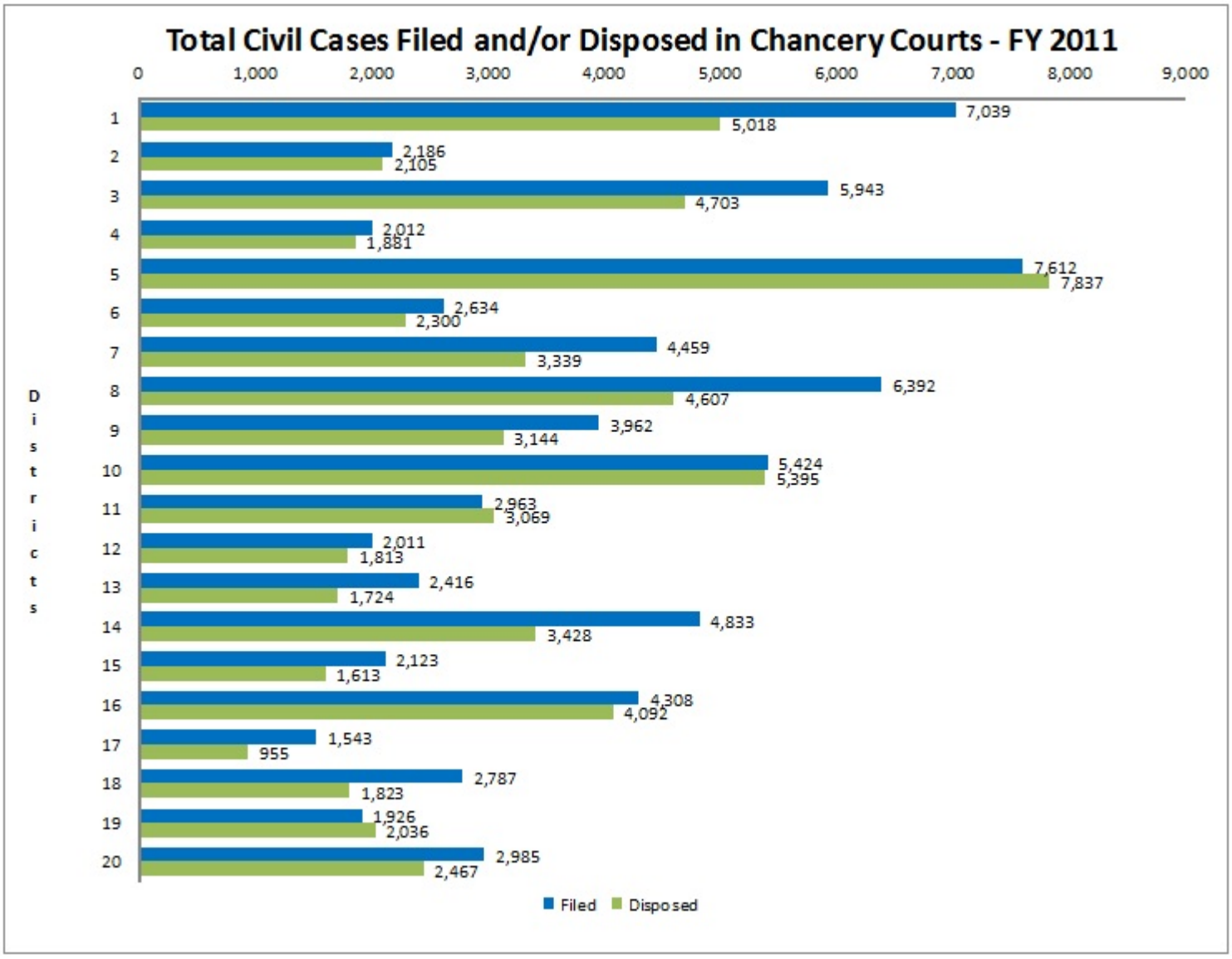
In addition, the appellate courts addressed 6,104 motions: 3,478 by the Supreme Court and 2,626 by the Court of Appeals. These included:

		Supreme Court	Court of Appeals	Courts Combined
Motions for Rehearing		84	243	327
Petitions for Interlocutory Appeal		177	0	177
Petitions for Certiorari		167	0	167

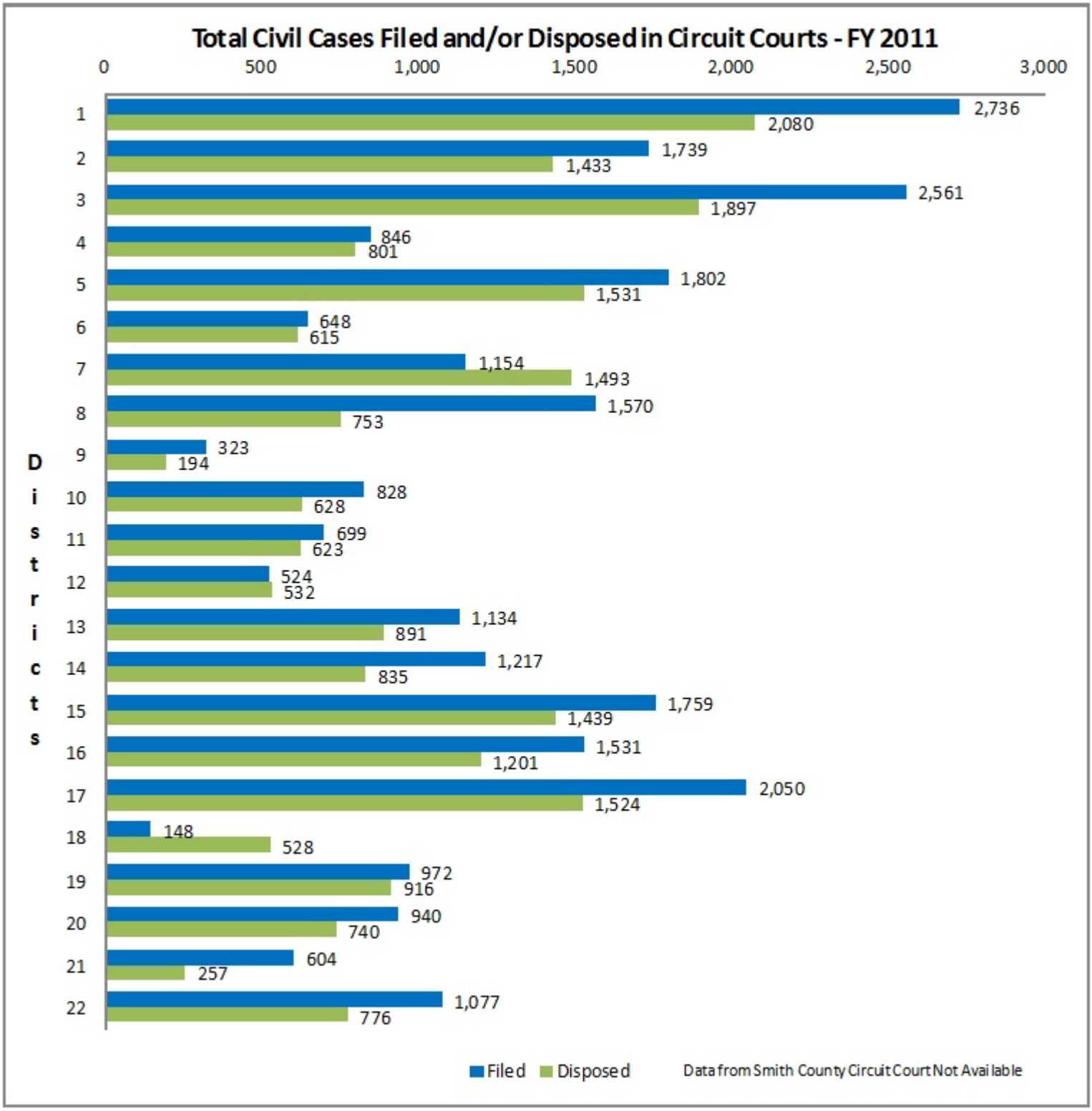
MISSISSIPPI TRIAL COURTS OF RECORD

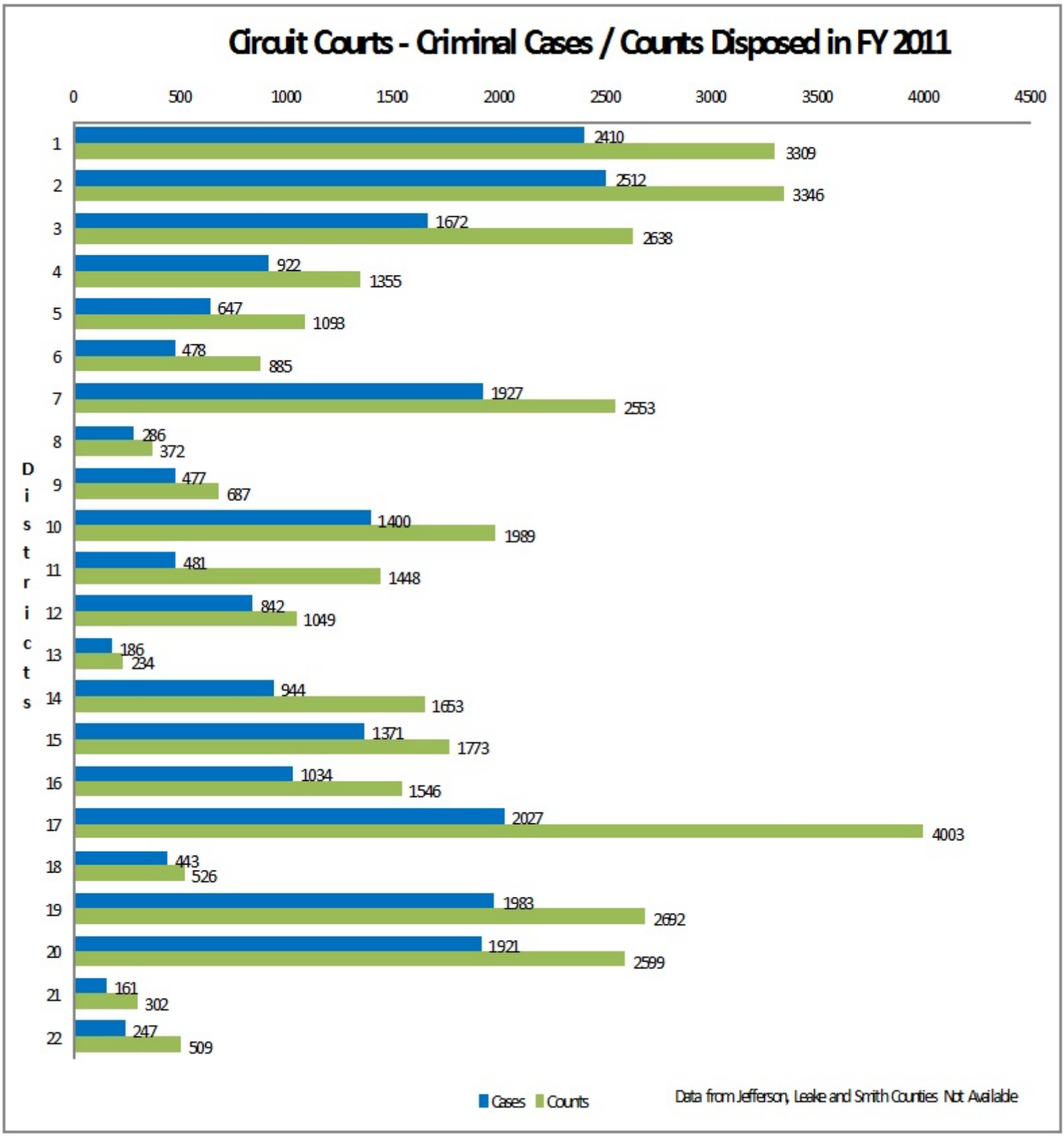
The trial courts in Mississippi without jurisdictional limits on the amounts in controversy are the Chancery and Circuit Courts. The state is divided into 20 Chancery Court Districts and 22 Circuit Court Districts. Each district has from one to four judges, depending on the size of the district and its case load. The courts are served by independently elected chancery and circuit clerks in each county. The chancery and circuit clerks for each district are required by law to report the activities of the courts to the Administrative Office of Courts. The data, as reported, reflect the following:

CHANCERY COURTS

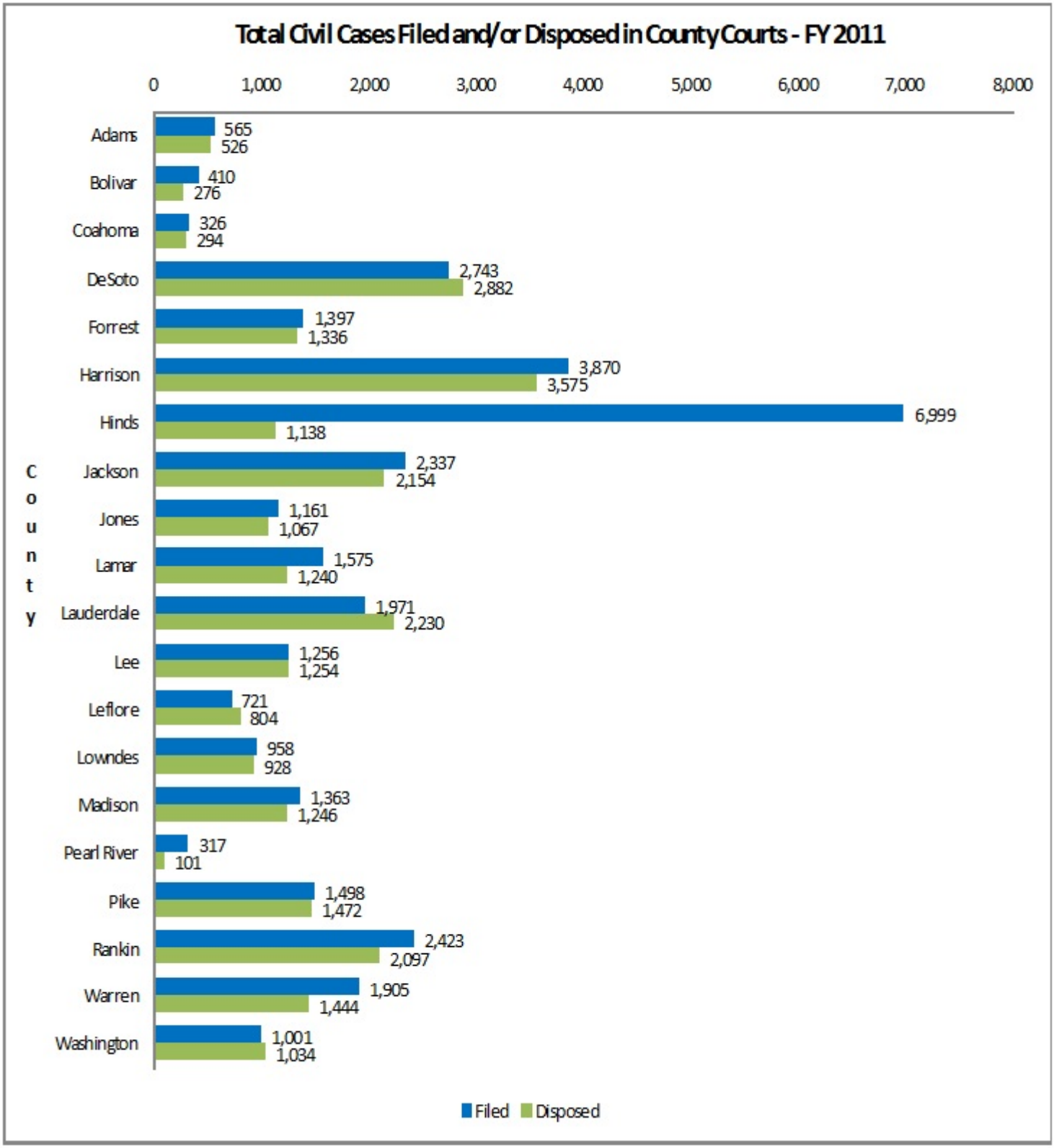


CIRCUIT COURTS




Circuit Courts - Criminal Cases / Counts Disposed in FY 2011
0
500
1000
1500
2000
2500
3000
3500
4000
4500
Districts
1
2410
3309
2
2512
3346
3
1672
2638
4
922
1355
5
647
1093
6
478
885
7
1927
2553
8
286
372
9
477
687
10
1400
1989
11
481
1448
12
842
1049
13
186
234
14
944
1653
15
1371
1773
16
1034
1546
17
2027
4003
18
443
526
19
1983
2692
20
1921
2599
21
161
302
22
247
509
Cases
Counts
Data from Jefferson, Leake and Smith Counties Not Available

COUNTY AND YOUTH COURTS



ADMINISTRATIVE OFFICE OF COURTS

The Administrative Office of Courts was created on July 1, 1993, to support the judicial system by providing efficient administration of the non-judicial business of the state's courts. The AOC offices are located in Jackson in the Carroll Gartin Justice Building at 450 High Street. The duties of the AOC, specified in Miss. Code Ann. §§ 9-21-1, -3, -9, -29 (Rev. 2002), are:

- To assist the Chief Justice of the Supreme Court with his duties as the chief administrative officer of all of the courts in the state;
- To assist in the prevention of unnecessary delay in the conduct of trials of the state courts;
- To promulgate standards, rules and regulations for computer and/or electronic filing and storage of all court records and court-related records maintained throughout the state in courts and in offices of circuit and chancery clerks;
- To collect case statistics from all civil, criminal and youth courts in the state;
- To coordinate and conduct studies and projects to improve the administration of justice;
- To support the Judicial Advisory Study Committee, including research and clerical assistance;
- To require the filing of reports and the collection and compilation of statistical data and financial information;
- To make recommendations regarding the state of the dockets and the effective number of judges and other court personnel;
- To prescribe uniform administrative and business records, forms, and systems;
- To devise and promulgate youth court tracking forms;
- To prepare and submit budget recommendations necessary for the maintenance and operation of the judicial system;
- To develop and implement personnel policies for non-judicial court employees;
- To procure, distribute, exchange, transfer and assign equipment, books, forms, and supplies as are acquired for the court system;
- To prepare and submit an annual report on the work of the judicial system;
- To take necessary steps in the collection of unpaid fines and court costs; and
- To perform any additional administrative duties assigned by the Supreme Court.

The AOC processes payroll for the support staff of the Chancery and Circuit judges, as well as the official court reporters; administers the office and rent allowances for the trial judges; maintains inventory records for equipment purchased with state funds; approves the trial judges' travel reimbursements for in-state and out-of-state travel; collects statistical data from the Chancery, Circuit, County, and Youth Courts; collects data on cases handled by

family masters; administers special funds for civil legal assistance, comprehensive electronic court systems, drug courts, and the Board of Certified Court Reporters; and oversees several federal grants awarded to the AOC for the benefit of the judiciary.

The AOC works closely with study groups created to improve the administration of justice. Groups and their work are as follows:

• The Mississippi Judicial Advisory Study Committee, created in 1993, is a statutory body which meets quarterly. The Study Committee makes policy recommendations to the Supreme Court and the Mississippi Legislature to promote improvements to the administration of justice and the operation of the courts. The Study Committee focused most of its 2011 discussions on allocation of judicial resources and implementation of a statewide electronic case filing and management system.

• The State Drug Courts Advisory Committee oversees the development and operation of Mississippi's drug courts. The Advisory Committee was established by the Mississippi Legislature in 2003 to recommend improvements to drug court policies and procedures. The Advisory Committee sets funding formulas for drug courts, and is responsible for developing statewide evaluation plans and models for monitoring critical aspects of drug court operations. The Advisory Committee in 2011 continued to push for expansion of drug courts.

• The Court Improvement Program (CIP) Workgroup was established in 2007 as a collaborative effort with the Department of Human Services-Division of Family and Children's Services. In 2011, CIP helped present the first Indian Child Welfare Act (ICWA) training conference. The program was a collaborative effort among CIP, the Mississippi Band of Choctaw Indians, the Division of Family and Children's Services and the Mississippi Judicial College. Plans are for the conference to become an annual event. The Workgroup collaborated with the Mississippi Judicial College and youth court judges on the selection of speakers for the annual Youth Court Judges and Referees Seminar. The Workgroup also revised the DHS training manual used to familiarize social workers and other staff with court operations. Four Permanency Summits were conducted as DHS and the courts worked to shorten the time that children spend in foster care and to speed up the placement of abused and neglected children into permanent homes.

• The Uniform Criminal Rules Study Committee in 2011 submitted its report and recommendations to the Supreme Court after more than six years of work. Court of Appeals Judge Larry E. Roberts and former Circuit Judge R. I. Prichard III served as co-chairs of the Committee, which met monthly. The Supreme Court Rules Committee on Criminal Practice and Procedure put the proposal out for public comments in September 2011. If adopted, the Mississippi Rules of Criminal Procedure would comprise a single, uniform set of rules which

would address every aspect of criminal proceedings from initiation of criminal charges through post-trial motions. The proposal set out 35 rules which cover criminal complaint, search warrant, arrest warrant, initial appearance, preliminary hearing, appointment of counsel, bond, grand jury, indictment, arraignment, plea, trial, evidence, sentencing and other issues. The proposed rules would govern criminal procedures in Justice, Municipal, County and Circuit Courts.

MISSISSIPPI JUDICIAL ADVISORY STUDY COMMITTEE

The same legislation which created the Administrative Office of Courts also created the 21-member Mississippi Judicial Advisory Study Committee. Its members are appointed by various entities as directed by statute. The chairs of the Senate and House Judiciary Committees are non-voting members. The Committee is required by statute to meet not less than quarterly and has appointed consulting groups in areas of particular concern to develop recommendations to be made to the Legislature, the Supreme Court, and the Administrative Office of Courts. The Committee has submitted its detailed, mandated report to the Legislature by a separate document.

COMMISSION ON CONTINUING LEGAL EDUCATION

The Mississippi Commission on Continuing Legal Education (CLE) has the primary responsibility to exercise general supervisory authority over the administration of the Rules for Mandatory Continuing Legal Education and to adopt, repeal, and amend regulations consistent with these rules. The objective of the Mississippi Commission on CLE is to ensure that each member of the Bar complies with the rules and regulations established by the Commission and meets the mandatory CLE requirements in a timely and efficient manner. Twelve (12) hours of approved instruction are required annually of every attorney licensed to practice law in the State of Mississippi.

The Commission strives to meet the needs of the members of the Mississippi Bar regarding continuing legal education by keeping abreast of national changes in programming formats and topics. Members of the Commission and its administrator are active in the national organization of regulatory CLE boards, CLEreg.

In 2011 the Mississippi Commission on CLE approved for credit 574 live programs that were held in the state of Mississippi, 3,059 live programs held outside the state of Mississippi, and 5,124 programs that were given by satellite, teleconference or online through live webcasts and on-demand programs.

BOARD OF BAR ADMISSIONS

The Board of Bar Admissions has the primary obligation to administer the laws and rules governing admission to practice law in the State of Mississippi. The Board's efforts are primarily directed at the preparation, administration and evaluation of Bar Admission examinations in February and July of each year and the investigation and evaluation of the character and fitness of each person seeking admission to practice law in the State of Mississippi.

In 2011, the Board received and processed the following number of applications:

Applications for Registration as a Law Student - 105;
Applications for Examination - 420.

The total applications processed/being processed in 2011 were 525.

In 2011, the Board tested the following number of applicants:

February 2011 bar exam - 101;
July 2011 bar exam - 242.

The total number of applicants tested in 2011 was 343.

Overall passing percentage for the two 2011 bar examinations was 73.2 percent.