SUPREME COURT

OF

MISSISSIPPI

2015 Annual Report

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

The judiciary has worked extremely hard to secure adequate funding for the judicial branch of government, while providing an efficient, cost effective system of justice for the people of the state of Mississippi. The entire appropriation allocated this co-equal branch of state government represents less than 1 percent of the state's general fund.

The 2015 Legislature created seven new trial judge positions as part of its required redistricting. Those new judges began serving in January 2016. The Legislature also authorized pay raises of up to $18,000 a year for court reporters, to be awarded according to longevity and implemented over three years.

Much of the work of the judicial branch relies on special funds. The judiciary continues to expand beyond the traditional courtroom and chambers work with special programs tailored to address specific public needs. Drug courts, which reached statewide coverage in early 2013, continue to be the most successful innovation of the state judiciary. These programs save an estimated $46 million annually in incarceration costs, and save millions more in avoided health and social services expenses for people who are working and supporting themselves and their families. However, our drug courts cannot sustain themselves on the special assessments which were put in place during the early years of the drug court movement.

Mississippi Electronic Courts continues to expand into more courts. MEC, an electronic filing system which operated in total of 37 trial courts in 25 counties at the end of 2015, receives no state General Fund appropriation. MEC is funded by a $10 fee collected on all civil case filings and user fees. Starting in the 10th Chancery District, MEC is redesigning the system of data storage, search and retrieval for e-filing Chancery Courts so that the system can operate at a fraction of the originally projected cost. The redesign also provides more efficient access to court data for judges, staff, attorneys and the public.

The judiciary also must be concerned about access to justice for people who live paycheck to paycheck, measuring their budgets in dollars rather than thousands and millions of dollars. Mississippi has an estimated 695,000 people living at or below poverty level. They are beset with legal problems, but lack the means to pay for legal services. Legal Services organizations turn away at least half of those who seek their aid because the organizations lack adequate funding and resources. The Mississippi Volunteer Lawyers Project fills part, but not all of the service gap. Several chancellors schedule periodic family law *pro se* days, with support from local attorneys who donate their time. Our law schools also play a vital role, providing a learning experience for students through various legal clinics while assisting needy people. The Access to Justice Commission, which will observe its 10-year anniversary in 2016, has worked tirelessly to identify the legal needs of the poor and to develop policies and programs to address those needs.

Leaders of the judiciary must be concerned about the uniform administration of justice. An area of particular concern is our juvenile justice system. A patchwork quilt system of County and Youth Courts has led to disparities in resources available to the youth of our state, and to disparate treatment of young people who need rehabilitative measures to steer them away from the adult prison system. Judicial leadership will continue to push for creation of a district county court system that will provide adequate resources and uniform treatment of all the youth who come under the jurisdiction of our juvenile court system. We must protect our most precious resource, our children.

Changes in the makeup of the judiciary included nine new trial judges who were elected in 2014 and took the bench in January 2015. They are Adams County Court Judge Walt Brown, 11th Chancery District Judge Robert Clark III, Hinds County Court Judge LaRita Cooper-Stokes, 16th Chancery District Judge Michael Fondren, 3rd Circuit District Judge Kelly Luther, 13th Chancery District Judge Gerald Martin, 2nd Circuit District Judge Christopher Schmidt, 4th Circuit District Judge Carol White-Richard, and 18th Circuit District Judge Dal Williamson. Chancellor John McLaurin and Circuit Judge Justin Cobb were appointed to vacancies. Seven judges elected to newly created judgeships in November 2015 and joining the bench in January 2016 are 15th District Circuit Judge Claiborne "Buddy" McDonald, 20th District Circuit Judge Steve Ratcliff, 20th District Chancellor Haydn Roberts, 4th District Chancellor Wayne Smith,13th District Circuit Judge Stanley Sorey, 11th District Chancellor James Walker, and 12th District Circuit Judge Jon Mark Weathers. Tenth Circuit Judge Robert Bailey retired June 30, 2015, and Circuit Judge Clarence E. "Cem" Morgan III retired from the Fifth Circuit District on Dec. 31, 2015.

On the appellate courts, Court of Appeals Judge Larry Roberts retired June 30, 2015. Judge Jack Wilson was appointed to the vacancy. Justice David Chandler resigned from the Supreme Court to take on the challenge of leading the Division of Family and Children's Services on Dec. 7, 2015.

I would also like to remember the lives and careers of judges who passed away in 2015. Former Chief Justice Roy Noble Lee, 99, of Forest, died Jan. 21, 2015. Chancellor Dan Fairly, 58, of Brandon, died April 3, 2015. Retired Chancellor Edward Prisock, 74, of Louisville, died July 30, 2015. Chancellor Talmadge Littlejohn, 80, of New Albany, died Oct. 26, 2015. Retired Circuit Judge Joe N. Pigott, 90, of McComb, died Nov. 3, 2015.

William L. Waller, Jr.

Chief Justice, Supreme Court of Mississippi

SUPREME COURT OF MISSISSIPPI

2015 ANNUAL REPORT

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THE 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 213 Municipal Courts with 231 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 52 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.

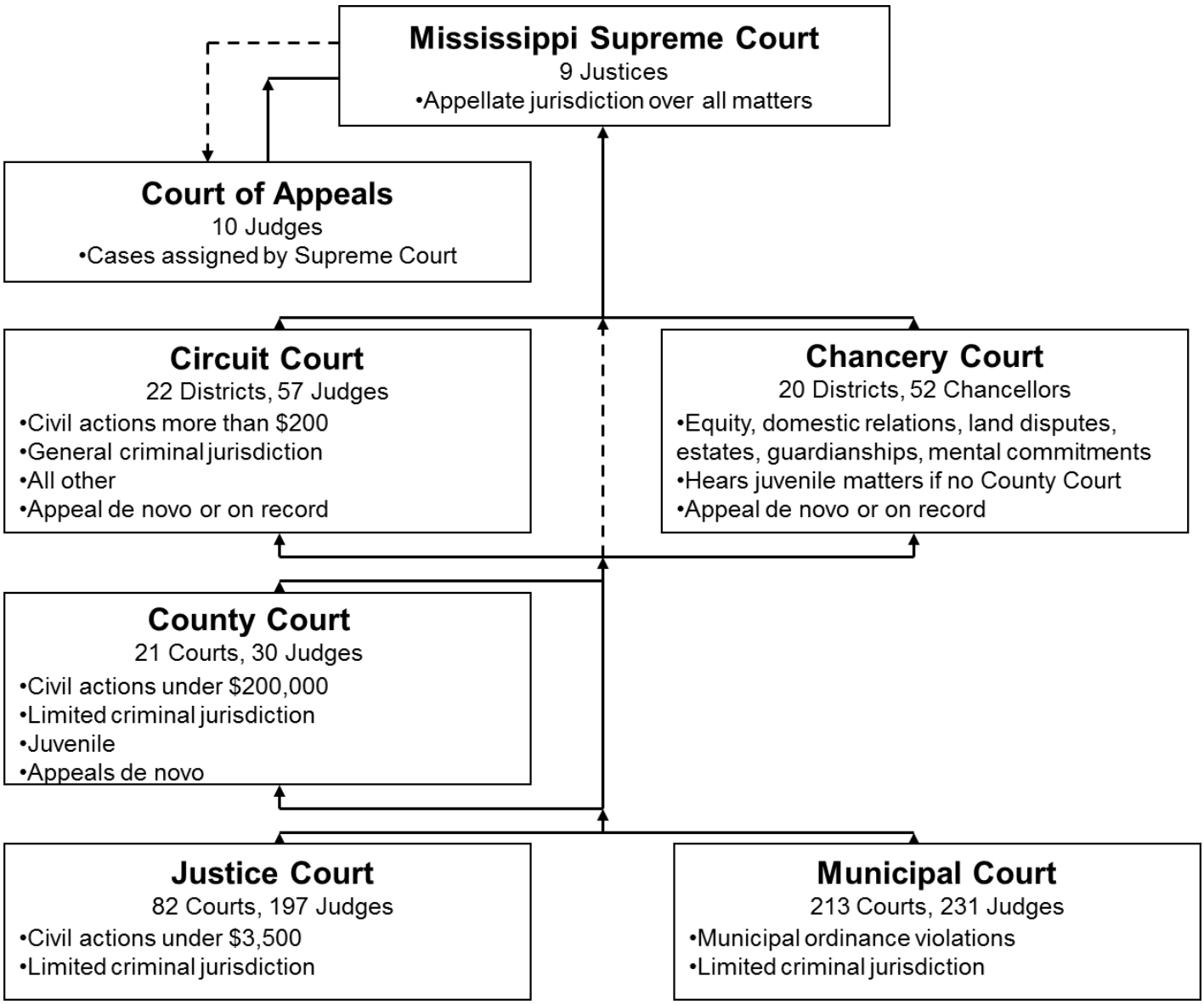
The Circuit Courts are the general jurisdiction trial courts in Mississippi. There are Circuit Courts in each county, organized into 22 districts with 57 judges. They have jurisdiction of all civil actions at law seeking recovery in excess of $200 and of all criminal cases under state law. They receive 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.

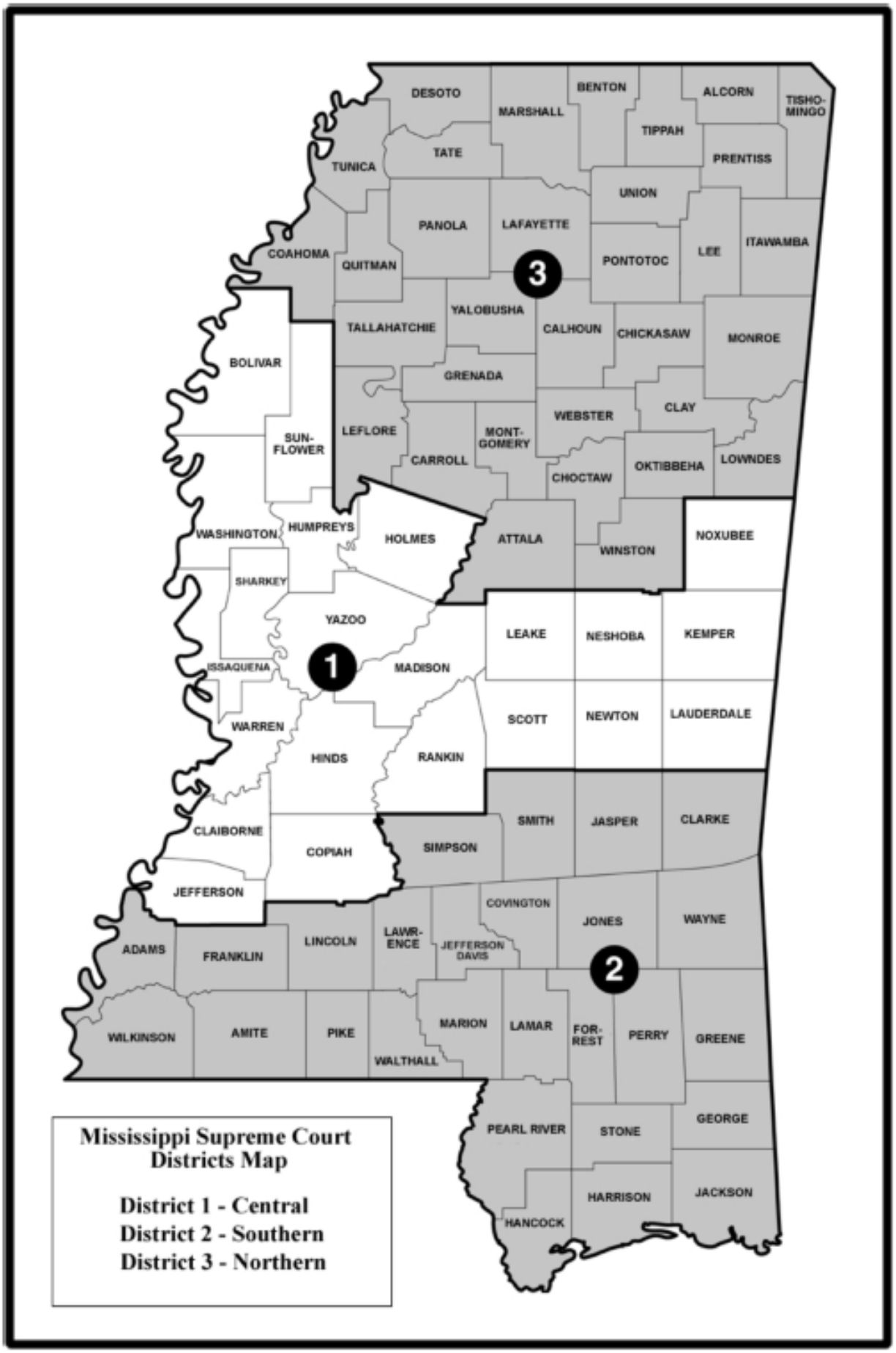
ORGANIZATIONAL CHART

of the

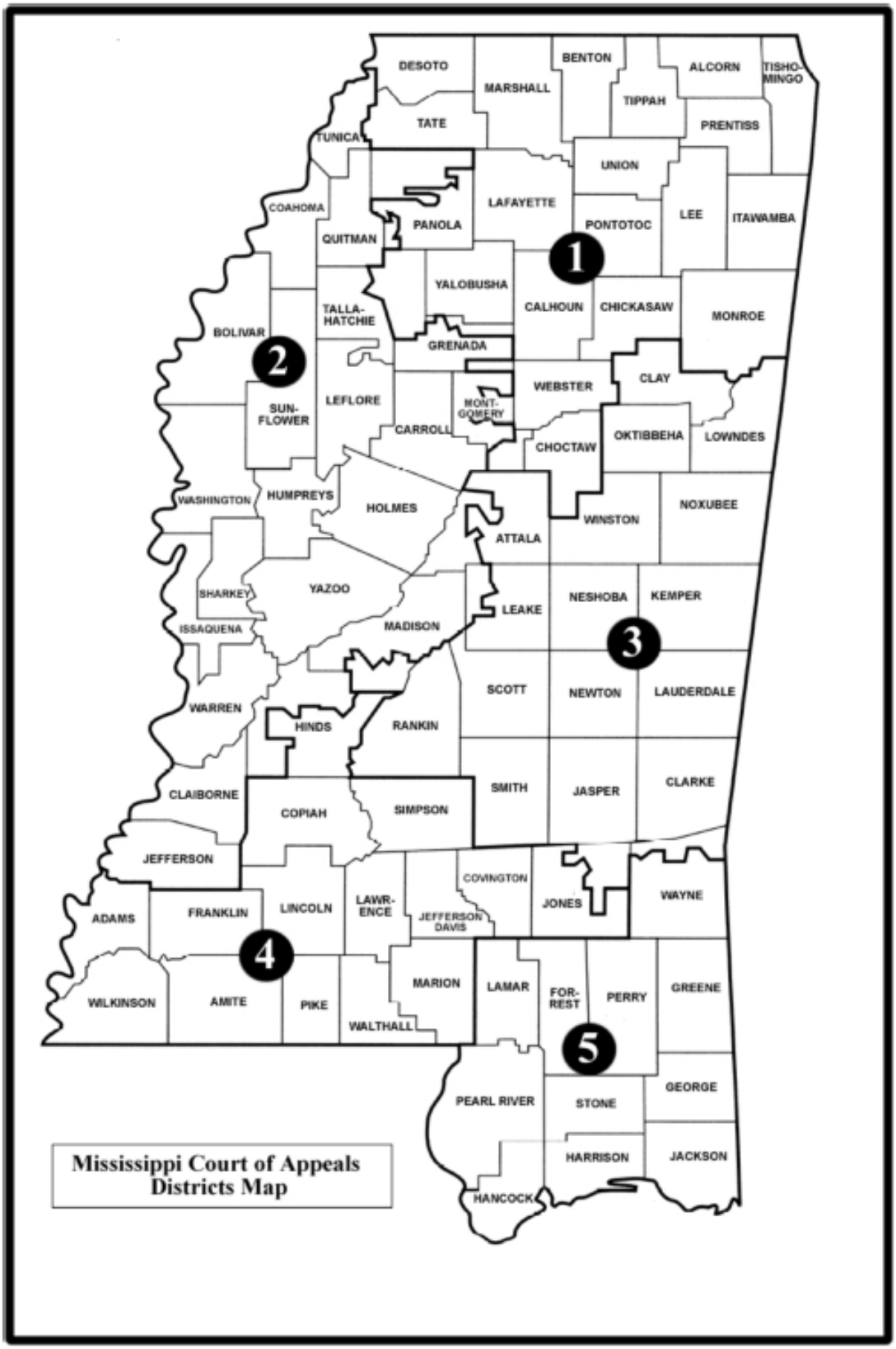
MISSISSIPPI JUDICIARY



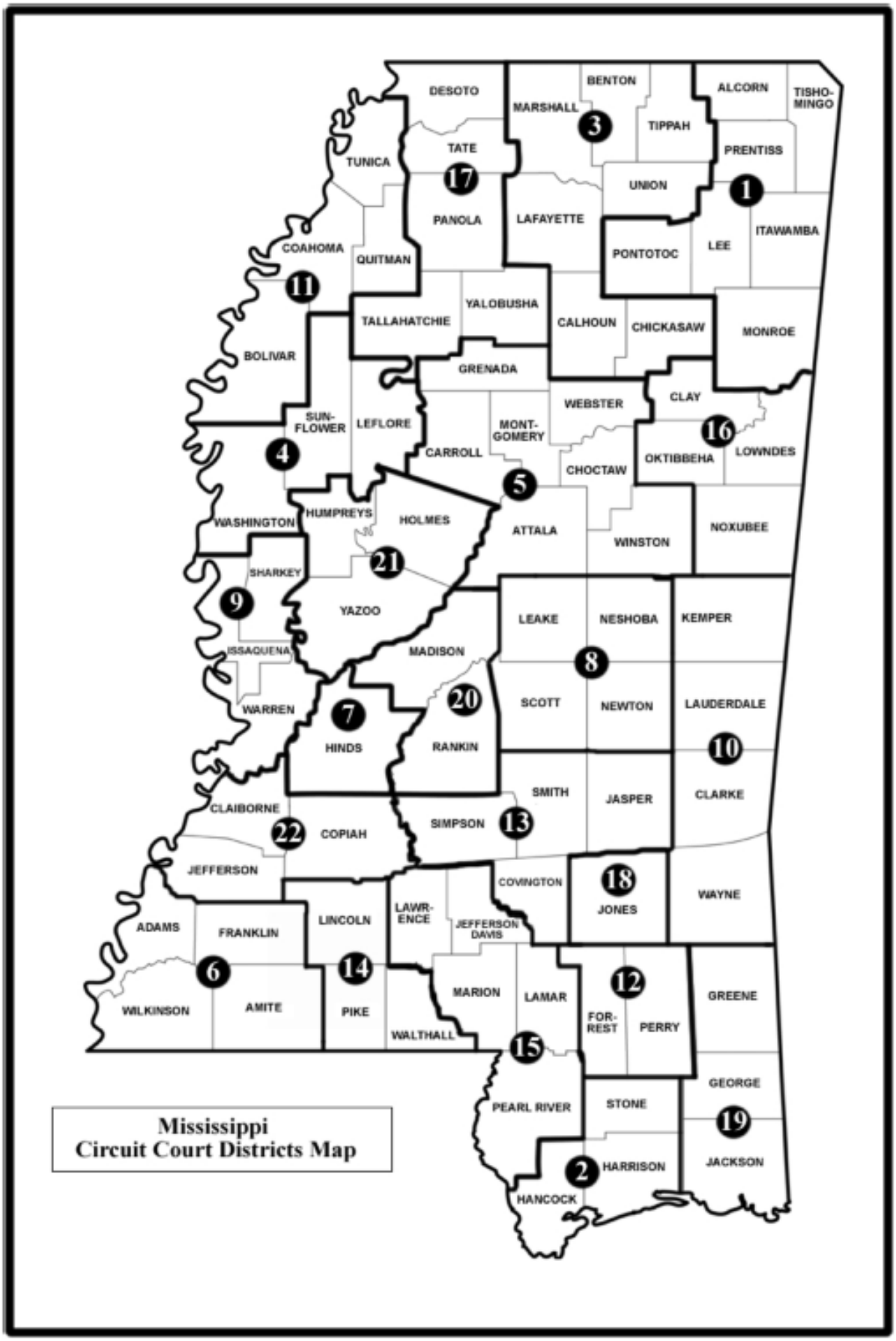
SUPREME COURT DISTRICTS



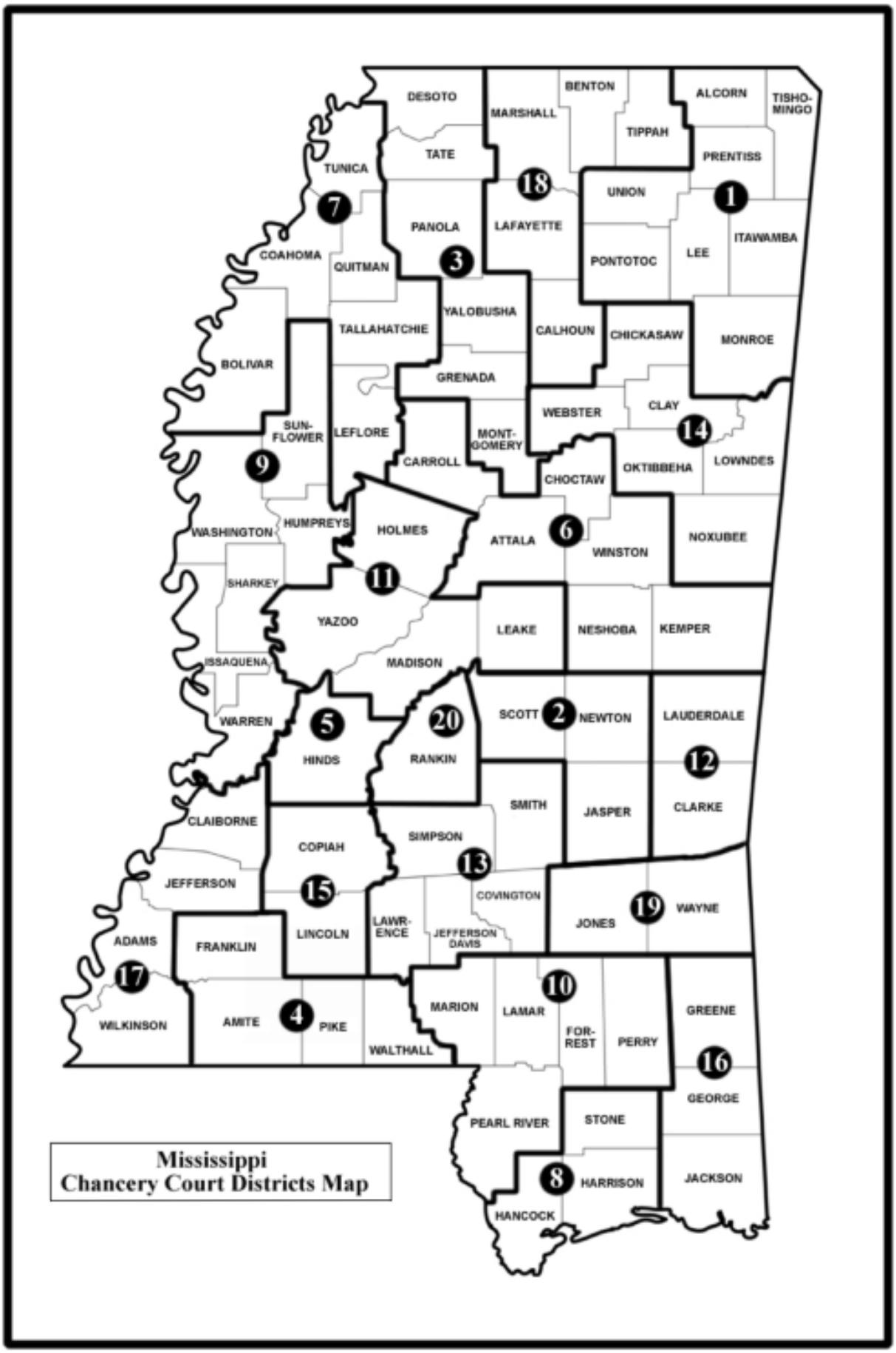
COURT OF APPEALS DISTRICTS



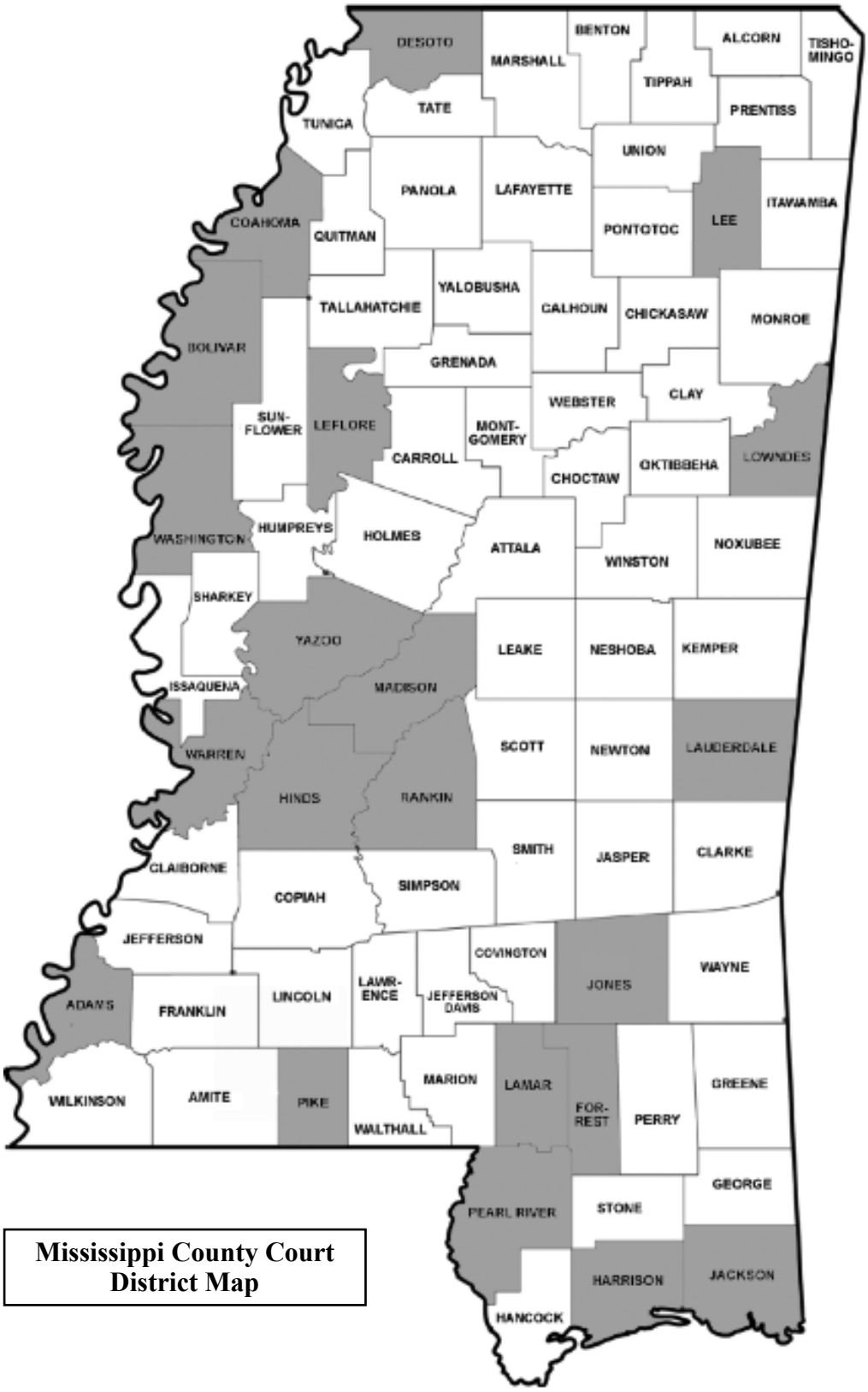
CIRCUIT COURT DISTRICTS



CHANCERY COURT DISTRICTS



COUNTIES WHICH HAVE COUNTY COURTS

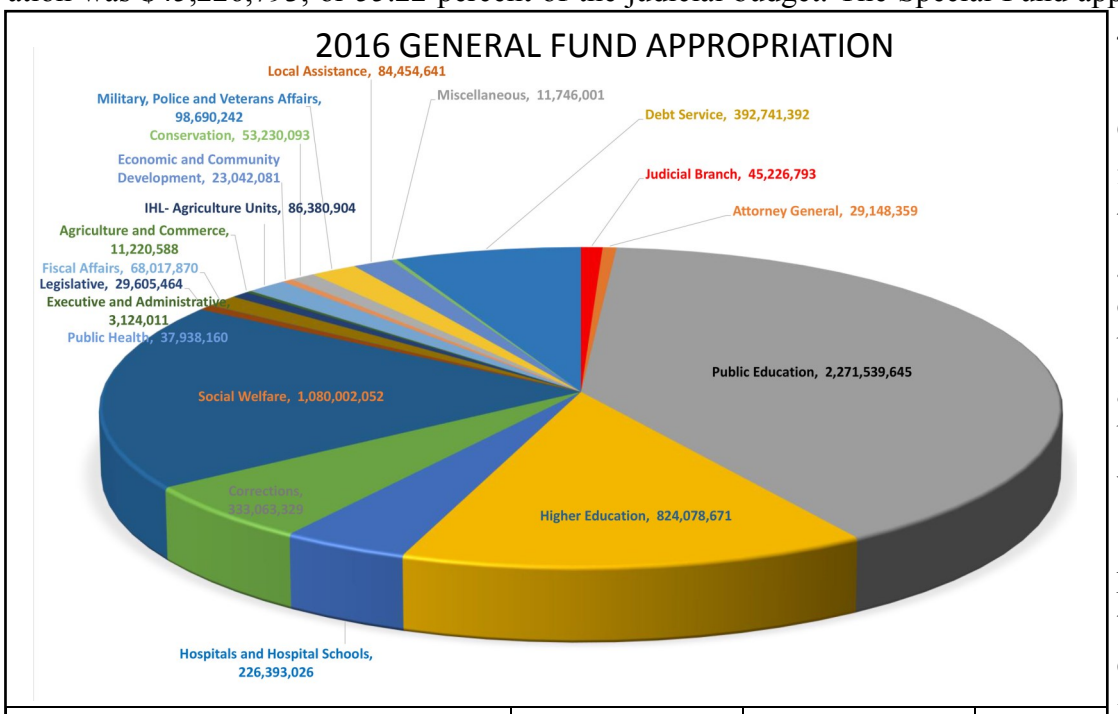


Mississippi County Court District Map

FUNDING AND ADMINISTRATION OF THE COURTS

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

The total 2016 Fiscal Year appropriation for the judicial branch was $81,910,194. The General Fund appropriation was $45,226,793, or 55.22 percent of the judicial budget. The Special Fund appropriation was $36,683,401, or 44.78 percent.



Judicial Branch	45,226,793		0.79%
Attorney General	29,148,359		0.51%
Total Judiciary and Justice per LBO		74,375,152	
Other:			
Public Education	2,271,539,645		39.78%
Higher Education	824,078,671		14.43%
Hospitals and Hospital Schools	226,393,026		3.97%
Corrections	333,063,329		5.83%
Social Welfare	1,080,002,052		18.92%
Legislative	29,605,464		0.52%
Executive and Administrative	3,124,011		0.06%
Fiscal Affairs	68,017,870		1.19%
Public Health	37,938,160		0.66%
Agriculture and Commerce	11,220,588		0.20%
IHL- Agriculture Units	86,380,904		1.51%
Economic and Community Development	23,042,081		0.40%
Conservation	53,230,093		0.93%
Military, Police and Veterans Affairs	98,690,242		1.73%
Local Assistance	84,454,641		1.48%
Miscellaneous	11,746,001		0.21%
Debt Service	392,741,392		6.88%
Total Other		5,635,268,170	
Total General Fund Appropriation FY2016		5,709,643,322	100.00%

Within the context of General Fund appropriations for all of state government, less than 1 percent of the state's general fund expenditures go to operation of the judicial branch. FY 2016 general fund appropriations for all three branches of state government was $5,709,643,322.

The General Fund appropriation for the Administrative Office of Courts and all courts of record in the state, including the Supreme Court, the Court of Appeals, the 82 circuit courts, the 82 chancery courts, and the 21 county courts, was $45,226,793.

The judicial system's largest expenditure is salaries: $54,132,513, or 66.09 percent of the entire judicial branch budget, including General Fund and Special Fund appropriations. The last of four incremental judicial pay raises went into effect on January 1, 2016. From and after January 1, 2019, and every four years thereafter, the annual salaries of state judges are to be adjusted to the level of compensation recommended by the State Personnel Board according to the board's most recent re-

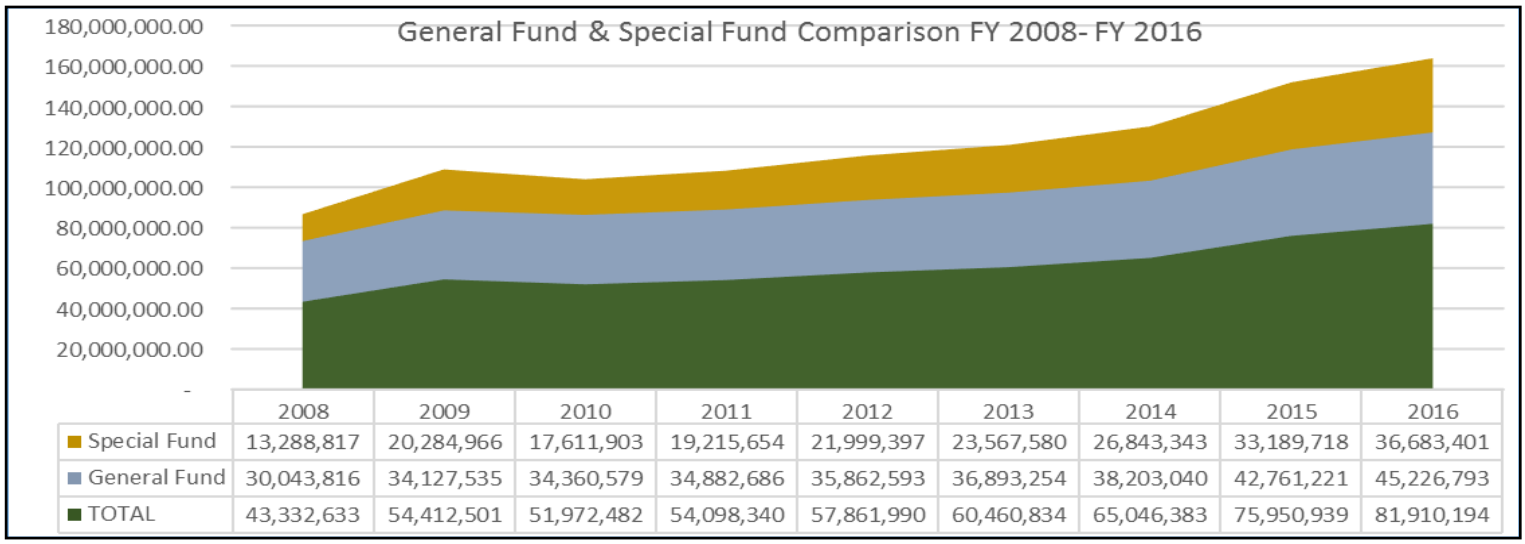
JUDICIAL BRANCH FY 2016 BUDGET

	Supreme Court	Court of Appeals	Trial Judges	AOC	Continuing Legal Ed	Bar Admissions	Totals
Salaries	6,181,339	5,003,815	26,496,991	16,172,758	113,885	163,725	54,132,513
Travel	342,500	363,400	700,000	54,950	12,200	23,000	1,496,050
Contractual	1,054,400	784,550	92,300	1,614,641	50,621	197,303	3,793,815
Commodities	408,550	19,500	1,057,500	21,425	4,180	16,443	1,527,598
Equipment	95,850	18,000	-	32,900	2,500	1,200	150,450
Subsidies	900,000	-	-	19,909,768	-	-	20,809,768
Totals	8,982,639	6,189,265	28,346,791	37,806,442	183,386	401,671	81,910,194
General Funds	7,501,738	5,649,750	24,580,771	7,494,534	-	-	45,226,793
Special Funds	1,480,901	539,515	3,766,020	30,311,908	183,386	401,671	36,683,401
Totals	8,982,639	6,189,265	28,346,791	37,806,442	183,386	401,671	81,910,194
No. of PINS	67	58	109	28	2	3	267

port on judicial salaries, as required under Section 25-9-115, to the extent that sufficient funds are available. The annual salaries fixed in accordance with this provision shall not become effective until the commencement of the next immediately succeeding term of office. Judicial compensation realignment was approved by the 2012 Legislature and is funded totally by a $40 fee collected on all civil filings, a $100 increase in appellate filing fees and various other fees charged by the Clerk of the Supreme Court.

Judicial Salaries Effective January 1, 2016	
Supreme Court Chief Justice	159,000.00
Supreme Court Presiding Justices	154,833.00
Supreme Court Associate Justices	152,250.00
Court of Appeals Chief Judge	147,578.00
Court of Appeals Associate Judges	144,827.00
Chancery Judges	136,000.00
Circuit Judges	136,000.00
County Court Judges	County Judge salaries vary by county. Salaries by statute may be $1,000 less than Chancery and Circuit Judges.

Much of the work of the judicial branch relies on special funds. Mississippi Electronic Courts, an electronic filing system which operated in total of 37 trial courts in 25 counties at the end of 2015, receives no state General Fund appropriation. MEC is funded by a $10 fee collected on all civil case filings, a $10 annual registration fee for e-filing system users, and viewing fees of 20 cents per page. The viewing fees are shared

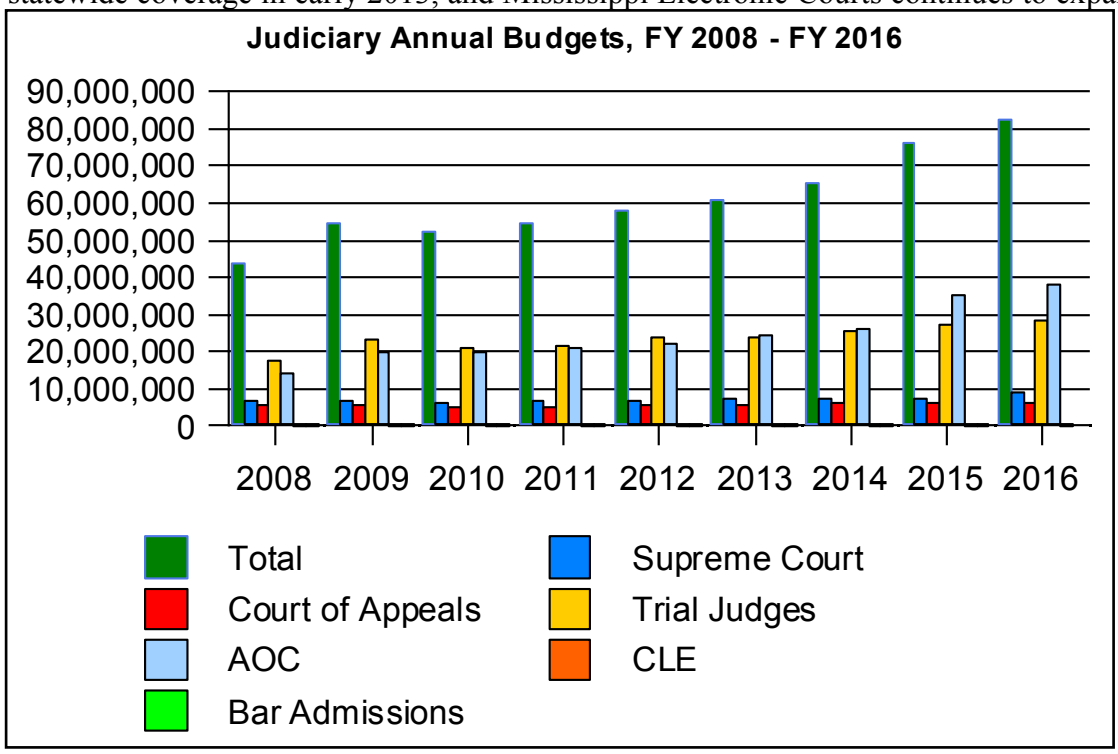


	2008	2009	2010	2011	2012	2013	2014	2015	2016
Special Fund	13,288,817	20,284,966	17,611,903	19,215,654	21,999,397	23,567,580	26,843,343	33,189,718	36,683,401
General Fund	30,043,816	34,127,535	34,360,579	34,882,686	35,862,593	36,893,254	38,203,040	42,761,221	45,226,793
TOTAL	43,332,633	54,412,501	51,972,482	54,098,340	57,861,990	60,460,834	65,046,383	75,950,939	81,910,194

equally by MEC and the counties. Other judicial branch entities which receive no General Fund appropriations, relying totally on self-sustaining special fund collections, include the Board of Bar Admissions, the Board of Certified Court Reporters, and the Commission on Continuing Legal Education.

Mississippi's drug courts, while saving the state millions of dollars in avoided incarceration costs, cannot sustain themselves on the special assessments which were put in place during the early years of the drug court movement. Special assessments of $8 to $10 on criminal felonies, misdemeanors and traffic offenses, authorized by Mississippi Code Section 99-19-73, are the source of special fund monies for the drug courts. Those collections have decreased to less than $4 million during the most recent year. The Legislature in FY 2015 made a commitment to fully fund drug courts, and level funding in FY 2016 has sustained the drug courts. The Legislature during FY 2016 appropriated $10,899,650 to drug courts, including $4.1 million in general funds and $6,799,650 in accumulated special funds.

The annual budget of the judiciary has grown slightly each year since FY 2010. Drug courts reached statewide coverage in early 2013, and Mississippi Electronic Courts continues to expand into more courts. Leaders of the judiciary have worked extremely hard to secure adequate funding for the judicial branch of government, while providing an efficient, cost effective system of justice for the people of the state of Mississippi.



OUTREACH AND INNOVATION

Access to Justice

The Access to Justice Commission in 2015 made significant advancements toward improving access to the courts for low-income people.

The Supreme Court on November 19, 2015, adopted the Commission's requested rule change which expanded the ability of law students to engage in limited law practice — a move intended to provide more legal assistance to poor people. The rule allows limited law practice by students who have completed two-thirds of their law school hours required for graduation and are enrolled in a legal internship or volunteer legal services program, as well as by students who have completed half of the required hours for graduation and are enrolled in a clinical legal education course. The rule replaces the Law Student Limited Practice Act, Mississippi Code Sections 73-3-205-207. The statute had prohibited law students from participating in limited practice through voluntary legal aid programs that do not provide course credit, hindered summer volunteer work by out-of-state law students and limited pro bono collaborations between law schools and private attorneys.

Forms to assist *pro se* litigants in filing irreconcilable differences divorces and removal of disability of minority/emancipation were finalized in 2015 and made available to the Legal Services programs and the Mississippi Volunteer Lawyers Project. The forms await placement on the web sites of those entities.

The Commission and the Mississippi Volunteer Lawyers Project continued work on an online legal help resource to allow eligible users to post legal questions to a private messaging system and receive answers from volunteer attorneys. MVLP will host the site, www.mslegalhelp.org, which is expected to launch in April 2016.

Legal clinics and workshops increased across the state as the Access to Justice Commission partnered with bar associations, public interest law organizations, private attorneys and law schools. Chancellor Jacqueline Mask worked with the Access to Justice Commission, Mississippi Volunteer Lawyers Project, University of Mississippi School of Law Pro Bono Initiative and local bar leaders to schedule a free family law clinic in every courthouse in the eight counties of the First Chancery District. Judge Mask expanded the clinics across the district after holding the first legal clinic in Tupelo in September 2014. Chancellor Marie Wilson started the first periodic pro se clinic in 2010. She schedules a *Pro Se* Day quarterly in Washington County Chancery Court in Greenville. Each clinic fills up in advance. Volunteer lawyers are available to assist litigants in correcting paperwork, explain the proceedings, provide general information and answer questions. Some cases are able to be resolved on the spot. Judge Wilson is available to hear those which are ripe for disposition.

The Access to Justice Commission also partnered with the Mississippi Association for Justice to conduct a series of expungement workshops and clinics. The expungement programs are scheduled as two events in each venue: a workshop screens applicants to determine if their charges qualify for expungement, and whether their income qualifies them for free services. Qualifying applicants may attend a second event a few days later to meet with volunteer attorneys who assist them in preparing documents to petition for expungement. The goal of the expungement clinics is to help poor people gain access to the courts to clear their records of expungable charges so that they may seek employment.

The Mississippi Supreme Court created the Access to Justice Commission by order on June 28, 2006, to develop a unified strategy to improve access to the civil courts for the poor. The Commission is tasked to investigate the need for civil legal services to the poor in Mississippi, and to evaluate, develop and recommend policies, programs and initiatives which will assist the judiciary in meeting needs for civil legal services to the poor.

Civil Legal Assistance Fund

The Supreme Court during Fiscal Year 2015 distributed $797,192.69 for civil legal assistance to low income people. The funds are provided to the Mississippi Volunteer Lawyers Project, North Mississippi Rural Legal Services and the Mississippi Center for Legal Services offices. Since the Civil Legal Assistance Fund was created in 2004, more than $6.5 million has been disbursed to help poor people to gain access to the legal system to have their civil legal disputes addressed. Civil Legal Assistance Fund distribution are paid from special assessments on court filings and from fees charged to out-of-state attorneys appearing *pro hac vice*. No general fund appropriations are used.

Year	Funding provided
2004	$115,000.00
2005	$230,000.00
2006	$145,000.00
2007	$280,000.00
2008	$774,663.00
2009	$887,000.00
2010	$800,000.00
2011	$753,000.00
2012	$662,500.00
2013	$594,119.09
2014	$597,480.76
2015	$797,192.69
TOTAL	$6,635,955.54

MCLS and NMRLS represent clients who are victims of domestic violence, homeowners attempting to avoid foreclosure or to renegotiate loans, renters facing eviction, the elderly and others who are attempting to obtain disability benefits, veteran services, health care and unemployment compensation. MVLP takes some of the cases which Legal Services lacks the resources to handle. The represent poor clients in family law matters such as uncontested divorce, visitation, child support modification, child support contempt, guardianship, conservatorship, adoption, emancipation, birth certificate correction, name changes and wills.

Mississippi has an estimated 695,000 people living at or below poverty level. They lack the means to pay for legal services. Legal Services organizations and MVLP provide some services, but lack the resources to handle all of the cases. Many people

are turned away. For those people, the only options are to attempt to represent themselves, or to suffer through their difficulties without addressing them in court.

Note: Annual Reports in previous years have included calendar year information for Civil Legal Assistance Fund distributions. The 2014 and 2015 reports utilize Fiscal Year data covering the entire history of the Civil Legal Assistance Fund.

Court Interpreter Credentialing Program

The Administrative Office of Courts during 2015 conducted three seminars to introduce bilingual speakers to the requirements for court interpreting. Seminars were conducted in Jackson, Tupelo and Long Beach. Seminars introduced prospective foreign language interpreters to interpreting in legal settings including the courtroom, depositions and other legal proceedings. Attendance at the seminar is the first step in the program which will train, certify, and test individuals who wish to serve as court interpreters. Court interpreters must understand court proceedings and be fluent in English and a second language.

AOC developed the Mississippi Court Interpreter Credentialing Program to assist courts in efforts to provide equal access to justice for limited English proficiency individuals. The program provides judges with a list of language interpreters who have demonstrated proficiency in oral and written interpretation of court proceedings. The credentialing program provides two levels of proficiency: registered and certified.

At the end of 2015, 16 interpreters were credentialed by AOC. Four were added as credentialed interpreters during the year. Among the interpreters are 14 Spanish speakers, one Mandarin Chinese speaker and one Russian speaker. The Russian speaker, an immigrant from Volzhsky living in Clinton, was the first court language interpreter to be trained and certified under the state's own program. There is also a great need for Vietnamese speakers, but none have been credentialed. Eight interpreters are certified, and eight are registered. Interpreters live in Brandon, Clinton, French Camp, Gulfport, Hazlehurst, Jackson, Newton and Ocean Springs as well as Cordova, Goodlettsville, Memphis and Nashville, Tenn., and North Augusta, S.C.

AOC adopted Standards for Court Interpreters and a Code of Ethics for Court Interpreters in 2011. The rules for court interpreters apply to municipal court, justice court, youth court, county court, circuit court, chancery court and grand jury proceedings. The AOC standards and code of ethics are modeled on standards for language interpretation adopted by the National Center for State Courts' Consortium for Language Access in the Courts. The Mississippi AOC is a member of the Consortium. Court interpreters who are certified in other Consortium member states may seek reciprocity.

Drug Courts

Drug courts continue to be the most successful innovation of the state judiciary. These programs save an estimated $46 million annually in incarceration costs, and save millions more in avoided health and social services expenses for people who are working and supporting themselves and their families.

A total of 42 drug courts were certified to operate in Mississippi at the end of 2015. There are 22 adult felony programs. A drug court operates in every Circuit Court district. There are also 14 juvenile programs, three misdemeanor programs and three family courts. Drug courts may operate within Circuit Courts, Chancery Courts, Youth Courts, Justice Courts or Municipal Courts. More than 4,000 people were served by drug courts during the 2015 calendar year, and more than 500 people graduated from drug courts.

Two new drug courts were certified for operation during 2015: the Hancock County Youth Drug Court and the Harrison County Family Drug Court. Both programs are part of an effort to address large numbers of children who are taken into custody of the Department of Human Services or are involved in proceedings with DHS. The Hancock County program was created in conjunction with a pilot program to provide legal representation for indigent parents accused of abuse and neglect of children. In Harrison County, where a Youth Drug Court had been in operation since 2011, the Family Drug Court was created to provide counseling for substance abusing parents in an effort to avoid placement of their children in foster care or when removal of children is unavoidable, to help parents resolve their drug problems so that families can be reunited.

The Drug Court Compliance Office completed its first full calendar year of operation, working to ensure that all drug court programs are in compliance with all laws, rules and best practices. Treatment providers are required to use only evidence-based modalities. The Drug Court Advisory Committee is expected to soon adopt Adult Drug Court Best Practices Standards.

2015 calendar year Drug Court data	
Total people served by drug courts statewide	4,042
Drug court graduates	563
Drug-free babies born	78
Participants who earned GEDs	74
Previously unemployed who found jobs	861
Fines collected and returned to county general funds	$1,171,050.37
Fees paid by participants that offset cost of operating drug courts	$1,551,919.30
Hours of community service work by participants	24,920.5

Commission on Children's Justice

The Supreme Court in September 2015 reconstituted the Commission on Children's Justice, reappointing some members, making new appointments and naming Court of Appeals Judge Virginia Carlton and Rankin County Youth Court Judge Thomas Broome as co-chairs. The Supreme Court directed the 32-member commission to continue to work 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.

One of the recommendations of the Commission on Children's Justice was implemented in April 2015 with

the hiring of 31-year veteran Youth Court Judge John N. Hudson as the state's first resident jurist. His job is to assist the Mississippi Supreme Court in performing its supervisory role with respect to effective administration of justice in Youth Courts, serve as a liaison to the Department of Human Services and other state agencies involved in child protection, and provide training to Youth Court judges.

A Parent Representation Committee grew out of the work of the Commission on Children's Justice. Members of the Committee continue to seek funding to maintain pilot programs that provide attorneys for indigent parents facing allegations of abuse and neglect in Youth Court. Hancock County Youth Court in 2015 became the fifth pilot program for parent representation, joining Youth Courts in Adams, Forrest, Harrison and Rankin counties in providing free representation to indigent parents. Attorney representation in Adams, Forrest, Harrison and Rankin counties is funded by a grant from Seattle-based Casey Family Programs and a Court Improvement grant from the Mississippi Administrative Office of Courts. The Hancock County Board of Supervisors matches funding provided by Casey Family Programs in Hancock County. Casey Family Programs agreed to extend the original two-year grant while permanent funding sources are sought from government and non-profits. Before the pilot programs began, Madison County Youth Court was the only court which appointed attorneys to represent indigent parents.

The Parent Representation Committee met quarterly during 2015. National leaders in efforts to improve parent representation in the child welfare system met with Mississippi Youth Court judges, representatives of Casey Family Programs and child welfare advocates June 18 -19, 2015. Mimi Laver, National Parent Attorney Project Director for the American Bar Association Center on Children and the Law, and Christopher Church, Children's Research Manager at the University of South Carolina Children's Law Center, joined discussions of expectations for parent representation, core components for pilot programs, and funding strategies.

Resident Jurist

Resident Jurist John N. Hudson assumed the duties of his newly created position in April 2015. Since that time, he has responded to numerous request from judges, prosecutors, school officials and parents involving issues including child abuse reporting, termination of parental rights, Department of Human Services issues of competency in court proceedings, confidentiality of Youth Court matters, parental representation, Drug Court, truancy, valid court orders in Children in Need of Supervision (CHINS) cases, educational neglect, crossover youth and detention, mental health commitment issues, DHS child death issues, direct assistance with appropriate placement of foster child, definitions of neglect and impact of drug use. The Resident Jurist maintained a healthy and regular contact with MDHS leadership with regard to addressing arising issues.

He met with legislators to discuss statewide County Courts, the Guardianship Assistance Program, termination of parental rights, juvenile detention standards and parent representation. He worked with the University of Mississippi School of Law to pursue expansion of parent representation. He worked with the Termination of Parental

Rights Study Group to develop a comprehensive approach. The Study Group proposed a revision of the TPR statute to provide a better vehicle for permanency of children. Legislation is expected to be introduced in 2016. He worked with DHS, local judges, the American Bar Association and other interested parties to investigate and prepare to implement a Guardianship Assistance Program in Mississippi. He worked on expansion of the MYCIDs data collection system. He assisted in developing the court order and drafting legislative requests for additional staff to handle the increasing workload of MYCIDS.

He made presentations at conferences sponsored by the Mississippi Department of Human Services, Child Advocacy Centers and the Mississippi Bar. He presented at the Youth Court Judges annual conference, at a seminar to train new court clerks, and at a Mississippi College CLE program on improving outcomes for children and families. He attended the Juvenile Detention Alternatives Initiative national meeting, the Mississippi Juvenile Detention Alternatives conference, the National Summit on Human Trafficking and the state's annual Indian Child Welfare Act (ICWA) Conference.

Termination of Parental Rights Study Group

The Supreme Court convened the Termination of Parental Rights Study Group on August 28, 2015, to find a solution to an impediment to relative adoptions of children in the custody of the Department of Human Services. The TPR Study Group includes judges from all levels, representatives of the Attorney General and University of Mississippi School of Law, staff of the House and Senate and a private practice attorney.

At issue is Mississippi Code Section 93-15-103, which states that termination of parental rights cannot proceed against an offending parent if the child has not been removed from its home. Occasions arise when the offending conduct is by a non-custodial parent. The fact that the child remained in the home of the custodial parent became an obstacle to efforts to terminate parental rights of an estranged parent. Wording of the statute had the unintended consequence of preventing the adoption of a child by aunts, uncles, grandparents and other relatives. The Supreme Court discovered the problem while analyzing the law within the context of the appeal of the case of *Chism v. Bright*, 152 So. 3d 318, decided Dec. 11, 2014.

The TPR Study Group recommended gathering all statutes which affect termination of parental rights into one chapter of the Mississippi Code; clarifying venue, commencement of proceedings, necessary parties and numerous procedural steps; and revising the criteria for involuntary termination of parental rights to facilitate adoption or other permanency goals in a manner consistent with federal laws that impact funding. Legislation to remove the obstacle to permanency was to be introduced during the 2016 Legislative Session.

Electronic Filing and Case Management: Mississippi Electronic Courts

The Mississippi Electronic Courts (MEC) program implemented e-filing systems in 11 courts during 2015, including nine Chancery Courts and two Circuit Courts. Chancery Courts in Clarke, Leake, Marion, Noxubee, Panola, Stone, Tate, Wayne and Yalobusha counties began electronic filing during 2015, and the Circuit Courts in Jefferson Davis and Tate counties began using e-filing in civil cases. A total of 37 trial courts in 25 counties were using the MEC system at the end of 2015. Other e-filing trial courts include Chancery Courts in DeSoto, Grenada, Holmes, Lauderdale, Lowndes, Montgomery, Oktibbeha, Webster and Yazoo counties; Chancery and Circuit Courts in Clay County; and all trial courts — Chancery, Circuit and County Courts — in Madison, Harrison, Hinds, Rankin and Warren counties.

MEC accelerated its work as it shifted to a program of district-wide e-filing implementation. Using the 10th Chancery to develop a district-wide implementation plan, MEC helped each court in the district to prepare for and implement e-filing in quick succession. District-wide implementation in the 10th Chancery will be completed in 2016. The 3rd, 11th and 12th Chancery Court Districts have all counties using MEC, with some counties in each district moving to MEC in earlier years.

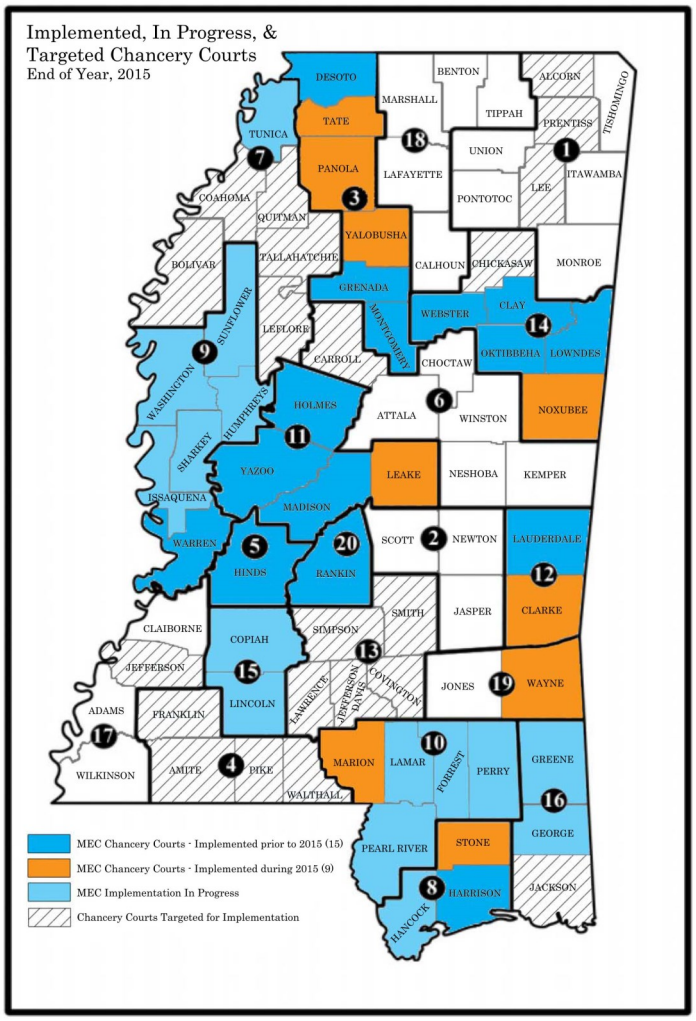
MEC in May 2015 began to redesign the system of data storage, search and retrieval for e-filing Chancery Courts so that the system can operate at a fraction of the originally projected cost. The redesign will reduce web server and web server connectivity costs from a projected $22,140 a month to only $1,080 — a savings of $21,060 a month. The design change moves data storage, search and retrieval from separate units for each court to centralized database storage. The model, called the Statewide Chancery Instance, can be hosted at the district level or state level. The 10th Chancery served as the pilot program for developing this model.

Implementation of a centralized MEC Statewide Chancery Instance will provide for continued operation and long-term financial sustainability of MEC. By utilizing a single point of access and centralized database storage, MEC will significantly reduce operating and hosting costs. The redesign also provides more efficient access to court data for judges, staff, attorneys and the public. Judges and court staff in multi-county districts may access all case files, dockets and calendars from a centralized point rather than having to log into each court individually. This enables judges and staff to efficiently manage case dockets across the entire court district rather than one county at a time.

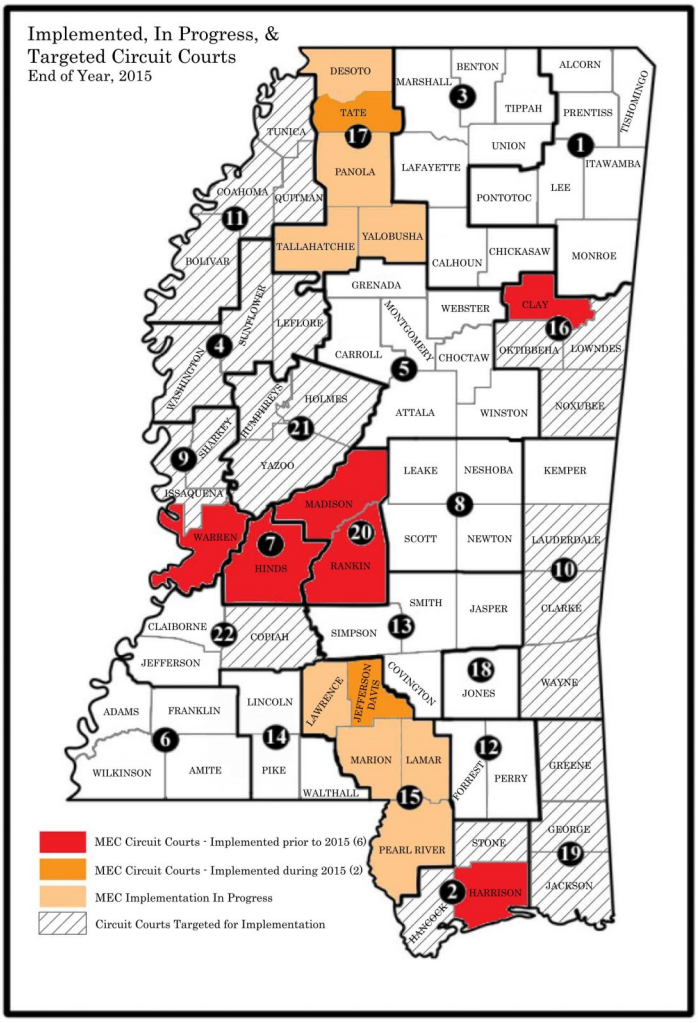
MEC expects to complete development of a Statewide Circuit Court Instance in 2016.

On December 31, 2015, there were 5,583 attorneys registered to use MEC. There were 2,788 non-attorney registered users. MEC allows attorneys to file and view documents 24 hours a day, seven days a week, in all MEC

Chancery Courts using MEC



Circuit Courts using MEC



participating courts. Judges can access documents at any time and location via the Internet, allowing them to prepare for hearings and draft orders and opinions without waiting for paper files. Public access is easier.

MEC adapted the e-filing system of the federal courts. Design and implementation of MEC began in Chancery Courts, and the majority of current MEC users are Chancery Courts. The MEC system is provided free to participating trial courts. MEC implementation is part of a long-range initiative of the Mississippi Supreme Court to provide a uniform electronic case filing and court management system for distribution to the chancery, circuit and county courts and their respective clerks' offices.

Information Technology

The Information Technology Division of the Supreme Court and the Administrative Office of Courts consists of a small staff of software developers, systems administrators, and training and support specialists. Their responsibilities include the purchase, installation, and maintenance of all computer and network equipment in the appellate courts and some trial courts; development, training, and support of several software systems such as the appellate court case management system (CITS), the statewide Youth Court case management system (MYCIDS), and the AOC statistical system (SCATS); and maintenance of the State of Mississippi Judiciary website.

IT continued the development and integration of the Mississippi Electronic Courts system, MEC, into the appellate court case management system of the Supreme Court and Court of Appeals. The first phase of appellate MEC was expanded to include electronic filing of additional documents such as correspondence, record excerpts, and mo-

tion attachments. The second phase was expanded to include additional electronic notices such as orders and decision letters. Development began on the third phase in 2015, which is the electronic filing of the notice of appeal and lower court record with the appellate court. It is hoped that electronic filing of the notice of appeal and the lower court record can be implemented in 2016.

IT completed development and released the first phase of a new MDHS-DYS module in MYCIDS to aid court staff in communicating disposition information to Oakley Youth Development Center for student intake. Design and development began to implement an electronic SAVRY (Structured Assessment of Violence Risk in Youth) module into MYCIDS, with release planned for early 2016. Also, an electronic form was implemented to allow DHS-FS to submit cases to the youth courts through MYCIDS.

IT completed development and released the first phase of the BarWeb online bar application for the Mississippi Board of Bar Admissions. Initial applications were accepted online for the July 2015 and February 2016 bar exams. There were 56 electronic applications for the July 2015 bar exam and 56 electronic applications for the February 2016 exam.

IT also developed and released the AOCWeb online system, which is a website that allows municipal and justice courts to electronically transmit statistical case data to the AOC.

Mississippi Youth Court Information Delivery System (MYCIDS)

The 2015 Legislature passed House Bill 627, effective July 1, 2015, requiring all Youth Courts to use the Mississippi Youth Court Information Delivery System (MYCIDS) for Youth Court cases. MYCIDS is a technology program designed to help Youth Courts organize work and records efficiently and save staff time and resources. MYCIDS includes electronic docketing and record keeping for delinquency, abuse and neglect cases. Case tracking features assist court staff in scheduling all hearings and other events required by law to occur within a specific time. 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 courts.

HB Bill 627 also authorized grants from the Administrative Office of Courts to Youth Courts to be used to provide compensation to intake officers of the Youth Courts. An intake officer is required for each Youth Court and is responsible for entering intake and case information into MYCIDS in an accurate and timely manner.

The Mississippi Supreme Court in an order issued June 4, 2015, directed Youth Courts to implement MYCIDS

so that the state can have a database that accurately represents the timeliness of court hearings and court orders statewide. The order says that at a minimum, implementation requires (1) Youth Courts to prepare all court orders, petitions, summons, and notices in MYCIDS; (2) Youth Courts to save all documents filed in a Youth Court case in MYCIDS; and (3) Youth Courts to timely input into MYCIDS all intake, custody, referral, petition, and hearing data related to a youth, his or her family, and the Youth Court's involvement.

The Supreme Court directed the Administrative Office of Courts to periodically report each Youth Court's compliance to implement MYCIDS, as well as compliance with the procedural time frames required by the Mississippi Youth Court Act and the Uniform Rules of Youth Court Practice.

The Supreme Court ordered the Department of Human Services and the Division of Family and Children Services to timely provide Youth Courts with data collected on the Court Case Information Sheet available in MYCIDS, complete and transmit the Court Case Information Sheet electronically within 24 hours of the child being removed from the home, or, in non-custody cases, within 24 hours of the child being assigned to the local MDHS/DFCS social worker for investigation. Information shall include reasonable efforts made to prevent removal or that reasonable efforts are not required and the reason such efforts are not required. MDHS/DFCS staff shall not prepare court orders.

These changes mean that registered users of MYCIDS increased substantially. The legislative mandate and the *In re Olivia Y*. lawsuit require extensive and continuous training. Training must continue year-around to keep up with the high turnover rate of social workers at the Department of Family and Children Services.

Reentry Council

The Reentry Council was authorized as a Legislatively created body by House Bill 602, and an organizational meeting was held July 21, 2015. U.S. District Judge Keith Starrett of Hattiesburg was elected chairman of the Council, and Supreme Court Chief Justice Bill Waller Jr. was elected vice-chair. The Council is led by a 12-member steering committee.

Work began in December 2013, when an ad hoc group of corrections, judicial, prosecutorial, law enforcement, faith-based, public service and other individuals met to discuss ways to facilitate successful prisoner reentry into communities, reduce recidivism, improve public safety and reduce prison costs. The Council has sought ways to help former inmates find employment, housing, transportation, medical and mental health services. At the urging of the Council, the Department of Public Safety in 2014 began issuing identification cards to inmates as they are released. The Council met with officials of the Department of Health and the Social Security Administration in efforts to assist departing inmates in obtaining birth certificates and Social Security cards. IDs are crucial to job seekers. The

Reentry Council had extensive discussions about job placement programs and job training in the institutions. The Department of Employment Security developed a program that allows inmates to register with MDES to seek work. The application will be activated upon an inmate's release. The Foundation for the Mid South published a resource guide to offender reentry services early 2015 and made it available on the website www.msreentryguide.com.

Prospective parolees are required to have a home waiting. Some prisoners remain in confinement after the Parole Board has approved them for potential release. MDOC has no halfway houses to provide supervised living arrangements for former inmates upon release from confinement. The Attorney General and others on the Reentry Council have called for creation of halfway houses.

Many faith-based and community organizations are interested in reentry, but there is little coordination in their efforts. The position of reentry coordinator was created at the Department of Corrections. The position is expected to be filled in 2016. The Reentry Council partnered with the Department of Corrections to secure a $500,000 grant from Justice Reinvestment Act funds. The grant will be shared, with $350,000 to be used by MDOC for officer training on evidence-based practices and $150,000 to fund the reentry coordinator position for two years.

Working Interdisciplinary Network of Guardianship Stakeholders, WINGS

WINGS, the Working Interdisciplinary Network of Guardianship Stakeholders, held its first meeting on Sept. 18 to begin work toward improving the way Mississippi protects vulnerable adults. The WINGS Committee is expected to propose system reforms to support the rights, dignity and autonomy of vulnerable adults while better protecting them from abuse and neglect. During its first meeting, Mississippi WINGS created subcommittees on research and data collection, court procedures and legislation, capacity determination, less restrictive decision making options, and education and training. Seven University of Mississippi School of Law students worked with the WINGS Committee. Professor Desiree Hensley and students volunteered to provide research and information needed to produce a report and recommendations for reform.

The National Guardianship Network provided a $7,000 grant to launch the Mississippi WINGS group. Funding for WINGS was provided by the State Justice Institute, with additional monies from the Atlantic Philanthropies Designated Gift Fund, and two anonymous donors.

AOC Deputy Director Ta'Shia Gordon is WINGS Committee liaison to the National Guardianship Network. The Mississippi WINGS Steering Committee includes former Justice Randy Pierce; Hensley of University of Mississippi School of Law; Edna Clark, senior program administrator of adult protective services for the Department of Human Services Division of Aging and Adult Services; Anniece McLemore, long term care ombudsman for DHS Division of Aging; Kim Grier of the Georgia Department of Human Services, past president of the National Guardianship Association; David Hutt of the National Disability Rights Network; and Brenda Uekert of the National Center for State Courts. WINGS Committee members include Chancellors Joseph Kilgore, Denise Owens and Jennifer Schloegel; attorney Rick Courtney of the Special Needs Alliance; Special Assistant Attorney General Joe Hemleben, general counsel to the State Veterans Affairs Board; Oma Hibbler, Perry County Community Resource Agency; attorney Catherine Kilgore, North Mississippi Rural Legal Services; Marc Lewis Ph.D., director of the Mississippi Department of Mental Health Bureau of Mental Health; Coahoma County Chancery Clerk Ed Peacock III; Special Assistant Attorney General Marvin Sanders, Vulnerable Adults Division; and Louise Wilson, Choctaw Elder Center, Mississippi Band of Choctaw Indians.

THE APPELLATE COURTS OF MISSISSIPPI

The Mississippi Supreme Court

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) imposition of the death penalty;

(b) utility rates;

(c) annexations;

(d) bond issues;

(e) election contests;

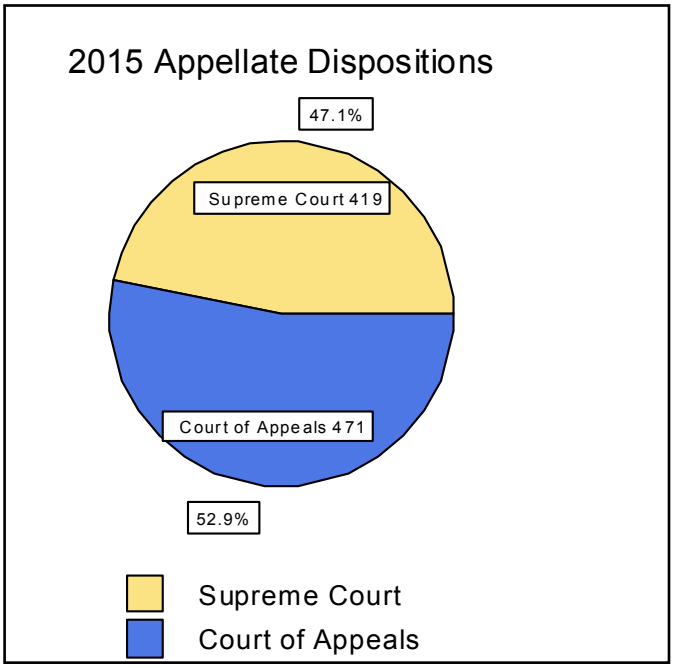
(f) a trial court's holding a statute unconstitutional;

(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 decides all 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.



In 2015, the Supreme Court disposed of 419 cases. Of those, 194 cases received decisions on the merits. The remaining cases were dismissed. Of the 164 *appeals* decided on the merits, 111 (67.7 percent) were civil, and 53 (32.3 percent) were criminal. Of the 111 civil appeals decided on the merits, 53 (47.7 percent) were affirmed, 53(47.7 percent) were reversed, and 5 (.05 percent) were vacated. Of the 53 criminal appeals decided on the merits, 41 (77.4 percent) were affirmed, 12 (22.6 percent) were reversed, and 2 (.04 percent) were vacated.

The Supreme Court disposed of a total of 4,470 motions and petitions during 2015. This included 81 motions for rehearing, of which 78 (96.3 percent) were denied, and 3 (3.7 percent) were granted. Pursuant to Rule 5 of the Mississippi Rules of Appellate Procedure, the Court disposed of 131 petitions for interlocutory appeal. Of those, 87 (66.4 percent) were denied, 25 (19.1 percent) were granted, and 19 (14.5 percent) were dismissed.

The Supreme Court heard oral arguments in 48 cases in 2015.

2015 Appellate Case Filings	
Notices of Appeal, General	863
Death Penalty Direct Appeal	2
Death Penalty PCR Applications	4
Bar Discipline Cases	3
Bar Discipline Appeals	0
Bar Reinstatement Cases	0
Judicial Performance Cases	4
Annexation Cases	1
Election Contests	4
Interlocutory Appeals Granted	35
Certiorari Petitions Granted	55
Workers' Compensation Appeals	23
Utility Rate Cases	0
Federally Certified Questions	1
Total New Cases Filed	995

2015 Case Dispositions			
	Supreme Court	Court of Appeals	Courts Combined
Dismissed by Clerk's Rule 2 Notice	101	22	123
Dismissed by Order of Court	112	16	128
Certiorari Petitions Dismissed after Grant	9	0	9
Decided by Published Opinion	178	432	610
Per Curiam Affirmed	3	0	3
Decided by Order	16	1	17
Total Case Dispositions	419	471	890

2015 Dispositions of Rehearing Motions, Interlocutory Appeals and Certiorari Petitions			
	Supreme Court	Court of Appeals	Courts Combined
Motions for Rehearing	81	199	280
Petitions for Interlocutory Appeal	131	0	131
Petitions for Certiorari	182	0	182

Court of Appeals of the State of Mississippi

The Court of Appeals does an outstanding job of deciding a large number of direct appeals. The Court of Appeals is sometimes referred to as an error corrections court. Typical cases assigned to the court of appeals are those in which the law is already settled. These cases may deal with evidentiary issues which arose during the trial and with the weight and sufficiency of the evidence supporting the judgment. Also, all Workers Compensation cases are referred to the Court of Appeals.

In 2015, the Court of Appeals disposed of 471 cases. Of this number, 433 received decisions on the merits. The remaining cases were dismissed. Of those decided on the merits, 326 were civil, and 127 were criminal. Of the 326 civil cases decided, 227 were affirmed and 61 were reversed. Of the 127 criminal appeals decided, 115 were affirmed, and 12 were reversed.

The Court of Appeals disposed of a total of 1,846 motions and petitions during 2015. This included 199 motions for rehearing, of which 193 (97 percent) were denied, 1 (0.5 percent) was granted and 5 (2.5 percent) were dismissed.

The Court of Appeals heard oral argument in 33 cases in 2015.

Both appellate courts strive to decide cases within 270 days following completion of briefing, and in most cases, decisions are made more expeditiously. The Supreme Court's average time from end of briefing to case decision was 213 days during 2015, and the Court of Appeals' average time was 216 days. 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. Cases on review by certiorari must be decided within 180 days after the petitions are granted. The Supreme Court's average time was 95 days. Petitions for interlocutory appeal are usually granted, denied, or dismissed within 45 days after the responses are filed.

Office of the Clerk of the Mississippi Supreme Court and Court of Appeals

The Office of the Clerk is the repository of records of the Mississippi Supreme Court and the Mississippi Court of Appeals. The Clerk's Office is responsible for docket management of approximately 1,700 open cases at any given time. The Clerk of Courts and a 12-member staff are responsible for case management that tracks each appeal for timeliness and completeness of the record from the time the case is filed until it is decided by the court.

The Clerk's Office continued to work with the Information Technology Department to expand electronic filing capabilities, adding e-filing of correspondence, record excerpts, and motion attachments and moving to a second phase of electronic notices such as orders and decision letters to attorneys. The year 2015 was the second year of mandatory e-filing for briefs and motions, and the volume of e-filed documents increased. In 2015, a total of 6,563 briefs, motions and responses were filed, compared to 5,598 in 2014. The Clerk's Office continued the work it began in October 2014 to digitally archive case files which predate the court's move to e-filing. Contract workers were hired to assist with the scanning project. A total of 2,421 case files were scanned in 2015. The scanned archive is available online through the court's General Docket.

The Clerk's Office and IT during 2015 began work on the third phase of e-filing, which will allow appellants to electronically file a notice of appeal and the appellate record. E-filing of the record on appeal is expected to provide an enormous savings of staff time for Circuit and Chancery clerks. Gathering and submitting an e-filed trial court record is expected to take only minutes, compared to days of manually copying records. E-filing of court records on appeal may be implemented in 2016.

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.

Nine new trial judges who were elected in the 2014 election cycle and took the bench in January 2015. They are Adams County Court Judge Walt Brown, 11th Chancery District Judge Robert Clark III, Hinds County Court Judge LaRita Cooper-Stokes, 16th Chancery District Judge Michael Fondren, 3rd Circuit District Judge Kelly Luther, 13th Chancery District Judge Gerald Martin, 2nd Circuit District Judge Christopher Schmidt, 4th Circuit District Judge Carol White-Richard, and 18th Circuit District Judge Dal Williamson. Chancellor John C. McLaurin Jr. of the 20th Chancery District and Circuit Judge Justin Cobb of the 10th Circuit District were appointed to vacancies in 2015.

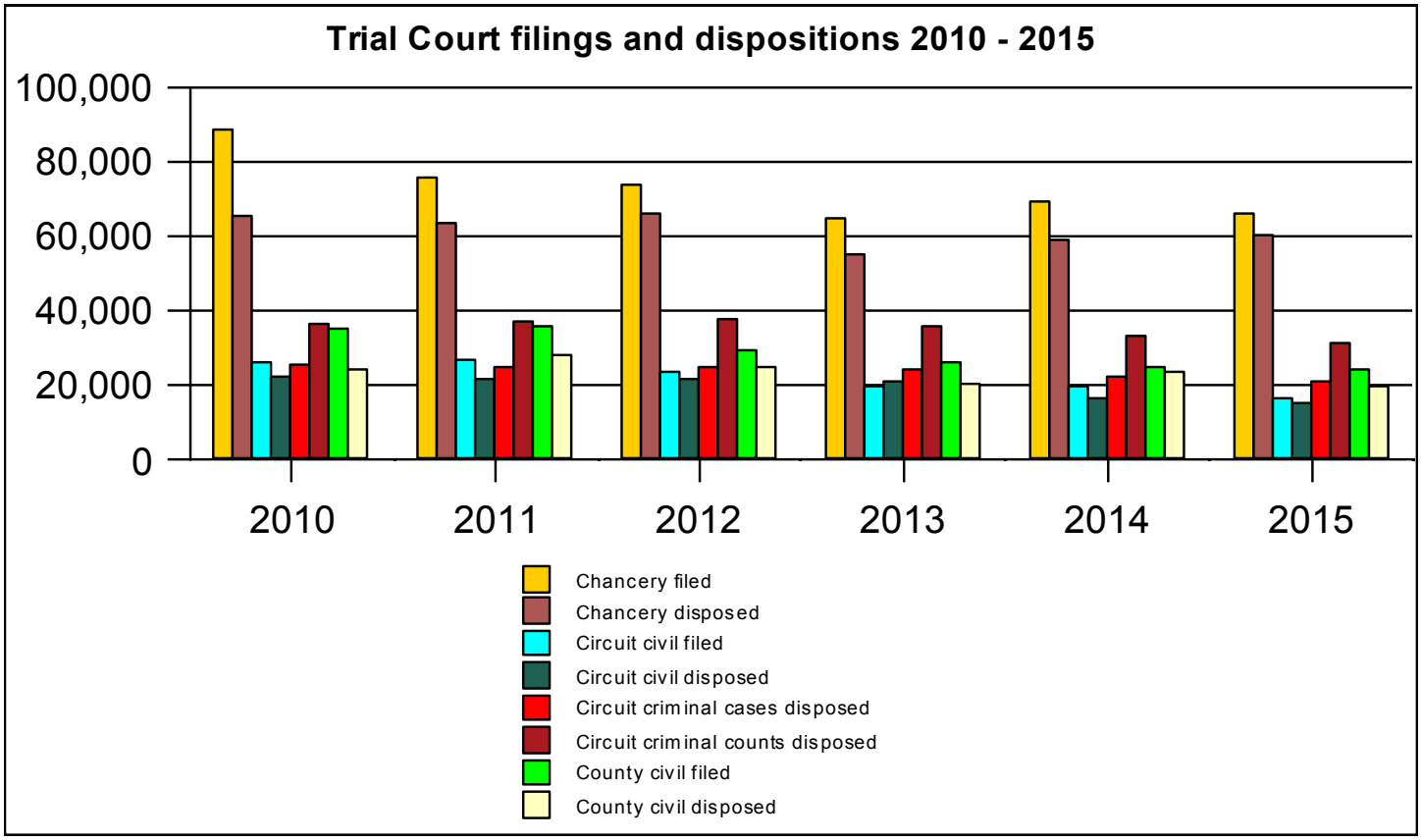
The 2015 Legislature created seven new judgeships, including four Circuit Court positions in the 12th, 13th, 15th and 20th Circuit Court districts and three new chancellor positions in the 4th, 11th and 20th Chancery Court districts. New judges elected in November 2015 were scheduled to take office in January 2016. They are 15th District Circuit Judge Claiborne "Buddy" McDonald, 20th District Circuit Judge Steve Ratcliff, 20th District Chancellor Haydn Roberts, 4th District Chancellor Wayne Smith, 13th District Circuit Judge Stanley Sorey, 11th District Chancellor James Walker, and 12th District Circuit Judge Jon Mark Weathers.

Judicial conference leaders include 14th District Circuit Judge Mike Taylor, 3rd District Chancellor Vicki Daniels, Madison County Court Judge Ed Hannan and retired 20th Circuit Judge Samac Richardson.

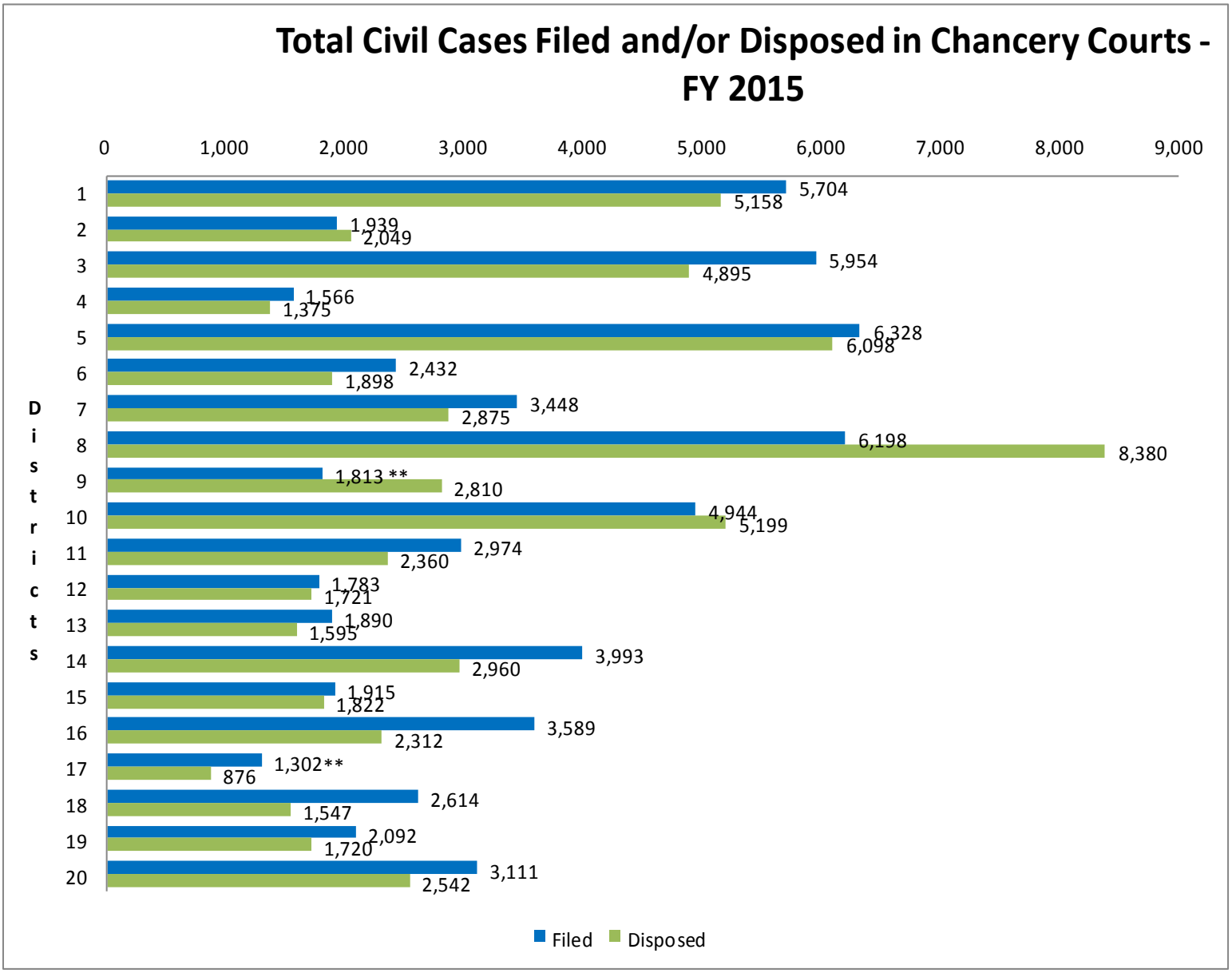
The courts are served by elected chancery and circuit clerks in each county. The chancery and circuit clerks for each district are required by law to report the activities of the courts to the Administrative Office of Courts. It should be pointed out that while the appellate courts report data on a calendar year, the trial court data is by fiscal year. The data, as reported, reflect the following:

Trial Court filings and dispositions 2010 - 2015

	2010	2011	2012	2013	2014	2015
Chancery filed	88,424	75,558	73,268	64,515	69,100	65,589
Chancery disposed	64,994	63,349	65,782	54,817	58,573	60,192
Circuit civil filed	25,800	26,862	23,553	19,429	19,305	16,236
Circuit civil disposed	22,249	21,687	21,441	21,003	16,123	14,874
Circuit criminal cases disposed	25,258	24,371	24,917	23,851	22,229	20,703
Circuit criminal counts disposed	36,131	36,561	37,366	35,437	33,322	31,174
County civil filed	34,950	35,254	29,177	25,761	24,793	24,055
County civil disposed	24,032	27,606	24,930	20,038	23,187	19,552



CHANCERY COURTS



Total Chancery cases filed FY 2015	65,589
Total Chancery cases disposed FY 2015	60,192

** Data for some chancery districts is incomplete due to the failure of the chancery clerks to provide complete filing and disposition data. The following data deficiencies are noted:

9th Chancery District:

Issaquena Chancery did not provide complete filing or disposition data.

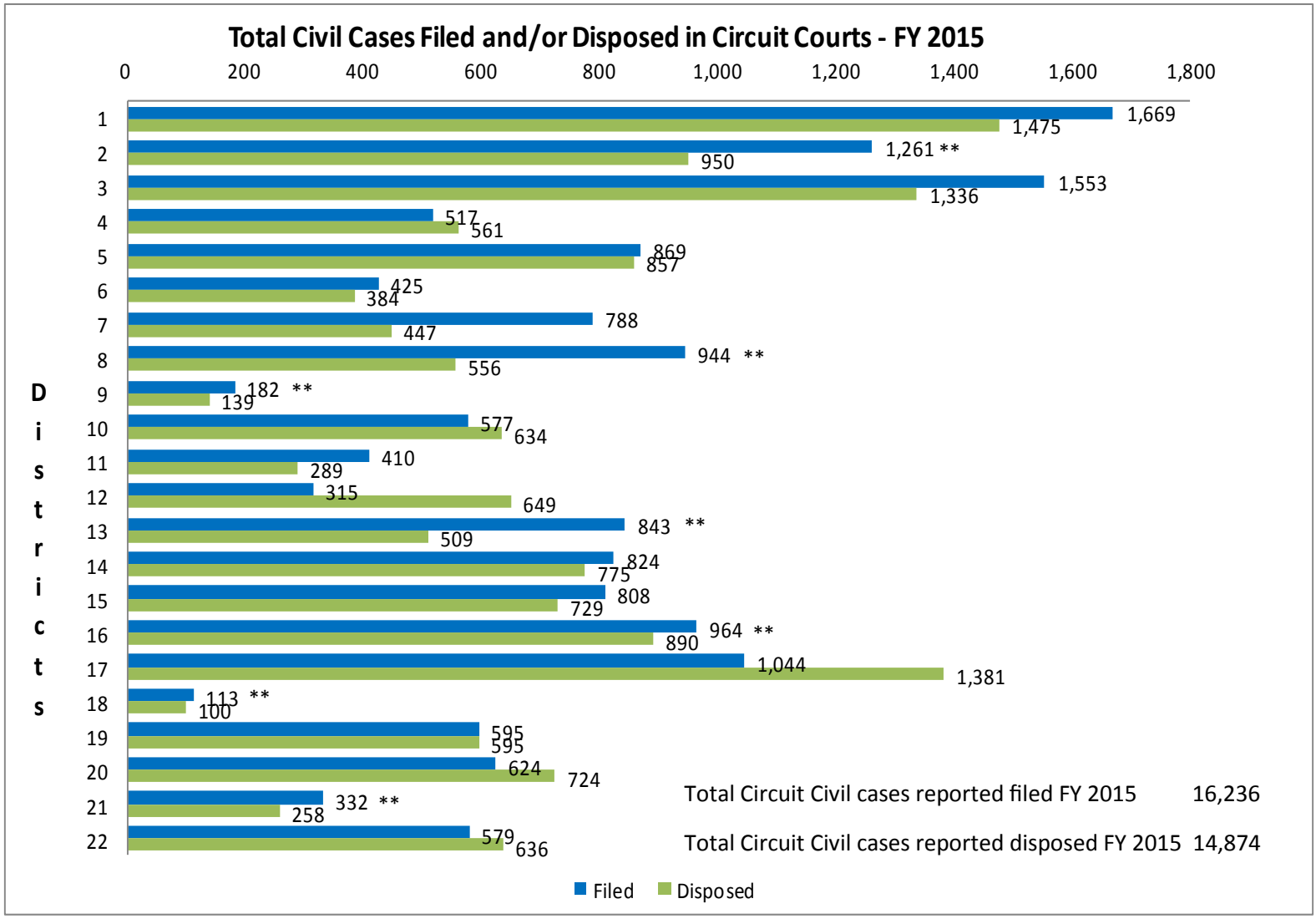
Washington Chancery did not provide complete filing or disposition data.

17th Chancery District:

Jefferson Chancery did not provide complete filing or disposition data.

Wilkinson Chancery did not provide complete filing or disposition data.

CIRCUIT COURTS



<u>Circuit Courts – Civil Filing and Disposition Data</u>**

Data for some circuit districts is incomplete due to the failure of the circuit clerks to provide complete filing and disposition data.

<u>2nd Circuit District:</u>

Stone Circuit did not provide civil disposition data.

<u>8th Circuit District</u>:

Leake Circuit did not provide complete civil disposition data.

Neshoba Circuit did not provide complete civil filing or disposition data.

<u>9th District</u>:

Issaquena Circuit did not provide complete civil filing or disposition data.

<u>13th District</u>:

Jasper Circuit did not provide complete civil filing or disposition data.

Simpson Circuit did not provide complete civil filing or disposition data.

Smith Circuit did not provide complete civil disposition data.

<u>16th Circuit</u>:

Noxubee Circuit did not provide complete civil filing or disposition data.

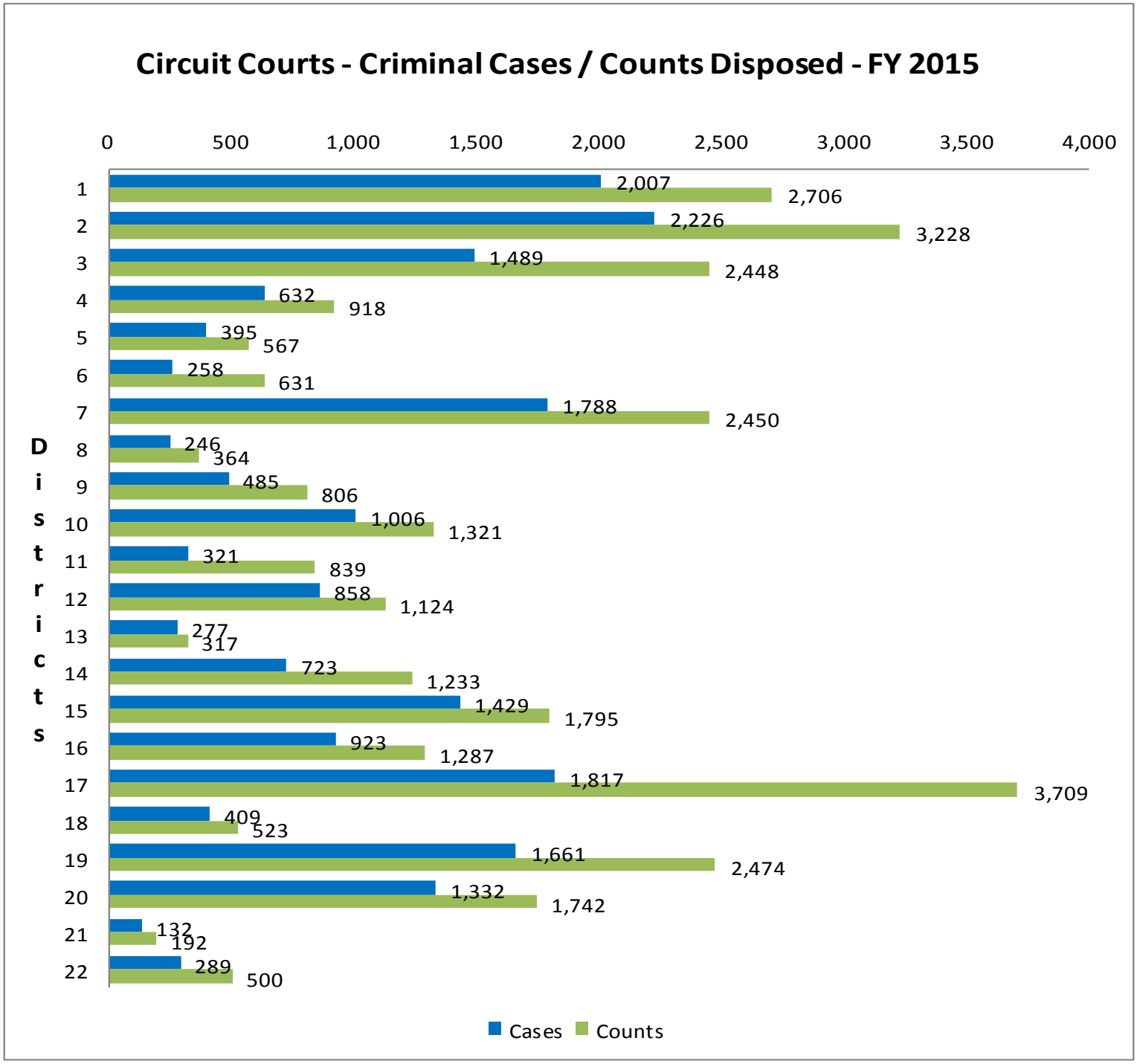
<u>18th District</u>:

Jones Circuit (Ellisville) did not provide complete civil filing or disposition data.

<u>21st District</u>:

Holmes Circuit did not provide complete civil filing or disposition data.

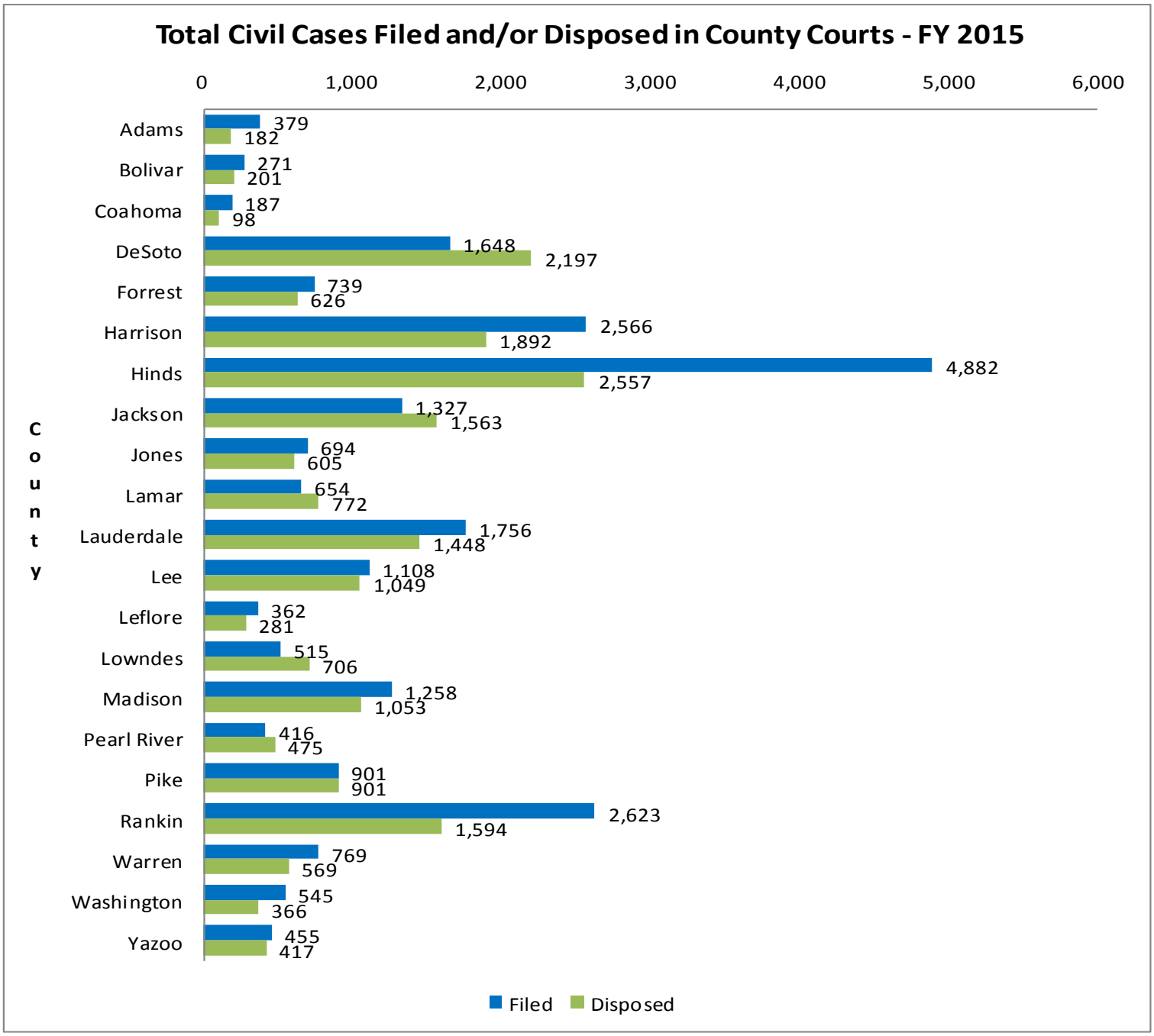
CIRCUIT COURTS



Total Circuit Criminal cases reported disposed FY 2015 20,703

Total Circuit Criminal counts reported disposed FY 2014 31,174

COUNTY COURTS



Total County Court Civil cases reported filed FY 2015	24,055
Total County Court Civil cases reported disposed FY 2014	19,552

YOUTH COURTS

	REFERRALS			FORMAL ADJUDICATIONS			HANDLED INFORMALLY		
	ABUSE	NEGLECT	DELIN-QUENT	ABUSE	NEGLECT	DELINQUENT	ABUSE	NEGLECT	DELINQUENT
ADAMS	0	24	466	0	17	270	0	6	132
ALCORN	0	53	123	0	50	90	0	0	30
AMITE	1	5	50	1	5	33	0	0	17
ATTALA	0	0	75	0	0	61	0	0	2
BENTON	5	3	37	5	3	29	0	0	4
BOLIVAR	0	0	411	0	0	144	0	0	261
CALHOUN	59	109	56	53	94	45	5	13	4
CARROLL	0	4	26	0	4	8	0	0	10
CHICKASAW	1	12	99	1	11	50	0	0	20
CHOCTAW	0	0	25	0	0	6	0	0	5
CLAIBORNE	2	21	47	2	18	36	0	0	9
CLARKE	0	1	38	0	1	32	0	0	1
CLAY	7	10	123	7	8	83	0	0	28
COAHOMA	1	11	242	1	11	162	0	0	80
COPIAH	2	30	270	1	21	156	0	0	97
COVINGTON	10	52	75	10	52	54	0	0	12
DESOTO	876	1568	2138	479	905	1608	396	658	512
FORREST	6	65	324	2	9	149	0	0	147
FRANKLIN	4	2	45	2	1	22	0	0	17
GEORGE	2	64	145	0	26	126	0	0	11
GREENE	6	11	44	3	5	31	0	0	2
GRENADA	4	26	171	2	26	52	0	0	91
HANCOCK	129	648	297	117	554	180	12	91	60
HARRISON	892	3174	1909	648	2321	608	239	817	672
HINDS	520	702	1304	436	616	1815	0	0	100
HOLMES	4	8	66	4	8	53	0	0	0
HUMPHREYS	7	31	26	4	12	6	0	19	0
ISSAQUENA	0	0	0	0	0	0	0	0	0
ITAWAMBA	0	20	123	0	20	77	0	0	11
JACKSON	239	885	880	208	798	801	17	60	69
JASPER	0	7	30	0	6	22	0	0	4
JEFFERSON	0	11	58	0	7	30	0	0	23
JEFFERSON DAVIS	6	40	38	5	35	32	0	0	0
JONES	1	43	638	1	36	358	0	0	189
KEMPER	0	0	0	0	0	0	0	0	0
LAFAYETTE	37	94	132	32	76	82	5	17	35
LAMAR	1	29	355	1	28	175	0	1	178
LAUDERDALE	0	88	565	0	88	383	0	0	156
LAWRENCE	5	25	43	5	25	41	0	0	2
LEAKE	0	0	19	0	0	0	0	0	3

	REFERRALS			FORMAL ADJUDICATIONS			HANDLED INFORMALLY		
	ABUSE	NEGLECT	DELINQUENT	ABUSE	NEGLECT	DELINQUENT	ABUSE	NEGLECT	DELINQUENT
LEE	13	26	1310	11	25	667	0	0	511
LEFLORE	0	0	369	0	0	208	0	0	115
LINCOLN	13	54	181	8	51	104	1	0	58
LOWNDES	0	32	329	0	21	229	0	2	36
MADISON	2	29	517	2	24	347	0	0	82
MARION	61	270	218	58	148	192	3	18	25
MARSHALL	33	106	257	28	85	165	0	20	46
MONROE	6	32	76	5	30	24	0	2	31
MONTGOMERY	0	11	46	0	11	30	0	0	16
NESHOBA	0	15	179	0	15	154	0	0	21
NEWTON	1	7	124	1	7	111	0	0	10
NOXUBEE	0	6	14	0	6	12	0	0	0
OKTIBBEHA	0	1	97	0	0	1	0	0	25
PANOLA	1	13	309	1	13	172	0	0	98
PEARL RIVER	0	84	320	0	66	165	0	0	136
PERRY	49	150	82	37	125	75	12	25	1
PIKE	12	82	422	10	68	290	1	2	68
PONTOTOC	2	15	287	2	9	225	0	4	17
PRENTISS	0	15	129	0	11	98	0	0	17
QUITMAN	0	5	26	0	5	22	0	0	4
RANKIN	337	941	778	306	860	404	0	6	215
SCOTT	1	11	74	1	11	59	0	0	15
SHARKEY	0	0	0	0	0	0	0	0	0
SIMPSON	3	70	113	2	11	100	0	0	0
SMITH	0	17	72	0	17	59	0	0	7
STONE	3	63	40	2	52	29	1	4	0
SUNFLOWER	103	279	592	77	195	498	26	82	48
TALLAHATCHIE	0	0	63	0	0	25	0	0	34
TATE	7	14	189	4	14	79	0	0	57
TIPPAH	5	21	134	5	16	117	0	0	16
TISHOMINGO	0	6	72	0	6	63	0	0	4
TUNICA	0	2	156	0	2	125	0	0	18
UNION	4	29	75	4	29	45	0	0	11
WALTHALL	1	24	123	1	22	88	0	1	35
WARREN	1	4	400	0	0	326	0	0	7
WASHINGTON	123	509	842	100	343	462	19	161	276
WAYNE	0	0	83	0	0	68	0	0	10
WEBSTER	0	1	17	0	1	15	0	0	2
WILKINSON	0	17	62	0	17	46	0	0	15
WINSTON	0	6	59	0	6	45	0	0	12
YALOBUSHA	5	14	31	5	14	8	0	0	21
YAZOO	15	44	184	14	42	95	1	2	87
CITY OF PEARL	37	215	217	21	137	145	3	6	5
Total	**3665**	**11116**	**21181**	**2735**	**8412**	**14102**	**741**	**2017**	**5206**

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(Rev. 2015), -11(Rev. 2015), -13, -14, -29, -43, -45, -51, -73; and §§ 9-23-3, -7, -11, -17 include:

- assist the Chief Justice of the Supreme Court with his duties as the chief administrative officer of all of the courts in the state;
- assist in the prevention of unnecessary delay in the conduct of trials of the state courts;
- 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;
- oversee the Mississippi Electronic Courts system under the direction of the Supreme Court;
- collect case statistics from all civil, criminal and youth courts in the state;
- require the filing of reports and the collection and compilation of statistical data and financial information;
- devise, promulgate and require use of a uniform youth court case tracking system, including a youth court case filing form for filing with each individual youth court matter, to be utilized by the Administrative Office of Courts and the youth courts in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need of supervision, may be tracked with specificity through the youth court and adult justice systems. The director shall require that all youth courts utilize the Mississippi Youth Court Information Delivery System, MYCIDS.
- AOC also must develop and require use of a statewide docket numbering system and uniform youth court orders and forms;
- coordinate and conduct studies and projects to improve the administration of justice;
- support the Judicial Advisory Study Committee, including research and clerical assistance;
- make recommendations regarding the state of the dockets and the effective number of judges and other court personnel;
- prescribe uniform administrative and business records, forms and systems;
- prepare budget recommendations necessary for maintenance and operation of the judicial system;
- administer the Civil Legal Assistance Fund under the direction of the Supreme Court;

- administer the Judicial System Operation Fund under the direction of the Supreme Court;
- serve as an agency to apply for and receive grants or other assistance;
- develop and implement personnel policies for non-judicial court employees;
- investigate, make recommendations concerning and assist in the securing of adequate physical accommodations for the judicial system;
- procure, distribute, exchange, transfer and assign equipment, books, forms and supplies as are acquired for the court system;
- prepare and submit an annual report on the work of the judicial system;
- make recommendations for the improvement of the operations of the judicial system;
- take necessary steps in the collection of unpaid fines and court costs;
- establish a program to facilitate the use of language interpreters in all courts of the State of Mississippi;
- certify and monitor drug courts;
- collect monthly data reports from certified drug courts, and compile an annual data summary; and
- 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, judicial system operations 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:

Court Improvement Program (CIP) Workgroup

The Court Improvement Program (CIP) Workgroup was established in 2007 as a collaborative effort between the Administrative Office of Courts and the Department of Human Services-Division of Family and Children's Services. The CIP Workgroup continues to meet monthly to review timeliness issues and to plan joint training opportunities. Attorney Mary Fuller is the Youth Court Programs Director of the Administrative Office of Courts. Mrs. Fuller manages the Youth Court Support Funds for each county and coordinates the Court Improvement Programs through federal grants and state matching funds.

On January 4, 2015, implementation of the Mississippi Youth Court Information Delivery System (MYCIDS) became mandatory pursuant to an Order by The Mississippi Supreme Court. HB 627 became law July 1, 2015, further defining the requirements for implementing MYCIDS.

The Parent Representation

workgroup, which is a collaborative effort between the judiciary, Casey Family Programs, Family and Children's Services, University of Mississippi School of Law, Mississippi College School of Law, the American Bar Association, Mississippi Center for Legal Services and the Mississippi Judicial College, met quarterly in 2015 to strengthen pilot projects in Adams, Forrest, Harrison and Rankin counties, which started in 2012. Hancock County became a pilot project in April 2015, joining the other four counties in providing attorneys to represent indigent parents in abuse and neglect cases that could result in termination of parental rights. Standards of practice were drafted. Parent attorneys participated in training for their role.

Training for judges included the National Council of Juvenile and Family Court Judges conference in July 2015, as well as a Parent Representation conference. Other training was provided in May 2015 by the Administration for Children and Families to the special assistant attorney general for Family and Children's Services, Family and Children's Services staff and Administrative Office of Courts staff regarding state plans for preventing sex trafficking of children. Several persons involved in court improvement programs attended an additional training presented by Courage Worldwide on working with sex trafficked victims. Interstate Compact for the Placement of Children training was sponsored for Family and Children's Service staff and the special assistant attorney general for Family and Children's Services.

The Fifth Annual Indian Child Welfare Conference (ICWA) convened August 13, 2015, to provide training opportunities on the requirements of the Indian Child Welfare Act for the judiciary, the Division of Family and Children's Services and the Mississippi Band of Choctaw Indians. Judges from across Mississippi and guests from other states participated in the conference, which was hosted by the Mississippi Band of Choctaw Indians. Collaboration continues under a Memorandum of Understanding regarding responsibilities of each party.

On September 22, 2015, a joint training on moving children to permanency was conducted in conjunction with the annual Youth Court Judges and Referees Conference in Bay St. Louis. More than 100 Family and Children's Services front-line workers participated and approximately 40 judges and referees attended. Former Judge Stephen Rubin presented the training.

The Administrative Office of Courts became a sponsor for the Safe Babies Court Teams for Forrest and Rankin counties in 2015. The Safe Babies program is a national initiative to help abused and neglected infants and toddlers get the medical, mental health and social services care that they need to grow up health and safe. The Safe Babies program targets infants and toddlers up to 3 years of age who enter the court as a result of abuse and neglect, and who are headed for the foster care system. They are the most vulnerable age group, accounting for a large portion of children removed from their homes due to allegations of abuse and neglect. Under the Safe Babies Court Team model, a team of community stakeholders under the direction of a local judge and a community coordinator work to restructure how the community responds to the needs of abused and neglected infants and toddlers. The team meets monthly to learn about available services, identify service gaps and discuss individual cases. The collaboration helps to make more resources available to children from birth to three years of age who come under the protection of the Youth Court and the Department of Human Services. Youth Court Judge Michael McPhail started the Forrest County Safe Babies Program in November 2005. The Forrest County pilot program was among the first four sites in the nation, and is a model program. Rankin County began a Safe Babies program in July 2015, with assistance from Forrest County.

State Drug Courts Advisory Committee

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 it is re-

sponsible for developing statewide evaluation plans and models for monitoring critical aspects of drug court operations.

In 2015, the Advisory Committee directed its efforts to satisfying the changes in drug courts mandated by sentencing reform. Data collection and reporting measures were implemented. The requirement that all drug courts be recertified by July 31, 2015, was met after site inspections and assessments were made of each drug court. The requirement that all drug courts follow evidence based practices is being addressed with the implementation of newly published "Best Practices."

Judicial Advisory Study Committee

The Judicial Advisory Study Committee elected Court of Appeals Judge Eugene L. Fair Jr. as chair and G. Gerald Cruthird as vice-chair on October 16, 2015. The Study Committee at its October 2015 meeting voted to support a proposed statewide county court system. The proposal calls for creating 23 district county courts in the 61 counties which currently rely on Youth Court referees. The proposal calls for 20 districts of three counties each, and in no case more than four, and for three of the most populous counties to be single-county districts. Under this proposal, one full-time judge would serve each district County Court. The proposal would create a uniform system and provide consistent adjudication of juvenile justice. The Study Committee said that such a system would also relieve the dockets of circuit courts with regard to replevins, civil actions below $200,000, eminent domain actions and appeals from municipal and justice courts.

The 21-member Judicial Advisory Study Committee was established by the Legislature in 1993 to make policy recommendations to the Supreme Court and the Legislature to promote improvements to the administration of justice and the operation of the courts.

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 focused on the preparation, administration and evaluation of twice yearly Bar admission examinations, which are given in February and July, and on the investigation and evaluation of the character and fitness of each person seeking admission to practice law in the state of Mississippi.

In 2015, the Board received and processed 61 applications for registration as law students, and 318 applications for examination. Sixty-seven fewer applications for examination were submitted in 2015, compared to the previous year, continuing a downward trend. A total of 30 motions for admission by reciprocity were filed, also down from the previous year. The Board exempts attorneys licensed in other states from taking the Bar Exam if those attorneys

	2010	2011	2012	2013	2014	2015
Bar Exam Applications						
Applications for registration as law student	104	105	69	66	92	61
Applications for examination	413	420	426	433	385	318
Admission on motion					46	30
Total applications processed/ being processed	517	525	495	499	523	409
Bar Exams						
Took February bar exam	87	101	108	108	111	98
Passed February bar exam		66	71	76	90	70
Failed February bar exam		35	37	32	21	28
Took July bar exam	253	242	231	238	183	188
Passed July bar exam		185	178	190	143	145
Failed July bar exam		57	53	48	40	43
Total who took bar exam	340	343	339	346	294	286
Total who passed bar exam	259	251	249	266	233	215
Total who failed bar exam	81	92	90	80	61	71

have five years of active practice and are from a state that has a reciprocity agreement.

A total of 286 people took the Bar Exam in 2015. The pass rate was 75.1 percent.

COMMISSION ON CONTINUING LEGAL EDUCATION

The 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 Commission on CLE is to ensure that each member of the Mississippi 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. Newly admitted attorneys are required to attend a specific new lawyer program within the first two years of practice, then comply with the annual requirement thereafter.

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 2015, the Commission on CLE approved for credit 606 live programs that were held in the state of Mississippi, 2,878 live programs held outside the state of Mississippi and 5,648 programs that were given by satellite, teleconference or online through live webcasts and on-demand programs.