SUPREME COURT

OF

MISSISSIPPI

2018 Annual Report

SUPREME COURT OF MISSISSIPPI

2018 ANNUAL REPORT

TABLE OF CONTENTS

The Mississippi Judicial System 1

Funding and Administration of the Courts 8

Outreach and Innovation 11

The Appellate Courts 22

The Trial Courts 26

Administrative Office of Courts 33

Court Improvement Program Workgroup 34

Commission on Continuing Legal Education 35

Board of Bar Admissions 35

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 comprise the trial courts of record; and two appellate courts, the Court of Appeals and the Supreme Court, which is 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 239 Municipal Courts with 208 judges. Some judges serve more than one local municipality. 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.

In 2018, there were 22 County Courts with 31 judges. County 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. The Supreme Court also retains appeals of death penalties, annexations, bar discipline, bond issues, election contests, judicial performance matters, utility rates, and certified questions from federal court.

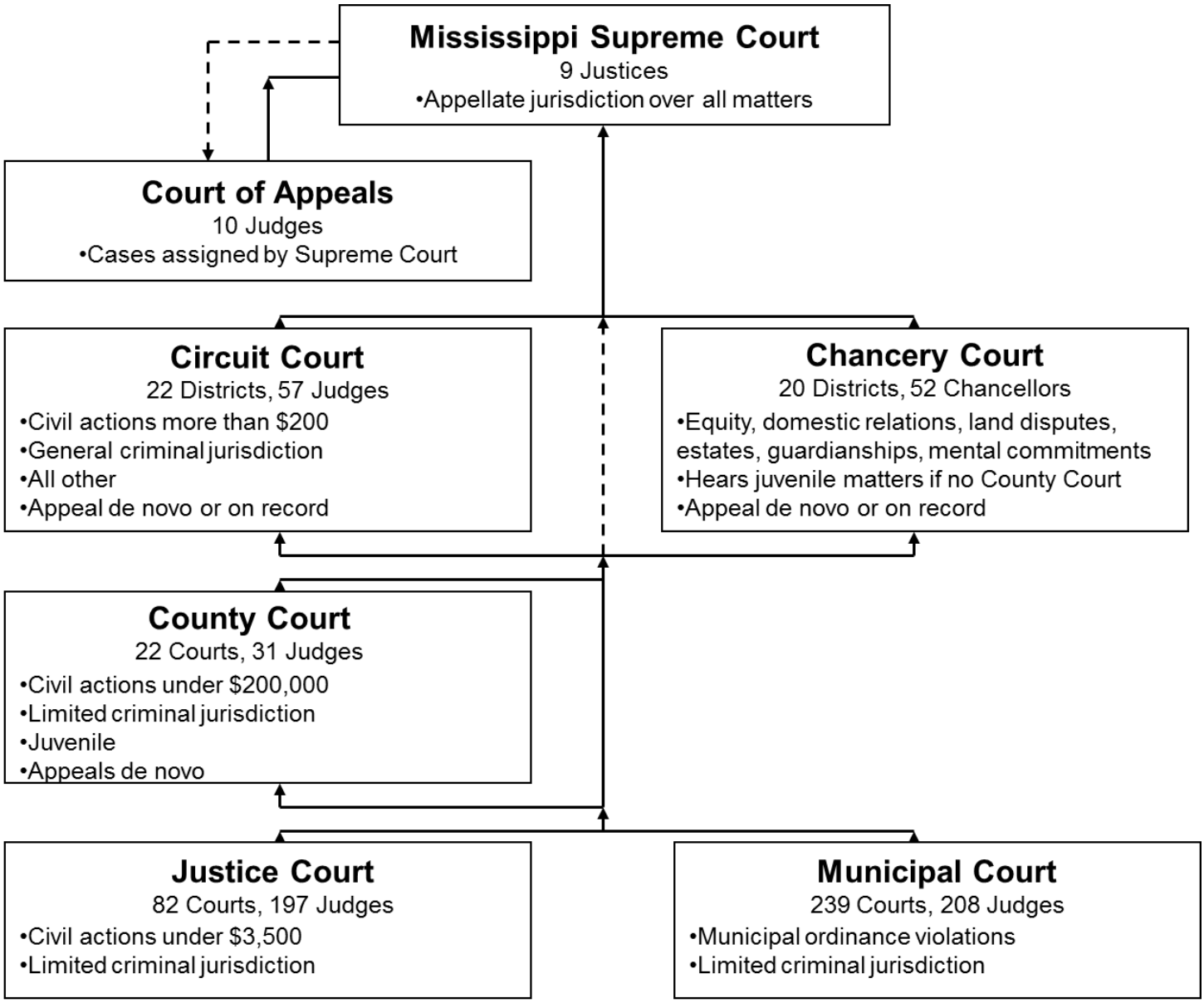
The Court of Appeals typically hears cases in which the issues are ones of error correction, such as whether the judgment is supported by the evidence or whether the judge correctly ruled on evidentiary challenges. All decisions of the Court of Appeals are subject to discretionary review by the Supreme 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

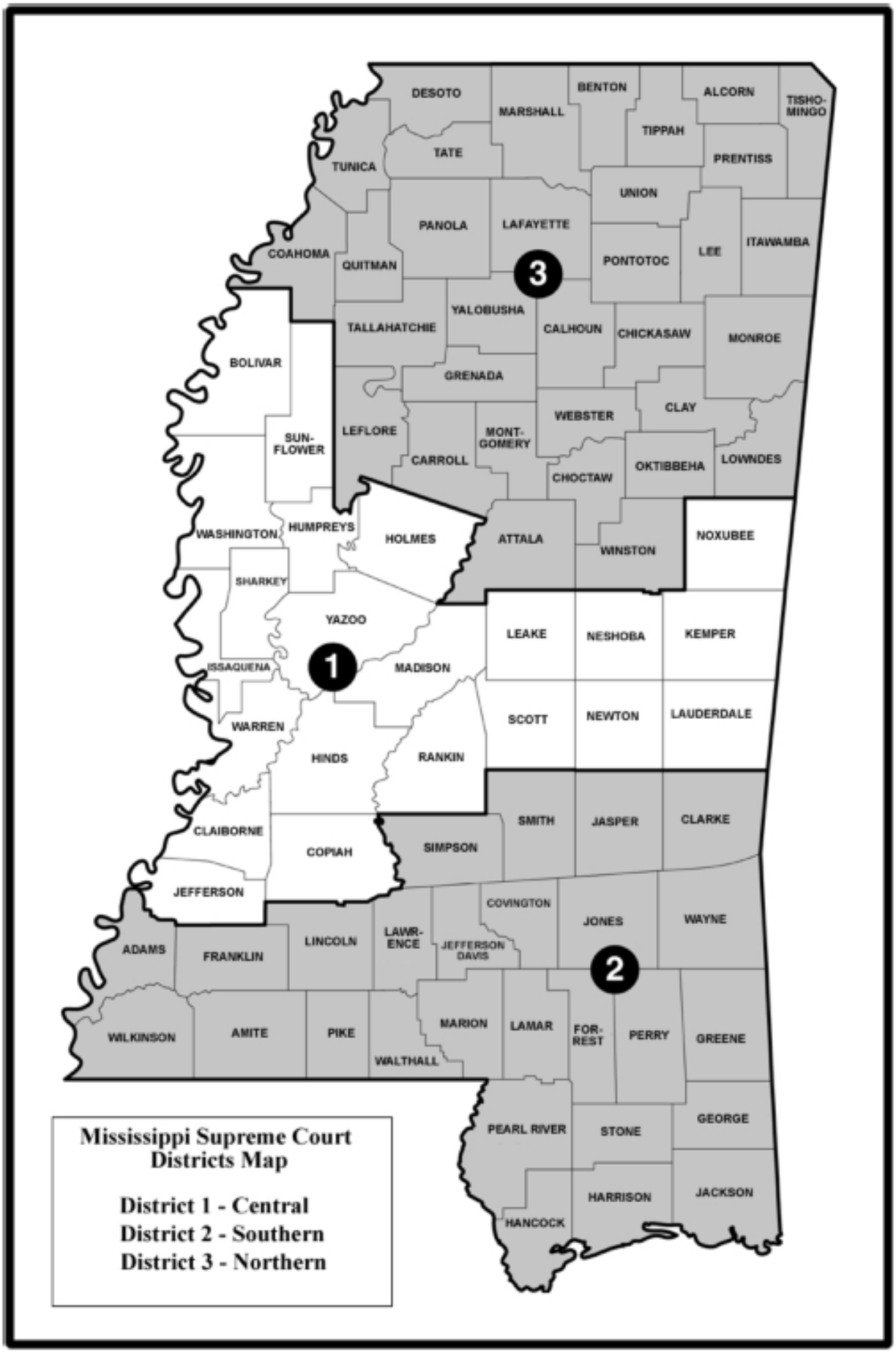
of the

MISSISSIPPI JUDICIARY

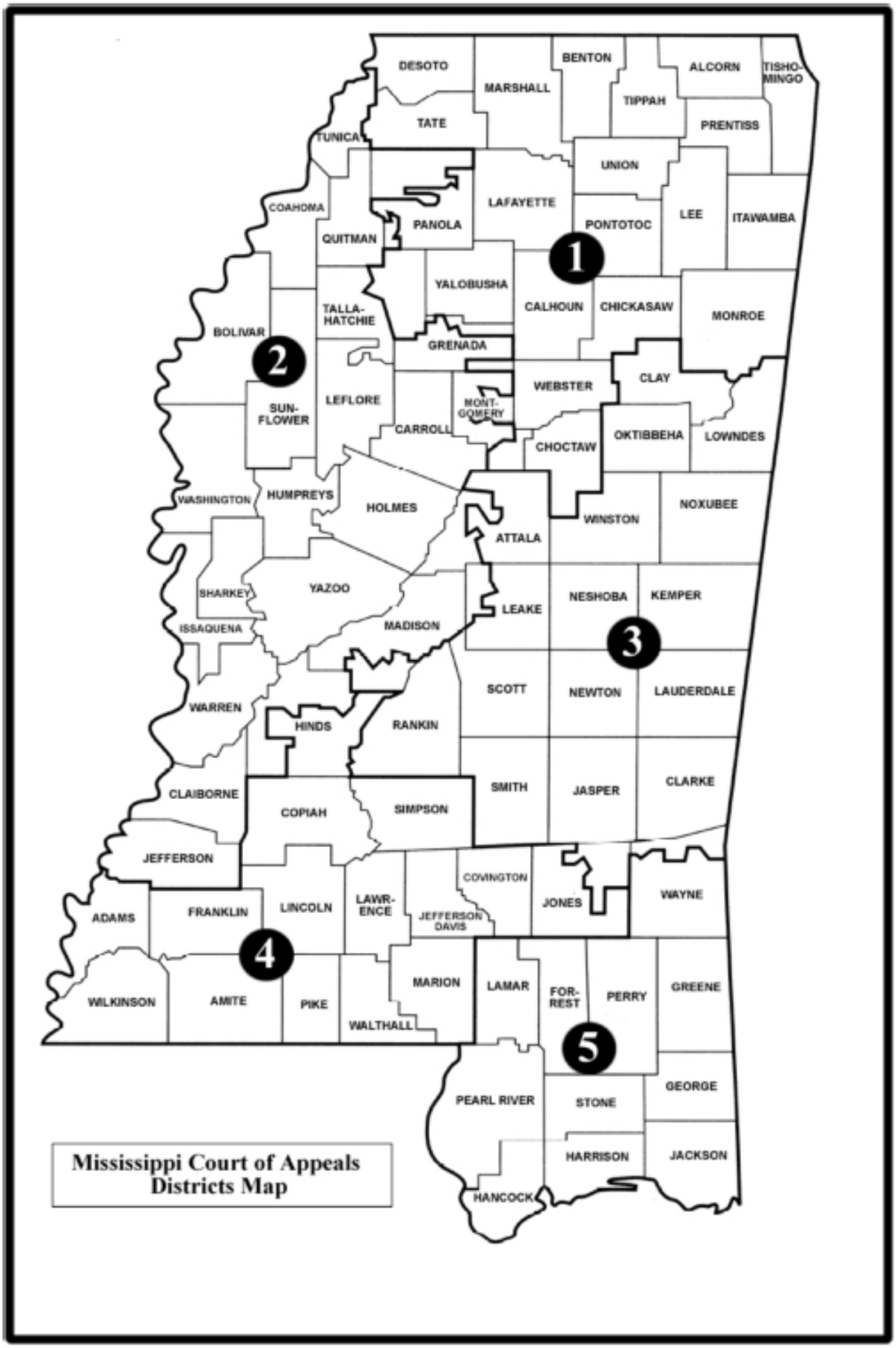
in 2018



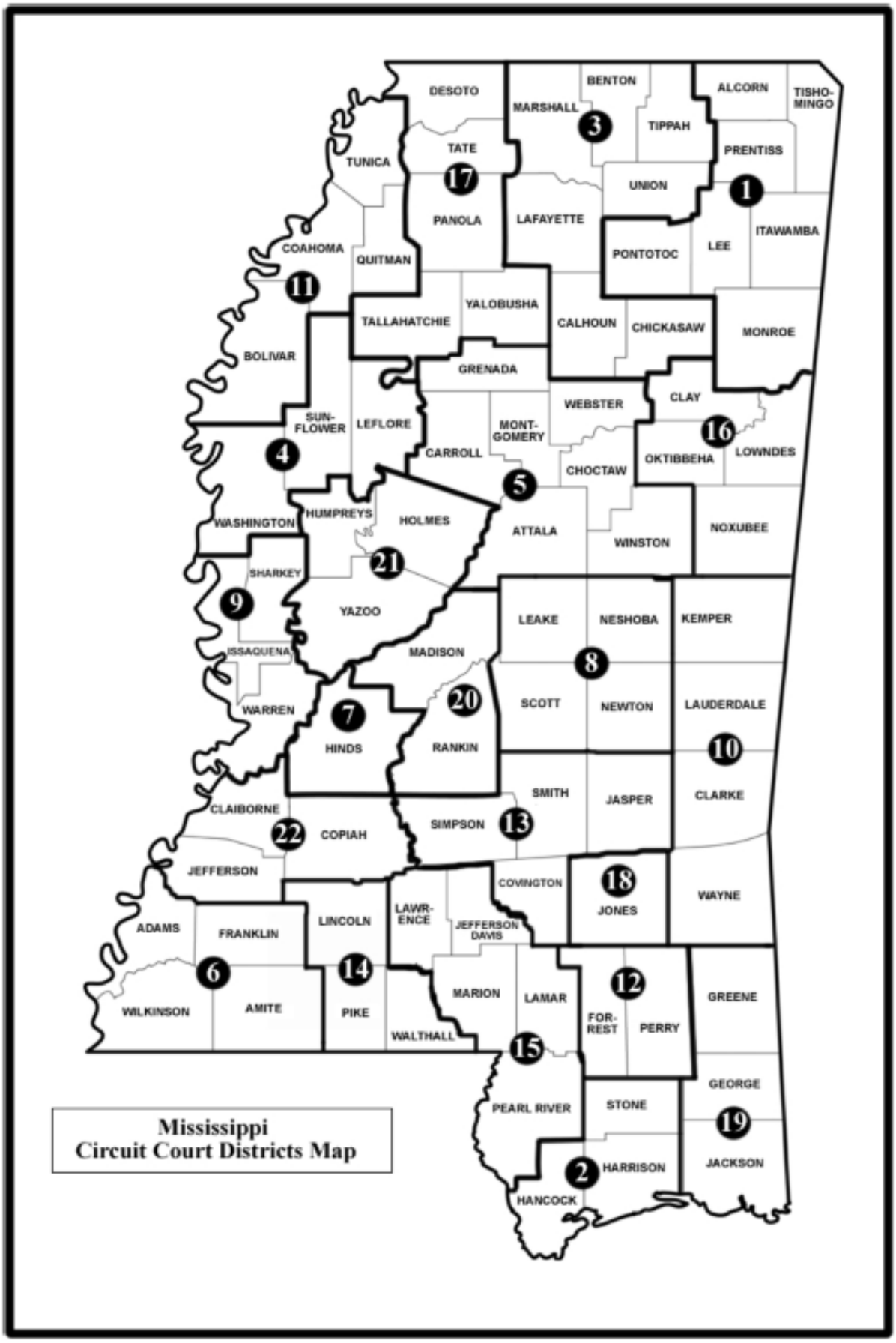
SUPREME COURT DISTRICTS



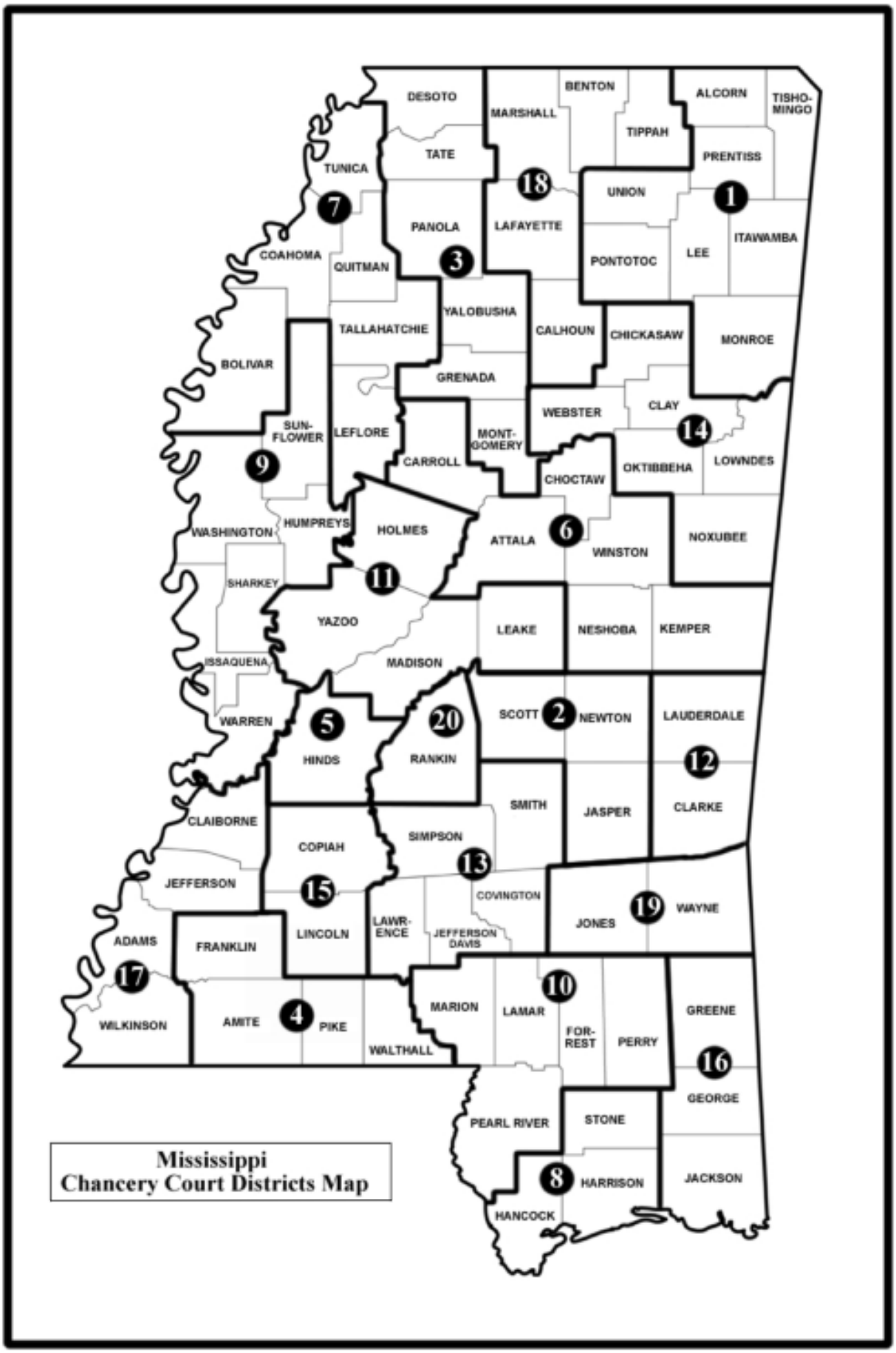
COURT OF APPEALS DISTRICTS



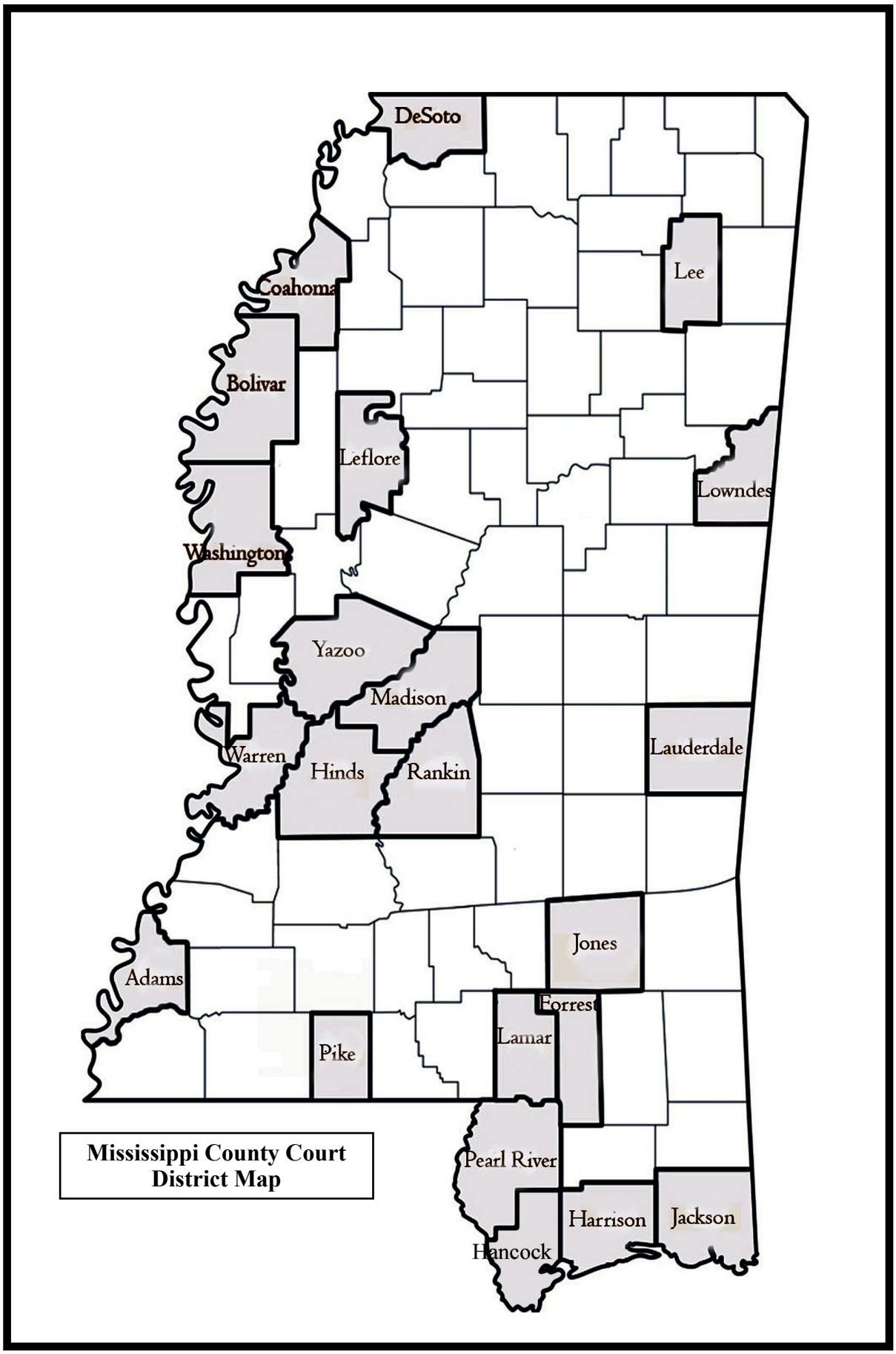
CIRCUIT COURT DISTRICTS



CHANCERY COURT DISTRICTS



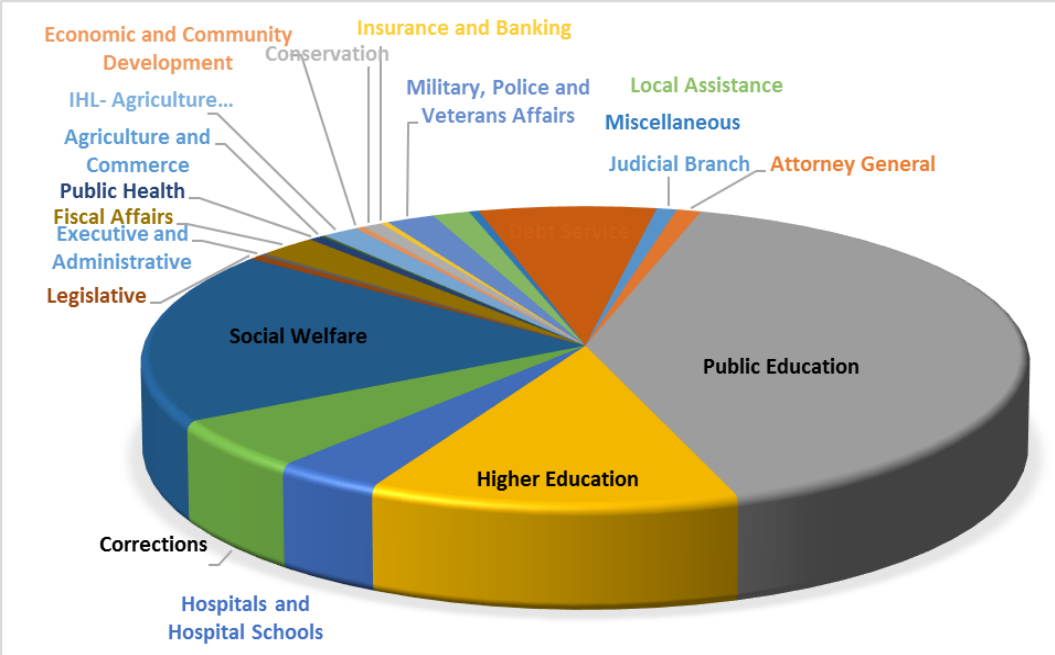
COUNTIES WHICH HAVE COUNTY COURTS



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 2019 Fiscal Year appropriation for the judicial branch was $86,637,189, which consists of $43,665,574 in general funds and $42,971,615 in special funds. 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 2019 general fund appropriations for all three branches of state government was $5,542,978,000.



FY 2019 GENERAL FUND APPROPRIATION

(DOES NOT INCLUDE FY 2018 REAPPROPRIATIONS)

Judicial Branch	$43,665,574	0.7878%
Attorney General	$53,171,479	0.9593%
Public Education	$2,228,878,592	40.2109%
Higher Education	$ 708,472,856	12.7814%
Hospitals and Hospital Schools	$ 208,001,565	3.7525%
Corrections	$306,613,667	5.5316%
Social Welfare	$ 1,032,225,679	18.6222%
Legislative	$26,619,635	0.4802%
Executive and Administrative	$16,374,153	0.2954%
Fiscal Affairs	$129,542,838	2.3371%
Public Health	$30,654,676	0.5530%
Agriculture and Commerce	$8,084,042	0.1458%
IHL- Agriculture Units	$79,507,000	1.4344%
Economic and Community Development	$19,032,820	0.3434%
Conservation	$43,159,116	0.7786%
Insurance and Banking	$16,979,025	0.3063%
Military, Police and Veterans Affairs	$104,870,985	1.8920%
Local Assistance	$80,625,992	1.4546%
Miscellaneous	$21,256,914	0.3835%
Debt Service	$385,241,392	6.9501%
Total General Fund Appropriation for FY2018	$5,542,978,000	100.00%

The General Fund appropriation for the Administrative Office of Courts and all state courts of record, including the Supreme Court, Court of Appeals, 82 circuit courts, 82 chancery courts, and 22 county courts, was $43,665,574.

The judicial system's largest expenditure is salaries: $59,985,857, or 62.25 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 report 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.

Special funds are critical to the work of the judicial branch. Mississippi Electronic Courts, MEC, an electronic filing system which operated in 58 Chancery Courts and 23 Circuit Courts at the end of calendar year

2018, 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 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.

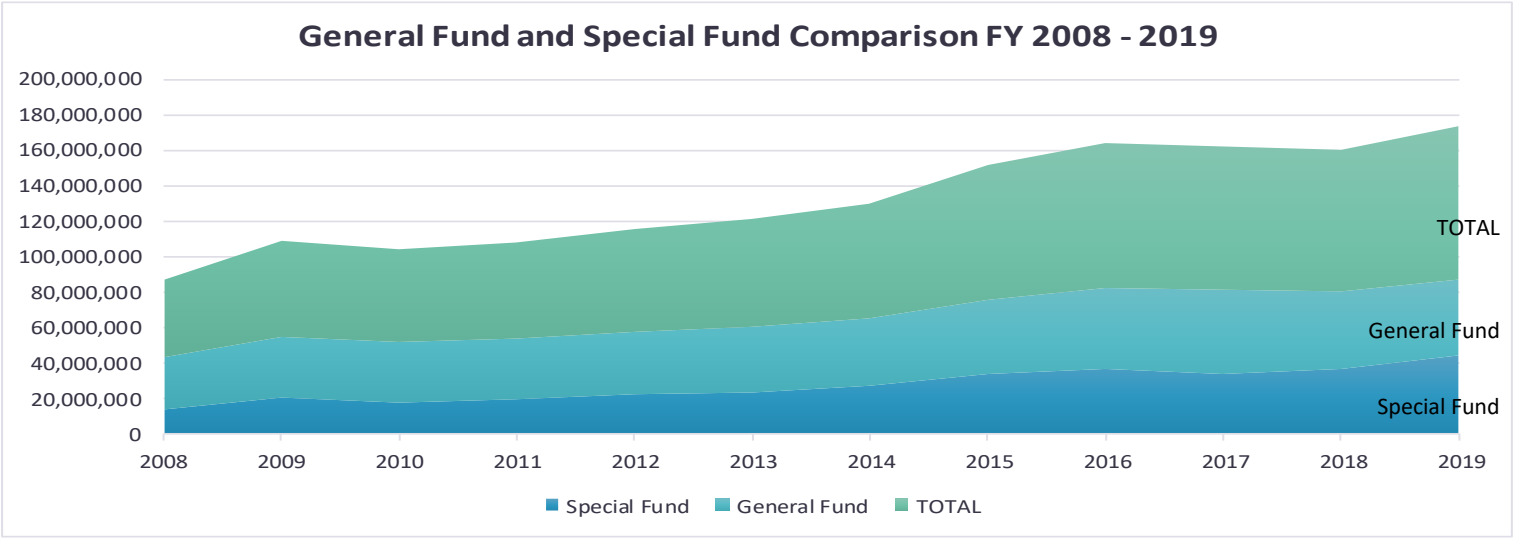
The largest special fund category is the custodial account that pays trial court support staff. County governments pay a portion of the salaries of trial court support staff under Mississippi Code Section 9-1-36. The custodial account is a pass-through for county funds totaling $17,597,060.

Under Senate Bill 2362, passed during the 2016 Regular Legislative Session, special assessments were transferred to the general fund. Drug courts are now completely funded by general fund allocations. Of the $43,665,574 in general funds appropriated for the judiciary, $6,500,000 (14.89%) was allocated to the Drug Courts.

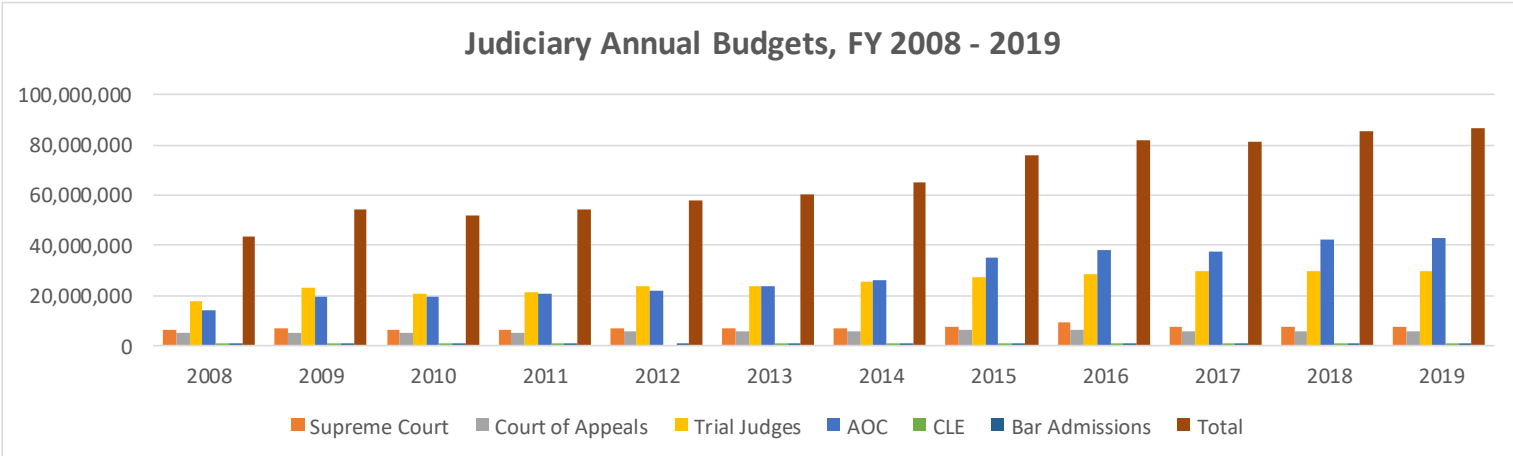
The annual budget of the judiciary has grown slightly each year since FY 2010. Leaders of the judiciary have worked extremely hard to secure adequate funding for the judicial branch of government, while providing an efficient, cost effective system of justice for the people of the state of Mississippi.

Judicial Salaries Effective Through January 1, 2019	
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 -- Most counties pay $1,000 less than Chancery and Circuit Judges.	

JUDICIAL BRANCH FY 2019 BUDGET							
	Supreme Court	Court of Appeals	Trial Judges	Admin Office of Courts	Continuing Legal Ed	Board of Bar Admissions	Totals
Salaries	6,507,812	5,427,520	27,975,824	19,787,617	118,686	178,398	59,995,857
Travel	335,000	388,200	754,586	94,115	11,200	21,500	1,604,601
Contractual	250,609	52,775	131,500	2,046,056	11,728	100,693	2,593,361
Commodities	418,806	8,700	1,089,000	112,440	2,800	38,100	1,669,846
Equipment	-	-	-	88,860	-	-	88,860
Subsidies	-	-	-	20,684,664	-	-	20,684,664
General Funds	6,605,116	4,314,088	21,402,467	11,343,903	-	-	43,665,574
Special Funds	907,111	1,563,107	8,548,443	31,469,849	144,414	338,691	42,971,615
Judicial Branch Appropriation	7,512,227	5,877,195	29,950,910	42,813,752	144,414	338,691	86,637,189
No. of PINS	70	58	109	30	2	3	272



	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
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	33,513,116	36,846,804	43,665,574
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	47,502,452	43,094,842	42,971,615
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	81,015,568	79,941,646	86,637,189



	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Supreme Court	6,453,687	6,546,560	6,191,709	6,504,661	6,688,507	6,804,905	7,088,365	7,266,019	8,982,639	7,658,703	7,418,303	7,512,227
Court of Appeals	5,127,570	5,130,570	4,878,956	5,063,906	5,388,381	5,539,485	5,818,158	6,063,132	6,189,265	5,632,021	5,703,898	5,877,195
Trial Judges	17,406,230	22,799,216	20,811,115	21,451,492	23,446,877	23,776,367	25,482,413	27,195,343	28,346,791	29,762,816	29,762,816	29,950,910
AOC	13,877,210	19438559	19,592,868	20,560,547	21,831,819	23,858,746	26,115,394	34,885,208	37,806,442	37,479,253	42,103,854	42,813,752
CLE	125,256	123,978	124,046	139,646	134,968,	130,193	135,538	138,651	183,386	144,282	144,282	144,414
Bar Admissions	342,680	373,618	373,788	378,088	371,438	351,138	406,515	402,586	401,671	338,493	338,493	338,691
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	81,015,568	85,471,646	86,637,189

OUTREACH AND INNOVATION

Access to Justice Commission

Chief Justice Bill Waller Jr. called upon chancellors and attorneys to conduct clinics to help struggling *pro se* litigants in every chancery court district in the state during 2018, and the response was overwhelming. During 2018, 451 lawyers provided 1,366 hours of free legal services to 851 people. The largest turnout was in June, which the Legislature designated as Access to Justice Month. Throughout the year, 37 clinics were held, some district-wide and some serving just one county. Free clinics dealt with family law issues such as guardianships to enroll children in school, uncontested divorce, legal name change and emancipation. Some also assisted with expungements, opening the way for people to seek better employment opportunities.

Nicole McLaughlin of Tupelo, who had been a member of the Access to Justice Commission, became full-time Commission executive director and director of the Bar's Access to Justice Initiative on March 12, 2018. McLaughlin spearheaded organization of free family law clinics across the state, working with chancellors and their staffs and local bar associations. The Mississippi Volunteer Lawyers Project also worked with Legal Services offices and many private practice attorneys across the state to schedule free clinics and provide services.

First Chancery District Chancellor Jacqueline Mask, co-chair of the Access to Justice Commission, hosted eight community lunch meetings in her district to heighten awareness of the services they provide. More than 200 people, including court staff, local government officials, law enforcement, school superintendents and counselors, Department of Human Services staff and other social workers, representatives of nonprofit organizations and religious leaders attended the luncheons.

On May 10, 2018, the Mississippi Supreme Court ordered that the Commission receive one-third of the *pro hac vice* funds received from out of state attorneys. The Supreme Court increased the *pro hac vice* fee from $200 to $300 so that the funding to the Commission will not affect the amount directed each year to the Civil Legal Assistance Fund. The funding increase is expected to sustain and expand future work of the Commission.

The Commission reorganized its website, http://www.msatjc.org/, adding forms, resources by legal topic, and contact information for clerks' offices. Work is expected to continue into early 2019. The Commission, DHS and the University of Mississippi School of Law worked together to plan production of a series of self-help videos intended to assist self-represented litigants as well as those with counsel to navigate the legal system. Filming is expected to begin in Spring 2019.

Five Commission working groups continued their efforts to improve access to the legal system. The working groups were set up in 2017 in response to the National Center for Access to Justice's 2016 ranking of Mississippi at 50th on the Justice Index for providing access to justice. Their efforts include:

- developing a judicial education program to ensure that self-represented litigants are fairly heard and preparing a

desk reference manual for judges;

- examining the unauthorized practice of law statutes related to the distribution of legal forms by court clerks and others;
- educating court clerks and employees and court patrons about what court staff can and can't do to assist *pro se* litigants. The Commission approved handouts for clerks in December 2018;
- providing civil legal assistance information and links on the Mississippi Judiciary website;
- developing a language access plan to assist clerk's offices, non-English proficient customers and the hearing impaired.

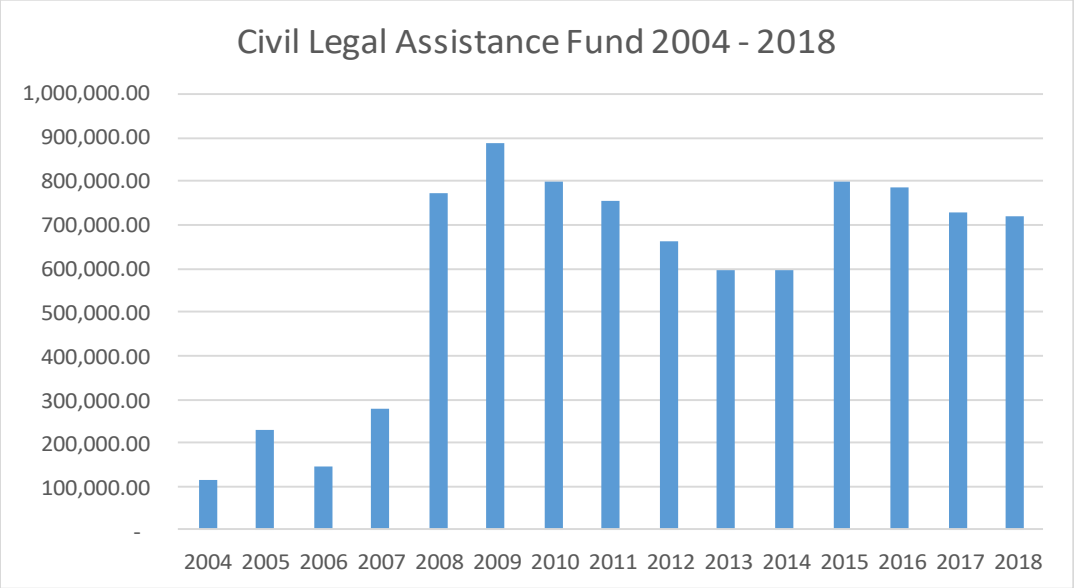
The Mississippi Supreme Court created the Access to Justice Commission by order on June 28, 2006, to develop a unified strategy to improve access to the civil courts for the poor. The Commission is tasked to investigate the need for civil legal services to the poor in Mississippi, and to evaluate, develop 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 in Fiscal Year 2018 distributed $717,325 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. Since the Civil Legal Assistance Fund was created in 2004, more than $8.8 million has been disbursed to help poor people to gain access to the legal system. Civil Legal Assistance Fund distributions are paid from special assessments on court filings and from fees charged to out-of-state attorneys appearing *pro hac vice*.

Mississippi has an estimated 695,000 people living at or below poverty level. There aren't enough Legal Services lawyers to handle the estimated 200,000 to 250,000 people who need legal aid each year but can't afford it. MVLP takes some of the cases referred by Legal Services. Legal Services offices are funded primarily by federal appropriations to the Legal Services Corporation. Money provided through the Civil Legal Assistance Fund is a significant supplement to Legal Services providers.

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
2016	$785,254.03
2017	$727,075.77
2018	$717,325.07
TOTAL	$8,865,610.41



Court Interpreter Credentialing Program

The Administrative Office of Courts provides all state courts with a list of language interpreters who have demonstrated proficiency in oral and written interpretation of court proceedings.

Twenty-two credentialed language interpreters were available to assist trial courts across the state at the end of 2018. Credentialed interpreters include 20 Spanish speakers, one Mandarin Chinese speaker, and one who speaks Portuguese. There is a need for Vietnamese speakers, but none have been credentialed yet. A previously credentialed Russian speaker did not renew her certification because there were few requests for her services. Interpreters live in Bay St. Louis, Biloxi, Clinton, French Camp, Gulfport, Hazlehurst, Meridian, Newton, Ocean Springs, Oxford, Tupelo and Vicksburg as well as Cordova, Goodlettsville, Memphis and Nashville, Tenn., and New Orleans.

The credentialing program provides two levels of proficiency: registered and certified. Nine interpreters are certified, and 13 are registered.

The Administrative Office of Courts during 2018 conducted two seminars in Jackson to introduce bilingual speakers to the requirements for court interpreting. 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 adopted Standards for Court Interpreters and a Code of Ethics for Court Interpreters on Oct. 17, 2011. 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 rules for court interpreters apply to municipal court, justice court, youth court, county court, circuit court, chancery court and grand jury proceedings.

Problem-Solving Courts

In March 2018, the AOC implemented changes to the drug court structure in order to align with national standards and the needs of the state. Pam Holmes was named to the position of Director of Problem-Solving Courts to oversee the needs of the drug, veterans' treatment and mental health courts in Mississippi as defined by statutes. The restructure included the hiring of Rani Oswalt as Drug Court Financial Analyst and Steve Edwards, J.D. as Drug Court Compliance Analyst. The creation of these two positions enabled AOC to strategically focus on fiscal and operations compliance within the drug courts.

Drug Courts

A greater focus on fiscal and operational compliance by the new drug court team began in March 2018 with the AOC implementing changes to the drug court fiscal policy to include the yearly budget requests and monthly fiscal reports submitted by drug courts statewide. The AOC hosted a training seminar in May 2018 for all drug court coordinators to educate drug court coordinators/fiscal officers on financial and budget changes. After this training session, AOC implemented one-on-one fiscal and budget training for those drug court employees who request it.

The number of drug courts in the state declined from 42 to 40 when the Hinds County Youth Drug Court and the Hancock County Youth Drug Court closed in June 2018. The 40 drug courts operating at the end of 2018 included 22 adult felony drug courts, three misdemeanor drug courts, 12 juvenile drug courts, and three family drug courts.

The current AOC general fund appropriated budget for FY2019 totals $6.5 million with $425,000 used towards AOC operational expenses such as salaries, travel and training, membership dues, office expenses, and the yearly drug court case management software system. The remaining $6,075,000 was allocated for the adult felony, misdemeanor, youth, and family drug court budgets. This budget runs from July 1, 2018 – June 30, 2019.

Veterans Treatment Court Programs

The Legislature's adoption of Mississippi Code Section 9-25-1, effective July 1, 2014, established the Veterans Treatment Court Program to recognize military veterans who have provided an invaluable service to our country. In that service, many may have suffered the effects of post-traumatic stress disorder, traumatic brain injury and depression and other issues, and may also suffer from drug and alcohol dependency or addiction and co-occurring mental illness and substance abuse problems. Drug Courts in the 8th Circuit, 12th Circuit and 19th Circuit operate a veterans treatment court or veterans treatment track as part of their drug courts. These programs work with nearly 60 veterans. The 22 adult felony drug courts serve slightly more than 100 veterans. The veterans treatment courts operate similarly to drug court, with the additional component of retired military veteran

mentors. Mentors help participants in their transition from military service to civilian life. These retired military mentors are invaluable resources to aid in the recovery of these men and women.

Mental Health Courts

The Mississippi Legislature recognized the need for judicial intervention to establish court processes and procedures that are responsive to the needs of defendants with mental illnesses, while maintaining public safety and the integrity of the court process. The Legislature passed the Rivers McGraw Mental Health Diversion Pilot Program, Mississippi Code Sections 9-27-1 — 9-27-21, effective April 11, 2017. The AOC was authorized to oversee the pilot program. The legislation authorized Circuit Courts in the 2nd, 3rd, 8th, 12th, 17th and 20th districts to establish mental health diversion pilot programs with oversight by the AOC. However, those designated districts as of December 2018 have not been able to establish treatment courts, as no funds were appropriated for operations or oversight, and Mississippi has limited access to federally regulated medically assisted treatment facilities. Outside the scope of the districts named in the statute, the 4th, 7th and 15th Circuits have pursued their own local mental health court programs. The 4th and 15th Circuits gained access to grant funds to assist in program development.

2015-2018 Calendar Year Drug Court Comparison

	2015	2016	2017	2018
Total drug court programs	42	41	42	40
Total people served by drug courts statewide	4,042	4,993	5,257	3,680
Drug court graduates	563	772	757	934
Drug-free babies born	78	62	60	60
Participants who earned GEDs	74	133	148	121
Previously unemployed who found jobs	861	1,016	980	991
Fines collected and returned to county general funds	$1,171,050,37	$1,226,199.59	$1,268,580.16	$1,307,327.70
Fees paid by participants offset cost of operating drug courts	$1,551,919.30	$1,633,477.83	$1,661,875.61	$1,670,012.18
Hours of community service work by participants	24,920.50	29,251	27,323.50	26,441.00

State Drug Courts Advisory Committee

The State Drug Courts Advisory Committee was established by the Mississippi Legislature in 2003 to develop and periodically update proposed statewide evaluation plans and models for monitoring all critical aspects of drug courts. The Advisory Committee may make recommendations for improvements to drug court policies and procedures including the drug court certification process. The committee may make suggestions as to the criteria for eligibility and other procedural and substantive guidelines for drug court operation. The Advisory Committee sets funding formulas for drug courts. The Advisory Committee shall act as arbiter of disputes arising out of the operation of drug courts established under Mississippi Code Section 9-23-9. It shall also make recommendations to the Supreme Court necessary and incident to compliance with established rules.

Commission on Children's Justice

The Mississippi Supreme Court charged the Commission on Children's Justice with developing a statewide comprehensive approach to improving the child welfare system; coordinating the three branches of government in assessing the impact of government actions on children who are abused or neglected; and recommending changes to improve children's safety, strengthen and support families and promote public trust and confidence in the child welfare system. The Commission's efforts have grown to include numerous programs, described in the following subsections:

Family First Initiative

Mississippi officials in July 2018 launched the Family First Initiative of the Commission on Children's Justice in an effort to prevent child abuse and neglect and prevent children from entering the foster care system.

The initiative aims to work with families so that children may remain in their homes. The initiative will address multiple needs of struggling families by directing those families to services and resources that will improve family stability and create safer home environments for children. The idea is to identify and coordinate resources and to connect struggling families with services.

Of the more than 5,000 children in foster care, 82 percent came into the custody of Child Protection Services as a result of neglect. Neglect is preventable if needy families get help.

Justice Dawn Beam and First Lady Deborah Bryant are co-chairs of the Family First Initiative. Judges and other leaders of the Family First Initiative organized six pilot programs in Bolivar, Jackson, Lauderdale, Lee and Pearl River counties and the Metro Jackson area of Hinds, Madison and Rankin counties. Local steering committees were formed in each of the six pilot areas. Leaders of those efforts include:

- Bolivar County, Chancellor Catherine Farris-Carter, Circuit Judge Linda Coleman and County Court Judge Hunter Nowell;
- Jackson County, County Court Judge Sharon Sigalas, Circuit Judge Robert Krebs and Justice David Ishee;
- Lauderdale County, Chancellor Lawrence Primeaux, Circuit Judge Charles Wright, and County Court Judges Veldore Young Graham and Lisa Howell;
- Lee County, Chancellor Jacqueline Mask and Circuit Judge James L. Roberts Jr.;
- Hinds, Madison and Rankin counties, Chancellor Cynthia Brewer, Chancellor Denise Owens, Rankin County Court Judge Thomas Broome, former United Way of the Capital Areal CEO Carol Burger, media consultant Becky Russell and businessman George Malvaney;
- Pearl River County, Chancellor Deborah Gambrell, Circuit Judge Prentiss Harrell and County Court Judge Richelle Lumpkin.

Indigent Parent Representation

A Parent Representation Committee grew out of the work of the Commission on Children's Justice. Members of the Committee continue to seek public and private funding to maintain and expand pilot programs that provide attorneys for indigent parents facing allegations of abuse and neglect in Youth Court.

In 2018, 10 counties matched local funds to Legislative funds and private grant funds to provide parent defenders to represent indigent parents at risk of having their children removed from the home in youth court due to allegations of abuse or neglect. Before 2012, Madison County was the only Mississippi county known to provide county funded parent representation. That practice dated back to at least the early 1980s. The pilot program to provide indigent parents with attorneys began in Adams, Forrest and Rankin counties in 2012; Harrison County joined the program in 2013. Counties now providing parent representation through the pilot program are Adams, Bolivar, DeSoto, Forrest, Hancock, Harrison, Hinds, Jackson, Rankin and Pearl River. The Lafayette County Board of Supervisors totally funds its own part-time parent representation attorney.

The Task Force identified two clusters of expansion sites for parent representation in Youth Courts. The pilot program has expanded to more counties with the help of Casey Family Programs, the Kellogg Foundation and the willingness of county boards of supervisors to provide matching funds. During 2018, Casey Family Programs provided $195,000, the Court Improvement Program provided $60,000 and the Kellogg Foundation contributed $57,000, for a total of $312,000. The 2017 and 2018 Legislature provided $200,000 funding each year for parent representation. The Parent Representation Task Force continues to urge lawmakers to provide an increase in state funding to sustain and expand parent representation.

The pilot counties experienced a significant decline in the number of children in foster care. Fostering Court Improvement data reported a 23 percent reduction in the foster care population between March 2017 and October 2018. The pilot counties' census of children in care in March 2017 was 2,794. A year and a half later, 2,194, or 600 fewer children, were in foster care. There were significant reductions in two of the parent representation sites. Hancock County experienced a 55 percent reduction in foster care population, and Rankin County had a 55 percent reduction of children in foster care. The other parent representation sites have experienced decreases as well.

One of the strategies that enabled this decrease is parent representation, which has prevented children from going into foster care and promoted faster reunification or permanency. Decreasing the number of children in foster care provides a significant cost savings to the state.

Child welfare has undergone a culture shift. Youth Courts and the Mississippi Department of Child Protection Services work to keep children safe in their own homes.

The Parent Representation Task Force is a collaborative effort between the judiciary, Child Protection Services, Casey Family Programs, the Kellogg Foundation, the University of Mississippi School of Law, the Mississippi College School of Law, the American Bar Association, the Mississippi Center for Legal Services and the Mississippi Judicial College.

Commission on Guardianship and Conservatorship

The Supreme Court on April 13, 2017, created the Mississippi Commission on Guardianship and Conservatorship to develop recommendations to improve the way the courts protect children, vulnerable adults and estates. Justice Dawn Beam and Mississippi Judicial College Executive Director Randy Pierce serve as co-chairs of the 26-member Commission. The Commission formed three subcommittees which met monthly. They are Guardianship of the Person, Adult; Guardianship of the Person, Child; and Conservatorship of the Estate. The full Commission met quarterly. The Commission also conducted a Town Hall meeting at the Mississippi College School of Law on Sept. 7, 2018, to give anyone interested in guardianships and conservatorships an opportunity to hear about the Commission's work and the proposals that it planned to make.

Mississippi's laws governing guardianships and conservatorships have not been substantially changed in more than 30 years. Laws lack provisions for oversight, monitoring and accountability, which has led to abuse, fraud and mistrust in the system. The Supreme Court created the Commission on Guardianships and Conservatorships in the wake of incidents of fraud and abuse of vulnerable people. The Supreme Court charged the Commission to identify gaps and inconsistencies in state laws and to propose statutory and procedural solutions.

The Commission finalized its report and recommendations to the Legislature after spending nearly two years examining Mississippi laws and court rules as well as laws in other states. The recommendations are intended to protect children and vulnerable adults and their assets. The proposal called for repealing many of the provisions of existing law and creating the comprehensive Mississippi Guardianship and Conservatorship Act to guard and protect the state's vulnerable children and adults by

bringing all statutory provisions together in one statutory section. The recommendations seek to create a clear and workable statutory framework, modern and enforceable reporting requirements, comprehensive court monitoring procedures, state driven accountability measures, protection of the ward's fundamental rights, and transparency from all parties.

Objectives of the proposed Guardianship and Conservatorship Act are:

- distinguish guardian of the person from conservator of the estate;
- clarify the role of a guardian/conservator in a ward's life;
- specify basis for appointment of a guardian/conservator through improved medical evaluation forms;
- encourage individualized planning and use of the least restrictive alternative;
- create accountability between the guardian/conservator and the courts to prevent fraud and abuse;
- inform ward of procedural and substantive rights at hearings and ensure due process through protection of ward's person and assets;
- create a guardian/conservator plan for use throughout the appointment, with the court able to adjust the plan at its discretion;
- monitor each ward's plan, and track inventories and accountings through Mississippi Electronic Courts, MEC;
- establish an avenue for required well-being reports.

Guardian ad Litem Study Group

Since January 2017, the Mississippi Judicial College has convened a Guardian ad Litem Study Group consisting of members of the Children's Justice Commission, officials of child welfare agencies, members of child advocacy groups, educators, practicing guardians ad litem, and other stakeholders throughout the state to improve guardian ad litem training programs and resources. Upon their recommendations, the Mississippi Judicial College is currently drafting a manual for use by practicing guardians ad litem, law school clinics, and certification programs; uniform guardian ad litem reporting forms; and proposed guardian ad litem professional standards. In drafting the manual, the Mississippi Judicial College will be focusing on "best practices" for protecting the best interests of the child in achieving a desirable permanency outcome. Topics to be addressed will include: "reasonable efforts" at reunification; compliance with federal laws impacting funding; evidentiary considerations; and the threshold criteria for recommending parental representation. The target date for completion of the manual, reporting forms, and proposed professional standards is September 2019.

Resident Jurist

Former Adams County Court and Youth Court Judge John N. Hudson, who became Resident Jurist in April 2015, is a resource person to the judicial system and to local courts on issues such as child abuse reporting, termination of parental rights, general child protection services issues of competency in court proceedings, indigent parent representation, truancy/education neglect and crossover youth.

During 2018, the Resident Jurist worked to increase funding to maintain and expand parent representation programs. He worked with the Indigent Parental Representation Task Force and the Office of the State Public Defender to continue the pilot sites that provide attorney representation to indigent parents, implement new pilot sites and secure additional funding to operate the program. He met regularly with parent attorneys to discuss emerging issues in local courts and offer help.

The Resident Jurist continued to work to increase federal funding for the support of children in foster care. Title IV-E of the Social Security Act provides for federal reimbursement for a portion of the maintenance and administrative costs of foster care for children who meet specified federal eligibility requirements. Two years ago, Mississippi reported a 28 percent Title IV-E reimbursement rate. Recently, the reimbursement rate has risen to 40 percent. MDCPS instituted several reforms during that period. By increasing the number of children receiving federal dollars for their ongoing support, Mississippi would reduce state tax dollars spent on foster care.

Part of the reason for the low rate was that individual children's IV-E eligibility was not correctly documented in court orders. Judge Hudson worked extensively to train CPS workers and judges in correctly documenting IV-E eligibility requirements. He edited the Jurist in Residence Letters to all Youth Court judges, explaining the need to properly address all the factors as required by federal law and to include those findings in their orders. He worked with IT personnel at the Supreme Court to draft new court order language in MYCIDS, the statewide youth court data system, to ensure conformity with eligibility requirements and provide instruments for statewide tracking of compliance.

The Resident Jurist met with legislators and participated in legislative committee meetings to educate legislators on the needs of Youth Court and child welfare. He created position papers on legislative proposals to advise of the impact of pending legislation. He made presentations regarding Youth Court issues at various conferences including the Youth Court Prosecutors Conference, a multi-disciplinary conference of court and police personnel, multi-disciplinary conferences with parent attorneys, and the Youth Court Judges annual conference. He conducted new judge training for County Judges on Youth Court practice and procedure. He also helped train Arkansas judges on the Family First Prevention Services Act.

The Resident Jurist worked closely with the Mississippi Department of Child Protection Services and its commissioner to identify and address emerging issues in child welfare and the courts. He worked with the Legislature to establish an additional judicial post to properly handle the child welfare docket in Lee County. He assisted in training of court staff preparing for the Children and Family Services Review (CFSR), a federal review of the state child welfare system in four counties.

Judge Hudson provided consultation for individual Youth Court judges, prosecutors, parent attorneys and guardians ad litem across the state. He conducted several court observations of local Youth Courts and issued reports of recommendations for better court practices. He worked with several courts to address challenges and assisted in developing plans to overcome them.

The Resident Jurist serves on boards and committees including Kids Count, Children's Advocacy Centers of Mississippi, the Methodist Children's Home, the Guardianship Task Force, the Indigent Parent Representation Committee, and the Attorney General's Mental Health Task Force. He also works with local leaders to develop task forces in local communities addressing issues which relate to the fair, effective and efficient administration of courts. He has worked closely with the Family First Initiative to promote better responses and services to the child welfare system.

The Resident Jurist worked with Children's Advocacy Centers and a task group to develop a plan to address the release of forensic interview DVDs and the need to maintain confidentiality of that information. He continued to work with the Juvenile Detention Alternatives Initiative State Advisory Group to develop a statewide risk assessment instrument for youth and children to assess the necessity of placement in a detention setting. The objective is to ensure that only those youths who are a safety risk are placed in detention. He has trained in several venues on the newly developed instrument.

The Resident Jurist is an adjunct member of the Casey Family Program's National Judicial Engagement Team. In that role, he works with other members of the team to develop scientific based practices to improve judicial engagement in child welfare systems across the nation. Most recently, he worked with the team to replicate the Jurist in Residence program nationally. Casey Family Programs expanded the JIR program to several other states and chose to conduct their national training in Mississippi to highlight the success our state has demonstrated and to encourage replication in other jurisdictions.

Reentry Council

The Reentry Council works to create effective strategies to assist former inmates in their return to society, reduce recidivism, provide ample funds for operating the state prison system and improve public safety. The Council seeks ways to help former inmates find employment, housing, transportation, medical and mental health services. The Reentry Council began as an ad hoc group in December 2013 and was formalized by the Legislature in 2015 as MS Code Ann. 47-7-101. U.S. District Judge Keith Starrett of Hattiesburg is chairman of the Reentry Council. Presiding Justice James W. Kitchens is the court's representative on the Council. The Council has a 12-member steering committee. Other members include U.S. Attorney Mike Hurst; Corrections Commissioner Pelicia Hall; Attorney General Jim Hood; Rev. Don

Gann, pastor of First Baptist Church of Oxford; Chief U.S. Probation Officer Mark Quarles; Department of Mental Health Executive Director Diana Mikula; Division of Medicaid Executive Director Drew Snyder; Parole Board Chairman Steve Pickett; Department of Employment Security Office of Job Connections Director Robin Stewart; and Roy Dixon, a former offender.

Recommendations of the Reentry Council to the 2019 Legislature include:

- support for Governor Phil Bryant's criminal justice package, which includes some items which have been recommended by the Council in previous years;
- remove some of the grounds for driver license suspension and revocation, including drug violations unrelated to driving, and failure to pay fines or fees or respond to traffic violation summonses or citations;
- revise crimes eligible for expungement;
- remove the automatic bar for occupational licensing for a non-violent conviction more than three years before license application;
- authorize state tax credits for employers who hire non-violent felony offenders;
- create the "Programs To Reduce Recidivism Fund" to collect savings from criminal justice reform for use in community reentry programs;
- expand and track Smart Start and cognitive behavioral programs in state prisons with the goal that each inmate would complete the programs before release from confinement;
- establish day reporting centers as an alternative to incarceration in some instances;
- add at least 155 additional transitional housing beds for offenders leaving confinement;
- adopt Corrections Commissioner Pelicia Hall's proposal to get rid of striped prison uniforms.

Mississippi Electronic Courts

The Mississippi Electronic Courts system, MEC, under the supervision of the Mississippi Supreme Court, is adapted from the electronic filing system and case management system used in federal district and appellate courts. MEC allows courts to file, store and manage case files in an electronic format which is accessible via the Internet to judges, court staff, attorneys and the public 24 hours a day.

Nathan Evans, J.D., became director of MEC on April 1, 2018. He supervises a staff of 12. There is a waiting list of counties that wish to implement MEC, and implementations are proceeding as fast as the staff can get to them. MEC strives to implement new courts at a rate of at least one per month.

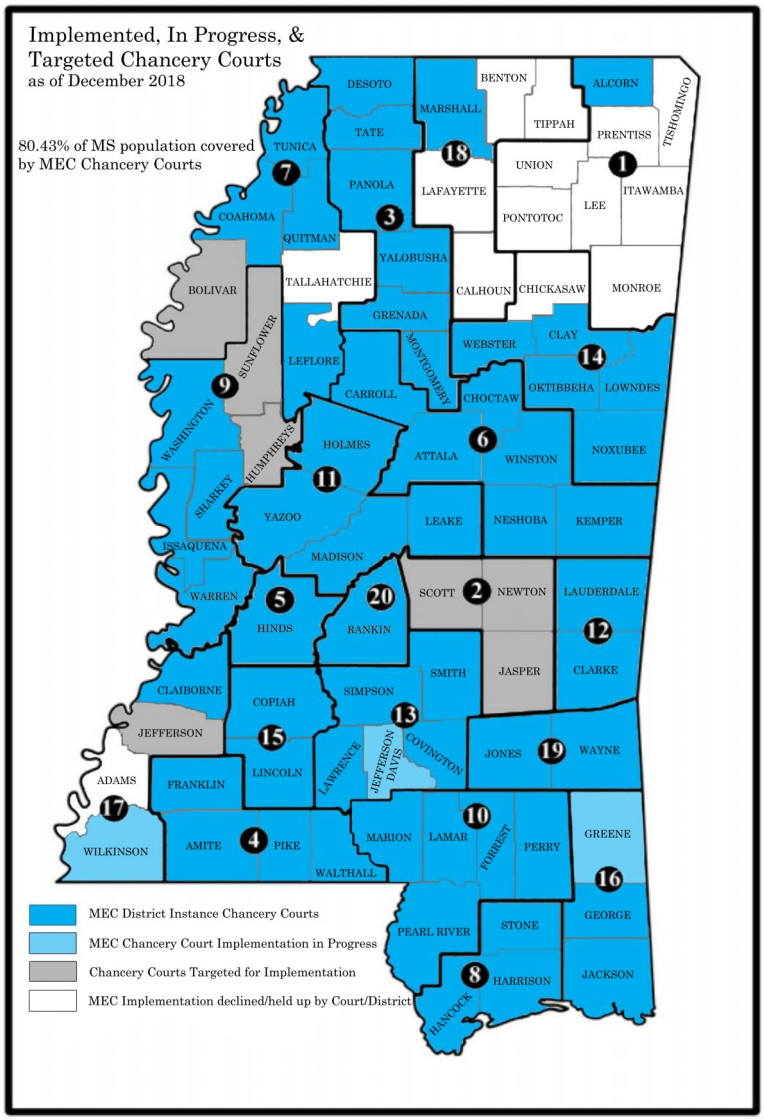
At the end of 2018, MEC was utilized in 58 Chancery Courts that cover 80.43 percent of the state's population, 23 Circuit Courts that cover 50 percent of the state's population, and 11 County Courts. Fourteen counties utilize criminal records e-filing in addition to civil e-filing. Those Circuit Courts are in Clay, George, Greene, Hinds, Issaquena, Jasper, Jefferson Davis, Jones, Lawrence, Marion, Pearl River, Perry, Stone, and Tate counties. The other nine Circuit Courts utilize MEC only for civil cases.

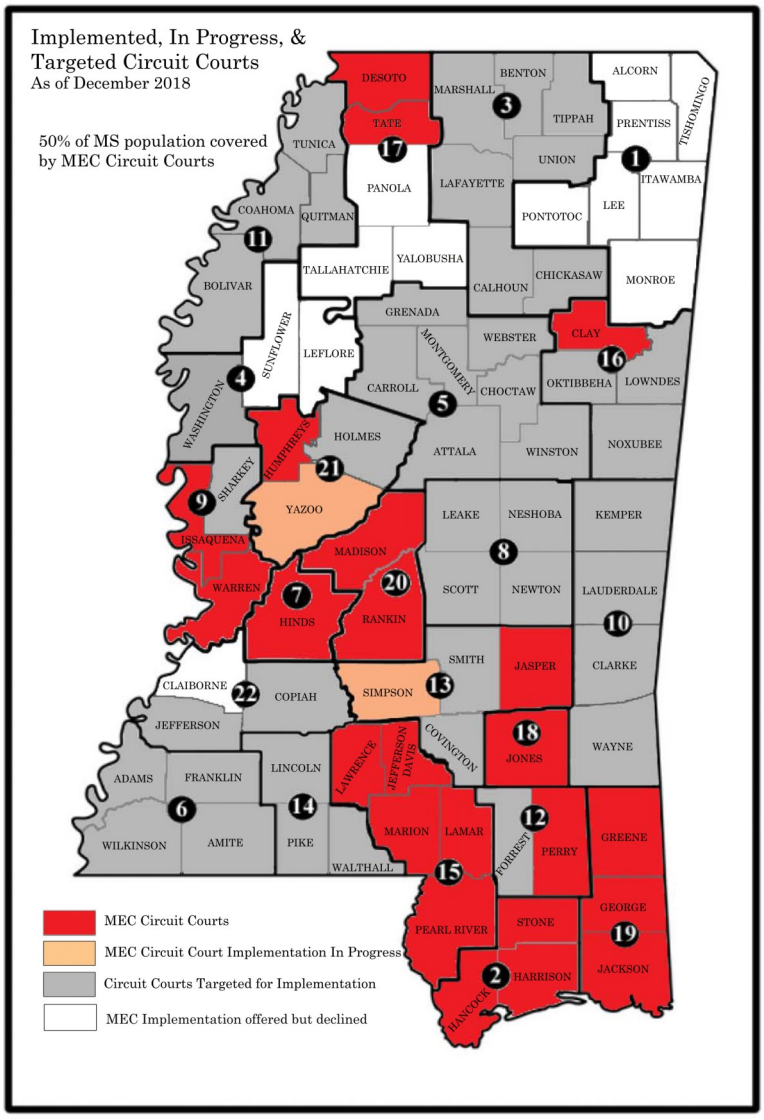
During 2018, MEC completed system changes to allow import of criminal data from third party legacy court systems into the MEC system. As a result, the number of counties using criminal records e-filing doubled from seven to 14. Counties using criminal records e-filing in MEC prior to this system enhancement simply began docketing on a particular date in MEC, known as the MEC GoLive date. Criminal court data entered in legacy systems prior to the MEC GoLive date in each court would remain in the old system. MEC is now working with the Hinds County Circuit Clerk's office to import more than a decade of criminal data from the legacy system into MEC. After this data is imported into MEC, Hinds Circuit will have the option to discontinue the use of its legacy system altogether for the storage of court data. MEC will leverage this ability to import criminal legacy data in future Circuit Court implementations.

MEC continues to emphasize district-wide implementations to maximize e-filing and court docket efficiency. Courts using MEC district-wide are better able to track cases across the district and coordinate scheduling of court proceedings. Judges and chambers staff are able to file and view documents across the district from anywhere with an Internet connection. Chancery Courts using MEC district-wide include districts 3, 4, 5, 6, 8, 10, 11, 12, 15, 19, and 20. Circuit Courts using MEC district-wide include districts 2, 7, 15, 18, 19 and 20.

In 2019, MEC anticipates district-wide implementation and completion of Chancery districts 2, 7, 9, 13, 14, 16, and 17 and Circuit districts 9, 12, and 21.

In October 2018, the Mississippi Supreme Court amended MEC Administrative Procedures to allow attorneys, as officers of the court in good standing with the Mississippi Bar and registered with MEC, to view all restricted access case documents online remotely. Previously, only counsel of record in restricted cases could view documents remotely.





MEC is currently focused on major system projects which include development of a comprehensive accounting package for Circuit and Chancery Courts, data interfaces with state agencies including Mississippi State Department of Health and Mississippi Department of Human Services, a judgment roll, and numerous court calendaring/settings enhancements.

The MEC system is funded solely through collection of civil filing fees, user fees to access documents, and renewal fees. MEC has a total of 7,166 registered attorney users and 5,657 non-attorney users. Since its inception, MEC has generated usage fees totaling $1,657,154. Those funds are divided equally between the county clerks of the court and MEC.

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, business systems analysts/trainers, and a webmaster. 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 including but not limited to the appellate court case management system CITS, the appellate court e-filing system, the statewide Youth Court case management system MYCIDS, the AOC statistical system SCATS, the Board of Bar Admissions online Bar exam application system BarWeb; and the design and maintenance of the State of Mississippi Judiciary website.

IT implemented a robust network and server infrastructure specifically for the Mississippi Electronic Courts system that allowed MEC to migrate their databases and web hosting from ITS to the Court data center.

Appellate e-filing was integrated directly into the Court website general docket. Since the website is mobile-friendly, attorneys can e-file documents from a smartphone or tablet via the cloud services DropBox, Google Drive, Microsoft OneDrive, and Apple iCloud.

Mississippi Youth Court Information Delivery System (MYCIDS)

The Mississippi Youth Court Information Delivery System, 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 at no charge to local courts.

MYCIDS staff increased training provided in 2018. During the year, 267 onsite training sessions totaling 801 hours were conducted in 67 counties. The work represented 42 more training sessions than the previous year. Also, online training was provided in 30 one-hour training sessions regarding updated Title IV-e procedures. Termination of Parental Rights (TPR) training was held in all 22 County Courts.

Legislative mandate and the *In re Olivia Y.* lawsuit require extensive and continuous training. Training must continue year round to keep up with the high turnover rate of social workers.

The MYCIDS team also gave presentations at the Mississippi Youth Court Judges and Referees Conference, the Mississippi Court Administrators conference, and the Juvenile Justice Symposium.

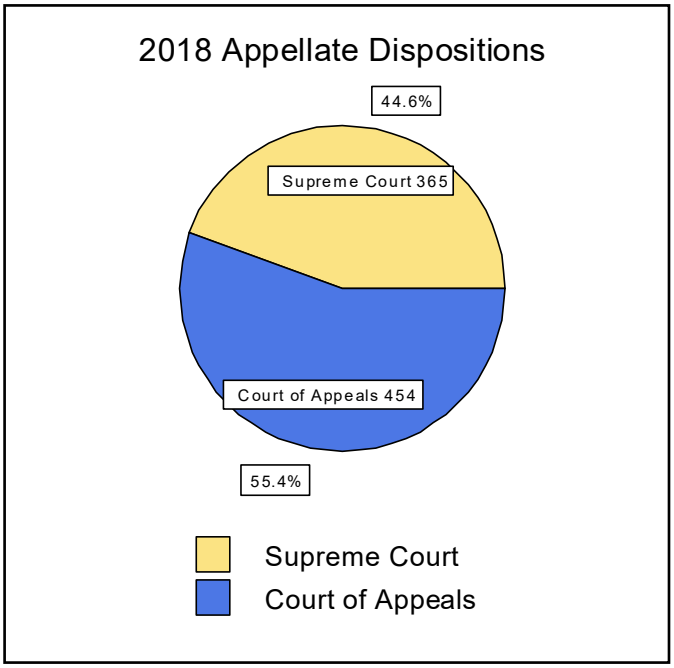
Design plans to modify MYCIDS to reflect changes in permanency and TPR statutes are underway. Preparations are being made to include the Juvenile Detention Alternative Initiative (JDAI) detention assessment tool into MYCIDS. The tool will assist youth courts, law enforcement and detention centers in determining if placement in detention centers is appropriate.

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.

Appellate Case Filings	2016	2017	2018
Notices of Appeal, General	863	732	770
Death Penalty Direct Appeal	0	1	0
Death Penalty PCR Applications	7	2	6
Bar Discipline Cases	4	1	9
Bar Discipline Appeals	1	4	0
Bar Reinstatement Cases	2	4	4
Judicial Performance Cases	4	0	3
Annexation Cases	0	1	1
Election Contests	6	1	2
Interlocutory Appeals Granted	44	37	22
Certiorari Petitions Granted	27	40	12
Workers' Compensation Appeals	24	27	25
Utility Rate Cases	1	0	0
Federally Certified Questions	0	1	1
Total New Cases Filed	983	824	830

In 2018, the Supreme Court disposed of 365 cases. Of those, 168 cases were decided on the merits. The remaining cases were dismissed. Of the 135 *appeals* decided on the merits, 98 (72.6 percent) were civil, and 37 (27.4 percent) were criminal. Of the 98 civil appeals decided on the merits, 55 (56.1 percent) were affirmed, and 43 (43.9 percent) were reversed or vacated. Of the 37 criminal appeals decided on the merits, 33 (89.2 percent) were affirmed, and 4 (10.8 percent) were reversed.

The Supreme Court disposed of a total of 3,730 motions and petitions during 2018. This included 63 motions for rehearing, of which 61 (96.8 percent) were denied, 1 (1.6 percent) was dismissed, and 1 (1.6 percent) was granted. Pursuant to Rule 5 of the Mississippi Rules of Appellate Procedure, the Court disposed of 170 petitions for interlocutory appeal. Of those, 121 (71.2 percent) were denied, 23 (13.5 percent) were granted, and 26 (15.3 percent) were dismissed or had other dispositions.

In 2018, the Supreme Court disposed of 173 petitions for writ of certiorari. Of those, 12 (6.9 percent) were granted; 150 (86.7 percent) were denied; and 11 (6.4 percent) were dismissed or had other dispositions.

The Supreme Court heard oral arguments in 22 cases in 2018.

2017—2018 Case Dispositions						
	Supreme Court		Court of Appeals		Courts Combined	
	2017	2018	2017	2018	2017	2018
Dismissed by Clerk's Rule 2 Notice	62	50	21	21	83	71
Dismissed by Order of Court	170	144	18	22	188	166
Cert Petitions Dismissed after Grant	7	3	NA	NA	7	3
Decided by Published Opinion	171	160	478	410	649	570
Per Curiam Affirmed	7	2	NA	1	7	3
Decided by Order	24	6	4	0	28	6
Total Case Dispositions	441	365	521	454	962	819

2016—2017—2018 Dispositions of Rehearing Motions, Interlocutory Appeals and Cert Petitions									
	Supreme Court			Court of Appeals			Courts Combined		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Motions for Rehearing	62	53	63	250	228	208	312	281	271
Petitions for Interlocutory Appeal	152	163	170	0	0	0	152	163	170
Petitions for Certiorari	183	171	173	0	0	0	183	171	173

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 2018, the Court of Appeals disposed of 455 cases. Of this number, 412 were decided on the merits. The remaining cases were dismissed. Of those decided on the merits, 264 were civil and 136 were criminal. Of the 264 civil cases decided, 202 (76.5 percent) were affirmed and 62 (23.5 percent) were reversed. Of the 136 criminal appeals decided, 124 (91.2 percent) were affirmed and 12 (8.8 percent) were reversed.

The Court of Appeals disposed of a total of 1,703 motions and petitions during 2018. This included 208 motions for rehearing, of which 207 (99.5 percent) were denied or dismissed, and 1 (0.5 percent) was granted.

The Court of Appeals heard oral argument in 55 cases in 2018. The Court heard seven of those cases on college campuses as part of its Court on the Road program. Since 2005, the Court of Appeals has heard a few cases each year on college campuses and at other locations to educate students and the public about the workings of appellate courts.

Average days final brief to decision			
	2016	**2017**	**2018**
Supreme Court	200	192	200
Court of Appeals	228	213	211

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 200 days during 2018, and the Court of Appeals' average time was 211 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 141 days. Petitions for interlocutory appeal are usually granted, denied, or dismissed within 45 days after the responses are filed.

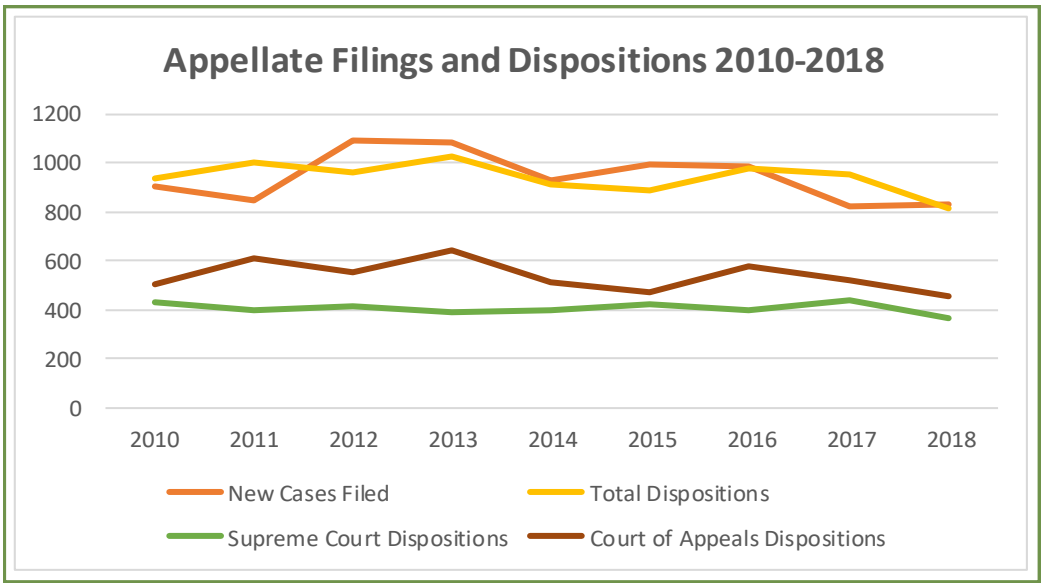
Office of the Clerk of the Mississippi Supreme Court and Court of Appeals

Jeremy Whitmire is Clerk of the Supreme Court and Court of Appeals.

The Office of Clerk serves both the Mississippi Supreme Court and the Mississippi Court of Appeals. The Clerk's Office provides court related services, a duty which encompasses essential and critical functions in organizing, promoting, managing and maintaining the effective operation of the state's appellate judiciary. The Clerk's Office is maintained within the framework of various statutes enacted by the Legislature, and rules, regulations and orders promulgated by the Supreme Court.

The primary function of the Clerk's Office is caseflow management and the coordination of the Court's processes and resources so that all cases progress through the Court in a timely manner. The Clerk's Office serves as the "library" of all documents sent to and from the Court. The office consists of 13 full-time members divided into five teams, with each team assigned specific duties. This procedure provides for a more concentrated, centralized expertise in that particular phase of the appellate process as well as more efficient case management and tracking.

The Supreme Court's computerized management of each case docket as well as the implementation of the appellate court's e-filing system has greatly increased the operating efficiency of the Clerk's Office. The office works closely with the Mississippi Electronic Courts department as well as the Supreme Court's IT department to identify, evaluate, and, in conjunction with Court Administration, implement various changes to the Court's system to continually improve the system's efficiency and effectiveness to better serve not only the Court, but the public.



In 2018, the Court opened a total of 830 new cases. The Clerk's Office processed 600 appellate records, 3,492 motions, 613 responses, and addressed a total of 2,307 procedural-type motions. In addition, there were a total of 1,417 electronic briefs processed, not including those conventionally filed, a total of 2,761 orders and 817 mandates. At present the Clerk's Office is accountable for a total of around 1,400 open case files.

Appellate Filings and Dispositions, 2010 — 2018

	2010	2011	2012	2013	2014	2015	2016	2017	2018
New Cases Filed	904	844	1,091	1,084	926	995	983	824	830
Total Dispositions	938	1,006	964	1,030	916	890	980	958	819
Supreme Court Dispositions	433	396	412	386	400	419	401	441	365
Court of Appeals Dispositions	505	610	552	644	516	471	579	521	454

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 trial courts at the end of 2018 saw the largest number of retirements of judges in modern times; 35 chancellors, circuit judges and county court judges did not seek re-election. Four were defeated in November 2018 elections. Their combined experience on the bench totaled more than 800 years.

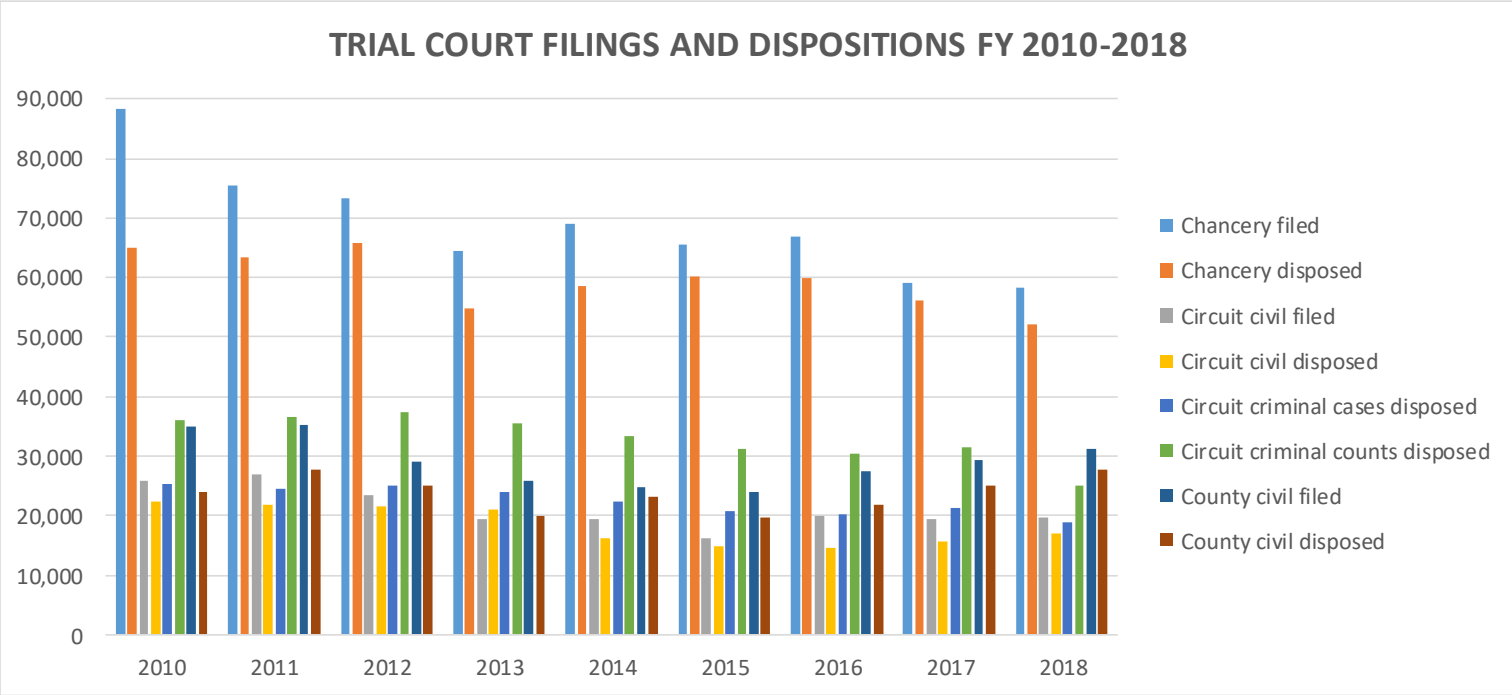
The Conference of Circuit Judges elected leaders on April 19, 2018, during the Spring Trial and Appellate Judges Conference. They are Circuit Judge John Emfinger of Brandon, chairman; Circuit Judge Lisa P. Dodson of Gulfport, vice-chair; and Circuit Judge Tony Mozingo of Oak Grove, secretary-treasurer.

The Conference of County Court Judges elected officers on April 19, 2018. Madison County Court Judge Ed Hannan was re-elected as chairman, Washington County Court Judge Vernita King Johnson was re-elected as vice-chair, and Lauderdale County Court Judge Veldore Young Graham was re-elected as secretary of the Conference.

The Conference of Chancery Court Judges elected leaders on Oct. 25, 2018, during the Fall Trial and Appellate Judges Conference. They are Chancellor Lawrence Primeaux of Meridian, chairman; Chancellor Haydn Roberts of Brandon, vice-chair; and Chancellor Robert Q. Whitwell of Oxford, re-elected secretary-treasurer.

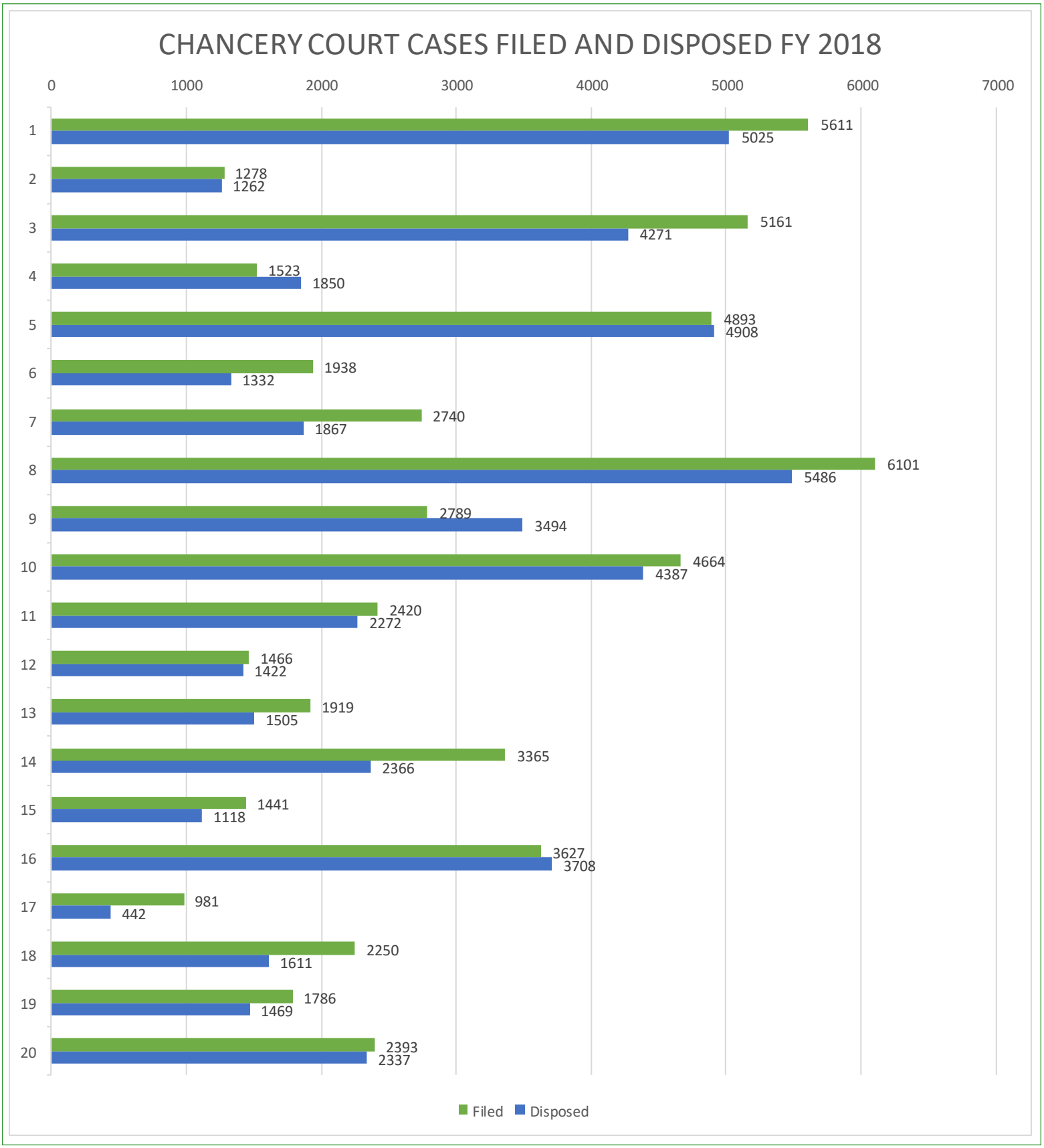
Rankin County and Youth Court Judge Thomas Broome is chair of the Council of Youth Court Judges, and retired Court of Appeals Judge Larry Roberts is chair of the Conference of Senior Status Judges.

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. Reported data includes:



	2010	2011	2012	2013	2014	2015	2016	2017	2018
Chancery filed	88,424	75,558	73,268	64,515	69,100	65,589	66,999	59,221	58,346
Chancery disposed	64,994	63,349	65,782	54,817	58,573	60,192	59,780	56,079	52,132
Circuit civil filed	25,800	26,862	23,553	19,429	19,305	16,236	19,907	19,328	19,789
Circuit civil disposed	22,249	21,687	21,441	21,003	16,123	14,874	14,467	15,557	16,974
Circuit criminal cases disposed	25,258	24,371	24,917	23,851	22,229	20,703	20,188	21,182	19,000
Circuit criminal counts disposed	36,131	36,561	37,366	35,437	33,322	31,174	30,284	31,361	25,009
County civil filed	34,950	35,254	29,177	25,761	24,793	24,055	27,366	29,417	31,307
County civil disposed	24,032	27,606	24,930	20,038	23,187	19,552	21,861	24,933	27,602

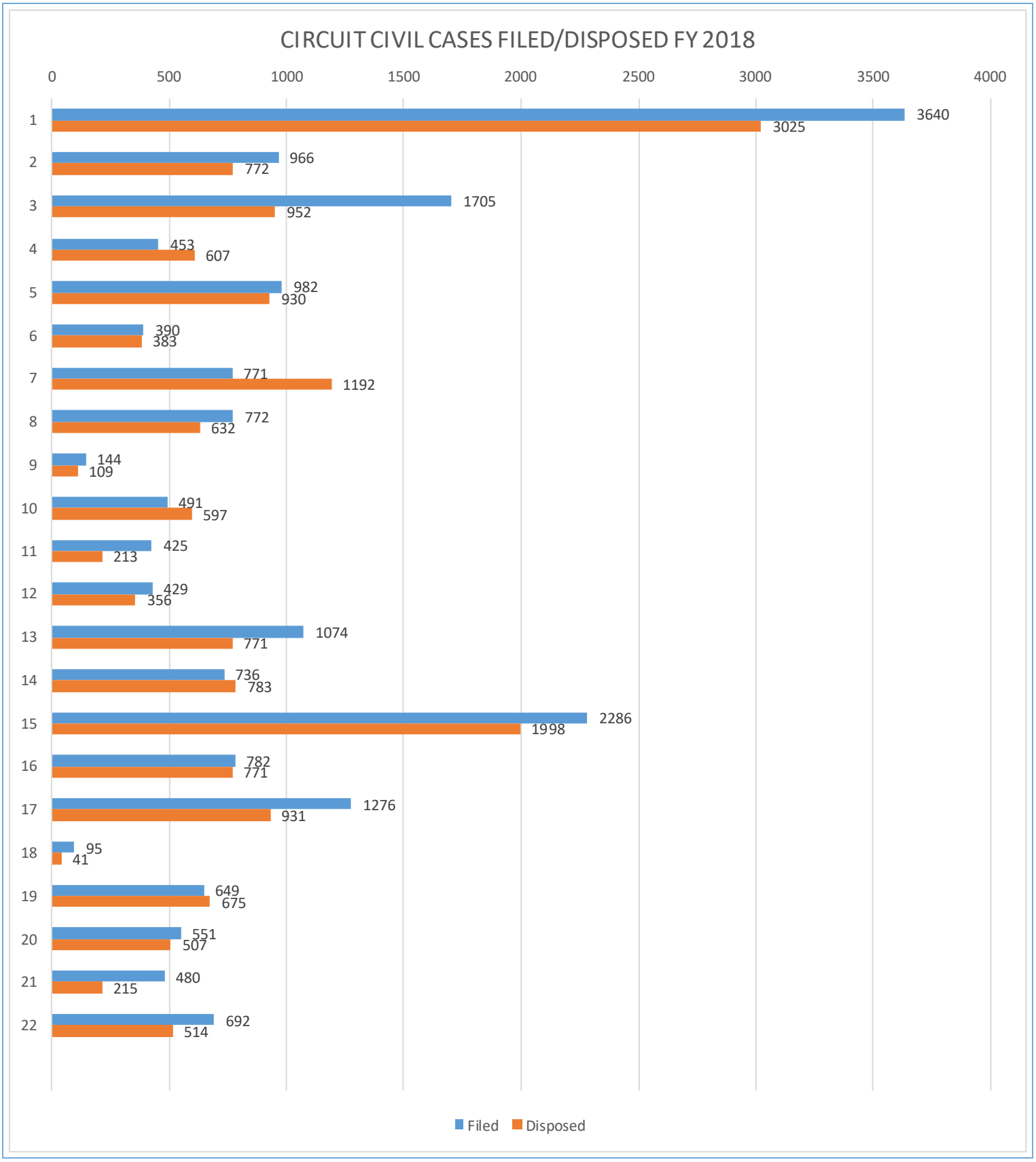
CHANCERY COURTS



Total Chancery Court cases filed statewide FY 2018 58,346

Total Chancery Court cases disposed statewide FY 2018 52,132

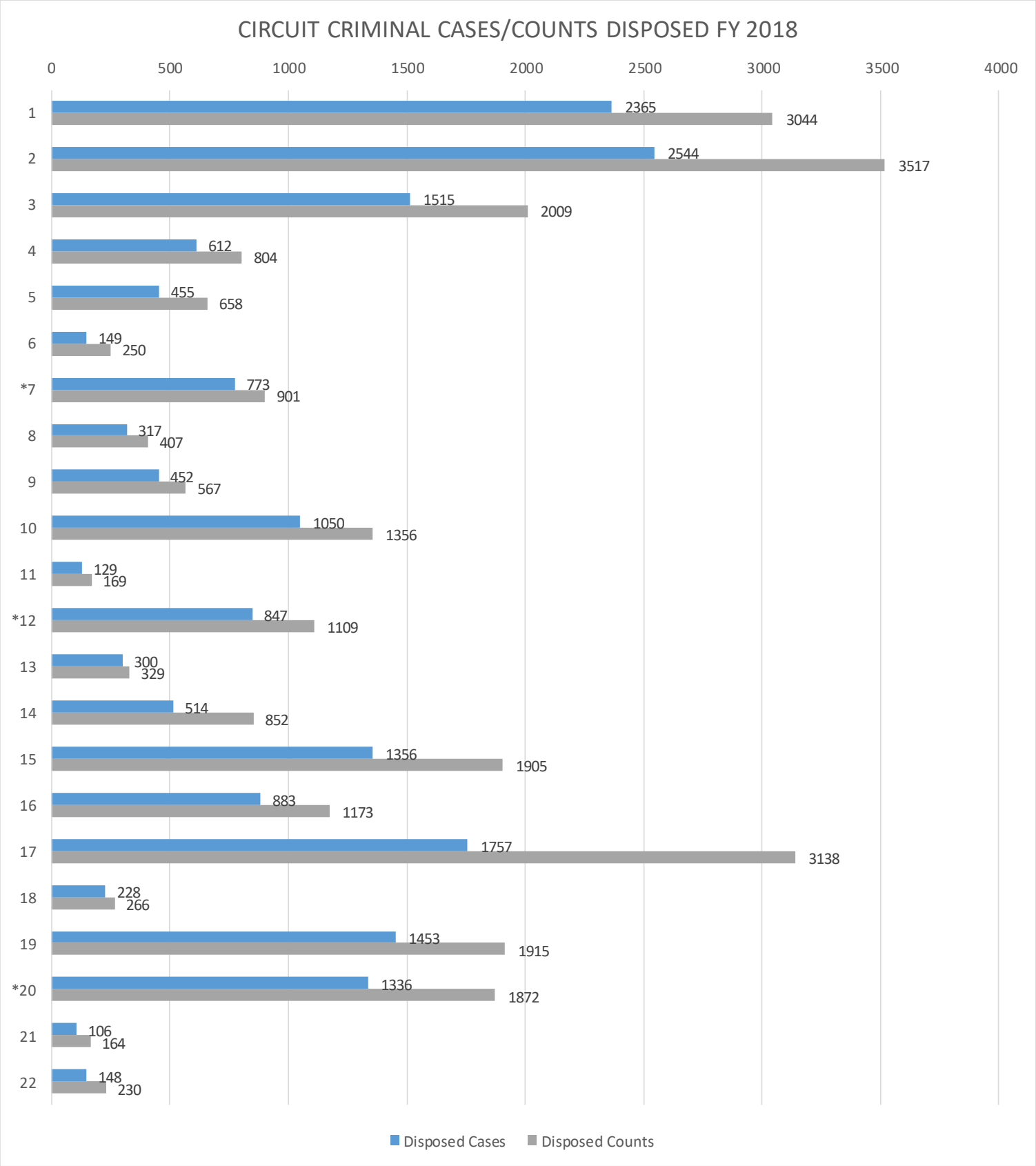
CIRCUIT COURTS



Total Circuit Court civil cases filed statewide FY 2018 19,789

Total Circuit Court civil cases disposed statewide FY 2018 16,974

CIRCUIT COURTS

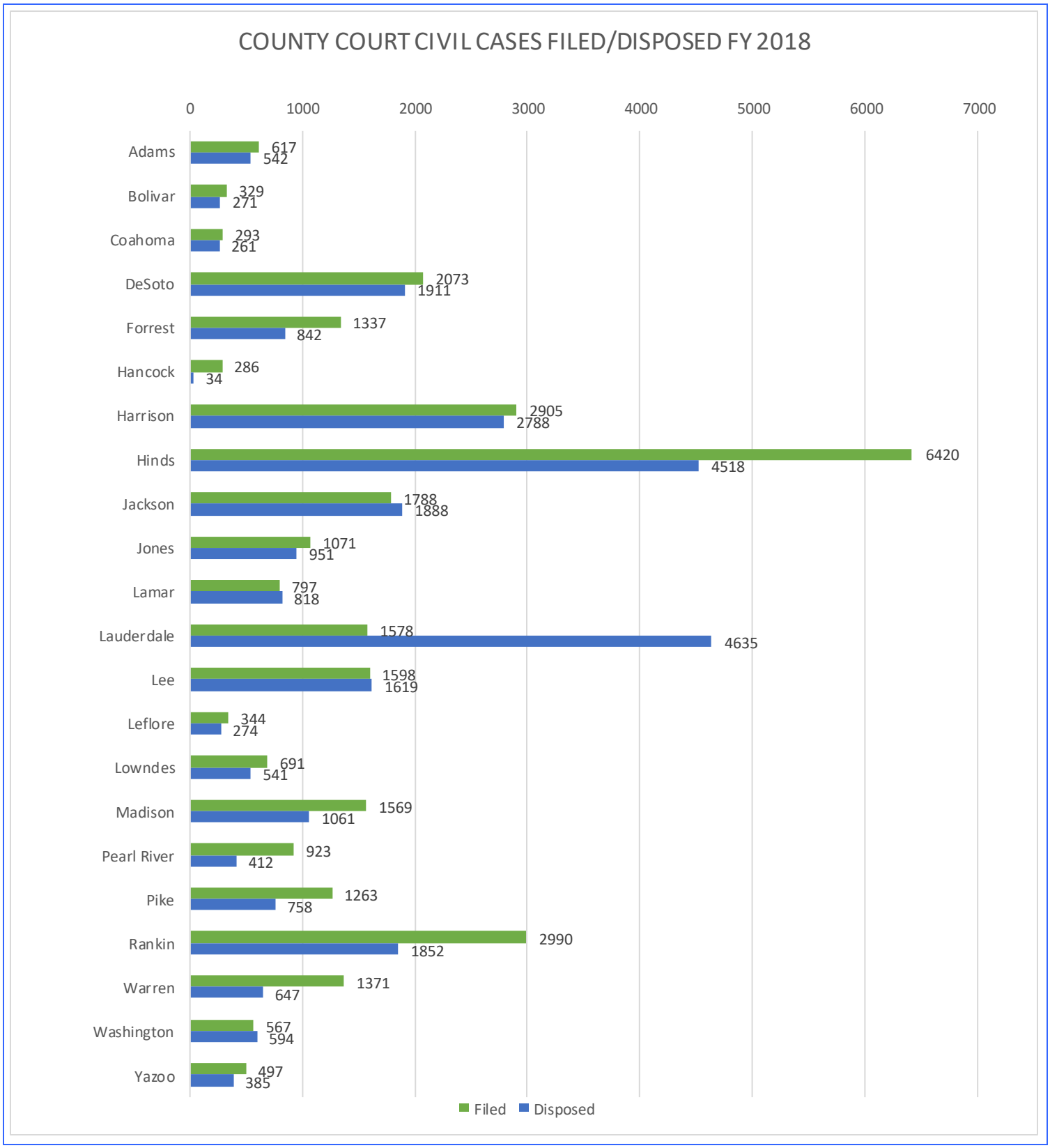


* Data revised June 6, 2019.

Total Circuit Court criminal cases disposed statewide FY 2018 19,289

Total Circuit Court criminal counts disposed statewide FY 2018 26,635

COUNTY COURTS



Total County Court civil cases filed FY 2018 31,307

Total County Court civil cases disposed FY 2018 27,602

YOUTH COURTS, CALENDAR YEAR 2018

	Total Referrals			Formal Adjudicated Referrals			Referrals Handled Informally		
	Abuse	Neglect	Delinquent	Abuse	Neglect	Delinquent	Abuse	Neglect	Delinquent
ADAMS	21	120	273	6	67	223	15	53	50
ALCORN	35	135	119	3	39	55	32	96	64
AMITE	39	169	28	2	14	20	37	155	8
ATTALA	25	60	84	0	3	59	25	57	25
BENTON	0	17	39	0	15	36	0	2	3
BOLIVAR	76	201	161	1	29	74	75	172	87
CALHOUN	75	107	24	2	4	19	73	103	5
CARROLL	24	42	18	6	21	13	18	21	5
CHICKASAW	26	30	56	0	6	47	26	24	9
CHOCTAW	10	15	9	4	2	3	6	13	6
CLAIBORNE	3	44	33	0	5	33	3	39	0
CLARKE	72	30	32	11	11	28	61	19	4
CLAY	67	159	71	10	25	66	57	134	5
COAHOMA	146	200	144	7	14	27	139	186	117
COPIAH	41	296	145	7	15	121	34	281	24
COVINGTON	35	112	91	4	40	78	31	72	13
DESOTO	1053	1536	1858	43	101	1071	1010	1435	787
FORREST	58	187	347	11	103	197	47	84	149
FRANKLIN	32	47	32	4	6	25	28	41	7
GEORGE	11	64	80	11	64	51	0	0	29
GREENE	13	35	10	2	23	6	11	12	4
GRENADA	120	321	162	6	64	111	114	257	51
HANCOCK	38	162	197	13	84	111	25	78	86
HARRISON	1905	4911	1279	61	589	803	1844	4322	476
HINDS	424	631	513	424	631	332	0	0	181
HOLMES	48	103	99	6	13	97	42	90	2
HUMPHREYS	0	2	45	0	2	37	0	0	8
ISSAQUENA	0	0	0	0	0	0	0	0	0
ITAWAMBA	82	386	126	1	55	96	81	331	30
JACKSON	118	380	671	14	184	309	104	196	362
JASPER	44	58	52	8	17	48	36	41	4
JEFFERSON	0	13	43	0	13	29	0	0	14
JEFFERSON DAVIS	18	65	21	8	37	20	10	28	1
JONES	129	359	750	6	68	594	123	291	156
KEMPER	1	4	4	0	1	4	1	3	0
LAFAYETTE	5	21	149	4	21	125	1	0	24
LAMAR	9	142	328	5	121	192	4	21	136
LAUDERDALE	36	129	615	11	60	386	25	69	229
LAWRENCE	57	78	56	22	35	56	35	43	0
LEAKE	7	66	33	2	12	32	5	54	1
LEE	253	952	811	11	88	277	242	864	534

	Total Referrals			Formal Adjudicated Referrals			Referrals Handled Informally		
	Abuse	Neglect	Delinquent	Abuse	Neglect	Delinquent	Abuse	Neglect	Delinquent
LEFLORE	221	429	180	6	27	129	215	402	51
LINCOLN	236	362	102	9	27	66	227	335	36
LOWNDES	62	255	262	2	54	158	60	201	104
MADISON	119	218	302	7	23	283	112	195	19
MARION	108	421	123	33	82	101	75	339	22
MARSHALL	72	318	149	4	64	126	68	254	23
MONROE	20	52	92	2	27	53	18	25	39
MONTGOMERY	3	8	82	3	7	46	0	1	36
NESHOBA	20	55	189	6	25	187	14	30	2
NEWTON	10	58	101	0	28	85	10	30	16
NOXUBEE	0	4	1	0	4	1	0	0	0
OKTIBBEHA	1	16	52	1	16	46	0	0	6
PANOLA	46	467	178	0	16	137	46	451	41
PEARL RIVER	88	179	223	18	37	108	70	142	115
PERRY	45	118	49	1	50	49	44	68	0
PIKE	235	716	440	31	156	224	204	560	216
PONTOTOC	79	235	135	3	74	103	76	161	32
PRENTISS	72	256	92	4	34	68	68	222	24
QUITMAN	0	0	48	0	0	32	0	0	16
RANKIN	663	1411	1036	37	466	429	626	945	607
SCOTT	3	24	159	3	19	126	0	5	33
SHARKEY	1	0	41	1	0	40	0	0	1
SIMPSON	38	169	86	3	26	78	35	143	8
SMITH	5	14	41	5	13	41	0	1	0
STONE	56	254	31	8	67	22	48	187	9
SUNFLOWER	51	182	246	12	43	221	39	139	25
TALLAHATCHIE	8	37	83	5	10	49	3	27	34
TATE	11	85	173	11	82	136	0	3	37
THE MUNICIPALITY OF PEARL	0	0	1	0	0	0	0	0	1
TIPPAH	41	166	79	10	71	52	31	95	27
TISHOMINGO	89	280	97	5	40	71	84	240	26
TUNICA	28	77	193	12	21	127	16	56	66
UNION	58	187	66	0	41	59	58	146	7
WALTHALL	56	153	113	4	25	45	52	128	68
WARREN	157	129	403	31	27	398	126	102	5
WASHINGTON	146	530	693	52	154	272	94	376	421
WAYNE	5	14	74	5	14	58	0	0	16
WEBSTER	58	149	17	4	8	13	54	141	4
WILKINSON	1	9	38	1	9	30	0	0	8
WINSTON	5	137	61	0	20	60	5	117	1
YALOBUSHA	80	117	26	8	20	12	72	97	14
YAZOO	86	216	105	4	36	36	82	180	69

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. Kevin Lackey, J.D., is Director of AOC.

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, 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 / CIP Multidisciplinary Committee

The Court Improvement Program (CIP) Workgroup was established in 2007 as a collaborative effort between the Administrative Office of Courts (AOC) and the Department of Human Services-Division of Family and Children's Services. That cooperation continues with the Department of Child Protection Services (MDCPS). Problem-solving groups that have grown out of the CIP Workgroup include the Parent Representation Task Force, Jurist in Residence meetings with the MDCPS Commissioner, the 2018 Judicial Engagement Teams, Three Branch Government Convening, and the Family First Initiative to train and implement the Family First Prevention Services Act. Members of the CIP Workgroup were participants in the Mississippi Commission on Children's Justice.

In 2018 the CIP came under the Mississippi Commission on Children's Justice. A CIP Multidisciplinary Committee was appointed to develop and implement the CIP Strategic Plan. Members of the Committee include MDCPS state and regional staff, Jurist in Residence, County Youth Court judges, the Attorney General's office, Mississippi College School of Law Mission First Legal Aid Office, AOC staff, the Mississippi Band of Choctaw Indians, Children's Advocacy Centers of Mississippi (CAC), and MDHS state office staff from the Division of Child Support. The CIP Multidisciplinary Committee's focus for 2018 was Parent Representation, the Mississippi Family First Initiative and the MDCPS Child and Family Services Review in September. The Committee worked to identify training needs for the judiciary, parent attorneys, the Tribe and child welfare staff; to develop plans and goals to affect outcomes through the Youth Court; and to identify the breakdowns and barriers between MDCPS and the court system. The CIP Multidisciplinary Committee continues to participate in the MDCPS Program Improvement Plan (PIP) and development of the next Child and Family Services Plan (CFSP).

CIP training events in 2018 included:

- Judicial Engagement Team training sponsored by Casey Family Programs;
- Three Branch Government Convening sponsored by the Kellogg Foundation;
- National Council of Juvenile and Family Court Judges (NCJFCJ) training for judges;
- One LOUD Voice, a multi-disciplinary approach to child abuse sponsored by Children's Advocacy Centers of Mississippi;
- National Interdisciplinary Parent Defense Conference for judges and parent attorneys;
- Annual CIP Grantees' Meeting and Five Year Planning Conference;
- Annual Youth Court Judges and Referees Conference.
- The Eighth Annual Indian Child Welfare Conference, which convened Aug. 14, 2018, at the Silver Star Resort at Choctaw. In attendance were judges from the Tribal Courts of the Mississippi Band of Choctaw Indians, some state judges, Tribal social services workers, MDCPS staff, out-of-state tribal representatives and service providers. The focus of the conference was training on ICWA regulations, ICWA basics and ethics, and recent decisions by the United States Supreme Court.
- MDCPS held the Annual Stakeholder Joint Planning meeting to outline Round 3 of the Child and Family Services Review items, Continuous Quality Improvement and Systemic Factors.
- The Mississippi Supreme Court held training events with Hinds, Harrison, Union and Pontotoc County Youth Courts regarding the Child and Family Services Review and the onsite review scheduled in those counties.
- The Office of State Public Defender (OSPD) sponsored three parent defender trainings, resulting in 56 attorneys from 40 counties receiving training to represent indigent parents of children at risk of being removed from the home.
- OSPD sponsored Coming Together to Safeguard Mississippi Families: a Multi-disciplinary Training Focusing on Safety and Removal. Fifteen county court teams participated.

Judicial Advisory Study Committee

The Mississippi Legislature repealed the statutory authorization of the Judicial Advisory Study Committee, effective March 19, 2018. The 21-member 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. Chief Justice William L. Waller Jr. in requesting repeal of Miss. Code Sections 9-21-21 through 9-21-41 stated that the Study Committee was no longer utilized in the manner intended by the enabling legislation. Instead of enlisting the assistance of this committee, all three branches of government have by custom and practice appointed specialized committees focused on narrow issues.

COMMISSION ON CONTINUING LEGAL EDUCATION

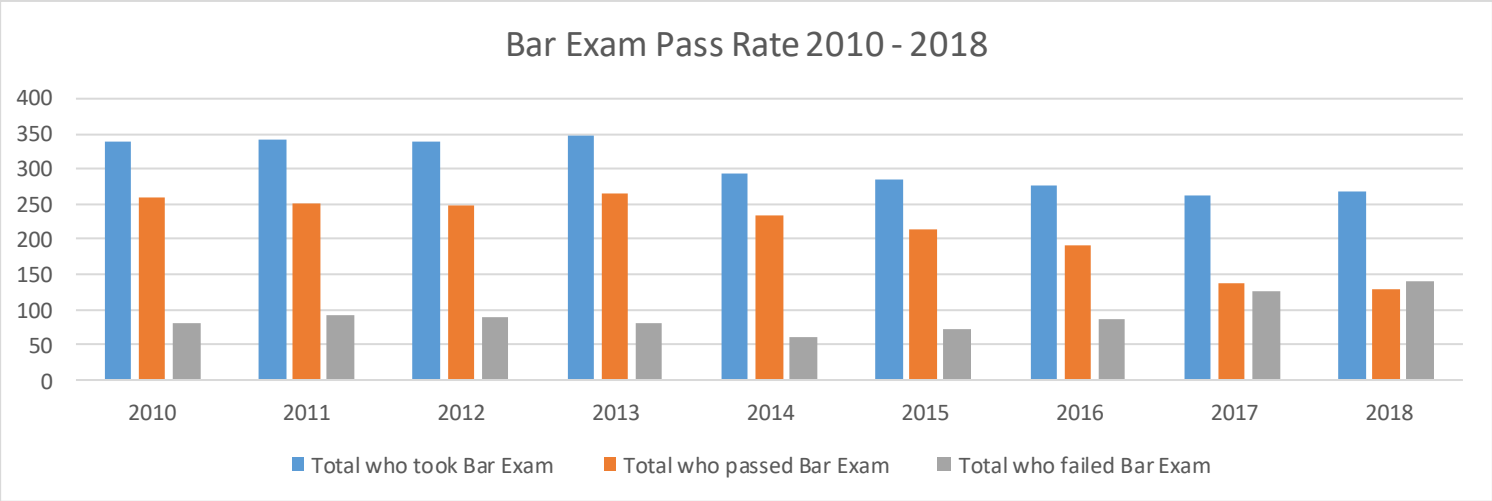
The Mississippi Commission on Continuing Legal Education (CLE) has the primary responsibility to exercise general supervisory authority over the administration of the Rules for Mandatory Continuing Legal Education and to adopt, repeal, and amend regulations consistent with these rules. The objective 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. 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 2018, the Mississippi Commission on CLE approved for credit 558 live programs held in the state of Mississippi, 2,745 live programs held outside the state of Mississippi and 4,763 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 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.



	2010	2011	2012	2013	2014	2015	2016	2017	2018
Total who took Bar Exam	340	343	339	346	294	286	276	262	269
Total who passed Bar Exam	259	251	249	266	233	215	190	137	129
Total who failed Bar Exam	81	92	90	80	61	71	86	125	140
Percentage pass rate	76%	73%	73%	76%	79%	75.00%	68.00%	52.00%	48.00%

In 2018, the Board processed 16 applications for registration as law students, and 323 applications for examination. There were 56 motions for admission by reciprocity. Attorneys licensed in other states and having five years of active practice are exempt from taking the bar exam if the licensing state has a reciprocity agreement.

A total of 269 people took the Bar Exam in 2018. The pass rate was 48 percent.