SUPREME COURT
OF
MISSISSIPPI

2013 ANNUAL REPORT

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

Judicial leaders continued to work toward a more efficient, cost-effective court system in 2013. Technology was at the forefront of those efforts. Electronic filing continued to expand in the trial courts, with a total of 21 trial courts in 12 counties using e-filing in the Mississippi Electronic Courts system at year's end, and more than 20 courts on a waiting list for implementation. MEC is a special fund entity, receiving no general fund appropriation.

The Office of the Clerk of the Supreme Court and Court of Appeals began accepting voluntary e-filing of briefs and motions July 1, 2013, and received more than 2,000 electronically filed documents by year's end. The Supreme Court made e-filing mandatory January 1, 2014, for appellate briefs and motions. About 4,150 attorneys – 54 percent of the Mississippi Bar – were registered to use the MEC system. Also, more than 1,600 non-attorneys were registered to use the system to access court records.

The appellate courts received 1,084 new appeals in 2013, seven fewer cases than the previous year, and decided more cases; 1,030 cases were disposed of in 2013, compared to 964 decisions on the merits the previous year. In addition, the appellate courts addressed 5,848 motions: 3,656 by the Supreme Court and 2,192 by the Court of Appeals.

In the trial courts, total reported case filings and dispositions decreased in Chancery, Circuit and County Courts, according to data provided to the Administrative Office of Courts. However, some trial court clerks failed to report data. One of the benefits of e-filing is automated data transmissions, which will provide real time access to statistics.

Drug Courts reached statewide coverage in late 2012, with felony adult drug courts operating in all Circuit Court districts. However, Drug Court growth outpaced funding in 2013. As a result, the State Drug Court Advisory Committee cut funding for felony adult drug courts by 25 percent, and cut funding for juvenile drug courts by 58 percent, effective July 1, 2013. Municipal, Justice Court and Family Drug Courts received no funding for the 2014 fiscal year, which began July 1, 2013. At the end of calendar year 2013, there were a total of 38 drug courts, including 22 felony adult programs in circuit courts, 12 Youth Court drug courts, and four misdemeanor drug courts in Municipal and Justice courts. Average enrollment for the year was abut 3,500 people statewide. Nearly 2,800 of those were felony adult offenders in the circuit drug court programs, who represent an estimated annual savings of $42,423,220 in incarceration costs.

Rule 6.08 of the Uniform Circuit and County Court Rules was amended to provide rules and procedures for conducting limited criminal proceedings with interactive audiovisual devices. With the advent of more remote detention facilities, this rule change will facilitate certain limited proceedings where two-way audiovisual communication between the court and the facility can be established.

The entire budget of the judicial branch, one of three co-equal branches of state government, represents seventy-six one- hundredths of one percent of the annual state general fund. The budget of the judiciary has seen steady but small incremental increases since the extreme fiscal austerity of the 2010 fiscal year. The addition of two circuit judgeships and a chancery judgeship in January 2011 represent a significant part of the appropriation increases. Salaries make up about 70 percent of the judiciary's budget.

Justice Josiah Dennis Coleman became the newest member of the Mississippi Supreme Court on January 7, 2013. He is the second member of his family to serve on the Supreme Court. His grandfather, Governor and Fifth U.S. Circuit Court of Appeals Judge J.P. Coleman, served briefly on the Supreme Court before resigning to accept appointment as state attorney general. Coleman is the son of Thomas A. Coleman, former Supreme Court administrator and one of the original members of the Mississippi Court of Appeals.

Judge Ceola James was sworn in January 7, 2013, to the Court of Appeals. She is the fourth African American and the fifth woman to serve on the Court of Appeals.

A serving chancellor and six retired judges died in 2013. Chancery Judge Edwin H. Roberts Jr. died in office. Retired judges who died in 2013 were Supreme Court Justice William Joel Blass; Court of Appeals Judge William H. Myers; Circuit Judges Durward Gray Evans, William Robert Lamb and Lester Williamson; and County Court and serving Senior Status Judge Joseph Webster.

The 98-year-old Webster County Courthouse burned during the snowy wee hours of January 17, 2013. The roof collapsed and the second floor courtroom was in rubble. First floor offices were intact, but suffered heavy smoke and water damage. All government offices moved temporarily to Eupora. Assistance provided swiftly by public officials all over the state enabled local officials to carry on essential government functions without interruption, and to quickly resume operation of all government services.

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

SUPREME COURT OF MISSISSIPPI
2013 ANNUAL REPORT

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MISSISSIPPI JUDICIAL SYSTEM

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

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

There are 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*.

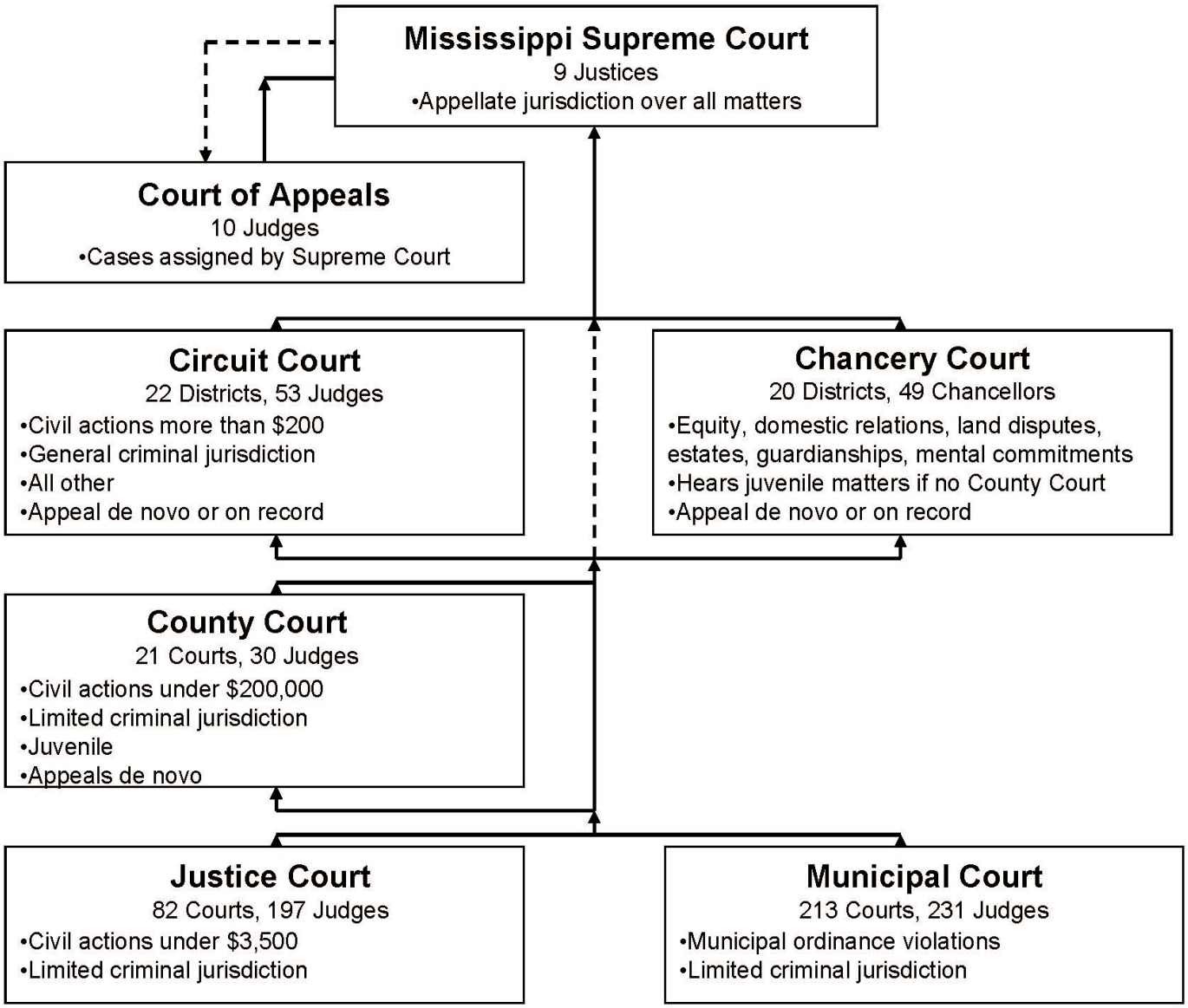
There are 21 County Courts with 30 judges. These courts have concurrent civil jurisdiction with the Chancery and Circuit Courts in suits involving $200,000 or less. They also have limited criminal jurisdiction and appellate jurisdiction from the Justice Courts and Municipal Courts. In counties with County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

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

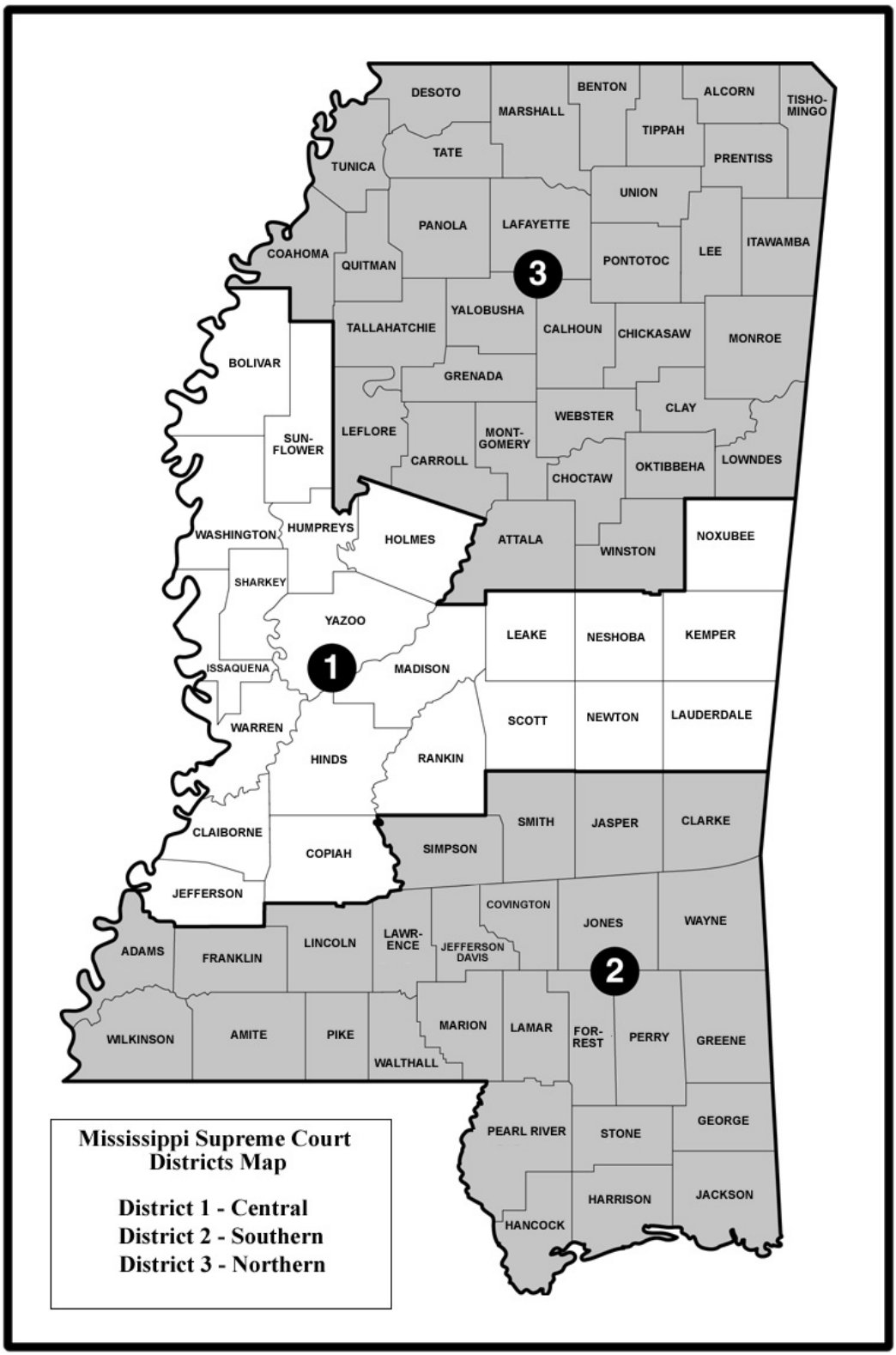
The Circuit Courts are the general jurisdiction trial courts in Mississippi. There are Circuit Courts in each county, organized into 22 districts with 53 judges. They have jurisdiction over all civil actions at law seeking recovery in excess of $200 and of all criminal cases under state law. They receive 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, judicial and bar discipline, elections, 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.

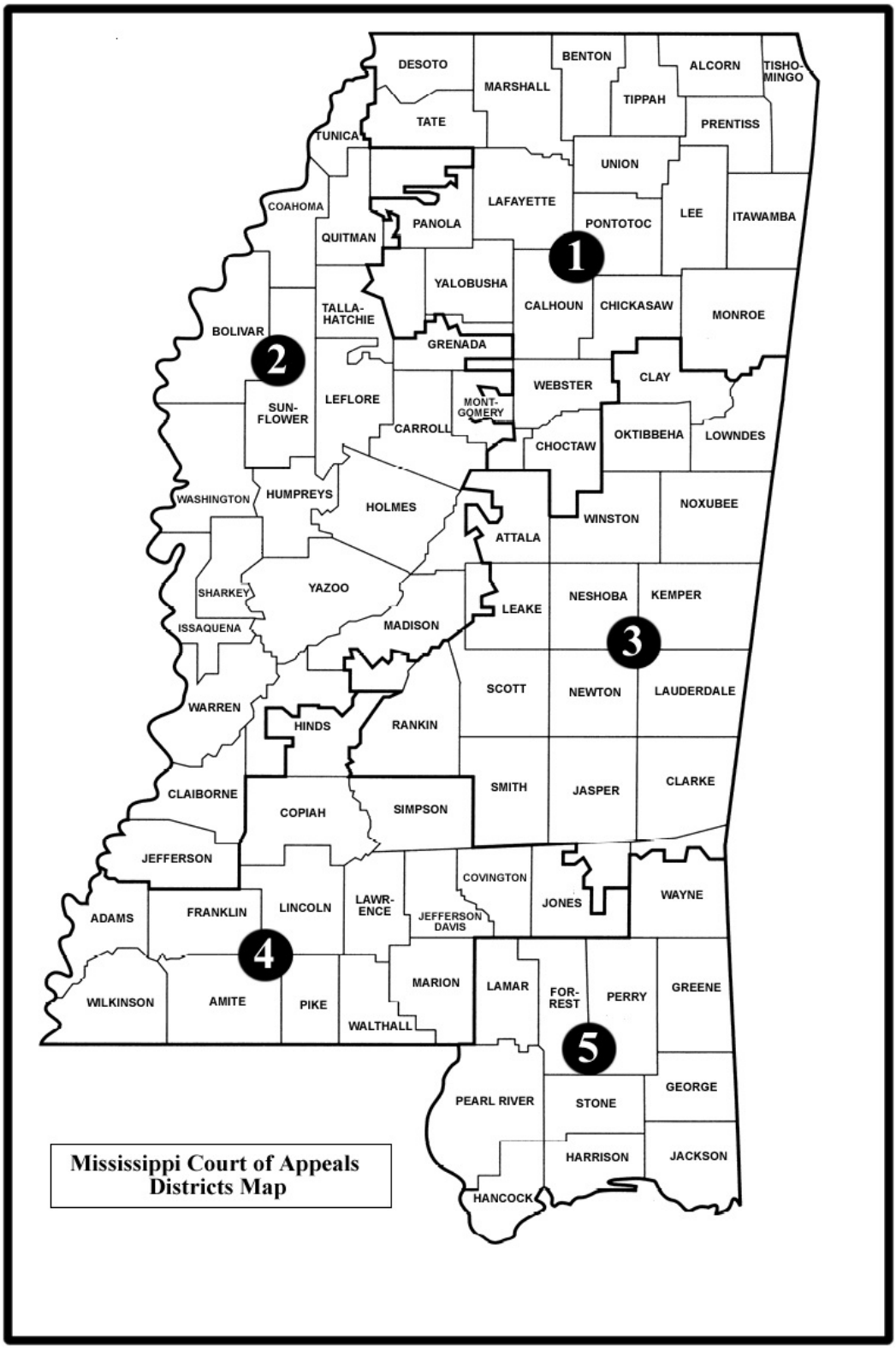
ORGANIZATIONAL CHART
of the
MISSISSIPPI JUDICIARY



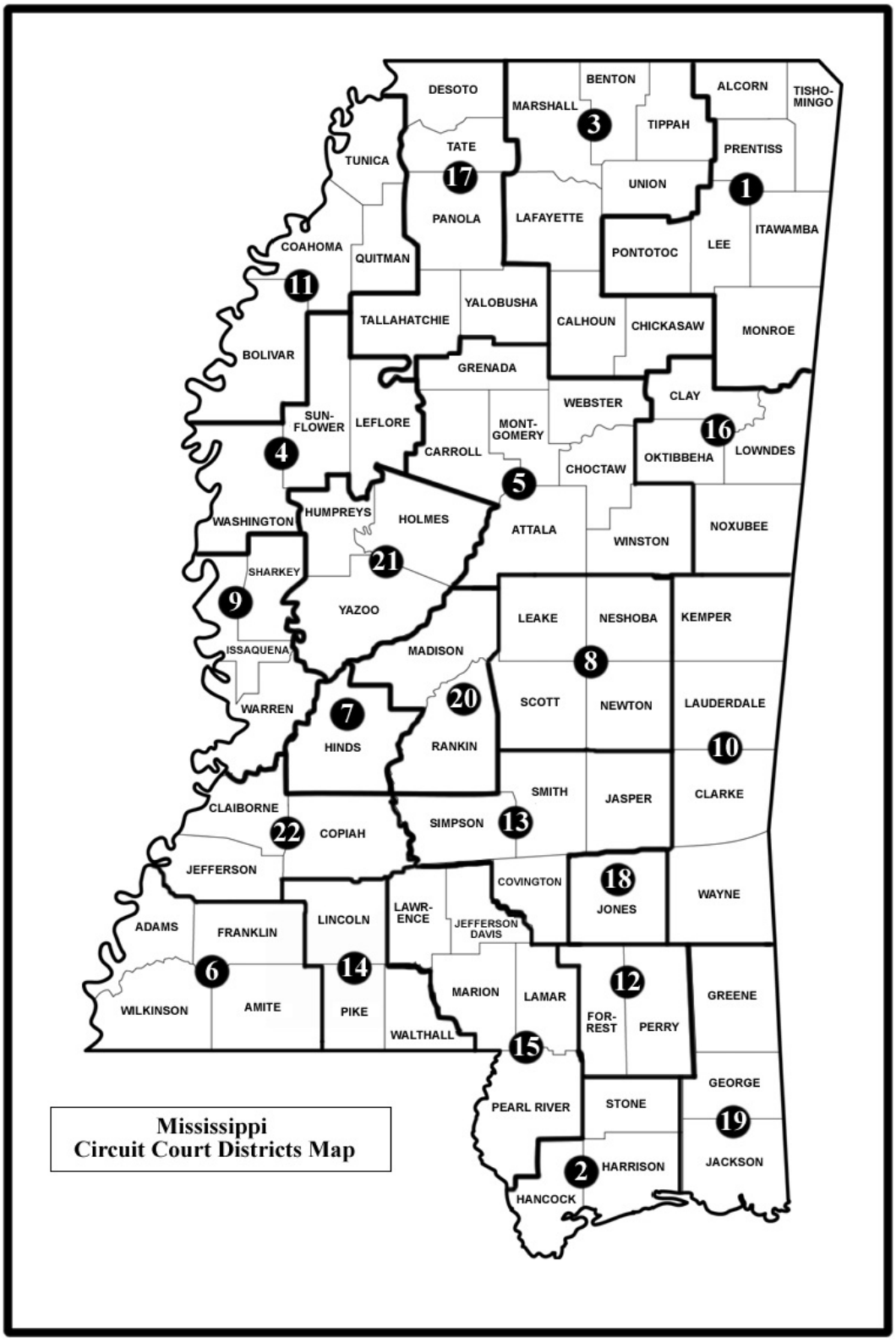
SUPREME COURT DISTRICTS



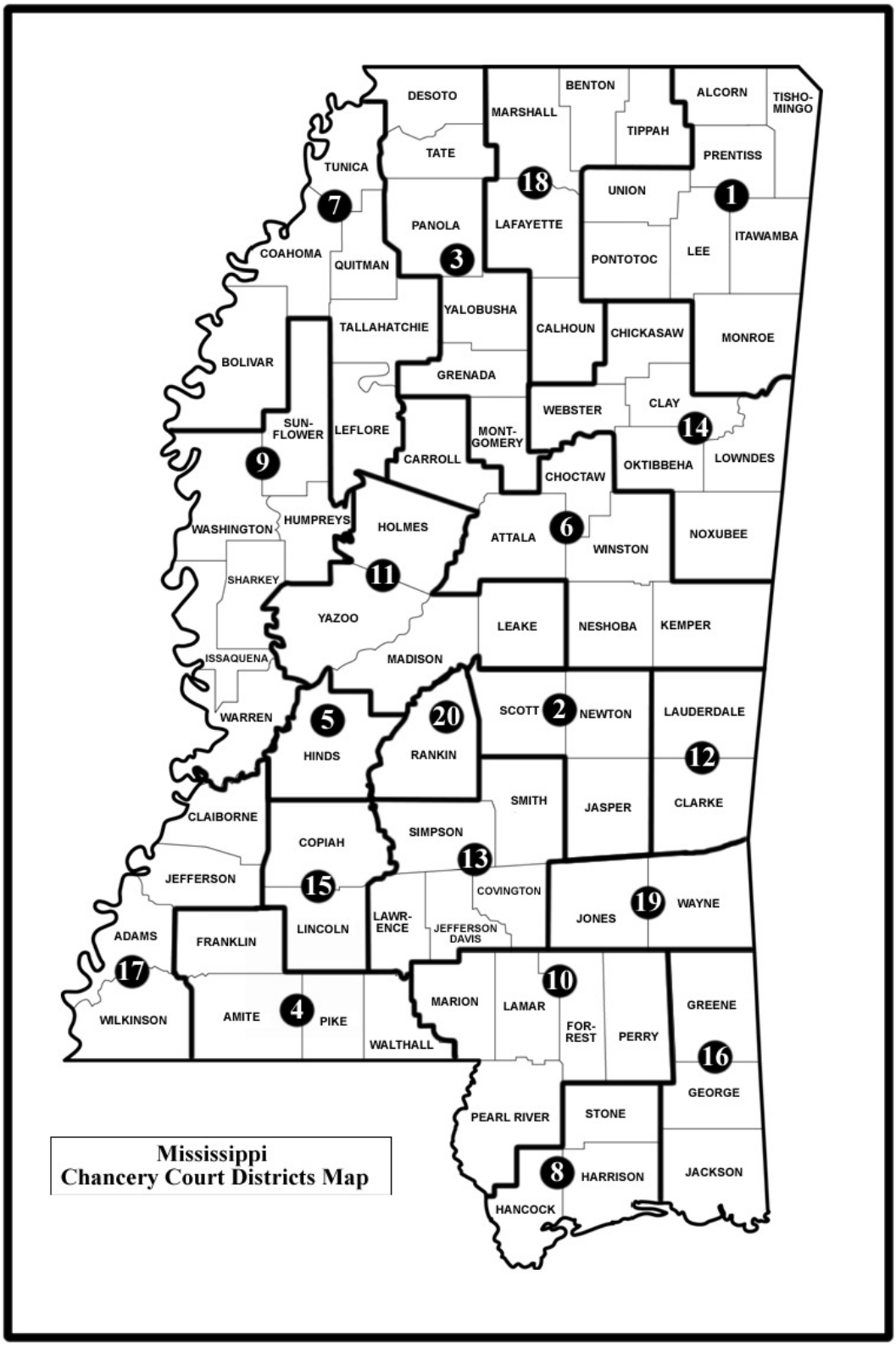
COURT OF APPEALS DISTRICTS



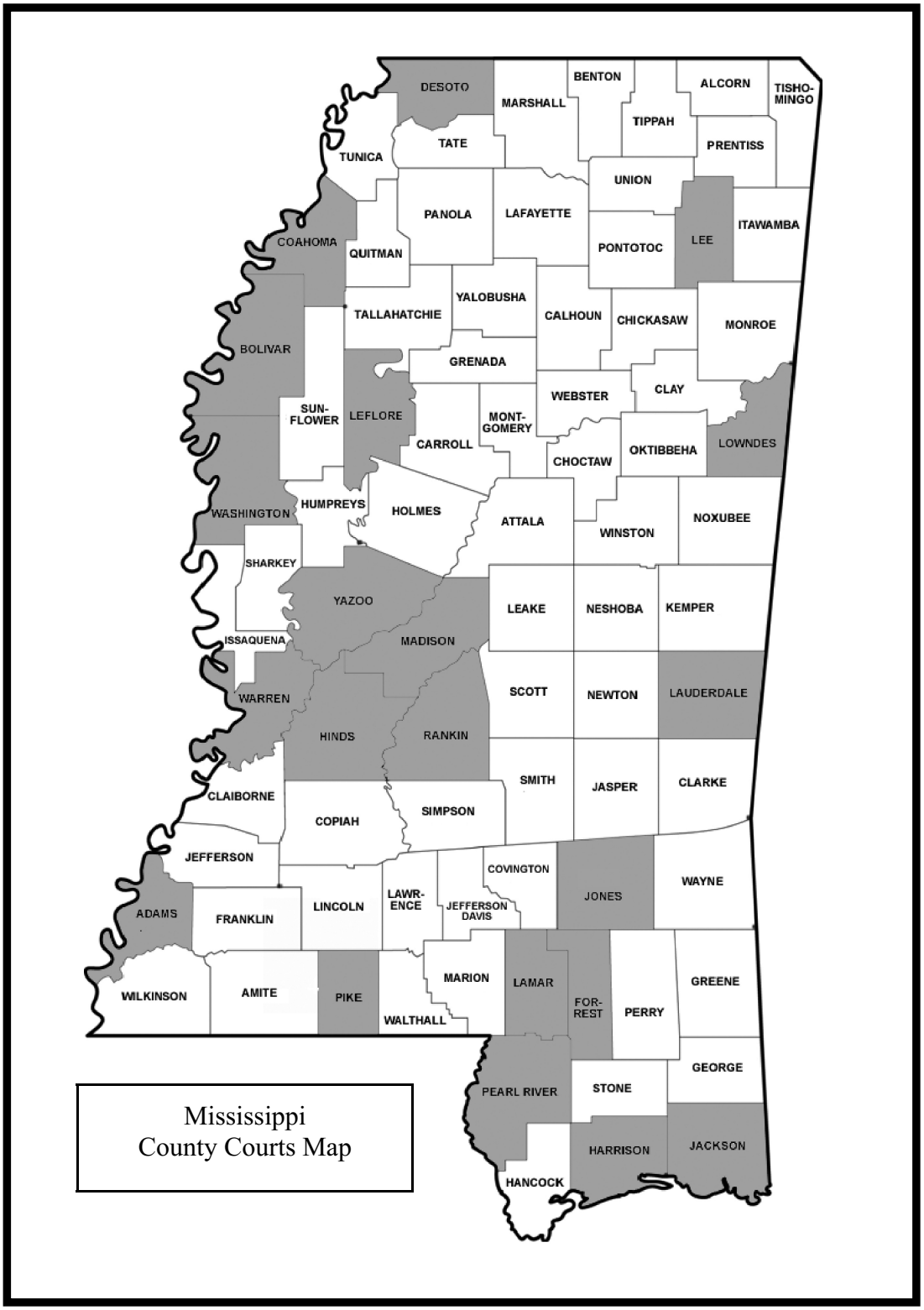
CIRCUIT COURT DISTRICTS



CHANCERY COURT DISTRICTS



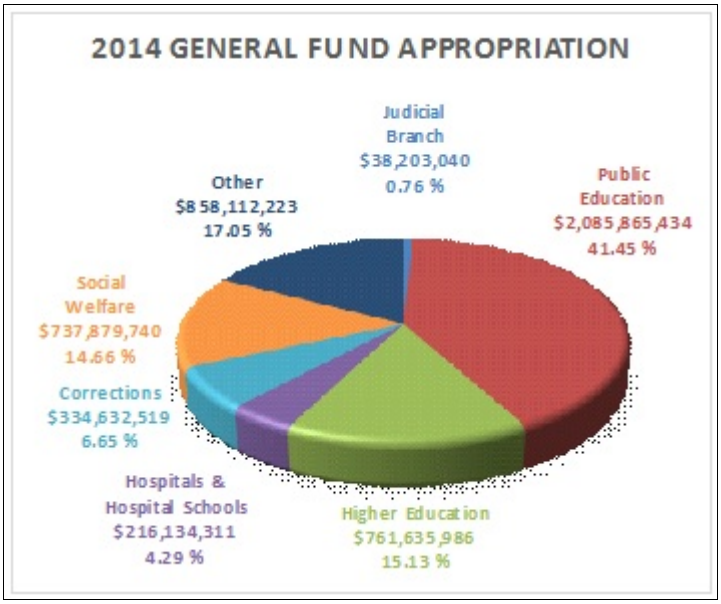
COUNTIES WHICH HAVE COUNTY COURTS



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 2014 Fiscal Year appropriations for the judicial branch was $65,046,383. The General Fund appropriation was $38,203,040, or 58.73 percent of the judicial budget. The Special Fund appropriation was $26,843,343, or 41.27 percent.



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. For fiscal year 2014, the entire general fund appropriations for all three branches of state government was $5,032,463,253. 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 $38,203,040.

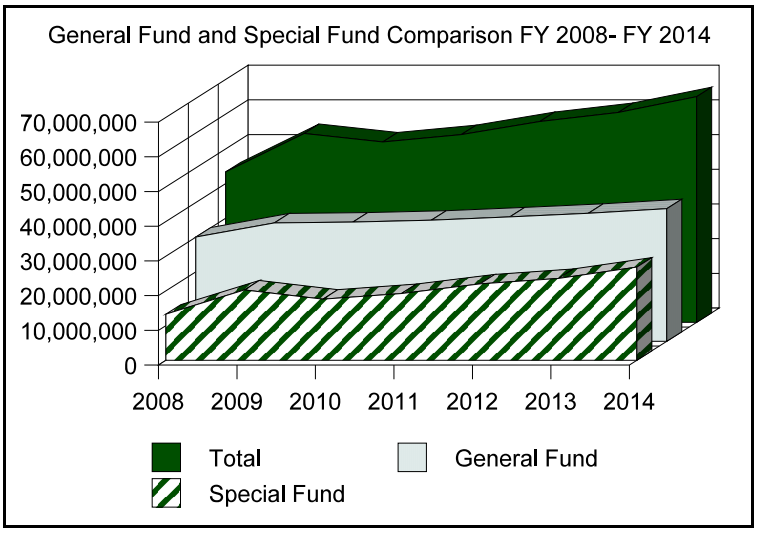
The judicial system's largest expenditure is salaries: $46,106,502, or 70 percent of the entire judicial branch budget, including General Fund and Special Fund appropriations.

Judicial Branch FY 2014 Budget

	Supreme Court	Court of Appeals	Circuit & Chancery	AOC	CLE	Bar	TOTALS
Salaries	5,169,505	4,686,358	23,453,206	12,797,433	66,120	163,239	46,335,861
Travel	342,500	363,400	919,207	72,864	12,993	23,378	1,734,342
Contractual	1,020,783	748,900	84,000	1,014,557	49,794	198,161	3,116,195
Commodities	377,877	19,500	1,026,000	21,815	3,631	15,737	1,464,560
Equipment	177,700	0	0	88,201	3,000	6,000	274,901
Subsidies	0			12,120,524	0	0	12,120,524
General Funds	6,588,118	5,646,227	22,803,293	3,165,402	0	0	38,203,040
Special Funds	500,247	171,931	2,679,120	22,949,992	135,538	406,515	26,843,343
Total	7,088,365	5,818,158	25,482,413	26,115,394	135,538	406,515	65,046,383
No. of PINS	66	57	102	24	1	3	253

Judicial Salaries
Effective January 1, 2014

Supreme Court Chief Justice	$137,195
Supreme Court Presiding Justices	$134,011
Supreme Court Associate Justices	$132,390
Court of Appeals Chief Judge	$127,854
Court of Appeals Associate Judges	$124,938
Chancery Judges	$120,085
Circuit Judges	$120,085
County Court Judges *	County Court salaries vary by county. Maximum is $1,000 less than Circuit and Chancery.



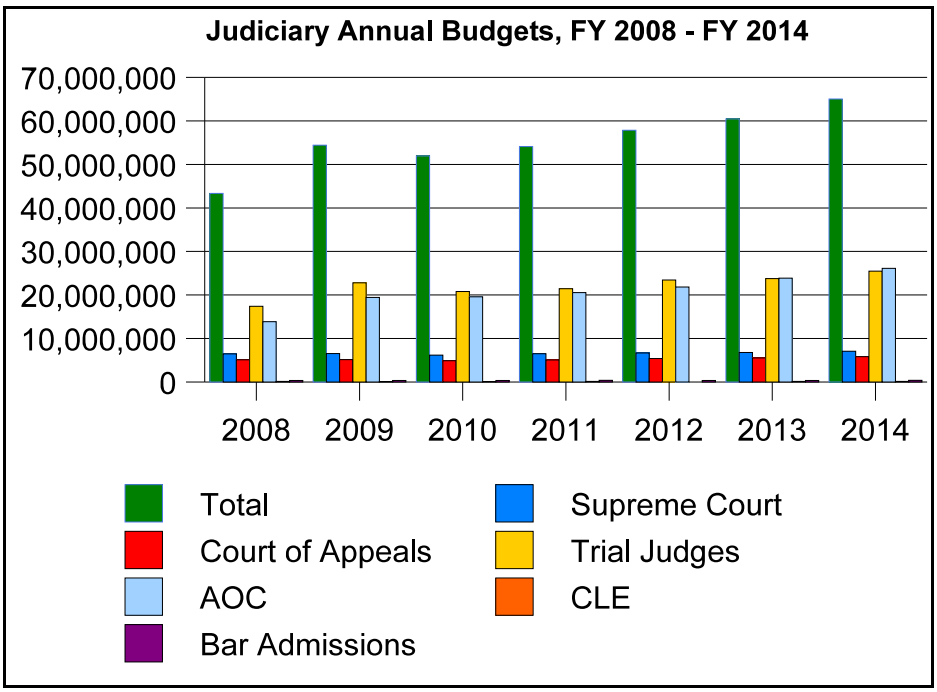
Replacement of outdated and out-of-warranty computers for which technical support was no longer available cost $344,000 for the appellate courts. The judiciary's travel, contractual services and commodities budgets saw no increases between the 2013 and 2014 fiscal years.

Much of the work of the judicial branch relies on special funds. Mississippi Electronic Courts, an electronic filing system which operated in 21 trial courts in 12 counties at the end of 2013, receives no state General Fund appropriation. MEC is funded entirely by a $10 fee collected on all civil case filings, a $10 annual registration fee for e-filing system users, and viewing fees. The 20 cents per page viewing fees are split between 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.

Judicial compensation realignment approved by the 2012 Legislature 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. The judicial salary revisions under Mississippi Code Section 25-3-35(1) went into effect January 1, 2013. Incremental raises will follow in 2014, 2015 and 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.

Mississippi's drug courts operate on a General Fund appropriation supplemented by special fund money provided by special assessments on criminal felony and misdemeanor fines which range from $8 to $10, depending on the crime or violation. Those assessments generate about $4.1 million annually. However, growth in drug court programs increased operating costs to more than $7.9 million a year. Without additional funding, the total statewide drug court budget dropped from $7,955,800.87 in Fiscal Year 2013 to $4,699,313.82 in FY 2014, necessitating closure of programs and reduction of services. The impact of those cuts will be explained more fully in the "Drug Courts" section on Page 14 of this report .



The annual budget of the judiciary has experienced small growth in recent years, although programs have expanded. 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 maintain an efficient, cost effective system of justice for the people of the state of Mississippi.

Judiciary Annual Budgets, FY 2008 - FY 2014

	2008	2009	2010	2011	2012	2013	2014
Total	43,332,633	54,412,501	51,972,482	54,098,340	57,861,990	60,460,834	65,046,383
Supreme Court	6,453,687	6,546,560	6,191,709	6,504,661	6,688,507	6,804,905	7,088,365
Court of Appeals	5,127,570	5,130,570	4,878,956	5,063,906	5,388,381	5,539,485	5,818,158
Trial Judges	17,406,230	22,799,216	20,811,115	21,451,492	23,446,877	23,776,367	25,482,413
AOC	13,877,210	19438559	19,592,868	20,560,547	21,831,819	23,858,746	26,115,394
CLE	125,256	123,978	124,046	139,646	134,968,	130,193	135,538
Bar Admissions	342,680	373,618	373,788	378,088	371,438	351,138	406,515

OUTREACH AND INNOVATION

Access to Justice

The Access to Justice Commission in 2013 neared completion of a series of *pro se* forms which will assist low income people who cannot afford to hire a lawyer to represent them in court. Pro se forms will be made available for a limited number of family law issues. The Commission has created forms for irreconcilable difference divorce with no children and an agreed property settlement. Forms will also be offered for name change and for emancipation of minors. Thirty-eight other states use forms. Members of the Access to Justice Commission met with Supreme Court justices Aug. 29, 2013, to discuss forms. Several justices said the Supreme Court should not pre-approve any form, since the form could become an issue on appeal. But justices were supportive of the concept and encouraged the Commission to move forward to make forms

available. Several court jurisdictions have independently developed and are providing their own forms to *pro se* litigants.

About 80 people from the legal, health and social services fields gathered in Jackson on Sept. 27, 2013, to discuss strategies to make the civil justice system more accessible to all people. The Access to Justice summit explored ways the various disciplines can work together to better assist poor people. Keynote speaker James Sandman, national president of the Legal Services Corporation, painted a bleak financial picture for Legal Services offices nationwide. LSC's national budget was $340 million, about $40 million more than when the organization was created in the mid-1970s. When adjusted for inflation, funding is at an all-time low. Tennessee Supreme Court Justice Janice Holder, chair of the Tennessee Access to Justice Commission, outlined statutes, rule changes and initiatives that state has successfully implemented.

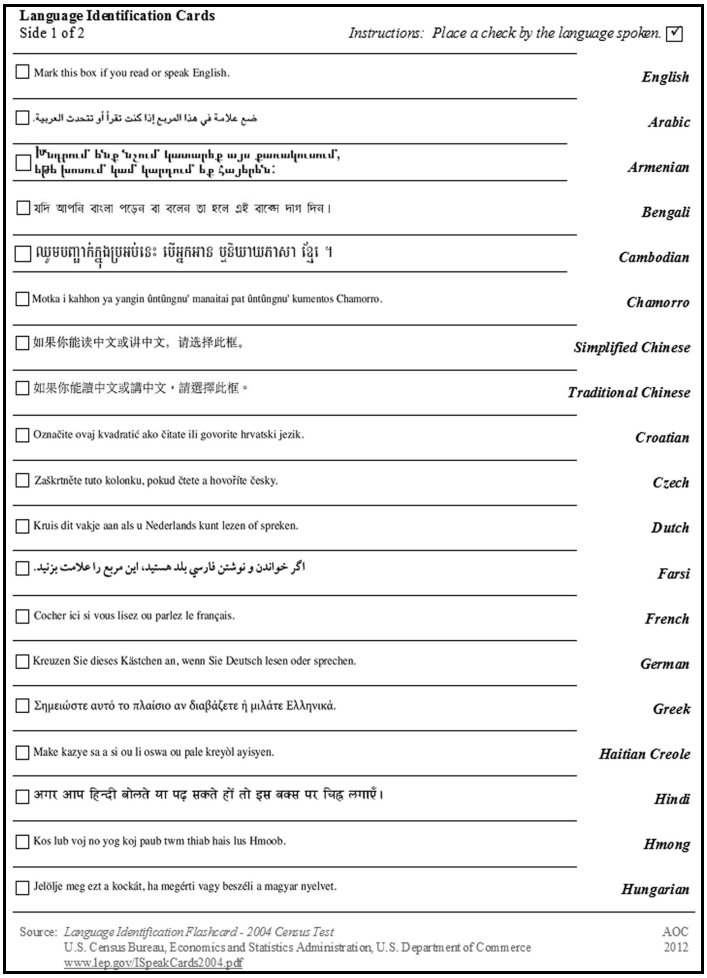
The Access to Justice Commission was created by the Mississippi Supreme Court in 2006, to develop a unified strategy to improve access to the civil courts for the poor. The Commission, which meets quarterly, develops and recommends policies, programs, and initiatives to assist the judiciary in meeting needs for civil legal services to the poor. Presiding Justice Jess H. Dickinson is the Supreme Court's liaison to the legal services community. The Commission includes judges, a representative of the Governor, legislators, business and community leaders, and clergy. Representatives of entities which provide legal services to the poor are ex-officio members.

Civil Legal Assistance Fund

The Supreme Court during 2013 distributed $653,180.48 for civil legal assistance to low income people. This Civil Legal Assistance Fund distribution was from special assessments on court filings and from fees charged to out-of-state attorneys appearing *pro hac vice*. No general fund appropriations were used.

Court Interpreter Credentialing Program

The Administrative Office of Courts developed the Mississippi Court Interpreter Credentialing Program to assist state courts in their endeavor to provide equal access to justice for limited English proficiency individuals. AOC is working toward creation of a statewide program to provide credentialing of language interpreters for court proceedings. AOC started a registry of interpreters who are qualified to assist in court proceedings. The AOC program can provide judges in state courts with the resource of a list of language interpreters who have demonstrated proficiency in oral interpretation and written translation of court proceedings. Language interpreters may be included on the list after having completed the AOC's credentialing program. The credentialing program includes registered and certified levels. Rules for interpreters require a court to use a certified court interpreter if one is available. If no certified court interpreter is available, a registered interpreter may be used.



Language Identification Cards
Side 1 of 2 *Instructions: Place a check by the language spoken.* ☑

☐ Mark this box if you read or speak English.	***English***
☐ ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	***Arabic***
☐ Խնդրում ենք նշում կատարեք այս քառակուսում, եթե խոսում կամ կարդում եք հայերեն:	***Armenian***
☐ যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	***Bengali***
☐ ឈូមបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។	***Cambodian***
☐ Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.	***Chamorro***
☐ 如果你能读中文或讲中文，请选择此框。	***Simplified Chinese***
☐ 如果你能讀中文或講中文，請選擇此框。	***Traditional Chinese***
☐ Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	***Croatian***
☐ Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	***Czech***
☐ Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	***Dutch***
☐ اگر خواندن و نوشتن فارسي بلد هستيد، اين مربع را علامت بزنيد.	***Farsi***
☐ Cocher ici si vous lisez ou parlez le français.	***French***
☐ Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	***German***
☐ Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	***Greek***
☐ Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	***Haitian Creole***
☐ अगर आप हिन्दी बोलते या पढ़ सकते हों तो इस बक्स पर चिह्न लगाएँ।	***Hindi***
☐ Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	***Hmong***
☐ Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.	***Hungarian***

Source: *Language Identification Flashcard - 2004 Census Test* AOC
U.S. Census Bureau, Economics and Statistics Administration, U.S. Department of Commerce 2012
www.lep.gov/ISpeakCards2004.pdf

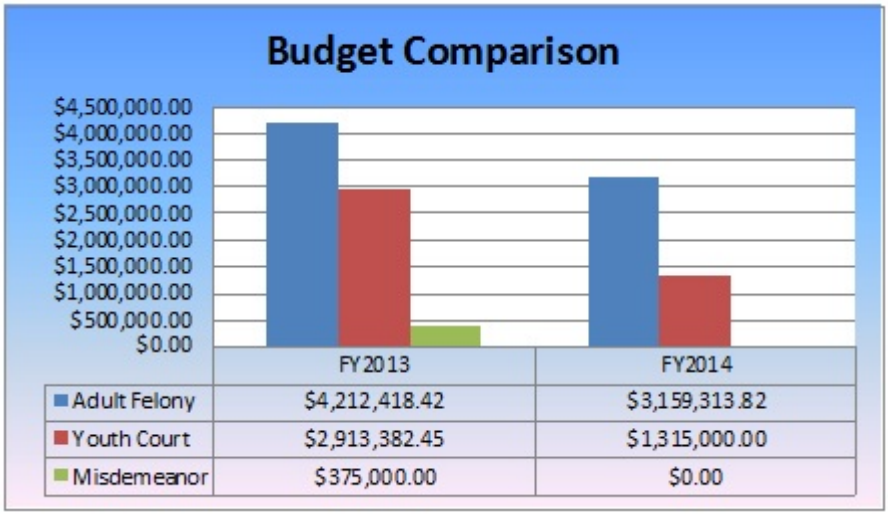
Six interpreters have been certified since AOC conducted its first training workshop in November 2011. Five are certified as Spanish language interpreters, and one is certified in Mandarin Chinese. AOC officials hope to train and issue credentials to interpreters in many languages. The biggest need is for those who speak Spanish or Vietnamese.

AOC adopted Standards for Court Interpreters and a Code of Ethics for Court Interpreters on Oct. 17, 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.

Interpreters are not employees of the AOC. It is up to the individual courts, attorneys or agencies to provide compensation for the court interpreter.

Drug Courts

Drug Court growth outpaced funding in 2013. The State Drug Court Advisory Committee cut funding for felony adult drug courts by 25 percent, and for juvenile drug courts by 58 percent, effective July 1, 2013. Municipal, Justice Court and Family Drug Courts received no funding for the 2014 fiscal year which began July 1, 2013. The total statewide drug court budget dropped from $7,955,800.87 in FY 2013 to $4,699,313.82 in FY 2014. Adult felony drug courts went from a budget of $4,212,418.42 in FY 2013 to $3,159,313.82 in FY 2014. Juvenile Drug Courts received $2,913,382.45 in FY 2013, and only $1,315,000 in FY 2014. Department of Public Safety Division of Public Safety Planning secured grant funding to assist juvenile and family drug courts in fall 2013. Juvenile drug courts struggled to stay alive for four months until the grant funding became available Oct. 30, 2013, retroactive to Oct. 1. The federal government shutdown delayed funding.



	FY2013	FY2014
Adult Felony	$4,212,418.42	$3,159,313.82
Youth Court	$2,913,382.45	$1,315,000.00
Misdemeanor	$375,000.00	$0.00

Funding cuts forced closures of several drug court programs, and led to curtailment of services and employee layoffs in other programs. The Leake/Scott County Youth Drug Court was unable to continue operation on the reduced budget. The Leflore County Youth Drug Court did not apply for funding, and closed. The Adams and Rankin County Family Drug Courts stopped accepting new referrals, and were only able to offer limited services to program participants already enrolled. The Jackson Municipal Drug Court ceased reporting to the Administrative Office of Courts, and the Lee County Justice Drug Court's certification expired.

At the end of calendar year 2013, there were a total of 38 drug courts, including 22 felony adult programs in circuit courts, 12 Youth Court drug courts, and four misdemeanor drug courts in Municipal and Justice courts. Average statewide enrollment was abut 3,500. Nearly 2,800 of those were felony adult offenders in the circuit drug court programs, who represent an estimated annual savings of $42,423,220 in incarceration costs. That's how much it would cost to incarcerate about 2,800 people at an average rate of $41.51 per day in a Mississippi Department of Corrections facility. Juvenile drug courts also produce a financial savings, although figures are harder to quantify. Each young person who is able to turn his or her life around in a juvenile drug court avoids the possibility of a future adult felony conviction and prison, and gains a better chance at becoming a successful and productive adult.

Felony adult drug court participants also paid $1,099,015.21 in fines – money which was returned to county treasuries. Felony adult drug courts collected $1,389,599.87 in fees from participants. Those funds help offset the costs of operating drug court programs. During calendar year 2013, 619 people graduated from drug court programs, and 79 babies were born drug-free to women enrolled in drug courts.

Commission on Children's Justice

The Mississippi Commission on Children's Justice in a Dec. 12, 2013, report to the Supreme Court recommended creation of a state funded, uniform Youth Court system and called for comprehensive review of all state laws related to child protection and foster care under the jurisdiction of youth courts. Those are among numerous recommendations made by the Commission after it completed more than three years of study of the state's child protection systems. Some of the other recommendations of the Commission include:

- enact legislation to give indigent parents a right to a court-appointed attorney in proceedings in which they may face termination of parental rights. Mississippi is the only state which does not provide appointed counsel. Adams, Forrest, Harrison and Rankin counties provide counsel for indigent parents under a pilot project. Before the pilot began, Madison County was the only county which appointed counsel for indigent parents facing termination of parental rights in abuse and neglect cases.

- create a permanent staff position in each chancery court district for a guardian ad litem.

- establish a state position of resident jurist 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.

- evaluate youth court case loads assigned to youth court prosecutors and public defenders.

- seek funding and statutory authority to create positions for in-house counsel in MDHS regions to advise case workers.

- establish a court performance improvement program in youth courts in collaboration with DHS.

The Commission's complete report is available on the Mississippi Judiciary website at this link: http://courts.ms.gov/reports/ChildrensJusticedoc.pdf.

The Mississippi Supreme Court created the Commission on Children's Justice in April 2006. The Commission laid the groundwork for the Supreme Court's adoption of Uniform Rules of Youth Court Practice. The Supreme Court reestablished the Commission in June 2010. The Supreme Court charged the Commission 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.

Supreme Court Justice Randy G. Pierce of Leakesville and Rankin County Youth Court Judge Thomas Broome of Brandon are co-chairs. Judge Broome heads a subcommittee focused on the Youth Court system. Court of Appeals Judge Virginia Carlton of Jackson leads a subcommittee addressing education issues.

Electronic Filing and Case Management: Mississippi Electronic Courts

The Mississippi Electronic Courts e-filing and case management system during 2013 saw its largest annual growth since the program's inception, with e-filing implemented in eight courts. Trial court jurisdictions which implemented MEC in 2013 were Clay County Chancery and Circuit Courts; Hinds County Chancery and Circuit Courts; and the Chancery Courts of Grenada, Montgomery, Rankin and Webster counties.

At the end of 2013, a total of 21 trial courts in 12 counties were using e-filing in the MEC system, with more than 20 courts on a waiting list for implementation. E-filing trial court jurisdictions at the end of 2013 included the Chancery Courts in Desoto, Grenada, Holmes, Montgomery, Rankin, Webster and Yazoo counties; Chancery and Circuit Courts in Clay County; and all trial courts – Chancery, Circuit and County Courts – in Madison, Harrison, Hinds and Warren counties.

The Supreme Court began accepting voluntary e-filing of briefs and motions July 1, 2013, and received more than 2,000 electronically filed documents by year's end. The Supreme Court made e-filing mandatory Jan. 1, 2014.

The most visible work of MEC is implementing e-filing systems in trial and appellate courts and training court staff and attorneys. MEC staff have also worked to extend the program's capabilities. Work completed in 2013 included development of a criminal case management system, automated case transfers, and batch filing functionality. Paper or other data system electronic

records which predate MEC were converted and migrated to the MEC system in trial courts which implemented the MEC system. A scheduling and calendaring function has been developed. A Chancery Court bookkeeping system has been designed, with completion expected in early 2014. MEC also made cost-saving refinements to the system architecture.

About 4,150 attorneys – 54 percent of the Bar – were registered to use the MEC system. Also, more than 1,600 non-attorneys were registered to use the system to access court records.

The MEC system allows attorneys and their staffs to file and view documents 24 hours a day, seven days a week, in all MEC participating courts without the expense of travel and postage. Judges using MEC 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. The public has easier access to court records.

MEC implementation is part of a long-range initiative of the Supreme Court to provide a uniform electronic case filing and court management system for distribution to the chancery and circuit courts and their respective clerks' offices. The MEC system is provided free to the trial courts.

Planning for MEC began in 2004. The Supreme Court works with the Administrative Office of Courts, the state trial courts and the State Department of Information Technology Services. The MEC system was adapted from the electronic filing system used in federal district courts.

Mississippi Youth Court Information Delivery System (MYCIDS)

The Mississippi Youth Court Information Delivery System, MYCIDS, is a technology program for Youth Courts begun in 1999. In 2013, MYCIDS operated in 81 Youth Court and Referee Courts and in the City of Pearl Municipal Youth Court. MYCIDS is 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 and abuse or 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. This successful case management system is highly regarded nationally.

In 2013, the Supreme Court Information Technology Department continued to expand the capabilities of the MYCIDS system. Developments included:

- a Probation Module that allows Department of Youth Services and court counselors to schedule and track meetings scheduled and held to supervise youths who are under Informal Adjustment or Formal Probation.

- providing MYCIDS access to Family and Children Services workers so that they may track Protection cases through the courts. IT staff are seeking ways to better include Department of Human Services Division of Family and Children Services in future updates of MYCIDS.

Work is expected to begin in 2014 on a module that will aid court staff in communicating disposition information to Oakley Youth Development Center for student intake. The module will eventually aid Oakley in tracking the student through the Center programs.

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 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 web site.

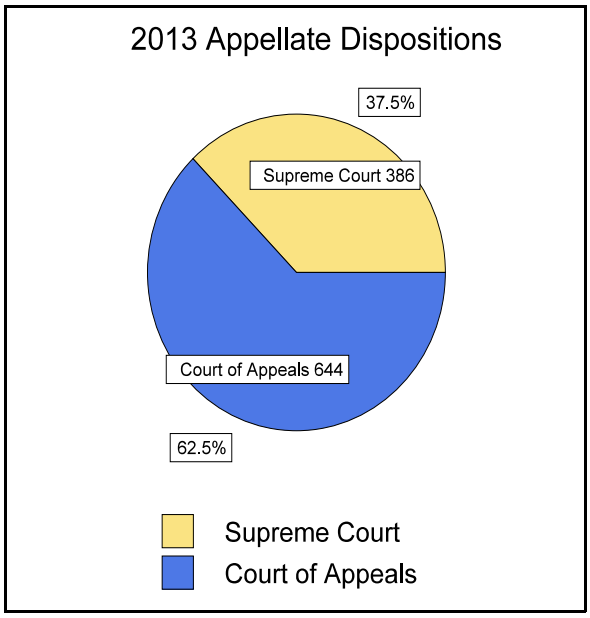
In 2013, IT successfully completed the first phase of development and integration of the e-filing component of the Mississippi Electronic Courts system, MEC, into the appellate court case management system of the Supreme Court and Court of Appeals. On July 1, 2013, all attorneys who were registered with MEC as well as admitted to practice before the Supreme Court were able to electronically file briefs, motions, and responses on a voluntary basis. E-filing was set to become mandatory Jan. 1, 2014, for briefs, motions and responses.

THE APPELLATE COURTS OF MISSISSIPPI

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

Certain appeals are, as a class, retained and decided by the Supreme Court. Cases which must be retained by the Supreme Court are those which involve:

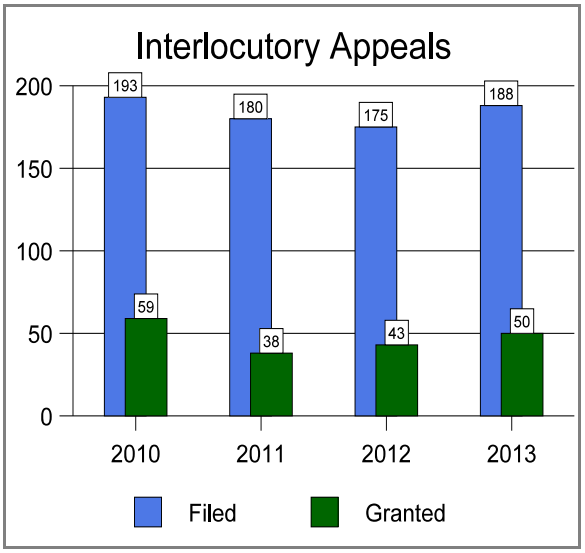
(a) imposition of the death penalty;
(b) utility rates;
(c) annexations;
(d) bond issues;
(e) election contests;
(f) a trial court's holding a statute unconstitutional;
(g) bar discipline matters;
(h) judicial performance matters;
(i) certified questions from federal court.

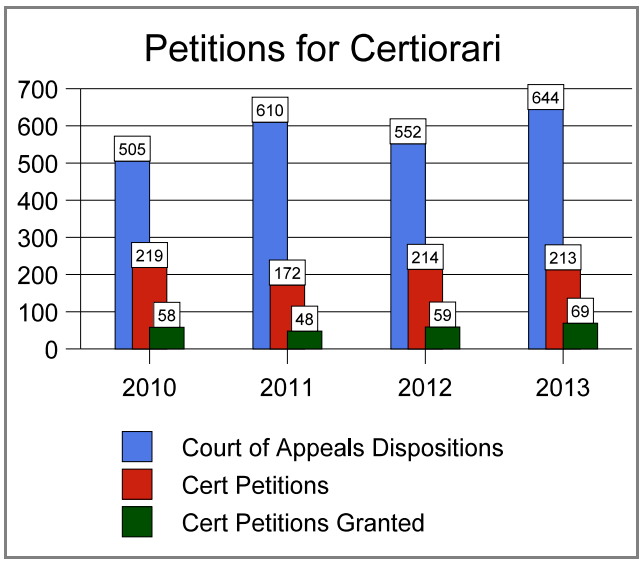


In addition to its workload of retained cases, the Supreme Court also decides most interlocutory appeals and all petitions for writ of certiorari from the Court of Appeals, and has significant administrative responsibilities such as rule making obligations ranging from rules of procedure to Bar admissions.

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

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





STATISTICAL SUMMARY FOR APPELLATE COURTS

2013 Appellate Case Filings

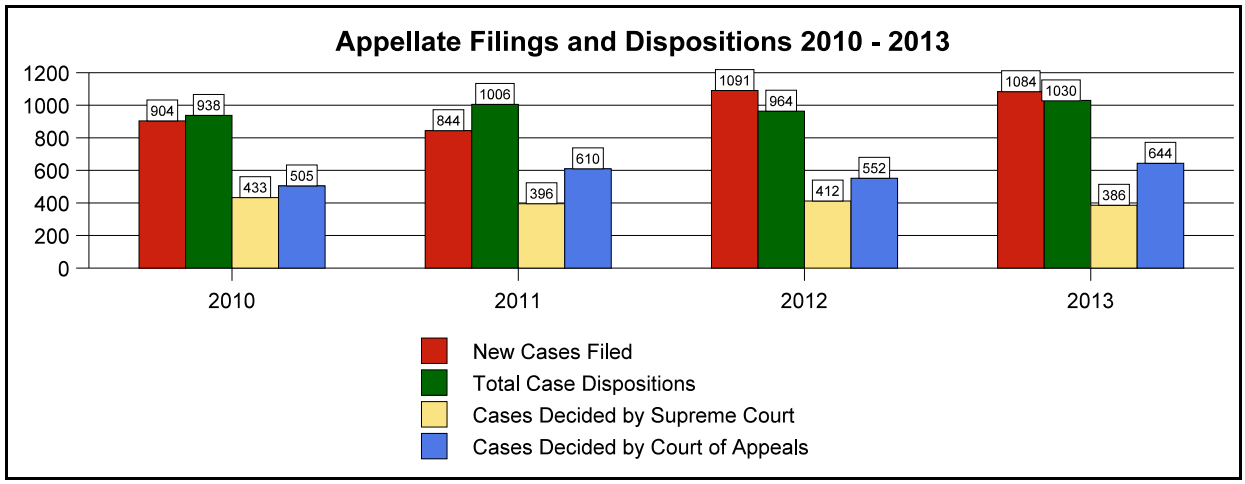
Notices of Appeal, General	922
Death Penalty Direct Appeal	2
Death Penalty PCR Applications	4
Bar Discipline Cases	3
Bar Discipline Appeals	1
Bar Reinstatement Cases	1
Judicial Performance Cases	4
Annexation Cases	3
Election Contests	4
Interlocutory Appeals Granted	50
Certiorari Petitions Granted	69
Workers' Comp Appeals	20
Utility Rate Cases	1
Federally Certified Questions	0
Total New Cases Filed	1,084

2013 Case Dispositions		**Supreme Court**	**Court of Appeals**	**Courts Combined**
Dismissed by Clerk's Rule 2 Notice		96	34	130
Dismissed by Order of Court		93	14	107
Certiorari Petitions Dismissed after Grant		16	0	16
Decided by Published Opinion		171	596	767
Per Curiam Affirmed		1	0	1
Decided by Order		9	0	9
Total Case Dispositions		386	644	1,030

In 2013, the Supreme Court heard oral argument in 38 cases, while the Court of Appeals heard oral argument in 42 cases.

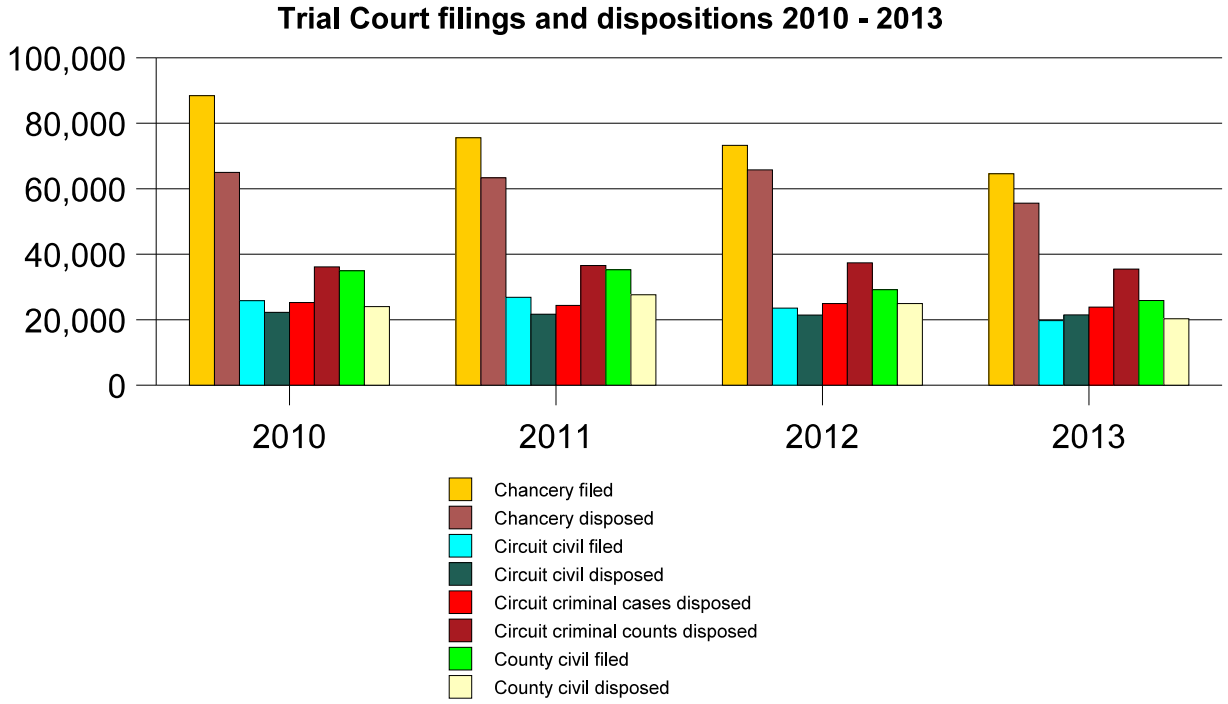
In addition, the appellate courts addressed 5,848 motions: 3,656 by the Supreme Court and 2,192 by the Court of Appeals. These included:

		Supreme Court	**Court of Appeals**	**Courts Combined**
Motions for Rehearing		56	301	357
Petitions for Interlocutory Appeal		188	0	188
Petitions for Certiorari		213	0	213


Appellate Filings and Dispositions 2010 - 2013
1200
1000
800
600
400
200
0
904
938
433
505
844
1006
396
610
1091
964
412
552
1084
1030
386
644
2010
2011
2012
2013
New Cases Filed
Total Case Dispositions
Cases Decided by Supreme Court
Cases Decided by Court of Appeals

MISSISSIPPI TRIAL COURTS OF RECORD

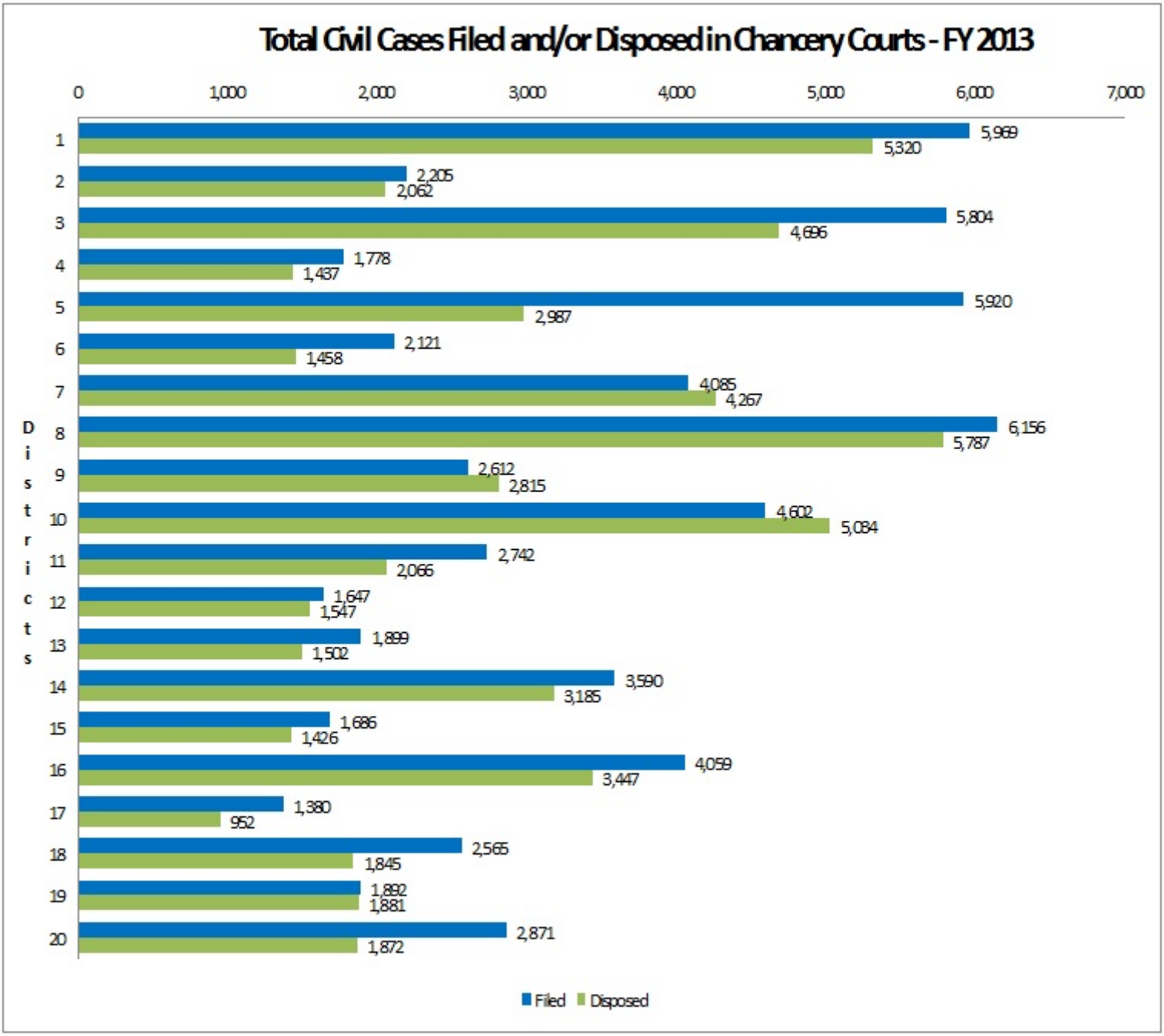
The trial courts in Mississippi without jurisdictional limits on the amounts in controversy are the Chancery and Circuit Courts. The state is divided into 20 Chancery Court Districts and 22 Circuit Court Districts. Each district has from one to four judges, depending on the size of the district and its case load. The courts are served by independently elected chancery and circuit clerks in each county. The chancery and circuit clerks for each district are required by law to report the activities of the courts to the Administrative Office of Courts. 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 - 2013

	2010	2011	2012	2013
Chancery filed	88,424	75,558	73,268	65,583
Chancery disposed	64,994	63,349	65,782	55,586
Circuit civil filed	25,800	26,862	23,553	19,716
Circuit civil disposed	22,249	21,687	21,441	21,482
Circuit criminal cases disposed	25,258	24,371	24,917	28,858
Circuit criminal counts disposed	36,131	36,561	37,366	35,469
County civil filed	34,950	35,254	29,177	25,865
County civil disposed	24,032	27,606	24,930	20,282

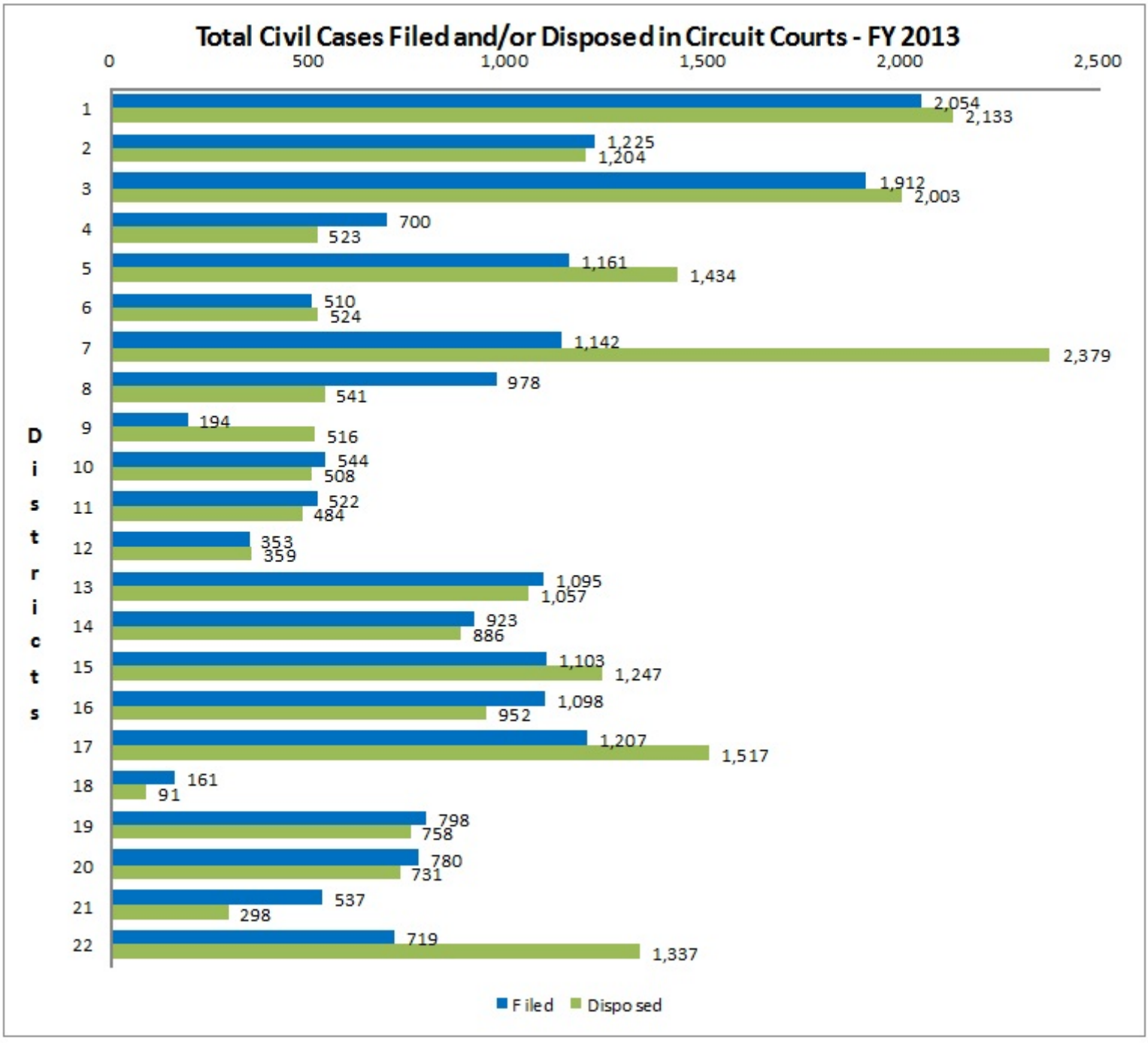
CHANCERY COURTS



Total Chancery cases filed 2013 65,583

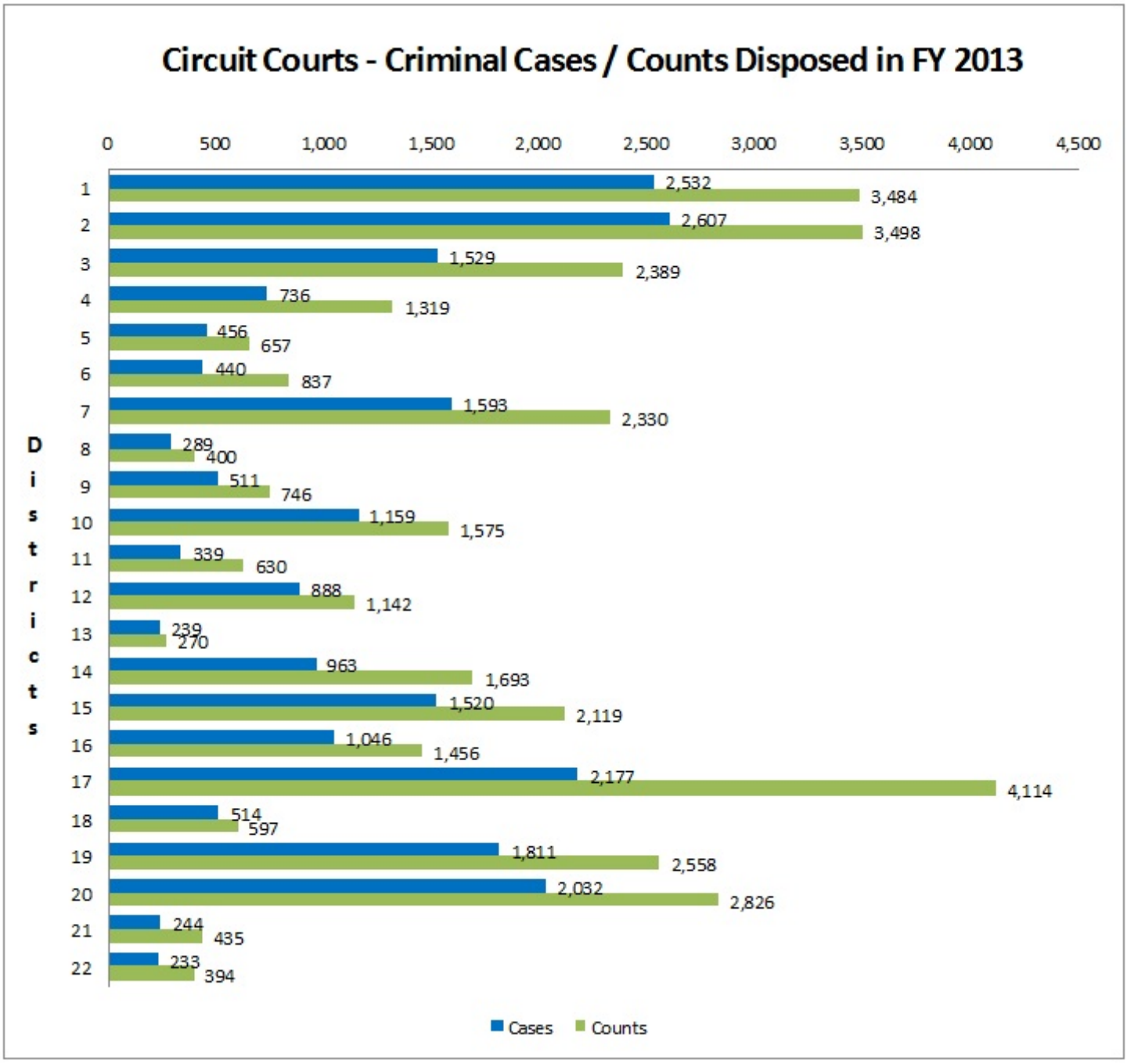
Total Chancery cases disposed 2013 55,586

CIRCUIT COURTS



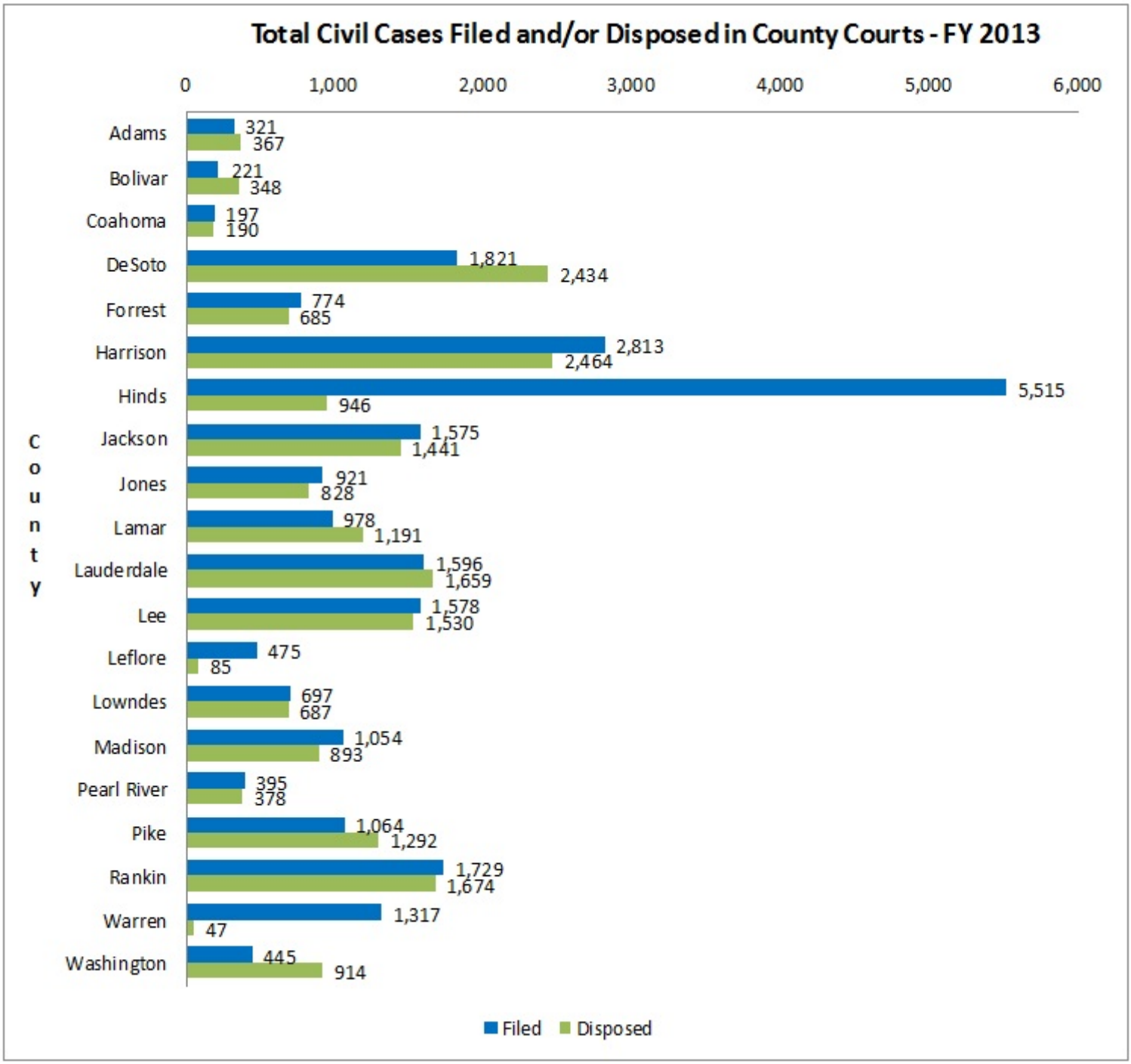
Total Circuit Civil cases reported filed 2013 19,716

Total Circuit Civil cases reported disposed 2013 21,482



Total Circuit Criminal cases disposed 2013 23,858

Total Circuit Criminal counts disposed 2013 35,469



Total County Court Civil cases reported filed 2013 25,865

Total County Court Civil cases reported disposed 2013 20,282

YOUTH COURTS

	REFERRALS			FORMAL ADJUDICATIONS			HANDLED INFORMALLY		
	ABUSE	NEGLECT	DELINQUENT	ABUSE	NEGLECT	DELINQUENT	ABUSE	NEGLECT	DELINQUENT
ADAMS	67	121	452	4	32	222	7	18	133
ALCORN	10	34	154	20	76	47	0	0	40
AMITE	0	1	105	0	1	42	0	0	39
ATTALA	0	1	52	0	0	26	0	0	0
BENTON	0	0	50	0	0	29	0	0	7
BOLIVAR	0	0	407	0	0	98	0	0	220
CALHOUN	44	62	42	16	24	13	0	4	10
CARROLL	1	1	26	0	0	8	0	0	7
CHICKASAW	2	6	62	2	13	45	0	0	0
CHOCTAW	2	0	32	0	0	4	0	0	3
CLAIBORNE	0	0	58	0	0	2	0	0	11
CLARK	0	0	51	0	0	14	0	0	6
CLAY	8	24	124	4	8	52	4	0	26
COAHOMA	4	5	265	0	5	84	0	0	121
COPIAH	15	43	203	12	79	116	3	5	0
COVINGTON	1	47	281	0	2	42	0	0	13
DESOTO	825	1432	1904	0	21	605	245	405	607
FRANKLIN	5	2	70	3	3	17	0	0	45
GEORGE	4	21	154	0	4	71	0	0	28
GREENE	0	1	59	0	0	26	0	0	3
GRENADA	3	25	215	1	107	65	0	0	105
HANCOCK	45	293	390	82	612	156	5	30	117
HARRISON	378	1455	1969	110	937	438	83	296	703
HINDS	403	476	1429	324	706	303	0	0	18
HOLMES	11	18	130	9	16	41	3	6	2
HUMPHREYS	0	8	46	0	2	15	0	1	3
ISSAQUENA	0	0	0	0	0	0	0	0	0
ITAWAMBA	3	21	111	2	18	60	0	0	6
JACKSON	389	988	974	108	391	233	42	69	74
JASPER	0	1	57	0	0	10	0	0	14
JEFFERSON DAVIS	0	96	605	0	7	49	0	0	0
JONES	5	18	1213	2	10	608	0	1	190
KEMPER	0	0	0	0	0	0	0	0	0
LAFAYETTE	0	22	203	0	0	84	0	0	92
LAMAR	3	19	442	3	35	197	0	0	138
LAUDERDALE	2	58	1008	1	95	479	0	0	210
LAWRENCE	5	82	522	1	6	55	0	1	0
LEAKE	0	0	2	0	0	0	0	0	0
LEE	10	10	1167	22	5	257	0	0	275
LEFLORE	0	0	308	0	0	137	0	0	78
LINCOLN	2	46	190	0	63	121	0	0	5
LOWNDES	104	154	386	0	3	101	0	0	8

	REFERRALS			FORMAL ADJUDICATIONS			HANDLED INFORMALLY		
	ABUSE	NEGLECT	DELINQUENT	ABUSE	NEGLECT	DELINQUENT	ABUSE	NEGLECT	DELINQUENT
MADISON	12	24	576	4	12	395	0	0	33
MARION	68	234	260	7	29	65	1	8	48
MARSHALL	62	168	337	4	93	149	9	26	39
MONROE	20	87	120	10	37	49	0	7	30
MONTGOMERY	6	15	102	1	13	37	0	0	40
NESHOBA	0	0	226	0	0	135	0	0	33
NEWTON	0	0	88	0	0	48	0	0	11
NOXUBEE	8	7	23	7	6	8	0	0	1
OKTIBBEHA	0	0	119	0	0	8	0	0	52
PANOLA	0	11	267	0	41	75	0	0	144
PEARL RIVER	6	45	408	9	64	154	0	0	139
PERRY	37	85	21	4	0	10	3	0	1
PIKE	12	49	428	2	33	165	4	7	37
PONTOTOC	0	6	182	0	1	114	0	0	7
PRENTISS	0	0	109	0	0	57	0	0	15
QUITMAN	1	14	26	0	13	17	0	0	1
RANKIN	446	923	1040	58	638	163	1	1	308
SCOTT	0	5	138	0	5	18	0	0	23
SIMPSON	0	0	0	0	0	0	0	0	0
SMITH	3	44	410	0	0	0	0	0	3
STONE	11	32	37	0	35	0	0	0	3
SUNFLOWER	60	255	607	7	28	343	18	47	20
TALLAHATCHIE	0	0	52	0	0	24	0	0	7
TATE	2	37	95	2	23	38	0	0	25
TIPPAH	0	0	78	0	0	40	0	0	20
TISHOMINGO	0	0	40	0	0	27	0	0	4
TUNICA	2	7	138	0	0	23	0	0	46
UNION	0	1	107	0	0	36	0	0	12
WALTHALL	6	14	199	4	9	51	0	0	119
WARREN	1	3	456	0	0	280	0	0	14
WASHINGTON	119	884	967	50	183	221	32	167	374
WAYNE	0	0	104	0	0	69	0	0	18
WEBSTER	0	3	12	0	1	6	0	0	0
WILKINSON	0	10	64	0	23	27	0	0	11
WINSTON	0	7	64	0	15	24	0	0	15
YALOBUSHA	2	6	71	2	4	29	0	0	31
YAZOO	2	23	218	0	19	47	0	0	130
CITY OF PEARL	84	221	328	25	100	151	3	8	19
Total	3086	7645	24493	923	4713	8148	463	1112	5196

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, -14, -29, -43, -73, (Rev. 2007), are:

- To assist the Chief Justice of the Supreme Court with his duties as the chief administrative officer of all of the courts in the state;
- To assist in the prevention of unnecessary delay in the conduct of trials of the state courts;
- To promulgate standards, rules and regulations for computer and/or electronic filing and storage of all court records and court-related records maintained throughout the state in courts and in offices of circuit and chancery clerks;
- To collect case statistics from all civil, criminal and youth courts in the state;
- To coordinate and conduct studies and projects to improve the administration of justice;
- To support the Judicial Advisory Study Committee, including research and clerical assistance;
- To require the filing of reports and the collection and compilation of statistical data and financial information;
- To make recommendations regarding the state of the dockets and the effective number of judges and other court personnel;
- To prescribe uniform administrative and business records, forms, and systems;
- To devise and promulgate youth court tracking forms;
- To prepare and submit budget recommendations necessary for the maintenance and operation of the judicial system;
- To administer the Civil Legal Assistance Fund under the direction of the Supreme Court;
- To serve as an agency to apply for and receive grants or other assistance;

- To develop and implement personnel policies for non-judicial court employees;
- To investigate, make recommendations concerning and assist in the securing of adequate physical accommodations for the judicial system;
- To procure, distribute, exchange, transfer and assign equipment, books, forms, and supplies as are acquired for the court system;
- To make recommendations for the improvement of the operations of the judicial system;
- To prepare and submit an annual report on the work of the judicial system;
- To take necessary steps in the collection of unpaid fines and court costs;
- To oversee the Mississippi Electronic Courts system under the direction of the Supreme Court;
- To establish a program to facilitate the use of language interpreters in all courts of the State of Mississippi; and
- To perform any additional administrative duties assigned by the Supreme Court.

The AOC processes payroll for the support staff of the Chancery and Circuit judges, as well as the official court reporters; administers the office and rent allowances for the trial judges; maintains inventory records for equipment purchased with state funds; approves the trial judges' travel reimbursements for in-state and out-of-state travel; collects statistical data from the Chancery, Circuit, County, and Youth Courts; collects data on cases handled by family masters; administers special funds for civil legal assistance, comprehensive electronic court systems, drug courts, and the Board of Certified Court Reporters; and oversees several federal grants awarded to the AOC for the benefit of the judiciary.

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

The 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 is responsible for developing statewide evaluation plans and models for monitoring critical aspects of drug court operations.

The Advisory Committee in 2013 faced the most difficult challenge in its history as it grappled with how to divide funding that was inadequate to sustain all the state's drug courts. A majority of the Committee voted on June 7, 2013, to significantly reduce annual budgets of drug courts, effective July 1, 2013, the start of the budget year. State funding for adult felony drug courts was reduced by 25 percent, and state funding for juvenile drug courts was reduced by approximately 58 percent. All state funding for misdemeanor courts was eliminated.

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. During the past two years, the Workgroup sponsored Regional Permanency Summits for DHS social workers throughout the state. Collaboration continues with parent representation pilot projects in Adams, Forrest, Harrison and Rankin counties; with the Mississippi Commission on Children's Justice; with Youth Courts; and with the annual Judges and Referees Conference.

The Third Annual Indian Child Welfare Act Conference, held in 2013 at Choctaw, is an extension of that collaboration. The annual conference brings together leaders of the Choctaw Tribal Courts, Tribal Attorney General's Office, Mississippi Youth Courts, the Mississippi Judicial College, National Council for Juvenile and Family Court Judges, and National Resource Centers. Court Improvement Workgroup meets monthly to address legal issues for implementing requirements of the *Olivia Y.* Modified Settlement Agreement and Reform Plan, to identify training for the judiciary, and to develop plans and goals to affect outcomes through the Youth Court.

An informational video on parent representation was made available through the efforts and funding provided by the Administrative Office of Courts' Court Improvement Program and Casey Family Programs in consultation with the American Bar Association Center on Children and the Law. The video, "Giving Parents a Voice," will be used for training throughout the country by the ABA Center on Children and the Law, Casey Family Program and the National Counsel of Juvenile and Family Court Judges. The video can be viewed at the bottom of the page of this website link: **http://courts.ms.gov/trialcourts/youthcourt/youthcourt_ycvideos.html**.

Mississippi Judicial Advisory Study Committee

The Mississippi Judicial Advisory Study Committee was established in 1993by the same legislation which created the Administrative Office of Courts. The 21-member statutory body meets quarterly. The Study Committee makes policy recommendations to the Supreme Court and the Mississippi Legislature to promote improvements to the administration of justice and the operation of the courts.

Rational allocation of judicial resources continued to be the focus of the Study Committee in 2013, as it had been during the previous year. The John C. Stennis Institute of Government analyzed 2010 Census data and caseload trends for the Study Committee. The Study Committee also sought input from trial judges.

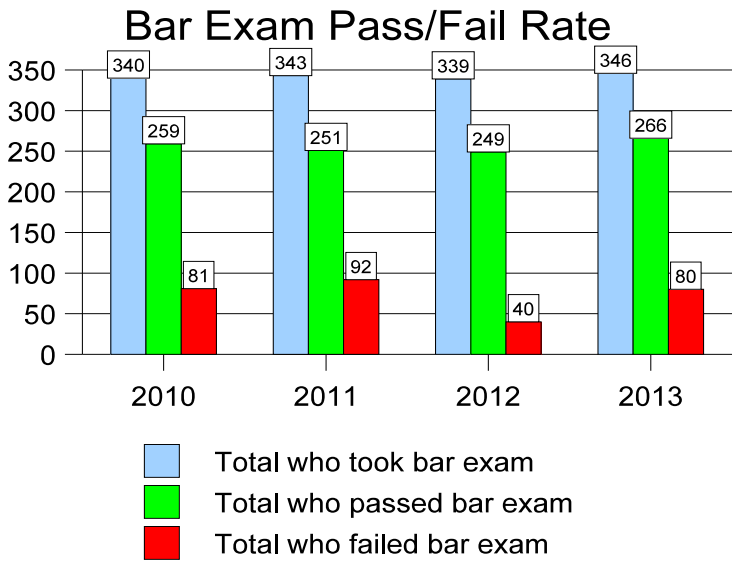
The Study Committee recommended creation of six additional judgeships – three chancery and three circuit. The recommendation called for adding one additional judgeship each in the 3rd Chancery District of DeSoto, Grenada, Montgomery, Panola, Tate and Yalobusha counties; 4th Chancery District of Amite, Franklin, Pike and Walthall counties; 20th Chancery District of Rankin County; 12th Circuit District of Forrest and Perry counties; 20th Circuit District of Madison and Rankin counties; and 22nd Circuit District of Claiborne, Copiah and Jefferson counties. Of those districts, the 4th Chancery, 12th Circuit and 22nd Circuit are now single-judge districts.

The Study Committee considered developments in the Mississippi Electronic Courts system, a proposed statewide County Court system, and coterminous districts for Chancery and Circuit Courts. The Study Committee during its 20-year history has pushed for a uniform information technology system for the courts as a way to gather accurate and reliable caseload data that is crucial to analysis of allocation of judicial resources. The Study Committee will seek more information before taking a position regarding a statewide County Court system. The Study Committee rejected the idea of coterminous Chancery and Circuit districts.

BOARD OF BAR ADMISSIONS

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

In 2013, the Board received and processed 66 applications for registration as law students, and 433 applications for examination. The Board administered the February 2013 Bar Exam to 108 people, and 238 people took the July 2013 Bar Exam. Of the 346 people who took the Bar Exam in 2013, 266, or 76.9 percent, passed the bar exam – a slight increase over the previous two years – and 80 people, or 23.1 percent failed.



Bar Exam Applications	2010		2011		2012		2013	
Applications for registration as law student	104		105		69		66	
Applications for examination	413		420		426		433	
Total applications processed/being processed	517		525		495		499	
Bar Exams								
Took February bar exam	87		101		108		108	
Passed February bar exam			66		71		76	
Failed February bar exam			35		37		32	
Took July bar exam	253		242		231		238	
Passed July bar exam			185		178		190	
Failed July bar exam			57		53		48	
Total who took bar exam	340		343		339		346	
Total who passed bar exam	259	76.2 %	251	73.2 %	249	73.5 %	266	76.9 %
Total who failed bar exam	81	23.8 %	92	26.8 %	90	26.5 %	80	23.1 %

COMMISSION ON CONTINUING LEGAL EDUCATION

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

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

In 2013, the Mississippi Commission on CLE approved for credit 540 live programs that were held in the state of Mississippi, 2,720 live programs held outside the state, and 5,073 programs that were given by satellite, teleconference or online through live webcasts and on-demand programs.

	2010	2011	2012	2013
Live CLE programs in Mississippi	534	574	459	540
Live CLE programs out of state	3089	3059	2782	2720
Webcasts and other digital presentations	5171	5124	4783	5073