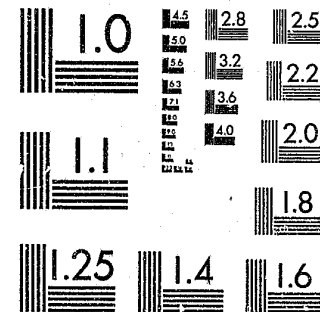


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THE MISSISSIPPI COURT FINANCE STUDY
VOLUME I

THE MISSISSIPPI JUSTICE COURTS:
MANAGEMENT AND FINANCIAL ANALYSIS

Prepared for:
The Mississippi Judicial Council

by:
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ACQUISITIONS

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I. INTRODUCTION

A. Mississippi Justice Courts: A Changing Institution

A major component in the history of court reform in this nation has been the reorganization of lower court systems. Accordingly, the lower court system in Mississippi, the primary element of which is the Justice Courts, has been and continues to be one subject of the state's judicial system development. The most recent assessment of Mississippi's lower court system was conducted in the context of a comprehensive study of Mississippi Courts;¹ this examination identified weakness in judicial qualifications, subject matter and geographical jurisdiction, the mode of compensation (i.e. the fee system), structural conflict of interest situations, and preliminary criminal procedure -- all common issues in the history of lower court reforms.

Despite these apparent weaknesses, it is equally apparent that the conventional formulas for lower court reform, including major structural change and complete elimination of Justices of the Peace (Justice Courts), are not automatically appropriate for the judicial environment in Mississippi. Consequently, a need was recognized within the judiciary to examine systematically the Justice Court system's organizational and financial aspects, to provide an informed basis from which policy questions can be addressed. This study was conducted in response to that need.

¹"Courts Strategy, A Master Plan for Courts in Mississippi", prepared by Mississippi Criminal Justice Planning Division and Resource Planning Corporation, (1976).

B. Brief Historical Background

Justices of the Peace have a long and distinguished history to which few other judicial officers can lay claim. The institution of Justice of the Peace originated in medieval England during the reign of Richard I who, in 1195, issued an edict admonishing his knights to keep his peace and to apprehend any violators. The knights' functions at this time were police-oriented rather than adjudication-oriented, since offenders were delivered to the county sheriff. By 1327, knights were commonly known as "conservators of the peace," and in the following year, 1328, Edward III vested them with their first judicial authority: the power to punish alleged offenders. From the mid-Fourteenth Century on, the justice of the peace system was enlarged and developed, ultimately resulting in the justice court system of the early 20th Century.

Not until 1631 did the knights officially become known as Justices of the Peace, and by that time their judicial authority had undergone considerable enlargement. They were holding general sessions, as well as special or petty sessions in each county.

During the early period of their history, the Justices of the Peace functioned as Crown appointees without tenure of office, preserving the peace on a local basis without gathering sufficient power to become a threat to the monarch or to Parliament. Justices of the Peace were originally paid a salary by each county sheriff from the fines collected. This system of remuneration fell into disuse, however, as the king sought to reduce public expenditures. To achieve this end, the monarch appointed as Justices of the Peace members of the propertied and monied classes who could afford to serve

without pay. Out of this early "economy measure" was born the tradition that Justices of the Peace serve without salary.

During this period--and throughout the early part of United States history--compelling reasons existed for allowing laymen to act as judges in the relatively simple matters that fell within the jurisdiction of Justices of the Peace. There were not enough attorneys in rural areas to serve as Justices of the Peace and a prohibition against nonattorney judges that have deprived many areas of any judges at all. Travel and communication were slow and burdensome, making it difficult or impossible for attorney judges who normally resided and heard cases in more populous urban areas to preside over matters which arose in rural areas.

Through subsequent centuries, the office of Justice of the Peace grew in authority and esteem as it was accorded more highly diversified powers. Although their responsibilities varied over the centuries, these judicial officers generally embodied a willingness to serve as regal instruments, were often of an aristocratic heritage, and displayed with general competence a lay background in the law. Traditionally, they decided criminal rather than civil matters.

English Justices of the Peace generally fit this pattern until the 1700s, when party loyalty, rather than competency, became the primary consideration in appointments to this office. The institution continued to decline until approximately 1888, by which time the Justices of the Peace had lost their police functions to local constabularies and their administrative functions to elected county officials. However, the bulk of their judicial authority survived and even underwent modest expansion, continuing to this day as a widely respected part of the British judicial system.

The American experience with Justices of the Peace began in 1607 when the English first settled at Jamestown, bringing with them the English system of justice. The Justice of the Peace system was quickly adopted in other countries and colonies as the most efficient means of making local justice readily available. In his classic treatise on early America, Tocqueville described the Justice of the Peace system as implemented in the New World: "The Americans have borrowed from their fathers, the English, the idea of an institution that is unknown on the continent of Europe: I allude to that of Justices of the Peace. The Justice of the Peace is a sort of middle term between the magistrate and the man of the world, between the civil officer and the judge. A Justice of the Peace is a well-informed citizen, though he is not necessarily learned in the law. His office simply obliges him to execute the police regulations of a society, a task in which good sense and integrity are of more avail than a legal science.."2

Like his British counterpart, the American Justice of the Peace served as a bridge between the common people and the power of the law. The office was as much revered in the American colonies as it was in the English homeland. It is worth noting, for instance, that all seven Virginians who signed the Declaration of Independence were, or had previously been, Justices of the Peace. The office continued in high esteem after the Revolution and through the period of early nationhood described by Tocqueville.

As westward expansion continued in the 19th Century, however, significant changes occurred in the Justice of the Peace system

²Tocqueville, Alexis de, Democracy in America, edited by J. P. Meyer and Max Lerner. New York, Harper and Rowe (1966).

and the respect afforded the office began to wane. As territories became states, the Justices of the Peace ceased to be appointed by the territorial governor or other central authority. The tenure of Andrew Jackson in the White House brought "Jacksonian Democracy" which prescribed the popular election of Justices of the Peace. In most frontier areas, the settlers were poorly educated, providing few candidates with the learning or competence previously associated with the office. The quality of justice came to rest more on the personal attributes and integrity of the officer than upon the law itself. Because most frontier areas were relatively poor, some compensation was deemed necessary for the services of the Justice of the Peace and a fee system evolved in which the Justices were paid out of fines and attributable costs collected. The necessities of frontier life led to the inclusion of some civil matters, including the performance of marriage ceremonies, in the jurisdiction of the Justice of the Peace, supplementing and expanding his criminal authority. In sum, the American frontier experience substantially altered both the office and the type of person occupying the office. These changes provided the basis for criticism which eventually developed nearly a century later. During the frontier period, however, the office continued to be held in fair esteem and the individuals elected as Justices of the Peace were usually the most respected and trusted members of their communities.

The Office of Justice of the Peace reached its zenith in the early part of the 20th Century and then began a steady decline. In 1915, 47 of the 48 state constitutions provided for the office of Justice of the Peace and five different Justice of the Peace systems had been created by state statutes: (1) A system which compensated Justices wholly or in part from fines and attributable costs collected as a result of criminal convictions; (2) an alternative system which

combined fines levied on convicted defendants with remuneration from governmental sources in event of acquittal; (3) a variation of the second alternative, which placed a maximum limit on governmental payments; (4) a system in which Justices' salaries were provided by fees levied against both acquitted and convicted defendants; and (5) provision for a fixed salary to be paid out of a fund representing accumulated fines and other receipts.

Dissatisfaction with the Justice of the Peace system was most notably first voiced in 1906 by legal scholar Roscoe Pound who criticized the system for multiplicity and concurrent jurisdictions which he felt wasted judicial manpower. Pound advocated a statewide uniform set of county or "lower" courts with minor criminal and civil jurisdiction, which would absorb and replace the jurisdiction of Justices of the Peace. Chester H. Smith added his voice to Pound's in criticizing the Justices of the Peace for lack of education, archaic procedures, inadequate and less than full-time service. They questioned the integrity of a system based on fees and alleged that the failure of the Justice of the Peace to serve as a court of record resulted in numerous trials *de novo* on appeal. Other noted scholars joined in the wide-spread criticism of the Justice of the Peace system and discussion of judicial reform. By the late 1920's and early 1930's there was general agreement among legal scholars that the court system--and particularly the Justice of the Peace system--was in need of major overhaul.

Pressure for court reform, like most other governmental reform movements, was lost amid public concern and governmental activity in response to the Great Depression. World War II and the subsequent Cold War continued to occupy the attention of government leaders and legal scholars for nearly two decades and the court reform movement was largely dormant

during that period. The 1960's, however, brought a resurgence of organized criticism of the courts and Justice of the Peace system. Since 1962, the chorus calling for abolition of the Justice of the Peace system--either explicitly or implicitly--has included the American Bar Association, the Institute for Judicial Administration, the President's Commission on Law Enforcement and the Administration of Justice, the National Advisory Commission on Civil Disorders, the National Conference on the Judiciary, and the National Advisory Commission on Criminal Justice Standards and Goals. In a number of states the Justice of the Peace system has been abolished or drastically altered by legislative enactment or higher court action within the last decade. In those states still retaining the Justice of the Peace system, the debate as to their proper role and function, if any, continues to dominate the discourse on lower court organization.

C. This Study and Report

On this wave of interest in improving state judicial systems, the Mississippi Judicial Council has commissioned this Court Finance, Management, and Personnel Study. This report on the Mississippi Justice Court system represents the product of one phase of that Study. The Study's objective is to supply the Mississippi Judicial Council and other judicial system planners with operational, managerial, and financial information about Mississippi Courts and related agencies, and to analyze the information in order to recommend change in structure and procedures.

The primary issues or themes of this report speak to the following subjects:

- 1) Justice Court organization, the number needed in each county, their qualifications, location and judicial environment;
- 2) Justice Court jurisdiction, both geographic and subject matter;
- 3) Judicial compensation: salaried vs. fee compensation, and the criteria for determining salary levels;
- 4) Operational information regarding caseload, trial activity, facilities, staffing, and procedures; and
- 5) Justice Court fiscal management, documentation of existing and alternative financial systems, including distribution of revenues (fines and fees), issues of county vs. state support, and other fiscal issues.

These five areas of focus encompass basic elements comprising any court system. A comprehensive approach is taken here because the institution of Justice Courts in Mississippi is deserving of detailed attention. Justice Courts are the mainstay of Mississippi's lower courts; not only do they possess notable jurisdictional boundaries, but as the receivers of most traffic cases, they reap a sizeable amount of revenue, far in excess of their cost. Financial matters are a major consideration in this study, but while financial management in the administration of justice is important, even more important in the development of Justice Courts are the benefits that accrue from fairer, more consistent interaction between citizens and the judicial process.

The balance of this report is organized into four sections and a separate support data volume, which present and analyze information on the Justice Court system and recommend alternative avenues to improving court organization, jurisdiction,

procedures, judicial compensation, and financial management (funding and distribution of revenue).³ Throughout the discussion, reference is made to appendices (some of which are contained in the separate volume) which present the extensive data on which the analyses and recommendations are based.

Section II presents the study methodology, lending perspective to Section III, which describes the Justice Court system in Mississippi today. Section IV, "Range of Options and Associated Issues" presents a pro and con discussion of varying issues associated with the range of optional approaches to organizing the Justice Courts. Section V will present a set of alternative scenarios for organizing and funding Justice Courts and will make recommendations concerning other management areas of the Justice Courts. This report contains only one of these alternative scenarios with a second major alternative being presented in Volume II of this report series. Presentation of the alternative dealing with elimination of the justice court concept was delayed pending completion of the Phase II data collection effort of the Mississippi Court Finance, Management, and Personnel Study.

³A major alternative approach dealing with the abolition of justice courts and consolidating their jurisdiction into a Magistrate Division of the Circuit Court is presented in Volume II of this report series entitled A Proposed Magistrate Division of the Circuit Court for the State of Mississippi.

II. STUDY METHODOLOGY

A. Data Collection Approach

The analysis and recommendations in this study are based upon data collected during on-site visits to approximately 25% of the state's 420 Justice Courts. Detailed information on these sample courts, including data obtained in interviews with the judges, interviews with judges' staff, and inspection of dockets and other records, as well as statistical data on all Justice Courts gathered from a variety of sources, provided the data bases for this report's observations and conclusions. The following narrative not only explains study methodology in sample selection, field interviews, on-site records, and use of additional data sources, but in the process relates some preliminary observations about the characteristics and nature of the Justice Court system.

B. Sample Selection

In selecting the sample courts for on-site visits, every effort was made to construct a sample population which accurately reflected the total court population. Factors considered during construction of the sample included civil and criminal caseload volumes, geographic distribution, proximity to major highways, proximity to the county seat,⁴ population of the county and city in which the court is located, and the presence or absence of a County Court.

⁴No listing of actual court locations being available, the mailing address of the judge (as listed in the Mississippi Blue Book and roster of elected officials) was treated as the "court location" during the sample selection process. No significant discrepancies were discovered in the course of on-site visits.

For purposes of selecting a representative sample, the state's 420 Justice Courts were grouped into four categories based upon dollar volume as reported to the Secretary of State for calendar year 1977. As a means of identification, the highest volume courts, with annual dollar volume of \$17,000 or more, were designated "A" courts; moderate volume courts, accounting for \$7,000-\$17,000, were designated "B" courts; low volume courts, representing annual volume of \$3,000-\$7,000, were designated "C" courts; finally, courts with a relatively small volume of \$3,000 or less, were designated "D" courts.

A basic informational profile of each court was constructed using a spread sheet which included annual totals for fees received from the county for criminal cases completed, total of all other fees received from the county, total fees received in civil cases, and total amounts received for all other reported income. Also entered on the spread sheet was information regarding major city and county population figures, degree of urbanization, highway adjacencies, proximity to county seat, and similar data for each court. The profile information was then used to select courts for each of the four categories in the sample.

One objective of the sample selection was to maximize statistical validity in the number of courts selected for each volume category. Categorization of the total court population as described above, resulted in the fewest number of courts being classified in the highest volume category, progressing to the largest number of courts being classified in the lowest volume category. Therefore, the sample was constructed so that the percentage of courts in each category selected for the sample bears an inverse relationship to the category's court population, i.e. the greatest percentage was taken for the lowest

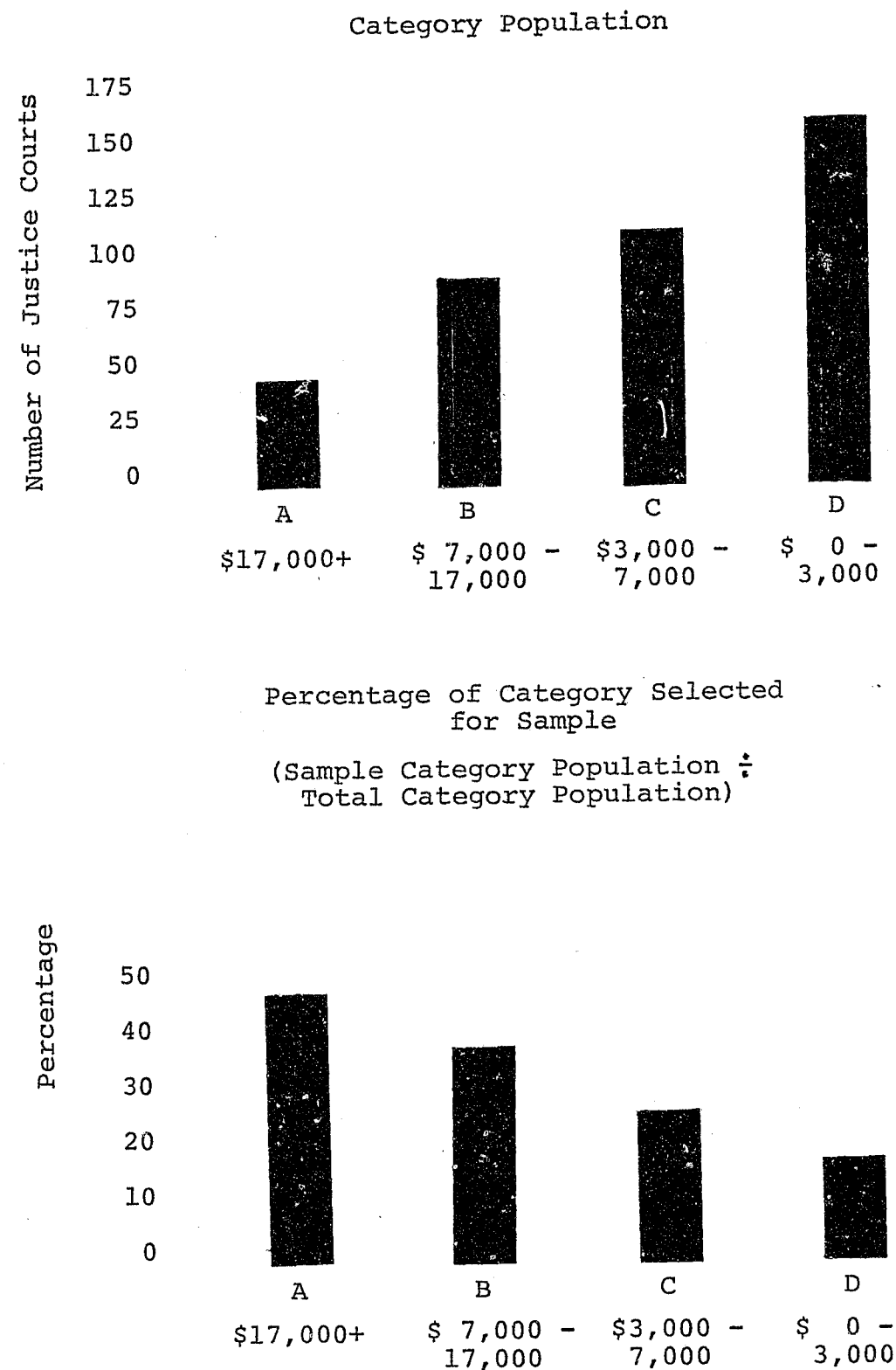
population category (high volume courts) and the least percentage was taken for the highest population category (low volume courts). Figure 1 depicts this relationship between the percentage of courts in each category ultimately selected for the sample, and the total population of courts in the four groups.

Because one priority of the sample selection was the inclusion of at least one court in every county in the sample population, a tentative sample was pulled on a county-by-county basis. Thus, selection of sample courts in the "A" category commenced with Adams County and proceeded alphabetically through all counties. As each county was considered, selection initially focused on courts in the "A" category only.

If none of the county's Justice Courts fell into the "A" category, selection moved to the next county. If only one court in a county fit the "A" category, that court was included in the sample. If two or more of the county's Justice Courts were "A" courts, the court reporting the greatest volume of civil cases was chosen. This emphasis on civil cases arose because a primary objective of the study was to assess the impact of a recent ruling regarding post-judgment civil case fees; inclusion of a large number of courts with a heavy civil caseload allowed accurate analysis of regular and post-judgment activity volume. As the selection procedure for "A" courts progressed, consideration was given in each case to the proximity to the county seat and major highways, as well as other factors previously mentioned, with an eye to balancing the sample in all respects.

After selection of "A" courts had been made, considering all counties, the procedure began again for selection of courts

FIGURE 1
Sample Selection by Volume Category



in the "B" category. The same basic procedure was similarly used for selection of "C" and "D" courts. Within each category phase, priority was given to counties in which a sample court had not yet been selected during an earlier phase.⁵

After initial selection, each court included in the sample was compared with the other courts in the same county to ascertain that the sample court accurately reflected the county's Justice Court profile. This was particularly important in instances where more than one court from a single county was included in the sample. Where the county's five Justice Courts varied substantially in volume, the sample courts selected from that county represented both a high volume (A or B) court and a low volume (C or D) court. If all or nearly all of the county's courts fell into a single category, both sample courts would represent that category.

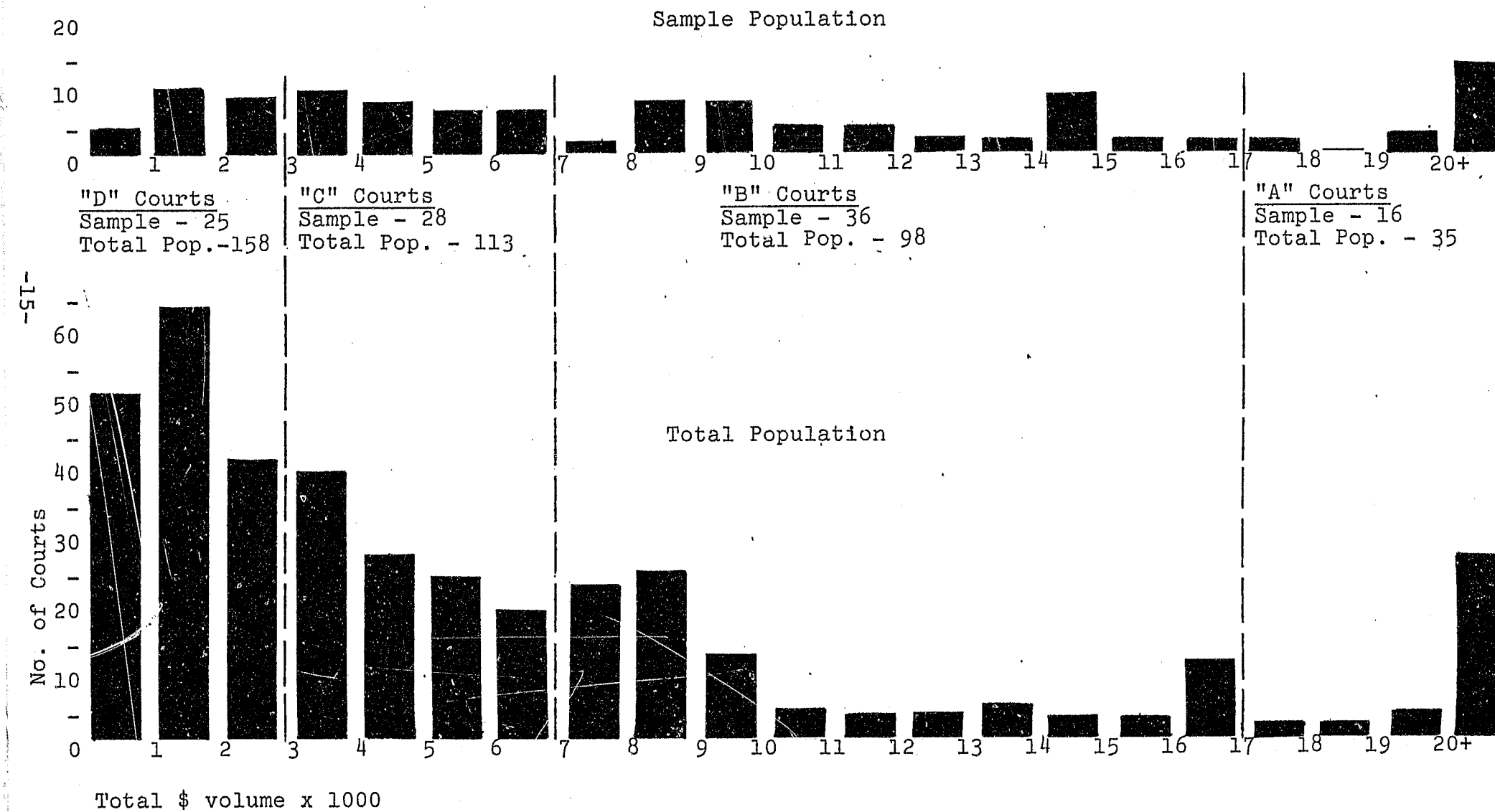
At the conclusion of the selection process, the sample contained 105 courts, representing exactly 25% of the total population numerically. Figure 2 shows the volume distribution of the sample as compared with that of the overall population, the same distribution curve being evident in both graphs.

⁵At the conclusion of this procedure, about 120 courts had been selected for the tentative sample. The tentative sample was plotted on a bar graph similar to that constructed for the entire court population and the two graphs were compared for similarity of profile and distribution. This comparison of sample with population, on the basis of dollar volume, indicated that the sample contained a disproportionately large number of "B" courts. It also became apparent that in some volume increments (as classified in \$1,000 increments), the sample included all or virtually all of the courts in the population. In such cases, individual courts were eliminated from the sample until the distribution of sample courts accurately reflected the population distribution in each \$1,000 increment. In elimination of excess courts, as in selection, consideration was given to a representative balance of geographical distribution, population, and other demographic factors in the sample.

FIGURE 2

JUSTICE COURT STUDY

Comparison of Sample Courts to Total
Population by Volume Distribution



Far from being a random process, the sample selection procedure was intellectually weighted to give consideration to the variety of factors aforementioned. This resulted in the desired representative sample population which could not possibly be achieved through mere random selection. While numerically representing 25% of the population, the sample includes 37% of the total statewide Justice Court caseload as measured by reported dollar volume. The inclusion of courts with a high volume of civil cases resulted in the sample court's civil caseload accounting for 53% of the total civil volume. Broken down by high (A or B) volume versus low (C or D) volume, the sample divides evenly with 52 courts and 53 courts, respectively, in each half of the sample.

C. On-Site Visits to Sample Courts

1. Advance Contact

In every case, efforts were made to contact the judge of a sample court by telephone to set an appointment time convenient to his or her schedule and to ascertain the exact location of the judge's office. Since only a handful of the judges contacted were aware of the study in progress, the initial telephone contact included a brief explanation of the study, its purposes, and how the individual judge came to be chosen for interview. (It was frequently necessary to allay the judge's fear that the interview was prompted by complaints about his performance.) In the course of the advance call, the data collector also explained the need to inspect 1977 civil and criminal dockets at the time of the interview and requested that they be available at the interview site.

In a majority of cases, data collectors were able to contact the judge at least 24 hours in advance of the

visit subsequently scheduled. Most judges thus contacted were very cooperative in setting appointments, and in only two cases did the judge fail to appear for a scheduled interview.

Advance telephone contact was difficult in some cases because of the lack of a listed telephone number, multiple listings for the same name, or use of initials or spouse's name in the directory listing.⁶ When difficulties of this nature arose, the county sheriff's department was generally able to provide a telephone number at which the judge could be reached.

In some cases, it proved impossible to make advance contact with the judge in spite of a known telephone number. When repeated telephone calls received no answer, the data collector attempted to locate the judge at his home or place of employment, often with directions or suggestions obtained from local sheriff's deputies or chancery clerk's office personnel. In only one case was the data collector unable to locate the judge after both numerous telephone calls and two visits to the county. In cases where the judge had no telephone, the data collector again sought the assistance of sheriff's department personnel in locating the judge for interview.

2. Interview with Judge

At the time of the on-site visit, the data collector conducted a guided interview with the judge in an effort

⁶Telephone numbers obtained through the Justice Court Officers' Association were found to be incorrect in a large number of cases. The problem was compounded by the fact that directory listings seldom included a "J.P." or "Judge" designation, which would have been helpful in the cases of multiple numbers or listing by initials or nickname.

to obtain information relating to the nature and volume of caseload, time spent on various matters, location of trials and hearings, frequency of jury trials, as well as information on staff, county support, additional business activities and other topics covered in this study. (See Appendix XVI in Support Data Volume for interview outline.) In each case, the interview followed the same outline and format, with some flexibility to allow for varying degrees of knowledge and experience on the part of the judge. Data collectors followed standard survey research guidelines and procedures to insure clarity and comprehension without creating a bias in the response.

In virtually all cases, the judge was informed, experienced and cooperative in providing the data collector with full and detailed answers.⁷ At the conclusion of the guided interview, the data collector generally engaged the judge in open-ended discussion about his or her handling of specific types of cases (bad checks, peace bonds) which field experience had indicated were areas of substantial variation; also discussed were problem areas or comments on the overall operation of the court. A number of suggestions regarding training, procedures, and communications arose repeatedly in the course of these discussions. In a number of cases, the data collector obtained copies of bad check letters, defendant notification letters and other forms peculiar to that particular court or commonly used by the judge. The interviews with the judges, including both guided and open portions, varied in length from approximately

⁷In a few cases, the ability of the data collector to obtain information by means of judge interview was severely restricted by circumstances. In one court, the judge was absent due to a prison term, while in another court, the judge had taken office only two days prior to the interview. In each of these instances, however, a clerk with lengthy experience in that particular court was able to provide a substantial portion of the information sought.

thirty minutes to in excess of two hours, with the average interview lasting approximately forty-five minutes.

3. Inspection of Dockets

During the early phase of on-site visits, data collectors made a detailed analysis of both civil and criminal dockets, noting the number and date of post-judgment actions on 1977 judgments, the number and nature of jury and non-jury trials, frequency of warrants as a case, number of felony preliminary hearings, issuance of peace bonds, and related statistical data. As certain patterns in practice became clear, the docket inspection was streamlined to some extent and, except for post-judgment matters, was used primarily to verify or further explain answers given by the judge during the interview. In every court a detailed tally of the number and date of post-judgment actions on 1977 judgments was made. Notes were also made on the accuracy and completeness of docket information, apparent manner of handling various offenses or types of cases (particularly where docket indications were at odds with the information conveyed by the judge), and the nature and volume of the caseload.

In a few instances, 1977 docket books were not at the judge's office (being at the courthouse, in a storage building, or elsewhere) despite the advance request to see them. This occurred only in courts of negligible volume, however, reflecting little or no civil activity. In these cases the data collector was able to confirm the lack of garnishment activity through inspection of current records, past receipt books or other available documents.

In some instances, docket records were so incomplete or inaccurate as to make a garnishment count impossible. In all such cases involving a total caseload of any significance, however, the data collector was able to utilize 1977 receipt books, working files, case jackets, or other documents to establish a reasonably accurate count on garnishment activity.

Except in courts of negligible volume, the absence of complete docket information was generally an indication that alphabetical files, suspense files, or some other working file system was being utilized by the judge for day-to-day operations. Even in cases where the docket information was relatively complete -- or extremely complete -- it often became apparent that an additional paperwork system existed for the day-to-day handling of cases. While the actual working file system varied in efficiency and complexity from one court to another, field experience indicated that few judges were utilizing dockets as anything more than a last-step record or summary upon completion of the case.

4. Additional On-Site Data Collection

The on-site visit by the data collector also provided an opportunity to make subjective observations about facilities, staff, recordkeeping systems, judge availability and ability, and related factors of note in any study of the Justice Court system. Such observations, recorded both during and after the interview and docket inspection, provided substantial elucidation of and elaboration upon basic information obtained from the judge and his records. Where conditions or practices as observed discounted or conflicted with statements made by the judge, this was so noted by the data collector and considered in the tabulation and weighting of data. These observations both expanded the data base

and increased the accuracy of information upon which the conclusions and recommendations of this study are based.

D. Collection of Data from Additional Sources

Statistical analysis of the operation of Mississippi Justice Courts also utilized fiscal data obtained from the Secretary of State, the State Department of Audit and the Chancery Clerks of the individual counties. County-by-county totals for fines and fees collected by Justice Courts, as well as county expenditures for Justice Courts, for the fiscal years 1976-77 and 1977-78 were obtained by mail or by on-site visit to the chancery clerk. For selected counties, a more detailed breakdown of fines and fees collected and a sample analysis of related fiscal information for several fiscal years was obtained by on-site visit to the Chancery Clerk.

III. THE JUSTICE COURT SYSTEM IN MISSISSIPPI

A. Organization and Judge Qualifications

Mississippi has followed the American tradition in its experience with Justices of the Peace. This judicial office was recognized by the Constitution in 1890 as part of a lower tier of courts which includes Mayoral Courts and Police Courts. By recent amendment, Justices of the Peace are now denominated Judges of Justice Courts.⁸

Within the lower tier, Mayoral Courts and Police Courts are established by city, while the county is the basic unit of the Justice Court. The Legislature is empowered by the Constitution to appoint a competent number of Justice Court Judges, but not less than two per county.⁹ At present, each county is divided into five districts for the popular election of such judges.¹⁰

In addition to the requirements for any Mississippi officeholder, a Justice Court Judge must have resided in the county from which he was elected for two (2) years and be a high school graduate or have a general equivalency diploma, unless he served as a Justice of the Peace prior to January 1, 1976.¹¹ No legal training is required of a person elected to the office; however, all Justice Court Judges are required to complete an eighteen hour orientation course offered by the State Attorney General prior to taking office, except in cases where the Justice Court Judge is a member of the bar.¹²

⁸Miss. Const., Art. 6, §171.

⁹Miss. Const., Art. 6, §171.

¹⁰Miss. Code Ann. §9-11-1. Each district has one judge, except in DeSoto County and Hinds County where, by local option, each has two judges per district. There have been recent attempts to reduce the number to one per district in these counties.

¹¹Miss. Const., Art. 6, §171.

¹²Miss. Code Ann. §9-11-3.

B. Jurisdiction

The Justice Courts have jurisdiction of civil cases in which the principal amount in controversy is \$500 or such higher amount as may be prescribed by law.¹³ Justice Court Judges may issue garnishments to enforce the judgments of their courts.¹⁴ The criminal jurisdiction of the Justice Court is concurrent with the Circuit Court in all cases where the punishment prescribed by law does not extend beyond a fine and imprisonment in the county jail. Justice Court Judges also are empowered to conduct probable cause hearings in felony cases,¹⁵ and to issue search warrants,¹⁶ arrest warrants,¹⁷ and peace bonds.¹⁸ Justice Courts may handle juvenile traffic cases, but may not handle other juvenile cases except by consent of a Youth Court Judge.¹⁹

The jurisdiction of the Justice Court is coextensive with the county, but venue in civil cases requires suit to be brought in the district in which the defendant resides.²⁰ If there are two or more defendants, the suit may be brought in the district in which any of them reside.²¹ Venue is also proper in the district in which the debt or liability sued on was incurred or where the property is found.²² Criminal defendants are taken before the Justice Court Judge in whose district the offense was allegedly committed.²³

¹³Miss. Const., Art. 6, §171.

¹⁴Miss. Code Ann., §11-35-1.

¹⁵Miss. Code Ann., §99-33-13.

¹⁶Miss. Code Ann., §99-15-11.

¹⁷Miss. Code Ann., §99-33-1.

¹⁸Miss. Code Ann., §99-23-1.

¹⁹Miss. Code Ann., §43-21-33.

²⁰Miss. Code Ann., §11-9-101.

²¹Miss. Code Ann., §11-9-103.

²²Miss. Code Ann., §11-9-101.

²³Miss. Code Ann., §99-33-1.

Appeals from Justice Courts lie *de novo* to the Circuit Court,²⁴ except in counties with a County Court, in which appeals from Justice Courts are heard *de novo* in the County Court.²⁵

Judges are compensated on a fee basis according to a fee schedule established by statute. Judges are paid by the county for each criminal case tried, regardless of the disposition of the case.²⁶ If the Judge prepares an appeal or takes a bond, he receives an additional fee from the appellant. In civil cases the Judge receives a fixed statutory fee from litigants for each case whether contested or uncontested.²⁷ The Justice Court Judge is required to collect all legally required court costs at the time a civil suit is filed. If he fails to do so, he is guilty of a misdemeanor and may be fined.²⁸

C. Operational Information

1. Caseload

The caseload of Justice Courts is measurable because data are available on fees paid to judges for both criminal and civil cases. Using total fee intake for calendar years 1976 and 1977, caseload figures may be derived by dividing by the \$6.00 criminal and \$8.00

²⁴Miss. Code Ann. §11-51-91.

²⁵Miss. Code Ann. §11-51-81.

²⁶The fee for criminal cases completed is currently \$10. For purposes of statistical analysis and comparison, this study utilizes figures from calendar year 1977, in which the fee was \$6.

²⁷The civil case fee was increased to \$15 by recent legislation. Calendar year 1977 figures utilized in this study are based on civil case fees of \$8.

²⁸Miss. Code Ann. §9-11-10.

civil fee rates in effect at the time. Figure 3 shows that statewide, Justice Courts handled 315,859 criminal and 82,997 civil cases in 1976, and 312,685 criminal and 85,308 civil cases in 1977.²⁹ An accounting of fees and caseload volume by Judge appears at Appendix A.

FIGURE 3
JUSTICE COURT CASE FEES AND
CASELOAD VOLUME*

	Criminal Case Fees	Case Volume	Civil Fees	Case Volume
1976	1,895,503	315,859	664,560	82,997
1977	1,876,338	312,685	682,990	85,308
Percent Increase/ Decrease from 1976 to 1977	-1%	-1%	+3%	+3%

*The case volume data were computed by dividing the case fee totals by the appropriate fee (criminal = \$6, civil = \$8); however, for ease of computation any decimals were truncated. Hence any difference from an exact division. This approach was taken to effect savings in computer cost and the potential variances are considered insignificant.

An important elaboration upon these civil caseload figures is a breakout of regular and post-judgment actions. This not only clarifies the composition of the civil caseload, but permits a later assessment of the amount of revenue lost as a result of the recent federal court decision (referred to as

²⁹Data based on reports to the Secretary of State, 1976-77.

the Nixon decision) holding that post-judgment fees are unconstitutional.³⁰ As a major objective of on-site data collection, an estimate of this breakout was obtained from the 105 courts sampled.³¹ In these courts, 29% of civil caseload is post-judgment activity (average 1976-77; 24,404) and the remaining 71% are regular civil activities (average 1976-77; 59,748). Thus, as a proportion of total caseload (civil and criminal), post-judgment civil actions account for just over 6%; as a proportion of total fees, they account for just under 8%. Appendix B details the civil caseload breakout by judge, indicating a wide range between judges in the volume of post-judgment actions.

Based on the 1977 caseload/fee reports, the average Justice Court caseload in 1977 was 775 criminal cases and 207 civil cases,³² 29% of the civil cases being post-judgment actions. It is insufficient, however, to speak only of an average because of the wide ranges of volume in both criminal and civil caseloads. Judges ranged from 0-4,518 criminal cases, and from 0-7,375 civil cases. (Few judges exceeded 3,000 criminal or civil cases). Referring back to Figure 2 on page 15, the volume distribution of total caseload (as measured by total fee intake) indicates a plurality of judges in the low volume categories: "D" courts (0-\$3,000) account for 39% of the total; "C" courts (\$3,000-\$7,000)

³⁰In three consolidated cases, United States District Court Judge Nixon held unconstitutional the imposition of a separate fee in civil cases for post-judgment proceedings, finding the judges personal pecuniary interest in the outcome of the case to be violation of the due process clause of the Fourteenth Amendment.

³¹Sample selection methodology is documented in Section II of this report.

³²These averages were derived by using the 405 positions reporting to the Secretary of State. The argument could be made that all 420 positions should be used because the other 15 positions are probably 1) unfilled because there is no workload or 2) unreported although they are filled because there is no income. If the 420 figure were used the average caseload per position would be 748 criminal and 200 civil cases.

account for 28%; "B" courts (\$7,000-\$17,000) account for 24%; and the high volume "A" courts (\$17,000 or more) account for only 9% of all Justice Courts.

2. Facilities and Working Environment

Regarding facilities and other functional factors, such wide variations were encountered in the course of field interviews as to make it difficult or impossible to profile an "average" justice court office. In only a small percentage of courts is the judge provided office space in the county courthouse or other county facility, either free of charge or for a modest monthly rent. In nearly half of these instances, the office provided was so small or crowded, as to appear functionally inadequate.

Where no office space was made available by the county, justice court facilities ranged from high-quality commercial downtown office space (in some of the busiest courts) to a desk and file cabinet in one corner of the judge's residence or commercial business establishment. While the size, comfort, and utility of justice court offices varied dramatically, it was evident that virtually all judges had made a determined effort to designate some area -- even when in the home or store -- as a "court office" with an appropriate businesslike atmosphere. When located at the judge's residence, the office usually was in a room set aside for court-related activity and a separate entrance provided. In many cases a separate outbuilding served as the court facility.

While all counties provided some facility for trials and hearings in the justice courts, both the quality and usage of courtroom facilities varied so greatly as to make an "average" pattern indistinguishable.

Circuit courtrooms located in the county courthouse are generally available for the use of Justice Court judges on either a regular schedule or as-needed basis. Circuit courtrooms (or board of supervisors' chambers or other courthouse facilities) appear to be utilized on a fairly regular basis only by those judges located in or near the county seat whose office facilities simply could not accommodate more than a few people. Many judges noted that additional "courtroom" facilities -- including sheriff's department conference rooms, polling buildings, public school classrooms or community buildings -- were available, but most expressed a strong preference for holding all hearings and trials at their regular court location unless prohibited by the numbers in attendance.

The data collected on Justice Court facilities focused on their locational relationship to the county seat. This information was sought pursuant to the expectation that alternative recommendations on organizational structure include measures of locational displacement under structures having fewer courts. Consolidation naturally would gravitate toward the county seat, necessitating a measure of the number and distance of those courts located outside the county seat.

As shown in Figure 4, a majority of the sample courts are located in the county seat (63%); 30% are located within 15 miles of the county seat, and the remaining 7% are within 25 miles. Since the informality of the trial activity permits most trials to be conducted at the court office, one can conclude that about two-thirds of the trial activity occurs at the county seat, and one-third occurs outside it. Appendix C contains a listing of Figure 4 locational information by sample judge.

FIGURE 4		
LOCATION OF SAMPLE COURTS TO COUNTY SEAT		
At County Seat	Within 15 Miles of Co. Seat	Within 25 Miles of Co. Seat
63%	30%	7%

3. Staffing

While substantial variation similarly exists in terms of support staff utilized by justice court judges, three rough categories can be designated on the basis of staff. Full-time paid clerical staff (one to three positions) were found only in some of the busiest A and B courts. Frequently, one or more of these clerical posts are filled by members of the judge's family (wife, daughter). At the other end of the spectrum are those courts in which all clerical work, posting, and bookkeeping is done by the judge. In the middle category, which includes most of the courts visited, only negligible staff assistance is employed by the judge. Such assistance may include the volunteer assistance of the judge's spouse on a part-time basis, part-time employment of a high school student under a work experience program, or secretarial help from a daughter or other relation. Expenditures for clerical staff, as reported to the Secretary of State, are probably inconsistent with actual staff hours due to variation in payment practice where members of a judge's family comprise all or part of the court support staff.

While the constable is a separately elected official and not a member of the judge's staff per se, the level of service and cooperation provided the judge by the constable in his district has a significant impact on the efficiency

of operations in the court. Here again, wide variations were found among the courts visited. Judges interviewed in this study frequently complained of difficulty in getting warrants and summons served by the constable. Only rarely did they attribute this to laziness or lack of cooperation on the part of the constable; they generally blamed low fees and inadequate compensation for the job, necessitating some additional full-time employment, which in turn frequently left the constables unavailable when needed for service of a warrant. Those judges who praised the service provided by their constables frequently noted that "he's the first good constable I've had in 15 years" or some similar sentiment.

In most cases, the judge relied to some extent on assistance from the county sheriff's department for service of warrants. The degree of that reliance depended almost exclusively on the availability of the constable. In a few cases, the judge relied on the assistance of a constable elected in another district.

4. Practice and Procedure: Field Observations

Field experience indicated that the office of Justice Court Judge in Mississippi is primarily a clerical rather than adjudicative position. Traffic citations represent most of the overall caseload, comprising 95% of the criminal caseload, and in the bulk of traffic cases, the defendant enters a guilty plea and pays the fine. Often the entire matter is handled by mail, or mail and telephone, with the defendant never appearing in court.

Inspection of the criminal dockets in sample courts visited revealed a relatively low number of not guilty

pleas in non-traffic criminal cases. Where a not guilty plea is entered -- or a civil suit contested -- the matter results in a jury trial with only negligible frequency. Most often the "trial" consists of a rather informal conversation with the judge. While the judges interviewed estimated non-jury trials to require anywhere from forty-five minutes to several hours (with an average of two hours), observation of actual hearings indicated that far less time was involved.

Even in such areas as setting bail for prisoners, the office seems to require less legal knowledge than administrative procedure. In courts where the judge sets bail with some frequency, a set formula (i.e. twice the minimum fine) generally was followed. Often a bail schedule, agreed upon by all county judges, was posted at the jail. Other judges rely upon the recommendation of the sheriff or county attorney in setting bail.

In courts doing a high volume civil caseload, the judge is often functioning as a collection agency, with the service provided requiring voluminous recordkeeping as payments are made, new garnishments issued, debts paid off, and so on. Both civil and criminal cases require substantial bookkeeping and processing of paper. It is these clerical functions, and not adjudication, which take up most of the judge's time. In the busiest courts, full-time clerical staff generally do the bulk of the work, requiring fewer actual hours from the judge than courts of lower volume which lacked staff support.

Field experience revealed substantial variation in the clerical procedures and recordkeeping systems being utilized in various courts. With few exceptions, docket books provided only sketchy documentation, with some additional record system providing the basis for case handling in courts of anything more than negligible

volume. Most busy courts seemed to utilize some variation on an alphabetical case file system, with docket entries providing only an historical summary after settlement of the case. Lower volume courts, in which traffic violations accounted for virtually all the caseload, often used the uniform citation form as the sole case documentation (attaching to it copies of warrants, correspondence, etc.) until completion, at which time a docket entry preserved the record while the citation forms were forwarded as required to the designated agencies. In those few cases where the docket offered complete documentation, the large books presented an even greater handling and storage problem than usual, as a result of warrants, correspondence, receipts and case-related paperwork being attached to the docket pages.

a. Jurisdiction and Venue

While jurisdiction of the justice court judges is technically limited to the district in which he is elected (i.e. criminal defendants must be charged in the district in which the alleged crime was committed, while civil suits must be brought in the district in which a party to the suit resides or the property at issue is located), in actual practice cases cross district lines with great regularity in a number of counties. When a judge frequently takes cases originating outside his own district, it is generally as a result of (1) caseload preference, (2) convenience factors, (3) special circumstances, or (4) local politics.

In the first three instances, regular crossing of beat lines seems to reflect some informal agreement on the

part of all judges in the county. In a number of counties caseload preference on the part of individual judges results in the bulk of the counties' civil caseload being handled by only one or two judges. Some judges dislike handling civil cases and may either encourage or insist that the action be filed in another judge's district. In such counties it seemed to be generally known and accepted that "Judge X" handled all (or most) civil suits.

Convenience factors related to location of the court and parties at suit is a determining factor in some areas. When the judge in the district in which a plaintiff resides is less conveniently located than the judge in another district, a judge will frequently accept a case technically outside his beat (with the understanding that the defendant may raise the question of jurisdiction). Similarly, a hospital, supermarket, or loan company may find it more convenient to file all its civil cases with a single judge, regardless of the residence of defendants. In several counties, such regular plaintiffs would rotate their business among the various courts on a calendar rather than case-by-case basis. In these instances, crossing of beat lines again seemed to reflect a mutual agreement among most or all of the justice courts in the county.

Special circumstances such as illness, absence or conflict-of-interest on the part of a judge may result in some cases being taken outside their proper district. This again reflects a formal or informal agreement between the judges involved.

In a number of instances, however, judges complained of cases crossing the beat lines to such an extent

that the particular judge received many fewer cases (hence fees) than ordinarily would be expected. Such cases appeared to be the result of local politics of one sort or another. A single judge might have particular influence with local law enforcement personnel and thus garner an unduly large percentage of the county's criminal caseload. Several judges complained that "no matter what district the citations are written in, they wind up with 'Judge X' ", but felt that complaints would only result in offenders being allowed to cross the beat line before being cited.

Similarly, in a few counties a single judge appeared to have a "lock" on the business community and handled the bulk of the civil business generated in the county. In these areas, a judge who finds in favor of the defendant too often for the tastes of the merchant community, may discover quickly that all civil cases have been going to another judge. Judges confronted by such situations seem to feel there is little they can do without violating their principles of fairness and judicial ethics. One judge of fairly short tenure said she had discussed the problem with the county attorney and was advised to "cultivate the business community ... do something to solicit their business." One can only surmise that damages under the bad check law, advance payment of civil fees, and similar factors may be items of negotiation when a judge "solicits" civil business from local merchants and landlords.

b. Variation in Certain Practices

Clearly, the definitive patterns emerging from the survey of Justice Courts present a variable profile.

In certain areas of practice -- handling of post-judgment proceedings, bad check cases, and family disputes -- the procedural differences are strong enough to warrant their identification here. A major thrust of this study was to examine the incidence of post-judgment garnishment proceedings in the aftermath of the Nixon decision. That examination reveals that there is no "average" pattern to the incidence of post-judgment proceedings; there is (or was) a tendency in a few courts to utilize the process extensively and, given a tendency for repetitive use in a single case, to approach statistically 100% of the courts' civil caseload (computed based on pre-judgment actions); in other courts, the use was negligible, and statistically insignificant. In some cases, extensive usage versus nonusage was a reflection of the local practice in handling bad check cases, which varied considerably among the sample courts. Thus, only about 25% of the sample courts made any extensive use of the garnishment procedure, and virtually all of these courts handled their bad check cases as normal civil filings.

On the other hand, most courts engaged in a variety of practices for handling bad check cases, often extrajudicially (i.e. not formally or procedurally correct) but with a great deal of common sense. Thus, a fairly common practice appears to be to keep a separate docket book or other recordkeeping instrument for bad check cases; to make informal contact with the alleged violator and informal arrangements for payment. In many cases, no formal record is made until full payment is received or formal charges or judgment are sought. The precise practice is fraught with sufficient variation as to suggest no set pattern for handling bad check cases in Mississippi Justice Courts.

Similarly, family disputes or domestic quarrels engender a variation of practice that deserves mention, particularly because of its effect upon caseload data.

While there exists an option to civil versus criminal processing of these matters, the preferred practice among most courts visited was the criminal handling. Domestic quarrels appear to result in one or more of several standard criminal charges (disturbing the peace, profane and abusive language, threatened use of force, assault and battery) if the quarrel actually reaches the point at which criminal charges are pressed by one or both parties. Most judges interviewed expressed reluctance to let family disputes escalate into criminal prosecution and therefore generally endeavored to resolve such problems through counseling (both after-the-fact and preventative) and referral to religious, mental health, or alcoholism treatment services. The most extreme version of such diversionary counseling was encountered in the case of minister-judges who used criminal charges in domestic disturbances, as well as other minor infractions, only after counseling proved ineffective.

Many judges shared the conviction that "peace bonds aren't worth the paper they're written on" and rarely imposed them; they preferred to use a suspended jail sentence when additional guarantees seem necessary to enforce domestic peace. In most courts, the actual hours spent on resolution of domestic disturbances is not reflected in caseload figures since most such cases charged are rarely pressed or, if pressed, are eventually dropped.

In a few courts, however, what appears to be a single marital dispute may result in the filing of three or more of the standard criminal charges against each of the parties involved, with imposition of fines upon conviction, and fairly regular use of the peace bonds.

In these few courts, the caseload figures would reflect substantially greater case activity, relative to other courts, than in actuality exists.

D. Fiscal Management

1. Funding

Justice Courts are funded almost entirely by fees, paid by the litigants in civil cases and by the county on a reimbursement basis in criminal cases. In 1976 and 1977, the time period for which most of the data for this report was available, the fee rate was \$8.00 for civil cases and \$6.00 for criminal cases. In 1978 the fees were raised to \$10.00 civil and \$10.00 criminal, and just recently, a bill was passed by the legislature raising the fees to \$15.00 civil and \$10.00 criminal. The recent rate hike was motivated largely by the Nixon decision, which reduced the fee intake of judges. (Data collected during this project indicate that in Fiscal Year 1976, post-judgment actions account for just over 6% of total caseload and just under 8% of total fees -- see page 26.)

Virtually all fees received from the county are for traffic and other criminal jurisdiction cases. (See Appendices VI and VII, Support Data Volume, for a listing of receipts from the county treasury by judge.) In fees received from sources other than the county treasury,

90% of the total are for civil case fees, about 4% are for marriage fees, only 1% are for notary fees, and about 5% are from miscellaneous sources. Figure 5 presents 1976 and 1977 volumes for these fees; Appendices VIII and IX in the Support Data Volume contain the breakout by judge on which Figure 5 is based.

FIGURE 5
JUSTICE COURT RECEIPTS FROM SOURCES OTHER
THAN COUNTY TREASURY

	Marriage Fees	Civil Case Fees	Notary Fees	Other Fees	Total Fees
1976	\$24,367 3%	\$664,560 91%	\$7,106 1%	\$39,110 5%	\$735,143 100%
1977	\$40,791 5%	\$682,990 88%	\$6,622 1%	\$46,879 6%	\$777,282 100%

The operating expense of the Justice Court is paid out of fees received. Operating expenses, as seen in Figure 6, are comprised of salaries, rent, and other expenses. Salaries account for one-third of reported expenses and rent accounts for about 15%. The "other" expenses, accounting for over half of reported disbursements are extremely varied in nature, and include such items as automobile costs and travel to conferences, equipment rental, supplies, telephone, utilities, and other common office expenditures. Less ordinary items reported included dues for magazine subscriptions, dues for officers' club membership, and depreciation of a house or automobile. (See Appendices X and XI, Support Data Volume for listing by judge.)

A statewide profile of Justice Court judge income and expenses may be constructed by comparing total receipts

FIGURE 6

JUSTICE COURT JUDGES INCOME AND EXPENSES*

	<u>CY 1976</u>	<u>CY 1977</u>
Total Receipts from County Treasury	\$1,903,072	\$1,952,417
Total Receipts from Other Sources	\$ <u>735,143</u>	\$ <u>777,282</u>
Grand Total Receipts	\$2,638,215	\$2,729,699

Salaries Paid	\$ 292,483	\$ 288,023
Rent	\$ 131,667	\$ 135,448
Other Expenses	\$ <u>461,741</u>	\$ <u>401,321</u>
Total Disbursements	\$ <u>885,891</u>	\$ <u>824,792</u>
Operating Net	<u>\$1,752,324</u>	<u>\$1,904,907</u>
Average Net (420 Judges)	\$ 4,172	\$ 4,535

* From Justice Court financial reports to the Secretary of State.

to total disbursements, as is done in Figure 6. Receipts exceeded disbursements in 1976 and 1977 by 198% and 231% respectively. Although the net annual compensation of individual judges ranged from a few dollars to upwards of \$25,000, the average net was \$4,172 in 1976 and \$4,535 in 1977. The significance of the reported figures for operating expenses, and therefore of net compensation, must be qualified by the fact that the method of reporting expenses is inconsistent, and furthermore, may bear little relationship to operating costs under alternative structures such as salaried judges working out of county facilities. Thus, the reported expenses and net compensation can only be construed as a gross indication of present system operating costs.

2. Revenues to County Government

The Justice Court judges are financially intertwined with the government of the county they serve. Fines and forfeitures from traffic and other criminal cases revert to the county and, of course, a fee is always paid to the judge by the county for each criminal case handled. Beyond these basic fund flows, the financial relationship between judge and county is highly varied. Some counties provide judges with forms, docket books, or allotments for telephone costs while others do not. At least one county includes the judge in its personnel benefits package, the judge being a part of the retirement plan.

County revenue and disbursements for justice courts yield a highly favorable net for the counties, as depicted in Figure 7. Statewide, counties netted \$5.53 million in 1976, \$4.65 million in 1977, and \$4.21 million in 1978. Clearly, the justice courts, by virtue of their traffic caseload, represent a significant revenue-generating force for county government.

FIGURE 7

COUNTY REVENUE AND DISBURSEMENTS
FOR JUSTICE COURT CRIMINAL CASES*

	<u>1976**</u>	<u>1977</u>	<u>1978</u>
Fines/ Rev.	\$7,788,195	\$6,843,658	\$6,772,600
Case Fees	\$1,983,166	\$1,936,462	\$2,298,197
Other Exp.	\$ 277,877	\$ 261,710	\$ 259,914
Total Exp.	<u>\$2,261,043</u>	<u>\$2,198,172</u>	<u>\$2,558,111</u>
Net Revenue	\$5,527,152	\$4,645,486	\$4,214,489

*Information obtained from County Audit Reports (1976) compiled by the State Department of Audits and from a questionnaire completed by the Chancery Clerks (1977, 1978).

**These data were extracted from the County Audit Reports compiled by the State Department of Audits. The "Fines/Revenue" figure is taken from the "Fines and Forfeits" line item of the "Revenue" section of that report and according to instructions under the uniform accounting system should include only fines and forfeits from justice courts; however, a negligible sum of fines and forfeitures from other sources may be included. All other data are justice court specific.

3. Total System Revenues and Costs

The total cost of supporting the justice court system may be viewed as the sum of all receipts from case fees and other sources. Out of these total receipts are paid both judge compensation and operating expenses. The system is presently supported by both county government and those who use the courts in civil cases, marriages, notary services, and miscellaneous other matters. Averaging total receipts to the judges for 1976 and 1977, total system support cost, comes to \$2,683,957 (see Figure 6.)

In computing 1979 present system costs, two modifications to the fee structure must be considered. First, the fee schedule has been changed; the civil case fee is now \$15 and the criminal case fee is now \$10. Second, fees may no longer be collected for post-judgment actions. Allowing for these modifications, and again using 1976-1977 caseload figures with which to compute case fees, present system support costs are:

State Case Fees	314,272 x \$10 =	\$3,142,272
	+	
Civil Case Fees	59,748 x \$15 =	\$ 896,224
(excluding post-judgment actions)		
	+	
*All Other Receipts (from county treasury and outside county treasury)	=	\$ 124,262
Projected System Cost		\$4,162,758

*All other miscellaneous receipts are assumed to remain constant from 1976-1977 levels. These receipts vary from approximately \$78,000 in 1976 to approximately \$170,000 in 1977. Apparently, this increase in 1977 may have been caused by a misunderstanding of the reporting form causing all receipts from the county treasury to be recorded as "All Other Receipts."

Justice court system revenues are defined as all monies generated by the system, including criminal fines and forfeitures, civil case fees, and fees for other miscellaneous services. Some of these revenues revert to the county, and some are kept by the judge. Viewing revenues on a system-wide basis, as depicted in Figure 8, revenues in 1976 and 1977 are an average \$8.1 million per year. Projecting 1979 revenues, factoring into

FIGURE 8

JUSTICE COURT SYSTEM REVENUES AND COSTS

<u>System Revenues</u>			<u>System Costs*</u>		
	Average 1976-77	Projected 1979		Average 1976-77	Projected 1979
Criminal Fines and Forfeitures	\$7,315,927	\$7,315,927**	State Case Fees (paid to Judges)	\$1,885,921	\$3,142,272
Civil Case Fees	\$ 673,775	\$ 896,224	Other Receipts to judges	\$ 41,712	\$ 41,712
Marriage Fees	\$ 32,579	\$ 32,579	Civil Case Fees	\$ 673,775	\$ 896,224
Notary Fees	6,864	6,864	Marriage Fees	\$ 32,579	\$ 32,579
Other fees	\$ 42,995	\$ 42,995	Notary Fees	\$ 6,864	\$ 6,864
			Other Fees	\$ 42,995	\$ 42,995
	\$8,072,140	\$8,294,589		\$2,683,846	\$4,162,646

Net Revenue, Average 1976-1977: \$5,388,294

Net Revenue, Projected 1979: \$4,131,943

*Operating expenses are paid from fees received.

**This projected figure assumes that the increase in criminal case fees paid to the judges will not affect the amount of fine levied in a particular case.

the equation changes in the fee schedule and the prohibition against collection of fees for post-judgment civil actions, annual systems revenues (based on 1976-77 caseload volume) are about \$8.3 million.

Continuing to view revenues and costs on a system-wide basis, net revenues of the justice court system were an average of \$5.4 million in 1976-1977. Presently, 1979 net system revenues are projected to be \$4.1 million, the decrease being attributable to increased case fees, i.e. payments to judges.

IV. RANGE OF OPTIONS AND ASSOCIATED ISSUES

A. Introduction

The Mississippi Justice Courts have not been immune from the kind of criticism traditionally levied on justice of the peace systems. Procedural practice in criminal cases, for example, has been constitutionally challenged on the grounds that it violates a defendant's right to due process under the Fourteenth Amendment. The constitutional challenges to the Justice of the Peace system rest on three alleged defects in the system:

- (1) the lack of judicial qualifications for judges;³³
- (2) the fee system of compensation;
- (3) blending of prosecutorial and judicial roles.

Following discussion of these three areas, a range of options available to deal with apparent system deficiencies is presented as a means of identifying issues attend-

³³At the national level, the Justice of the Peace system was challenged with regard to judicial competence in the Supreme Court of the United States in North v. Russell 427 U.S. 328 (1976). The defendant was found guilty of driving while intoxicated and was sentenced to 30 days in jail, a \$150 fine, and a revocation of his driver's license. The defendant did not appeal to a Kentucky circuit court for a trial *de novo*, to which he was entitled, but petitioned for a writ of *habeas corpus*. The circuit court denied the writ and the Kentucky Court of Appeals affirmed. The appellant, urging that he had been denied his Fourteenth Amendment due process guarantee because the Justice of the Peace was not trained in the law, then appealed his case to the United States Supreme Court. The Supreme Court affirmed the Kentucky decision, holding that (1) since a trial *de novo* before a lawyer judge was available, the accused was not denied due process, and (2) the equal protection clause was not violated by Kentucky's provision for lay judges in cities of less than a designated population and lawyer-judges in larger cities.

ing alternative approaches to change. Subsequently, selected recommendations are made in Section V of this volume and in Volume II of this report series.

1. Judicial Qualifications

Lack of formal judicial qualifications or legal education has been a general characteristic of the Justice of the Peace from the time of Richard I through the present. Mississippi law requires that a Justice Court Judge be a high school graduate (or its equivalent), a registered voter, and a two-year resident of the district in which he or she seeks election. There are no further qualifications for certification as a candidate for Justice Court Judge; in fact, the Mississippi Constitution specifically prohibits the placing of further qualifications or requirements on a candidate for constitutional office. The Justice Court Judge need have no judicial training or legal education, and, indeed, very few do. In discussing alternative futures available to the Mississippi Justice Court system, an underlying and basic question must be whether or not there is either a practical need or a constitutional requirement for Justice Court judges to have extensive training in the law.

As early as 1215, in the Magna Carta (§45), it was written:

"We will not make men justices, constables, sheriffs, or bailiffs, unless they are such as know the law of the realm, and are minded to observe it rightly."

As the Justice of the Peace system developed over the centuries, a layman's knowledge of the law and common sense as to its meaning and enforcement were generally deemed sufficient learning for the Justice of the Peace.

This was partially in response to the difficulties of early travel and communication, the widely scattered rural populations, and the small number of trained lawyers. The practice of allowing a layman to be a judge in a criminal proceeding must now be scrutinized in the light of modern standards and conditions.

There has been a tremendous increase in the number of attorneys relative to population in virtually all areas, and there have been substantial improvements in both transportation and communications. Furthermore, the vastly increased complexity of the law and legal procedures have greatly enhanced the probability that a layman will be unable to deal effectively with the complexities inherent in trials, acceptance of pleas, sentencing, and other judicial responsibilities. Accepting the principle that judges must be "such as know the law of the realm", it must be determined what degree of knowledge should be required, given both the complexity of modern law and the nature of the jurisdiction and caseload of the Justice Court.

If it is determined that Justice Court judges require legal training to competently and fairly administer the duties and law of their jurisdiction, the options to be considered then become whether to (1) increase requirements for office to include demonstrated knowledge and competence in the law; (2) remove from the jurisdiction of the Justice Courts such matters as would require further training or education; (3) decrease jurisdiction and increase the requirements for holding office as a Justice Court Judge.

2. Salary vs. Fee Compensation

A second inherent trait of the current Justice Court system which has provided basis for both criticism and constitutional challenge is the fee system of compensation. Where Justice of the Peace systems have been compensated, that compensation has generally been drawn from fines and attributable costs paid to the court. In some jurisdictions, (indeed, as it once was in Mississippi) compensation has been allowed only upon a guilty finding. This undoubtedly creates a conflict between the judge's desire to see justice served and his desire to be compensated for his services. In the state of Mississippi, however, this criticism of the fee system has been mitigated by the provision for compensation to the judge regardless of the verdict in a case. Nonetheless, significant questions remain about the impact a fee system inevitably must have upon the impartial administration of justice. The question of fee versus salary is a secondary question underlying discussion of alternative futures available to the Mississippi Justice Courts.

Significant to the issue of pecuniary interests of the sentencing judge is the decision of Hitt v. State.³⁴ In Hitt the defendant was convicted in a Justice of the Peace court and appealed his conviction to the circuit court, contending that the Justice was without jurisdiction to try the case because he had a pecuniary interest in a conviction. The Mississippi Supreme Court, however, specifically denied this contention, noting that Mississippi Justices of the Peace were compensated for their services upon acquittal or conviction, and therefore did not have a specific pecuniary interest in the

³⁴146 Miss. 533 (1978).

outcome. In 1969, the Mississippi Justice of the Peace system was attacked in Federal Court in Melikian v. Avent,³⁵ in which plaintiffs argued that the unconstitutionality of the fee system was not cured by the right to take an appeal *de novo* in circuit court. Plaintiffs also contended that the defendants in Justice of the Peace courts were deprived of constitutional due process because the justices lacked sufficient training in the law to insure that proper judicial procedures were followed. With regard to plaintiffs' first argument, the Federal District Court followed the Hitt reasoning and denied recovery and, likewise, denied the plaintiffs' second contention stating that it was of "no merit" and finding that there was "no justification for such a determination".

3. Blending of Prosecutorial and Judicial Roles

A third constitutional challenge to the Justice of the Peace system has centered on the blending of prosecutorial and judicial roles, the contention being that the defendant is denied due process of law whenever a court officer serves as both judge and prosecutor. The absence of a formal prosecutor in justice courts contributes to this issue. But the minor nature of the offenses within justice court jurisdiction and the high incidence of disposition by guilty plea rather than formal trial suggest that this issue is more imagined than real. In a true adjudication setting, as when a formal trial is held on a not guilty plea, the judge seldom acts as prosecutor.

³⁵300 F. Supp. 516 (1969).

4. Conclusion

When the Mississippi system has been challenged on constitutional grounds of the types discussed, the system's validity has been upheld except in the recent cases involving post-judgment fee collections, a relatively minor portion of the court's business (approximately 6% of total caseload). To date, the higher courts have found that the Justice Court system currently in use in Mississippi is constitutionally permissible and does not violate due process rights.

B. Option: Retention of the Present System

1. Issue: Accessibility

A number of arguments can be made for retention of Mississippi's present Justice Court system with no major structural change. It has proven a reasonably effective and efficient method of providing speedy resolutions to problems of a local nature, and the large number of Justice Courts makes judges easily accessible to the citizenry of virtually any community or area in the state. This, coupled with the fact that any criminal defendant has a right to a trial *de novo* in the circuit court (or county court), constitute some of the arguments for retaining the status quo.

One of the basic considerations addressed in the current study, and one all too frequently overlooked by advocates of modernization and reform, is that someone must continue to perform those activities and functions now being provided at the lowest judicial level. The bulk of the judicial activity at the Justice Court

level currently consists of collection of traffic fines, settling of domestic disputes and neighbors' quarrels, collection of small debts and bad checks, and imposition of fines for minor hunting and fishing violations. When viewed in terms of the total judicial landscape, such matters are considered by some observers to be of such relative insignificance as to be almost imperceptible; most lawyers, attorney-judges, and legal scholars prefer to devote their attention to more substantial portions of the legal landscape.

Yet the fact remains that the average citizen's contact with the law is more likely to center on a speeding ticket, a quarrelsome tenant, or a bad check than on some major violation of the law. The citizen is entitled to equally ready access to the courts, due process, and the timely provision of justice in these minor matters as he would be in a major criminal matter. Also worthy of note is the fact that just such minor matters as traffic and hunting violations provide a significant source of income to most counties.

2. Issue: Workload

The nature of the business in an average Justice Court has not changed substantially from that of the Justice of the Peace over the centuries. The Justice Court Judge continues to function as a clerical arm of the government for collection of fines and as the local ombudsman for settlement of civil and domestic disputes. Much like the village elders of old, the Justice Court Judge functions as the conscience of the community in many matters which, strictly speaking, may not even fall

within the boundaries of judicial responsibility but which, nonetheless, require mediation and settlement in the interests of the community.

In many areas, there is insufficient judicial business to warrant the services of a full-time judge. Indeed, the total judicial business of the entire county or neighboring two counties may not warrant a full-time court. Yet the citizens of a rural community ought to have the same access to legal remedies and judicial mediation as their more metropolitan counterparts. The current fee system of compensation, while not without some inherent defects, does provide a reasonable means of funding part-time judicial services at a cost commensurate with the service provided.

3. Issue: Qualifications

Extensive legal education and judicial training are no more necessary for filling this role than they were in the time of the British knight-conservators of the peace. The overriding requirements continue to be common sense, a layman's knowledge of the law combined with a prevailing sense of fairness and, perhaps most importantly, a willingness to devote many hours and much patience to the community, its citizens, and their problems.

The large number and local nature of the Justice Courts also creates close ties between the judge and the community which he or she serves. The judge's knowledge of local personalities, long-time disputes and local business practices most likely allows for greater justice in the sort of disputes most often arising at the local level than could be served by

a circuit-riding judge or one serving a much larger territory with less familiarity of the local situation.

By the same token, members of the community are sufficiently close to the judge to make relatively well-informed judgments at election time. As earlier discussed, the nature of most disputes and violations handled in the justice court requires more common sense and evenhandedness than legal education, and yet these qualities are far more difficult to measure and evaluate. To the outsider visiting a local Justice Court, the judge may appear poorly educated, of low intelligence, or perhaps even a touch senile. Yet the local citizens, who know at close hand are in the best position to make an informed choice, have chosen that individual to sit in judgment of them and to settle their disputes. When an individual has the confidence of the community to such a degree, it is perhaps presumptuous of any outsider to say he or she is not fit to sit in judgment because of the lack of a legal education.

4. Issue: Need for Change

The present system is not without its problems, but on balance, it seems to provide timely resolutions of local problems in a reasonably cost-efficient manner. Any major changes in the present system may result in increased cost to the taxpayer while setting the lowest available tier of the court system somewhat apart from the people it is meant to serve. The fact remains that someone must do the drudge work of judicial housekeeping -- the fine collection, peacekeeping, and debt collection -- currently being done by the Justice Court judges.

Opponents of the present system would argue that, while the bulk of the Justice Court business may require no particular legal sophistication, matters do arise within the jurisdiction of the Justice Court in which due process requires greater knowledge of the law than that possessed by the typical judge of the Justice Court. This is not to suggest that a fair criminal trial is impossible in a court presided over by a non-attorney judge, only that the likelihood of such a trial is somewhat diminished. The United States Supreme Court has recognized that the legal and constitutional issues involved in a misdemeanor case may be as complex as those involved in a trial for a more serious offense. (Argersinger v. Hamlin, 407 U.S. 25, 33, 92 S. Ct. 2006, 32 L.Ed. 2nd 530) In any trial, difficult legal problems may arise with respect to evidentiary matters. Sophisticated determinations regarding the *voir dire* of jurors, the prejudicial effect of evidence and argument, and the submission of proper jury instructions will be required. Even when a guilty plea is entered, the judge must determine that the accused understands the nature of the charge, the elements of the offense, and the consequences of his guilty pleas. Moreover, the judge should determine that there exists a basis in fact for the plea, and that the plea is freely and voluntarily made. There is little guarantee that the background of a non-attorney judge will have prepared him to recognize these complex issues and to resolve them according to established legal principles.

Opponents of the present system would further argue that most criminal defendants at the Justice Court level do not know and are not informed of their right to appeal a minor court decision. Even if they are aware, it is

argued, the cost to the individual defendant of such an appeal is prohibitive. Opponents thus argue that the trial *de novo* concept is illusory and that the Justice Court system may very well violate a defendant's right to due process of the law in some cases.

5. Issue: Cost

There are compelling arguments in support of each side of this issue, thus lending credibility to opponents as well as proponents of changes. One factor to be considered in any serious discussion of retention of the present system versus change is cost. On this issue, opponents have a clear advantage unless a program change can be shown to cost less than the current practice. On the other hand, cost cannot properly be measured in dollars alone if efficiency, productivity, and capacity for growth are factored into the equation. While raw cost figures are not likely to change dramatically in the absence of some organizational or structural change, the ability to realize or to capitalize upon savings inherent in improved procedures under a more finely tuned structure may be limited. In short, the failure to make change may prove costly in the long run.

6. Summary

While retention of the organizational structure of the present system has much to commend it, that is not to say that change in its functioning is not necessary or desirable. For example, it is clear that there are many more judges than are needed to serve the public adequately. In fact, this abundance can be said to work a detriment in varied practice and procedure from court to court, even within a county, so as to contribute to confusion, misunderstanding, and conflicting policies. Retention of

the court system also might be accompanied by change in fee structure or elimination of the fee system in favor of a salaried judicial officer. Added qualifications or improved training, or both, may also be in order despite retention of the basic justice court structure. Finally, operational changes in facilities improvement, staff support, and procedural uniformity are all possible within the environment of making no structural changes in the basic justice court system. And finally, it may prove desirable to modify the entire concept of justice courts.

C. Option: Abolition of Justice Courts

At the opposite pole from retention is abolition of the existing justice court structure and assumption of its functions by one or more existing or new entities. Ardent reformers would no doubt press for a consolidation of court functions into a unified court structure presided over by a full-time salaried, lawyer-trained judge, with adequate support staff to relieve the judge of many clerical and administrative duties. This approach, of course, emphasizes the adjudication responsibilities of the judge and elevates the adjudication function to the most important activity of the justice court judges. On-site observation belies this impression - few justice court judges are engaged in more than occasional court hearings of the type normally associated with a trial court's activity. On the contrary, the bulk of their work is clerical in nature with their availability to adjudicate serving to temper the actual necessity for an adjudicative role.

On the one hand, this suggests that the adjudication functions of a justice court judge might easily be absorbed by another court, such as the Circuit Court which now has co-extensive jurisdiction in criminal matters. But elimination of the

ready availability of justice court judges may escalate the calendars of more remote and busier circuit court judges to an unmanageable degree, thus making absorption of workload a difficult undertaking unless additional resources are added at the circuit court level. Thus, while arguments in favor of such elimination can be forcefully stated, the impact of such change must be anticipated.

It may be impossible to make major changes in the jurisdiction of Justice Courts or the qualifications for Justice Court judge without largely eliminating the present system. If the present system is eliminated, the question raised earlier must perforce be addressed: *Who will do the work now being done by Justice Court judges?* A number of states, confronted with this judicial dilemma, opted to abolish the Justice of the Peace system altogether and establish, in its place, a structure of municipal courts, consolidated county courts, or some other alternative system.

Generally, these changes have followed American Bar Association and similar nationally-oriented recommendations for increased unification of state trial court systems. Measuring the precise degree of unification is rendered somewhat uncertain by the lack of consensus as to exactly what constitutes "unification", but the following factors are generally conceded to be included: (1) uniformity of jurisdiction of each court in all geographic districts of the same court; (2) a single administrative head and organization for the entire system; (3) freedom of assignment of judges at each level; and (4) a single set of rules governing practice and procedure.

In states which have adopted either completely or partially unified systems, the trial courts generally fall into one of three rough classifications: (1) single trial courts, with subordinate judicial officers; (2) two-level systems; or (3)

three-level systems. The single trial court concept has been implemented by a few states; similarly, a few states have implemented the three-level trial court system with judicial salaries at all levels being paid by the state, while counties or local agencies fund nonjudicial personnel, facilities, and supplies.

While there exists some variations in jurisdictional limits, organization of component courts, and special features, each of these systems follows basically the same pattern of centralized administration of a completely unified system of lower courts under the general supervision of the Chief Justice of the highest appellate court, assisted by a state court administrator. Salaries and expenses of judicial personnel are paid by the state, while nonjudicial salaries, facilities, equipment, and supplies are provided by the county or local agency.

The most common system, in use in nearly 20 different states, is the two-level trial court system in which the lower level has limited jurisdiction with right of appeal to the second level. Generally speaking, all judicial personnel are funded by the state. Courts of specialized jurisdiction (probate, small claims, ordinance violation) may exist as special features of a two-level unified system. This is of particular note because the experience in most states where a variety of a unified trial court has been established indicates that the system is far more "unified" on paper than in actual practice. In virtually all cases, major exceptions to the unification principle exist and there continues to be some overlap in jurisdiction.

It is clear that abolition of the justice court system in Mississippi would have major impact on the remaining judicial institutions in the state.

D. Option: Modification of Existing Justice Courts

Between the extremes of retention and abolition are shades of change that, in sum, may approach one or the other of the aforementioned extremes, depending upon the extent and number of suggestions adopted, and the viewpoint of those observing the change. Several of these moderate variations, some major and others minor, are articulated in the following:

1. Increased Education and Training for Justice Court Judges

Under the present system, a candidate for Justice Court judge need only be a registered voter, possess a high school diploma or general equivalency certificate, and be a resident of the district in which he seeks election. After election but prior to taking office, the judge must complete an 18-hour training program provided by the office of the State Attorney General.

An alternative available to the present system would be retention of the general organizational structure of the Justice Courts, while 1) increasing the requirements for Justice Court candidacy, 2) increasing the required post-election training for Justice Court judges, or 3) both.

a. Qualifications

One method of insuring that judges serving in the Justice Courts have at least a basic understanding of established legal principles and procedures, without going so far as to require formal legal training, would be the establishment of a testing program to certify candidates for the office of Justice Court judge.

A uniform statewide examination covering basic legal principles and procedures in both civil and criminal matters, as well as statutory requirements relating to judicial practice at the Justice Court level, could be required of all candidates for Justice Court office with certification of passage of the exam necessary before an individual could appear on the ballot for election. In light of the constitutional prohibition against additional qualifications for constitutional office, this could require a constitutional amendment to implement fully. However, a testing system with certification also could be implemented as a desired qualification without making it a necessary one.

To avoid undue hardships on those seeking Justice Court office, the examination could be offered at sufficient intervals within each judicial term and in a sufficient number of locations as to be reasonably accessible to all potential candidates.

In order to prepare for the examination, candidates should have available from the testing agency (whether the Attorney General's office, the Judicial Council, or other) a reading list, textbook or other compilation of the information covered by the examination. Proof of successful completion of university or junior college courses in related subject areas might be accepted in lieu of passage of all or part of the examination for purposes of certification of candidacy.

2. Post-election Education

Additionally, the post-election training program for Justice Court judges could be expanded to provide more

extensive education in both legal principles and court administration. This suggestion was voiced by a number of the judges interviewed in the course of this study, with a number specifically requesting additional training in handling of civil matters.

An additional option would be the requirement of some continuing education for Justice Court judges once in office. This could include programs offered by the Attorney General's office, the Judicial Council, the Justice Court Officer's Association or local post-secondary educational institutions. In the case of incumbent judges seeking re-election, completion of a designated number of hours of continuing education could be accepted in lieu of re-taking the qualifying examination for certification as a candidate.

Any one of these alternatives, or a combination of them, would upgrade the legal knowledge and competence at the Justice Court level without making substantial changes in the system itself. Providing a testing program or more extensive training program would be far less expensive than a partial or total revision of the organizational structure of the Mississippi justice system. It would also improve the present system while retaining the local and lay aspects inherent in the Justice of the Peace tradition.

Implementation of any extensive certification and training program would obviously result in some cost, and it would be additional cost if no other change were made in the justice court system. The prospect of any additional governmental cost in these days of tight tax dollars is not welcomed with enthusiasm by either those within or those without the governmental establishment. It is therefore appropriate to weigh the value of having a more

informed judiciary against its cost. In the education and matriculation of children, few would opt for anything less than the best that government can provide; no less should be done for the judicial officer that touches the basic fabric of society.

3. Remove Some or All Criminal Cases From the Justice Court Jurisdiction

a. Elimination of All Criminal Cases

If the guarantee of due process for criminal defendants is viewed as the major stumbling block in the present system, one obvious alternative would be to remove criminal jurisdiction from the Justice Courts, while continuing the present system for resolution of civil matters. Upon closer examination, however, this alternative proves unfeasible for a variety of reasons.

Such a suggestion runs contrary to the entire tradition of the Justice of the Peace system. As has been noted in an earlier section, the Justice of the Peace began as a local officer charged with "keeping the king's peace," i.e., handling criminal matters at the local level. Only in relatively recent times and to a very limited extent has the Justice of the Peace jurisdiction been expanded to include civil matters. Even today, the Justice Court operates very much as a small claims court, with jurisdiction in civil matters limited to cases involving relatively small amounts of money.

The bulk of the caseload in most Justice Courts consists of traffic violations, hunting and fishing violations, domestic disturbances, trespassing and other minor infractions of the criminal law. To eliminate the criminal jurisdiction of the Justice Courts would eliminate the greatest part of the Justice Court caseload, leaving little reason for retention of the system at all.

Retention of the present court organization while removing criminal jurisdiction from the Justice Courts would result in the transfer of original jurisdiction to the Circuit Court in approximately 82% of the cases currently handled by the Justice Courts. Such a transfer of jurisdiction without a related overhaul of the entire organizational structure of the Mississippi court system would result in a dearth of activity at the Justice Court level while creating chaos in the Circuit Courts.

Further, the vast majority of criminal cases coming before the Justice Courts are traffic violations which are, for the most part, uncontested. Even when contested, there seems little need for a lawyer-trained judge to reach a determination as to whether or not a motorist was speeding.

There are severe cost implications associated with any wholesale shift in criminal jurisdiction. Weighed against the current opportunity to contest a lower court decision by a *de novo* trial in Circuit Court, which is seldom exercised, is the burdensome cost of handling all such cases in the Circuit Court in the

first instance. As demonstrated in North v. Russell,³⁶ the opportunity for a hearing before a lawyer-trained judge is sufficient guarantee of due process without providing that opportunity in the first instance - a costly undertaking.

b. Elimination of Non-traffic Criminal Cases

Based on caseload data, this alternative would result in the transfer or original jurisdiction in only a relatively small percentage of cases. At the same time, serious criminal matters, and those most likely to involve more complex legal questions relating to pleadings, evidence, trial procedures and juror instructions, would be taken out of the hands of non-lawyer judges. The Justice Court judges would remain a viable segment of the judicial system, continuing to handle the greatest percentage of their current caseload -- the nature of which would seem to suit their level of qualification and competence.

In some instances, however, violation of a traffic law may involve a prescribed penalty substantially more severe than that imposed for other non-traffic criminal offenses (i.e., where a defendant is convicted of multiple offenses, an offense involving intoxication or major negligence resulting in injury or death to other parties). In such cases, limiting the jurisdiction of the Justice Courts by topic would not counter the argument that criminal defendants may be denied due process.

³⁶427 U.S. 328 (1976).

c. Removal of Criminal Jurisdiction in All Matters Involving a Potential Jail Sentence

This alternative would require major legislative change to eliminate the possibility of jail in those cases where jail is not now regularly imposed as a sentence. Thus, the bulk of traffic offenses -- in which only a fine is involved -- would remain within the jurisdiction of the Justice Courts. Other non-traffic criminal offenses, such as violation of hunting and fishing regulations, peace bond cases and similar minor misdemeanors which involve only a fine, would also fall within the jurisdiction of the Justice Courts. The major elements and advantages of the present system would be retained and a relatively small number of cases would be transferred to the Circuit Court for original jurisdiction.

If this alternative is adopted, however, provision should be made to retain at the Justice Court level the power to jail an individual for contempt of court. Without this exception, the Justice Courts would be severely hampered in enforcing and administering the law remaining within their jurisdiction.

Critics will note that the imposition of fines which may, in some cases, be very large, has consequences equally serious for a defendant as being sentenced to a term in jail. For that reason, they will argue, equal concern must be shown for due process guarantees--including provision for a lawyer-trained judge--in cases subject to fine only, as well as those where a jail sentence may be involved.

4. Allow Only Lawyers to Serve as Judges in the Justice Courts

While this alternative would substantially increase the guarantee that defendants appearing before a Justice Court would have due process of the law, pecuniary realities suggest that such a requirement would require substantially increased expenditures for Justice Court personnel if the present system structure were retained. In 1977, 67% of all Justice Court judges received less than \$7,000 per year in gross compensation for their services, with the average for all judges being about \$4,535. Most were able to serve for such modest compensation because the job required only a portion of their available time and they were able to pursue other business activities -- farming, shopkeeping, automotive services -- which provide additional income but do not create any significant conflict of interest problems. However, potential conflicts of interest make it undesirable for an individual to combine the independent practice of law in the same county in which he served as a judge.

To require that Justice Court judges be attorneys without making major changes in the compensation system is not practical. If legal training were made a requirement for office, the compensation would have to be at a sufficient level to approach parity with other career alternatives available to a trained lawyer in Mississippi. The cost of such a change would be extreme in a number of counties, more than realistically could be borne by local governments. Even disregarding all cost considerations, it is probable that in the more rural areas of the state there might be no individuals qualified and willing to fill the office.

The requirement that Justice Court judges be attorneys is a viable alternative only if combined with major changes in the compensation system as well as a substantial consolidation of courts. Such changes would alter the very structure of the present system and run counter to the traditions from which the Justice of the Peace system has grown. They would, in effect, be an elimination of the present system in favor of something entirely different.

A more modest possibility is a classification system that would provide lawyer judges in the busier and more populous areas of the state and permit non-lawyer judges to continue to serve more remote areas. As earlier indicated, this system of classification has withstood the challenge of constitutional attack and has been used in other states to respond to the same needs and concerns currently experienced in Mississippi. A variation of this scheme would be the establishment of a core of lawyer-trained judges available for service throughout the state while making no major change in the day-to-day organization of justice courts. This approach was used with great success in California as an interim solution to the perplexing problems presented by a State Supreme Court decision that guaranteed the right of every criminal defendant to have a lawyer-judge preside.³⁷

³⁷Gordon v. Justice Court (1974) 525 P.2d 72.

V. ALTERNATIVE STRUCTURES AND RECOMMENDATIONS

A. Introduction

Careful consideration of competing issues as they impact the organizational structure and operational procedures of justice courts in Mississippi surfaces several conclusions. Regardless of organizational structure, certain conclusive recommendations for improving the Mississippi Justice Court system or selected alternative system can be made based on existing research. The substance of these recommendations centers around the areas of court organization, judge qualifications, personnel compensation, jurisdiction, operating procedures, and fiscal management. After discussion of these recommendations, one alternative organizational structure based on retaining the justice court concept is discussed and analyzed in terms of workload, resources, and costs. A second alternative is presented in Volume II of this report series.

B. Recommendations

1. Organization

Recommendation: *There should be at least one full-time court office to handle existing justice court jurisdiction at the county seat in each county, with such additional judicial positions as may be needed based on workload.*

The constitutional constraints under which the justice courts in Mississippi currently function require that there be not less than two "justice court judges" in each county. If an alternative system structure were selected, this requirement would have to be amended.

In any event, no one would content that this requirement means two full-time positions since the entire justice court structure as it currently functions provides few full-time judges. Hence, to comply with the constitutional mandate, the justice court position will need to be shared by two persons in every county where there are fewer than two FTE judicial positions needed to handle workload in that county. Two half-time judges can occupy one position, as indeed, under the current structure, five part-time judges occupy one or less judicial position, based on workload in some counties. Where the local situation warrants more than one position to handle the work of the justice court, the additional assistance can be provided by shared part-time judges or one full-time and one part-time judge.

The number of justice court judges actually needed in a particular county--giving primary consideration to population and caseload volumes, but also considering geography and highway conditions as they relate to the accessibility of the courts--are considerably less than the present five courts. In no case should there be less than two judges (based on constitutional requirement) and provision should be made for the addition of Justice Courts--upon recommendation of the county Board of Supervisors to the state legislature, or other method deemed appropriate--as population, traffic volumes, or caseload increase.

Recommendation: *There should be provided at least one salaried full-time clerk at the county seat in each county to handle the clerical and administrative business of the justice court(s) in that county, and such additional clerical assistance as needed based on workload.*

This recommendation relates directly to the recommendation regarding full-time justice court offices. The overwhelm-

need of the justice courts in Mississippi is for trained clerical assistance and modern recordkeeping procedures. The Uniform Warrant System and provision for computerized data vis a vis drivers' records provides a model for centralized recordkeeping that is marred by archaic, duplicative, and wasteful processing by justice courts. Most of the business of justice courts pertains to collecting fines, creating and maintaining various records, issuance of court process and correspondence. Adjudication is rare, and the opportunity to exercise truly judicial authority seldom presents itself more often than a few times each week or month. This picture suggests the need for clerical rather than adjudicative authority, and it should be provided. The clerk should maintain regular office hours in the courthouse, with facilities provided at public expense. Supplies and equipment also should be provided at public expense, and a telephone with adequate directory lists, should be provided for all justice courts.

Recommendation: *Provide a minimum uniform level of support staff, facilities, equipment, and supplies for all court offices handling existing justice court jurisdiction.*

Gross inequalities currently exist in the level of support provided Justice Court judges by their respective county governments. In the interests of both fairness and increased court efficiency, it is recommended that each court be provided office space, basic equipment and supplies, courtroom facilities, stamps, and stationery. Provision for budgetary allocation and review by county officers and auditors will provide safeguards against extravagance

while assuring provision of the basic needs of a functioning court office.

Additional, each county should provide telephone service at the office location for each of its Justice Court judges and the telephone number should be listed under both the county listing (sub-listed under "Justice Court") and the judge's name. This would remove the difficulty individuals--particularly motorists have in contacting a judge who has no telephone or whose listing does not designate that he is a judge.

2. Judge Qualifications

Recommendation: *All candidates for Justice Court judge should be required to prove by examination their basic competence in the law.*

To assure a minimal level of competence in the law and basic attention to the Constitutional rights of parties before the court, it is recommended that Mississippi establish a program for testing and certifying candidates for the office of Justice Court judge. It is recommended that a one-day exam covering the basic principles of civil and criminal laws, principles of adjudication and statutes relating to Justice Court procedures and jurisdiction be administered under the auspices of the Mississippi Judicial Council and that the completion of this examination with a passing score be required of every Justice Court candidate prior to certification of his candidacy. To prevent this qualification from being unduly restrictive, it is recommended that the examination be offered no less than biennially and in a sufficient number of loca-

tions throughout the state as to make examination locations reasonably accessible to all potential candidates.

It is further recommended that the Mississippi Judicial Council compile a recommended list of readings or a basic primer textbook, or both, to be made available upon request to anyone planning to seek Justice Court office and preparing to take the qualifying examination.

It may be desirable to separate the examination into subject matter sections, with provision for the substitution of designated junior college courses or educational or experience equivalent for some portions of the examination.

Recommendation: *Expand post-election training and orientation for Justice Court Judges.*

Because the office of the Attorney General will have a tendency toward bias in criminal matters, it is recommended that responsibility for the post-election orientation required for Justice Court judges be removed from that office and transferred to the Judicial Council. Because all elected judges will have passed the qualifying examination and can therefore be assumed to have a basic understanding of legal principles and practices, the orientation program can be used to provide more specific and detailed training in civil and criminal law, with increased emphasis on manner of adjudication, office administration, and civil procedure. This will increase the level of competence within individual Justice Courts while encouraging increased uniformity in practice statewide. At the present time, judges who assume office mid-term (filling vacancies created by resignation, death, or incapacitation) receive no signi-

ficant orientation or training until they have won election to a full term. In such circumstances, an individual may have little guidance or assistance from other judges or any state agency and is left to his own devices for up to a year's time. It is recommended that some provision be made for orientation and training of judges who assume office mid-term.

3. Personnel Compensation

Recommendation: *A uniform salary system should replace the present fee system for compensating justice court judges and support personnel should be paid from the same source as the judge and not by the judge.*

The fee system is not incompatible with the continued vitality of the justice courts as an institution in Mississippi; indeed, given the extensive reliance upon the fee structure for remuneration of other public servants in the justice system, and the incentives necessarily engendered by a fee system, the present compensation method might well be continued. On the other hand, the litigation encouraged by a fee structure and the tendency it generates to discourage the use of staff assistance even when needed, suggests the desirability of instituting a salary system of compensation to replace the present fee system. For these reasons, and because of the other benefits which accrue from having salaried judges in county facilities, it is recommended that the mode of judge compensation be salary.

4. Jurisdiction

The jurisdiction of the justice court is not seriously in need of major change; while some reordering might be desirable, no wholesale change is necessary at this time if the Justice Court system is retained.

5. Operational Procedures

Recommendation: *A uniform, efficient recordkeeping system should be established for justice courts and sufficient clerical personnel provided to maintain it.*

At the present time, forms and form letters commonly used by the Justice Courts vary substantially from county to county. Some county governments balk at providing forms because of the cost involved while in a number of counties greatly outdated forms continue in use to avoid waste. As a means of improving cost-efficiency in the provision of necessary forms, while at the same time promoting uniformity of practice, it is recommended that the Judicial Council standardize those forms commonly used. The standard forms could then be provided to individual courts at state expense, purchased by individual counties from statewide suppliers, or printed by the individual counties.

Toward the same ends of cutting costs, increasing efficiency, and promoting uniformity, it is recommended that the use of docket books be eliminated. While traditionally an element of court administration, the docket book has been replaced in modern usage by carbonless multiple-copy forms, data banks, and a variety of modern innovations. Field visits conducted in this study indicated that docket books were being used for historical purposes only, (i.e. they are end-products rather than a working record system). Huge volumes are utilized for minimal records at tremendous waste of money, space, and time.

Since the uniform citation form used throughout Mississippi includes record of the disposition of the case, that form might be used as the basis of

court records by creating an additional copy for retention by the judge. A central depository of information, utilizing modern data storage and processing techniques, might be the ideal means of storing information on completed cases. However, the requirements for keypunching, data retrieval, etc. inherent in such a system probably make it impractical as a statewide system at the present time.

There are a variety of alternatives available, however--including NCR forms, loose-leaf retention of uniform citation forms, file systems already devised by judges in various courts throughout the state--which fill the need for both working files and case history in a far more practical manner than use of the cumbersome docket books.

It is also recommended that increased communication and cooperation among judges within a single county and within regional areas of the state be encouraged as a means of promoting uniformity of practice, utilizing individual innovations, and discovering and benefiting from the experience of others. In at least one county, Justice Court judges already meet informally on a monthly basis, and with the judges from neighboring counties on an annual basis. Such communication and cooperation appears to be the exception rather than the rule at the current time, however.

It is recommended that the Judicial Council encourage improved regional communication, perhaps through sponsorship of regional workshops or conferences which would also serve as a means of providing continuing education

for judges in the Justice Courts. The Justice Court Officers' Association might be similarly encouraged to develop regional meetings and conferences on a more frequent basis than their statewide conferences.

In support of this recommendation, there exists an overwhelming need for a more structured clerical operation in the justice courts, a fact repeatedly attested to by conversation with judges and by observation of data collectors. As remarked by more than one judge, the function of the justice court is essentially clerical in nature; adjudication per se occupies very little judicial time.

6. Fiscal Management

Recommendation: *The flows of funds through the justice courts should be made more consolidated and structured.*

Large amounts of money flow through the justice courts daily from and to varying sources with varying degrees of control. This increases the potential for error and appearances of conflict of interest. The money flow should be standardized with proper controls implemented. This issue is discussed extensively under each of the alternative organizational structures presented.

C. First Alternative Organizational Structure

1. Introduction

Within the concept of retaining the basic Justice Court structure, this first alternative organizational

structure for the justice court system is designed to closely correlate the workload demands with personnel requirements to dispose of that workload. With proper implementation, it also can accommodate the constitutional requirement that there be at least two justice court judges, although they may not be full-time positions in some instances. It also incorporates the general recommendations made above, especially that: 1) justice court personnel be salaried, 2) that justice courts be designed around the "office" concept with sufficient clerical staff to operate the office during normal business hours and efficiently maintain an accurate and uniform set of records, 3) that sufficient facilities, equipment, and supplies be provided to operate the office properly, and 4) that fiscal management be improved to provide more standardized, controlled flow of funds.

2. Workload/Personnel Distribution

An analysis has been made of each county's clerical and judicial needs based upon workload. Figure 9 presents for each county a possible matrix for that county's justice court system. The precise makeup in each county is based upon population, workload, and geography. Thus, except in the most populous counties, (where urban areas having their own municipal courts contribute little to justice court business), a justice court FTE position is provided for each 15,000 population or for 2,000 cases, divided between one clerical and one judicial position in each county having 30,000 or fewer persons or 4,000 cases.

This rough formulation is modified in larger counties or in any county where actual workload indicates a de-

FIGURE 9
JUSTICE COURT POSITION REQUIREMENTS BY COUNTY

County	Population	Criminal Case Fees	Criminal Case Vol.	Civil Case Fees	Civil Case Vol.	Justice Court Units		
						Total FTE	Clerical FTE	Judge FTE
* Adams	37,800	26,158	4,359	5,033	268	2	1	1
* Alcorn	28,300	15,124	2,529	614	76	2	1	1
* Amite	13,000	14,916	2,485	834	104	2	1	1
* Attala	18,500	11,748	1,958	1,258	156	2	1	1
* Benton	7,700	13,415	2,235	120	15	2	1	1
-- Bolivar	47,200	24,186	4,030	24,356	3,043	3	1	2
* Calhoun	15,200	3,587	597	863	107	2	1	1
* Carroll	9,100	15,829	2,637	1,472	184	2	1	1
* Chickasaw	17,300	22,008	3,668	9,242	1,154	2	1	1
* Choctaw	8,900	5,921	985	260	31	2	1	1
* Claiborne	11,200	4,890	815	2,797	348	2	1	1
* Clark	15,500	13,591	2,265	4,572	571	2	1	1
* Clay	20,000	14,166	2,360	6,752	843	2	1	1
-- Coahoma	38,600	29,280	4,880	9,448	1,180	3	1	2
- Copiah	24,900	31,799	5,299	3,418	551	2.5	1	1.5
* Covington	14,800	20,148	3,358	4,008	501	2	1	1
DeSoto	50,500	56,856	9,505	9,280	1,159	5	3	2
Forrest	62,400	57,459	9,576	22,064	1,878	5	3	2
* Franklin	8,200	11,241	1,873	2,590	323	2	1	1
* George	14,300	4,806	801	2,530	315	2	1	1
* Greene	8,600	2,658	443	318	39	2	1	1

FIGURE 9 (continued)

JUSTICE COURT POSITION REQUIREMENTS BY COUNTY

County	Population	Criminal Case Fees	Criminal Case Vol.	Civil Case Fees	Civil Case Vol.	Justice Court Units		
						Total FTE	Clerical FTE	Judge FTE
-- Grenada	20,000	29,124	4,854	9,854	1,233	3	1	2
- Hancock	19,100	35,588	5,930	371	46	2.5	1	1.5
Harrison	145,300	66,768	11,128	15,168	1,895	6	4	2
Hinds	231,600	81,692	13,615	122,429	15,300	15	10	5
Holmes	22,000	38,268	6,378	24,976	3,121	4	2	2
* Humphreys	14,200	4,086	681	3,539	442	2	1	1
* Issaquena	2,300	1,278	213	69	8	2	1	1
* Itawamba	17,800	9,942	1,657	1,468	183	2	1	1
Jackson	108,300	47,090	7,984	62,352	7,793	7	5	2
* Jasper	16,400	7,938	1,323	2,094	261	2	1	1
* Jefferson	8,800	3,888	813	96	12	2	1	1
* Jefferson Davis	13,000	6,660	1,109	1,736	217	2	1	1
Jones	59,300	48,573	8,095	8,241	1,567	4	2	2
* Kemper	10,100	14,218	2,369	392	48	2	1	1
* Lafayette	26,500	15,792	2,632	6,520	815	2	1	1
* Lamar	18,700	24,450	4,075	1,088	136	2	1	1
Lauderdale	71,300	86,280	14,379	21,316	2,663	8	6	2
* Lawrence	11,900	8,420	1,403	610	76	2	1	1
* Leake	18,000	20,248	3,374	4,946	618	2	1	1
Lee	51,700	40,422	6,735	37,069	4,633	5	3	2
-- Leflore	41,300	26,410	4,401	22,274	2,783	3	1	2
* Lincoln	26,700	29,112	4,851	849	105	2	1	1
Lowndes	53,400	70,875	11,812	22,696	2,837	7	5	2
Madison	32,900	51,138	8,523	7,302	912	4	2	2

FIGURE 9 (continued)

JUSTICE COURT POSITION REQUIREMENTS BY COUNTY

County	Population	Criminal Case Fees	Criminal Case Vol.	Civil Case Fees	Civil Case Vol.	Justice Court Units		
						Total FTE	Clerical FTE	Judge FTE
* Marion	24,100	17,346	2,891	2,013	249	2	1	1
- Marshall	26,900	28,405	4,733	7,752	968	2.5	1	1.5
- Monroe	34,100	21,241	3,540	13,506	1,688	2.5	1	1.5
* Montgomery	13,000	20,358	3,392	1,500	187	2	1	1
* Neshoba	21,700	22,940	3,823	2,149	266	2	1	1
* Newton	19,400	24,928	4,154	3,248	405	2	1	1
* Noxubee	13,100	4,848	808	1,869	233	2	1	1
- Oktibbeha	33,000	24,408	4,068	7,715	964	2.5	1	1.5
* Panola	27,500	25,510	4,251	4,563	569	2	1	1
-- Pearl River	28,200	43,868	7,311	1,987	247	3	1	2
* Perry	10,000	4,818	802	89	10	2	1	1
Pike	34,000	45,816	7,636	12,670	1,583	4	2	2
* Pontotoc	19,000	17,886	2,981	2,088	260	2	1	1
* Prentiss	21,500	15,937	2,656	916	114	2	1	1
* Quitman	14,000	8,446	1,407	1,730	216	2	1	1
Rankin	59,900	56,730	9,445	12,326	1,540	5	3	2
* Scott	22,300	20,229	3,371	9,471	1,183	2	1	1
* Sharkey	7,600	5,413	902	1,040	130	2	1	1
-- Simpson	20,700	40,741	6,790	4,228	528	3	1	2
* Smith	14,900	3,642	607	1,158	144	2	1	1
* Stone	8,300	14,739	2,456	208	25	2	1	1
* Sunflower	35,300	15,206	2,534	11,478	1,433	2	1	1

FIGURE 9 (continued)
JUSTICE COURT POSITION REQUIREMENTS BY COUNTY

County	Population	Criminal Case Fees	Criminal Case Vol.	Civil Case Fees	Civil Case Vol.	Justice Court Units		
						Total FTE	Clerical FTE	Judge FTE
* Tallahatchie	18,000	8,731	1,455	5,407	676	2	1	1
* Tate	20,200	12,666	2,111	5,389	673	2	1	1
* Tippah	18,000	11,930	1,988	2,219	277	2	1	1
* Tishomingo	16,000	17,623	2,936	112	14	2	1	1
* Tunica	10,800	15,354	2,559	170	21	2	1	1
* Union	20,500	15,666	2,611	1,516	189	2	1	1
* Walthall	12,800	9,279	1,546	313	37	2	1	1
-- Warren	49,100	36,299	6,049	18,284	1,159	3	1	2
Washington	71,300	30,082	5,013	45,764	5,719	5	3	2
* Wayne	17,600	12,085	2,012	280	35	2	1	1
* Webster	10,000	8,004	1,334	68	8	2	1	1
* Wilkinson	10,100	7,377	1,229	320	40	2	1	1
* Winston	19,200	8,970	1,495	2,467	307	2	1	1
* Yalobusha	12,100	14,136	2,356	1,455	181	2	1	1
* Yazoo	27,500	12,954	2,159	7,666	958	2	1	1
						229.5	121	108.5

viation from the norm is necessary. Thus, for example, counties showing a particularly heavy criminal caseload, often the result of increased traffic cases by virtue of having a major highway or interstate in the county, are recorded as needing an additional one-half position than would otherwise be the case. And in Lauderdale County, an unusually large criminal caseload is dealt with by the addition of clerical rather than judicial positions, because of the essentially clerical nature of the work generated by that volume. In other counties, part-time judges rather than part-time clerks are provided to discourage the use of only part-time clerical assistance. However, substitution of a full-time clerk for part-time judges is encouraged in any area where it is determined to be more efficient.

Specifically, the required FTE resources depicted in Figure 9 were derived in the following manner:

1. Using the concept of the full-time justice court office in every county, each county was allotted one FTE judge position and one FTE clerical position. For those counties with approximately 30,000 or less population and 4,000 or less cases, the standard "office" satisfies their needs. These counties are indicated by an asterisk in Figure 9 (56 counties).
2. For those counties with more than 30,000 population and in excess of 4,000 cases, one-half FTE judge position was added when the caseload reached 5,000, making the justice court office composed of one FTE clerical position and 1.5 FTE judge positions. These counties are indicated by a - in Figure 9 (5 counties). When the caseload reached 6,000 another one-half FTE judge position was added; this made the composition of these offices one

CONTINUED

1 OF 2

FTE clerical position and two FTE judge positions. These counties are indicated by -- in Figure 9 (7 counties). This step was taken because of an imposed requirement not to have part-time clerical positions.

3. Using rules 1 and 2, 68 of the 82 counties had been accommodated. The decision was made to attempt to keep the total number of justice court judge positions to the constitutional minimum of two per county. Additional workload is handled by adding an additional FTE clerical position for each additional 2,000 cases to a maximum of six FTE clerical positions per justice court office as follows:
 - a. When a county's caseload reached 8,000 the justice court office became two FTE clerical and two FTE judicial: Jones, Madison, Pike and Holmes.
 - b. When a county's caseload reached 10,000, the justice court office became three FTE clerical and two FTE judicial: DeSoto, Forrest, Lee, Rankin, and Washington.
 - c. When a county's caseload reached 12,000 the justice court office became four FTE clerical and two FTE judicial: Harrison
 - d. 14,000 cases = five FTE clerical and two FTE judicial: Lowndes, Jackson
 - e. 16,000 cases = six FTE clerical and two FTE judicial: Lauderdale
4. Like all good rules, there is an exception. With a caseload of 28,915, Hinds County almost doubles the justice court workload of any other county. In this singular situation, the number of FTE judge positions was raised to five and FTE clerical positions to ten with a workload capacity of 30,000 cases.

Based on this analysis, the first alternative organizational structure would require 108.5 full time equivalent

(FTE) judge positions and 121 clerical positions, for a total of 229.5 justice court personnel positions as distributed in Figure 9.

3. Potential Cost

The system costs for this first alternative are based on two separate sets of costs for personnel; operating costs are the same for both sets of personnel cost. The difference in personnel cost is two separate ranges for justice court judges' salaries -- 1) \$12,000-\$15,000 and 2) \$15,000-\$18,000. The option of the higher judges' salary range is presented to depict the salary which could be paid under this alternative to encourage individuals with more experience in the law to seek the office. It is not known whether or not this situation would occur, but the financial options are offered for comparison.

The first set of system cost projections are based on the personnel and operating cost presented in Figures 10 and 11, respectively. These projections use an average cost of \$15,911 for judges' salary and benefits and \$8,698 for clerical. Based on the workload/position projections of Figure 9 and the cost factors present in Figures 10 and 11, Figure 12 presents system cost by county and total. As depicted, the total system cost for this first alternative organizational structure is \$3,242,804--judges salaries and benefits account for \$1,726,346, clerical for \$1,052,458, and operating cost for \$464,000.

When multiple judges or clerks are recommended for a county or a portion of a full-time equivalent position, the operating costs are proportioned accordingly. It is difficult to estimate operating costs for judges in

FIGURE 10

Potential Personnel Cost for Justice Courts
Judge Salary Range \$12,000 - \$15,000

Salary Range (Justice Court Judge)	\$12,000	\$15,000
State Benefits:		
8% Retirement	\$960	\$1,200
6.13% F.I.C.A.	736	920
\$32/mo. Health Ins.	384	384
Life Ins. (\$30,000)	<u>119</u>	<u>119</u>
Total Benefits	<u>\$ 2,199</u>	<u>\$ 2,623</u>
Salary & Benefits	<u>\$14,199</u>	<u>\$17,623</u>
Average	\$15,911	

Salary Range (Justice Court Clerical)	\$ 6,500	\$ 8,000
State Benefits:		
8% Retirement	\$520	\$ 640
6.13% F.I.C.A.	398	490
\$32/mo. Health Ins.	384	384
Life Ins. (\$10,000)	<u>40</u>	<u>40</u>
Total Benefits	<u>\$ 1,342</u>	<u>\$ 1,554</u>
Salary & Benefits	<u>\$ 7,842</u>	<u>\$ 9,554</u>
Average	\$8,698	

FIGURE 11

Single Justice Court Facility
Estimated Annual Operating Cost

Office Space & Utilities		
Judges Office (200 sq.ft. @ \$5.00)	\$1,000	
Clerical Office (100 sq.ft. @ \$5.00)	500	
Utilities (estimated @ \$50/mo.)	<u>600</u>	
Total Office Space & Utilities		\$2,100
Phone (estimated @ \$50/mo.*)		600
Equipment & Supplies		
2 Filing Cabinets	400	
2 Desks	1,200	
10 Chairs	500	
Bookshelves	200	
1 Typewriter	1,000	
1 Calculator	200	
Miscellaneous Equipment	<u>300</u>	
Total Equipment Cost	\$3,800	
Total Equipment Amortized Over 5 Years		760
Paper Supplies	340	
Miscellaneous Supplies	200	<u>540</u>
TOTAL ANNUAL OPERATING COST		\$4,000

*This cost could vary from the basic charge of \$18/mo. to upwards of \$70/mo. depending on the number of lines, etc.

FIGURE 12
Projected Staffing Needs and Cost for
First Alternative Organizational Structures
(Judges Salary -- \$12,000 - \$15,000)

County	Justice Court Units			Clerical	Potential Cost		Total
	Total FTE	Clerical FTE	Judge FTE		Judge FTE	Operating Cost	
Adams	2	1	1	\$ 8,698	\$ 15,911	\$ 4,000	\$ 28,609
Alcorn	2	1	1	8,698	15,911	4,000	28,609
Amite	2	1	1	8,698	15,911	4,000	28,609
Attala	2	1	1	8,698	15,911	4,000	28,609
Benton	2	1	1	8,698	15,911	4,000	28,609
Bolivar	3	1	2	8,698	31,822	6,000	46,520
Calhoun	2	1	1	8,698	15,911	4,000	28,609
Carroll	2	1	1	8,698	15,911	4,000	28,609
Chickasaw	2	1	1	8,698	15,911	4,000	28,609
Choctaw	2	1	1	8,698	15,911	4,000	28,609
Claiborne	2	1	1	8,698	15,911	4,000	28,609
Clark	2	1	1	8,698	15,911	4,000	28,609
Clay	2	1	1	8,698	15,911	4,000	28,609
Coahoma	3	1	2	8,698	31,822	6,000	46,520
Copiah	2.5	1	1.5	8,698	23,867	6,000	38,565
Covington	2	1	1	8,698	15,911	4,000	28,609
DeSoto	5	3	2	26,094	31,822	10,000	67,916
Forrest	5	3	2	26,094	31,822	10,000	67,916
Franklin	2	1	1	8,698	15,911	4,000	28,609
George	2	1	1	8,698	15,911	4,000	28,609
Greene	2	1	1	8,698	15,911	4,000	28,609

FIGURE 12 (continued)
Projected Staffing Needs and Cost for
First Alternative Organizational Structures
(Judges Salary -- \$12,000 - \$15,000)

County	Justice Court Units			Clerical	Potential Cost		Total
	Total FTE	Clerical FTE	Judge FTE		Judge FTE	Operating Cost	
Grenada	3	1	2	\$ 8,698	\$ 31,822	\$ 6,000	\$ 46,520
Hancock	2.5	1	1.5	8,698	23,867	6,000	38,565
Harrison	6	4	2	34,792	31,822	12,000	78,614
Hinds	15	10	5	86,980	79,555	30,000	196,535
Holmes	4	2	2	17,396	31,822	8,000	57,218
Humphreys	2	1	1	8,698	15,911	4,000	28,609
Issaquena	2	1	1	8,698	15,911	4,000	28,609
Itawamba	2	1	1	8,698	15,911	4,000	28,609
Jackson	7	5	2	43,490	31,822	14,000	89,312
Jasper	2	1	1	8,698	15,911	4,000	28,609
Jefferson	2	1	1	8,698	15,911	4,000	28,609
Jefferson Davis	2	1	1	8,698	15,911	4,000	28,609
Jones	4	2	2	17,396	31,822	8,000	57,218
Kemper	2	1	1	8,698	15,911	4,000	28,609
LaFayette	2	1	1	8,698	15,911	4,000	28,609
Lamar	2	1	1	8,698	15,911	4,000	28,609
Lauderdale	8	6	2	52,188	31,822	16,000	100,010
Lawrence	2	1	1	8,698	15,911	4,000	28,609
Leake	2	1	1	8,698	15,911	4,000	28,609
Lee	5	3	2	26,094	31,822	10,000	67,916
LeFlore	3	1	2	8,698	31,822	6,000	46,520

FIGURE 12(continued)

Projected Staffing Needs and Cost for
First Alternative Organizational Structures
(Judges Salary -- \$12,000 - \$15,000)

County	Justice Court Units			Potential Cost		Total
	Total FTE	Clerical FTE	Judge FTE	Clerical	Judge Operating Cost	
Lincoln	2	1	1	\$ 8,698	\$ 15,911	\$ 28,609
Lowndes	7	5	2	43,490	31,822	89,312
Madison	4	2	2	17,396	31,822	57,218
Marion	2	1	1	8,698	15,911	28,609
Marshall	2.5	1	1.5	8,698	23,867	38,565
Monroe	2.5	1	1.5	8,698	23,867	38,565
Montgomery	2	1	1	8,698	15,911	28,609
Neshoba	2	1	1	8,698	15,911	28,609
Newton	2	1	1	8,698	15,911	28,609
Noxubee	2	1	1	8,698	15,911	28,609
Oktibbeha	2.5	1	1.5	8,698	23,867	38,565
Panola	2	1	1	8,698	15,911	28,609
Pearl River	3	1	2	8,698	31,822	46,520
Perry	2	1	1	8,698	15,911	28,609
Pike	4	2	2	17,396	31,822	57,218
Pontotoc	2	1	1	8,698	15,911	28,609
Prentiss	2	1	1	8,698	15,911	28,609
Quitman	2	1	1	8,698	15,911	28,609
Rankin	5	3	2	26,094	31,822	67,916
Scott	2	1	1	8,698	15,911	28,609
Sharkey	2	1	1	8,698	15,911	28,609

FIGURE 12(continued)

Projected Staffing Needs and Cost for
First Alternative Organizational Structures
(Judges Salary -- \$12,000 - \$15,000)

County	Justice Court Units			Potential Cost		Total
	Total FTE	Clerical FTE	Judge FTE	Clerical	Judge Operating Cost	
Simpson	3	1	2	\$ 8,698	\$ 31,822	\$ 46,520
Smith	2	1	1	8,698	15,911	28,609
Stone	2	1	1	8,698	15,911	28,609
Sunflower	2	1	1	8,698	15,911	28,609
Tallahatchie	2	1	1	8,698	15,911	28,609
Tate	2	1	1	8,698	15,911	28,609
Tippah	2	1	1	8,698	15,911	28,609
Tishomingo	2	1	1	8,698	15,911	28,609
Tunica	2	1	1	8,698	15,911	28,609
Union	2	1	1	8,698	15,911	28,609
Walthall	2	1	1	8,698	15,911	28,609
Warren	3	1	2	8,698	31,822	46,520
Washington	5	3	2	26,094	31,822	67,916
Wayne	2	1	1	8,698	15,911	28,609
Webster	2	1	1	8,698	15,911	28,609
Wilkinson	2	1	1	8,698	15,911	28,609
Winston	2	1	1	8,698	15,911	28,609
Yalobusha	2	1	1	8,698	15,911	28,609
Yazoo	2	1	1	8,698	15,911	28,609
TOTAL	229.5	121	108.5	\$1,052,458	\$1,726,346	\$3,242,804

county facilities due to unknown factors such as availability of county equipment and availability of equipment now in use by the judges. Where a half-time judge is recommended, estimated operating costs as shown in Figure 11 are halved as a rough estimate; the incidence of half-time judges is sparse enough to make inaccurate projections in this regard insignificant.

Using the same cost factors for clerical positions and operating cost, but raising the judges' salary range to \$15,000-\$18,000, another set of system cost projections have been compiled. With this salary range, Figure 13 depicts the related salary and benefits costs and the resulting average of \$19,335. Using this salary projection and clerical salary costs from Figure 10 and operating cost from Figure 11, Figure 14 presents proportional costs for each county and the resultant total. Based on these projections, (using the higher range of judges' salaries,) the total system cost approximates \$3,614,303 -- judges' salaries and benefits account for \$2,097,845, clerical for \$1,052,458, and operating cost for \$464,000.

FIGURE 13

Potential Personnel Cost for Justice Courts
Judge Salary Range \$15,000 - \$18,000

Salary Range (Justice Court Judge)	\$15,000	\$18,000
State Benefits:		
8% Retirement	\$1,200	\$1,440
6.13% F.I.C.A.	920	1,103
\$32/mo. Health Ins.	384	384
Life Ins. (\$30,000)	119	119
Total Benefits	\$ 2,623	\$ 3,046
Salary & Benefits	\$17,623	\$21,046
Average	\$19,335	

FIGURE 14
Projected Staffing Needs and Costs for
First Alternative Organizational Structure
(Judges' Salary -- \$15,000 - \$18,000)

County	Justice Court Units			Clerical	Potential Cost		Total
	Total FTE	Clerical FTE	Judge FTE		Judge FTE	Operating Cost	
Adams	2	1	1	\$ 8,698	\$ 19,335	\$ 4,000	\$ 32,033
Alcorn	2	1	1	8,698	19,335	4,000	32,033
Amite	2	1	1	8,698	19,335	4,000	32,033
Attala	2	1	1	8,698	19,335	4,000	32,033
Benton	2	1	1	8,698	19,335	4,000	32,033
Bolivar	3	1	2	8,698	38,670	6,000	53,368
Calhoun	2	1	1	8,698	19,335	4,000	32,033
Carroll	2	1	1	8,698	19,335	4,000	32,033
Chickasaw	2	1	1	8,698	19,335	4,000	32,033
Choctaw	2	1	1	8,698	19,335	4,000	32,033
Claiborne	2	1	1	8,698	19,335	4,000	32,033
Clark	2	1	1	8,698	19,335	4,000	32,033
Clay	2	1	1	8,698	19,335	4,000	32,033
Coahoma	3	1	2	8,698	38,670	6,000	53,368
Copiah	2.5	1	1.5	8,698	29,002	6,000	43,700
Covington	2	1	1	8,698	19,335	4,000	32,033
DeSoto	5	3	2	26,094	38,670	10,000	74,764
Forrest	5	3	2	26,094	38,670	10,000	74,764
Franklin	2	1	1	8,698	19,335	4,000	32,033
George	2	1	1	8,698	19,335	4,000	32,033
Green	2	1	1	8,698	19,335	4,000	32,033

FIGURE 14 (continued)

Projected Staffing Needs and Costs for
First Alternative Organizational Structure
(Judges Salary -- \$15,000 - \$18,000)

County	Justice Court Units			Clerical	Potential Cost		Total
	Total FTE	Clerical FTE	Judge FTE		Judge FTE	Operating Cost	
Grenada	3	1	2	\$ 8,698	\$ 38,670	\$ 6,000	\$ 53,368
Hancock	2.5	1	1.5	8,698	29,002	6,000	43,700
Harrison	6	4	2	34,792	38,670	12,000	85,462
Hinds	15	10	5	86,980	96,675	30,000	213,655
Holmes	4	2	2	17,396	38,670	8,000	64,066
Humphreys	2	1	1	8,698	19,335	4,000	32,033
Issaquena	2	1	1	8,698	19,335	4,000	32,033
Itawamba	2	1	1	8,698	19,335	4,000	32,033
Jackson	7	5	2	43,490	38,670	14,000	96,160
Jasper	2	1	1	8,698	19,335	4,000	32,033
Jefferson	2	1	1	8,698	19,335	4,000	32,033
Jefferson Davis	2	1	1	8,698	19,335	4,000	32,033
Jones	4	2	2	17,396	38,670	8,000	64,066
Kemper	2	1	1	8,698	19,335	4,000	32,033
LaFayette	2	1	1	8,698	19,335	4,000	32,033
Lamar	2	1	1	8,698	19,335	4,000	32,033
Lauderdale	8	6	2	52,188	38,670	16,000	106,858
Lawrence	2	1	1	8,698	19,335	4,000	32,033
Leake	2	1	1	8,698	19,335	4,000	32,033
Lee	5	3	2	26,094	38,670	10,000	74,764
LeFlore	3	1	2	8,698	38,670	6,000	53,368

FIGURE 14(continued)

Projected Staffing Needs and Costs for
First Alternative Organizational Structure
(Judges Salary -- \$15,000 - \$18,000)

County	Justice Court Units			Clerical	Potential Cost		Total
	Total FTE	Clerical FTE	Judge FTE		Judge FTE	Operating Cost	
Lincoln	2	1	1	\$ 8,698	\$ 19,335	\$ 4,000	\$ 32,033
Lowndes	7	5	2	43,490	38,670	14,000	96,160
Madison	4	2	2	17,396	38,670	8,000	64,066
Marion	2	1	1	8,698	19,335	4,000	32,033
Marshall	2.5	1	1.5	8,698	29,002	6,000	43,700
Monroe	2.5	1	1.5	8,698	29,002	6,000	43,700
Montgomery	2	1	1	8,698	19,335	4,000	32,033
Neshoba	2	1	1	8,698	19,335	4,000	32,033
Newton	2	1	1	8,698	19,335	4,000	32,033
Noxubee	2	1	1	8,698	19,335	4,000	32,033
Oktibbeha	2.5	1	1.5	8,698	29,002	6,000	43,700
Panola	2	1	1	8,698	19,335	4,000	32,033
Pearl River	3	1	2	8,698	38,670	6,000	53,368
Perry	2	1	1	8,698	19,335	4,000	32,033
Pike	4	2	2	17,396	38,670	8,000	64,066
Pontotoc	2	1	1	8,698	19,335	4,000	32,033
Prentiss	2	1	1	8,698	19,335	4,000	32,033
Quitman	2	1	1	8,698	19,335	4,000	32,033
Rankin	5	3	2	26,094	38,670	10,000	74,764
Scott	2	1	1	8,698	19,335	4,000	32,033
Sharkey	2	1	1	8,698	19,335	4,000	32,033

FIGURE 14 (continued)
Projected Staffing Needs and Costs for
First Alternative Organizational Structure
(Judges Salary -- \$15,000 - \$18,000)

County	Justice Court Units			Clerical	Potential Cost		Total
	Total FTE	Clerical FTE	Judge FTE		Judge FTE	Operating Cost	
Simpson	3	1	2	\$ 8,698	\$ 38,670	\$ 6,000	\$ 53,368
Smith	2	1	1	8,698	19,335	4,000	32,033
Stone	2	1	1	8,698	19,335	4,000	32,033
Sunflower	2	1	1	8,698	19,335	4,000	32,033
Tallahatchie	2	1	1	8,698	19,335	4,000	32,033
Tate	2	1	1	8,698	19,335	4,000	32,033
Tippah	2	1	1	8,698	19,335	4,000	32,033
Tishomingo	2	1	1	8,698	19,335	4,000	32,033
Tunica	2	1	1	8,698	19,335	4,000	32,033
Union	2	1	1	8,698	19,335	4,000	32,033
Walthall	2	1	1	8,698	19,335	4,000	32,033
Warren	3	1	2	8,698	38,670	6,000	53,368
Washington	5	3	2	26,094	38,670	10,000	74,764
Wayne	2	1	1	8,698	19,335	4,000	32,033
Webster	2	1	1	8,698	19,335	4,000	32,033
Wilkinson	2	1	1	8,698	19,335	4,000	32,033
Winston	2	1	1	8,698	19,335	4,000	32,033
Yalobusha	2	1	1	8,698	19,335	4,000	32,033
Yazoo	2	1	1	8,698	19,335	4,000	32,033
TOTAL	229.5	121	108.5	\$1,052,458	\$2,097,845	\$464,000	\$3,614,303

4. Alternative Funding Configurations

There are three approaches to funding this first alternative structure all of which are based on revenues generated by the system. This alternative considers the options of funds distribution if the system is 1) county supported, 2) state supported, or 3) a combination of state and local funding.

As depicted in Figure 15, the projected revenues to be generated by the justice court system approximate \$8,294,589³⁷ against two projected systems costs of \$3,242,804 or \$3,614,303 for this first alternative organizational structure.

Option 1: If the system is totally county supported, fines, forfeitures, and civil case fees should flow to the county treasury and total system cost, including all salaries, benefits, and operating costs, should be paid by the county.

Option 2: If the system is totally state supported, fines, forfeitures, and civil case fees should flow to the county treasury from which the counties would proportionately reimburse the state for total system cost.

Option 3: This option anticipates some form of cooperative funding of the system. The only logical break-out of funding under this option would be for the state to fund all salaries and benefits and for the counties to fund total operating cost since the counties may already have available office space and equipment.

³⁷ This figure includes fines and forfeitures in criminal cases and case filing fees in civil cases.

FIGURE 15

Justice Court System Revenues and Costs: Present
and First Alternative Organizational Structure

<u>System Revenues</u>		<u>Present System Costs</u>	
	<u>Projected 1979</u>		<u>Projected 1979</u>
Criminal Fines and Forfeitures	\$7,315,927	State Case Fees (paid to Judges)	\$3,142,272
Civil Case Fees	896,224	Other Receipts to Judges (from Co.)	41,712
Marriage Fees	32,579	Civil Case Fees	896,224
Notary Fees	6,864	Marriage Fees	32,579
Other Fees	42,995	Notary Fees	6,864
		Other Fees	42,995
	<u>\$8,294,589</u>		<u>\$4,162,646</u>
PRESENT NET REVENUE		<u>\$4,131,943</u>	

<u>System Costs: First Alternative</u>			
	<u>Judges Salary Range \$12,000-\$15,000</u>	<u>Judges Salary Range \$15,000-\$18,000</u>	
Salaries and Benefits:			
Judges	\$1,726,346	\$2,097,845	
Clerical	<u>1,052,458</u>	<u>1,052,458</u>	
Total	\$2,778,804	\$3,150,303	
Operating Costs	<u>464,000</u>	<u>464,000</u>	
Total Projected Costs	\$3,242,804	\$3,614,303	
FIRST ALTERNATIVE NET REVENUE	<u>\$5,051,785</u>	<u>\$4,680,286</u>	
INCREASE IN NET REVENUE	\$ 919,842	\$ 548,343	

Under this scheme, the state would incur direct costs of \$2,778,804 or \$3,150,303 and the counties would incur \$464,000. The revenues from fines, forfeitures, and civil case fees should flow to the county treasury and the counties be required to proportionately reimburse the state for all associated justice court personnel cost, including those costs incurred for operating the recommended certification and training programs.

It should be noted that this option would require the establishment of an administrative capability at the state level to manage the fund flow and prepare material and conduct certification and training programs.

D. Second Alternative Organizational Structure

This alternative is dealt with in Volume II of this report series entitled A Proposed Magistrate Division of the Circuit Court for the State of Mississippi and recommends replacement of the Justice Court system with a Magistrate Division of the Circuit Court staffed by lawyer-trained magistrates and supported by a Magistrate Clerical Department within the Circuit Clerk's Offices.

E. Summary

Regardless of which structural approach is chosen from the one alternative presented here or that presented in Volume II, certain modifications in the basic elements of the justice court system are recommended as a means of constructing a more coherent and competent system. A full-time justice court office located at the county seat, staffed by at least one full-time clerk and one full or part-time judge, should comprise the core unit of the justice court system if it is decided to retain that system. The justice court office

should be provided with sufficient staff, equipment, and supplies to maintain continuous operation. Additional justice court judges (minimum two per county) and offices should be provided as workload demands, located so as to conform with the needs of the particular county.

The competence of justice court judges to perform their legal functions would be enhanced by a requirement to prove competency by examination and by more extensive orientation and training. If the Justice Court concept is retained it would not be necessary to require formal legal training of the judges; indeed, such a requirement could prove dysfunctional to the ties that bind judge and community and the ability to fill justice court positions with persons wishing to serve the community with reasonable longevity.

Justice courts are predominantly clerical operations, not adjudicative ones. Thus, the recommendation to establish a uniform, efficient recordkeeping system speaks to the heart of justice court needs. The successful maintenance of permanent offices at the county seat, and the ability of judges to demonstrate increased competence, are interdependent with the provision of effective clerical mechanisms. Organized record systems are of special importance to courts, and to justice courts the development of record systems is a way of progressing toward a more coherent system.

The structural alternative to the present system presented in this section offers one approach for embodying the changes deemed most necessary to progress in Mississippi's lower court administration. A reduction in the number of justice court judges, and a conversion to a structure whereby salaried judges are housed in county facilities, represent two of

the more meaningful steps that could be taken at this time. The annual cost of running such a system is estimated to be from \$500,000-\$1,000,000 less than present system support costs, depending on the level at which judge salary is set. Another alternative structure and its associated costs is presented in Volume II of this report series, A Proposed Magistrate Division of the Circuit Court for the State of Mississippi.

Fewer justice courts operating under more uniform procedures are likely to produce a more consistent form of justice. The large amount of interaction between Mississippi citizens and their Justice Courts is ample reason to seek better controls over lower court judicial practices. The implementation of well-considered, democratically derived policy decisions as to Justice Court reform can only result in the betterment of judicial administration in Mississippi.

APPENDIX A:
JUSTICE COURT CASE VOLUME
1976 and 1977

					JUSTICE COURT CASE VOLUME		PAGE	
					CALENDAR YEAR	1976		
CNTY	DIST	PST	N/A		CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
0	01	01	00	0	7,961	1,326	2,496	312
0	01	02	00	0	3,390	565	304	38
0	01	03	00	0	2,828	471	1,280	160
*	01	04	00	0	180	30	2,445	305
C	01	05	00	0	16,309	2,718	128	16
0	02	01	00	0	3,850	641	18	2
0	02	02	00	0	3,708	618	70	8
*	02	03	00	0	4,530	755	100	12
0	02	04	00	0	5,620	936	32	4
*	02	05	00	0	1,680	280	425	53
*	03	01	00	0	1,443	240	256	32
0	03	02	00	0	4,215	702	126	15
0	03	03	00	0	879	146	140	17
*	03	04	00	0	8,484	1,414	42	5
0	03	05	00	0	564	94	112	14
*	04	01	00	0	6,204	1,034	1,000	125
0	04	02	00	0	1,936	322	24	3
0	04	02	00	0	2,574	429	0	0
0	04	03	00	0	1,205	200	56	7
*	04	04	00	0	2,466	411	208	26
C	04	05	00	0	1,206	201	104	13
0	05	01	00	0	2,310	385	0	0
*	05	02	00	0	9,432	1,572	0	0
0	05	03	00	0	684	114	0	0
0	05	04	00	0	360	60	0	0
*	05	05	00	0	2,514	419	0	0
0	06	01	00	0	6,462	1,077	1,422	177
C	06	02	00	0	1,974	329	4,648	581
*	06	03	00	0	3,037	506	840	105
*	06	04	00	0	3,090	515	10,736	1,342
0	06	05	00	0	9,487	1,581	4,847	605
0	07	01	00	0	272	45	88	11
*	07	02	00	0	531	88	0	0
0	07	03	00	0	2,424	404	314	39
0	07	04	00	0	1,566	261	217	27
0	07	05	00	0	1,224	204	312	39
0	08	01	00	0	954	159	304	38
*	08	02	00	0	1,470	245	152	19
0	08	03	00	0	406	67	256	32
0	08	04	00	0	4,180	696	248	31
*	08	05	00	0	4,842	807	172	21
*	09	01	00	0	4,308	718	3,738	467
0	09	02	00	0	4,166	694	24	3
0	09	03	00	0	5,174	862	2,364	295
*	09	04	00	0	3,414	569	60	7
0	09	05	00	0	4,021	670	198	24

JUSTICE COURT CASE VOLUME
CALENDAR YEAR 1976

PAGE

CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
0	10	01	00	0	875	145	40
0	10	02	00	0	267	44	36
0	10	03	00	0	555	92	16
0	10	04	00	0	1,211	201	0
*	10	05	00	0	3,593	598	96
*	11	01	00	0	1,627	271	48
0	11	02	00	0	0	0	248
0	11	03	00	0	184	30	2,815
0	11	04	00	0	1,356	226	720
0	11	05	00	0	660	110	64
0	12	01	00	0	1,950	325	900
0	12	02	00	0	4,410	735	70
*	12	03	00	0	4,248	708	14
0	12	04	00	0	1,410	235	240
*	12	05	00	0	1,068	178	96
0	13	01	00	0	2,526	421	808
0	13	02	00	0	2,155	359	400
*	13	03	00	0	1,788	298	1,760
0	13	04	00	0	1,140	190	1,864
0	13	05	00	0	1,848	308	352
*	14	01	00	0	9,996	1,666	4,312
0	14	02	00	0	2,850	475	77
0	14	03	00	0	4,194	699	189
*	14	04	00	0	2,346	391	1,735
0	14	05	00	0	2,286	381	0
0	15	01	00	0	8,418	1,403	480
0	15	02	00	0	8,490	1,415	594
0	15	03	00	0	7,686	1,281	100
*	15	04	00	0	5,157	859	1,936
0	15	05	00	0	6,706	1,117	600
0	16	01	00	0	3,210	535	160
0	16	02	00	0	7,068	1,178	64
*	16	03	00	0	4,494	749	770
0	16	04	00	0	5,826	971	825
0	16	05	00	0	2,772	462	760
0	17	01	01	0	6,978	1,163	160
0	17	01	02	0	4,638	773	60
0	17	02	01	0	8,740	1,456	432
*	17	02	02	0	5,892	982	224
0	17	03	01	0	3,348	558	0
0	17	03	02	0	2,781	463	0
0	17	04	01	0	2,238	373	0
*	17	04	02	0	15,204	2,534	225
0	17	05	01	0	3,400	566	54
0	17	05	02	0	7,200	1,200	24
*	18	01	00	0	10,332	1,722	4,672

JUSTICE COURT CASE VOLUME
CALENDAR YEAR 1976

PAGE

CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
0	18	02	00	0	16,398	2,733	1,112
0	18	03	00	0	4,110	685	3,025
*	18	04	00	0	16,224	2,704	5,064
0	18	05	00	0	5,406	901	1,344
0	19	01	00	0	9,882	1,647	16
0	19	02	00	0	2,010	335	0
0	19	03	00	0	1,299	216	64
0	19	04	00	0	2,379	396	48
*	19	05	00	0	2,292	382	128
0	20	01	00	0	2,820	470	1,704
0	20	02	00	0	1,002	167	260
0	20	03	00	0	1,914	319	400
*	20	04	00	0	2,118	353	645
0	20	05	00	0	1,476	246	496
*	21	01	00	0	1,584	264	28
0	21	02	00	0	661	110	136
0	21	03	00	0	336	56	32
0	21	04	00	0	420	70	30
0	21	05	00	0	1,314	219	248
*	22	01	00	0	9,102	1,517	10,400
0	22	02	00	0	3,858	643	56
0	22	03	00	0	3,606	601	0
0	22	04	00	0	3,810	635	72
0	22	05	00	0	5,088	848	114
0	23	01	00	0	10,866	1,811	0
0	23	02	00	0	9,882	1,647	56
0	23	03	00	0	6,600	1,100	0
*	23	04	00	0	16,446	2,741	24
0	23	05	00	0	912	152	425
0	24	01	00	0	4,340	723	3,112
*	24	02	00	0	13,068	2,178	2,920
0	24	03	00	0	26,490	4,415	1,888
0	24	04	00	0	17,334	2,889	3,042
*	24	05	00	0	13,326	2,221	4,856
0	25	01	01	0	7,356	1,226	5,104
0	25	01	02	0	9,963	1,660	5,908
0	25	02	01	0	6,264	1,044	7,360
*	25	02	02	0	9,260	1,543	26,026
0	25	03	01	0	1,692	282	17,842
*	25	03	02	0	5,142	857	18,718
0	25	04	01	0	11,340	1,890	10,516
0	25	04	02	0	9,282	1,547	7,202
0	25	05	01	0	7,500	1,250	29,307
0	25	05	02	0	9,147	1,524	23,633
0	26	01	00	0	2,660	443	192
0	26	02	00	0	5,718	953	24

JUSTICE COURT CASE VOLUME
CALENDAR YEAR 1976

PAGE

CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
0 26	03	00	0	14,586	2,431	152	19
* 26	04	00	0	1,246	207	1,120	140
0 26	05	00	0	9,432	1,572	272	34
* 27	01	00	0	6,729	1,121	2,240	280
0 27	02	00	0	432	72	344	43
0 27	03	00	0	18	3	0	0
0 27	04	00	0	426	71	188	23
0 27	05	00	0	1,584	264	0	0
0 28	01	00	0	712	118	0	0
0 28	02	00	0	198	33	0	0
* 28	03	00	0	208	34	48	6
0 28	04	00	0	0	0	48	6
0 28	05	00	0	0	0	6	0
* 29	01	00	0	2,184	364	520	65
0 29	02	00	0	3,324	554	0	0
0 29	03	00	0	3,000	500	480	60
0 29	04	00	0	3,600	600	328	41
0 29	05	00	0	2,406	401	320	40
0 30	01	00	0	17,702	2,950	944	118
* 30	02	00	0	5,304	884	5,944	743
0 30	03	00	0	2,940	450	11,904	1,488
0 30	04	00	0	12,909	2,151	4,194	524
* 30	05	00	0	26,358	4,393	36,586	4,573
0 31	01	00	0	692	115	600	75
0 31	02	00	0	4,214	702	522	65
0 31	03	00	0	2,778	463	0	0
0 31	04	00	0	0	0	300	37
* 31	05	00	0	1,404	234	1,060	132
0 32	01	00	0	666	111	0	0
0 32	02	00	0	1,676	279	0	0
0 32	03	00	0	822	137	0	0
0 32	04	00	0	1,428	238	0	0
* 32	05	00	0	114	19	56	7
* 33	01	00	0	3,054	509	3,088	386
0 33	02	00	0	1,860	310	24	3
0 33	03	00	0	1,708	284	16	2
0 33	04	00	0	1,398	233	300	37
0 33	05	00	0	2,814	469	200	25
* 34	01	00	0	2,980	496	4,504	563
* 34	02	00	0	15,453	2,575	1,472	184
0 34	03	00	0	14,706	2,451	2,568	321
0 34	04	00	0	10,074	1,679	1,922	240
0 34	05	00	0	19,444	2,574	1,584	198
0 35	01	00	0	5,049	841	17	2
0 35	02	00	0	4,076	679	0	0
0 35	03	00	0	607	101	32	4

JUSTICE COURT CASE VOLUME
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PAGE

CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
0 35	04	00	0	798	133	0	0
* 35	05	00	0	2,046	341	576	72
0 36	01	00	0	198	33	15	1
* 36	02	00	0	5,190	865	2,260	282
* 36	03	00	0	1,422	237	344	43
0 36	04	00	0	4,530	755	1,624	203
0 36	05	00	0	2,124	354	336	42
* 37	01	00	0	750	125	0	0
0 37	02	00	0	3,392	565	88	11
0 37	03	00	0	864	144	0	0
0 37	04	00	0	12,329	2,054	40	5
0 37	05	00	0	1,434	239	80	10
* 38	01	00	0	8,994	1,459	13,584	1,698
0 38	02	00	0	13,272	2,212	1,696	212
* 38	03	00	0	8,880	1,480	792	99
0 38	04	00	0	41,862	6,977	4,008	501
0 38	05	00	0	21,582	3,597	11,525	1,440
0 39	01	00	0	2,928	488	18	2
0 39	02	00	0	3,498	583	320	40
0 39	03	00	0	174	29	0	0
* 39	04	00	0	2,006	334	18	2
0 39	05	00	0	1,224	204	48	6
0 40	01	00	0	6,564	1,094	0	0
0 40	02	00	0	1,944	324	808	101
* 40	03	00	0	9,252	1,542	768	96
0 40	04	00	0	1,726	287	175	21
0 40	05	00	0	774	129	150	18
0 41	01	00	0	6,972	1,162	430	53
0 41	02	00	0	7,026	1,171	880	110
0 41	03	00	0	588	98	32	4
* 41	04	00	0	16,940	2,823	15,700	1,962
* 41	05	00	0	6,636	1,106	11,208	1,401
0 42	01	00	0	4,128	628	798	99
0 42	02	00	0	4,344	724	2,480	310
* 42	03	00	0	1,530	255	18,076	2,259
0 42	04	00	0	3,450	575	708	88
0 42	05	00	0	6,570	1,095	1,300	162
* 43	01	00	0	5,367	894	403	50
0 43	02	00	0	4,236	706	48	6
0 43	03	00	0	2,688	448	30	3
0 43	04	00	0	5,286	881	0	0
0 43	05	00	0	222	37	455	56
0 44	01	00	0	9,437	1,572	2,192	274
* 44	02	00	0	21,948	3,658	8,936	1,117
0 44	03	00	0	15,588	2,598	9,416	1,177
0 44	04	00	0	4,170	695	184	23

JUSTICE COURT CASE VOLUME
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CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
0 44	05	00	0	23,124	3,854	1,600	200
* 45	01	00	0	12,150	2,025	5,838	729
* 45	02	00	0	9,096	1,516	854	106
0 45	03	00	0	18,612	3,102	1,680	210
0 45	04	00	*				
0 45	05	00	0	167	27	0	0
0 46	01	00	0	2,424	404	253	31
0 46	02	00	0	3,502	583	90	11
0 46	03	00	0	8,477	1,412	478	59
0 46	04	00	0	4,503	750	120	15
0 46	05	00	0	7,128	1,188	980	122
* 46	01	00	0	10,460	1,743	0	0
0 47	02	00	0	9,942	1,657	0	0
0 47	03	00	0	9,750	1,625	0	0
* 47	04	00	0	897	149	0	0
0 47	05	00	0	4,664	777	10,800	1,350
0 48	01	00	0	2,754	459	3,840	480
0 48	02	00	0	3,432	572	1,440	180
* 48	03	00	0	3,084	514	2,500	312
0 48	04	00	0	7,422	1,237	3,460	432
0 48	05	00	0	4,140	690	3,504	438
0 49	01	00	0	684	114	144	18
* 49	02	00	0	7,040	1,173	1,608	201
0 49	03	00	0	2,992	498	1,312	164
0 49	04	00	0	2,880	480	355	44
0 49	05	00	0	1,872	312	528	66
0 50	01	00	0	6,040	1,006	1,504	188
* 50	02	00	0	1,992	332	180	22
0 50	03	00	0	3,054	509	500	62
0 50	04	00	0	534	89	110	13
0 50	05	00	0	3,858	643	160	20
0 51	01	00	0	4,077	679	528	66
0 51	02	00	0	3,160	526	200	25
0 51	03	00	0	2,793	465	726	90
0 51	04	00	0	6,604	1,100	432	54
* 51	05	00	0	2,542	423	664	83
0 52	01	00	*			24	3
0 52	02	00	0	3,006	501	1,461	182
* 52	03	00	0	3,036	506	0	0
0 52	04	00	0	2,742	457	0	0
0 52	05	00	0	0	0	2,240	280
* 53	01	00	0	7,548	1,258	4,744	593
* 53	02	00	0	7,104	1,184	0	0
0 53	03	00	0	2,271	378	408	51
0 53	04	00	0	444	74	120	15
0 53	05	00	0	3,216	536		

JUSTICE COURT CASE VOLUME
CALENDAR YEAR 1976

PA

CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
0 54	01	00	*				
0 54	02	00	0	2,130	355	112	14
0 54	03	00	0	3,969	661	80	10
0 54	04	00	0	1,890	315	30	3
* 54	05	01	0	4,740	790	3	0
0 54	05	02	0	14,568	2,428	4,428	553
0 55	01	00	0	14,112	2,352	280	35
0 55	02	00	0	6,984	1,164	0	0
0 55	03	00	0	0	0	16	2
0 55	04	00	0	11,460	1,910	0	0
* 55	05	00	0	18,126	3,021	304	38
0 56	01	00	0	3,066	511	158	19
* 56	02	00	0	1,500	250	0	0
0 56	03	00	0	2,892	482	470	58
0 56	04	00	0	2,232	372	6	0
0 56	05	00	0	830	138	8	1
* 57	01	00	0	2,598	433	11,120	1,390
0 57	02	00	*				
0 57	03	00	0	6,144	1,024	1,040	130
0 57	04	00	0	13,314	2,219	160	20
0 57	05	00	0	5,064	844	24	3
0 58	01	00	0	1,164	194	0	0
0 58	02	00	0	5,754	959	432	54
0 58	03	00	0	1,032	172	120	15
* 58	04	00	0	8,746	1,457	1,472	184
0 58	05	00	0	2,064	344	100	12
0 59	01	00	0	3,398	566	192	24
* 59	02	00	0	3,354	559	144	18
0 59	03	00	0	6,318	1,053	24	3
0 59	04	00	0	1,506	251	78	9
0 59	05	00	0	1,476	246	60	7
0 60	01	00	0	927	154	150	18
0 60	02	00	0	2,730	455	0	0
0 60	03	00	0	2,916	486	336	42
0 60	04	00	0	438	73	66	8
0 60	05	00	0	1,596	266	384	48
61	01	00	0	15,300	2,550	1,673	209
61	02	00	0	17,940	2,990	4,920	615
61	03	00	0	5,274	879	5,130	641
61	04	00	0	20,523	3,420	2,760	345
61	05	00	0	7,398	1,233	1,568	196
62	01	00	0	6,354	1,059	4,106	513
62	02	00	0	4,320	720	1,472	184
62	03	00	0	4,890	815	928	116
62	04	00	0	1,230	205	1,245	155
62	05	00	0	3,114	519	1,328	166

JUSTICE COURT CASE VOLUME
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CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
* 63	01	00	0	1,517	252	86	10
0 63	02	00	0	2,218	369	272	34
0 63	03	00	0	48	8	616	77
0 63	04	00	0	318	53	248	31
0 63	05	00	0	408	68	125	15
0 64	01	00	0	9,648	1,608	745	93
0 64	02	00	0	2,150	358	0	0
0 64	03	00	0	5,756	959	780	97
0 64	04	00	0	3,187	531	710	88
* 64	05	00	0	3,378	563	400	50
* 65	01	00	0	1,870	311	306	38
0 65	02	00	0	443	73	136	17
0 65	03	00	0	2,232	372	1,820	227
0 65	04	00	0	1,027	171	167	20
0 65	05	00	0	618	103	96	12
0 66	01	00	0	2,328	388	0	0
0 66	02	00	0	2,994	499	0	0
0 66	03	00	0	3,000	500	0	0
0 66	04	00	0	1,776	296	105	13
* 66	05	00	0	1,456	242	80	10
0 67	01	00	0	1,887	314	414	51
0 67	02	00	0	3,822	637	2,944	368
* 67	03	00	0	5,514	919	4,160	520
0 67	04	00	0	6,909	1,151	1,192	149
0 67	05	00	0	3,792	632	365	45
0 68	01	00	0	305	50	195	24
* 68	02	00	0	3,414	569	2,172	271
0 68	03	00	0	390	65	288	36
0 68	04	00	0	373	62	344	43
0 68	05	00	0	3,220	536	518	64
0 69	01	00	0	654	109	98	12
0 69	02	00	0	1,008	168	248	31
* 69	03	00	0	3,534	589	192	24
0 69	04	00	0	8,923	1,487	224	28
0 69	05	00	0	1,818	303	210	26
0 70	01	00	0	3,824	637	0	0
0 70	02	00	0	2,010	335	0	0
0 70	03	00	0	1,929	321	720	90
0 70	04	00	0	1,036	172	246	30
* 70	05	00	0	3,024	504	3,040	380
0 71	01	00	0	4,872	812	0	0
0 71	02	00	0	4,186	697	12	1
0 71	03	00	0	1,850	308	24	3
0 71	04	00	0	1,758	293	0	0
* 71	05	00	0	1,412	235	0	0
0 72	01	00	0	2,256	376	0	0

JUSTICE COURT CASE VOLUME
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PAGE

CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
0 72	02	00	0	7,266	1,211	80	10
* 72	03	00	0	4,392	732	125	15
0 72	04	00	0	0	0	0	0
0 72	05	00	0	1,938	323	7	0
0 73	01	00	0	1,878	313	290	36
* 73	02	00	0	2,100	350	300	37
0 73	03	00	0	4,614	769	1,040	130
0 73	04	00	0	2,574	429	800	100
0 73	05	00	0	0	0	491	61
* 74	01	00	0	0	0	480	60
0 74	02	00	0	4,800	800	0	0
0 74	03	00	0	576	96	54	6
0 74	04	00	0	775	129	0	0
0 74	05	00	0	400	66	63	7
* 75	01	00	0	15,300	2,550	13,760	1,720
0 75	02	00	0	3,262	543	225	28
0 75	03	00	0	2,916	486	4,760	595
* 75	04	00	0	6,444	1,074	3,020	377
0 75	05	00	0	5,664	944	304	38
0 76	01	00	0	1,480	246	42	5
0 76	02	00	0	4,752	792	13,234	1,654
0 76	03	00	0	10,662	1,777	0	0
* 76	04	00	0	9,810	1,635	4,702	587
* 76	05	00	0	5,928	988	24,694	3,086
0 77	01	00	0	3,000	500	48	6
0 77	02	00	0	1,614	269	0	0
0 77	03	00	0	1,164	194	0	0
* 77	04	00	0	3,828	638	56	7
0 77	05	00	0	1,350	225	75	9
0 78	01	00	0	1,038	173	150	18
0 78	02	00	0	786	131	88	11
* 78	03	00	0	1,864	310	8	1
0 78	04	00	0	3,363	560	0	0
0 78	05	00	0	858	143	40	5
0 79	01	00	0	1,164	194	48	6
0 79	02	00	0	264	44	92	11
0 79	03	00	*				
* 79	04	00	0	1,388	231	0	0
0 79	05	00	0	6,000	1,000	130	16
* 80	01	00	0	1,308	218	0	0
0 80	02	00	0	2,520	420	600	75
0 80	03	00	0	3,036	506	392	49
0 80	04	00	0	2,652	442	0	0
0 80	05	00	0	2,796	466	184	23
0 81	01	00	0	840	140	136	17
0 81	02	00	0	0	0	308	38

JUSTICE COURT CASE VOLUME PAGE
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CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
0	81	03	00	0	1,330	221	223
*	81	04	00	0	8,814	1,469	656
0	81	05	00	0	3,000	500	173
0	82	01	00	0	1,986	331	602
0	82	02	00	0	2,250	375	1,575
*	82	03	00	0	4,770	795	4,056
0	82	04	00	0	591	98	240
0	82	05	00	0	158	26	184
					1895,503	315,859*	664,560
							82,997*

*
The case volume data were computed by dividing the case fee totals by the appropriate fee (criminal = \$6, civil = \$8); however, for ease of computation any decimals were truncated. Hence, any difference from an exact division. This approach was taken to effect savings in computer cost and the potential variances are considered insignificant.

JUSTICE COURT CASE VOLUME PAGE
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CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
*	01	04	00	0	150	25	3,031
0	01	01	00	0	6,972	1,162	1,008
0	01	02	00	0	4,764	794	136
0	01	03	00	0	2,620	436	666
0	01	05	00	0	11,652	1,942	192
0	02	01	00	0	0	0	0
0	02	02	00	0	3,576	596	40
*	02	03	00	0	3,360	560	200
0	02	04	00	0	6,000	1,000	150
*	02	05	00	0	2,238	373	224
*	03	01	00	0	1,374	229	456
0	03	02	00	0	4,314	719	144
0	03	03	00	0	1,017	169	80
*	03	04	00	0	7,614	1,269	48
0	03	05	00	0	597	99	66
*	04	01	00	0	5,682	947	1,094
0	04	03	00	0	948	158	12
*	04	04	00	0	3,936	656	80
0	04	05	00	0	1,182	197	72
0	05	01	00	0	2,280	380	0
*	05	02	00	0	9,019	1,503	96
0	05	03	00	0	390	65	0
0	05	04	00	0	10	1	0
*	05	05	00	0	1,716	286	24
0	06	01	00	0	6,972	1,162	1,328
0	06	02	00	0	1,711	285	6,752
*	06	03	00	0	384	64	192
*	06	04	00	0	4,511	751	11,485
0	06	05	00	0	10,608	1,768	4,599
0	07	01	00	0	234	39	0
*	07	02	00	0	738	123	0
0	07	03	00	0	1,761	293	358
0	07	04	00	0	0	0	105
0	07	05	00	0	854	142	360
0	08	01	00	0	556	92	320
*	08	02	00	0	2,328	388	112
0	08	03	00	0	240	40	192
0	08	04	00	0	6,801	1,133	360
*	08	05	00	0	5,904	984	488
*	09	01	00	0	5,262	877	5,656
0	09	02	00	0	5,544	924	128
0	09	03	00	0	5,094	849	3,088
*	09	04	00	0	2,556	426	60
0	09	05	00	0	3,552	592	260

JUSTICE COURT CASE VOLUME
CALENDAR YEAR 1977

PAGE

CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
0	10	01	00	946	157	28	3
C	10	02	00	610	101	130	16
0	10	03	00	*			
0	10	04	00	0	0	0	0
*	10	05	00	4,365	727	102	12
*	11	01	00	894	149	196	24
0	11	02	00	2,670	445	378	47
0	11	03	00	0	0	1,847	230
C	11	04	00	894	149	312	39
C	11	05	00	432	72	64	8
0	12	01	00	1,837	306	1,600	200
0	12	02	00	3,036	506	84	10
*	12	03	00	6,462	1,077	2,456	307
0	12	04	00	1,380	230	320	40
*	12	05	00	876	146	112	14
0	13	01	00	3,687	614	784	98
0	13	02	00	2,376	396	250	31
*	13	03	00	3,024	504	4,500	562
0	13	04	00	1,068	178	896	112
0	13	05	00	4,011	668	322	40
*	14	01	00	13,068	2,178	7,232	904
0	14	02	00	4,674	779	42	5
0	14	03	00	6,942	1,157	182	22
*	14	04	00	2,394	399	1,992	249
0	14	05	00	2,202	367	0	0
0	15	01	00	6,785	1,130	800	100
0	15	02	00	8,058	1,343	480	60
0	15	03	00	9,096	1,516	30	3
*	15	04	00	3,864	644	2,584	323
0	15	05	00	3,996	666	524	65
0	16	01	00	1,926	321	160	20
0	16	02	00	7,344	1,224	264	33
*	16	03	00	3,684	614	2,000	250
0	16	04	00	5,880	980	800	100
0	16	05	00	1,314	219	784	98
0	17	01	01	0	0	80	10
C	17	01	02	5,154	859	48	6
0	17	02	01	12,826	2,137	512	64
*	17	02	02	6,978	1,163	300	37
0	17	03	01	1,938	323	200	25
C	17	03	02	4,992	832	0	0
0	17	04	01	1,896	316	0	0
*	17	04	02	17,772	2,962	8,000	1,000
0	17	05	01	5,480	913	140	17
0	17	05	02	*			
*	18	01	00	11,667	1,944	2,248	281

JUSTICE COURT CASE VOLUME
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CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
0	18	02	00	15,396	2,566	1,248	156
0	18	03	00	4,428	738	4,744	593
*	18	04	00	19,644	3,274	5,964	745
0	18	05	00	6,324	1,054	828	103
C	19	01	00	6,540	1,090	24	3
0	19	02	00	1,527	254	100	12
0	19	03	00	1,248	208	250	31
0	19	04	00	1,926	321	40	5
*	19	05	00	0	0	2,176	272
0	20	01	00	0	0	1,040	130
0	20	02	00	942	157	310	38
0	20	03	00	*			
*	20	04	00	2,382	397	500	62
0	20	05	00	1,482	247	680	85
*	21	01	00	1,056	176	88	11
0	21	02	00	378	63	88	11
0	21	03	00	324	54	24	3
0	21	04	00	432	72	0	0
0	21	05	00	468	78	118	14
*	22	01	00	10,776	1,796	9,696	1,212
0	22	02	00	4,902	817	72	9
0	22	03	00	1,032	172	0	0
C	22	04	00	3,450	575	28	3
0	22	05	00	8,964	1,494	78	9
0	23	01	00	8,334	1,389	0	0
0	23	02	00	12,232	2,038	0	0
0	23	03	00	6,318	1,053	0	0
*	23	04	00	7,954	1,325	35	4
0	23	05	00	750	125	336	42
0	24	01	00	5,784	964	2,840	355
*	24	02	00	20,928	3,488	4,559	619
0	24	03	00	21,492	3,582	3,705	463
0	24	04	00	18,564	3,094	3,664	458
0	25	01	01	7,038	1,173	6,330	791
0	25	01	02	7,494	1,249	4,827	603
*	25	02	00	552	92	36,700	4,587
0	25	02	01	10,878	1,813	11,294	1,411
0	25	03	01	1,104	184	18,939	2,367
0	25	04	01	6,744	1,124	14,187	1,773
0	25	04	02	8,934	1,489	7,250	906
*	25	05	00	11,520	1,920	2,904	363
0	25	05	01	21,116	3,519	0	0
0	25	05	02	6,312	1,052	19,958	2,499
0	26	01	00	2,220	370	176	22
0	26	02	00	7,272	1,212	30	3
*	26	03	00	2,544	424	23,034	2,879

JUSTICE COURT CASE VOLUME
CALENDAR YEAR 1977

PAGE

CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
0 26	03	00	0	19,308	3,218	120	15
* 26	04	00	0	1,710	285	1,200	150
C 26	05	00	0	5,214	869	416	52
* 27	01	00	0	2,994	499	2,232	279
0 27	02	00	0	666	111	360	45
C 27	03	00	0	0	0	240	30
C 27	04	00	0	426	71	707	88
0 27	05	00	0	0	0	0	0
0 28	01	00	*				
C 28	02	00	0	366	61	0	0
* 28	03	00	0	108	18	21	2
0 28	04	00	0	0	0	48	6
0 28	05	00	0	804	134	0	0
* 29	01	00	0	2,136	356	300	37
C 29	02	00	0	1,776	296	0	0
0 29	03	00	0	2,556	426	256	32
C 29	04	00	0	3,474	579	912	114
0 29	05	00	*				
C 30	01	00	0	14,603	2,423	1,008	126
* 30	02	00	0	4,092	682	4,008	501
C 30	03	00	0	2,058	343	20,676	2,584
0 30	04	00	0	1,218	203	492	61
* 30	05	00	0	25,938	4,323	36,168	4,521
0 31	01	00	0	1,158	193	348	43
C 31	02	00	0	2,586	431	448	56
0 31	03	00	0	2,208	368	0	0
C 31	04	00	0	0	0	210	26
* 31	05	00	0	1,986	331	1,088	136
* 32	01	00	0	3,611	601	96	12
0 32	01	00	0	492	82	0	0
0 32	02	00	0	0	0	0	0
0 32	03	00	0	785	130	0	0
0 32	04	00	0	0	0	0	0
* 33	01	00	0	2,322	387	1,192	149
0 33	02	00	0	1,916	319	64	8
0 33	03	00	0	1,132	188	0	0
0 33	04	00	0	1,290	215	400	50
0 33	05	00	0	0	0	80	10
* 34	01	00	0	1,632	272	4,315	539
* 34	02	00	0	11,379	1,896	2,160	270
0 34	03	00	0	11,280	1,880	2,112	264
0 34	04	00	0	10,746	1,791	2,569	321
0 34	05	00	0	15,168	2,528	1,400	175
0 35	01	00	0	7,042	1,173	18	2
C 35	02	00	0	4,842	807	0	0
0 35	03	00	0	624	104	48	6

JUSTICE COURT CASE VOLUME
CALENDAR YEAR 1977

PAGE

CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
0 35	04	00	0	1,242	207	32	4
* 35	05	00	0	468	78	294	36
0 36	01	00	0	708	118	272	34
* 36	02	00	0	3,762	627	3,312	414
* 36	03	00	0	1,914	319	616	77
0 36	04	00	0	6,360	1,060	2,184	273
C 36	05	00	0	3,048	508	408	51
* 37	01	00	0	5,778	963	600	75
C 37	02	00	0	5,760	960	320	40
C 37	03	00	0	768	128	0	0
C 37	04	00	0	12,144	2,024	88	11
0 37	05	00	0	0	0	80	10
* 38	01	00	0	22,658	3,776	7,675	959
0 38	02	00	0	16,606	2,767	3,176	397
* 38	03	00	0	12,156	2,026	864	108
0 38	04	00	0	21,666	3,611	5,848	731
C 38	05	00	0	13,194	2,199	3,749	468
C 39	01	00	0	2,496	416	16	2
C 39	02	00	0	3,480	580	328	41
* 39	03	00	*				
* 39	04	00	0	1,796	299	34	4
C 39	05	00	0	648	108	232	29
C 40	01	00	0	6,138	1,023	416	52
0 40	02	00	0	2,664	444	720	90
* 40	03	00	0	8,260	1,376	3,482	435
0 40	04	00	0	2,256	376	120	15
0 40	05	00	0	930	155	208	26
0 41	01	00	0	5,931	988	1,400	175
0 41	02	00	0	12,649	2,108	4,320	540
0 41	03	00	0	9,045	1,507	8,925	1,115
* 41	04	00	0	4,483	747	11,208	1,401
* 41	05	00	0	8,314	1,385	11,216	1,402
0 42	01	00	0	7,978	1,329	812	101
0 42	02	00	0	6,846	1,141	1,304	163
* 42	03	00	0	1,260	210	18,778	2,347
0 42	04	00	0	3,726	621	720	90
C 42	05	00	0	6,600	1,100	660	82
* 43	01	00	0	8,008	1,334	50	6
C 43	02	00	0	6,408	1,068	30	3
0 43	03	00	0	3,164	527	24	3
C 43	04	00	0	8,760	1,460	0	0
0 43	05	00	0	2,772	462	745	93
0 44	01	00	0	0	0	5,768	721
* 44	02	00	0	22,590	3,765	8,312	1,039
C 44	03	00	0	16,458	2,743	6,400	800
C 44	04	00	0	4,719	786	64	8

JUSTICE COURT CASE VOLUME
CALENDAR YEAR 1977

PAGE

CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
0 44	05	00	0	27,108	4,518	2,152	269
* 45	01	00	0	17,640	2,940	5,400	675
* 45	02	00	0	9,552	1,592	784	98
0 45	03	00	0	22,404	3,734	956	119
0 45	04	00	0	1,542	257	0	0
0 45	05	00	0	0	0	162	20
0 46	01	00	0	2,850	475	270	33
0 46	02	00	0	3,972	662	103	12
0 46	03	00	0	6,834	1,139	444	55
0 46	04	00	0	3,690	615	60	7
* 46	05	00	0	0	0	1,136	142
0 47	01	00	0	10,535	1,755	0	0
0 47	02	00	0	10,698	1,783	0	0
* 47	03	00	0	0	0	7,572	946
0 47	04	00	0	889	148	0	0
0 47	05	00	0	6,283	1,047	180	22
0 48	01	00	0	3,540	590	3,680	460
0 48	02	00	0	3,342	557	1,632	204
* 48	03	00	0	0	0	2,618	327
0 48	04	00	0	8,628	1,438	3,200	400
0 48	05	00	0	5,731	955	2,376	297
0 49	01	00	0	612	102	160	20
* 49	02	00	0	13,580	2,263	500	62
0 49	03	00	0	2,566	427	400	50
0 49	04	00	0	2,430	405	56	7
0 49	05	00	0	1,170	195	384	48
0 50	01	00	0	7,752	1,292	412	51
* 50	02	00	0	3,872	645	975	121
0 50	03	00	0	4,542	757	508	63
0 50	04	00	0	1,248	208	64	8
0 50	05	00	0	5,526	921	190	23
0 51	01	00	0	4,632	772	696	87
0 51	02	00	0	3,996	666	150	18
0 51	03	00	0	3,523	587	768	96
0 51	04	00	0	8,060	1,343	760	95
* 51	05	00	0	4,717	786	874	109
0 52	01	00	*				
0 52	02	00	0	4,848	808	40	5
* 52	03	00	0	0	0	1,184	148
0 52	04	00	0	0	0	0	0
0 52	05	00	0	0	0	645	80
* 53	01	00	0	7,254	1,209	1,968	246
* 53	02	00	0	9,486	1,581	5,360	670
0 53	03	00	0	4,032	672	64	8
0 53	04	00	0	132	22	88	11
0 53	05	00	0	3,504	584	235	29

JUSTICE COURT CASE VOLUME
CALENDAR YEAR 1977

PAGE

CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
0 54	01	00	0	1,800	300	119	14
0 54	02	00	0	2,286	381	384	48
0 54	03	00	0	4,956	826	160	20
0 54	04	00	*				
* 54	05	01	0	588	98	500	62
* 54	05	02	0	15,880	2,646	3,400	425
0 55	01	00	0	9,536	1,589	160	20
0 55	02	00	0	3,300	550	0	0
0 55	03	00	0	10,806	1,801	391	48
0 55	04	00	0	5,628	938	204	25
* 55	05	00	0	14,598	2,433	1,232	154
0 56	01	00	0	798	133	0	0
* 56	02	00	0	1,566	261	21	2
0 56	03	00	0	1,920	320	60	7
0 56	04	00	0	188	31	0	0
0 56	05	00	0	346	57	8	1
* 57	01	00	0	2,430	405	10,032	1,254
0 57	02	00	0	15,102	2,517	450	56
0 57	03	00	0	6,306	1,051	1,952	244
0 57	04	00	0	15,450	2,575	180	22
0 57	05	00	0	6,528	1,088	56	7
0 58	01	00	0	1,428	238	0	0
0 58	02	00	0	7,224	1,204	306	38
0 58	03	00	0	744	124	150	18
* 58	04	00	0	7,386	1,231	1,560	195
0 58	05	00	0	1,104	184	72	9
0 59	01	00	0	3,493	582	160	20
* 59	02	00	0	2,682	447	540	67
0 59	03	00	0	6,270	1,045	40	5
0 59	04	00	0	1,098	183	48	6
0 59	05	00	0	2,394	399	128	16
0 60	01	00	0	486	81	162	20
0 60	02	00	0	3,048	508	0	0
* 60	03	00	0	3,652	608	1,008	126
0 60	04	00	*				
0 60	05	00	0	1,260	210	560	70
0 61	01	00	0	24,246	4,041	1,552	194
0 61	02	00	0	13,122	2,187	2,696	337
* 61	03	00	0	5,556	926	3,000	375
0 61	04	00	0	13,806	2,301	2,952	369
0 61	05	00	0	0	0	2,126	265
* 62	01	00	0	5,199	866	4,560	570
* 62	02	00	0	6,186	1,031	1,640	205
0 62	03	00	0	5,424	904	976	122
0 62	04	00	0	942	157	911	113
0 62	05	00	0	2,478	413	1,384	173

JUSTICE COURT CASE VOLUME PAGE
CALENDAR YEAR 1977

CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
* 63	01	00	0	1,278	213	656	82
0 63	02	00	0	2,898	483	216	27
0 63	03	00	*				
0 63	04	00	0	889	148	112	14
0 63	05	00	0	348	58	56	7
0 64	01	00	0	18,012	3,002	520	65
0 64	02	00	0	3,072	512	780	97
0 64	03	00	0	9,696	1,616	648	81
0 64	04	00	0	7,435	1,239	1,080	135
* 64	05	00	0	2,526	421	1,200	150
* 65	01	00	0	2,430	405	256	32
0 65	02	00	0	162	27	70	8
0 65	03	00	*				
0 65	04	00	0	1,050	175	800	100
0 65	05	00	0	0	0	32	4
0 66	01	00	0	4,951	825	0	0
0 66	02	00	0	6,828	1,138	0	0
0 66	03	00	0	0	0	48	6
0 66	04	00	0	1,668	278	75	9
* 66	05	00	0	1,292	215	80	10
0 67	01	00	0	2,186	364	815	101
0 67	02	00	0	4,398	733	3,877	484
* 67	03	00	0	4,278	713	5,489	686
0 67	04	00	0	4,344	724	832	104
0 67	05	00	0	0	0	465	58
0 68	01	00	0	510	85	56	7
* 68	02	00	0	3,703	617	3,744	468
0 68	03	00	0	294	49	96	12
0 68	04	00	0	588	98	848	106
0 68	05	00	0	3,636	606	665	83
0 69	01	00	0	756	126	0	0
0 69	02	00	0	1,842	307	408	51
* 69	03	00	0	0	0	4,210	526
0 69	04	00	0	8,640	1,440	419	52
0 69	05	00	0	1,428	238	352	44
0 70	01	00	0	3,660	610	0	0
0 70	02	00	*				
0 70	03	00	0	3,900	650	240	30
0 70	04	00	0	1,166	194	259	32
* 70	05	00	0	3,204	534	1,720	215
0 71	01	00	0	7,329	1,221	0	0
0 71	02	00	0	4,497	749	24	3
0 71	03	00	0	2,148	358	0	0
0 71	04	00	0	2,671	445	0	0
* 71	05	00	0	978	163	88	11
0 72	01	00	0	2,988	498	0	0

JUSTICE COURT CASE VOLUME PAGE
CALENDAR YEAR 1977

CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
0 72	02	00	0	7,392	1,232	90	11
* 72	03	00	0	3,210	535	80	10
0 72	04	00	0	0	0	0	0
0 72	05	00	0	1,764	294	0	0
0 73	01	00	0	2,886	481	160	20
* 73	02	00	0	3,300	550	250	31
0 73	03	00	0	6,318	1,053	800	100
0 73	04	00	0	3,162	527	0	0
0 73	05	00	0	0	0	306	38
* 74	01	00	0	2,238	373	36	4
0 74	02	00	0	4,875	812	60	7
0 74	03	00	0	366	61	84	10
0 74	04	00	0	780	130	0	0
0 74	05	00	0	1,020	170	133	16
* 75	01	00	0	14,106	2,351	9,008	1,126
0 75	02	00	0	4,032	672	176	22
0 75	03	00	0	3,456	576	4,400	550
* 75	04	00	0	10,454	1,742	3,244	405
0 75	05	00	0	4,251	708	1,456	182
0 76	01	00	*				
0 76	02	00	0	6,810	1,135	19,022	2,377
0 76	03	00	0	8,620	1,436	0	0
* 76	04	00	0	8,430	1,405	3,784	473
* 76	05	00	0	6,222	1,037	22,958	2,869
0 77	01	00	0	2,015	335	48	6
0 77	02	00	0	2,890	481	0	0
0 77	03	00	0	1,816	302	0	0
* 77	04	00	0	3,264	544	184	23
0 77	05	00	0	2,100	350	48	6
0 78	01	00	0	864	144	60	7
0 78	02	00	0	0	0	0	0
* 78	03	00	0	2,154	359	0	0
0 78	04	00	0	3,930	655	0	0
0 78	05	00	0	1,056	176	8	1
0 79	01	00	0	1,802	300	120	15
0 79	02	00	0	282	47	96	12
0 79	03	00	*				
* 79	04	00	0	1,321	220	40	5
0 79	05	00	0	3,972	662	64	8
* 80	01	00	0	0	0	450	56
0 80	02	00	0	2,412	402	507	63
0 80	03	00	0	2,046	341	748	93
0 80	04	00	0	1,452	242	42	5
0 80	05	00	0	3,060	510	720	90
0 81	01	00	0	1,404	234	664	83
0 81	02	00	*				

JUSTICE COURT CASE VOLUME
CALENDAR YEAR 1977

CNTY	DIST	PST	N/A	CRIMINAL CASE FEES	CASE VOLUME	CIVIL CASE FEES	CASE VOLUME
C 81	03	00	0	1,098	183	286	35
* 81	04	00	0	8,634	1,439	440	55
C 81	05	00	0	3,000	500	65	8
C 82	01	00	0	2,058	343	616	77
C 82	02	00	0	4,668	778	810	101
* 82	03	00	0	5,760	960	5,736	717
C 82	04	00	0	288	48	280	35
C 82	05	00	0	180	30	224	28
				1,876,338	312,685*	682,990	85,308*

*
The case volume data were computed by dividing the case fee totals by the appropriate fee (criminal = \$6, civil = \$8); however, for ease of computation any decimals were truncated. Hence, any difference from an exact division. This approach was taken to effect savings in computer cost and the potential variances are considered insignificant.

APPENDIX B:
POST-JUDGMENT ACTIONS

POST JUDGEMENT ACTIONS				PAGE	
COUNTY CODE	DIST CODE	PRE-JUDGE ACTIONS	POST JUDGE ACTIONS	TOTAL CIVIL	PERCENT OF P/J
001	04	348	031	379	.081
002	03	025	000	000	.000
002	05	028	010	038	.263
003	01	062	000	062	.000
003	04	000	000	008	.000
004	01	136	000	136	.000
004	04	010	000	000	.000
005	02	012	000	012	.000
005	05	270	030	300	.100
006	03	017	015	032	.468
006	04	1,079	357	1,436	.248
007	02	000	000	000	.000
008	02	012	001	013	.076
008	05	055	006	061	.098
009	01	563	313	879	.356
009	04	010	001	011	.090
010	05	014	000	014	.000
011	01	024	000	024	.000
012	03	206	105	311	.337
012	05	000	000	000	.000
013	03	533	104	637	.163
014	01	737	170	907	.187
014	04	209	042	251	.167
015	04	238	085	000	.000

POST JUDGEMENT ACTIONS						PAGE	2
COUNTY CODE	DIST CODE	PRE-JUDGE ACTIONS	POST JUDGE ACTIONS	TOTAL CIVIL	PERCENT OF P/J		
016	03	265	047	312	.150		
017	02	000	000	000	.000		
017	04	029	003	031	.096		
018	01	372	070	442	.158		
018	04	508	293	801	.365		
019	05	272	000	272	.000		
020	04	058	007	063	.111		
021	01	009	002	011	.181		
022	01	809	402	1,211	.331		
023	04	004	000	004	.000		
024	02	456	163	619	.263		
024	05	340	047	387	.121		
025	02	748	3,839	4,587	.836		
025	03	1,945	718	2,663	.269		
026	04	123	027	150	.180		
027	01	005	004	279	.014		
028	03	003	000	003	.000		
029	01	067	000	067	.000		
030	02	535	044	579	.075		
030	05	3,086	1,036	4,122	.251		
031	05	089	032	121	.264		
032	05	010	006	016	.375		
033	01	164	008	172	.046		
034	01	321	115	436	.263		

POST JUDGEMENT ACTIONS						PAGE	3
COUNTY CODE	DIST CODE	PRE-JUDGE ACTIONS	POST JUDGE ACTIONS	TOTAL CIVIL	PERCENT OF P/J		
034	02	216	053	269	.197		
035	05	027	009	036	.250		
036	02	544	005	549	.009		
036	03	057	022	079	.278		
037	01	076	008	084	.095		
038	01	1,292	379	1,671	.226		
038	03	099	004	103	.038		
039	04	003	000	003	.000		
040	03	000	000	435	.000		
041	01	1,343	696	2,039	.341		
041	04	1,085	205	1,290	.158		
042	03	000	617	2,344	.263		
043	01	007	000	007	.000		
044	02	510	275	785	.350		
045	01	674	160	834	.191		
045	02	000	000	000	.000		
046	15	000	022	142	.154		
047	03	000	000	000	.000		
048	03	421	072	493	.146		
049	02	042	021	063	.333		
050	02	010	000	010	.000		
051	05	076	023	099	.232		
052	03	137	015	153	.098		
053	01	242	106	348	.304		

POST JUDGEMENT ACTIONS						PAGE
COUNTY CODE	DIST CODE	PRE-JUDGE ACTIONS	POST JUDGE ACTIONS	TOTAL CIVIL	PERCENT OF P/J	
053	02	559	192	751	.255	
054	05	485	115	600	.191	
054	05	062	000	062	.000	
055	05	150	002	152	.013	
056	02	000	000	000	.000	
057	01	962	292	1,254	.232	
058	04	098	097	195	.497	
059	02	050	017	067	.253	
060	03	097	029	126	.230	
061	03	231	062	293	.211	
062	01	437	131	568	.230	
063	01	109	000	109	.000	
064	05	100	050	150	.333	
065	01	032	000	032	.000	
066	05	010	000	010	.000	
067	03	204	331	535	.618	
068	02	394	074	468	.158	
069	03	000	000	000	.000	
070	05	216	000	216	.000	
071	05	000	000	000	.000	
072	03	009	001	010	.100	
073	02	031	000	031	.000	
074	01	005	000	005	.000	
075	01	587	432	1,019	.423	

POST JUDGEMENT ACTIONS						PAGE
COUNTY CODE	DIST CODE	PRE-JUDGE ACTIONS	POST JUDGE ACTIONS	TOTAL CIVIL	PERCENT OF P/J	
075	04	231	000	231	.000	
076	04	235	243	478	.508	
076	05	2,392	488	2,870	.170	
077	04	020	003	023	.130	
078	03	003	000	003	.000	
079	04	005	000	005	.000	
080	01	059	000	059	.000	
081	04	042	005	047	.106	
082	03	732	166	898	.184	
		30,214	13,555	45,962		

APPENDIX C:
RELATIONSHIP OF SAMPLE COURTS
TO COUNTY SEAT

RELATIONSHIP OF COURT TO COUNTY SEAT					PAGE
COUNTY CODE	DIST. CODE	AT COUNTY SEAT	W/15 MILES	W/25 MILES	
001	04	X			
002	03	X			
002	05	X			
003	01	X			
003	04	X			
004	01	X			
004	04		X		
005	02			X	
005	05			X	
006	03		X		
006	04	X			
007	02		X		
008	02	X			
008	05	X			
009	01	X			
009	04	X			
010	05	X			
011	01	X			
012	03		X		
012	05		X		
013	03	X			
014	01	X			
014	04	X			
015	04		X		

RELATIONSHIP OF COURT TO COUNTY SEAT					PAGE
COUNTY CODE	DIST. CODE	AT COUNTY SEAT	W/15 MILES	W/25 MILES	
016	03	X			
017	02				DATA NOT AVAIL
017	04		X		
018	01	X			
018	04	X			
019	05		X		
020	04	X			
021	01	X			
022	01	X			
023	04		X		
024	02	X			
024	05	X			
025	02	X			
025	03	X			
026	04		X		
027	01	X			
028	03		X		
029	01	X			
030	02	X			
030	05	X			
031	05		X		
032	05		X		
033	01		X		
034	01		X		

RELATIONSHIP OF COURT TO COUNTY SEAT					PAGE
COUNTY CODE	DIST. CODE	AT COUNTY SEAT	W/15 MILES	W/25 MILES	
034	02		X		
035	05	X			
036	02	X			
036	03		X		
037	01	X			
038	01	X			
038	03		X		
039	04			X	
040	03		X		
041	01	X			
041	04	X			
042	03	X			
043	01	X			
044	02	X			
045	01	X			
045	02			X	
046	15	X			
047	03		X		
048	03	X			
049	02		X		
050	02	X			
051	05		X		
052	03	X			
053	01	X			

RELATIONSHIP OF COURT TO COUNTY SEAT					PAGE
COUNTY CODE	DIST. CODE	AT COUNTY SEAT	W/15 MILES	W/25 MILES	
053	02	X			
054	05	X			
054	05	X			
055	05			X	
056	02		X		
057	01		X		
058	04	X			
059	02	X			
060	03	X			
061	03		X		
062	01		X		
063	01	X			
064	05	X			
065	01	X			
066	05	X			
067	03	X			
068	02		X		
069	03		X		
070	05	X			
071	05			X	
072	03	X			
073	02	X			
074	01	X			
075	01	X			

[illegible]

END