MISSISSIPPI LEGISLATURE REGULAR SESSION 2019

By: Representative Watson To: Ways and Means

HOUSE BILL NO. 721

AN ACT TO AMEND SECTION 9-21-43, MISSISSIPPI CODE OF 1972, TO REQUIRE EACH CIRCUIT AND CHANCERY COURT TO REMIT FIFTEEN DOLLARS OF ANY MONIES IT COLLECTS FROM CRIMINAL AND CIVIL ACTIONS TO THE CIVIL LEGAL ASSISTANCE FUND; TO REQUIRE MONIES SO REMITTED TO THE CIVIL LEGAL ASSISTANCE FUND TO BE ALLOCATED TO THE MISSISSIPPI CENTER FOR LEGAL SERVICES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 9-21-43, Mississippi Code of 1972, is amended as follows:

9-21-43. (1) There is hereby created in the State Treasury a special fund designated as the Civil Legal Assistance Fund. The *** * *** fund shall be administered by the Supreme Court through the Administrative Office of Courts. The Administrative Office of Courts may also accept monies from any public or private source for deposit into the fund. Money remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned from the investment of monies in the fund shall be deposited to the credit of the *** * *** fund.

(2) All monies shall be allocated to only those organizations providing legal services to low income

Mississippians. Furthermore, no monies from this fund shall be expended to provide legal services in matters currently prohibited by the Legal Services Corporation, Washington, D.C., and no funds shall be expended on persons who are not financially eligible to receive legal services as directed by the Legal Services Corporation, Washington, D.C.

(3) The monies appropriated shall be distributed to eligible legal services programs based on the percentage of poverty population within the program service area, consistent with the formula used by the Legal Services Corporation.

(4) Monies appropriated to the fund may be used to promote increased participation by the private bar in the delivery of legal services to the indigent through the Mississippi Volunteer Lawyers Project.

(5) Recipients of funds shall have the following duties:

(a) To develop, operate and administer programs within their respective service areas that provide free legal services to indigent clients involved in civil matters;

(b) To report annually to the Supreme Court, through the Administrative Office of Courts, on its activities, including providing a copy of its annual audit that accounts for the use of the funds; and

(c) To refund annually all unused or uncommitted funds.

(6) Each circuit and chancery court shall remit Fifteen Dollars ($15.00) of any monies the court collects from a criminal

or civil action to the Civil Legal Assistance Fund to be allocated to the Mississippi Center for Legal Services.

SECTION 2. This act shall take effect and be in force from and after July 1, 2019.

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ST: MS Center for Legal Services; require fifteen dollars collected from criminal and civil actions to be remitted to.