



Lynn Fitch
ATTORNEY GENERAL
OPINIONS AND POLICY

April 26, 2023

The Honorable James K. Littleton
County and Youth Court Judge, Leflore County
Post Office Box 1155
Greenwood, Mississippi 38935

Re: Court Reporter Salary for County and Youth Court

Dear Judge Littleton:

The Office of the Attorney General has received your request for an official opinion.

Question Presented

May a court reporter for a Mississippi county and youth court receive a salary exceeding \$64,000.00?

Brief Response

No. Read in conjunction, Mississippi Code Annotated Sections 9-13-19, 9-13-61, and 43-21-123 restrict a court reporter for a Mississippi county and youth court from receiving a salary exceeding \$64,000.00.

Applicable Law and Discussion

Section 9-13-19(1) provides, in part:

Court reporters for circuit and chancery courts may be paid an annual salary payable by the Administrative Office of Courts not to exceed Forty-nine Thousand Five Hundred Dollars (\$49,500.00) for court reporters with five (5) years' experience or less; not to exceed Fifty-eight Thousand Five Hundred Dollars (\$58,500.00) for court reporters who have more than five (5) years' experience but less than ten (10) years; and not to exceed Sixty-four Thousand Dollars (\$64,000[.100]) for court reporters who have ten (10) years or more experience. No amount of the increase in the maximum salary authorized by this section shall be paid from the State General Fund. The board of supervisors of any county is authorized to pay its court

reporters the applicable amount of the maximum salary authorized by this section.

Section 9-13-61 provides, in pertinent part:

Except as hereinafter provided, the reporters of [each county and family court judge] shall receive an annual salary of not less than Twenty-four Thousand Dollars (\$24,000.00) and may, at the discretion of the board of supervisors, receive a monthly salary equal to that of the reporter of the circuit court district wherein the county lies, the same to be paid monthly by the county out of its general fund.

In summary, presuming that the circuit or chancery court reporter has 10 years or more experience as set forth in Section 9-13-19(1), that section caps the annual salary payable to court reporters for circuit and chancery courts at \$64,000.00. Section 9-13-61 authorizes a county board of supervisors, in its discretion, to pay court reporters for county and family courts “a monthly salary *equal to that of the*” court reporter for the circuit court. (Emphasis added). Finally, Section 43-21-123 provides that the board of supervisors “shall adequately provide funds for the operation of the youth court division of the chancery court in conjunction with the regular chancery court budget, or the county or family courts where said courts are constituted.” Read together, these statutes restrict a court reporter for a Mississippi county and youth court from receiving a salary exceeding \$64,000.00.

The only statutory exception to the cap set forth in Section 9-13-19(1) is found in the continuation of that subsection pertaining to circuit and chancery clerks and applies to a court reporter performing the duties of the court administrator in that same judicial district. However, as stated therein, this exception only applies to court reporters for circuit and chancery courts.

If this office may be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

LYNN FITCH, ATTORNEY GENERAL

By: */s/ Maggie Kate Bobo*

Maggie Kate Bobo
Special Assistant Attorney General