

# Madison County Comptroller

## Memo

**To:** Madison County Board of Supervisors  
**From:** Na'Son S. White, Comptroller  
**cc:**  
**Date:** January 26, 2021  
**Re:** Pay Increases – MS Code 9-9-11(1) and MS Code 9-9-11(8)(b)

MS Code 9-9-11(8) also states from and after January 1, 2019, and every four (4) years thereafter, the annual salary in this subsection (8) shall be adjusted according to the level of compensation recommended by the State Personnel Board for county court judges in the board's most recent report on judicial salaries as required under Section 25-9-115, to the extent that sufficient funds are available. MS Code 25-9-115 states, "From and after November 1, 2017 and every four (4) years thereafter, the State Personnel shall prepare a written report to the Legislature that examines, evaluates, and recommends an adequate level of compensation for the justices of the Supreme Court, the judges of the Court of Appeals, the judges of the chancery and circuit courts, the judges of the county courts, judicial staff attorneys, and law clerks. The MS State Personnel Board delivered updated judicial salaries effective January 1, 2021 to the MS Legislature.

MS Code 9-9-11(1) states the county court judge shall receive an annual salary payable monthly out of the county treasury in an amount not to exceed one thousand dollars (\$1,000.00) less than the salary which is now or shall hereafter be provided for circuit and chancery judges of this state, **in the discretion of the board of supervisors of said county provided**, however, that the salary of such judge shall not be reduced during their term of office. Salaries for chancery and circuit judges were updated effective January 1, 2021. Judicial pay raises were authorized and funded by the State of Mississippi.

Please approve the following monthly rates of pay for the County Court Judges, effective January 1, 2021:

<u>Judge</u>	<u>Current Rate</u>	<u>Revised Rate</u>
Edwin Hannan	\$11,250.00	\$12,333.34
Staci O'Neal	\$11,250.00	\$12,333.34

The accompanying letter requesting reimbursement of this amount and related fringe benefit costs from the Administrative Office of Courts will need your approval should you concur with the pay increase.



## MADISON COUNTY BOARD OF SUPERVISORS

125 West North Street • Post Office Box 608  
Canton, Mississippi 39046  
601-855-5500 • Facsimile 601-855-5759  
[www.madison-co.com](http://www.madison-co.com)

January 26, 2021

Carol L. Allgood, Finance Director  
Administrative Office of Courts  
P O Box 117  
Jackson, MS 39205

Dear Ms. Allgood:

As requested, the information below relates to the County Court Judges' raise implemented by Madison County, Mississippi. With this letter, you should find a copy of the pay raise authorization as approved by the Board of Supervisors.

The current PERS employer contribution is 17.40% and the current social security matching is 7.65%.

Our County Court Judges are paid monthly.

Madison County has two (2) County Court Judges who are directly paid by the County. Costs associated with this raise are:

	<u>Per Judge</u>	<u>Total</u>
Gross Wage Increase	\$13,000.00	\$26,000.00
PERS Contribution (17.40%)	\$ 2,262.00	\$ 4,524.00
Social Sec/Medicare (7.65%)	\$ 994.50	\$ 1,989.00
Total	\$16,256.50	\$32,513.00

For two judges, calendar-year costs will be \$32,513.00. The increased cost is expected to be \$2,709.42 per month.

Please advise of any questions.

Sincerely,

Karl Banks, President  
Madison County Board of Supervisors



**SUPREME COURT OF MISSISSIPPI**

POST OFFICE BOX 117  
JACKSON, MISSISSIPPI 39208  
TELEPHONE (601) 359-3697

**MICHAEL K. RANDOLPH**  
CHIEF JUSTICE

**JAMES W. KITCHENS**  
**LESLIE D. KING**  
PRESIDING JUSTICES

**JOSIAH D. COLEMAN**  
**JAMES D. MAXWELL II**  
**DAWN H. BEAM**  
**ROBERT P. CHAMBERLIN**  
**DAVID M. ISHEE**  
**T. KENNETH GRIFFIS, JR.**  
JUSTICES

**HUBBARD T. SAUNDERS IV**  
COURT ADMINISTRATOR  
AND COUNSEL

December 21, 2020  
*Via Email and Hand Delivery*

**Kelly Hardwick, Executive Director**  
**Mississippi State Personnel Board**  
**210 East Capitol Street, Suite 800**  
**Jackson, MS 39201**

**Dear Director Hardwick,**

I write to follow up on our conference earlier this fall and confirm recent conversations regarding judicial salaries, as recommended by the Mississippi State Personnel Board. The establishment of judicial salaries, as indicated in your September 25, 2020 letter, is ultimately determined by the Judicial Branch, as long as those salaries do not exceed the recommendations made by the Mississippi State Personnel Board. Finally, confirming our discussion today, from this point forward, judicial salary recommendations will be on an annual basis.

Mississippi Code Section 23-9-115, effective date July 1, 2012, requires the Mississippi State Personnel Board to "prepare a written report to the Legislature that examines, evaluates and recommends an adequate level of compensation for the justices of the Supreme Court, the judges of the Court of Appeals, the judges of the chancery and circuit courts, the judges of the county courts, judicial staff attorneys, and law clerks." Further, Mississippi Code Section 25-3-35 declares that from January 2019 forward the annual salaries of justices and judges shall be fixed at the level of compensation recommended by the State Personnel Board according to the Board's most recent report on judicial salaries.

Page 2  
Dir. Hardwick  
December 21, 2020

We have been provided the Mississippi State Personnel Board's recommendations for fiscal year 2022 salaries. It would be premature to utilize these most recent recommendations since the salary increases the Judicial Branch is implementing shall be set to begin on January 1, 2021. We understand that the Mississippi State Personnel Board's prior recommendation for judicial salaries was as follows:

CHANCERY JUDGE	\$149,000.00
CIRCUIT JUDGE	\$149,000.00
COURT OF APPEALS-ASSOC JUDGE	\$158,670.76
COURT OF APPEALS-CHIEF JUDGE	\$161,684.72
SUPREME COURT, ASSOCIATE JUSTICE	\$166,803.31
SUPREME COURT, PRESIDING JUSTICE	\$169,633.21
SUPREME COURT, CHIEF JUSTICE	\$174,198.53

The Judicial Operations Fund is administered by the Court through the Administrative Office of Courts as codified in Mississippi Code Section 25-3-35. The Court and Administrative Office of Courts have confirmed with the Department of Finance and Administration that funds are available in the Judicial Operations Fund, as created by the Legislature in Mississippi Code Section 9-21-45 in 2010, to fully fund the Mississippi State Board's recommendations.

As Chief Justice, in my capacity as Chief Administrative Officer of all courts in the state, the salaries for judges and justices shall be as follows:

CHANCERY JUDGE	\$149,000.00
CIRCUIT JUDGE	\$149,000.00
COURT OF APPEALS-ASSOC JUDGE	\$158,500.00
COURT OF APPEALS-CHIEF JUDGE	\$161,500.00
SUPREME COURT, ASSOCIATE JUSTICE	\$166,500.00

Page 3  
Dir. Hardwick  
December 21, 2020

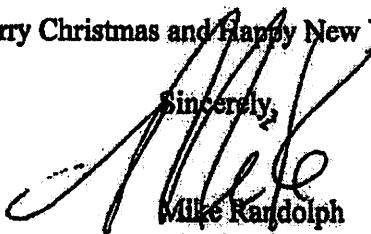
SUPREME COURT, PRESIDING JUSTICE	\$169,500.00
SUPREME COURT, CHIEF JUSTICE	\$174,000.00

Since 2017, the Mississippi State Personnel Board has prepared written reports, including January 2019 as provided in Mississippi Code Section 25-3-35. That date was selected by the Legislature to uniformly increase the trial judges's salaries, as they all would begin a new term of office at that time. Thus, the statutory requirement related to the commencement of the next immediately succeeding term of office is met. Utilizing any other date would result in judges and justices receiving disparate salaries while serving in the same office, which would be inconsistent with established practice, tradition, and custom.

You are directed to notify the Department of Finance and Administration that these salaries are effective January 1, 2021. You are further directed to instruct DFA to take such actions as necessary to assist the Administrative Office of Courts and the Finance Office of the Courts in effecting same.

I wish you a very Merry Christmas and Happy New Year.

Sincerely,



Mike Randolph  
Chief Justice

MKR/ks

cc: Carol Allgood, Finance Director of the Mississippi Supreme Court  
Lisa Counts, Deputy Director of Administrative Office of Courts