

POSITION: JUSTICE COURT DEPUTY CLERK

PRIMARY RESPONSIBILITIES: To serve as the clerk for the criminal court (with duties state below); and to assist the Court Clerk in all operations of the court; to have responsibility for preparing and depositing court monies; to assist the clerk in the Civil Division as needed.

SECONDARY ASSIGNMENTS: To assist the Judges, Attorneys, Officers, all other court personnel and the public.

DUTIES:

- (1) Receive criminal affidavits from all officers of the Court as well as from individuals.
- (2) Prepare warrants for Judge's signature.
- (3) Prepare file folder for each individual case - enclosing copy of affidavit (original) and a copy of warrant (if applicable).
- (4) Assign case to a Judge on a rotating basis as prescribed by law.
- (5) Enter case into the computer and record on docket. List on court agenda for respective Judge. File case in proper file.
- (6) Provide court agenda to each Judge.
- (7) Responsible for preparing criminal dockets for court - notifying parties involved by working with the Highway Patrol, attorneys, the county attorney, complainants, and Judges. (Defendants are bonded to appear but must be notified when a court date has been changed.
- (8) Responsible for assisting in the courtroom.
- (9) Responsible for recording all actions, pleadings, and other data as prescribed by law.
- (10) Responsible for seeing that all necessary process (warrant returns, subpoenas, etc.) is issued and recorded.
- (11) Responsible for doing necessary paper work and orders for defendants on work program and record fact sheets. Get waiver of rights signed, prepare MASEP orders, set up partial payments.

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- (12) Search and copy records as requested, issue certified copies, issue court abstracts, and corrected court abstracts.
- (13) Talk to people on the telephone, determine who they should talk to, answer questions, look up criminal and civil matters, and give requested information.
- (14) Issue 10 day notices and DR15 and also send suspension releases to Jackson.
- (15) Assist Judges.
- (16) Assist Clerk in civil matters. (Clerk will also assist you in criminal matters. Each will serve as a back-up for the other.)
- (17) Monthly reports:
 - (a) Disbursing criminal collections to the Chancery Clerk along with a recap of report.
 - (b) Compiling wildlife reports and copying records to attach.
 - (c) Compiling reports for payment of Constable's fees for service of process and turning report into Chancery Clerk for payment.
- (18) Assist in all general office duties.

The Justice Court Clerk and the Deputy Clerk will work as a unit and each will assist the other in all duties.

ETHICAL STANDARDS FOR JUSTICE COURT CLERKS

INTRODUCTION

Justice Court Clerks are employees of the court system, a public office in which citizens place confidence in the integrity of the system. All clerks shall carry out all duties assigned by law and regulations for the benefit of the people, and shall remain loyal to the principals in these ethical standards. They shall uphold the Constitution and laws of the United States and of the state of Mississippi, and never be a party to their evasion. Clerks shall always abide by these standards and shall always endeavor to expose corruption whenever and wherever discovered.

SECTION I: AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY

- A. Justice Court Clerks shall avoid impropriety and the appearance of impropriety in performance of all duties of the Clerk.
- B. The Clerk shall maintain personal integrity, and shall avoid any activity that would reflect adversely upon the court.

SECTION II: ABUSE OF POSITION

- A. No Justice Court Clerk shall use or attempt to use his or her official position to secure unwarranted privileges for himself, herself, or others.
- B. No Clerk shall solicit or accept any gift, favor, or anything of value based on an understanding, explicit or implied, that the official actions, decisions, or judgment of the Clerk or any judge would be influenced thereby.
- C. Clerks shall treat everyone who comes into the office of the Justice Court equally. No Clerk shall discriminate by dispensing special favors or privileges to anyone, including family members, friends, or people in other government or influential positions.
- D. No Clerk shall request or accept any fee or compensation beyond that received by the Clerk in his or her official capacity, for advice or assistance given in the course of his or her public employment.
- E. Each Clerk shall use the resources, property, and funds under his or her official control carefully and solely in accordance with authorized procedures. Clerks shall not use supplies, equipment, or other office resources for personal matters.

SECTION III: CONFIDENTIALITY

- A. No Clerk shall disclose to any unauthorized person any confidential information acquired in the course of employment, or acquired through unauthorized disclosure by another.
- B. Confidential information includes, but is not limited to, information on pending cases that is not already a matter of public record and information concerning the decision-making processes of particular judges. Confidential information may also include sensitive personnel matters.
- C. Clerks shall educate deputy clerks and other office employees about the kinds of information that are confidential.

SECTION IV: UNAUTHORIZED PRACTICE OF LAW

- A. Clerks may respond to inquiries concerning court procedure, but shall not give legal advice.
- B. Standard court procedures, such as the method for filing a complaint, filling out an affidavit, filing for an appeal, etc. should be summarized in writing and made available to litigants.

SECTION V: CONFLICT OF INTEREST

- A. Clerks shall avoid conflicts of interest in the performance of their professional duties. They shall exercise diligence in becoming aware of conflicts of interest and ending them when they arise.
 - 1. A conflict of interest exists when the Clerk's objective ability or independence of judgment in performance of his or her job is impaired or when the Clerk, the Clerk's family, or business would derive financial gain as a result of his or her position with the court system.
- B. Clerks are prohibited from receiving tips or other compensation for assisting or consulting with parties or attorneys engaged in transactions or involved in proceedings before the court.
- C. Clerks shall not encourage, accept, or agree to accept any gifts, loans, gratuities, discounts, favors, or services under any circumstances from which it could be reasonably inferred that a major purpose of the donor is to influence the Clerk in the performance of official duties.

SECTION 16: OUTSIDE EMPLOYMENT

- A. Each Clerk's position with the court system should be his or her primary employment. Outside employment is permissible only if it complies with the following:
1. Outside employment does not place the Clerk in a position which is or appears to be a conflict of interest situation.
 2. The outside employment is capable of being fulfilled outside of normal working hours and is not incompatible with the performance of the Clerk's duties and responsibilities.
 3. The outside employment does not require or encourage the Clerk to disclose confidential information acquired in the course of and by reason of his or her official duties.
 4. The outside employment does not reflect adversely on the integrity of the court.

SECTION 17: POLITICAL ACTIVITY

- A. No Clerk shall engage in any political activity during scheduled work hours, or when using government vehicles, or on government property. Political activity includes, but is not limited to:
1. Campaign speeches, or displaying campaign literature, badges, signs, or other items of political advertising of any party or candidate for political office;
 2. Using official authority or influence, directly or indirectly, to coerce, or attempt to coerce any other employee in the court system to become a member of any political organization or to take part in any political activity;
 3. Soliciting or receiving funds for political purposes.
- B. No Clerk shall discriminate in favor of or against any employee or applicant for employment on account of his or her political contributions or permitted political activities.

SECTION VIII: PERFORMANCE OF DUTIES

- A. Clerks shall endeavor at all times to perform their duties properly and with diligence.
- B. Clerks shall apply their full time and energy to the business and responsibilities of their office during working hours.
- C. Clerks shall carry out their responsibilities as servants to the public in a courteous manner.
- D. Clerks shall not alter, falsify, destroy, mutilate, backdate, or fail to make required entries on any records within their control. In addition, they shall not permit other persons to do so.
- E. Clerks shall not discriminate on the basis of sex, race, or political affiliation in the conduct of their service to the court and to the public.
- F. Clerks shall not refuse to enforce or otherwise carry out any properly issued rule or order of the court.
- G. Clerks shall continually update their education to ensure that the courts are functioning efficiently and in a manner to promote justice and public confidence.

SECTION IX: ASSISTANCE TO NEW CLERKS OR CLERKS HAVING DIFFICULTY

- A. Justice Court Clerks should provide assistance and information to new Clerks or Clerks having difficulty when requested, to ensure that new Clerks properly learn how to carry out the duties and responsibilities of the Clerk; and to help Clerks having difficulty resolve their problems properly, in cases where such assistance will be of help.

SECTION X: DEPUTY CLERKS

- A. Clerks shall require deputy clerks or other employees subject to their direction and control to observe these ethical standards.