

1 appoint a magistrate court clerk or may by rule require the duties
2 of the magistrate court clerk to be performed by the clerk of the
3 circuit court, in which event the circuit court clerk is entitled
4 to additional compensation in the amount of \$2,500 per year. The
5 magistrate court clerk serves at the will and pleasure of the
6 circuit judge.

7 (b) Magistrate court clerks shall be paid a monthly salary by
8 the state. Magistrate court clerks serving magistrates who serve
9 less than eight thousand four hundred in population shall be paid
10 up to \$26,436 per year and magistrate court clerks serving
11 magistrates who serve eight thousand four hundred or more in
12 population shall be paid up to \$31,344 per year: *Provided*, That on
13 and after July 1, 2006, magistrate court clerks serving magistrates
14 who serve less than eight thousand four hundred in population shall
15 be paid up to \$31,436 per year and magistrate court clerks serving
16 magistrates who serve eight thousand four hundred or more in
17 population shall be paid up to \$36,344 per year: *Provided*,
18 *however*, That on and after July 1, 2007, magistrate court clerks
19 serving magistrates who serve less than eight thousand four hundred
20 in population shall be paid up to \$36,436 per year and magistrate
21 court clerks serving magistrates who serve eight thousand four
22 hundred or more in population shall be paid up to \$41,344 per
23 year: *Provided further*, That after the effective date of this
24 section, any general salary increase granted to all state

1 employees, whose salaries are not set by statute, expressed as a
2 percentage increase or an "across-the-board" increase, may also be
3 granted to magistrate court clerks. For the purpose of determining
4 the population served by each magistrate, the number of magistrates
5 authorized for each county shall be divided into the population of
6 each county. The salary of the magistrate court clerk shall be
7 established by the judge of the circuit court, or the chief judge
8 of the circuit court if there is more than one judge of the circuit
9 court, within the limits set forth in this section.

10 (c) In addition to other duties that may be imposed by the
11 provisions of this chapter or by the rules of the Supreme Court of
12 Appeals or the judge of the circuit court or the chief judge of the
13 circuit court if there is more than one judge of the circuit court,
14 it is the duty of the magistrate court clerk to establish and
15 maintain appropriate dockets and records in a centralized system
16 for the magistrate court, to assist in the preparation of the
17 reports required of the court and to carry out on behalf of the
18 magistrates or chief magistrate if a chief magistrate is appointed,
19 the administrative duties of the court.

20 (d) The magistrate court clerk, or if there is no magistrate
21 court clerk in the county, the clerk of the circuit court may issue
22 all manner of civil process and require the enforcement of
23 subpoenas and subpoenas duces tecum in magistrate court.

24 (e) The magistrate court clerk, or if there is no magistrate

1 court clerk in the county, the clerk of the circuit court shall
2 maintain proper records relating to the successful collection rates
3 when persons making claims against others have obtained judgments
4 and attempt to collect those judgments. Reports of these
5 collection rates shall be made available to the claimants and the
6 general public.

NOTE: The purpose of this bill is to require magistrate courts to maintain records relating to successful collection rates on judgments and to make reports of these available to claimants and general public.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.