

IN THE FOURTH CHANCERY DISTRICT
AMITE, FRANKLIN, PIKE AND WALTHALL COUNTIES, MISSISSIPPI

AMENDED
GENERAL ORDER DESIGNATING DAYS FOR RULE 81 RETURNS,
UNCONTESTED HEARING DAYS AND TRIAL TERMS FOR 2022;
SETTING FORTH PROCEDURES FOR ISSUING PROCESS ON
MATTERS GOVERNED BY MS RULES OF CIVIL PROCEDURE RULE 81
AND FOR SETTING MATTERS WITH THE COURT

This Amended General Order is entered to add a Franklin County Motion Day in July for Judge Smith. Said General Order is dated June 7, 2021.

BE IT REMEMBERED that pursuant to Miss. Code Ann. § 9-5-3 (1972 & Supp.) this Court does hereby order, set and publish the official Court calendar for the calendar year **2022** as follows, to-wit:

The Secretary of State is directed to publish the following dates in its judicial calendar and directory for the year **2022** as the dates that process will be returnable to the Court on Rule 81 and other special statutory matters where return must be made to a date, time and place certain as well as the following designated trial terms, to-wit:

Return Dates and Trial Settings for **CHANCELLOR I-HALFORD** in all matters requiring that process be made returnable to a date, time and place certain (including matters governed by Miss. R. Civ. P. 81) shall be at 9:00 a.m. in the county seat of each respective county, to-wit:

Return Dates for **CHANCELLOR II-SMITH** in all matters requiring that process be made returnable to a date, time and place certain (including matters governed by Miss. R. Civ. P. 81) shall be at 10:30 a.m. in the county seat of Amite, Franklin and Walthall Counties and at 9:00 a.m. in the county seat of Pike County. Trial Settings shall be made returnable to 9:00 a.m. in the county seat of each respective county, to-wit:

AMITE MOTION DAYS
AMITE CO. COURTHOUSE-LIBERTY, MISSISSIPPI
CHANCELLOR I-HALFORD at 9:00 a.m.
CHANCELLOR II-SMITH at 10:30 a.m.
January 7
February 4
March 4
April 8
May 6
June 3

July 8
August 5
September 9
October 7
November 4
December 2

FRANKLIN MOTION DAYS
FRANKLIN CO. COURTHOUSE-MEADVILLE, MISSISSIPPI
CHANCELLOR I-HALFORD at 9:00 a.m.
CHANCELLOR II-SMITH at 10:30 a.m.

January 4
February 1
March 1
April 5
May 3
May 31
July 18 (Halford)
July 25 (Smith) at 9:00 a.m.
August 2
September 6
October 4
November 1
November 29

WALTHALL MOTION DAYS
WALTHALL CO. COURTHOUSE-TYLERTOWN, MISSISSIPPI
CHANCELLOR I-HALFORD at 9:00 a.m.
CHANCELLOR II-SMITH at 10:30 a.m.

January 5
February 2
March 2
April 6
May 4
June 1
July 6
August 3
September 7
October 5
November 2
November 30

**PIKE MOTION DAYS
PIKE CO. CHANCERY ANNEX-MAGNOLIA, MISSISSIPPI
FOR CHANCELLOR I-HALFORD ONLY AT 9:00 a.m.**

January 18
February 7
March 7
April 11
May 9
June 6
July 7
August 15
September 26
October 6
November 7
December 5

**PIKE MOTION DAYS
PIKE CO. CHANCERY ANNEX-MAGNOLIA, MISSISSIPPI
FOR CHANCELLOR II-SMITH ONLY AT 9:00 a.m.**

January 3
January 31
February 28
April 4
May 2
June 2
July 18
August 1
September 8
October 3
October 31
November 28

IT IS FURTHER ORDERED that Trial Terms for CHANCELLOR I-HALFORD shall be as follows, to-wit:

AMITE TERMS:
February 22-25 (1 week)
April 18-22 (1 week)
June 20-24 (1 week)
August 22-26 (1 week)
October 10-14 (1 week)
FRANKLIN TERMS:
January 10-14 (1 week)

March 14-18 (1 week)
July 18-22 (1 week)
September 19-23 (1 week)
November 14-18 (1 week)

PIKE TERMS:

January 18-21 (1 week)
February 7-11 (1 week)
March 7-11 (1 week)
April 11-15 (1 week)
May 9-13 (1 week)
June 6-10 (1 week)
August 15-19 (1 week)
September 26-30 (1 week)
November 7-10 (1 week)
December 5-9 (1 week)

WALTHALL TERMS:

March 28-April 1 (1 week)
May 23-27 (1 week)
August 8-12 (1 week)
October 17-21 (1 week)
December 12-16 (1 week)

IT IS FURTHER ORDERED that Trial Terms for **CHANCELLOR II-SMITH** shall be as follows, to-wit:

AMITE TERMS:

March 7-11 (1 week)
May 23-27 (1 week)
August 15-19 (1 week)
October 17-21 (1 week)
December 12-16 (1 week)

FRANKLIN TERMS:

January 24-28 (1 week)
March 28-April 1 (1 week)
July 25-29 (1 week)
November 7-10 (1 week)

PIKE TERMS:

January 10-14 (1 week)
February 14-18 (1 week)

March 14-18 (1 week)
May 16-20 (1 week)
June 20-24 (1 week)
July 18-22 (1 week)
August 22-26 (1 week)
September 19-23 (1 week)
October 10-14 (1 week)
November 14-18 (1 week)

WALTHALL TERMS:

February 7-11 (1 week)
April 11-14 (1 week)
June 6-10 (1 week)
September 12-16 (1 week)
December 5-9 (1 week)

IT IS FURTHER ORDERED that all Motion Days for **Chancellor I (HALFORD)** will begin at 9:00 a.m. in the Courthouse of the County where indicated.

IT IS FURTHER ORDERED that Motion Days in Amite, Franklin and Walthall Counties for **Chancellor II (SMITH)** will begin at 10:30 a.m. with the exception of the July 25 Franklin County Motion Day which will begin at 9:00 a.m. Motion Days in Pike County for **Chancellor II (SMITH)** will begin at 9:00 a.m.

IT IS FURTHER ORDERED that all Trial Days for both **Chancellor I (HALFORD)** and **Chancellor II (SMITH)** will begin at 9:00 a.m. in the Courthouse of the County where indicated.

IT IS FURTHER ORDERED that all Motion Days are designated as Rule 81 Return Days and, pursuant to this General Order of the Court, the Chancery Clerk where an action is pending is authorized to issue Rule 81 process returnable to 9:00 a.m. or 10:30 a.m., according to Chancellor assignment, on any Return Day in the county where the action is pending without special order of the Court. The issuance of any other Rule 81 process must be authorized by Fiat, or Special Order, issued by the Chancellor or the Court Administrator upon direction by the Chancellor.

IT IS FURTHER ORDERED that the party issuing Rule 81 process, through counsel if represented, shall immediately upon the issuance of such process notify the Chancellor's Court Administrator in writing of the issuance so that the matter can be placed on the Docket for call. The notification may be delivered by first-class mail, fax or email and must include the style of the case, the title of the pleading being brought on for consideration and the time, date and place to which the process is returnable. The notification shall further set forth whether the matter is set for call only or whether a

Temporary Hearing or other hearing requiring less than thirty minutes is being requested on the return date. **Failure to ensure delivery of the Motion Docket Sheet to the Court Administrator at least seven days prior to the return date will prevent the matter from being called, thereby losing process.**

IT IS FURTHER ORDERED that counsel for any party wishing to have a non-Rule 81 matter requiring less than thirty minutes taken up for consideration on a Motion Day, or a party, if unrepresented, shall contact the Court Administrator for available dates. The requesting counsel or party shall confer with the opposing side regarding availability and shall notify all parties and the Court Administrator in writing of the date selected so that the matter can be placed on the Docket for call. The Notice of Hearing shall be served as provided by the Rules of Court and must include the style of the case, the title of the pleading being brought on for consideration and the time, date and place at which the matter will be presented. Failure to properly serve the Notice of Hearing will prevent the Court Administrator from placing the matter on the Docket and assignment for hearing or conference.

IT IS FURTHER ORDERED that in actions involving financial support and/or custody, each party shall file with the Clerk of Court on or before the return day, a Financial Declaration completed in conformity with Miss. Chancery Court Rule 8.05, together with the attachments required, specifically including the party's most recently filed income tax returns; verification of prior year's income if a return has not been filed; verification of year-to-date income; and employment history.

IT IS FURTHER ORDERED that matters placed on the Motion Docket for hearing will be disposed of by hearing or agreement on the designated Motion Day, unless all parties agree that the matter be continued, the action is dismissed, or for good cause shown. If insufficient time is available to dispose of all matters requiring hearing, those matters not resolved will be reset on an expedited basis, in accordance with the Court's calendar. Each party shall be allowed a maximum of fifteen (15) minutes total for that party's direct examination, cross-examination and rebuttal examination. Matters requiring more than one-half hour of hearing time must be set for hearing on a trial day, through the Court Administrator.

SO ORDERED, this the 21st day of June, 2021.


DEBRA K. HALFORD, SENIOR CHANCELLOR