



## MISSISSIPPI ELECTRONIC COURTS

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### MISS. CODE ANN. 9-1-59(2)

## INDIGENT CASE ACCESS FOR PUBLIC DEFENDERS AND COUNTY PROSECUTORS IN MEC

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Effective July 1, 2025, Miss. Code Ann. 9-1-59(2) provides free access for public defenders and county prosecutors in cases involving indigent defendants in MEC.

To comply with the requirements of the new law, the MEC system has been modified to grant fee waivers to counsel of record in cases where the defendant has been deemed indigent by court order, as indicated by an "Indigent" case flag. Any charges incurred by counsel of record in Indigent flagged cases will be waived at the end of each billing quarter.

Filings that will automatically add the Indigent flag to a case:

- Order Appointing Public Defender
- Order of Indigency
- Attorney Affidavit Designating Indigent Case
  - Note: This filing will also link the attorney filer as counsel of record to the selected party in case when filing (if not already linked to the party).

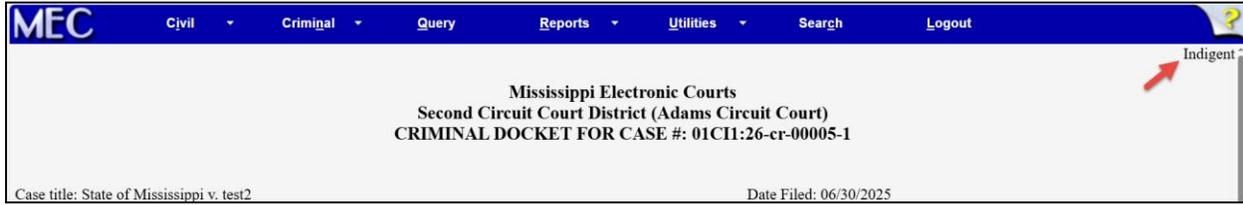
Cases with the previously mentioned orders filed have been retroactively flagged, but not all cases contain properly coded orders that could be systemically identified as indigent orders.

As such, attorneys may request the clerk's offices add the Indigent flag in specific cases where they are counsel of record, the defendant has been deemed indigent by the court, and the Indigent case flag is not present.

Alternatively, attorneys may e-file an "Attorney Affidavit Designating Indigent Case" in the appropriate case(s) in MEC to also add the case flag. A sample affidavit is attached at the end of this document. Be sure to select the proper filing event in MEC when filing this affidavit to ensure the Indigent flag is added to the case.

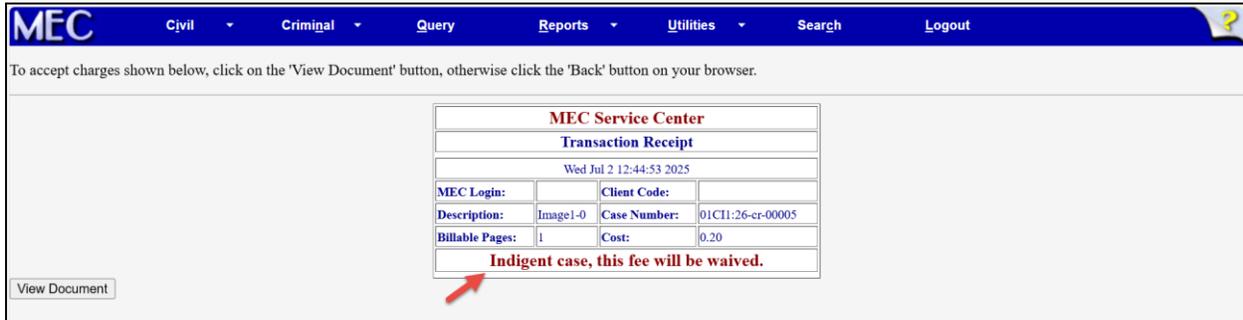
Once an attorney is listed as counsel of record on a case that contains the Indigent case flag, the attorney will not be charged for viewing documents in the case. If counsel of record incurs viewing fees in a case prior to the defendant being deemed indigent by court order, and the Indigent flag is added later, any fees incurred by counsel of record will be retroactively waived.

Indigent Case Flag:



The screenshot shows the top navigation bar of the MEC system with the following items: MEC logo, Civil, Criminal, Query, Reports, Utilities, Search, and Logout. Below the navigation bar, the text reads: "Mississippi Electronic Courts", "Second Circuit Court District (Adams Circuit Court)", and "CRIMINAL DOCKET FOR CASE #: 01CI1:26-cr-00005-1". At the bottom left, it says "Case title: State of Mississippi v. test2" and at the bottom right, "Date Filed: 06/30/2025". A red arrow points to the word "Indigent" in the top right corner of the page.

Billing Transaction screen with Indigent Case waiver message:



The screenshot shows the MEC Billing Transaction screen. At the top, it says "To accept charges shown below, click on the 'View Document' button, otherwise click the 'Back' button on your browser." Below this is a table with the following data:

| MEC Service Center      |          |              |                   |
|-------------------------|----------|--------------|-------------------|
| Transaction Receipt     |          |              |                   |
| Wed Jul 2 12:44:53 2025 |          |              |                   |
| MEC Login:              |          | Client Code: |                   |
| Description:            | Image1-0 | Case Number: | 01CI1:26-cr-00005 |
| Billable Pages:         | 1        | Cost:        | 0.20              |

Below the table, a red arrow points to the text: "Indigent case, this fee will be waived." A "View Document" button is located at the bottom left of the screen.

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY, MISSISSIPPI

\_\_\_\_\_  
Plaintiff(s)

vs. Case No. \_\_\_\_\_

\_\_\_\_\_  
Defendant(s)

**AFFIDAVIT DESIGNATING INDIGENT CASE**

COMES NOW the undersigned counsel of record and states under oath and affirms the following:

1. That I am an attorney of record in the above-styled and numbered cause.
2. That the Court has previously entered an order designating the defendant in this matter as indigent.
3. That despite said order, the "Indigent" case flag is not currently present in the case file within the MEC system.
4. That pursuant to Miss. Code Ann. § 9-1-59(2), this affidavit is filed for the sole purpose of prompting the system to apply the "Indigent" case flag.
5. That affiant makes this statement in good faith and with the intent to comply with court procedures to allow access to documents in this case without charge, as authorized.

FURTHER, AFFIANT SAYETH NOT.

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney Name  
Address  
City, State, Zip Code  
MS Bar No: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_