
Legal Aid Organizations in Mississippi

While you are not required to have an attorney when appearing at Justice Court, it may be beneficial to search for legal help for any issues. The following list outlines some of the organizations that may be able to offer legal aid free of charge.

American Civil Liberties Union of Mississippi

www.aclu-ms.org
601-354-3408

Catholic Charities, Inc.

www.catholiccharitiesjackson.org
601-355-8634

Disability Rights Mississippi

www.drms.ms
601-968-0600

Mississippi College School of Law Clinical Programs

<http://www.law.mc.edu/academics/clinics>
601-925-7180

Mississippi Center for Justice

www.mscenterforjustice.org
601-352-2269

Mississippi Center for Legal Services

www.mscenterforlegalservices.org
1-800-498-1804

Mississippi Immigrant Rights Alliance

www.yourmira.org
601-968-5182

Mission First Legal Aid

<https://www.missionfirst.org/legal-aid>
601-608-0056

MISSISSIPPI CENTER FOR JUSTICE

About This Resource

This resource was created by the **Mississippi Center for Justice**, a public interest law firm that advances racial and economic justice through legal services, policy advocacy, community engagement, and media advocacy. The Center's areas of practice include public benefits, disaster relief, health care access, healthy food access, educational opportunity, affordable housing, consumer protection, and community development. The Center does not provide representation on criminal law matters.

For more information, call **769-230-8038** or visit www.mscenterforjustice.org.

Know Your Rights

Civil Claims in Justice Court

Civil Matters and Justice Courts

Justice Courts handle the majority of civil and criminal cases in Mississippi. Justice Courts are small claims courts that only hear cases under \$3,500. Though the Justice Courts hear both civil and criminal matters, this pamphlet is only concerned with civil matters and does NOT discuss criminal matters. The two primary civil issues that Justice Courts will hear are 1) consumer debt and 2) landlord-tenant issues.

While no one must have an attorney in Justice Court, **it is usually a good idea to have an attorney for legal matters.**

Consumer Debt

In consumer debt cases, creditors will try to recover money that they lent to individuals. Though many lenders will attempt to recover the money themselves, sometimes lenders will sell the debt to a third party. For this reason, the party suing to collect a debt may not be the same party that lent the money.

In order to receive a judgment from the court, a debt collector will need to prove that they actually lent the money in question. To provide proof of the loan, the debt collector will often need to show 1) the amount of the loan and 2) the signature of the individual who borrowed the money.

If a debt collector shows proof of the loan, and the defendant does not have a defense, the judge will likely rule for the debt collector. **A debt collector could win the right to garnish (or take) the defendant's wages.**

Landlord-Tenant

Justice Courts also hear disputes between landlords and tenants. These disputes may concern overdue rent, improper living conditions, or removals (this is when a landlord attempts to remove a tenant from the property). A landlord will need to show proof that a tenant is withholding rent or acting badly.

In order to dispute the charges, a tenant would need to provide proof that the rent was paid. A tenant may provide receipts, bank deposit statements, copies of checks or any other documentation that shows payment to the landlord.

If a tenant loses an eviction case, the tenant must leave the home immediately. **A tenant may ask the judge to remain in the home for three (3) days if it would be unfair for the tenant to move out immediately.** The tenant should be prepared to give specific reasons such as: a child's school schedule or needing time to move furniture or to collect personal items.

Aftermath

The court's decision may have long lasting effects. Once the judge has decided the outcome of the case, the case will be closed at the Justice Court level. If either party feels that the outcome was wrongly decided, they may seek to appeal the judgment and have a higher court review the case. You have a legal right to appeal. An appeal may cost upwards of \$100.

Know Your Rights

Things you should know:

- 1) **Notice-** Both parties must know when and where the court hearing will be. If someone has not received notice of the court hearing, that person may invalidate any decision made by the court.
- 2) **Presence-** If either party is absent on the day of the hearing, the opposing counsel may automatically win the case. For this reason, it is very important to show up to court at the right time.
- 3) **Saying "no"-** It is ok to disagree with an opposing party. If something seems incorrect about the opposing parties' argument, it is ok to disagree or to ask the other party to explain.

General Notes

It is important to **show up on time for court.** Though the proceedings may take several hours, each party has very limited time before the judge. For this reason, it is important to be prepared by bringing all the evidence available and practicing what to say ahead of time. It is also important to **dress well.**

It is important to be familiar with all the documents in the case. Take time to reread your lease in landlord-tenant cases or your loan agreement in consumer debt cases. You will want to bring any and all receipts or paperwork with you to court.