

SUPREME COURT OF MISSISSIPPI

Lawrence County School District v. Brister

849 So. 2d 851 (Miss. 2002) · Decided August 15, 2002

SUMMARY

Justice Diaz dissents from the denial of rehearing in Lawrence County School District v. Brister. The dissent argues that the Mississippi Tort Claims Act permits an action to be brought in a chancery court when that court has original or concurrent subject-matter jurisdiction, including jurisdiction arising from claims involving an estate. The opinion concludes that the chancery court could properly hear the case and award appropriate legal and equitable remedies.

CASE DETAILS

COURT	Supreme Court of Mississippi
WRITING FOR THE COURT	Justice Diaz; Diaz; Easley
JURISDICTION	Mississippi
DECIDED	August 15, 2002
DISPOSITION	other
PROCEDURAL POSTURE	Justice Diaz dissented from the denial of Brister's motion for rehearing, concluding that the case was properly before the chancery court.
PRECEDENTIAL VALUE	Published dissenting opinion; the dissent's reasoning is nonbinding.

TOPICS

subject matter jurisdiction

statutory interpretation

appellate procedure

civil procedure

torts

PRACTICE AREAS

civil procedure

constitutional law

torts

QUESTIONS PRESENTED

1. Whether a Mississippi Tort Claims Act action may be heard in chancery court when the chancery court has original or concurrent subject matter jurisdiction over the underlying cause of action.
2. Whether the chancery court may award complete legal and equitable relief, including punitive damages where appropriate, when it properly exercises its equity jurisdiction.

HOLDINGS

1. In the dissent's view, Mississippi Code section 11-46-13(1) permits an MTCA action to be brought in any court having original or concurrent jurisdiction over the underlying cause of action; because the claim against the estate fell within the chancery court's constitutional jurisdiction, the action was properly before the chancery court.
2. In the dissent's view, a chancery court exercising equity jurisdiction may completely adjudicate the suit and award appropriate legal and equitable remedies, including punitive damages when appropriate.

KEY QUOTATIONS

"Although lawsuits brought under the MTCA have customarily been adjudicated in the circuit courts, there is no statutory or constitutional bar against their being heard by chancery courts." (§ 29)

"Inasmuch as Brister's claim against Blackmon's estate is constitutionally within the jurisdiction of the chancery court, this case, even though it involves the MTCA, may be heard by the chancery court." (§ 33)

FACTUAL BACKGROUND

Brister brought a Mississippi Tort Claims Act action against the Lawrence County School District and the Estate of James A. Blackmon as joint defendants. The claim against Blackmon's estate involved matters within the chancery court's constitutional jurisdiction over estate administration. The dissent reasoned that the nature of the claim gave both the chancery and circuit courts original or concurrent subject matter jurisdiction.

PROCEDURAL HISTORY

Brister sued the Lawrence County School District and the Estate of James A. Blackmon under the Mississippi Tort Claims Act. The majority concluded that the chancery court was not the proper court and denied Brister's motion for rehearing. Justice Diaz dissented from that denial, and Justice Easley joined the dissent.

DISPOSITION

other

CASES CITED

- Leaf River Forest Prods., Inc. v. Deakle, 661 So. 2d 188, 193 (Miss. 1995)
- Shaw v. Owen, 229 Miss. 126, 132-33, 90 So. 2d 179, 181 (1956)
- First Nat'l Bank of Vicksburg v. Middleton, 480 So. 2d 1153, 1156 (Miss. 1985)
- Morgan v. U.S. Fid. & Guar. Co., 222 So. 2d 820, 826 (Miss. 1969)
- Tideway Oil Programs, Inc. v. Serio, 431 So. 2d 454, 464 (Miss. 1983)

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