

Session 103 - (1979-1980)

S 1028 Joint Resolution, By Holland, L.M. Gressette, J.A. Martin, D.S. Rushing and T.E. Smith

A Joint Resolution proposing an amendment to Article V of the Constitution of South Carolina, 1895, relating to the judicial department, so as to provide that beginning July 31, 1981, the Supreme Court shall consist of ten members who shall hear and determine cases in panels of five justices except in cases involving the death penalty, in cases where a statute has been declared unconstitutional by a lower court and in other cases where the full court is required by general law, to provide that the Justice of the Supreme Court shall be elected for ten-year terms in such a manner that the term of one member shall expire each year, to provide for the manner in which justices shall be rotated among the panels of the Supreme Court, to provide that judges of the Unified Judicial System may be temporarily assigned to sit as administrative law judges, to establish a judicial council and provide that it rather than the Chief Justice shall appoint the Administrative Director of the Courts, shall set the terms of court, shall provide for the rotation and assignment of judges and shall prescribe the rules of administration and practice and procedure of courts which shall be subject to and not in conflict with the statutory law, to delete references to the continuation of certain existing courts and to provide that the General Assembly shall provide for the manner of nomination of magistrates for appointment by the Governor.

04/09/80 Senate Introduced and read first time SJ-35

04/09/80 Senate Referred to Committee on Judiciary SJ-35

05/21/80 Senate Committee report: Majority favorable, minority unfavorable Judiciary SJ-11