

Session 106 - (1985-1986)

S 0080 General Bill, By Senate Judiciary

Similar (H 2074)

A Bill to ratify an amendment to Article V of the Constitution of South Carolina, 1895, relating to the Judicial Department so as to provide for the establishment of a Court of Appeals with such jurisdiction as the General Assembly shall prescribe; to provide that the Court of Appeals shall consist of a chief judge and at least five associate judges with the number to be determined by law; to provide that the chief judge shall preside and in his absence the senior associate judge; to provide that the Court of Appeals shall sit en banc; to provide that the members of the Court of Appeals shall be elected by a joint public vote of the General Assembly for a term of six years, except in the first election when staggered terms shall be provided for; to provide that in any contested election for a position on the Court of Appeals, the vote of each member of the General Assembly present and voting shall be recorded; to provide that the jurisdiction of the Court of Appeals shall be bound by the decisions of the Supreme Court; to provide that the judges of the Court of Appeals shall appoint a clerk of court for the Court of Appeals; to provide that the judges of the Court of Appeals shall receive compensation to be determined by law; to provide for the filling of vacancies on the Court of Appeals by election or, if the unexpired term does not exceed one year, by appointment of the Governor; to provide that the judges of the Court of Appeals shall have the same power to issue prerogative writs at chambers as when in open court and such other powers at chambers as the General Assembly may provide; to provide that the decisions of the Court of Appeals shall be published as provided by the General Assembly; and to delete obsolete language which permits existing courts to be continued until Article V is implemented.

01/10/85 Senate Introduced, read first time, placed on calendar without reference SJ-98

01/16/85 Senate Recommitted to Committee on Judiciary SJ-151