CHAPTER 2

Abolition of Certain Courts and Offices

**SECTION 14‑2‑10.** Abolition of single county and multi‑county family courts, juvenile courts, domestic relations courts, and juvenile and domestic relations courts.

 All single county and multi‑county family courts, juvenile courts, domestic relations courts, juvenile and domestic relations courts, shall be abolished on July 1, 1977, and the jurisdiction of such courts devolved upon the statewide family court system as established by this title.

HISTORY: 1976 Act No. 690 Art. VII Section 1.

Editor’s Note

1976 Act No. 690, Article XI, Section 2, provides:

“The Supreme Court in its discretion by rule or order may delay in whole or in part for a period of up to one year the abolition of any court scheduled to be abolished as provided by this act.”

1978 Act No 659, eff June 23, 1978, provides as follows:

“Section 1. The General Assembly finds that employment inequities have arisen in the past, and may arise in the future because of the transfer of county employees to state employment pursuant to Act 690 of 1976 (The Judicial Reform Act). It further finds that it was not the intention of the General Assembly in legislating this transfer of employment that any person would lose sick leave and seniority benefits earned in faithful service as a county employee. The purpose of this act is to correct employment inequities resulting from the transfer of county employees to state employment pursuant to Act 690 of 1976.

“Section 2. Notwithstanding any other provision of law, persons employed by a county who, after transfer to state employment pursuant to Act 690 of 1976, continue to perform substantially the same duties as a state employee shall be credited by the state agency employing them with the sick leave balances they had acquired as county employees, up to the limits authorized for state employees. Such transferred employees shall retain credit for prior years of county service which shall be applied to their employment status under the state personnel and classification system. The status of any employee under the provisions of this act shall be determined by the Director of the State Personnel Division.”

Library References

Courts 54.

Westlaw Topic No. 106.

**SECTION 14‑2‑20.** Service of judges of abolished courts as masters‑in‑equity, standing masters, or special referees.

 Any judge of a court abolished pursuant to the provisions of Section 14‑2‑10 who also served as master‑in‑equity, standing master or special referee shall unless elected family court judge continue to serve as such master or special referee until July 1, 1979. If such judge is elected family court judge, a vacancy in such office shall exist and shall be filled as provided by law.

HISTORY: 1976 Act No. 690 Art. VII Section 2.

Editor’s Note

1976 Act No. 690, Article XI, Section 3, provides:

“Notwithstanding any other provision of law, in the event any vacancy occurs in the office of judge in any existing family court for any reason, the vacancy must be filled by an election of the General Assembly. In the event that the vacancy occurs when the General Assembly is not in session, the Governor of South Carolina shall appoint the family court judge to serve until the General Assembly convenes. The General Assembly shall elect a replacement for the interim family court judge within thirty days after convening.”

Library References

Equity 393.

Westlaw Topic No. 150.

**SECTION 14‑2‑30.** Jurisdictions of certain courts abolished.

 Any court inferior to the circuit court which has other jurisdiction in addition to its jurisdiction which is granted to the family courts as provided by Section 14‑2‑10 shall continue to have such other jurisdiction, including civil, criminal, or both, until July 1, 1979.

HISTORY: 1976 Act No. 690 Art. VII Section 3.

Library References

Courts 54.

Westlaw Topic No. 106.

**SECTION 14‑2‑40.** Jurisdiction, duties and functions of magistrates and municipal courts unaffected.

 Except as provided in Section 22‑3‑10, the provisions of 1976 Act No. 690, as codified in this title and elsewhere in this Code, shall not affect the jurisdiction, duties or functions of the magistrate and municipal courts of this State.

HISTORY: 1976 Act No. 690 Art. VII Section 4.

Editor’s Note

1976 Act No. 690 adds new Code Sections 1‑7‑325, 1‑7‑405, 1‑7‑570 to 1‑7‑670, 14‑2‑10 et seq., 14‑21‑410 to 14‑21‑500, and 14‑23‑1010 to 14‑23‑1150; amends existing Code Sections 14‑5‑610, 14‑21‑140, 14‑21‑510, 14‑21‑1020, and 22‑3‑10; and contains sections appearing as Editor’s Notes at Chapter 9 of Title 14, Chapter 11 of Title 14, Chapter 13 of Title 15, and Sections 14‑2‑10, 14‑2‑20, 14‑21‑410 and 14‑21‑425.

Library References

Courts 188.

Westlaw Topic No. 106.

LAW REVIEW AND JOURNAL COMMENTARIES

Annual Survey of South Carolina: Magistrates’ Courts; Unified Judicial System. 31 S.C. L. Rev. 33.

**SECTION 14‑2‑50.** Time when certain courts and offices abolished.

 County courts and other similar courts with jurisdiction inferior to the circuit courts and the office of standing master shall be abolished on July 1, 1979, and the jurisdiction of the office devolved upon the unified court system; provided, however, that such county courts, other courts of similar jurisdiction and the office of standing master shall be continued pursuant to Section 22 of Article V of the Constitution until July 1, 1979, subject, however, to the provisions of Article XI, Section 2 of 1976 Act No. 690; provided, further, that the General Assembly prior to July 1, 1979, shall provide sufficient judicial manpower to assure adequate staffing for the unified court system as provided by this act. The offices of master‑in‑equity and special referee shall continue to be a part of the judicial system.

HISTORY: 1976 Act No. 690 Art. VII Section 5; 1979 Act No. 164 Part II Section 1, eff July 1, 1979.

Editor’s Note

1976 Act No. 690 adds new Code Sections 1‑7‑325, 1‑7‑405, 1‑7‑570 to 1‑7‑670, 14‑2‑10 et seq., 14‑21‑410 to 14‑21‑500, and 14‑23‑1010 to 14‑23‑1150; amends existing Code Sections 14‑5‑610, 14‑21‑140, 14‑21‑510, 14‑21‑1020, and 22‑3‑10; and contains sections appearing as Editor’s Notes at Chapter 9 of Title 14, Chapter 11 of Title 14, Chapter 13 of Title 15, and Sections 14‑2‑10, 14‑2‑20, 14‑21‑410 and 14‑21‑425.

Library References

Courts 54.

Westlaw Topic No. 106.

**SECTION 14‑2‑60.** Transition of abolished courts into unified judicial system.

 The Supreme Court by rule or order shall provide for the transition into the unified judicial system of the jurisdiction of those courts abolished by the provisions of this act and for the assignment of cases pending at such time.

HISTORY: 1976 Act No. 690 Art VII Section 6.

Editor’s Note

1976 Act No. 690 adds new Code Sections 1‑7‑325, 1‑7‑405, 1‑7‑570 to 1‑7‑670, 14‑2‑10 et seq., 14‑21‑410 to 14‑21‑500, and 14‑23‑1010 to 14‑23‑1150; amends existing Code Sections 14‑5‑610, 14‑21‑140, 14‑21‑510, 14‑21‑1020, and 22‑3‑10; and contains sections appearing as Editor’s Notes at Chapter 9 of Title 14, Chapter 11 of Title 14, Chapter 13 of Title 15, and Sections 14‑2‑10, 14‑2‑20, 14‑21‑410 and 14‑21‑425.

Library References

Courts 54.

Westlaw Topic No. 106.