

Sentencing Sheet Process - Explained by SCCID

Included in the S.C. Commission on Indigent Defense's (SCCID) April 29, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's March 21, 2019, letter to SCCID: "2. Please explain the steps involved in sentencing an individual, in particular, those involved in completing the sentencing sheet, the entities involved in completing the sheet, information each provides, and to whom information from those sheets (and copies of those sheets) is provided."

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SCCID Agency Response:

STEPS INVOLVED WITH SENTENCING SHEET

1. In most cases, the Solicitor's office will prepare the Sentencing Sheet from the top of the page down to the signature lines. Most solicitors generate the form through their computers so that the form is typed and legible. There are some instances when the defense attorney may prepare the form as it is available on the Judicial website and may help save some time in getting the case in court.
2. Once the solicitor prepares the form, it is given to the defense attorney to review the information on the form, to go over the information with his client and to have the form signed by the client and the attorney. Often the attorneys may handwrite the plea offer on the form in the corner or to the side where it indicates "PLEADS".
3. The form is then passed up to the presiding judge when the case is called for a guilty plea or when it is time for sentencing after a guilty verdict by the jury. The judge completes (usually by handwriting) the portion of the form that begins with the "WHEREFORE. . ." and continues down the right column at the bottom of the page.
4. The information in the left column at the bottom of the page beginning with "*Fine:" is usually completed by the courtroom representative from the Clerk of Court office. This information is usually handwritten.
5. The Clerk of Court keeps the original sentencing sheet in the Court's file, provides a copy to the attorneys, Probation, Parole and Pardon Services, and the jail (if the defendant is incarcerated). They also provides a certified copy to the jailer to be transported to SCDC with the defendant if a sentence of imprisonment is given.