County: Abbeville County GS

Court: GS Court

Juveniles/DSS

Where to Apply: Clerk of Court

(Juveniles/DSS apply in Family Court Division)

Jail Clerk goes to detention center

Applications:

Fee: \$40 fee is collected unless deferred until case disposed; then fee

added to sentence sheet. Judge is only person who can fully

waive fee, usually done in court

Proof of Income: Sometimes have them bring paycheck stubs.

Defendants are informed that if they are not truthful about info provided, PD can verify and determine if make to much income to

qualify for services.

Form Used: SCJD Form

Whose Applicant and Spouse income if married, living together and

Income/Assets working

Considered:

County: Abbeville County MG

Court: Magistrate's Court

Where to Apply: Magistrate's Office/ Magistrate Screens

Jail Most don't apply until after out of jail

Applications:

Fee: \$40 fee; judge has questionnaire to determine if to waive

Proof of Income: Like to have, but not required

Form Used: SCJD Form

Whose Entire household; whoever listed on form

AIKEN COUNTY

The application for GS charges is handled by the Public Defender office. The PD office accepts the application and requires supporting documents (see attachment) and then forward the application to the bond court judge who decides if the person qualifies for appointed counsel or not. PD office visits jail daily to complete applications and forward them to the bond judge. Approved applications are returned to the PD office. The magistrate court handles the application, screening and approval for magistrate charges. They refer the approved clients to the PD office.

County: Allendale County

Court: GS Ct

Juveniles/DSS

Where to Apply: Clerk of Court

Jail

Applications:

Fee: collect in every case

try to get them to pay even at first appearance

Only waived at jail

Proof of Income: copy of check stub if they say they work-

if they don't have any documentation, just rely on info provided

on application

Form Used: SCCID Form

Whose Applicant only

County: Allendale County MG

Court: Magistrate's Court

Where to Apply: Chief magistrate's office says all appointments handled through

county clerk of court

Jail

Applications:

Fee:

Proof of Income:

Form Used:

Whose

Income/Assets

Considered:

County: Anderson County

Court: GS/Magistrate/Municipal

Juveniles/DSS

Where to Apply: In-jail PD Screens

Out-of-jail Clerk of Court screens

(Juveniles/DSS apply in Family Court Division)

Jail Screener from PD office does jail cases;

Applications: If person gets PD in jail and is released, has 36-48 hours to come

to CoC to reapply and pay \$40 to continue representation by PD

Fee: \$40 is collected

If person does not have money, give them application to take and

bring back when they have it Judge only one that can waive

Proof of Income: None

Form Used: SCJD Form

Whose Applicant only;

Income/Assets Dependent info considered to determine poverty

Considered:

County: Bamberg County

Court: GS/Magistrate/Municipal

Where to Apply: Magistrate Screens

(2 magistrates assigned); Send approved applicant to clerk of court where case is to pay \$40 fee and be formally appointed

Jail Apply at bond court or after.

Applications: Jail cases approval forwarded to clerk of court for appointment of

PD.

Fee: Pay at whatever court, if don't pay left up to clerk of court

Proof of Income: None

Form Used: SCJD Form

Whose Just applicant

County: Barnwell County

Court: GS/Magistrate

Juveniles/DSS

Where to Apply: Clerk of Court screens all cases

(Juveniles/DSS apply in Family Court Division)

Jail Transports those that are in jail to clerk's office to apply

Applications:

Fee: \$40 - allow them to apply without money; notify judge if hasn't

been paid when they come to court

Proof of Income: None

Form Used: SCJD Form

Whose Applicant and Spouse if married

County: Beaufort County

Court: GS/Magistrate

Where to Apply: Clerk of Court screens all cases

Jail If defendant in jail for 10 days, do form at jail and that is

Applications: transmitted to CoC with paperwork, then CoC Double checks info

to make sure still same when they come in. If get out before 10

days, do whole procedure at CoC. office.

Fee: \$40 Cash only, required in all cases.

Only circuit judge can waive.

For jail cases, \$40 is added at disposition

Proof of Income: None

Form Used: SCCID Form

Whose Applicant only

BERKELEY COUNTY

Magistrate Judge conducts the screening. Each applicant must complete the approved Affidavit. While the judge does not require specific proof, the judge reviews the information and questions the applicant about any information the judge believes with help give an accurate picture of the applicant's financial status.

County: Calhoun County

Court: GS/Magistrate/City

(juvenile in FC division)

Where to Apply: Clerk of Court screens all cases

Jail Captain McCutcheon gives forms to inmates, and she mails them

Applications: to CoC.

Fee: \$40 waived in some cases - mostly if incarcerated;

They don't tack it on at the end for jail cases

Proof of Income: If borderline, may ask for wage document or tax return. In most

cases so clear it's not needed

Form Used: SCJD Form

Whose Applicant and spouse if form says has spouse that works;

Income/Assets parents in juvenile court

Considered:

CHARLESTON COUNTY

The Public Defender conducts all of the screening. They have a dedicated staff to handle walk-in and jail applicants. The staff uses the approved Affidavit form and will question the application to obtain an accurate picture of the financial status. If an application is questionable, the Public Defender refers the application to the Court for a determination.

CHEROKEE COUNTY

Public Defender screens using the Affidavit form and inquire about the information when the information does not appear to be accurate.

County: Chester County

Court: GS/Magistrate

Where to Apply: Clerk of Court screens all cases

Jail PD office screener collects applications and brings to Clerk of

Applications: Court

Fee: \$40 collected;

Have to go before Judge to waive

Proof of Income: None

Form Used: SCJD Form

Whose Applicant, spouse

CHESTERFIELD COUNTY

Magistrate screens GS charges in bond court. The Application is used and compared to the Guidelines. If the person does not qualify or is missed during the bond hearing but wants to be reviewed later, he has to go to the COC to complete the application.

CLARENDON COUNTY

Affidavits/Applications are distributed to persons at the bond hearing. If the person remains in jail and wants a public defender, they turn in their application to the jail who in turn forwards the application to the PD office for screening. If the person is released on bond and wants a PD, they are given instructions to take the application and fee to the COC. COC then forwards the application to the PD office for screening.

County: Colleton County GS

Court: GS Ct

Juveniles/DSS

no magistrate or municipal

Where to Apply: In-Jail, Bond Court screens

Out-of-jail, Clerk of Court screens

(Juveniles/DSS apply in Family Court Division)

Jail Bond Court is first chance to apply; If apply there and judge

Applications: approves them for PD, paperwork comes to CoC and they forward

to PD.

If PD denied at bond court and changes occur, can come to clerk's

office and reapply.

If defendant declines to apply at bond court and wants to apply

later, come to Clerk of Court;

Fee: Don't pay \$40 fee at bond court; have to come to CoC to pay; If

apply at CoC; pay then; Don't take written application w/o fee; They pre-screen verbally to make sure applicant will qualify; had problem with people getting hostile if took money and then told

them they didn't qualify and no refund.

If applicant got approved in bond court and never paid, then gets attached to case at end; only problem is if charges are dismissed,

no way to collect

Proof of Income: None

Form Used: SCJD form

Whose Just applicant

County: Colleton County MG

Court: Magistrate's Court

Where to Apply: Magistrate's Office says they have to apply at Clerk of Court

Jail

Applications:

Fee:

Proof of Income: Form Used:

Whose

DARLINGTON COUNTY

Magistrate screens GS charges in bond court. The Application is used and compared to the Guidelines. If the person does not qualify or is missed during the bond hearing but wants to be reviewed later, he has to go to the COC to complete the application. No documentation

DILLON COUNTY

Magistrate screens GS charges in bond court. The Application is used and compared to the Guidelines. If the person does not qualify or is missed during the bond hearing but wants to be reviewed later, he has to go to the COC to complete the application.

County: Dorchester County GS

Court: GS Court

Juveniles

Where to Apply: Public Defender

Jail

Applications:

Fee: \$40 fee is collected

Proof of Income: None: Applicant must bring in all paperwork, charging

documents, bail forms, etc.

Form Used: SCJD Form

Whose If the defendant is a minor, must be accompanied by parent or

Income/Assets

Considered:

legal guardian

EDGEFIELD COUNTY

Magistrate interviews people while in jail. Then transmit paperwork to COC. If they qualify, the person then come to COC to pay \$40. COC does not follow up with info on Affidavit. If the person waives PD when Magistrate interviews and later wants PD, they are required to come to COC office and complete affidavit and pay \$40. The COC or Deputy COC will interview person. Verification of questionable information is sometimes required but not all the time. Just depends on if the interview raises concerns.

FAIRFIELD COUNTY

The COC office does all of the screening in the county for General Sessions, Summary and Municipal Courts. The defendant comes in and is given the Affidavit/Application for PD (Form approved by Court Admin). The defendant completes the form and the clerk that is working the desk then compare the reported income to the poverty guidelines table and approve or deny the application. They take the people at their word that the info is correct and do not verify. The information about property and debts is not considered nor verified. If the person list real property but his income is at or under guidelines, the application is approved.

FLORENCE COUNTY

Magistrate screens GS charges in bond court. The Application is used and compared to the Guidelines. If the person does not qualify or is missed during the bond hearing but wants to be reviewed later, he has to go to the COC to complete the application. The Public Defender screens Magistrate charges. The PD office requires the person to provide proof of their income or a notarized statement from the person supporting them.

GEORGETOWN COUNTY

Walk in clients come directly to the Georgetown Public Defender Office and complete the application. No documents required to verify income or assets. The income is compared to the Poverty Guidelines. If they are clearly over the guidelines, the Paralegal informs them that they are ineligible for a Public Defender. If they are eligible, the Paralegal requires that they pay with a Postal Money Order or Bank Money Order. The Money Orders are sent to the Horry County Public Defender Office quarterly and a single check to the State.

For Jail Clients: Every two weeks we review the Georgetown jail list to see if any General Sessions clients are there. Because they were unable to make their bond we assume they need our services. We open a file for them after checking the Georgetown Clerk of Court website to determine if they have retained an attorney.

GREENVILLE COUNTY

The County set up an Indigent Defense office that consist of 3 full time employees. This office handles ALL screening for the County. The office is an independent office. The office requires applicants to bring in documentation such as pay stubs, monthly bills, proof of spouse income, statement from employer, lease, etc. One of the staff persons review the application, documentation and ask applicant questions as needed. If approved, they send case to PD or Contract Attorney. Person denied may ask court to review the application.

County: Greenwood County GS

Court: GS Ct

Where to Apply: In-Jail - PD Office takes them

Out-of-Jail, Clerk of Court screens

Jail If in jail, can fill out application; PD office picks those up and

Applications: opens them, bypasses CoC; can be rescreened by CoC if get out of

jail and PD feels need.

Fee: If don't have money, send to Solicitor's office to get before judge;

most tack to end if get sentenced in addition to \$500 PD fee; \$40 fee is not added to sentence of applicants approved in jail

Proof of Income:

Form Used: SCJD Form

Whose Anybody who lives or works in household

County: Greenwood County MG

Court: Magistrate's Court

Where to Apply: Magistrate's Court where charge is screens

Jail

Applications:

Fee: No Fee

Proof of Income: None

Form Used: SCJD Form

Whose Household - everybody in house

County: Hampton County

Court: GS/Magistrates

Juveniles/DSS thru FC

no municipal court-PD doesn't represent them

Where to Apply: Clerk of Court screens

(Juveniles/DSS apply in Family Court Division)

Jail Application comes in to CoC for review with arraignment

Applications: paperwork

Fee: \$40 every case;

if in jail Solicitor may say appoint; after trial pay the \$500 PD fee,

\$40 not added

Proof of Income: None

Form Used: SCJD Form

Whose Applicant only

HORRY COUNTY

The Magistrates screen defendants at the detention center. The Magistrates often determine if a defendant is over the guidelines. The PD office reviews the jail inmate list and if a person remains in jail for more than 10 days, a file is opened if the Horry County Website does not reflect that they have retained an attorney. Some people will apply directly at the Horry County Clerk of Court Office. All of these applications are scanned into the COC database. All fees in Horry County are paid to the Horry County Clerk of Court.

County: Jasper County

Court: GS Ct, Mg Ct,

Where to Apply: In-Jail, Magistrate screens;

Out-of-jail, Clerk of Court screens

Jail Per CoC-Application normally done at the jail, and Magistrate

Applications: determines if qualified for PD; sends paperwork to CoC; Upon release, applicant then comes to CoC office to pay \$40 fee and get

instructions on how to contact PD.

Fee: \$40 cash or money order;

for jail cases, jail sends paperwork over

Proof of Income: None

Form Used: SCJD Form

Whose Detention Center thinks just applicant; knows they ask questions

Income/Assets about dependents and such

Considered:

KERSHAW COUNTY

All GS and domestic violence Magistrate cases are screened by the Magistrate at the bond hearing. The defendant completes the affidavit prior to appearing before the judge for bond usually with one of the jailers. The judge scrutinizes the application and may inquiry about specific information and determines if the person qualifies. If the app is approved it is forwarded to the COC with the warrants, etc for appointment of PD. COC puts info in file and forwards app and order of appointment to PD. Magistrate and Municipal cases are not screened at bond hearing. When person comes to court, the judge advises of right to counsel and if person wants atty they are instructed on how to go to COC to apply and their hearing is continued to give them opportunity to go to COC. These cases and some GS cases that were refused or waived at bond hearing are considered "walk in" applications. COC completes application based on what person tells them. COC reviews app and compare it to Poverty Guidelines to determine if qualify. Approved apps are forwarded to PD. No verification of the information just gut following and questioning of information as needed.

Magistrate Judge Todd is willing to serve on a committee to work on issue.

LANCASTER COUNTY

The Public Defender screens people that are in jail like once a week. Everyone that is out of jail must go to the COC office to apply for PD. COC accepts applications for magistrate, municipal and general session charges. When person comes to apply, the COC swears the person and then ask the questions on the PDA (public defender application). COC completes the application based upon information the person provides. They do not verify the information nor requires any documentation. "Most people reports that they don't have a job in order to show a pay stub." The income info is compared to the Poverty Guidelines. If person qualify, the app is sent to the PD or to the Magistrate or Municipal Court. That concludes the screening.

County: Laurens County

Court: GS Ct

Where to Apply: Clerk of Court screens

Jail Jail or PD brings forms for jail cases to CoC for review

Applications:

Fee: \$40 application fee; refunded if declined; jail cases tack on to end

> of case, but don't pay if not convicted; Often if they tell don't qualify or don't have fee, PD will take before judge and he will waive fee and appoint them; depends on judge; some judges

scrutinize more than others

Proof of Income: No documentation on income unless something like work under

table or on commission; then bring pay stub or W2; If no job, they

qualify

Form Used: Had their own form before SCJD form; printed in triplicate;

Still using that one now; don't know what will do when those run

out; She will email me a copy

Whose Applicant only;

Income/Assets

do consider if they have dependent children **Considered:**

County: Laurens County MG

Court: Magistrate's Court

Where to Apply: Magistrate where case is screens

Jail

Applications:

Fee: \$40 collected - can't take application without it

Proof of Income: None

Form Used: SCJD Form

Whose Applicant

LEE COUNTY

Affidavits/Applications are distributed to persons at the bond hearing. If the person remains in jail and wants a public defender, they turn in their application to the jail who in turn forwards the application to the PD office for screening. If the person is released on bond and wants a PD, they are given instructions to take the application and fee to the COC. COC then forwards the application to the PD office for screening.

LEXINGTON COUNTY

The COC does all of the screening for General Sessions and Magistrate Court charges. If the person is out on bond, they must go to the COC office to complete the Application for PD and pay the \$40 fee. The COC compare the information provided to the Poverty Guidelines and determine if they qualify. If so, the Order of Appointment is sent to the PD office. The COC does not require any additional documentation and take the person's word that the information is true. Sometimes the PD will check on tax records on some people and ask to be relieved if they have property in their names. If the person is in jail, they either call the COC office or writing the COC asking for an attorney. The COC sends an Order of Appointment to the PD and the PD visits the person and gets the application completed.

MARION COUNTY

Magistrate screens for all cases. Judge completes Affidavit form with each person and compare it to the Poverty Guidelines. The Affidavit is then sent to the Clerk of Court office with the warrants. They avg about 3-4 people per bond hearing. Bond hearings are held twice a day (9 am and 3 pm). If the application is approved the COC fax it to the Public Defender. If at a later date the person who did not get a public defender decided he wants a PD, the person must go to the COC office. COC verifies if the information on the previous application is the same or changed. If changed, the person completes a new application and pay the \$40. The application is then faxed to the public defender office to make a decision.

MARLBORO COUNTY

Magistrate screens GS charges in bond court. The Application is used and compared to the Guidelines. If the person does not qualify or is missed during the bond hearing but wants to be reviewed later, he has to go to the COC to complete the application. No documentation required. Information taken at applicant's word.

County: McCormick County GS

Court: GS/Juveniles

Where to Apply: In-jail, Magistrate may screen at Bond Court;

Out-of-jail, Clerk of Court screens

Jail Bond Court first opportunity;

Applications: Sometime Magistrate's fill out and send to clerk if didn't apply at

bond court.

Fee: \$40 have to pay; Have to go to judge to get waived

Proof of Income: None

Form Used: SCJD Form

Whose Applicant or Applicant and Spouse if married

County: McCormick County MG

Court: Magistrate's Court

Where to Apply: Magistrate screens

Jail Can apply at bond hearing if arrested; Applications: if issued citation,, come in to apply

Fee: \$40 charged; waived in jail cases

Proof of Income: Vast majority unemployed; rely on info provided on form

Form Used: SCJD Form

Whose Just applicant

NEWBERRY COUNTY

According to the Clerk of Court, screening is done by the Public Defender office. *No return call received from the PD Office.*

County: Oconee County

Court: GS/Magistrates/Walhalla/Salem/Juveniles

Where to Apply: In-jail, deemed to be indigent, PD takes;

Out-of jail, Clerk of Court screens

(Juveniles/DSS apply in Family Court Division)

Jail PD screener takes applications; on release have to be rescreened

Applications: by Clerk of Court and pay \$40

Fee: Pay the fee or don't take the application; have to get approval from

judge to waive;

Jail cases don't' pay unless they get out on bond

Proof of Income:

Form Used: SCJD Form

Whose If rely on spouse's income, consider it

Income/Assets No documentation required Considered: Parents' incomes for juveniles

County: Orangeburg County

Court: GS/ Magistrate

Juveniles in FC Division

Where to Apply: Clerk of Court screens all

Jail Corrections officers bring applications to Clerk of Court. If in jail

Applications: for long time and unemployed, then appoint. If not in long, have

to get income info.

Fee: \$40 fee; Have to go to judge to waive; May be added at end if

waived; If in jail, waived and added at the end

Proof of Income: pay stub if employed

Form Used: SCJD Form

Whose Whatever on form

PICKENS COUNTY

RICHLAND COUNTY

According to the Clerk of Court, they screen persons for Magistrate and GS charges on Tuesday, Wednesday and Thursday from 9 am to 12 noon and on Thursday afternoons. Person is required to bring Arrest Warrant, Bond paperwork, ID and \$40 to COC office. Screener will ask questions from the Affidavit form and determine if person qualifies based on guidelines. Do not require any additional documentation to prove income or household expenses.

SALUDA COUNTY

The Magistrate Court conducts the screening for General Sessions and Summary Court. The defendant is offered an attorney at bond hearing and can come back to the Magistrate office if they decide they want attorney after the bond hearing. If they come into the office, they are required to complete the Affidavit then go to COC to pay the \$40. Magistrate court does not verify any of the information on the Affidavit and not sure if the COC conducts any type of verification. The defendant is not required to bring any documentation with them when applying for the PD.

SPARTANBURG COUNTY

Public Defender screens using the Affidavit form and inquire about the information when the information does not appear to be accurate.

SUMTER COUNTY

Affidavits/Applications are distributed to persons at the bond hearing. If the person remains in jail and wants a public defender, they turn in their application to the jail who in turn forwards the application to the PD office for screening. If the person is released on bond and wants a PD, they are given instructions to take the application and fee to the COC. COC then forwards the application to the PD office for screening.

County: Union County

Court: GS Ct;

Juveniles and FC

Where to Apply: In-jail, screened at jail;

Out-of-jail, Clerk of Court screens

(Juveniles/DSS apply in Family Court Division)

Jail Jail cases apply at the jail and do not pay \$40

Applications:

Fee: \$40 - have to pay unless judge waives or in jail

Proof of Income: Financial Declaration Form

Form Used: Have them fill out financial Declaration, Several Page form

Whose Applicant only

County: Union County MG

Court: Magistrate's Court

Where to Apply: Magistrate's Court

Jail

Applications:

Fee: \$40 fee

Proof of Income: None

Form Used: SCJD Form

Whose Applicant only

WILLIAMSBURG COUNTY

Affidavits/Applications are distributed to persons at the bond hearing. If the person remains in jail and wants a public defender, they turn in their application to the jail who in turn forwards the application to the PD office for screening. If the person is released on bond and wants a PD, they are given instructions to take the application and fee to the COC. COC then forwards the application to the PD office for screening.

County: York County

Court: GS Court only

Where to Apply: In-jail, Bond Ct screens;

Out-of-jail (or in-jail after bond court), Clerk of Court screens

Jail First screened at Bond Court and Bond Ct Judge makes

Applications: determination if qualify; If decline then, apply at CoC; If stay in

jail; CoC will usually get updated application from jail

Fee: \$40 paid if apply at CoC; Don't tack the \$40 on at the end for

those approved at jail

Proof of Income: None

Form Used: SCJD Form

Whose Applicant only

County: York County MG

Court: Magistrate's Court

Where to Apply: In-jail, Bond Court;

Judge screens in court if not approved through Bond Court

Jail Bond Court also handles most of theirs

Applications:

Fee: They don't charge unless judge says so

Proof of Income: Normally just use form; may require proof of changed

circumstances

Form Used: SCJD Form

Whose Applicant, spouse and dependent info