

# Overview of Indigency Applications and Screening

The Committee asks the Commission on Indigent Defense (SCCID) to provide an overview of indigency screening and the processes utilized in each circuit and county. Based on communication with the agency, Committee staff include the following information in the Subcommittee's August 14, 2018 meeting packet. The agency references this information in its September 7, 2018 letter to the Committee.<sup>1</sup>

## **Number of applicants and disposition of applications**

State law requires the clerk of court or other appropriate official to maintain a record of all persons applying for representation and the disposition of the application.<sup>2</sup> State law further requires the clerk of court or other appropriate official to provide this information to the Office of Indigent Defense on a monthly basis as well as reporting the amount of funds collected or waived.<sup>3</sup> While this has been the law of South Carolina for the past ten years, SCCID asserted in a 2017 memo that there has been no statistics recorded that provide a breakdown of the number of applicants for indigent representation accepted or rejected.<sup>4</sup> However, since the 2017 memo, SCCID has tried to compile recent screening data.<sup>5</sup> The information compiled is from circuit public defender offices that conduct screenings.<sup>6</sup>

## **Proof of Income Required**

Below are examples of documentation required in different counties and courts. Note there is no uniformity across the state, nor sometimes within a single county.

Affidavit only [S.C. Judicial Department form (SCJD)] in all courts

- Entire 3<sup>rd</sup> circuit - Clarendon; Lee; Sumter; Williamsburg
- Entire 4<sup>th</sup> circuit - Chesterfield; Darlington; Dillon; Marlboro
- Entire 5<sup>th</sup> circuit - Kershaw; Richland
- Entire 6<sup>th</sup> circuit - Chester; Fairfield; Lancaster
- Entire 7<sup>th</sup> circuit - Cherokee; Spartanburg
- Entire 10<sup>th</sup> circuit - Anderson; Oconee
- Entire 15<sup>th</sup> circuit - Georgetown; Horry
- Entire 16<sup>th</sup> circuit - Union; York

*Table 1. Proof of income required, by circuit and county, if all counties in the circuit do not require the same proof.*

1st circuit
<ul style="list-style-type: none"><li>• Dorchester - All courts affidavit only</li><li>• Calhoun - All courts affidavit PLUS may ask for pay stub, if individual is employed;</li><li>• Orangeburg - All courts affidavit PLUS may ask for pay stub, if individual is employed;</li></ul>
2 <sup>nd</sup> circuit
<ul style="list-style-type: none"><li>• Bamberg - All courts affidavit only</li><li>• Barnwell - All courts affidavit only</li><li>• Aiken - Affidavit PLUS documentation such as pay stubs, monthly bills, proof of spouse income, statement from employer, lease, etc.</li></ul>

8<sup>th</sup> circuit

- Newberry - All courts affidavit only
- Greenwood - All courts affidavit PLUS documentation such as pay stubs, monthly bills, proof of spouse income, statement from employer, lease, etc.
- Abbeville - Depends on the court
  - General Sessions - Affidavit PLUS may ask for pay stub, if individual is employed;
  - Juvenile/DSS - Affidavit PLUS may ask for pay stub, if individual is employed;
  - Magistrate - Affidavit only
- Laurens - Depends on the court
  - General Sessions - Affidavit PLUS question/interview applicant about information in affidavit;
  - Juvenile/DSS - Affidavit only
  - Magistrate - Affidavit only

9<sup>th</sup> Circuit

- Charleston - All courts affidavit PLUS question/interview applicant about information in affidavit;
- Berkeley - Depends on the court
  - General Sessions - Affidavit PLUS question/interview applicant about information in affidavit;
  - Juvenile/DSS - Affidavit only
  - Magistrate - All courts affidavit PLUS question/interview applicant about information in affidavit

11<sup>th</sup> circuit

- McCormick - All courts affidavit only
- Saluda - All courts affidavit only
- Edgefield - All courts affidavit PLUS question/interview applicant about information in affidavit;
- Lexington - Depends on the court
  - General Sessions - Affidavit PLUS sometimes public defender checks tax records to see if person has property in their name;
  - Juvenile/DSS - Affidavit only
  - Magistrate - Affidavit PLUS sometimes public defender checks tax records to see if person has property in their name

12<sup>th</sup> circuit

- Marion - All courts affidavit only
- Florence - All courts affidavit PLUS documentation such as pay stubs, monthly bills, proof of spouse income, statement from employer, lease, etc.

13<sup>th</sup> circuit

- Pickens - All courts affidavit only
- Greenville - All courts affidavit PLUS documentation such as pay stubs, monthly bills, proof of spouse income, statement from employer, lease, etc.

14<sup>th</sup> circuit

- Beaufort - All courts affidavit only
- Colleton - All courts affidavit only
- Hampton - All courts affidavit only
- Jasper - All courts affidavit only
- Allendale - All courts affidavit PLUS may ask for pay stub, if individual is employed;

## Income/assets considered

Table 2. Whose income/assets are considered when determining if an individual is indigent.

Whose income/assets are considered	General Sessions	Magistrate	Juveniles / DSS
Applicant only	14	14	0
Applicant and spouse, if married	22	22	0
Applicant and spouse	3	2	0
Applicant and spouse, if spouse works	1	1	0
Applicant and spouse, if rely on spouse's income	1	1	0
Applicant and spouse, if married, living together and working	1	0	0
Applicant only, but consider dependent children	1	0	0
Applicant only, but consider dependent info to determine poverty	1	1	0
Applicant, spouse and dependent info		1	0
Household – all working people in the home	1	1	0
Household - everyone in the house	1	2	0
Parents	0	0	46

## Entity screening application

- Based on information SCCID had received as of July 2017, the breakdown of what entity screens is as follows:<sup>7</sup>
  - Clerk of Court - 21 counties
  - Magistrate (County) or Municipal (City or Town) Bond Court Judge - 14 counties
  - Public Defender Office - 10 counties
  - Greenville County has their own screening office, which also conducts screening for Pickens County jail cases (clerk screens non-jail cases).
- “In several counties the judge may do an initial screening but the clerk of court office may rescreen if there is still a question of indigency or the person “re-applies.” Also, in accordance with Rule 602, SCACR, if ‘that officer’ is unable to make a determination of whether the accused is indigent the determination shall be made by the court in which the matter is to be heard.”<sup>8</sup>
- According to SCCID, “to ensure the legitimacy of the screening process, it is essential that screeners be free of any conflict of interest or other potential ethical pitfalls.”<sup>9</sup> The screening process should not:
  - overly empower the solicitor;
  - cast doubt on the public defender’s loyalty to the client; or
  - cast doubt on the presiding judge’s impartiality.<sup>10</sup>

Table 3. Differences in how counties and courts screen for whether an individual qualifies as an indigent, and thus is entitled to legal representation from the state, by county.

County	Court	Where to Apply	Jail Applications	Fee	Proof of Income	Form Used	Whose Income / Assets Considered	Circuit
Abbeville	General Sessions (GS)	Clerk of Court	Clerk goes to detention center	\$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	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 too much income to qualify for services.	S.C. Judicial Department (SCJD) Form	Applicant and Spouse income if married, living together and working	8
Abbeville	Juveniles/DSS	Clerk of Court - Family Court Division	Clerk goes to detention center	\$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	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 too much income to qualify for services.	SCJD Form	Parents	8
Abbeville	Magistrate's	Magistrate's Office/Magistrate Screens	Most don't apply until after out of jail	\$40 fee; judge has questionnaire to determine if to waive	Like to have, but not required	SCJD Form	Applicant and Spouse if married	8
Aiken	General Sessions (GS)	Magistrate screens at bond court; Public Defender accepts applications and supporting documents for walk-ins and forward them to the bond judge for screening.	PD office visits jail daily to complete applications and forward them to the bond judge. Approved applications are returned to the PD office.	\$40 fee	PD provides list of documents that can be presented to prove income	SCJD Form	Applicant and Spouse if married	2

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Aiken	Juveniles/DSS	Public Defender office accepts applications and send to magistrate for screening	N/A	\$40 fee is collected	PD provides list of documents that can be presented to prove income	SCJD Form	Parents	2
Aiken	Magistrate's	Magistrate screens at bond court; Public Defender accepts applications and supporting documents for walk-ins and forward them to the bond judge for screening.	PD office visits jail to complete applications	\$40 fee is collected	PD provides list of documents that can be presented to prove income	SCJD Form	Applicant and Spouse if married	2
Allendale	General Sessions (GS)	Clerk of Court	Clerk of Court	Collect in every case, try to get them to pay even at first appearance, only waived at jail	Copy of check stub if they say they work - If they don't have any documentation, just rely on info provided on application	SCCID Form	Applicant Only	14
Allendale	Juveniles/DSS	Clerk of Court	N/A	Collect in every case, try to get them to pay even at first appearance, only waived at jail	Copy of check stub if they say they work - If they don't have any documentation, just rely on info provided on application	SCCID Form	Parents	14

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Allendale	Magistrate's	Chief magistrate's office says all appointments handled through county clerk of court	Clerk of	Collect in every case, try to get them to pay even at first appearance, only waived at jail	Copy of check stub if they say they work - If they don't have any documentation, just rely on info provided on application	SCJD Form	Applicant	14
Anderson	General Sessions (GS)	Clerk of Court screens	Screener from PD office does jail cases; 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	\$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.	None	SCJD Form	Applicant only; Dependent info considered to determine poverty.	10
Anderson	Juveniles/DSS	Clerk of Court screens - Apply in Family Court Division	Screener from PD office does jail cases; 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	\$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.	None	SCJD Form	Parents	10

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Anderson	Magistrate's	Clerk of Court screens	Screeners from PD office does jail cases; 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	\$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.	None	SCJD Form	Applicant only; Dependent info considered to determine poverty.	10
Bamberg	General Sessions (GS)	Magistrate Screens (2 magistrates assigned); Send approved applicant to clerk of court where case is to pay \$40 fee and be formally appointed	Apply at bond court or after. Jail cases approval forwarded to clerk of court for appointment of PD.	Pay at whatever court, if don't pay left up to clerk of court	None	SCJD Form	Just applicant	2
Bamberg	Juveniles/DSS	Clerk of Court screens applications	N/A	No Information provided	No Information provided	SCJD Form	Parents	2
Bamberg	Magistrate's	Magistrate Screens (2 magistrates assigned); Send approved applicant to clerk of court where case is to pay \$40 fee and be formally appointed	Apply at bond court or after. Jail cases approval forwarded to clerk of court for appointment of PD.	Pay at whatever court, if don't pay left up to clerk of court	None	SCJD Form	Just applicant	2
Barnwell	General Sessions (GS)	Clerk of Court screens all cases	Jail transports those that are in jail to clerk's office to apply	\$40 - allow them to apply without money; notify judge if hasn't been paid when they come to court	None	SCJD Form	Applicant and Spouse if married	2
Barnwell	Juveniles/DSS	Clerk of Court screens all cases - Apply in Family Court Division	Jail transports those that are in jail to clerk's office to apply	\$40 - allow them to apply without money; notify judge if hasn't been paid when they come to court	None	SCJD Form	Parents	2

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Barnwell	Magistrate's	Clerk of Court screens all cases	Jail transports those that are in jail to clerk's office to apply	\$40 - allow them to apply without money; notify judge if hasn't been paid when they come to court	None	SCJD Form	Applicant and Spouse if married	2
Beaufort	General Sessions (GS)	Clerk of Court screens all cases	If defendant in jail for 10 days, do form at jail and that is 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.	\$40 cash only; required in all cases. Only circuit judge can waive. For jail cases, \$40 is added at disposition	None	SCCID Form	Applicant Only	14
Beaufort	Juveniles/DSS	Clerk of Court	N/A	\$40 cash only; required in all cases. Only circuit judge can waive. For jail cases, \$40 is added at disposition	None	SCJD Form	Parents	14
Beaufort	Magistrate's	Clerk of Court screens all cases	If defendant in jail for 10 days, do form at jail and that is 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.	\$40 cash only; required in all cases. Only circuit judge can waive. For jail cases, \$40 is added at disposition	None	SCCID Form	Applicant Only	14



<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Berkeley	General Sessions (GS)	Magistrate Judge conducts screening	Paragraph form - Info not included	\$40 application fee collected	None - but judge questions applicant about information that helps give accurate picture of applicant's financial status	SCJD Form	Applicant and Spouse if married	9
Berkeley	Juveniles/DSS	Public Defender accepts the applications and forward to the Clerk of Court office	PINI	\$40 fee collected	None	SCJD Form	Parents	9
Berkeley	Magistrate's	Magistrate Judge conducts screening	PINI	\$40 fee collected	None - but judge questions applicant about information that helps give accurate picture of applicant's financial status	SCJD Form	Applicant and Spouse if married	9
Calhoun	General Sessions (GS)	Clerk of Court screens all cases	Captain McCutcheon gives forms to inmates, and she mails them to CoC.	\$40 waived in some cases - mostly if incarcerated; they don't tack it on at the end for jail cases.	If borderline, may ask for wage document or tax return. In most cases so clear it's not needed	SCJD Form	Applicant and Spouse if form says has spouse that works.	1
Calhoun	Juveniles/DSS	Clerk of Court screens all cases - Apply in Family Court Division	Captain McCutcheon gives forms to inmates, and she mails them to CoC.	\$40 waived in some cases - mostly if incarcerated; they don't tack it on at the end for jail cases.	If borderline, may ask for wage document or tax return. In most cases so clear it's not needed	SCJD Form	Parents	1
Calhoun	Magistrate's	Clerk of Court screens all cases	Captain McCutcheon gives forms to inmates, and she mails them to CoC.	\$40 waived in some cases - mostly if incarcerated; they don't tack it on at the end for jail cases.	If borderline, may ask for wage document or tax return. In most cases so clear it's not needed	SCJD Form	Applicant and Spouse if form says has spouse that works.	1
Charleston	General Sessions (GS)	Magistrate screens at bond court; Public Defender conducts screening for walk ins. If PD denies application, Circuit Judge can review	Staff handle walk-in and jail applicants	Collects \$40 application fee	Question applicant to obtain accurate picture of financial status	SCJD Form	Applicant and Spouse if married	9

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Charleston	Juveniles/DSS	DJJ conducts screening and Public Defender verifies.	Staff handle walk-in and jail applicants	\$40 fee collected	Question applicant to obtain accurate picture of financial status	SCJD Form	Parents	9
Charleston	Magistrate's	Magistrate screens at bond court; Public Defender conducts screening for walk ins. If PD denies application, Judge can review	Staff handle walk-in and jail applicants	\$40 fee collected	Question applicant to obtain accurate picture of financial status	SCJD Form	Applicant and Spouse if married	9
Cherokee	General Sessions (GS)	Public Defender conducts screening	Paragraph Form - Information not included	\$40 fee unless court waives	None	SCJD Form	Applicant and Spouse if married	7
Cherokee	Juveniles/DSS	Public Defender conducts screening	Paragraph Form - Information not included	\$40 fee unless court waives	None	SCJD Form	Parents	7
Cherokee	Magistrate's	Public Defender conducts screening	Paragraph Form - Information not included	\$40 fee unless court waives	None	SCJD Form	Applicant and Spouse if married	7
Chester	General Sessions (GS)	Clerk of Court screens all cases	PD office screener collects applications and brings to Clerk of Court	\$40 collected; must go before judge to waive	None	SCJD Form	Applicant, Spouse	6
Chester	Juveniles/DSS	Clerk of Court Screens all cases	n/a	\$40 collected; must go before judge to waive	None	SCJD Form	Parents	6
Chester	Magistrate's	Clerk of Court screens all cases	PD office screener collects applications and brings to Clerk of Court	\$40 collected; must go before judge to waive	None	SCJD Form	Applicant, Spouse	6

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Chesterfield	General Sessions (GS)	Magistrate screens GS charges in bond court. If person wants to be reviewed later, he must go to the CoC to complete application	Magistrate screens and assigns to Public Defender	\$40 fee unless court waives	None	SCJD Form	Applicant	4
Chesterfield	Juveniles/DSS	Clerk of Court screens	N/A	\$40 fee unless court waives	None	SCJD Form	Parents	4
Chesterfield	Magistrate's	Magistrate screens GS charges in bond court. If person wants to be reviewed later, he must go to the CoC to complete application	Magistrate screens and assigns to Public Defender	\$40 fee unless court waives	None	SCJD Form	Applicant	4
Clarendon	General Sessions (GS)	Applications distributed at bond hearing. If person released on bond and wants a PD, they must take application to CoC who forwards it to PD office for screening.	Turn in application to the jail who in turn forwards the application to the PD office for screening	\$40 fee unless waived by court	None	SCJD Form	Applicant and Spouse if married	3
Clarendon	Juveniles/DSS	Applications distributed at bond hearing. If person released on bond and wants a PD, they must take application to CoC who forwards it to PD office for screening.	Turn in application to the jail who in turn forwards the application to the PD office for screening	\$40 fee unless court waives	None	SCJD Form	Parents	3

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Clarendon	Magistrate's	Applications distributed at bond hearing. If person released on bond and wants a PD, they must take application to CoC who forwards it to PD office for screening.	Turn in application to the jail who in turn forwards the application to the PD office for screening	\$40 fee unless court waives	None	SCJD Form	Applicant and Spouse if married	3
Colleton	General Sessions (GS)	In-Jail, Bond Court screens. Out-of-Jail, Clerk of Court Screens	Bond Court is first chance to apply; if apply there and judge 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.	Don't pay \$40 fee at bond court, must come to CoC to pay. If apply at CoC, pay then; don't take written application without 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.	None	SCJD Form	Just applicant	14

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Colleton	Juveniles/DSS	In-Jail, Bond Court screens. Out-of-Jail, Clerk of Court Screens (Apply in Family Court Division)	Bond Court is first chance to apply; if apply there and judge 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.	Don't pay \$40 fee at bond court, must come to CoC to pay. If apply at CoC, pay then; don't take written application without 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.	None	SCJD Form	Parents	14
Colleton	Magistrate's	Clerk of Court	Bond Court is first chance to apply; if apply there and judge 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.	Don't pay \$40 fee at bond court, must come to CoC to pay. If apply at CoC, pay then; don't take written application without 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.	None	SCJD Form	Applicant	14

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Darlington	General Sessions (GS)	Magistrate screens GS charges in bond court. If person wants to be reviewed later, must go to CoC to complete application	Magistrate screens and assigns to Public Defender	\$40 fee unless court waives	None	SCJD Form	Applicant	4
Darlington	Juveniles/DSS	Clerk of Court screens	N/A	\$40 fee unless court waives	None	SCJD Form	Parents	4
Darlington	Magistrate's	Magistrate screens GS charges in bond court. If person wants to be reviewed later, must go to CoC to complete application	Magistrate screens and assigns to Public Defender	\$40 fee unless court waives	None	SCJD Form	Applicant	4
Dillon	General Sessions (GS)	Magistrate screens GS charges in bond court. If person wants to be reviewed later, must go to CoC to complete application	Magistrate screens and assigns to Public Defender	\$40 fee unless court waives	None	SCJD Form	Applicant	4
Dillon	Juveniles/DSS	Clerk of Court	N/A	\$40 fee unless court waives	None	SCJD Form	Parents	4
Dillon	Magistrate's	Magistrate screens GS charges in bond court. If person wants to be reviewed later, must go to CoC to complete application	Magistrate screens and assigns to Public Defender	\$40 fee unless court waives	None	SCJD Form	Applicant	4
Dorchester	General Sessions (GS)	Public Defender	Application forwarded to clerk of court	\$40 fee is collected	None. Applicant must bring in all paperwork, charging documents, bail forms, etc.	SCJD Form	Applicant and Spouse if married	1
Dorchester	Juveniles/DSS	Public Defender	N/A	\$40 fee is collected	None. Applicant must bring in all paperwork, charging documents, bail forms, etc.	SCJD Form	Parents	1

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Dorchester	Magistrate's	Public Defender	Application forwarded to clerk of court	\$40 fee is collected	None	SCJD Form	Applicant and Spouse if married	1
Edgefield	General Sessions (GS)	Magistrate interviews people while in jail, then send paperwork to CoC.	Magistrate interviews people while in jail, then send paperwork to CoC.	\$40 paid at CoC Office if applicant qualifies. If person waives PD during interview and later wants PD, must go to CoC office and pay \$40.	Verification of questionable information required if interview raises concerns, but not all the time.	SCJD Form	Applicant and Spouse if married	11
Edgefield	Juveniles/DSS	Magistrate interviews people while in jail, then send paperwork to CoC.	N/A	\$40 paid at CoC Office if applicant qualifies. If person waives PD during interview and later wants PD, must go to CoC office and pay \$40.	Verification of questionable information required if interview raises concerns, but not all the time.	SCJD Form	Parents	11
Edgefield	Magistrate's	Magistrate interviews people while in jail, then send paperwork to CoC.	Magistrate interviews people while in jail, then send paperwork to CoC.	\$40 paid at CoC Office if applicant qualifies. If person waives PD during interview and later wants PD, must go to CoC office and pay \$40.	Verification of questionable information required if interview raises concerns, but not all the time.	SCJD Form	Applicant and Spouse if married	11
Fairfield	General Sessions (GS)	CoC does all screening. Defendant completes form and clerk working desk compares reported income to poverty guidelines table and approve or deny application.	PD office screener collects applications and brings to Clerk of Court	\$40 fee unless court waives	Take people at their word and do not verify. Information about property and debts is not considered or verified. If person lists real property but his income is at or under guidelines, application is approved.	SCJD Form	Applicant, Spouse	6
Fairfield	Juveniles/DSS	Clerk of Court screens all cases	N/A	\$40 fee unless court waives	None	SCJD Form	Parents	6

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Fairfield	Magistrate's	Clerk of Court screens all cases	PD office screener collects applications and brings to Clerk of Court	\$40 fee unless court waives	None	SCJD Form	Applicant and spouse	6
Florence	General Sessions (GS)	Magistrate screens GS charges in bond court. If person wants to be reviewed later, must go to CoC to complete application	Clerk of Court	If person goes to CoC and fills out application - pay \$40	PD office requires proof of income or notarized statement from person supporting them.	SCJD Form	Applicant and Spouse if married	12
Florence	Juveniles/DSS	Clerk of Court	N/A	If person goes to CoC and fills out application - pay \$40	PD office requires proof of income or notarized statement from person supporting them.	SCJD Form	Parents	12
Florence	Magistrate's	Magistrate screens GS charges in bond court. If person wants to be reviewed later, must go to CoC to complete application. PD office screens Magistrate charges	Clerk of Court	If person goes to CoC and fills out application - pay \$40	PD office requires proof of income or notarized statement from person supporting them.	SCJD Form	Applicant and Spouse if married	12



<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Georgetown	General Sessions (GS)	Georgetown Public Defender Office	Every two weeks Georgetown jail list reviewed to see if any General Sessions clients are there. Because they were unable to make their bond it is assumed they need services. File is opened for them after checking the Clerk of Court website to determine if they have retained an attorney.	Pay with a Postal Money Order or Bank Money Order. Money Orders are sent to the Horry County Public Defender Office quarterly and a single check to the state.	None. If ineligible because exceed poverty guidelines, Paralegal informs them of ineligibility.	SCJD Form	Applicant and Spouse if married	15
Georgetown	Juveniles/DSS	Public Defender Office	N/A	Pay with a Postal Money Order or Bank Money Order. Money Orders are sent to the Horry County Public Defender Office quarterly and a single check to the state.	None	SCJD Form	Parents	15

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Georgetown	Magistrate's	Public Defender Office	Every two weeks Georgetown jail list reviewed to see if any General Sessions clients are there. Because they were unable to make their bond it is assumed they need services. File is opened for them after checking the Clerk of Court website to determine if they have retained an attorney.	Pay with a Postal Money Order or Bank Money Order. Money Orders are sent to the Horry County Public Defender Office quarterly and a single check to the state.	None	SCJD Form	Applicant and Spouse if married	15
Greenville	General Sessions (GS)	Independent Indigent Defense Office (3 FT employees) handles all screening for the county. If denied, may ask court to review application.	Independent Indigent Defense Office (3 FT employees) handles all screening for the county. If denied, may ask court to review application.	\$40 fee collected	Documentation such as pay stubs, monthly bills, proof of spouse income, statement from employer, lease, etc. Staff person asks applicant questions as needed.	SCJD Form	Household – everyone working in the household	13

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Greenville	Juveniles/DSS	Independent Indigent Defense Office (3 FT employees) handles all screening for the county. If denied, may ask court to review application.	Independent Indigent Defense Office (3 FT employees) handles all screening for the county. If denied, may ask court to review application.	\$40 fee collected	Documentation such as pay stubs, monthly bills, proof of spouse income, statement from employer, lease, etc. Staff person asks applicant questions as needed.	SCJD Form	Parents	13
Greenville	Magistrate's	Independent Indigent Defense Office (3 FT employees) handles all screening for the county. If denied, may ask court to review application.	Independent Indigent Defense Office (3 FT employees) handles all screening for the county. If denied, may ask court to review application.	\$40 fee collected	Documentation such as pay stubs, monthly bills, proof of spouse income, statement from employer, lease, etc. Staff person asks applicant questions as needed.	SCJD Form	Household – all working people in the home	13
Greenwood	General Sessions (GS)	In-Jail: PD Office takes them. Out-of-Jail: Clerk of Court screens.	If in jail, can fill out application. PD office picks those up and opens them, bypasses CoC. Can be rescreened if get out of jail and PD feels need.	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 not added to sentence of applicants approved in jail.	List provided of documents needed to verify income	SCJD Form	Anyone who lives or works in household	8
Greenwood	Juveniles/DSS	Clerk of Court	N/A	\$40 fee is collected unless waived by court	List provided of documents needed to verify income	SCJD Form	Parents	8
Greenwood	Magistrate's	Magistrate's Court screens	Public Defender screens jail	None	List provided of documents needed to verify income	SCJD Form	Household - everybody in house	8
Hampton	General Sessions (GS)	Clerk of Court screens	Application comes in to CoC for review with arraignment paperwork	\$40 every case. If in jail, Solicitor may say appoint, after trial pay the \$500 PD fee, \$40 not added.	None	SCJD Form	Applicant Only	14

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Hampton	Juveniles/DSS	Clerk of Court screens - Apply in Family Court Division	Application comes in to CoC for review with arraignment paperwork	\$40 every case. If in jail, Solicitor may say appoint, after trial pay the \$500 PD fee, \$40 not added.	None	SCJD Form	Parents	14
Hampton	Magistrate's	Clerk of Court screens	Application comes in to CoC for review with arraignment paperwork	\$40 every case. If in jail, Solicitor may say appoint, after trial pay the \$500 PD fee, \$40 not added.	None	SCJD Form	Applicant Only	14
Horry	General Sessions (GS)	Some apply directly at Horry County Clerk of Court office. All applications scanned into CoC database.	Magistrates screen defendants at detention center. PD office review the jail inmate list and if person remains in jail for more than 10 days, a file is opened if Horry County website does not reflect that they have retained an attorney.	All fees are paid to Horry County Clerk of Court	None	SCJD Form	Applicant; and Spouse, if married	15
Horry	Juveniles/DSS	Clerk of Court Office	N/A	\$40 fee paid to Clerk of Court	None	SCJD Form	Parents	15
Horry	Magistrate's	Clerk of Court Office	Magistrates screen defendants at detention center. PD office review the jail inmate list and if person remains in jail for more than 10 days, a file is opened if Horry County website does not reflect that they have retained an attorney.	\$40 fee paid to Clerk of Court	None	SCJD Form	Applicant; and Spouse if married	15

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Jasper	General Sessions (GS)	In-Jail, Magistrate Screens; Out-of-Jail, Clerk of Court screens	Per CoC, application normally done at the jail, and Magistrate 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.	\$40 cash or money order. For jail cases, jail sends paperwork over.	None	SCJD Form	Detention Center thinks just applicant; know they ask questions about dependents and such.	14
Jasper	Juveniles/DSS	Clerk of Court	N/A	\$40 cash or money order	None	SCJD Form	Parents	14
Jasper	Magistrate's	In-Jail, Magistrate Screens; Out-of-Jail, Clerk of Court screens	Per CoC, application normally done at the jail, and Magistrate 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.	\$40 cash or money order. For jail cases, jail sends paperwork over.	None	SCJD Form	Detention Center thinks just applicant; know they ask questions about dependents and such.	14
Kershaw	General Sessions (GS)	Cases screened by Magistrate at bond hearing. Refused or waived cases considered 'walk in' applications.	Jail forwards completed application to Public Defender	\$40 fee unless court waives	None	SCJD Form	Applicant and Spouse if married	5
Kershaw	Juveniles/DSS	Clerk of Court	N/A	\$40 fee unless court waives	None	SCJD Form	Parents	5

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Kershaw	Magistrate's	Domestic Violence Magistrate cases screened by Magistrate at the bond hearing. Other cases not screened at bond hearing. When person comes to court, judge advises of right to counsel and if person wants attorney they are instructed on how to go the CoC to apply and hearing is continued to give them opportunity to go to CoC. Considered 'walk in' applications.	Jail forwards completed application to Public Defender	\$40 fee unless court waives	None	SCJD Form	Applicant and Spouse if married	5
Lancaster	General Sessions (GS)	Public Defender Office	PD screens people in jail once a week.	\$40 fee unless court waives	None	SCJD Form	Applicant and spouse	6
Lancaster	Juveniles/DSS	Public Defender Office	N/A	\$40 fee unless court waives	None	SCJD Form	Parents	6
Lancaster	Magistrate's	Public Defender Office	Public Defender screens	\$40 fee unless court waives	None	SCJD Form	Household - everybody in house	6

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Laurens	General Sessions (GS)	Clerk of Court screens	Jail of PD brings forms for jail cases to CoC for review	\$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 scrutinize more than others)	No documentation on income unless something like work under table or on commission. Then, bring pay stub or W2. If no job, they qualify.	Had own form before SCJD form. Printed in triplicate. Still using that one now, and don't know what will do when those run out. Email copy.	Applicant only. Do consider if they have dependent children.	8
Laurens	Juveniles/DSS	Clerk of Court	N/A	\$40 application fee	None	SCJD Form	Parents	8
Laurens	Magistrate's	Magistrate where case is screened	Jail sends the application to Clerk of Court	\$40 collected - can't take application without it	None	SCJD Form	Applicant	8
Lee	General Sessions (GS)	If person released on bond and wants PD, they must take application and fee to CoC who then forwards it to PD office for screening.	Jail applicants turn in application to jail who forwards it to the PD office for screening.	\$40 fee unless court waives	None	SCJD Form	Applicant and Spouse if married	3
Lee	Juveniles/DSS	Take application and fee to Clerk of Court who then forwards it to PD for screening	N/A	\$40 fee unless court waives	None	SCJD Form	Parents	3
Lee	Magistrate's	Take application and fee to Clerk of Court who then forwards it to PD for screening	Jail forwards applications to PD office for screening	\$40 fee unless court waives	None	SCJD Form	Applicant and Spouse if married	3

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Lexington	General Sessions (GS)	CoC does all screening. If person out on bond, must go to CoC office to complete application and pay fee.	Either call the CoC office or write the CoC asking for an attorney. The CoC sends an Order of Appointment to the PD and the PD visits the person and completes application.	\$40 fee paid at CoC office if out on bond	None, sometimes PD check tax records to see if person has property in their name.	SCJD Form	Applicant and Spouse if married	11
Lexington	Juveniles/DSS	Clerk of Court does all screening	N/A	\$40 fee paid to clerk of court	None	SCJD Form	Parents	11
Lexington	Magistrate's	CoC does all screening. If person out on bond, must go to CoC office to complete application and pay fee.	Either call the CoC office or write the CoC asking for an attorney. The CoC sends an Order of Appointment to the PD and the PD visits the person and completes application.	\$40 fee paid at CoC office if out on bond	None, sometimes PD check tax records to see if person has property in their name.	SCJD Form	Applicant and Spouse if married	11
Marion	General Sessions (GS)	Magistrate screens for all cases. Application approved by CoC and sent to PD. If person does not get PD and decides he wants one, must go to CoC office and application is verified.	Clerk of Court	If person goes to CoC and fills out application - pay \$40	None	SCJD Form	Applicant and Spouse if married	12



<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Marion	Juveniles/DSS	Clerk of Court	N/A	If person goes to CoC and fills out application - pay \$40	None	SCJD Form	Parents	12
Marion	Magistrate's	Magistrate screens for all cases. Application approved by CoC and sent to PD. If person does not get PD and decides he wants one, must go to CoC office and application is verified.	Clerk of Court	If person goes to CoC and fills out application - pay \$40	None	SCJD Form	Applicant and Spouse if married	12
Marlboro	General Sessions (GS)	Magistrate at bond court; otherwise Clerk of Court	Magistrate screens and assigns to Public Defender	\$40 fee unless court waives	None	SCJD Form	Applicant	4
Marlboro	Juveniles/DSS	Clerk of Court	N/A	\$40 fee unless court waives	None	SCJD Form	Parents	4
Marlboro	Magistrate's	Magistrate at bond court; otherwise Clerk of Court	Magistrate screens and assigns to Public Defender	\$40 fee unless court waives	None	SCJD Form	Applicant	4
McCormick	General Sessions (GS)	In-jail, Magistrate may screen at bond court. Out-of-Jail, Clerk of Court screens.	Bond court first opportunity. Sometimes Magistrates fill out and send to clerk if didn't apply at bond court.	\$40 have to pay. Go to judge to get waived.	None	SCJD Form	Applicant or Applicant and Spouse if married	11
McCormick	Juveniles/DSS	In-jail, Magistrate may screen at bond court. Out-of-Jail, Clerk of Court screens.	Bond court first opportunity. Sometimes Magistrates fill out and send to clerk if didn't apply at bond court.	\$40 have to pay. Go to judge to get waived.	None	SCJD Form	Parents	11
McCormick	Magistrate's	Magistrate screens	Can apply at bond hearing if arrested. If issued citation, come in to apply.	\$40 charged, waived in jail cases.	Vast majority unemployed, rely on info provided on form.	SCJD Form	Applicant Only	11

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Newberry	General Sessions (GS)	According to CoC, screening is done by the Public Defender office. No return call received from the PD office.	Jail sends application to Clerk of Court	\$40 Application fee	None	SCJD Form	Applicant	8
Newberry	Juveniles/DSS	Public Defender	N/A	\$40 application fee	None	SCJD Form	Parents	8
Newberry	Magistrate's	Public Defender	Jail send application to Clerk of Court	\$40 application fee	None	SCJD Form	Applicant	8
Oconee	General Sessions (GS)	Clerk of Court screens.	PD screener takes applications. On release, must be rescreened by Clerk of Court and pay \$40.	Pay the fee or don't take the application. Must get approval from judge to waive. Jail cases don't pay unless they get out on bond.	None	SCJD Form	If rely on spouse's income, consider it.	10
Oconee	Juveniles/DSS	Clerk of Court screens. Apply in Family Court Division.	PD screener takes applications. On release, must be rescreened by Clerk of Court and pay \$40.	Pay the fee or don't take the application. Must get approval from judge to waive. Jail cases don't pay unless they get out on bond.	None	SCJD Form	Parents Income	10

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Oconee	Magistrate's	Clerk of Court screens.	PD screener takes applications. On release, must be rescreened by Clerk of Court and pay \$40.	Pay the fee or don't take the application. Must get approval from judge to waive. Jail cases don't pay unless they get out on bond.	None	SCJD Form	If rely on spouse's income, consider it.	10
Orangeburg	General Sessions (GS)	Clerk of Court screens all.	Corrections officers bring applications to Clerk of Court. If in jail for a long time and unemployed, then appoint. If not in long, must get income info.	\$40 fee. Have to go to judge to waive. May be added at end if waived. If in jail, waived and added at end.	Pay stub if employed.	SCJD Form	Applicant and Spouse if married	1
Orangeburg	Juveniles/DSS	Clerk of Court screens all. Family Court Division.	Corrections officers bring applications to Clerk of Court. If in jail for a long time and unemployed, then appoint. If not in long, must get income info.	\$40 fee. Have to go to judge to waive. May be added at end if waived. If in jail, waived and added at end.	Pay stub if employed.	SCJD Form	Parents	1

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Orangeburg	Magistrate's	Clerk of Court screens all.	Corrections officers bring applications to Clerk of Court. If in jail for a long time and unemployed, then appoint. If not in long, must get income info.	\$40 fee. Have to go to judge to waive. May be added at end if waived. If in jail, waived and added at end.	Pay stub if employed.	SCJD Form	Applicant and Spouse if married	1
Pickens	General Sessions (GS)	Clerk of Court	Clerk of Court	\$40 collected by Clerk	None	SCJD Form	Applicant and Spouse if married	13
Pickens	Juveniles/DSS	Clerk of Court	N/A	\$40 collected by Clerk	None	SCJD Form	Parents	13
Pickens	Magistrate's	Clerk of Court	Clerk of Court	\$40 Collected by Clerk	None	SCJD Form	Applicant and Spouse if married	13
Richland	General Sessions (GS)	According to CoC, they screen persons for Magistrate and GS charges on Tuesday, Wednesday, and Thursday from 9am to 12 noon and on Thursday afternoons. Person required to bring arrest warrant, bond paperwork, ID and \$40 to CoC office.	Jail forwards completed application to Public Defender	\$40	None	SCJD Form	Applicant and Spouse if married	5
Richland	Juveniles/DSS	Clerk of Court	N/A	\$40	None	SCJD Form	Parents	5

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Richland	Magistrate's	According to CoC, they screen persons for Magistrate and GS charges on Tuesday, Wednesday, and Thursday from 9am to 12 noon and on Thursday afternoons. Person required to bring arrest warrant, bond paperwork, ID and \$40 to CoC office.	Jail forwards completed application to Public Defender	\$40	None	SCJD Form	Applicant and Spouse if married	5
Saluda	General Sessions (GS)	Magistrate Court conducts screening. Defendant offered an attorney at bond hearing and can come back to Magistrate office if they decide they want attorney after bond hearing.	Magistrate Court conducts screening.	If come into office, must go to CoC to pay \$40	None by Magistrate, unsure of if CoC conducts any type of verification.	SCJD Form	Applicant	11
Saluda	Juveniles/DSS	Magistrate office	N/A	If person goes to CoC and fills out application - pay \$40	None	SCJD Form	Parents	11
Saluda	Magistrate's	Magistrate Court conducts screening. Defendant offered an attorney at bond hearing and can come back to Magistrate office if they decide they want attorney after bond hearing.	Magistrate Court conducts screening.	If come into office, must go to CoC to pay \$40	None by Magistrate, unsure of if CoC conducts any type of verification.	SCJD Form	Applicant	11
Spartanburg	General Sessions (GS)	Public Defender screens	Public Defender	\$40 fee unless court waives	None	SCJD Form	Applicant and Spouse if married	7

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Spartanburg	Juveniles/DSS	Public Defender	N/A	\$40 fee unless court waives	None	SCJD Form	Parents	7
Spartanburg	Magistrate's	Public Defender	Public Defender	\$40 fee unless court waives	None	SCJD Form	Applicant and Spouse if married	7
Sumter	General Sessions (GS)	Applications distributed at bond hearing. If released on bond and wants a PD, they must take application to CoC who then forwards it to PD for screening.	If want a PD, turn in application to jail who in turn forwards it to PD office for screening.	\$40 fee unless court waives	None	SCJD Form	Applicant and Spouse if married	3
Sumter	Juveniles/DSS	Take application and fee to Clerk of Court who then forwards it to PD for screening	N/A	\$40 fee unless court waives	None	SCJD Form	Parents	3
Sumter	Magistrate's	Take application and fee to Clerk of Court who then forwards it to PD for screening	Jail forwards applications to PD Office for screening	\$40 fee unless court waives	None	SCJD Form	Applicant and Spouse if married	3
Union	General Sessions (GS)	In-jail, screened at jail. Out-of-jail, Clerk of Court screens.	Jail cases apply at the jail and do not pay \$40	\$40 - must pay unless judge waives or in jail	Financial Declaration Form	SCJD Form	Applicant Only	16
Union	Juveniles/DSS	In-jail, screened at jail. Out-of-jail, Clerk of Court screens. Apply in Family Court Division.	Jail cases apply at the jail and do not pay \$40	\$40 - must pay unless judge waives or in jail	Financial Declaration Form	SCJD Form	Parents	16
Union	Magistrate's	Magistrate's Court	Jail cases apply at the jail and do not pay \$40	\$40	Financial Declaration Form	SCJD Form	Applicant Only	16

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
Williamsburg	General Sessions (GS)	Applications distributed at bond hearing. If released on bond and wants a PD, they must take application to Clerk of Court who then forwards it to PD for screening.	If want a PD, turn in application to jail who in turn forwards it to PD office for screening.	\$40 fee unless court waives	None	SCJD Form	Applicant and Spouse if married	3
Williamsburg	Juveniles/DSS	Take application and fee to Clerk of Court who then forwards it to PD for screening	N/A	\$40 fee unless court waives	None	SCJD Form	Parents	3
Williamsburg	Magistrate's	Take application and fee to Clerk of Court who then forwards it to PD for screening	Jail forwards applications to PD office for screening	\$40 fee unless court waives	None	SCJD Form	Applicant and Spouse if married	3
York	General Sessions (GS)	In-jail, Bond Court screens. Out-of-jail (or in-jail after bond court), Clerk of Court screens.	First screened at Bond Court and Bond Court Judge makes determination if qualify. IF decline then, apply at Clerk of Court. If stay in jail, Clerk of Court will usually get updated application from jail.	\$40 paid if apply at Clerk of Court. Don't tack the \$40 on at end for those approved at jail.	None	SCJD Form	Applicant Only	16

<u>County</u>	<u>Court</u>	<u>Where to Apply</u>	<u>Jail Applications</u>	<u>Fee</u>	<u>Proof of Income</u>	<u>Form Used</u>	<u>Whose Income / Assets Considered</u>	<u>Circuit</u>
York	Juveniles/DSS	Clerk of Court screens	N/A	\$40 paid if apply at CoC. Don't tack the \$40 on at end for those approved at jail.	None	SCJD Form	Parents	16
York	Magistrate's	In-jail, Bond Court. Judge screens in court if not approved through Bond Court.	Bond Court also handles most of theirs.	They don't charge unless judge says so	None	SCJD Form	Applicant, spouse and dependent info	16

*Table Note:*

*CoC = Clerk of Court*

*NS = No sheet in the Public Defender Application Procedure information for this court in this county.*

*SB = Public Defender Application Procedure information sheet includes place for information responsive to this column, but it is blank.*

*PINI = Public Defender Application Procedure information was provided in paragraph form and information responsive to this column was not included.*

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<sup>1</sup> S.C. House of Representatives, House Legislative Oversight Committee, “Letter from SCCID to Oversight Subcommittee with attachments (Sept. 7, 2018),” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” under “Indigent Defense, Commission on,” and under “Correspondence,” See portion of letter titled “Agency’s Response to Oversight Subcommittee’s August 17, 2018 Letter,” question number twenty four.  
[https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/IndigentDefense/Letter%20from%20SCCID%20to%20Oversight%20Subcommittee%20with%20attachments%20\(Sept.%207,%202018\).pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/IndigentDefense/Letter%20from%20SCCID%20to%20Oversight%20Subcommittee%20with%20attachments%20(Sept.%207,%202018).pdf) (accessed October 12, 2018).

<sup>2</sup> S.C. Code Ann. Section 17-3-45(B).

<sup>3</sup> Ibid.

<sup>4</sup> S.C. House of Representatives, House Legislative Oversight Committee, “Screening of applicants for indigent defense representation study memo,” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” under “Indigent Defense, Commission on,” under “Other Reports, Reviews, and Audits,” under “Other External Reports, Reviews, Audits, and Studies,” and under “Reports required by Budget Provisos,” page 4  
<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/IndigentDefense/SCCID%20-%20Screening%20of%20applicants%20for%20indigent%20defense%20representation.pdf> (accessed October 12, 2018). Hereinafter, “SCCID Memo re: Indigency Screening, Proviso 117.142.”

<sup>5</sup> August 8, 2018 email from Mr. Rodney Grizzle, SCCID to Mr. Charles Appleby, staff for the House Legislative Oversight Committee.

<sup>6</sup> Ibid.

<sup>7</sup> SCCID Memo re: Indigency Screening, Proviso 117.142. See page 2.

<sup>8</sup> Ibid.

<sup>9</sup> SCCID Memo re: Indigency Screening, Proviso 117.142. See page 4.

<sup>10</sup> Ibid.