

**South Carolina Judicial Branch
Regarding FY 24-25**

**Constitutional Subcommittee
House Ways and Means**

Key Officials Attending Meeting:

Representative Chris Murphy, Chairman

Representative Micah Caskey

Representative Brandon Newton

Ryan Tooley, Budget Analyst

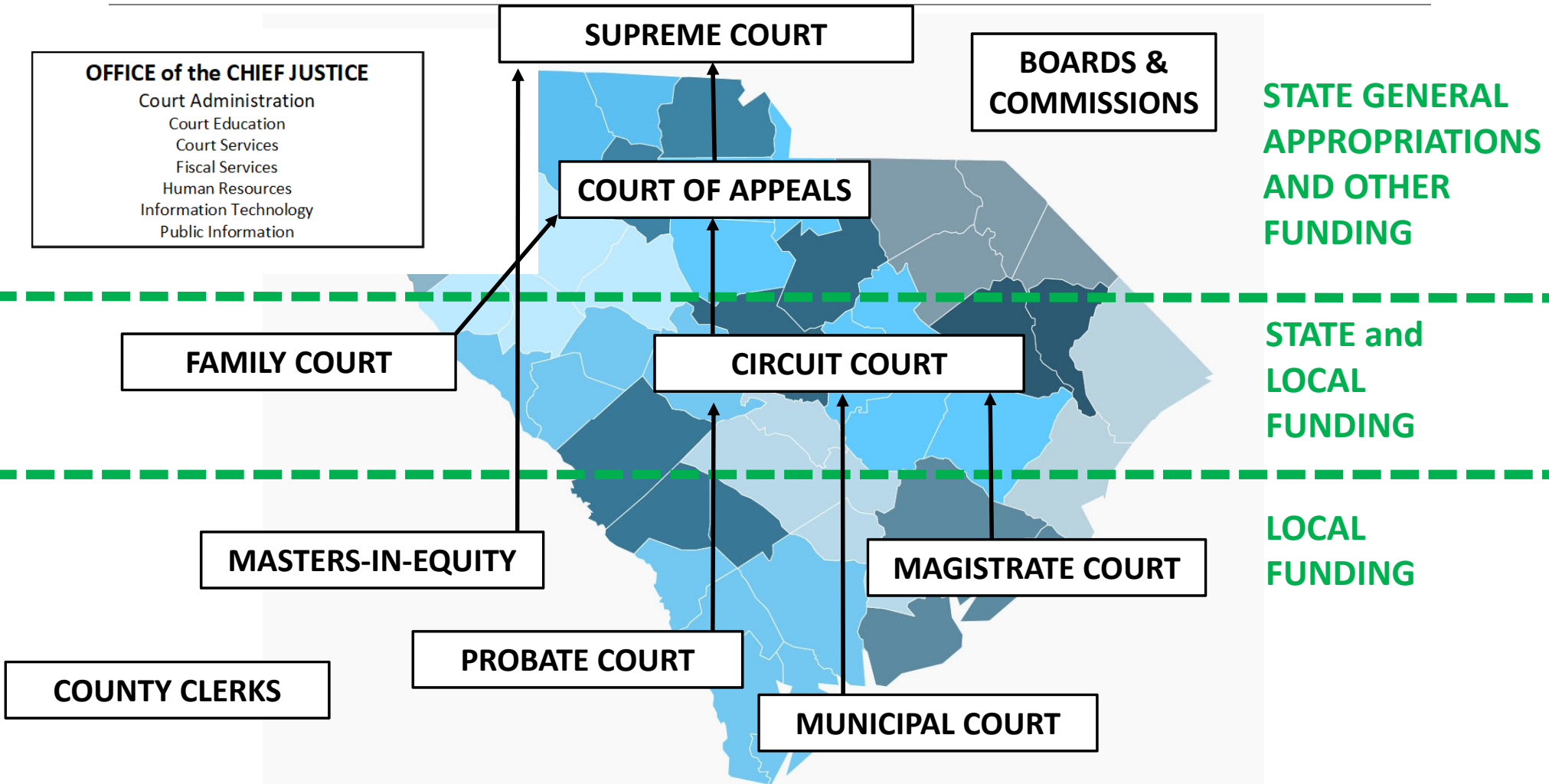
Donald W. Beatty, Chief Justice, South Carolina Supreme Court (734-1090)
dbeatty@sccourts.org

Tonnya K. Kohn, State Court Administrator, South Carolina Judicial Branch
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Paul J. Magargle, Jr, Director, Office of Fiscal Services (734-0642)
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South Carolina Judicial Branch

The mission of the South Carolina Judicial Branch is to provide a fair and efficient forum for the just resolution of civil, family, and criminal matters.



South Carolina Judicial Branch

Budget Requests

Priority 1: Court Administrative Support Positions Recurring - \$4,200,000

The Judicial Branch would like to request general fund appropriations for the remaining 38 court administrative support positions funded by fines and fees.

Priority 2: Staff Court Interpreters Recurring - \$500,000

The Judicial Branch is requesting general fund appropriations for five Staff Court Interpreters for the Spanish language.

- It has proven difficult to secure Spanish Interpreters for court proceedings. In order to address this situation, the Judicial Branch is currently utilizing five Other Funded Interim FTEs to employ Staff Court Interpreters.

Priority 3: Office of Disciplinary Counsel Administrative and Paralegal Staff Recurring - \$400,000

The Judicial Branch requests general fund appropriations to provide two Administrative Assistants and two Paralegals for the Office of Disciplinary Counsel (ODC), and to provide funding to contract with forensic specialists and for specialized investigations.

- Complaints brought before the ODC have increased significantly over the years with many requiring extensive and specialized investigations. Due to the insufficient Administrative staff and Paralegals, attorneys within ODC are forced to prepare filings, correspondence, and various documents resulting in a large backlog of cases.

Priority 4: Legal Fees Non-Recurring - \$5,000,000

The Judicial Branch would like to request appropriations to allow the Judicial Branch to defend itself against the increasing cost and amount of threatened and real litigation.

Priority 5: Family Court Law Clerks Recurring - \$1,500,000

The Judicial Branch requests general fund appropriations for sixteen Family Court Law Clerks, in order to provide a Law Clerk to each Circuit.

Priority 6: Court of Appeals Judges and Staff Recurring - \$2,300,000

The Judicial Branch is requesting general fund appropriations to fund three new Court of Appeal Judges and their staff. The request is for twelve new FTEs.

South Carolina Judicial Branch

Priority 7: Court Art Restoration and Conservation

Non-Recurring - \$500,000

The Judicial Branch would like to request appropriations for Court Art Restoration and Conservation project. The funds will be used to restore damaged paintings and frames; repair skylight in Supreme Court gallery; and commission portraits for justices and judges that are missing from the collections.

Proviso Request

(JUD: Across the Board Budget Reductions)

Whenever the Executive Budget Office or General Assembly implements an across the board budget reduction, the funds appropriated in Part IA, Section 57, shall be exempt from any such mandated budget reductions.

- The South Carolina Judicial Branch is one of the three co-equal branches of state government. The Branch receives approximately .83% (or less than 1%) of total general appropriations for the entire state to administer the core government function of managing the unified court system for South Carolina.
- Core functions such as judicial salaries, monthly allowance, reactive judge program, court rotation, court interpreting, and court education are mandated by statute, thus unable to absorb any reductions in funding.

FY 24-25 Budget Priorities Summary

Judicial Branch

Budget Priorities				Funding					FTEs			
Priority No.	Priority Type (recurring/ non-recurring /other funds adjustment/ federal funds adjustment)	Priority Title	Priority Description	Recurring	Non - Recurring	Other	Federal	Total	State	Other	Federal	Total
1	B1 - Recurring	Court Administrative Support Positions	Request general fund appropriations for the remaining 38 FTE administrative support positions.	4,200,000	-	-	-	4,200,000	38.00	(38.00)	-	-
2	B1 - Recurring	Staff Court Interpreters	Request general fund appropriations and 5 FTE's for Staff Spanish Interpreters.	500,000	-	-	-	500,000	5.00	-	-	5.00
3	B1 - Recurring	Office of Disciplinary Counsel Administrative and Paralegal Staff	Request funding and 4 FTEs for Administrative and Paralegal staff to provide necessary support to the Office of Disciplinary Counsel.	400,000	-	-	-	400,000	4.00	-	-	4.00
4	B2 - Non- Recurring	Legal Fees	Request funds to provide for increasing cost for litigation brought against the Branch.	-	5,000,000	-	-	5,000,000	-	-	-	-
5	B1 - Recurring	Family Court Law Clerk	Request to add funding and FTEs for 16 new Family Court Law Clerks	1,500,000	-	-	-	1,500,000	16.00	-	-	16.00
6	B1 - Recurring	Court of Appeals Judges and Staff	Request to add funding and FTEs for 3 new Court of Appeals Judges and staff	2,300,000	-	-	-	2,300,000	12.00	-	-	12.00
7	B2 - Non- Recurring	Court Art Restoration and Conservation	Request funds to restore damaged paintings and frames; repair skylight in Supreme Court gallery; and commission portraits for justices and judges that are missing from the collections.	-	500,000	-	-	500,000	-	-	-	-
TOTALS				8,900,000	5,500,000	-	-	14,400,000	75	(38)	-	37

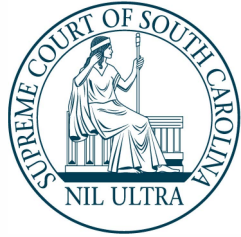
South Carolina Judicial Branch

Constitutional Subcommittee Proviso Request Summary FY24-25				
Proviso # in FY 23-24 Act	Renumbered FY 24-25 Proviso #	Proviso Title	Short Summary	Agency Recommended Action (keep, change, delete, add)
57.1	57.1	Prohibit County Salary Supplements	Prohibits county salary supplements to Judicial Department personnel.	Keep
57.2	57.2	County Offices for Judges	Counties must provide Circuit and Family Court Judges an office with utilities. Also, provide an office with utilities to Supreme Court Justices and Court of Appeals Judges upon request.	Keep
57.3	57.3	Judicial Expense Allowance	Judges deemed full-time shall received \$1,000 per month as expense allowance.	Keep
57.4	57.4	Special Judge Compensation	No special judges shall be paid for more than a two-week term within a fiscal year, does not apply in cases of on-going trials.	Keep
57.5	57.5	BPI/Merit	Judicial Department employees shall receive base and merit pay as the same percentages granted to classified state employees.	Keep
57.6	57.6	Supreme Court Bar Admissions	The Judicial Department is authorized to receive, expend, retain, and carry forward funds collected from the Supreme Court Bar Admissions Office.	Keep
57.7	57.7	Travel Reimbursement	Judicial Department employees traveling on official business must be reimbursed according to Proviso 117.20(J).	Keep
57.8	57.8	Interpreters	Appropriations for interpreters must be expended for costs associated with appointed interpreters in judicial proceedings.	Keep
57.9	57.9	Reimbursement Receipt Deposit	The Department is authorized to retain funds collected for reproducing, printing, and distributing copies of court rules and other documents.	Keep
57.10	57.10	Surplus Property Disposal	Authorizes donation of surplus technology equipment directly to counties for court-related purposes.	Keep
57.11	57.11	Judicial Carry Forward	The Judicial Department is authorized to carry forward unexpended funds.	Keep
57.12	57.12	Case Management Services	The Judicial Department is authorized to collect/retain revenue from fees for support services for the Case Management System.	Keep

57.13	57.13	Magistrates' training	The Judicial Department shall provide annual magistrates training on domestic violence.	Keep
57.14	57.14	Judges Salary Exemption	Prohibits judges' salary and related employer contributions from across-the-board reductions.	Keep
57.15	57.15	Judicial Department Applicability	Acknowledges, as the third branch of government, the Judicial Department is not required to respond to mandates or provisions that do not specify "South Carolina Judicial Department".	Keep
57.16	57.16	Court Costs Carry Forward	The Judicial Department is authorized to collect/retain funds collected from costs related to court proceedings under SC Appellate Court Rules 413 or 502.	Keep
57.17	57.17	Appellate Court Fee	The Judicial Department is authorized to retain funds collected by the SC Appellate Court Rules.	Keep
57.18	57.18	Interpreter Training and Certification	The Judicial Department is authorized to receive, expend, retain, and carry forward funds collected for interpreter training and certification tests.	Keep
57.19	57.19	Circuit Court Judge	The requirements of Section 14-5-130 pertaining to Circuit Court Judges is suspended for the current fiscal year.	Keep
ADD	ADD	Across the Board Budget Reductions	Whenever the Executive Budget Office or General Assembly implements an across the board budget reduction, the funds appropriated in Part IA, Section 57, shall be exempt from any such mandated budget reductions.	ADD

**2024 FTE Count
as of 01/03/2024**

Program	Functional Area	Funding	Filled	Vacant	Total
Supreme Ct	B040_0004	State	42	10	52
Court of Appeals	B040_0011	State	69	7	76
Circuit Court	B040_0006	State	128	31	159
Family Court	B040_0007	State	113	13	126
Family Court	B040_0007	Other	5	22	27
Reactivated Judge	B040X0013	State	0	1	1
Board of Law of Examiners	B040_0005	Other	5	0	5
Office of Disciplinary Counsel	B040_0015	State	10	0	10
Office of Disciplinary Counsel	B040_0015	Other	7	0	7
Commission on Conduct	B040_0029	State	3	1	4
Commission on Conduct	B040_0029	Other	4	0	4
Court Administration	B040_0008	State	2	0	2
Judges Scheduling	B040_0036	State	3	0	3
Court Services	B040_0033	State	32	6	38
Public Information	B040_0034	State	1	0	1
Court Reporters	B040_0035	State	97	29	126
Human Resources	B040_0037	State	10	1	11
Fiscal Services	B040_0039	State	11	1	12
Information Tech	B040_0016	Other	34	4	38
Information Tech	B040_0016	State	14	0	14
Staff Interpreters	B040_0040	Other	2	3	5
			Filled	Vacant	FTEs
		State	535	100	635
		Other	<u>57</u>	<u>29</u>	<u>86</u>
		Total FTE	592	129	721



SOUTH CAROLINA JUDICIAL BRANCH

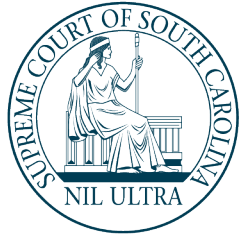
Mission

To provide a fair and efficient forum for the just resolution of civil, family, and criminal matters.

Vision

The Judicial Branch works constantly to provide a court system that not only is fair but is perceived as fair, in which all persons are treated equally and all matters are resolved in an unbiased and just manner according to the law as established by the United States Constitution, the Constitution of South Carolina, state statutes, and the common law.





**SOUTH CAROLINA
JUDICIAL BRANCH**

Programs and Accomplishments

Technology

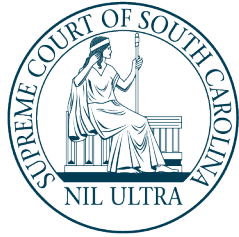
- New Trial Court Case Management System
- Technology Enhanced Courtroom (TEC) Project
- Digital Court Reporting
- New and Improved SCCourts.org
- Court of Appeals Streaming with SCETV and Archived Video



Court Administration

- Docket Liaisons
- Court Interpreting
- Mental Health Initiative
- Court Education
- Judicial Education Advisory Committee
- Judicial Education Center
- Disaster Recovery and Crisis Management

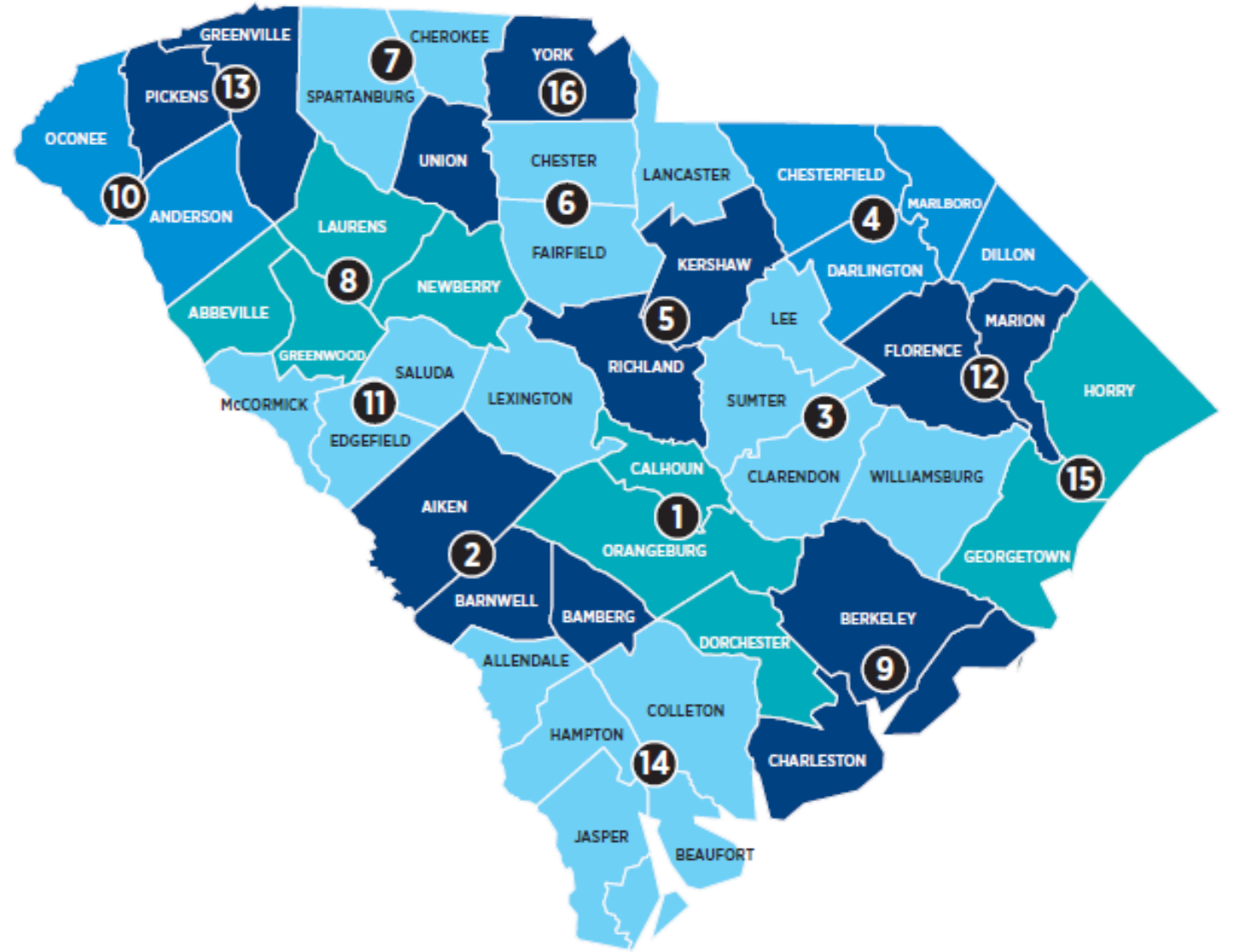




SOUTH CAROLINA JUDICIAL BRANCH

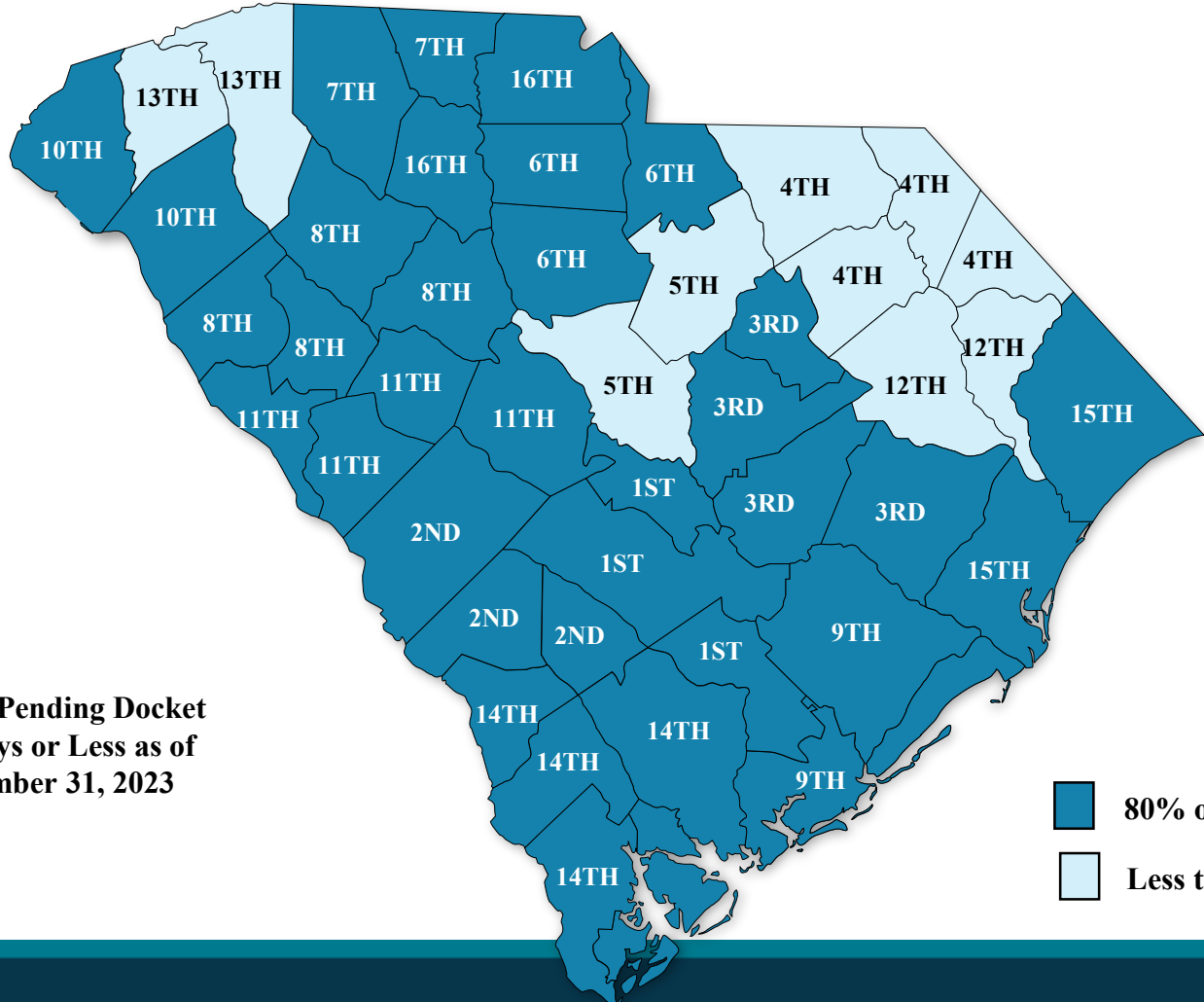
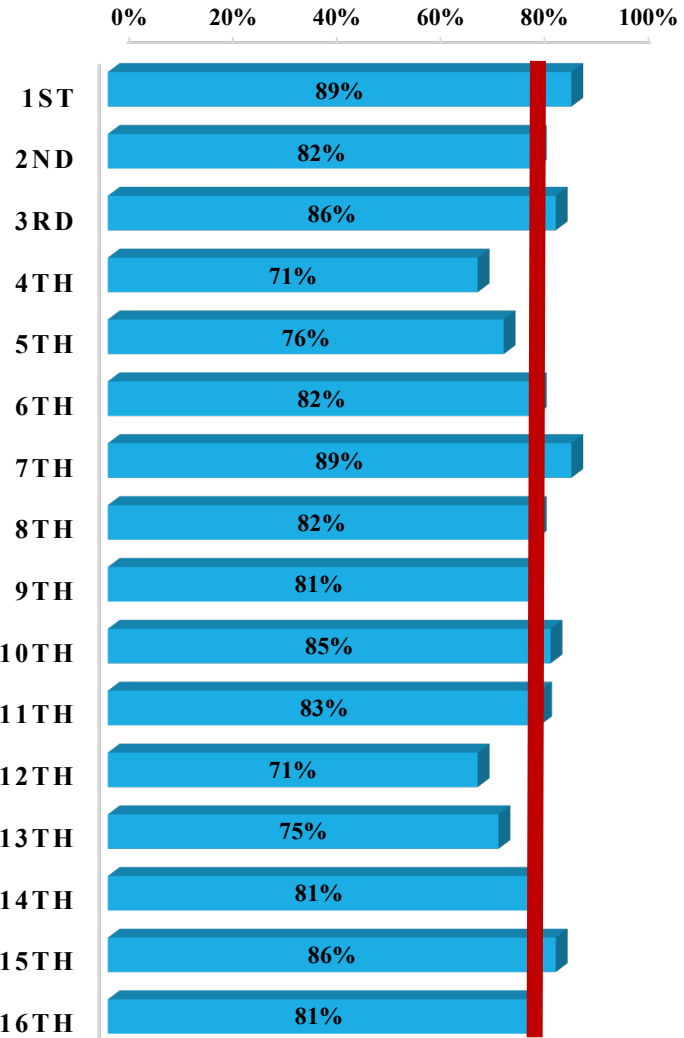
Court Data

South Carolina Judicial Circuits



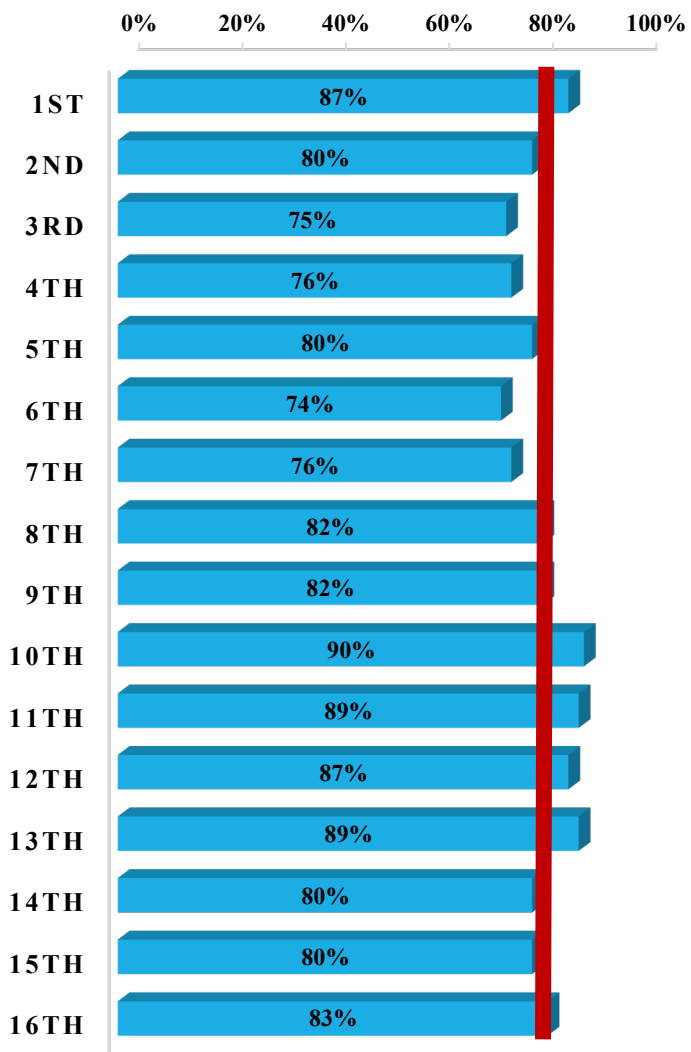
Family Court Circuits Meeting Benchmark in December 2023

Disposition Weekly Average: 970
 Backlog: 33,994

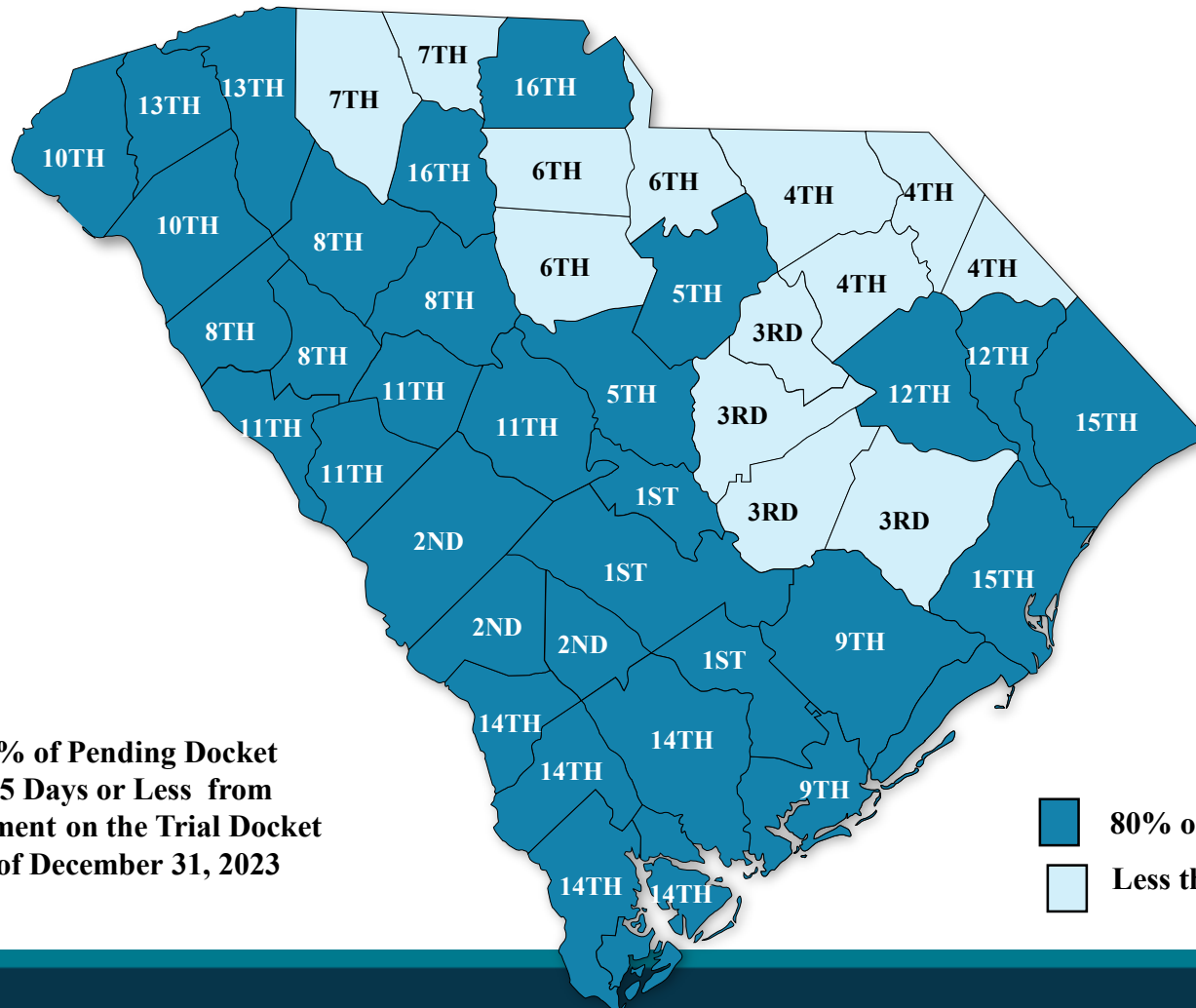


Common Pleas Court Circuits Meeting Benchmark in 2023

Disposition Weekly Average: 1,440
Backlog: 46,721



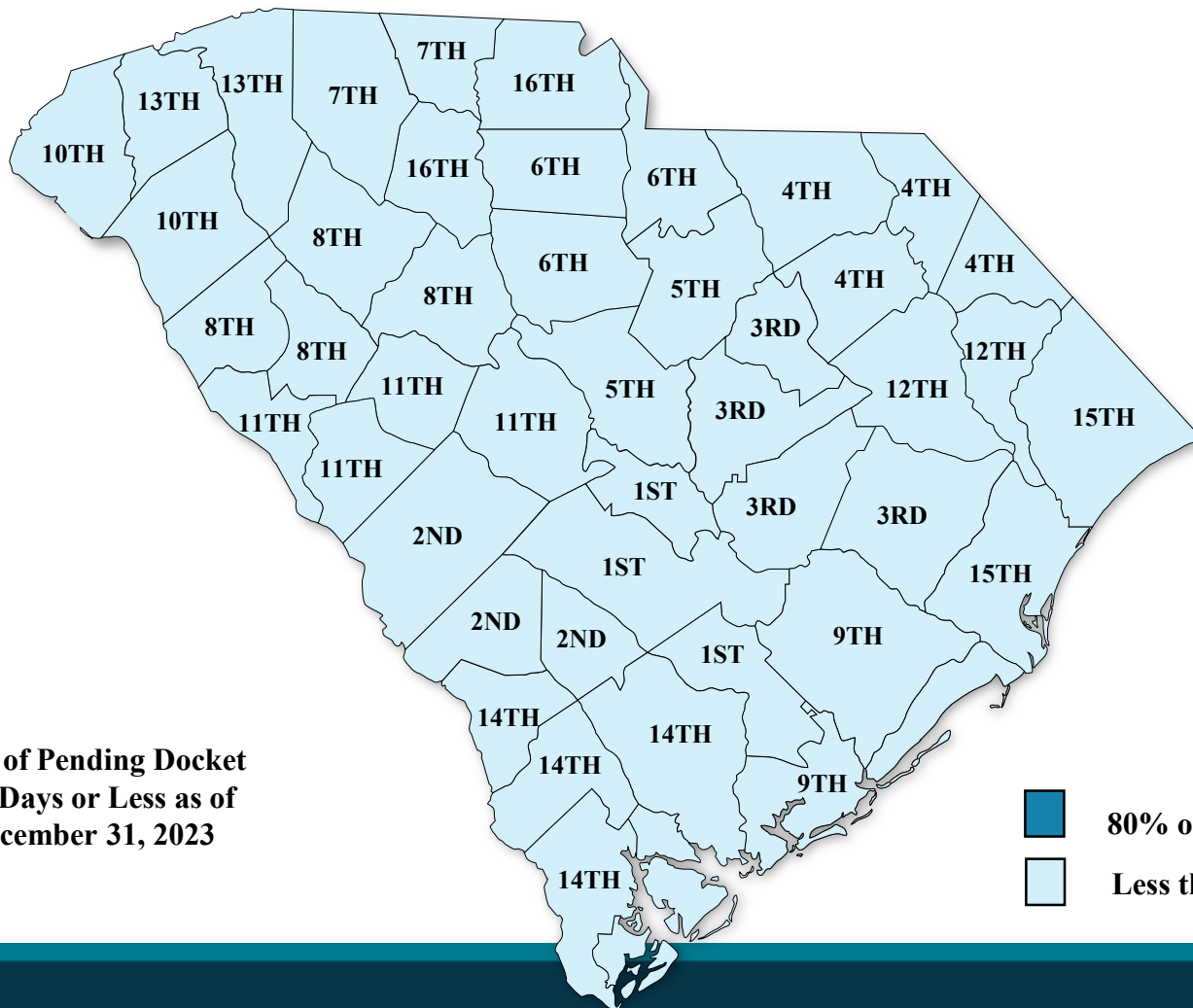
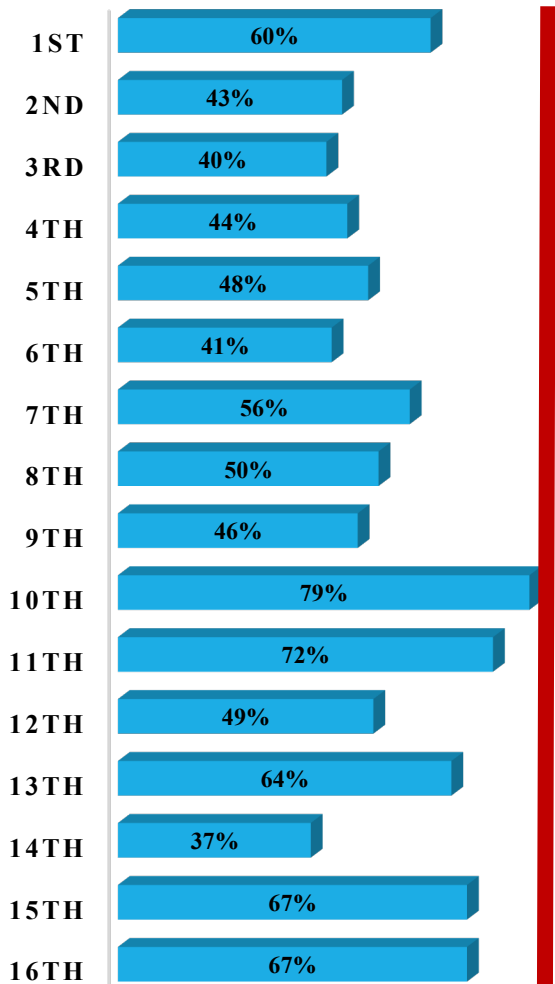
80% of Pending Docket
365 Days or Less from
Placement on the Trial Docket
as of December 31, 2023



General Sessions Court Circuits Meeting Benchmark 2023

Disposition Weekly Average: 2,471
Backlog: 175,024

0% 20% 40% 60% 80% 100%



SCJB Fines and Fees Received

FISCAL YEAR	Circuit/Family Court Motion Fees	Alimony/Child Support Fees	Circuit/Family Court Filing Fee - \$100	Circuit/Family Court Filing Fee - \$50	General Sessions Law Enf Surcharge	Magistrates Law Enf Surcharge	Municipal Law Enforcement Surcharge	Magistrate Court Filing - \$25	Magistrate Court Filing - \$10	Traffic Education Program	Total Fines and Fees Received
FY 2012 – 2013	\$2,609,364	\$3,009,723	\$1,697,768	\$3,441,417	\$33,748	\$786,798	\$639,698	\$858,694	\$1,787,069	\$1,692	\$14,865,971
FY 2013 – 2014	\$2,434,928	\$3,157,422	\$1,625,114	\$3,203,841	\$33,444	\$800,744	\$638,075	\$1,011,348	\$2,296,374	\$2,942	\$15,204,232
FY 2014 - 2015	\$2,389,249	\$3,176,246	\$1,551,752	\$3,131,051	\$34,202	\$805,824	\$627,084	\$950,304	\$1,834,865	\$2,099	\$14,502,676
FY 2015 - 2016	\$2,190,122	\$3,250,248	\$1,458,508	\$2,940,997	\$33,235	\$739,520	\$600,589	\$1,071,277	\$1,715,470	\$2,447	\$14,002,413
FY 2016 - 2017	\$2,144,341	\$3,321,056	\$1,476,258	\$2,974,653	\$30,635	\$728,729	\$555,833	\$1,171,349	\$1,728,392	\$2,403	\$14,133,648
FY 2017 - 2018	\$2,148,261	\$3,257,588	\$1,493,711	\$3,009,293	\$31,198	\$704,854	\$527,051	\$1,277,353	\$1,752,805	\$3,052	\$14,205,168
FY 2018 - 2019	\$2,193,170	\$3,062,625	\$1,414,131	\$2,858,085	\$30,585	\$672,808	\$508,609	\$1,432,004	\$1,718,420	\$3,060	\$13,893,497
FY 2019 - 2020	\$2,102,448	\$2,698,399	\$1,405,393	\$2,891,317	\$26,509	\$576,221	\$396,401	\$1,453,852	\$1,501,566	\$3,333	\$13,055,439
FY 2020 - 2021	\$1,878,731	\$2,925,514	\$1,281,418	\$2,612,852	\$25,142	\$485,188	\$359,405	\$1,196,515	\$917,525	\$4,537	\$11,686,827
FY 2021 - 2022	\$2,066,577	\$2,758,139	\$1,260,076	\$2,556,806	\$27,076	\$662,426	\$397,631	\$1,098,998	\$1,155,886	\$3,822	\$11,987,437
FY 2022 - 2023	\$2,269,041	\$2,877,566	\$1,397,191	\$2,820,046	\$34,234	\$625,354	\$408,130	\$1,239,581	\$1,424,239	\$4,560	\$13,099,942
% Change from FY 21-22 to FY22-23	9.80%	4.33%	10.88%	10.30%	26.44%	-5.60%	2.64%	12.79%	23.22%	19.31%	9.28%



SCJB Fines and Fees Revenue

