

# **South Carolina Administrative Law Court**



**FY 2021-2022 Budget Plans  
House Ways and Means  
Constitutional Subcommittee**

**TAB 1**

# **South Carolina Administrative Law Court**

**House Ways and Means  
Constitutional Subcommittee  
2021-2022 Budget Hearing  
Wednesday, January 6, 2021 at 2:00 p.m.**

## **Key Officials Attending Meeting**

- Ralph K. Anderson, III, Chief Judge  
803.734.6409
- Jana Shealy, Clerk of Court  
[jshealy@scal.c.net](mailto:jshealy@scal.c.net)  
803.734.6411

**The Court's mission is to provide a neutral forum for fair, prompt and objective hearings for any person(s) affected by an action or proposed action of certain State agencies or departments.**

**TAB 2**

## The South Carolina Administrative Law Court (ALC) Overview

- The ALC is a court of record and agency in the Executive Branch
- The mission is to provide a neutral forum for fair, prompt and objective hearings for any person(s) affected by an action or proposed action of certain state agencies or departments
- The ALC is comprised of the ALC and Office of Motor Vehicle Hearings (OMVH)
  - ALC has 6 judges and 20 support staff
  - OMVH has 5 hearing officers and 4 support staff (Chief Judge is Director)
  - The support staff for the ALC also includes staff that supports the OMVH
  - Total of 44 FTES, 13 are currently vacant

### FY 21-22 Budget Plan (Four Priorities)

- **Priority 1: FTE Transfer and Funding** - This is a request to transfer 3 staff attorney FTEs from Other Funds to State and for the funding. The salaries of these three positions combined are approximately \$195,000 with \$72,150 in fringe for a total request of \$267,150.
- **Priority 2: Other Funds** - This is a request to increase our authorization in Other Funds by \$100,000. This request is needed to compensate for the 2% Pay Plan, SCRS 1% rate increase, and Health Insurance increase.
- **Priority 3: E-filing** – Non-recurring request in the amount of \$175,000 for funding the development and implementation of an e-filing system
- **Priority 4: Renovation** – Non-recurring request in the amount of \$38,390 for funding to address renovation of public areas of the court

### Current Budget (FY 20-21)

State (with allocations):	\$3,157,701.00
*Other:	<u>\$1,555,986.00</u>
Total:	\$4,713,687.00

#### Expenditures:

Salaries and Benefits:	\$3,813,014.00
Remaining for Operating:	\$ 900,673.00

(Operating includes, but is not limited to: Rent, WestLaw, Court Reporting, Computer licensing, Postage, Equipment, Supplies, etc.)

\*Other funds: revenue pursuant to SC Code Section 1-23-670, 56-5-2952 and Proviso 58.1

**TAB 3**

<b>AGENCY NAME:</b>	South Carolina Administrative Law Court		
<b>AGENCY CODE:</b>	C05	<b>SECTION:</b>	58

**Fiscal Year 2019–2020  
Accountability Report**

**SUBMISSION FORM**

<b>AGENCY MISSION</b>	<p>The Court’s mission is to provide a neutral forum for fair, prompt and objective hearings for any person(s) affected by an action or proposed action of certain State agencies or departments. The purpose of an administrative court such as the ALC is to separate the adjudicatory proceedings from the investigative and policy-making functions of the agency. Prior to the creation of the Court, citizens who had a dispute with a state agency and wanted to challenge any action related to the dispute had to appear before hearing officers employed or contracted by that particular agency. The creation of this Court provided a forum separate from the agency whose decision was in dispute. The Court places a very high value on its ability to be fair and neutral to all of the litigants that appear before the Court and on continuing efforts to improve its results.</p> <p>The Office of Motor Vehicle Hearings (OMVH) was created in 2005 as an office within the ALC and its mission is to provide a neutral forum for fair, prompt, and objective hearings for persons affected by certain actions or proposed actions of the SC Department of Motor Vehicles, ensuring due process and respecting the dignity of all.</p>
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<b>AGENCY VISION</b>	<p>The Court's vision, including the OMVH, is to provide a technologically advanced court, easily accessible by all customers and stakeholders, to ensure the fair, prompt and objective resolution of all cases.</p>
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Does the agency have any major or minor recommendations (internal or external) that would allow the agency to operate more effectively and efficiently?

<b>RESTRUCTURING RECOMMENDATIONS:</b>	<b>Yes</b>	<b>No</b>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Is the agency in compliance with S.C. Code Ann. § 2-1-230, which requires submission of certain reports to the Legislative Services Agency for publication online and to the State Library? See also S.C. Code Ann. § 60-2-30.

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	<b>Yes</b>	<b>No</b>
<b>REPORT SUBMISSION COMPLIANCE:</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Is the agency in compliance with various requirements to transfer its records, including electronic ones, to the Department of Archives and History? See the Public Records Act (S.C. Code Ann. § 30-1-10 through 30-1-180) and the South Carolina Uniform Electronic Transactions Act (S.C. Code Ann. § 26-6-10 through 26-10-210).

	<b>Yes</b>	<b>No</b>
<b>RECORDS MANAGEMENT COMPLIANCE:</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Is the agency in compliance with S.C. Code Ann. § 1-23-120(J), which requires an agency to conduct a formal review of its regulations every five years?

	<b>Yes</b>	<b>No</b>
<b>REGULATION REVIEW:</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please identify your agency's preferred contacts for this year's accountability report.

	<i>Name</i>	<i>Phone</i>	<i>Email</i>
<b>PRIMARY CONTACT:</b>	Jana Shealy	803.734.6411	jshealy@scalc.net
<b>SECONDARY CONTACT:</b>	Margaret Sanders	803.734.6414	msanders@scalc.net

I have reviewed and approved the enclosed FY 2019–2020 Accountability Report, which is complete and accurate to the extent of my knowledge.

<b>AGENCY DIRECTOR (SIGN AND DATE):</b>	
<b>(TYPE/PRINT NAME):</b>	Ralph King Anderson, III, Chief Judge

<b>BOARD/CMSN CHAIR (SIGN AND DATE):</b>	
<b>(TYPE/PRINT NAME):</b>	



<b>AGENCY NAME:</b>	<b>South Carolina Administrative Law Court</b>		
<b>AGENCY CODE:</b>	<b>C05</b>	<b>SECTION:</b>	<b>58</b>

## **AGENCY’S DISCUSSION AND ANALYSIS**

The Administrative Law Court (ALC) is an independent agency and court of record in the Executive Branch. The ALC has six (6) Administrative Law Judges (ALJ), each of whom is elected to a specific seat by the South Carolina General Assembly and may employ other staff as authorized by the General Assembly to hear and dispose of its statutorily mandated jurisdiction. The Office of Motor Vehicle Hearings (OMVH), is a division of the ALC and has five (5) hearings officers and staff, appointed and hired by the Chief Judge, who serves as the Director of the Office. The Court hears certain case types involving all state agencies except those arising under the Consolidated Procurement Code, the Public Service Commission and the Workers’ Compensation Commission. (See Age of Disposed Cases below for specific case types filed with the Court). The OMVH conducts contested cases regarding certain decisions issued by the Department of Motor Vehicles.

There are currently no plans in development to change the structure or organizational framework and procedures of the Court or to recommend that the General Assembly make any statutory changes. However, we continue to closely monitor our results and performance measures to determine if any future changes would be necessary.

The Court is always improving upon how we protect data and Information Technology assets against increasing cyber threats and vulnerabilities. The Court depends heavily on network and information systems for essential operations and data security. A culture of awareness regarding security risks is our standard at the Court and we accomplish that with a multi-layered security and defense approach focusing on sophisticated and blended cyber-attacks. The Court places extremely high importance on the cyber security education of all agency employees making sure users stay informed. We recognize that the first line of defense in maintaining the security and integrity of our IT assets and networks starts with informed IT personnel and network users.

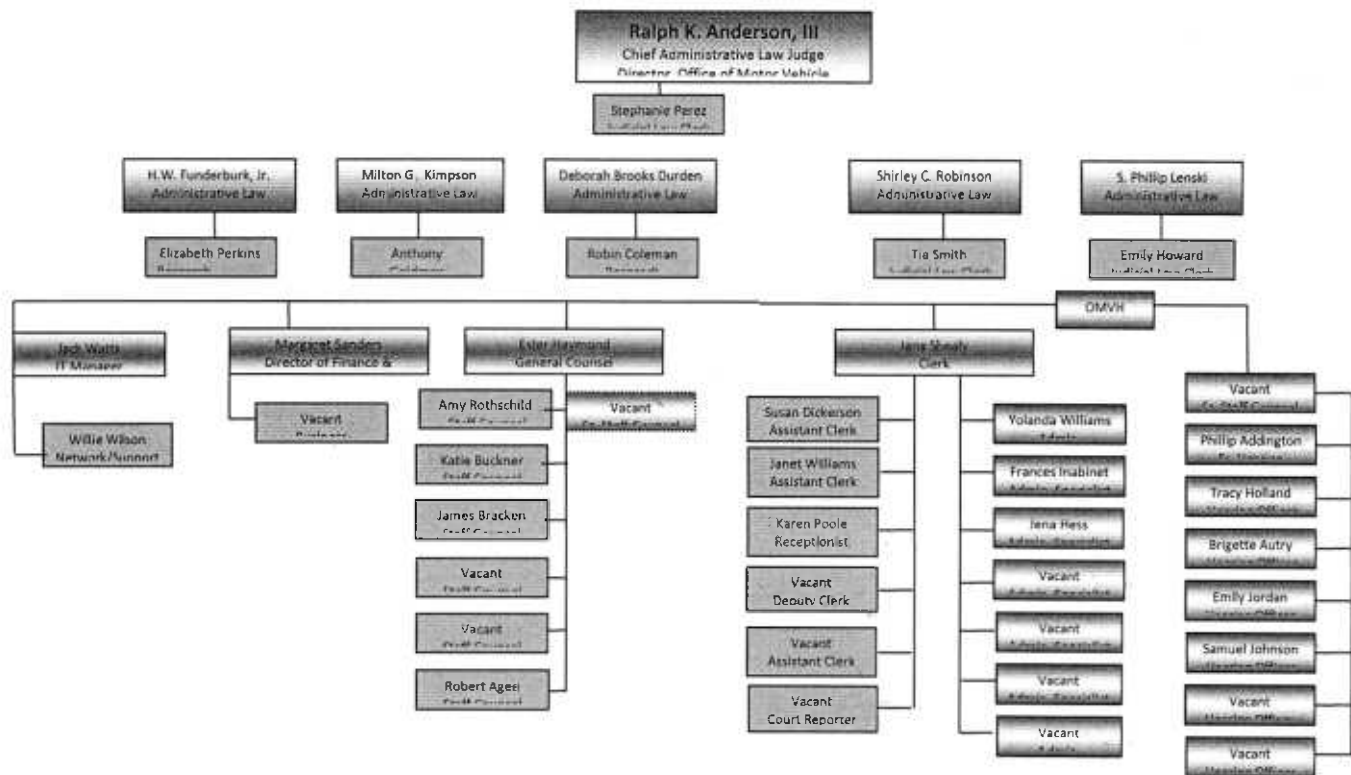
## **RISK ASSESSMENT AND MITIGATION STRATEGIES**

The Chief Judge is statutorily responsible for assigning a specific Administrative Law Judge (ALJ) to each case filed with the Court. At the OMVH, the cases are automatically assigned to a hearing officer based on specific geographic regions. The Chief Judge is also responsible for the administration of the Court and OMVH, including budgetary matters and supervision of the support staff. The other ALJs have supervision of their administrative assistant/law clerk.

Each ALJ is individually responsible for ensuring the fair and prompt disposition of the cases assigned to his or her office. If the Court is unable to accomplish its goals and objectives of the timely disposal of cases, the greatest risk of a negative impact on the public would be for a determination of the case to be delayed or denied. If a case becomes moot due to lack of a timely decision, this could potentially have a negative impact on the parties involved. Although the litigants often ask for continuances due to discovery and scheduling issues, the Court seeks to balance those requests to ensure a court system that is fair and prompt for all litigants. The primary support for a court to efficiently dispose of its docket timely is to have adequate resources to do so. This may be in the form of additional judges, staff or to be fully funded without reliance on fees.

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## SC ADMINISTRATIVE LAW COURT ORGANIZATIONAL CHART 2020



### AGE OF DISPOSED CASES REPORT

		Total Disposed	Average Age at Disposal	% Meeting Objective
<b>Agency I. Contested Cases Objective = 90 Days</b>		<b>116</b>	<b>109</b>	<b>67</b>
DNR	Hunting/Fishing Violations [ALC CC 90]	4	148	25
DOR	ABC Applications/Renewals [ALC CC 90]	40	111	50
LLR	Wage Disputes [ALC CC 90]	1	44	100
LLR	OSHA Violations [ALC CC 90]	6	286	33
ANY	Injunctive Relief Hearings [ALC IJ 90]	18	100	78
ANY	Public Hearings for Proposed Regulations [ALC RH 90]	32	64	97
ANY	Subpoenas	5	32	100
ANY	Miscellaneous	10	180	40
<b>Agency II. Contested Cases Objective = 120 Days</b>		<b>19</b>	<b>136</b>	<b>53</b>
DCA	Applications/Violations [ALC CC 120]	1	94	100
DNR	Coastal Fisheries Violations [ALC CC 120]	2	96	50
DOI	Insurance Agent Applications [ALC CC 120]	--	--	--
DOI	Insurance Rate Cases [ALC CC 120]	--	--	--

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DOR	ABC violations [ALC CC 120]	16	144	50
SLED	CWP/PI/Security License [ALC CC 120]	--	--	--
<b>Agency III. Contested Cases Objective = 180 Days</b>		<b>56</b>	<b>134</b>	<b>79</b>
ANY	Setoff Debt Collection [ALC CC 180]	1	140	100
ANY	Tourism Expenditure Review [ALC CC 180]	--	--	--
DHEC	Health Licensing Cases [ALC CC 180]	2	101	100
DNR	Boating Under the Influence [ALC CC 180]	7	74	100
DOI	Insurance Agent Violations [ALC CC 180]	2	116	100
DOR	Bingo Violations [ALC CC 180]	3	90	100
DOR	County Property Tax [ALC CC 180]	33	167	67
DOT	Outdoor Advertisements/DBE/Displacement	--	--	--
PEBA	State Retirement Systems [ALC CC 180]	3	152	67
SOS	Charities [ALC CC 180]	5	31	100
<b>Agency IV. Contested Cases Objective = 300 Days</b>		<b>70</b>	<b>448</b>	<b>46</b>
DHEC	Certificate of Need [ALC CC 300]	13	353	62
DHEC	Environmental Permitting [ALC CC 300]	12	404	58
DHEC	Ocean and Coastal Resource Management [ALC CC 300]	22	677	5
DOR	State Tax Cases [ALC CC 300]	23	306	70
<b>Agency V. Appeals Objective = 120</b>		<b>54</b>	<b>138</b>	<b>43</b>
DEW	Employment and Workforce Appeals [Appeals from DEW]	54	138	43
<b>Agency VI. Appeals (all other non-inmate) Objective = 180</b>		<b>77</b>	<b>203</b>	<b>61</b>
HHS	Medicaid and Provider Appeals [Appeals (all others) 180]	--	--	--
DOA	Employee Grievance Appeals [Appeals (all others) 180]	3	170	67
Any	Charter School Appeals [Appeals (all others) 180]	5	205	40
CJA	Criminal Justice Academy Appeals [Appeals (all others) 180]	7	128	100
OMVH	Administrative License Revocations/Ignition Interlock Appeals	20	189	63
LLR	Professional Licensing Board Appeals [Appeals (all others) 180]	8	238	50
DSS	Daycare/Fostercare Appeals, SNAP (FI) [DSS]	12	219	17
PEBA	PEBA Employee Insurance Program Appeals	22	203	61
<b>Category IV Case Types: Objective = 120 days</b>		<b>673</b>	<b>105</b>	<b>90</b>
DOC	Inmate grievances [DOC & PPPS]	673	105	90
<b>ALL CASE TYPES</b>		<b>1065</b>	<b>138</b>	<b>78</b>
<b>ALL CASE TYPES excluding inmate grievances</b>		<b>392</b>	<b>196</b>	<b>58</b>

**NOTE:** DOI: Dept. of Insurance; LLR: Dept. of Labor, Licensing and Regulation; DNR: Dept. of Natural Resources; DOR: Dept. of Revenue; DHEC: Dept. of Health and Environmental Control; HHS: Dept. of Health and Human Services; DSS: Dept. of Social Services; SLED: South Carolina Law Enforcement Division; DOC: Dept. of Corrections; PPPS, Dept. of Probation, Parole and Pardon Services; PEBA: Public Employee Benefit; OMVH: Office of Motor Vehicle Hearings; CA: Dept. of Consumer Affairs; DEW: Dept. of Employment and Workforce; CJA: Criminal Justice Academy; SOS: Secretary of State; DOA: Dept. of Administration; DOT: Dept. of Transportation

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**COMBINED COURT AND OMVH WORKLOAD SINCE 2013**

FISCAL YEAR	COURT	OMVH	TOTAL CASES FILED	COURT	OMVH	TOTAL CASES DISPOSED
FY 12-13	1472	6776	<b>8,248</b>	1497	6678	<b>8,175</b>
FY 13-14	1698	6863	<b>8,561</b>	1776	6777	<b>8,553</b>
FY 14-15	1615	6796	<b>8,411</b>	1771	6627	<b>8,398</b>
FY 15-16	1483	6385	<b>7,868</b>	1430	6568	<b>7,998</b>
FY 16-17	1283	6240	<b>7,523</b>	1310	6314	<b>7,624</b>
FY 17-18	1117	6089	<b>7,206</b>	1175	6309	<b>7,426</b>
FY 18-19	1128	6514	<b>7,642</b>	1092	6532	<b>7,624</b>
FY 19-20	1094	5942	<b>7036</b>	1065	5647	<b>6,712</b>

**COURT'S WORKLOAD REPORT SINCE 2013**

FISCAL YEAR	*CCs, RHs, IJs, and & other appeals	<u>Al-Shabazz/ Furtick</u> Appeals	TOTAL FILED	*CCs, RHs, IJs, and & other appeals	<u>Al-Shabazz/ Furtick</u> Appeals	TOTAL CASES DISPOSED
FY 12-13	567	905	<b>1,472</b>	559	938	<b>1,497</b>
FY 13-14	636	1,062	<b>1,698</b>	670	1106	<b>1,776</b>
FY 15-16	506	977	<b>1,483</b>	543	887	<b>1,483</b>
FY 16-17	492	791	<b>1,283</b>	534	776	<b>1,310</b>
FY 17-18	483	634	<b>1,117</b>	536	639	<b>1,175</b>
FY 18-19	445	683	<b>1,128</b>	458	634	<b>1,092</b>
FY 19-20	413	681	<b>1,094</b>	392	673	<b>1,065</b>

**AGENCY NAME:**

**South Carolina Administrative Law Court**

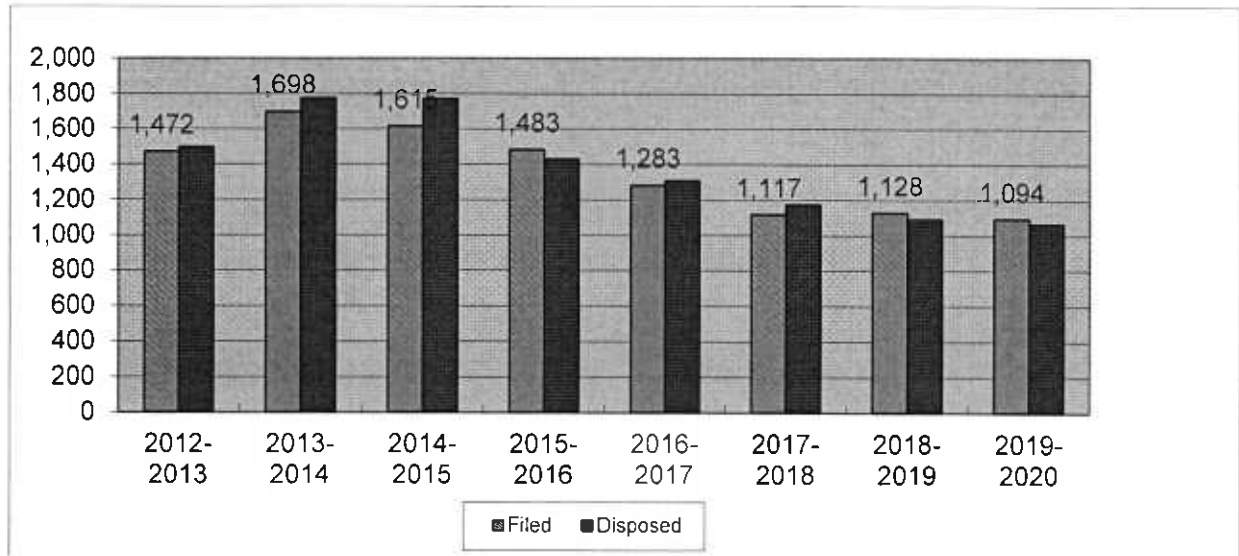
**AGENCY CODE:**

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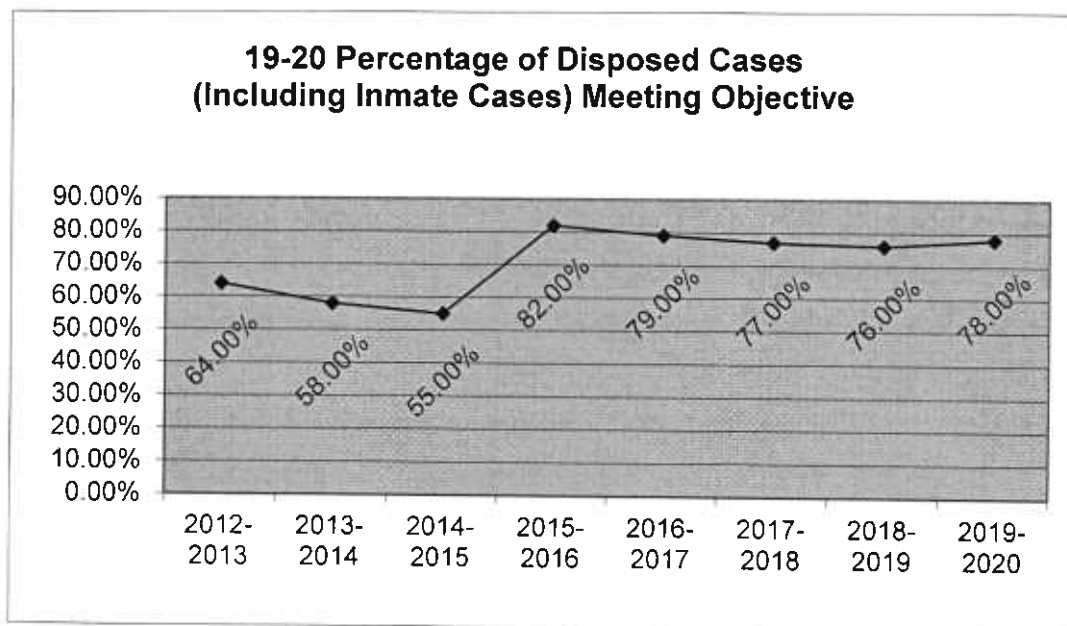
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**58**

### FILINGS AND DISPOSITIONS FOR THE COURT (EXCLUDING OMVH) SINCE 2013



### DISPOSITION PERCENTAGES FOR THE COURT (EXCLUDING OMVH) SINCE 2013



**AGENCY NAME:**

South Carolina Administrative Law Court

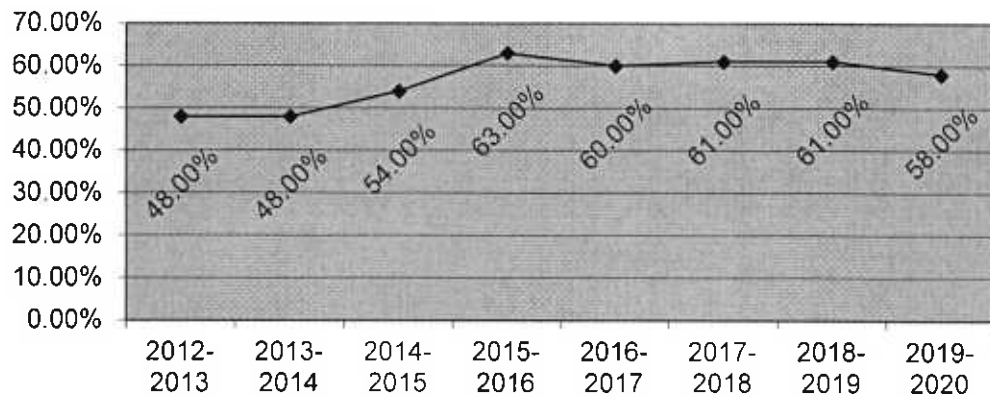
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**SECTION:**

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**19-20 Percentage of Disposed Cases  
(Excluding Inmate Cases) Meeting Objective**



**OMVH WORKLOAD REPORT FOR CURRENT YEAR 2019-2020**

Case Type #	Description	CASES FILED	CASES DISPOSED
01	Implied Consent or BAC	5783	5459
02	Habitual Offender 1 <sup>st</sup> Declared	24	38
03	Habitual Offender Reduction	37	40
04	Financial Responsibility	53	57
05	Dealer Licensing	2	3
06	Physical Disqualification	11	12
07	IFTA	1	3
08	Self-Insured	--	--
09	Driver Training School	--	1
10	IRP	1	2
11	Miscellaneous	--	--
12	Points Suspension	5	4
13	HOR 2	4	6
14	IID (Ignition Interlock)	21	22
<b>TOTAL</b>		<b>5942</b>	<b>5647</b>

**AGENCY NAME:**

South Carolina Administrative Law Court

**AGENCY CODE:**

C05

**SECTION:**

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**OMVH WORKLOAD REPORT FOR CURRENT YEAR 2018-2019**

Case Type #	Description	CASES FILED	CASES DISPOSED
01	Implied Consent or BAC	6329	6326
02	Habitual Offender 1 <sup>st</sup> Declared	35	35
03	Habitual Offender Reduction	33	41
04	Financial Responsibility	67	78
05	Dealer Licensing	9	13
06	Physical Disqualification	12	11
07	IFTA	5	4
08	Self-Insured	0	0
09	Driver Training School	1	0
10	IRP	1	0
11	Miscellaneous	0	0
12	Points Suspension	6	6
13	HOR 2	1	5
14	IID (Ignition Interlock)	15	13
<b>TOTAL</b>		<b>6514</b>	<b>6532</b>

**OMVH WORKLOAD REPORT FOR CURRENT YEAR 2017-2018**

Case Type #	Description	CASES FILED	CASES DISPOSED
01	Implied Consent or BAC	5887	6096
02	Habitual Offender 1 <sup>st</sup> Declared	38	56
03	Habitual Offender Reduction	32	41
04	Financial Responsibility	67	44
05	Dealer Licensing	9	8
06	Physical Disqualification	15	11
07	IFTA	6	6
08	Self-Insured	0	0
09	Driver Training School	0	0
10	IRP	0	0
11	Miscellaneous	4	6
12	Points Suspension	4	6
13	HOR 2	4	2
14	IID (Ignition Interlock)	23	33
<b>TOTAL</b>		<b>6089</b>	<b>6309</b>

**AGENCY NAME:**

South Carolina Administrative Law Court

**AGENCY CODE:**

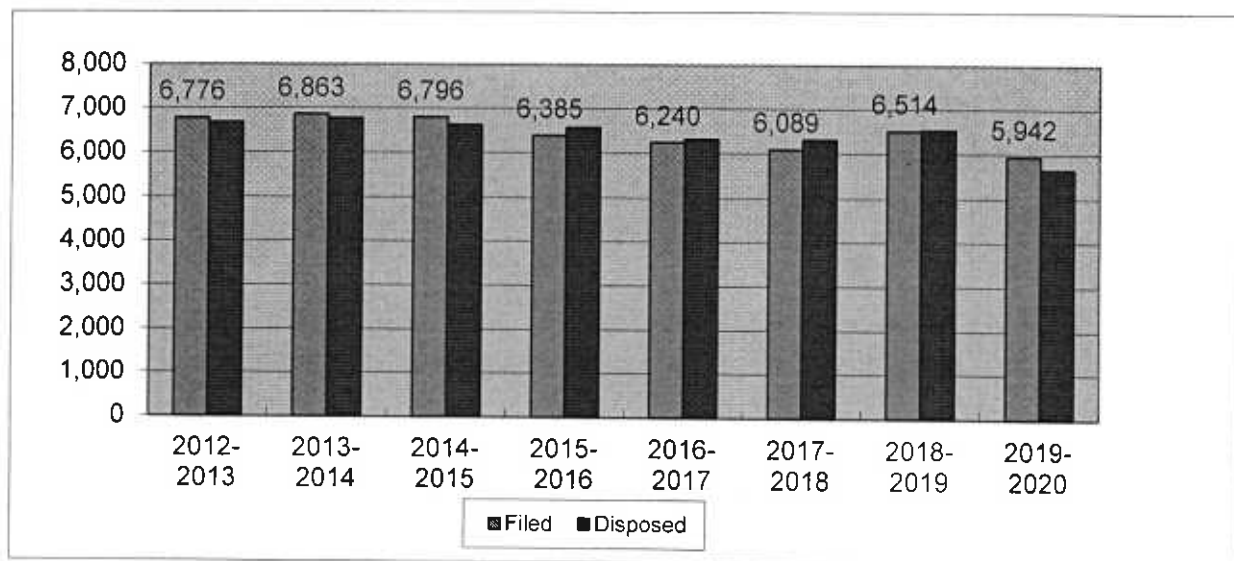
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**SECTION:**

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**OMVH WORKLOAD REPORT FOR 2016-2017**

Case Type #	Description	CASES FILED	CASES DISPOSED
01	Implied Consent or BAC	5991	6117
02	Habitual Offender 1 <sup>st</sup> Declared	53	41
03	Habitual Offender Reduction	51	47
04	Financial Responsibility	53	40
05	Dealer Licensing	16	9
06	Physical Disqualification	8	8
07	IFTA	6	5
08	Self-Insured	0	0
09	Driver Training School	0	0
10	IRP	2	0
11	Miscellaneous	5	3
12	Points Suspension	8	6
13	HOR 2	9	10
14	IID (Ignition Interlock)	38	28
<b>TOTAL</b>		<b>6240</b>	<b>6314</b>

**FILINGS AND DISPOSITIONS FOR THE OMVH SINCE 2013**



**TAB 4**

<b>AGENCY NAME:</b>	Administrative Law Court		
<b>AGENCY CODE:</b>	C05	<b>SECTION:</b>	58



**Fiscal Year 2021-2022  
Agency Budget Plan**

**FORM A - BUDGET PLAN SUMMARY**

<b>OPERATING REQUESTS (FORM B1)</b>	<b>For FY 2021-22, my agency is (mark "X"):</b>	
	<input checked="" type="checkbox"/>	Requesting General Fund Appropriations.
	<input checked="" type="checkbox"/>	Requesting Federal/Other Authorization.
	<input type="checkbox"/>	Not requesting any changes.

<b>NON-RECURRING REQUESTS (FORM B2)</b>	<b>For FY 2021-22, my agency is (mark "X"):</b>	
	<input checked="" type="checkbox"/>	Requesting Non-Recurring Appropriations.
	<input type="checkbox"/>	Requesting Non-Recurring Federal/Other Authorization.
	<input type="checkbox"/>	Not requesting any changes.

<b>CAPITAL REQUESTS (FORM C)</b>	<b>For FY 2021-22, my agency is (mark "X"):</b>	
	<input checked="" type="checkbox"/>	Requesting funding for Capital Projects.
	<input type="checkbox"/>	Not requesting any changes.

<b>PROVISOS (FORM D)</b>	<b>For FY 2021-22, my agency is (mark "X"):</b>	
	<input type="checkbox"/>	Requesting a new proviso and/or substantive changes to existing provisos.
	<input type="checkbox"/>	Only requesting technical proviso changes (such as date references).
	<input checked="" type="checkbox"/>	Not requesting any proviso changes.

Please identify your agency's preferred contacts for this year's budget process.

	<i>Name</i>	<i>Phone</i>	<i>Email</i>
<b>PRIMARY CONTACT:</b>	Jana Shealy	734-6411	jshealy@scale.net
<b>SECONDARY CONTACT:</b>	Margaret Sanders	734-6414	msanders@scale.net

I have reviewed and approved the enclosed FY 2021-22 Agency Budget Plan, which is complete and accurate to the extent of my knowledge.

	<i>Agency Director</i>	<i>Board or Commission Chair</i>
<b>SIGN/DATE:</b>		N/A
<b>TYPE/PRINT NAME:</b>	Ralph K. Anderson, III	N/A

*This form must be signed by the agency head – not a delegate.*

FY 21-22 Budget Priorities Summary

Agency Name												
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	Recurring	FTE Funding and Transfer	Request to move 3 staff attorneys from Other Funds to State Funds. Currently 19 FTEs are paid out of State and 16 FTEs are paid out of Other	\$267,150.00				\$267,150.00	3			3
2	Recurring	Authorization Increase	Request to increase authorization in Other Funds to compensate for increases in fringe for FTEs paid out of Other Funds			\$100,000.00		\$100,000.00				
3	Non-recurring	E-filing module	Develop and implement e-filing system with current Case Management System Vendor		\$175,000.00			\$175,000.00				
4	Non-recurring	Public Area Renovations	Public area (reception area and hallways) worn and stained carpet and wallpapers needs replacing		\$38,390.00			\$38,390.00				

# **TAB 5**

**Not applicable**

**TAB 6**

**Constitutional Subcommittee Proviso Request Summary FY 2021-22**

Proviso # in FY 19-20 Act	Renumbered FY 21-22 Proviso #	Proviso Title	Short Summary	Recommended Action (keep, change, delete, add)
58.1		Copying Costs Revenue Deposit	Retain and Expend revenue for copying documents and rules	Keep
58.2		County Office Space for Judges	Counties to provide office space for residing ALJ if available	Keep
58.3		ALJ Travel	Subsistence for ALJs traveling	Keep

**TAB 7**

# South Carolina Legislature

administrative law found 6 times.

## Part 1B SECTION 58 - C050 - ADMINISTRATIVE LAW COURT

2020-2021 As passed by the House

### SECTION 58 - C050 - ADMINISTRATIVE LAW COURT

**58.1.** (ALC: Copying Costs Revenue Deposit) The **Administrative Law** Court shall retain and expend, for the same purpose for which it is generated, all revenue received during the current fiscal year as payment for printing and distributing copies of court rules and other agency documents.

**58.2.** (ALC: County Office Space for Judges) Every county shall provide for each **Administrative Law** Judge residing therein, upon their request, an office within the existing physical facilities if space is available, to include all utilities and a private telephone. The request shall only be made provided that the judges residence is not within fifty miles of the official headquarters of the agency by which the **Administrative Law** Judge is employed.

**58.3.** (ALC: ALJ Travel) While holding court or on other official business outside the county in which he resides, within fifty miles of his residence, an **Administrative Law** Judge is entitled to a subsistence allowance in the amount of \$35 per day plus such mileage allowance for travel as is provided for other employees of the State. While holding court or on other official business at a location fifty miles or more from his residence, an **Administrative Law** Judge is entitled to a subsistence allowance in the amount as provided in this act for members of the General Assembly plus such mileage allowance for travel as is provided for other employees of the State. However, notwithstanding any other provision of law, the allowance as provided shall not exceed \$8,000 per judge in a fiscal year.



**TAB 8**

**Administrative Law Court Carry Forward:**

\$ 263,698.71 Carry Forward of State Funds from FY2020 into FY2021

\$ 1,467,489.54 Earmark Funds Brought Forward from FY2020 into FY2021

**TAB 9**

**FTE Breakdown:**

FTEs:

State FTEs	20
<u>Other FTEs</u>	<u>24</u>

Total FTEs 44

FTEs Filled:

State FTEs	19
<u>Other FTEs</u>	<u>13</u>

Total Filled 32

Vacancies (Other) 12

**TAB 10**

## **Final Concerns for current FY and for FY 21-22**

The ALC is funded in part by the revenue from filing fees and any reduction in this unstable funding can cause a significant hardship. Due to revenue loss attributable to COVID-19 we are unfortunately seeing this come to fruition. Fiscal Year 19-20 ended with a \$121,600 shortfall compared to FY 18-19 and we already have a shortfall of \$64,800 for the first quarter of the current FY 20-21

We have had to place a freeze on filling 3 recent vacancies due to this shortfall, which brings us to a 28% vacancy rate (12 vacancies out of 44 FTEs)

Due to the above, it is imperative our FTE transfer and funding request be approved as it was in last year's House version of the FY 20-21 appropriations bill