

South Carolina Judicial Department

Regarding FY 19-20

Constitutional Subcommittee

House Ways and Means

Key Officials Attending Meeting:

Representative Bruce Bannister, Chairman

Representative Nathan Ballentine

Representative Michael "Mike" Sottile

Blythe Littlefield, Budget Analyst

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

dbeatty@sccourts.org

Tonnya K. Kohn, Director, Court Administration (734-1802)

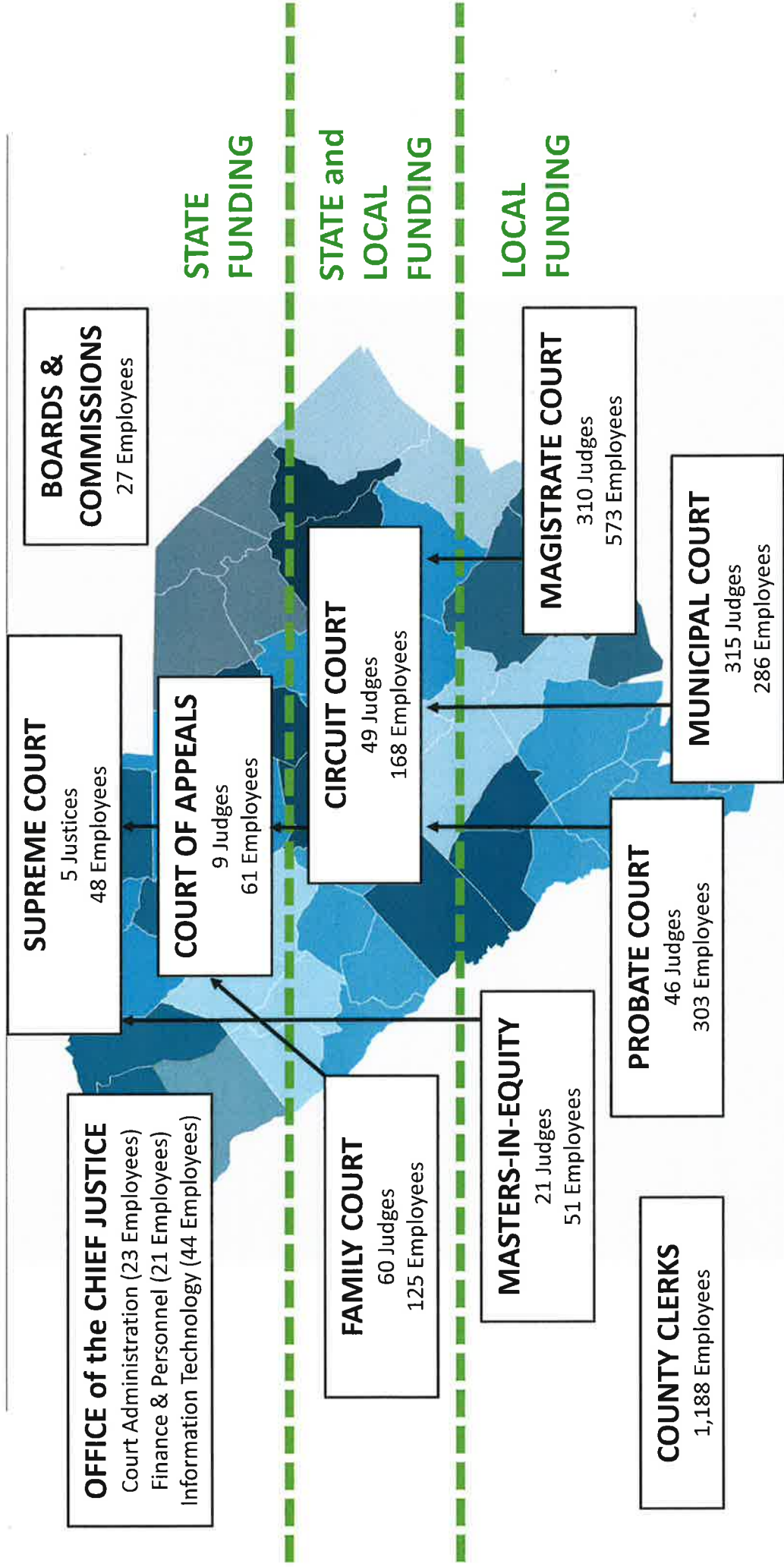
tkohn@sccourts.org

Carolyn P. Taylor, Director, Finance and Personnel (734-1978)

ctaylor@sccourts.org

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 disputes and criminal matters.



South Carolina Judicial Branch

- Non-recurring funds will provide for the purchase and installation of this needed equipment.

Priority 5: Digital Courtroom Recorder Project III

Recurring – \$132,000

- Provide ongoing support, maintenance, storage and access of digital courtroom recorder technology.

Priority 6: Information Technology Positions

Recurring – \$401,250

- Fund 6 IT positions through general appropriations.
- Positions will equip the Judicial Branch's IT department to:
 - Provide increased support to system users (4 call center employees),
 - Handle audio/visual technology needs of the courts (1 A/V technician),
 - Meet increased needs for data analysis (1 IT database administrator).

Priority 7: Case Management System (CMS) Modernization

Non-Recurring – \$13,000,000

- Modernize online case management system.
- Benefits include data security and secured public access to court data, increased exchange of court data to other state/law enforcement agencies and financial relief for counties.
- This request is for funds needed to complete this \$20 million project. \$7 million previously funded in the 2019 Capital Reserve Bill.

Priority 8: Court Education

Recurring – \$600,000

- Establish a formal education program to fulfill education requirements for all court personnel.
- Includes two employees to oversee and coordinate training programs.

Priority 9: Court of Appeals Deputy Clerk

Recurring – \$113,000

- Provide a Deputy Clerk for the Court of Appeals to help court more efficiently manage cases, personnel and various projects.
- With more than 3,000 cases per year, the Court of Appeals handles the vast majority of South Carolina's direct appeals.

Priority 10: Office of Disciplinary Counsel Attorney III

Recurring – \$100,000

- Provide the Office of Disciplinary Counsel an additional staff attorney to investigate and screen complaints regarding both South Carolina lawyers and out-of-state lawyers within the office's authority.

Total Recurring – \$15,858,250
Total Non-Recurring – \$14,125,000

AGENCY NAME:	SOUTH CAROLINA JUDICIAL DEPARTMENT		
AGENCY CODE:	B04	SECTION:	057

**Fiscal Year 2017-18
Accountability Report**

SUBMISSION FORM

AGENCY MISSION	The mission of the Judicial Department is to ensure that South Carolina courts provide a fair and efficient forum for the just resolution of civil, criminal, and family disputes.
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AGENCY VISION	The Judicial Department works constantly to provide a court system that not only is fair but also 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 United States Constitution, the Constitution of South Carolina, state statutes, and the common law.
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Please select yes or no if the agency has any major or minor (internal or external) recommendations that would allow the agency to operate more effectively and efficiently.

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

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

	<u>Name</u>	<u>Phone</u>	<u>Email</u>
PRIMARY CONTACT:	Tonnya Kohn	(803) 734-1800	tkohn@sccourts.org
SECONDARY CONTACT:	Carolyn Taylor	(803) 734-1970	ctaylor@sccourts.org

AGENCY NAME:	SOUTH CAROLINA JUDICIAL DEPARTMENT		
AGENCY CODE:	B04	SECTION:	057

AGENCY'S DISCUSSION AND ANALYSIS

By the adoption of Article V of the South Carolina Constitution, the people of South Carolina have established the South Carolina Judicial Department (SCJD) as one of the three co-equal branches of the State Government. The Chief Justice serves as the administrative head of the SCJD. Through administrative orders, court rules, and other directives, the Chief Justice and the Supreme Court of South Carolina provide guidance for the operation of the statewide, unified judicial system, and various boards and commissions that have been established by the Supreme Court. The organizational structure of the SCJD can be categorized into two areas: (1) adjudication and (2) administration. Directly or indirectly, the lives of all South Carolina citizens are affected by the decisions of the trial courts and the appellate courts. These courts make decisions that could involve local zoning, taxation, interpretation of state statutes, or other matters that may significantly affect the public.

SCJD continues to maintain its standards for effective and efficient administration even though the department has limited resources and budgetary constraints each year. The SCJD continues to implement new innovations that further improve services to the public while increasing efficiencies of internal operations. By optimizing resources and utilizing technology, the SCJD can reach its goals and achieve its mission of providing fair, independent and accessible forums for the just and timely resolution of legal disputes for the citizens of South Carolina.

FY 19-20 Budget Priorities Summary--amended 01/22/19
 South Carolina Judicial Department

Budget Priorities		Funding							FTEs			
Priority No.	Priority Type (non-recurring/other funds adjustment/federal funds adjustment)	Priority Title	Priority Description	Non - Recurring	Recurring	Other	Federal	Total	State	Other	Federal	Total
1	Recurring	Judicial Salary Increase	Request additional general fund appropriations for increase to equal current US District Judge Salary	-	11,237,000.00	-	-	11,237,000.00	-	-	-	-
2	Recurring	Court Position Funding	Request restoration of general appropriations for 34.00 existing FTEs for statutorily mandated court positions moved to fine and fees due to prior year's budget recession.	-	1,500,000.00	-	-	1,500,000.00	34.00	(34.00)	-	-
3	Recurring	Court Reporter Positions	Request 30.00 existing FTEs for statutorily mandated Digital Court Reporter Positions forced to be funded with Fines and Fees be returned to state appropriations.	-	1,775,000.00	-	-	1,775,000.00	30.00	(30.00)	-	-
4	Non-Recurring	Digital Courtroom Recorder Project	Request non-recurring funds to purchase necessary data equipment required to establish digital reporting in 25 additional courtrooms.	1,125,000.00	-	-	-	1,125,000.00	-	-	-	-
5	Recurring	Digital Courtroom Recorder Project	Request recurring funds to provide managed solution, support, maintenance, storage, and access.	-	132,000.00	-	-	132,000.00	-	-	-	-
6	Recurring	Information Technology Positions	Request 6.00 FTEs to support Information Technology hosted programs; support the Help Desk for AIS, CMS, and E-filing; provide support for Audio/Visual equipment in all courtrooms; perform complex data analysis, and serve as backup database administrator.	-	401,250.00	-	-	401,250.00	6.00	-	-	6.00
7	Non-Recurring	Case Management System Modernization	Request remaining funds for modernization project. Modernization project cost estimated \$20 million. In 2019, \$7 million was approved in the Capital Reserve Bill.	13,000,000.00	-	-	-	13,000,000.00	-	-	-	-

8	Recurring	Court Education	Request funds to establish a formal education program to oversee and coordinate training programs. Request 2.00 FTEs for Coordinator & Admin Assistant.	-	600,000.00	-	-	600,000.00	2.00	-	-	2.00
9	Recurring	Court of Appeals Deputy Clerk	Request 1.00 FTE for an additional deputy to aid the court in conducting legal research, preparing orders, court correspondence, and supervision of support personnel.	-	113,000.00	-	-	113,000.00	1.00	-	-	1.00
10	Recurring	Office of Disciplinary Counsel Attorney III	Request 1.00 FTE for an additional attorney that will increase efficiency to process complaints, reduce pending caseloads that form backlog.	-	100,000.00	-	-	100,000.00	1.00	-	-	1.00
11	Recurring/Other Funds	Court of Appeals Administrative Specialist	Request 2.00 Other funded FTEs created in interim for FY19 be made permanent. SCJD does not request any general appropriations to support these Administrative Specialist II positions.	-	-	-	-	-	-	2.00	-	2.00
12	Recurring/Other Funds	Information Technology Systems Programmer/Developer III	Request 1.00 Other funded FTE created in interim for FY19 be made permanent. SCJD does not request any general appropriations to support the position.	-	-	-	-	-	-	-	1.00	1.00
				14,125,000.00	15,858,250.00			29,983,250.00				

AGENCY NAME:	South Carolina Judicial Department		
AGENCY CODE:	B040	SECTION:	57



**Fiscal Year 2019-20
Agency Budget Plan**

FORM A - BUDGET PLAN SUMMARY

OPERATING REQUESTS (FORM B1)	For FY 2019-20, my agency is (mark "X"):	
	<input checked="" type="checkbox"/>	Requesting General Fund Appropriations.
	<input checked="" type="checkbox"/>	Requesting Federal/Other Authorization.
	<input type="checkbox"/>	Not requesting any changes.

NON-RECURRING REQUESTS (FORM B2)	For FY 2019-20, my agency is (mark "X"):	
	<input checked="" type="checkbox"/>	Requesting Non-Recurring Appropriations.
	<input type="checkbox"/>	Requesting Non-Recurring Federal/Other Authorization.
	<input type="checkbox"/>	Not requesting any changes.

CAPITAL REQUESTS (FORM C)	For FY 2019-20, my agency is (mark "X"):	
	<input type="checkbox"/>	Requesting funding for Capital Projects.
	<input checked="" type="checkbox"/>	Not requesting any changes.

PROVISOS (FORM D)	For FY 2019-20, my agency is (mark "X"):	
	<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>
PRIMARY CONTACT:	Tonnya K. Kohn	(803) 734-1800	tkohn@sccourts.org
SECONDARY CONTACT:	Carolyn P. Taylor	(803) 734-1978	ctaylor@sccourts.org

I have reviewed and approved the enclosed FY 2019-20 Agency Budget Plan, which is complete and accurate to the extent of my knowledge.

SIGN/DATE:	<i>Agency Director</i>	<i>Board or Commission Chair</i>
TYPE/PRINT NAME:	Donald W. Beatty	

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

AGENCY NAME:	South Carolina Judicial Department		
AGENCY CODE:	B040	SECTION:	57

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	1
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Judicial Salary Increase
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$9,211,000 Federal: \$0.00 Other: \$0.00 Total: \$9,211,000
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What is the net change in requested appropriations for FY 2018-19? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority # _____	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	NA
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What specific agency objective, as outlined in the agency's accountability report, does this funding request support? How would this request advance that objective? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS

South Carolina Judicial Department Justices and Judges

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

The South Carolina Judicial Department (SCJD) is requesting recurring state appropriations to fund a salary increase for judges and justices by establishing the salary of the Chief Justice to be the same salary of a United States District Court Judge.

Judges and justices' salaries lag behind those of comparable jurisdictions. South Carolina circuit court judges' salaries rank in the bottom third of the nation, while at the same time they carry some of the heaviest caseloads in the country. According to the most recent data from the National Center for State Courts, South Carolina Supreme Court Associate Justice salaries rank 43rd in the nation out of 51 jurisdictions, while the Chief Justice's salary ranks 42nd. The Judicial Branch seeks to remedy these disparities by establishing that the Chief Justice's salary will be equivalent to that of a United States District Court Judge.

There is a vast and growing gulf between the work required of members of the South Carolina judiciary and their compensation. For example, the Chief Justice serves as both the Chief Executive Officer and the Chief Operations Officer of the Judicial Branch of Government, while at the same time carrying the same workload as an Associate Justice.¹ On the other hand, United States District Judges have limited administrative responsibilities and carry a greatly reduced caseload when compared to any of South Carolina's Justices and Judges. This salary request will merely equalize the pay of the Chief Justice with that of a District Judge, whose position is the equivalent of a trial judge in the state system.

South Carolina lawyers who apply for judicial positions are motivated by a desire to give back through public service and by the intellectual challenges that come with the position. The loss of income that results from accepting a judicial office means there is little financial incentive for highly skilled and experienced attorneys to leave successful law practices. This is especially true as South Carolina's business community expands, and the need to attract experienced attorneys who have practiced corporate law becomes critical to enhancing that community's confidence in the bench. Moreover, the family and circuit courts benefit from those with a depth of legal knowledge and expertise, which only comes with experience. Without question, these judges are tasked with making critical decisions that directly impact children, families and, ultimately, the entire State of South Carolina. The longer judicial salaries stagnate, the more difficult it will be to catch up on lost wages and avoid diminishing the quality of the South Carolina judiciary.

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Funding this request will begin the process of establishing adequate salaries for judges and justices. Citizens of South Carolina, and all who use the court system, will benefit by having more experienced lawyers seek judicial positions.

Failure to fund a significant judicial salary increase will reduce the ability of South Carolina to attract the most qualified individuals to judicial service, and will adversely affect the morale of those currently serving in judicial positions. Any reduction in the quality of the judiciary has an immediate negative impact on the citizens of the state.

¹Of the nine state chief justices who receive salaries less than the South Carolina Chief Justice, only one (Kentucky) has similar day-to-day duties, and the judiciary in seven of the nine jurisdictions received a pay raise in the most recent fiscal year.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

AGENCY NAME:	South Carolina Judicial Department		
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FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY:	2	
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE:	Court Positions
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Provide a brief, descriptive title for this request.

AMOUNT:	General: \$1,500,000 Federal: \$0.00 Other: \$0.00 Total: \$1,500,000
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What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS:	34 FTEs
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority # _____

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens	

AGENCY NAME:	South Carolina Judicial Department		
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ACCOUNTABILITY OF FUNDS	NA
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What specific strategy, as outlined in the FY 2018-19 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	South Carolina Judicial Department (SCJD) Employees
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST	<p>The current general fund appropriations are not sufficient to fund all statutorily mandated court positions and direct court support staff. Due to repeated budget reductions in previous years, it was necessary for the Judicial Branch to move the salaries and employer contributions of state mandated FTEs for justice and judge's administrative assistants to court fines and fees so as to avoid furloughs and reductions in force. The individuals in these positions perform crucial managerial and organizational tasks allowing the justices and judges to devote their time to their official duties.</p> <p>Court fines and fees continue to prove an unstable source of funding. Failure to receive adequate funding could result in massive layoffs and cancellation of court, resulting in the inability to provide justice and dispute resolution forums that are constitutionally required and necessary for the safety and well-being of the people of South Carolina. Further, returning these positions to state appropriations funding will permit the Judicial Department to use fines and fees monies to begin projects that have languished due to lack of funding. The Judicial Branch requests restoration of general appropriations for these court positions and direct support staff.</p> <p>Failure to fund these positions from a stable source will negatively impact the judges' ability to perform their judicial duties and will result in a backlog of cases and longer disposition times.</p> <p>Thirty-four (34.00) FTEs Administrative Assistants and Administrative Specialists: Responsible for acting as liaison between judges and multiple parties including attorneys, Solicitor's Office, Public Defender Office, Probation/Parole, and court clerks. This position also review orders, prepares correspondence and manages the office.</p> <p>Salary (34): \$1,048,580 Fringe: \$451,420</p>
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AGENCY NAME:	South Carolina Judicial Department		
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Total: \$1,500,000

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

AGENCY NAME:	South Carolina Judicial Department		
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FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY:
Provide the Agency Priority Ranking from the Executive Summary.

TITLE:
Provide a brief, descriptive title for this request.

AMOUNT:
What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS:
Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST:

Mark "X" for all that apply:

<input type="checkbox"/>	Change in cost of providing current services to existing program audience
<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
<input type="checkbox"/>	Non-mandated program change in service levels or areas
<input checked="" type="checkbox"/>	Proposed establishment of a new program or initiative
<input type="checkbox"/>	Loss of federal or other external financial support for existing program
<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
<input type="checkbox"/>	IT Technology/Security related
<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES:

Mark "X" for primary applicable Statewide Enterprise Strategic Objective:

<input type="checkbox"/>	Education, Training, and Human Development
<input type="checkbox"/>	Healthy and Safe Families
<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens

ACCOUNTABILITY OF FUNDS:

What specific strategy, as outlined in the FY 2018-19 Strategic Planning and

AGENCY NAME:	South Carolina Judicial Department		
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Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS

South Carolina Judicial Department (SCJD) Employees

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

Due to budget shortfalls in previous years, the Judicial Branch was unable to fund all statutorily mandated Court Reporter positions using general fund appropriations. As a result, the Department found it necessary to fund 30 Court Reporter FTEs using monies generated by fines and fees since without a Court Reporter, family and circuit court terms cannot be held.

Court fines and fees are an unstable source of funding. The Department's reliance on this erratic funding source to provide core services threatens our ability to meet our mission of providing a fair, independent, and accessible forum for the just and timely resolution of legal disputes. We therefore request the restoration of general appropriations funds for these FTEs.

Returning these 30 FTEs to state appropriations funding will permit the Judicial Department to use fines and fees monies to begin projects that have languished due to lack of funding.

The Department struggles to fill Court Reporter positions, as there is a nationwide shortage of these professionals. Since family and circuit courts are courts of record and cannot operate unless a contemporaneous record is made, we have turned to Digital Court Recording to supplement our Court Reporter workforce. We anticipate that some of these Court Reporter FTEs will be filled by Court Monitors. Unlike Court Reporters who actively record court proceedings and require extensive training, Court Monitors capture the record using technology. The Department is able to train Monitors to operate the Digital Court Recording equipment and to perform other courtroom tasks in-house, resulting in an increased pool of qualified individuals. It is our expectation that as our Court Monitors gain experience, they will be certified by a national organization as Digital Court Reporters and become Certified Transcriptionists. The Department will continue to actively recruit Court Reporters, and will strategically deploy Court Reporters to cover more complex litigation.

Failure to provide these statutorily mandated positions with a stable source of funding will negatively impact the Judicial Department's ability to staff the number of terms of court required to afford the citizens of South Carolina just and timely resolution of disputes.

Thirty (30.00) FTEs Court Reporters:
 Salary (30) \$1,225,000
 Fringe \$ 425,000

AGENCY NAME:	South Carolina Judicial Department		
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	Operating-Travel	\$ 125,000
	Total	\$1,775,000

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

AGENCY NAME:	South Carolina Judicial Department		
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FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	5
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Digital Courtroom Recorder Project Phase-III
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$132,000 Federal: \$0.00 Other: \$0.00 Total: \$132,000
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What is the net change in requested appropriations for FY 2018-19? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input checked="" type="checkbox"/>	Related to a Non-Recurring request – If so, Priority # 4	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens	

AGENCY NAME:	South Carolina Judicial Department		
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ACCOUNTABILITY OF FUNDS	NA
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What specific agency objective, as outlined in the agency's accountability report, does this funding request support? How would this request advance that objective? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	Vendors
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST	<p>This funding request will be used for the acquisition of web and cloud technology and provide for the managed solution, support, maintenance, storage, and access provided by the Digital Court Recording equipment and the software vendor for the 25 additional Digital Court Recording courtrooms the South Carolina Judicial Department seeks to add this fiscal year. Through the use of this technology, SCJD will ensure that all scheduled court terms are covered and thus ensure that all citizens of South Carolina have timely access to court proceedings. Enabling the Department to cover all scheduled court terms will reduce the amount of times that families are separated while awaiting disposition of their DSS matters; will reduce the case log backlog as all scheduled terms of court will be able to go forward; will result in an increase in timely hearings and trials in criminal matters and thus reduce the strain on local jail facilities; and will benefit the State and local economies because business disputes will be heard more quickly, and less working time will be lost as litigants and witnesses will no longer have to wait at the courthouse for their cases to be called for trial.</p> <p>Failure to fund the support required for courtrooms equipped with Digital Court Recording technology will result in an ever-increasing need to cancel Family and Circuit Court sessions. No one, most especially the family, the crime victim, the business owner, or the ordinary citizen awaiting their day in court, will deny that "Justice delayed is Justice denied." SCJD's Digital Courtroom Recorder Project must succeed and expand if the Department is to fulfill its mission: "To provide a fair, independent and accessible forum for the just and timely resolution of legal disputes."</p>
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Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

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AGENCY NAME:	South Carolina Judicial Department		
AGENCY CODE:	B040	SECTION:	57

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	6	<i>Provide the Agency Priority Ranking from the Executive Summary.</i>
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TITLE	Information Technology Positions	
	<i>Provide a brief, descriptive title for this request.</i>	

AMOUNT	General: \$401,250 Federal: \$0.00 Other: \$0.00 Total: \$401,250	
	<i>What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.</i>	

NEW POSITIONS	6.00 FTEs	
	<i>Please provide the total number of new positions needed for this request.</i>	

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority # _____	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens	

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ACCOUNTABILITY OF FUNDS	NA
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What specific strategy, as outlined in the FY 2018-19 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	South Carolina Judicial Department (SCJD) Employees
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST	<p>The time and effort required by the Information Technology Division to maintain the technical environments within the Judicial Branch; provide support for computer applications; and meet the demands for data requests and governmental data reporting requirements has increased exponentially. The South Carolina Judicial Department (SCJD) requests additional positions to continue providing support for technological applications and interfaces used by South Carolina citizens and court personnel.</p> <p><u>Call Center Support Analysts</u></p> <p>The Call Center presently provides technical and end-user support for: 1) the unified statewide Case Management System (CMS) application for circuit court and magistrates court; 2) the Attorney Information System (AIS) that is used by approximately 16,104 attorneys who participate in this system; and 3) the county Clerks of Court and staff, judges and staff, and users of the E-Filing System. In 2008, the SCJD successfully completed the statewide rollout of the hosted CMS application to all 46 counties. During that time, the Call Center was initially staffed with 5 team members to provide support for 46 counties statewide. Within the last 10 years, the Judicial Branch's technology initiatives have increased to support AIS and E-Filing in Common Pleas. Currently, staffing levels within the Call Center are inadequate to handle the increase in volume as new services and technology initiatives are deployed.</p> <p>The Case Management System in use in all counties provides the record keeping system for summary and circuit courts. Additionally, CMS has evolved to become the primary means by which court data is transmitted to SLED and other agencies. The system is regularly updated with both technical enhancements and with substantive updates to reflect changes in the law, and these updates generate increased call traffic to the Center. The Call Center personnel are responsible for providing technical and application support for users of the CMS, and our service level agreement (SLA) requires us to provide 24/7 support for Bond Court emergencies.</p>
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Additionally, the Call Center's capacity has been strained as the number of attorneys using AIS has increased, and especially as the circuit court E-Filing program has expanded. As of September 4, 2018, E-Filing is live in 38 counties, and the Call Center fields calls daily from Clerks of Court in these counties as well as from judges, judicial staff, and attorney-users. Further, it is anticipated that the South Carolina Supreme Court and Court of Appeals Appellate E-filing system will be implemented late in the 2019-2020 fiscal year. The combined annual number of filings in these courts are more than 55,000, and each filing will require the end-user to interface with the new system. It is anticipated that the number of support calls as users interact with the new system will be significant.

The inability of SCJD to provide adequate support for SCJD hosted programs and users will adversely affect both statewide court operations and public confidence. Additional Call Center staff will enable SCJD to continue to provide the level of customer service and technical support required to ensure the seamless operation of court-related technology as well as meet service level agreements (SLA).

The Department currently has 7 FTEs and request 4 additional FTEs in order to adequately staff the Call Center to support current and future technology initiatives.

Data Analyst

In recent years the Judicial Branch has experienced a growing demand for reports, data extraction requests, data analysis, and statistical data requests from state agencies, citizens, other public and private institutions, and court staff. State agencies such as SLED and the Department of Motor Vehicles along with other public and private organizations all have essential business functions that require the use of court data. In addition, in 2015 the South Carolina Supreme Court adopted Rule 610, SCACR, establishing a process for bulk data requests. As more individuals, institutions, and media outlets have learned of this rule the number of these inquiries has increased each year.

Many of the data-related requests, especially those originating from the General Assembly and from law enforcement agencies, are time-sensitive. Further, there is a growing demand for reports, special requests, and for the sharing of important data, such as that used for background checks, with other agencies (SLED, Department of Insurance, Election Commission, etc.). For example, in the past year, SCJD has responded to 8 large scale 610 requests where one or more day's effort was required to extract the data, approximately 30 requests that required analysis of statewide data, and more than 500 requests that involved analysis of a single case.

The Department recognizes the need for accurate and prompt responses to these types of requests, and seeks one FTE to meet the growing demand for complex data analysis and statistical data inquiries. In addition to serving as the primary point of contact for data requests, the Data Analyst position will also serve as the backup database administrator and provide development services to automate maintenance of data for each of the 46 counties using statewide Case Management System.

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Audio and Visual Technician

The Judicial Branch continues to increase Audio and Visual (AV) integration within the SCJD and its constituents as we extend support services to address internal and external AV responsibilities. Currently, we provide AV maintenance and support for the Supreme Court, two courtrooms in the Court of Appeals, and five conference rooms. The Department provides support for live broadcast of Supreme Court oral arguments, including camera operations, video files, and media servers. In addition, the IT Department assists by providing technical support and equipment for some presentations at SCJD sponsored events, as well as assisting users as the Branch has increased its reliance on technology for conferencing in order to save travel costs and conserve staff time. Finally, as the Digital Courtroom Recording Project expands to multiple courts across the state, it is essential that the Judicial Branch have a dedicated AV Specialist to serve as the technical liaison to ensure that contracts, procedures, and industry standards are adhered to by all vendors.

The Department requests one FTE to meet the increased AV needs of the Department.

Failure to fill these positions will have a direct impact on the South Carolina Judicial Department's ability to support court technology initiatives statewide that benefit state agencies, courts, clerks of courts, attorneys, and citizens of South Carolina.

Four (4.00) FTEs Call Center Support Analysts: These positions will be responsible for supporting the increasing number of users and expanding technology initiatives.
Call Center Support Salary (4): \$160,000
Fringe: \$56,000
Operating: \$20,000
Total: \$236,000

One (1.00) FTE Database Administrator 1 (Data Analyst): This position will provide the necessary data extraction for responses to the increasing number of data request and serve as backup for application and database support services.
Salary: \$60,000
Fringe: \$21,000
Operating: \$5,000
Total: \$86,000

One (1.00) FTE Audio and Visual Technician: This position will provide support, maintenance, and project oversight of audio and visual (AV) equipment used to address critical business needs of the Judicial Branch. In addition, this position will serve as technical liaison for the Digital Courtroom Recorder Project.
Salary: \$55,000
Fringe: \$19,250
Operating: \$5,000
Total: \$79,250

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Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

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FORM B2 – NON-RECURRING OPERATING REQUEST

AGENCY PRIORITY:	7	<i>Provide the Agency Priority Ranking from the Executive Summary.</i>
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TITLE:	Case Management System Modernization
	<i>Provide a brief, descriptive title for this request.</i>

AMOUNT:	\$13,000,000	<i>What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.</i>
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FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
	<input checked="" type="checkbox"/>	Request for Non-Recurring Appropriations
	<input type="checkbox"/>	Request for Federal/Other Authorization to spend existing funding
<input type="checkbox"/>	Related to a Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	NA
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What specific strategy, as outlined in the FY 2018-19 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

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RECIPIENTS OF FUNDS

Vendors and Contractors

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

The South Carolina Judicial Department's (SCJD) Trial Court Case Management System (CMS) is based on an antiquated 15-year-old application design model that is rapidly approaching the end of its life cycle. SCJD's approach to modernizing CMS is to divide the system into smaller logical components and update those components to utilize cloud and web technology. This modernization will provide direct benefits to counties, state agencies such as SLED and the Department of Motor Vehicles, circuit and summary courts, as well as judges, attorneys, and citizens throughout South Carolina by, among other things: providing the means for data security and secured public access to court data; allowing courts to exchange data with other state and law enforcement agencies; alleviating the financial burden on counties to independently protect court data, and purchase/support necessary hardware; providing a centralized application to update new statutes and penalties in real-time; allowing citizens to pay traffic tickets and view court records on-line; and providing the means for electronic filings in common pleas cases.

The modernization project will take approximately 5 years and cost 20 million dollars to complete. SCJD was approved to receive 7 million dollars in 2019 from Capital Reserves for the modernization project. Thirteen million of the estimated 20 million dollar cost to modernize CMS remains unfunded. The majority of the funds will be paid to software contractors over the term of the project.

Failure to modernize the aging CMS application will result in the use of obsolete technology that will: cost increasingly more to maintain with fewer benefits; adversely impact user experience statewide; hinder new feature development required to improve court business functions; increase security vulnerabilities; and be more difficult to maintain as the number of individuals possessing the expertise required to sustain legacy systems dwindles. Without the funding to modernize CMS, South Carolina risks losing a unified CMS and the ability to provide equal technology solutions to all of its courts and equal justice to all of its citizens.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. Does this non-recurring appropriation request create an annualization or need for recurring funds?

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FORM B2 – NON-RECURRING OPERATING REQUEST

AGENCY PRIORITY	7	<i>Provide the Agency Priority Ranking from the Executive Summary.</i>
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TITLE	Case Management System Modernization
	<i>Provide a brief, descriptive title for this request.</i>

AMOUNT	\$13,000,000	<i>What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.</i>
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FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
	<input checked="" type="checkbox"/>	Request for Non-Recurring Appropriations
<input type="checkbox"/>	Request for Federal/Other Authorization to spend existing funding	
<input type="checkbox"/>	Related to a Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	NA
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What specific strategy, as outlined in the FY 2018-19 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

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RECIPIENTS OF FUNDS	Vendors and Contractors
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST	<p>The South Carolina Judicial Department's (SCJD) Trial Court Case Management System (CMS) is based on an antiquated 15-year-old application design model that is rapidly approaching the end of its life cycle. SCJD's approach to modernizing CMS is to divide the system into smaller logical components and update those components to utilize cloud and web technology. This modernization will provide direct benefits to counties, state agencies such as SLED and the Department of Motor Vehicles, circuit and summary courts, as well as judges, attorneys, and citizens throughout South Carolina by, among other things: providing the means for data security and secured public access to court data; allowing courts to exchange data with other state and law enforcement agencies; alleviating the financial burden on counties to independently protect court data, and purchase/support necessary hardware; providing a centralized application to update new statutes and penalties in real-time; allowing citizens to pay traffic tickets and view court records on-line; and providing the means for electronic filings in common pleas cases.</p> <p>The modernization project will take approximately 5 years and cost 20 million dollars to complete. SCJD was approved to receive 7 million dollars in 2019 from Capital Reserves for the modernization project. Thirteen million of the estimated 20 million dollar cost to modernize CMS remains unfunded. The majority of the funds will be paid to software contractors over the term of the project.</p> <p>Failure to modernize the aging CMS application will result in the use of obsolete technology that will: cost increasingly more to maintain with fewer benefits; adversely impact user experience statewide; hinder new feature development required to improve court business functions; increase security vulnerabilities; and be more difficult to maintain as the number of individuals possessing the expertise required to sustain legacy systems dwindles. Without the funding to modernize CMS, South Carolina risks losing a unified CMS and the ability to provide equal technology solutions to all of its courts and equal justice to all of its citizens.</p>
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Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. Does this non-recurring appropriation request create an annualization or need for recurring funds?

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FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	8
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Court Education Program
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$600,000 Federal: \$0.00 Other: \$0.00 Total: \$600,000
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What is the net change in requested appropriations for FY 2018-19? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	2.00 FTEs
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input checked="" type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
<input type="checkbox"/>	Consulted DTO during development	
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input checked="" type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	NA
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What specific agency objective, as outlined in the agency's accountability report, does

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AGENCY CODE:	B040	SECTION:	57

this funding request support? How would this request advance that objective? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS

Vendors, and South Carolina Judicial Department (SCJD) Employees

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

Education is the primary means for advancing competency and trust in the judiciary. SCJD seeks to establish a formal education program to oversee and coordinate training programs. The educational program will fulfill statutory mandates and requirements of the Judicial Department for all court-related personnel to possess the highest ethical standards, and to possess extensive knowledge and wide-ranging skills required to fulfill the mission of the Department. In addition, State and Federal mandates and advancing technology require staff seek external training in order to stay abreast of national trends, remain in compliance with changing directives, assist judges in carrying out their responsibilities, and provide accurate and timely service to the public.

The Department will establish a Court Education section within the Office of Court Administration to create, produce, and support educational programs for justices, judges, other court-related personnel, including clerks of court and registers of deeds, and Judicial Department staff. The need for enhanced educational opportunities for the Judiciary is, in part, the result of the number of judges who are new to the bench -69 of our 108 trial judges have been on the bench less than ten years. Further, as our employees reach retirement age we have an increased need to educate new staff as to their job responsibilities, and the special ethical rules applicable to Judicial Department staff. Finally, the continual evolution of technology requires frequent training and retraining of all personnel involved in the Judicial system.

Among the types of programming that the Court Education section will have responsibility for are orientation schools, mandatory trainings, tests, certifications and conferences for: Circuit Court Judges, Family Court Judges, Probate Court Judges, Magistrate and Municipal Court Judges, Chief Administrative Judges for the various courts, Clerks of Court, Registers of Deeds, and Court Interpreters. Course offerings for Judicial Department staff will include law-related education and updates, ethics, technology skills and security, and personnel training seminars.

Each of these programs requires the development of a curriculum, identification and recruitment of instructors, preparation of materials, and logistics. The Court Education Coordinator will be responsible for overseeing all activities performed by the Court Education section including supervising personnel and administering contracts and budgets.

The Department requests **1.00 FTE for a Court Education Coordinator** to manage the Court Education section and **1.00 FTE for an administrative assistant**. In addition, the Department requests operating funds for court-related education programming. The costs include education materials, technology-related costs, site-related costs, and instructors. The funds will also be used to allow court-related personnel to participate in external educational opportunities.

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Based on our review of costs of court education programs in other states, our budget request represents the minimum amount needed to begin a bare bones court education program. In conclusion, the Court Education Program, led by the Court Education Coordinator and supported by an administrative assistant, will strengthen the judicial system for the benefit of the citizens of South Carolina.

Failure to appropriate funds to create the Court Education Program and the two FTEs will result in reduced educational and training opportunities for members of the Judicial Branch family, and forgo the economies of scale that would result from the consolidation of the programs currently offered by different groups within the Judicial Department.

Court Education Coordinator	\$60,000
Court Education Administrative Assistant	\$34,000
Fringe	\$32,000
Operating Cost	<u>\$474,000</u>
Total	\$600,000

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

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FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	9
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Court of Appeals Deputy Clerk
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$113,000 Federal: \$0.00 Other: \$0.00 Total: \$113,000
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What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	1.00 State FTE
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
<input type="checkbox"/>	Consulted DTO during development	
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens	

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ACCOUNTABILITY OF FUNDS

NA

What specific strategy, as outlined in the FY 2018-19 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS

South Carolina Judicial Department (SCJD) Employees

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

The Court of Appeals processes over 3,000 cases a year and handles the vast majority of direct appeals for the state. The Clerk's office handles this large caseload along with increasingly complex legal issues on behalf of the Court, thus streamlining operations and processing cases with greater efficiency. An additional Deputy Clerk is requested to aid the Court, as well as the Clerk of Court and the Chief Deputy Clerk of Court, in conducting legal research, preparing orders and court correspondence, and supervising support personnel. The Deputy Clerk would also help the Chief Judge and the Clerk of Court in managing the increased number of cases being transferred from the Supreme Court and aid in ensuring those cases are efficiently processed. Funding this request will allow matters brought before the Court of Appeals to be handled more expeditiously and therefore provide greater service to the citizens of South Carolina.

Failure to fund this request will impact staff workload and impede case disposition. The Court of Appeals Clerk's Office needs an additional attorney to efficiently manage cases, personnel, and various projects on behalf of the Court.

One (1.00) FTE Deputy Clerk:

Salary	\$80,000
Fringe	\$28,000
Operating	\$5,000
Total	\$113,000

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

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FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY:	10
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE:	Office of Disciplinary Counsel Attorney III
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Provide a brief, descriptive title for this request.

AMOUNT:	General: \$100,000.00 Federal: \$0.00 Other: \$0.00 Total: \$100,000.00
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What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS:	1.00 FTE
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
<input type="checkbox"/>	Consulted DTO during development	
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority # _____	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens	

AGENCY NAME:	South Carolina Judicial Department		
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ACCOUNTABILITY OF FUNDS

NA

What specific strategy, as outlined in the FY 2018-19 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS

South Carolina Judicial Department (SCJD) Employees

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

The Office of Disciplinary Counsel (ODC) has jurisdiction to investigate and prosecute complaints against anyone who is considered a “lawyer” under the SC Rules for Lawyer Disciplinary Enforcement. Rule 2(r), RLDE, Rule 413, SCACR. Thus, apart from lawyers who are admitted to active practice in South Carolina, out-of-state lawyers are within ODC’s authority if they meet the definition of “lawyer” under the rule.

The South Carolina Bar’s total membership as of January 1, 2018, was 16,306.

On average, ODC receives about 1,750 new complaints each year against lawyers or judges. While all of the complaints received do not involve actual misconduct, each must be screened and many involve extensive investigation. It is anticipated that with the addition of the sanction of “debarment” in 2018, going forward ODC may experience an uptick in the number of annual complaints involving out-of-state lawyers who engage in activity directed to South Carolina citizens.

In addition to new complaints each year, ODC carries a significant inventory of open and pending complaints which are carried over each year. In 2014, ODC added one Attorney III FTE, bringing the total number of attorneys, including Disciplinary Counsel, to nine (9). Since the addition of the Attorney III in 2014, ODC has seen a decrease in pending complaints carried forward each fiscal year.

In order to better achieve the goals of protecting the public and the integrity of the legal system while respecting the rights of the lawyers involved, ODC has prioritized reducing the pending caseload, targeting the older inventory for resolution.

ODC is seeking the additional Attorney III to more quickly process complaints. Just as the office saw a drop in the pending cases after the Attorney III FTE addition in 2014, ODC believes the addition of another Attorney III FTE will be instrumental in assisting with reducing the pending caseload to a more efficient level and reducing those cases

AGENCY NAME:

South Carolina Judicial Department

AGENCY CODE:

B040

SECTION:

57

that form the backlog, with the ultimate goal of processing and resolving complaints within one year of the opening of a file.

Failure to fund this request for the additional FTE Attorney III will result in additional time to resolve the backlog while dealing with the continuous influx of new complaints.

One (1.00) FTE Attorney III:

Salary	\$70,500.00
Fringe	\$24,500.00
Operating	\$5,000.00
Total	\$100,000.00

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

AGENCY NAME:	South Carolina Judicial Department		
AGENCY CODE:	B040	SECTION:	57

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	11
------------------------	----

Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Court of Appeals Administrative Specialist II
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$0.00 Federal: \$0.00 Other: \$0.00 Total: \$0.00
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What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	2.00 Other FTEs
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:
	<input checked="" type="checkbox"/> Change in cost of providing current services to existing program audience
	<input type="checkbox"/> Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/> Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/> Non-mandated program change in service levels or areas
	<input type="checkbox"/> Proposed establishment of a new program or initiative
	<input type="checkbox"/> Loss of federal or other external financial support for existing program
	<input type="checkbox"/> Exhaustion of fund balances previously used to support program
	<input type="checkbox"/> IT Technology/Security related
	<input type="checkbox"/> Consulted DTO during development
<input type="checkbox"/> Related to a Non-Recurring request – If so, Priority # _____	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:
	<input type="checkbox"/> Education, Training, and Human Development
	<input type="checkbox"/> Healthy and Safe Families
	<input type="checkbox"/> Maintaining Safety, Integrity, and Security
	<input type="checkbox"/> Public Infrastructure and Economic Development
<input checked="" type="checkbox"/> Government and Citizens	

AGENCY NAME:	South Carolina Judicial Department		
AGENCY CODE:	B040	SECTION:	57

ACCOUNTABILITY OF FUNDS	NA
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What specific strategy, as outlined in the FY 2018-19 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	South Carolina Judicial Department (SCJD) Employees
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST	<p>The South Carolina Judicial Department (SCJD) request that 2.00 Other Funded FTEs (Administrative Specialist II) created interim in FY 2019 be made permanent other funded FTEs. These positions replaced 6-7 temporary scanners who scanned all documents filed within the Court of Appeals. The interim FTEs provided a more specialized workforce which allowed more utilization of digital court records accessed by judges for more efficient court document retrieval and electronic document storage.</p> <p>Maintaining the temporary scanner positions is not efficient or effective for court operations; SCJD does not request any general appropriations to support these Administrative Specialist II positions.</p>
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Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

AGENCY NAME:	South Carolina Judicial Department		
AGENCY CODE:	B040	SECTION:	57

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY:	12
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Systems Programmer/Developer III
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$0.00 Federal: \$0.00 Other: \$0.00 Total: \$0.00
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What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	1.00 Other FTE
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply: <input checked="" type="checkbox"/> Change in cost of providing current services to existing program audience <input type="checkbox"/> Change in case load/enrollment under existing program guidelines <input type="checkbox"/> Non-mandated change in eligibility/enrollment for existing program <input type="checkbox"/> Non-mandated program change in service levels or areas <input type="checkbox"/> Proposed establishment of a new program or initiative <input type="checkbox"/> Loss of federal or other external financial support for existing program <input type="checkbox"/> Exhaustion of fund balances previously used to support program <input type="checkbox"/> IT Technology/Security related <input type="checkbox"/> Consulted DTO during development <input type="checkbox"/> Related to a Non-Recurring request – If so, Priority #
--	--

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective: <input type="checkbox"/> Education, Training, and Human Development <input type="checkbox"/> Healthy and Safe Families <input type="checkbox"/> Maintaining Safety, Integrity, and Security <input type="checkbox"/> Public Infrastructure and Economic Development <input checked="" type="checkbox"/> Government and Citizens
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AGENCY NAME:	South Carolina Judicial Department		
AGENCY CODE:	B040	SECTION:	57

ACCOUNTABILITY OF FUNDS

NA

What specific strategy, as outlined in the FY 2018-19 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS

South Carolina Judicial Department (SCJD) Employees

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

The South Carolina Judicial Department requests one (1.00) Other Funded FTE (Systems Program/Developer III) created as interim in FY2019 be made a permanent other funded FTE. This interim FTE replaced a contract programmer responsible for the support of the Case Management System. SCJD has determined replacing contract programmers and bringing the responsibility in-house is a more effective use of resources, and does not request any general appropriations to support the position.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

AGENCY NAME:	South Carolina Judicial Department		
AGENCY CODE:	B040	SECTION:	57

FORM D – PROVISO REVISION REQUEST

NUMBER	57.3
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Cite the proviso according to the renumbered list for FY 2019-20 (or mark "NEW").

TITLE	Commitments to Treatment Facilities
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Provide the title from the FY 2018-19 Appropriations Act or suggest a short title for any new request.

BUDGET PROGRAM	VI. JUDICIAL COMMITMENT
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	NA
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Is this request associated with a budget request you have submitted for FY 2019-20? If so, cite it here.

REQUESTED ACTION	Delete
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	South Carolina Department of Mental Health, South Carolina Commission on Indigent Defense
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	Starting July 1, 2019, the South Carolina Commission on Indigent Defense will provide these services. The agreement between the South Carolina Judicial Department and the Department of Mental Health will be terminated.
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AGENCY NAME:	South Carolina Judicial Department		
AGENCY CODE:	B040	SECTION:	57

FISCAL IMPACT

NA

Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISOR TEXT

~~57.3. (JUD: Commitments to Treatment Facilities) The appropriation for continued implementation of Article 7, Chapter 17, Title 44 of the 1976 Code, Chapter 24, Title 44 of the 1976 Code, and Chapter 52, Title 44 of the 1976 Code, relating to commitments, admissions and discharges to mental health facilities, or treatment facility for the purpose of alcohol and drug abuse treatment, shall be expended for the compensation of court appointed private examiners, guardians ad litem, and attorneys for proposed patients, and related costs arising from the filing, service and copying of legal papers and the transcription of hearings or testimony. Court appointed private examiners, guardians ad litem and attorneys shall be paid at such rates or schedules as are jointly determined to be reasonable by the South Carolina Association of Probate Judges, the State Court Administrator, and the South Carolina Department of Mental Health with the approval of the Attorney General. The Judicial Department shall notify the Senate Finance Committee and the House Ways and Means Committee of any fee adjustment or change in schedule before implementation.~~

Paste FY 2018-19 text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

AGENCY NAME:	South Carolina Judicial Department		
AGENCY CODE:	B040	SECTION:	57

FORM D – PROVISO REVISION REQUEST

NUMBER 57.4
Cite the proviso according to the renumbered list for FY 2019-20 (or mark "NEW").

TITLE Judicial Commitment
Provide the title from the FY 2018-19 Appropriations Act or suggest a short title for any new request.

BUDGET PROGRAM VI. JUDICIAL COMMITMENT
Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST NA
Is this request associated with a budget request you have submitted for FY 2019-20? If so, cite it here.

REQUESTED ACTION Delete
Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED South Carolina Department of Mental Health, South Carolina Commission on Indigent Defense
Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION Starting July 1, 2019, the South Carolina Commission on Indigent Defense will provide these services. The agreement between the South Carolina Judicial Department and the Department of Mental Health will be terminated.

Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

AGENCY NAME:	South Carolina Judicial Department		
AGENCY CODE:	B040	SECTION:	57

FISCAL IMPACT

NA

Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISOR TEXT

~~57.4. (JUD: Judicial Commitment) Except as otherwise provided in Section 117.5, no money appropriated pursuant to Item VI, Judicial Commitment shall be used to compensate any state employees appointed by the court as examiners, guardians ad litem, or attorneys nor shall such funds be used in payment to any state agency for providing such services by their employees.~~

Paste FY 2018-19 text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.



The Supreme Court of South Carolina

DONALD W. BEATTY
CHIEF JUSTICE

POST OFFICE BOX 3643
SPARTANBURG, SOUTH CAROLINA 29304-3643
TELEPHONE: (864) 598-3450
FAX: (864) 598-2202
EMAIL: dbeaty@sccourts.org

September 21, 2018

Memorandum

Subject: Agency Cost Savings and General Fund Reduction Contingency Plan

The South Carolina Judicial Department is one of three co-equal branches of state government created by the South Carolina Constitution. The Department's mission is to ensure an accessible forum for the resolution of civil disputes and criminal matters and to resolve those cases expeditiously and fairly. The Department's operating costs are 71.0% funded by the state's budgetary general fund and 29.0% funded by other fund sources. The Department's appropriations from the state's budgetary general fund represent 0.69% of the funds allocated. 86.5% of the Department's general fund appropriation is used for salaries and fringe benefits primarily for judges and some court staff. The remaining 13.5% of the general fund appropriation is used for operating costs essential to support the courts.

Article V, § 16 of the South Carolina Constitution specifically provides that the compensation received by the Justices of the Supreme Court and the Judges of the Court of Appeals and Circuit Court shall not be diminished during their term of office. Likewise, S.C. Code Ann. § 63-3-50 provides that the compensation of Family Court Judges may not be reduced during their term of office. Additionally Section 57.16 of Part 1B of the 2018-2019 Appropriations Act exempts judges' salaries and related employer contributions in Part 1A, Section 57, from mid-year across-the-board reductions.

Further, the Constitution also mandates that Circuit Judges systemically rotate throughout the State, Article V, § 14. Additionally, S.C. Code Ann. § 63-3-320 requires that Family Court Judges rotate among all counties in a circuit.

With the current level of funding, the Department's ability to adequately fulfill constitutional functions is already at risk. Any reduction in funding will render the Department incapable of meeting constitutionally required mandates. Therefore, the Department cannot identify any existing program that can be cut from an already strained budget.

AGENCY NAME:	
AGENCY CODE:	SECTION:

FORM E – AGENCY COST SAVINGS AND GENERAL FUND REDUCTION
CONTINGENCY PLAN

TITLE	Agency Cost Savings and General Fund Reduction Contingency Plan
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AMOUNT	<p><i>What is the General Fund 3% reduction amount (minimum based on the FY 2018-19 recurring appropriations)? This amount should correspond to the reduction spreadsheet prepared by EBO.</i></p>
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ASSOCIATED FTE REDUCTIONS	<p><i>How many FTEs would be reduced in association with this General Fund reduction?</i></p>
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PROGRAM/ACTIVITY IMPACT	<p><i>What programs or activities are supported by the General Funds identified?</i></p>
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AGENCY NAME:

AGENCY CODE:

SECTION:

SUMMARY

Please provide a detailed summary of service delivery impact caused by a reduction in General Fund Appropriations and provide the method of calculation for anticipated reductions. Agencies should prioritize reduction in expenditures that have the least significant impact on service delivery.

AGENCY COST SAVINGS PLANS

What measures does the agency plan to implement to reduce its costs and operating expenses by more than \$50,000? Provide a summary of the measures taken and the estimated amount of savings. How does the agency plan to repurpose the savings?



The Supreme Court of South Carolina

DONALD W. BEATTY
CHIEF JUSTICE

POST OFFICE BOX 3543
SPARTANBURG, SOUTH CAROLINA 29304-3543
TELEPHONE: (864) 598-3450
FAX: (864) 598-2202
EMAIL: dbeatty@sccourts.org

September 21, 2018

Memorandum

Subject: Reducing Cost and Burden to Businesses and Citizens

By the adoption of Article V of the South Carolina Constitution, the people of South Carolina have established the South Carolina Judicial Department as one of the three co-equal branches of the State Government. As is such, the South Carolina Judicial Department is not subject to executive orders of the Governor.

AGENCY NAME:		SECTION:	
AGENCY CODE:			

FORM F – REDUCING COST AND BURDEN TO BUSINESSES AND CITIZENS

TITLE	
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Provide a brief, descriptive title for this request.

EXPECTED SAVINGS TO BUSINESSES AND CITIZENS	
--	--

What is the expected savings to South Carolina's businesses and citizens that is generated by this proposal? The savings could be related to time or money.

FACTORS ASSOCIATED WITH THE REQUEST	<p>Mark "X" for all that apply:</p> <table border="0"> <tr> <td style="width: 20px;"><input type="checkbox"/></td> <td>Repeal or revision of regulations.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Reduction of agency fees or fines to businesses or citizens.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Greater efficiency in agency services or reduction in compliance burden.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Other</td> </tr> </table>	<input type="checkbox"/>	Repeal or revision of regulations.	<input type="checkbox"/>	Reduction of agency fees or fines to businesses or citizens.	<input type="checkbox"/>	Greater efficiency in agency services or reduction in compliance burden.	<input type="checkbox"/>	Other
<input type="checkbox"/>	Repeal or revision of regulations.								
<input type="checkbox"/>	Reduction of agency fees or fines to businesses or citizens.								
<input type="checkbox"/>	Greater efficiency in agency services or reduction in compliance burden.								
<input type="checkbox"/>	Other								

METHOD OF CALCULATION	
------------------------------	--

Describe the method of calculation for determining the expected cost or time savings to businesses or citizens.

REDUCTION OF FEES OR FINES	
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Which fees or fines does the agency intend to reduce? What was the fine or fee revenue for the previous fiscal year? What was the associated program expenditure for the previous fiscal year? What is the enabling authority for the issuance of the fee or fine?

REDUCTION OF REGULATION	
--------------------------------	--

Which regulations does the agency intend to amend or delete? What is the enabling authority for the regulation?

AGENCY NAME:

AGENCY CODE:

SECTION:

SUMMARY

*Provide an explanation of the proposal and its positive results on businesses or citizens.
How will the request affect agency operations?*

Constitutional Subcommittee Proviso Request Summary FY 2019/20

Proviso # in FY 18-19 Act	Renumbered FY 19-20 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	Commitments to Treatment Facilities	Appropriations defined in SC Code of Laws for commitments to treatment facilities must be expended for specified purposes. FY20, SC Dept of Mental Health will no longer contract with SCJD, but with the SC Commission on Indigent Defense.	Delete
57.4	57.4	Judicial Commitments	No funds appropriated for commitments shall be used to compensate state employees appointed by the court for related services. FY20, SC Dept of Mental Health will no longer contract with SCJD, but with the SC Commission on Indigent Defense.	Delete
57.5	57.5	Judicial Expense Allowance	Judges deemed full-time shall received \$1,000 per month as expense allowance.	Keep
57.6	57.6	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
57.7	57.7	BPI/Merit	Judicial Department employees shall receive base and merit pay as the same percentages granted to classified state employees.	Keep
57.8	57.8	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
57.9	57.9	Travel Reimbursement	Judicial Department employees traveling on official business must be reimbursed according to Proviso 117.20(J).	Keep
57.10	57.10	Interpreters	Appropriations for interpreters must be expended for costs associated with appointed interpreters in judicial proceedings.	Keep

57.11	57.11	Reimbursement Receipt Deposit	The Department is authorized to retain funds collected for reproducing, printing, and distributing copies of court rules and other documents.	Keep
57.12	57.12	Surplus Property Disposal	Authorizes donation of surplus technology equipment directly to counties for court-related purposes.	Keep
57.13	57.13	Judicial Carry Forward	The Judicial Department is authorized to carry forward unexpended funds.	Keep
57.14	57.14	Case Management Services	The Judicial Department is authorized to collect/retain revenue from fees for support services for the Case Management System.	Keep
57.15	57.15	Magistrate's training	The Judicial Department shall provide annual magistrates training on domestic violence.	Keep
57.16	57.16	Judges Salary Exemption	Prohibits judges' salary and related employer contributions from across-the-board reductions.	Keep
57.17	57.17	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
57.18	57.18	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
57.19	57.19	Appellate Court Fee	The Judicial Department is authorized to retain funds collected by the SC Appellate Court Rules.	Keep
57.20	57.20	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

Judicial Branch
2018-19 Part IB Provisos

Section 57- B040

57.1. (JUD: Prohibit County Salary Supplements) County salary supplements of Judicial Department personnel shall be prohibited.

Action Requested: Keep

57.2. (JUD: County Offices For Judges) Every county shall provide for each circuit and family judge residing therein an office with all utilities including a private telephone, and shall provide the same for Supreme Court Justices and Judges of the Court of Appeals upon their request.

Action Requested: Keep

57.3. (JUD: Commitments to Treatment Facilities) The appropriation for continued implementation of Article 7, Chapter 17, Title 44 of the 1976 Code, Chapter 24, Title 44 of the 1976 Code, and Chapter 52, Title 44 of the 1976 Code, relating to commitments, admissions and discharges to mental health facilities, or treatment facility for the purpose of alcohol and drug abuse treatment, shall be expended for the compensation of court appointed private examiners, guardians ad litem, and attorneys for proposed patients, and related costs arising from the filing, service and copying of legal papers and the transcription of hearings or testimony. Court appointed private examiners, guardians ad litem and attorneys shall be paid at such rates or schedules as are jointly determined to be reasonable by the South Carolina Association of Probate Judges, the State Court Administrator, and the South Carolina Department of Mental Health with the approval of the Attorney General. The Judicial Department shall notify the Senate Finance Committee and the House Ways and Means Committee of any fee adjustment or change in schedule before implementation.

Action Requested: Delete

57.4. (JUD: Judicial Commitment) Except as otherwise provided in Section 117.5, no money appropriated pursuant to Item VI, Judicial Commitment shall be used to compensate any state employees appointed by the court as examiners, guardians ad litem, or attorneys nor shall such funds be used in payment to any state agency for providing such services by their employees.

Action Requested: Delete

57.5. (JUD: Judicial Expense Allowance) Each Supreme Court Justice, Court of Appeals Judge, Family Court Judge and Circuit Court Judge and any retired judge who receives payment for performing full-time judicial duties pursuant to Section 9-8-120 of the South Carolina Code of Laws, shall receive one thousand dollars per month as expense allowance.

Action Requested: Keep

Judicial Branch
2018-19 Part IB Provisos

57.6. (JUD: Special Judge Compensation) In the payment of funds from "Contractual Services", and "Administrative Fund", that no special judge shall be paid for more than a two week term within a fiscal year except that this restriction will not apply in case of an ongoing trial.

Action Requested: Keep

57.7. (JUD: BPI/Merit) Judicial employees shall receive base and average merit pay in the same percentages as such pay are granted to classified state employees.

Action Requested: Keep

57.8. (JUD: Supreme Court Bar Admissions) Any funds collected from the Supreme Court Bar Admissions Office may be deposited into an escrow account with the State Treasurer's Office. The department is authorized to receive, expend, retain, and carry forward these funds.

Action Requested: Keep

57.9. (JUD: Travel Reimbursement) State employees of the Judicial Department traveling on official state business must be reimbursed in accordance with Section 117.20(J) of this act.

Action Requested: Keep

57.10. (JUD: Interpreters) The funds appropriated in this section for "Interpreters" shall be used to offset costs associated with interpreters appointed in judicial proceedings under Sections 17-1-50, 15-27-155, and 15-27-15. The selection, use, and reimbursement of interpreters shall be determined under such guidelines as may be established by the Chief Justice of the Supreme Court.

Action Requested: Keep

57.11. (JUD: Reimbursement Receipt Deposit) Amounts received as payment for reproducing, printing, and distributing copies of court rules and other department documents shall be retained for use by the department.

Action Requested: Keep

57.12. (JUD: Surplus Property Disposal) Technology equipment that has been declared surplus may be donated directly to counties for use in court-related activities.

Action Requested: Keep

57.13. (JUD: Judicial Carry Forward) In addition to the funds appropriated in this section, the funds appropriated for the Judicial Department in the prior fiscal year which are not expended during that fiscal year may be carried forward to be expended in the current fiscal year.

Judicial Branch
2018-19 Part IB Provisos

Action Requested: Keep

57.14. (JUD: Case Management Services) The Judicial Department shall retain revenue generated by charging a fee for technology support services provided to users of the State case management system. These funds may be expended and carried forward to offset the costs of supporting and maintaining the case management system.

Action Requested: Keep

57.15. (JUD: Magistrates' Training) From the funds appropriated to the Judicial Department, the department shall provide magistrates annual continuing education on domestic violence, which may include, but is not limited to:

- (1) the nature, extent, and causes of domestic and family violence;
- (2) issues of domestic and family violence concerning children;
- (3) prevention of the use of violence by children;
- (4) sensitivity to gender bias and cultural, racial, and sexual issues;
- (5) the lethality of domestic and family violence;
- (6) legal issues relating to domestic violence and child custody;
- (7) procedures, penalties, programs, and other issues relating to criminal domestic violence, including social and psychological issues relating to such violence, the vulnerability of victims and volatility of perpetrators, and the court's role in ensuring that the parties have appropriate and adequate representation;
- (8) procedures and other matters relating to issuing orders of protection from domestic violence.

Action Requested: Keep

57.16. (JUD: Judges Salary Exemption) For the current fiscal year, judges' salaries and related employer contributions in Part IA, Section 57, are exempt from mid-year across-the-board reductions.

Action Requested: Keep

57.17. (JUD: Judicial Department Applicability) For purposes of this act and any other provision of law that would have any effect on the expenditure of state revenue through the applicability of the particular provision or through compliance with a mandate or requirement of the provision, the terms "state agency" or "agency" do not include any component of the Judicial Department unless the provision of law specifically includes these entities and the inclusion only applies for purposes of the particular provision.

Action Requested: Keep

57.18. (JUD: Court Costs Carry Forward) The Judicial Department shall retain the funds collected from costs related to court proceedings (including the cost of hearings, investigations, prosecution, service of process and court reporter services) under Rules 413 or 502 of the SC Appellate Court Rules, or from costs related to the appointment of a receiver or an attorney to

Judicial Branch
2018-19 Part IB Provisos

assist the receiver under Rule 413, that are assessed against a party. The department is authorized to receive, expend, retain, and carry forward these funds which shall be used for the same purpose.

Action Requested: Keep

57.19. (JUD: Appellate Court Fee) The Judicial Department shall retain the funds collected as required by the SC Appellate Court Rules. The department is authorized to receive, expend, retain, and carry forward these funds which shall be used by the department.

Action Requested: Keep

57.20. (JUD: Interpreter Training and Certification) The Judicial Department shall collect and retain funds received from applicants for interpreter training and certification tests. These funds shall be used to offset expenses incurred for the SC Court Interpreter Certification Program. The department is authorized to receive, expend, retain, and carry forward these funds.

Action Requested: Keep

Other Related Provisos

38.26. (DSS: Federally Certified Child Support Enforcement System Project) In order to expedite the completion and certification of the Automated Child Support Enforcement System required by the Social Security Act (42 U.S.C. Section 654a), the Department of Social Services is authorized to adopt, to the fullest extent possible, the system and operating procedures of the Delaware Transfer System. To the extent the Transfer System operating processes deviate from, or are incompatible with, current South Carolina practice, the department is authorized to determine the most effective and efficient practice to comply with federal requirements. The department shall work with Clerks of Court to identify and prepare for the changes involved in the implementation of the Transfer System which may impact their current operating practices with regards to performance of required child support functions. Pursuant to the Social Security Act and S.C. Code Section 63-17-610, Clerks of Court shall utilize the federally certifiable child support system and the state disbursement unit developed by the department to perform required child support functions.

Action Requested: Keep

93.20. (DOA: Cyber Security) All state agencies must adopt and implement cyber security policies, guidelines and standards developed by the Department of Administration. The department may conduct audits on state agencies except public institutions of higher learning, technical colleges, political subdivisions, and quasi-governmental bodies as necessary to monitor compliance with established cyber security policies, guidelines and standards. Upon request, public institutions of higher learning, technical colleges, political subdivisions, and quasi-governmental bodies shall submit sufficient evidence that their cyber security policies, guidelines

Judicial Branch
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and standards meet or exceed those adopted and implemented by the department. In addition, while agencies retain the primary responsibility and accountability for ensuring responses to breach incidents comply with federal and state laws, the department shall be informed of all agency cyber security breaches, and is authorized to oversee incident responses in a manner determined by the department to be the most prudent. Upon request of the Department of Administration for information or data, all agencies must fully cooperate with and furnish the department with all documents, reports, assessments, and any other data and documentary information needed by the department to perform its mission and to exercise its functions, powers and duties. The Judicial and Legislative Branches are specifically exempt from the requirements set forth herein.

Action Requested: Keep

113.7. (AS-TREAS: Political Subdivision Flexibility) For Fiscal Year 2018-19, a political subdivision receiving aid from the Local Government Fund may reduce its support to any state mandated program or requirement, by up to a percentage equal to the percentage reduction in the actual amount appropriated to the Local Government Fund as compared to the amount required to be appropriated pursuant to Section 6-27-30. Excluded from said reductions are Administrative Law Judges and their offices, Court of Appeals and their offices, Circuit and Family Courts and their offices, Magistrates and their offices, Masters-in-Equity and their offices, Probate Courts and their offices, Public Defenders and their offices, Solicitors and their offices, and the Supreme Court and their offices, and assessment for indigent medical care pursuant to Section 44-6-146 of the 1976 Code.

Action Requested: Keep

117.5. (GP: Judicial Next & Involuntary Commitment, Defense of Indigents) It is the responsibility of all agencies, departments and institutions of state government, to provide at no cost and as a part of the regular services of the agency, department or institutions such services as are necessary to carry out the provisions of Chapter 52, Title 44 (Involuntary Commitment), Article 7, Chapter 17, Title 44 of the 1976 Code (Judicial Commitment), Chapter 3, Title 17 of the 1976 Code (Defense of Indigents), and Article 1, Chapter 3, Title 16 of the 1976 Code (Death Penalty), as amended, upon request of the Judicial Department and/or the appropriate court. To this end, state agencies are directed to furnish to the Judicial Department a list of their employees who are competent to serve as court examiners. The Judicial Department shall forward a copy of this list to the appropriate courts, and the courts shall utilize the services of such state employees whenever feasible. State employees shall receive no additional compensation for performing such services. For the purpose of interpreting this section, employees of the Medical University of South Carolina and individuals serving an internship or residency as an academic requirement or employees who are not full-time state employees and who are not performing duties as state employees are not considered state employees.

Action Requested: Keep

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117.7. (GP: Fee Increases) (A) No state agency, department, board, committee, commission, or authority, may increase an existing fee for performing any duty, responsibility, or function unless the fee for performing the particular duty, responsibility, or function is authorized by statutory law and set by regulation except as provided in this paragraph.

(B) This paragraph does not apply to:

- (1) state-supported governmental health care facilities;
- (2) state-supported schools, colleges, and universities;
- (3) educational, entertainment, recreational, cultural, and training programs;
- (4) the State Board of Financial Institutions;
- (5) sales by state agencies of goods or tangible products produced for or by these agencies;
- (6) charges by state agencies for room and board provided on state-owned property;
- (7) application fees for recreational activities sponsored by state agencies and conducted on a draw or lottery basis;
- (8) court fees or fines levied in a judicial or adjudicatory proceeding;
- (9) the South Carolina Public Service Authority or the South Carolina Ports Authority.

(C) This paragraph does not prohibit a state agency, department, board, committee, or commission from increasing fees for services provided to other state agencies, departments, boards, committees, commissions, political subdivisions, or fees for health care and laboratory services regardless of whether the fee is set by statute.

(D) Statutory law for purposes of this paragraph does not include regulations promulgated pursuant to the State Administrative Procedures Act.

Action Requested: Keep

117.20. (GP: Travel - Subsistence Expenses & Mileage) Travel and subsistence expenses, whether paid from state appropriated, federal, local or other funds, shall be allowed in accordance with the following provisions:

(A) Unless otherwise provided in paragraphs B through H of this section, all employees of the State of South Carolina or any agency thereof including employees and members of the governing bodies of each technical college while traveling on the business of the State shall, upon presentation of a paid receipt, be allowed reimbursement for actual expenses incurred for lodging, not to exceed the current maximum lodging rates, excluding taxes, established by the

Judicial Branch
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U.S. General Services Administration. The lodging reimbursement for employees of a school district must also conform to these rates when that employees travel reimbursement is paid by state funds that are transferred to the school district. Agencies may contract with lodging facilities to pay on behalf of an employee. Failure to maintain proper control of direct payments for lodging may result in the revocation of the agencies authority by the Comptroller General or the State Auditor. The employee shall also be reimbursed for the actual expenses incurred in the obtaining of meals except that such costs shall not exceed \$25 per day within the State of South Carolina. For travel outside of South Carolina the maximum daily reimbursement for meals shall not exceed \$32. Agencies may contract with food or dining facilities to pay for meals on behalf of employees in accordance with rules and regulations established by the Office of Comptroller General. It shall be the responsibility of the agency head to monitor the charges for lodging which might be claimed by his employees in order to determine that such charges are following maximum lodging rates as established by the U.S. General Services Administration. Any exceptions must have the written approval of the agency head, taking into consideration location, purpose of travel or other extenuating circumstances. The provisions of this item shall not apply to Section 42-3-40 of the 1976 Code, and when pertaining to institutions of higher learning, for travel paid with funds other than General Funds.

(B) That employees of the State, when traveling outside the United States, Canada, and Puerto Rico upon promotional business for the State of South Carolina shall be entitled to actual expenses for both food and lodging.

(C) The Governor, Lieutenant Governor, Secretary of State, Comptroller General, Attorney General, State Treasurer, Adjutant General, Superintendent of Education and the Commissioner of Agriculture shall be reimbursed actual expenses for subsistence.

(D) Non-legislative members of committees appointed pursuant to Acts and Resolutions of the General Assembly whose membership consists solely of members of the General Assembly or members of the General Assembly and other personnel who are not employees of the State of South Carolina shall be allowed subsistence expenses of \$35 per day while traveling on official business, unless otherwise designated by law. Members of such committees may opt to receive actual expenses incurred for lodging and actual expenses incurred in the obtaining of meals in lieu of the allowable subsistence expense.

(E) Members of the state boards, commissions, or committees whose duties are not full-time and who are paid on a per diem basis, shall be allowed reimbursement for actual expenses incurred at the rates provided in paragraph A and I of this section while away from their places of residence on official business of the State. One person accompanying a handicapped member of a state board, commission, or committee on official business of the State shall be allowed the same reimbursement for actual expenses incurred at the rates provided in paragraph A through I of this section.

(F) No subsistence reimbursement shall be allowed to a Justice of the Supreme Court or Judge of the Court of Appeals while traveling in the county of his official residence. When traveling on official business of said court within fifty miles outside the county of his official residence, a Supreme Court Justice and a Judge of the Court of Appeals shall be allowed subsistence

Judicial Branch
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expenses in the amount of \$35 per day plus such mileage allowance for travel as is provided for other employees of the State. When traveling on official business of said court fifty or more miles outside the county of his official residence, each Justice and Judge of the Court of Appeals shall be allowed subsistence expenses 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. The Chief Justice, or such other person as the Chief Justice designates, while attending the Conference of Chief Justices and one member of the Supreme Court while attending the National Convention of Appellate Court Judges, and three Circuit Judges while attending the National Convention of State Trial Judges shall be allowed actual subsistence and travel expenses.

Upon approval of the Chief Justice, Supreme Court Justices, Judges of the Court of Appeals, Circuit Judges, and Family Court Judges shall be reimbursed for actual expenses incurred for all other official business requiring out-of-state expenses at the rate provided in paragraph A of this section.

(G) No subsistence reimbursements are allowed to a Circuit Judge, a Family Court Judge, or an Administrative Law Judge while holding court within the county in which he resides. While holding court or on other official business outside the county, within fifty miles of his residence, a Circuit Court Judge, Family Court Judge, or 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, a Circuit Court, Family Court or 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.

(H) Any retired Justice, Circuit Court Judge or Family Court Judge or Master-in-Equity appointed by the Supreme Court to serve as a Special Circuit Judge, Family Court Judge, Appeals Court Judge, or Acting Associate Justice shall serve without pay but shall receive the same allowance for subsistence, expenses, and mileage as provided in Part I for Circuit Court Judges.

Action Requested: Keep

117.135. (GP: Study Committee on Electronic Recording of Custodial Interrogations) From the funds appropriated to and/or authorized for the Judicial Department, Court Administration Program, the department shall establish a study committee to study statewide implementation of electronic recording of custodial interrogations in their entirety. The committee shall review current written policies, practices and equipment in place at state and local law enforcement agencies for electronically recording custodial interrogations; guidelines for a state model policy on electronically recording custodial interrogations in their entirety, including definition of the term custodial interrogations, the crime categories for which custodial interrogations shall be recorded, exigent circumstances that would exempt an officer from recording an interrogation in its entirety; recommendations for how law enforcement agencies can obtain or access audiovisual or audio-only equipment to record custodial interrogations, anticipating the

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differences in resources available to large and small agencies; and remedies that the court may consider if a custodial interrogation is not recorded.

The study committee shall be comprised of the following:

- (1) Two members of the Senate appointed by the President Pro Tempore of the Senate;
- (2) Two members of the House of Representatives appointed by the Speaker of the House;
- (3) A representative appointed by the Attorney General;
- (4) Chief of the State Law Enforcement Division;
- (5) A representative of the South Carolina Sheriffs Association;
- (6) A representative from the South Carolina Commission on Prosecution Coordination;
- (7) A representative of the South Carolina Association for Justice;
- (8) A representative of the South Carolina Association of Criminal Defense Lawyers, and
- (9) A representative of the Commission on Indigent Defense.

Staff support shall be provided by Court Administration. The committee shall submit a written report of its findings and recommendations to the House of Representatives, the Senate and the Governors Office no later than March 1, 2018.

Action Requested: Keep

SC Judicial Department
 FY18 Cash Carry Forward Funds-SUMMARY

Fund Title	Description	Amount
General Fund	Recurring Appropriations	\$ -
Committed for General Operations and Special Projects (Balances vary annually depending on obligations and operating needs)		
Circuit Crt-Filing Fee	Committed for Personal services	\$ 2,392,058.30
Magistrate Crt-Filing Fee	Committed for operating expenses	\$ 4,778,792.45
Law Enforcement Surcharge	Committed for operating expenses	\$ 1,183,902.31
	Total Cash Balance for General Operations	\$ 8,354,753.06
Restricted, Committed, and Obligated for Special Purposes (Balances vary annually depending on timing of expenditures)		
Operating Revenue	Miscellaneous Revenue, Bar Exam Operations, Receiver/Commission Operations	\$ 705,817.41
Special Deposits	Restricted for Office of Disciplinary Counsel, Receiver, and IT Ops	\$ 1,436,961.86
Judicial Commitments	Restricted to judicial commitments (flow through-reimbursement from DMH)	\$ 40,000.00
Judicial Development	Restricted for approved projects	\$ 2,900,000.00
Case Management	Restricted for general operations of Case Management System	\$ 4,702,595.67
Insurance Reimbursements	Replacement/claims with Insurance Reserve Fund	\$ 321.39
Sale of Assets	Restricted to replacement of equipment	\$ 6,654.33
Capital Reserve Fund	Restricted for Capital Reserve Projects- Disaster Recovery, E-filing	\$ 5,470,272.79
Federal Grant	Restricted for State Court Improvement Grants	\$ (84,370.54)
	Total Cash Balance for Restricted/Special Purposes	\$ 15,178,252.91
	Total SCJD Cash Balance	\$ 23,533,005.97

2019 FTE Count
as of 01/02/2019

Program	Program	Functional Area	Funding	Actual Filled	Actual Vacant
01010000	Supreme Ct	B040_0004	State	44	9
01010000	Supreme Ct	B040_0004	Other	0	0
01050000	Board of Law of Examiners	B040_0005	Other	4	1
01200000	Office of Disciplinary Counsel	B040_0015	Other	14	0
01250000	Commission on Conduct	B040_0029	Other	8	0
03000000	Court of Appeals	B040_0011	State	67	1
03000000	Court of Appeals	B040_0011	Other	2	0
05000000	Circuit Court	B040_0006	State	150	15
05000000	Circuit Court	B040_0006	Other	35	15
10000000	Family Court	B040_0007	State	157	9
10000000	Family Court	B040_0007	Other	8	11
15000000	Court Administration	B040_0008	Other	22	0
15000000	Court Administration	B040_0008	State	2	1
15300000	Finance and Personnel	B040_0010	Other	19	0
15300000	Finance and Personnel	B040_0010	State	2	0
15400000	Information Tech	B040_0016	Other	39	3
15400000	Information Tech	B040_0016	State	0	2



South Carolina Judicial Branch

January 22, 2019



South Carolina House of Representatives

Ways and Means Committee

Constitutional Subcommittee Members

- Bruce Bannister, Chairman
- Nathan Ballentine
- Mike Sottile

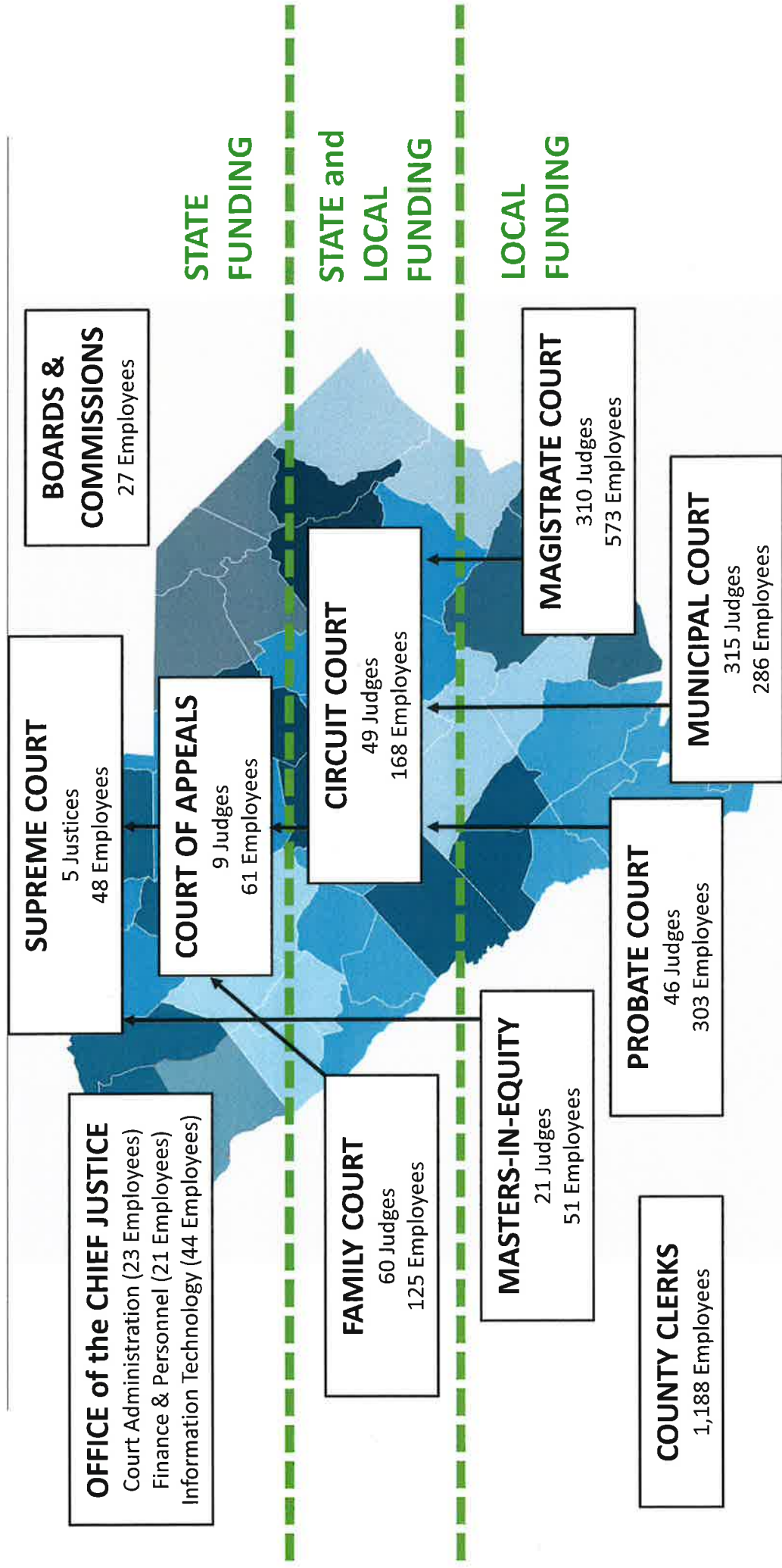
South Carolina Judicial Branch Officials

- Donald W. Beatty, Chief Justice, Supreme Court of South Carolina
- Tonnya K. Kohn, Director, Court Administration
- Carolyn P. Taylor, Director, Finance and Personnel



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 disputes and criminal matters.



Programs and Accomplishments

• E-Filing Statewide Implementation*

- E-Filing for State Trial Courts: As of November 2018, e-filing for Common Pleas (Civil) actions has been implemented in 40 of 46 South Carolina counties. This program is improving efficiency and accessibility of court operations, benefiting counties and the general public.
- Appellate E-Filing: SCJB is in the process of evaluating an e-filing program, which will increase accessibility and efficiency of appellate court filing processes.

• **Business Continuity/Disaster Recovery Plan*** – In the event of a disruptive emergency or disaster, the Judicial Branch’s business continuity and disaster recovery plan provides detailed recovery procedures for all SCJB functional areas and employees. The plan is designed to protect human life and property and provide for the recovery of critical business functions.

• **Digital Courtroom Recorder Project*** – A nationwide court reporter shortage has required courts to supplement the workforce by preserving the record with digital recording. In SC, this technology has virtually eliminated the need for Family Court case continuances because of court reporter unavailability, and the Judicial Branch will continue to supplement court reporting with digital technology in the future as needs arise. By February 2019, digital recording is expected to have been implemented in 16 South Carolina courtrooms.

• Case Management System Modernization*

- Circuit Court Case Management System SCJB’s 5-year Trial Court Case Management system (CMS) modernization project will transition the existing, internally developed CMS into a set of cloud and web-based applications. Benefits will include enhanced data security, secure public access to court data, and data exchange between courts and state/law enforcement agencies.
- Appellate Case Management System: SCJB is working with a vendor to develop requirements for a new, web-based appellate court case management system. Project implementation will take approximately 18 months.
- **Family Court Case Management** – The Judicial Branch is working in collaboration with SCDSS to develop requirements, implementation and future governance of a Family Court case management system. Within five years of implementation, the Judicial Branch will take financial and operational responsibility for this system.

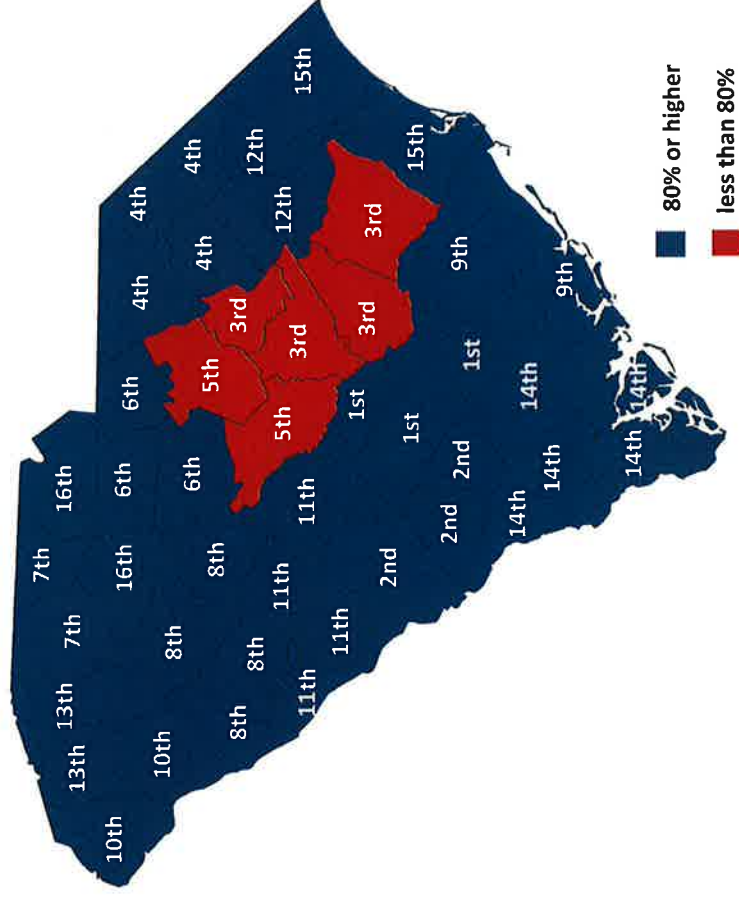
* Funding provided by nonrecurring appropriations

Common Pleas Benchmarks

Circuit Pending Docket
365 Days or Less

**Goal: 80% of Pending
Docket 365 Days or Less
from Placement on the Trial Docket
As of October 31, 2018**

10 th – Anderson, Oconee	94%
2 nd – Aiken, Bamberg, Barnwell	91%
9 th – Berkeley, Charleston	91%
11 th – Edgefield, Lexington, McCormick, Saluda	91%
12 th – Florence, Marion	90%
13 th – Greenville, Pickens	90%
7 th - Cherokee, Spartanburg	87%
16 th – Union, York	87%
8 th – Abbeville, Greenwood, Laurens, Newberry	86%
4 th – Chesterfield, Darlington, Dillon, Marlboro	85%
1 st – Calhoun, Dorchester, Orangeburg	84%
6 th – Chester, Fairfield, Lancaster	83%
14 th – Allendale, Beaufort, Colleton, Hampton, Jasper	83%
15 th – Georgetown, Horry	80%
3 rd – Clarendon, Lee, Sumter, Williamsburg	78%
5 th – Kershaw, Richland	72%



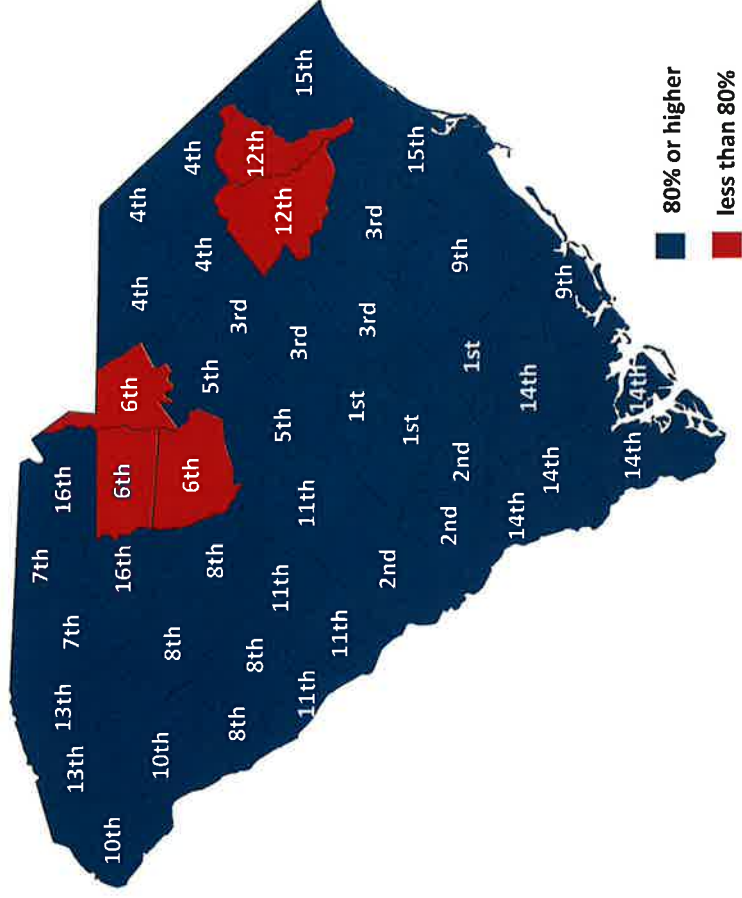
Run date: November 9, 2018

Family Court Benchmarks

Pending Docket 365 Days or Less

**Goal: 80% of Pending
Docket 365 Days or Less
As of October 31, 2018**

15 th – Georgetown, Horry	96%
11 th – Edgefield, Lexington, McCormick, Saluda	92%
16 th – Union, York	91%
2 nd – Aiken, Bamberg, Barnwell	90%
13 th – Greenville, Pickens	90%
5 th – Kershaw, Richland	89%
1 st – Calhoun, Dorchester, Orangeburg	87%
9 th – Berkeley, Charleston	86%
8 th – Abbeville, Greenwood, Laurens, Newberry	84%
10 th – Anderson, Oconee	84%
7 th - Cherokee, Spartanburg	82%
14 th – Allendale, Beaufort, Colleton, Hampton, Jasper	82%
3 rd – Clarendon, Lee, Sumter, Williamsburg	80%
4 th – Chesterfield, Darlington, Dillon, Marlboro	80%
6 th – Chester, Fairfield, Lancaster	79%
12 th – Florence, Marion	79%



■ 80% or higher
■ less than 80%

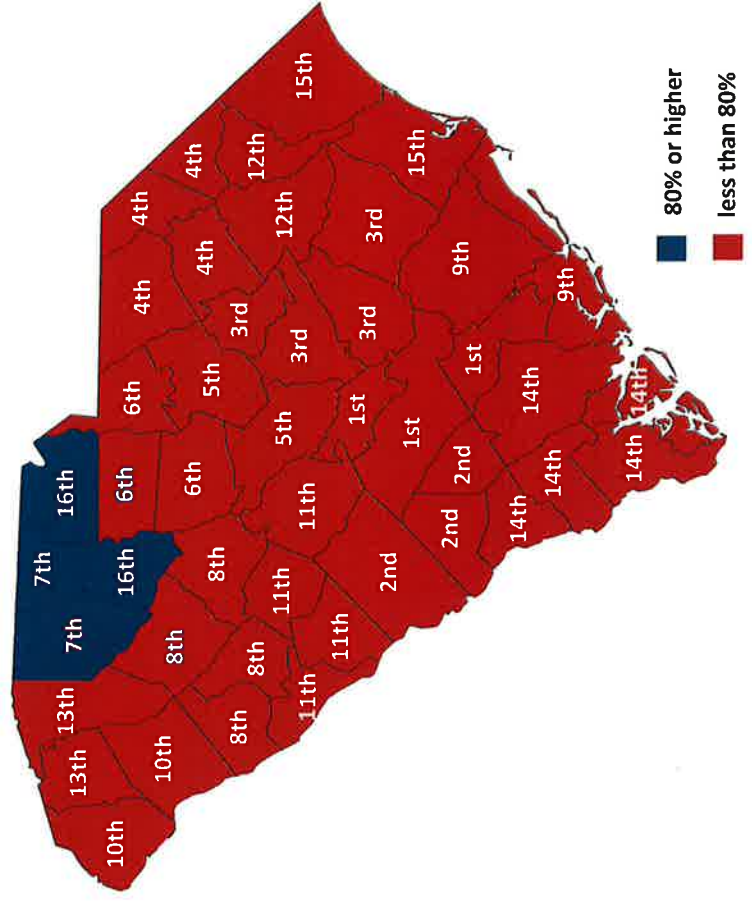
Run date: November 9, 2018

General Sessions Benchmarks

Circuit Pending Docket
365 Days or Less

**Goal: 80% of Pending
Docket 365 October 31, 2018**

16 th – Union, York	90%
7 th - Cherokee, Spartanburg	82%
12 th – Florence, Marion	77%
15 th – Georgetown, Horry	77%
13 th – Greenville, Pickens	76%
2 nd – Aiken, Bamberg, Barnwell	72%
10 th – Anderson, Oconee	71%
11 th – Edgefield, Lexington, McCormick, Saluda	68%
14 th – Allendale, Beaufort, Colleton, Hampton, Jasper	67%
1 st – Calhoun, Dorchester, Orangeburg	66%
3 rd – Clarendon, Lee, Sumter, Williamsburg	63%
5 th – Kershaw, Richland	63%
8 th – Abbeville, Greenwood, Laurens, Newberry	63%
9 th – Berkeley, Charleston	63%
4 th – Chesterfield, Darlington, Dillon, Marlboro	56%
6 th – Chester, Fairfield, Lancaster	54%



Run date: November 9, 2018

SCJB Fiscal Summary

The South Carolina Judicial Branch is one of the three branches of South Carolina's government, yet SCJB receives less than 0.69% of State Recurring General Appropriations. SCJB's reliance on erratic funding sources threatens our ability to provide citizens of South Carolina with a fair and efficient forum for the just resolution of civil, criminal and family disputes. Returning to state recurring general appropriations will allow the Judicial Branch to use fines and fees monies to begin projects that have languished due to lack of funding.

Urgent needs for **recurring appropriations** include:

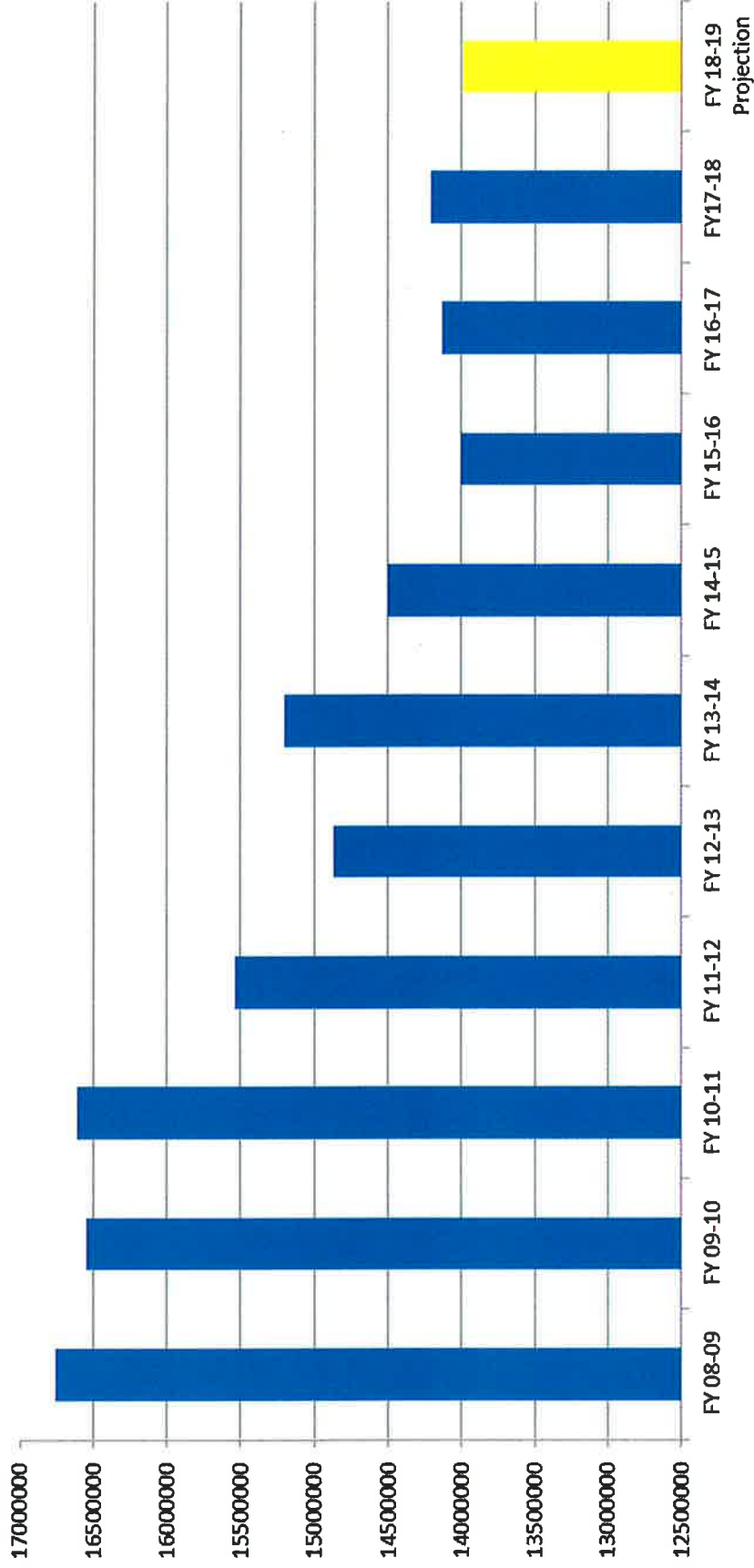
- Increase judicial salaries to put them in line with positions of similar executive responsibilities;
- Restore general appropriations for statutorily mandated court positions and staff directly supporting courts;
- Increase support staff in various areas that support statewide administrative and court functions;
- Establish a formal court education program.

Urgent needs for **non-recurring appropriations** include:

- Modernization of the antiquated/vulnerable statewide Case Management System;
- Expansion of the Digital Courtroom Recorder Project.

SCJB Fines and Fees Received

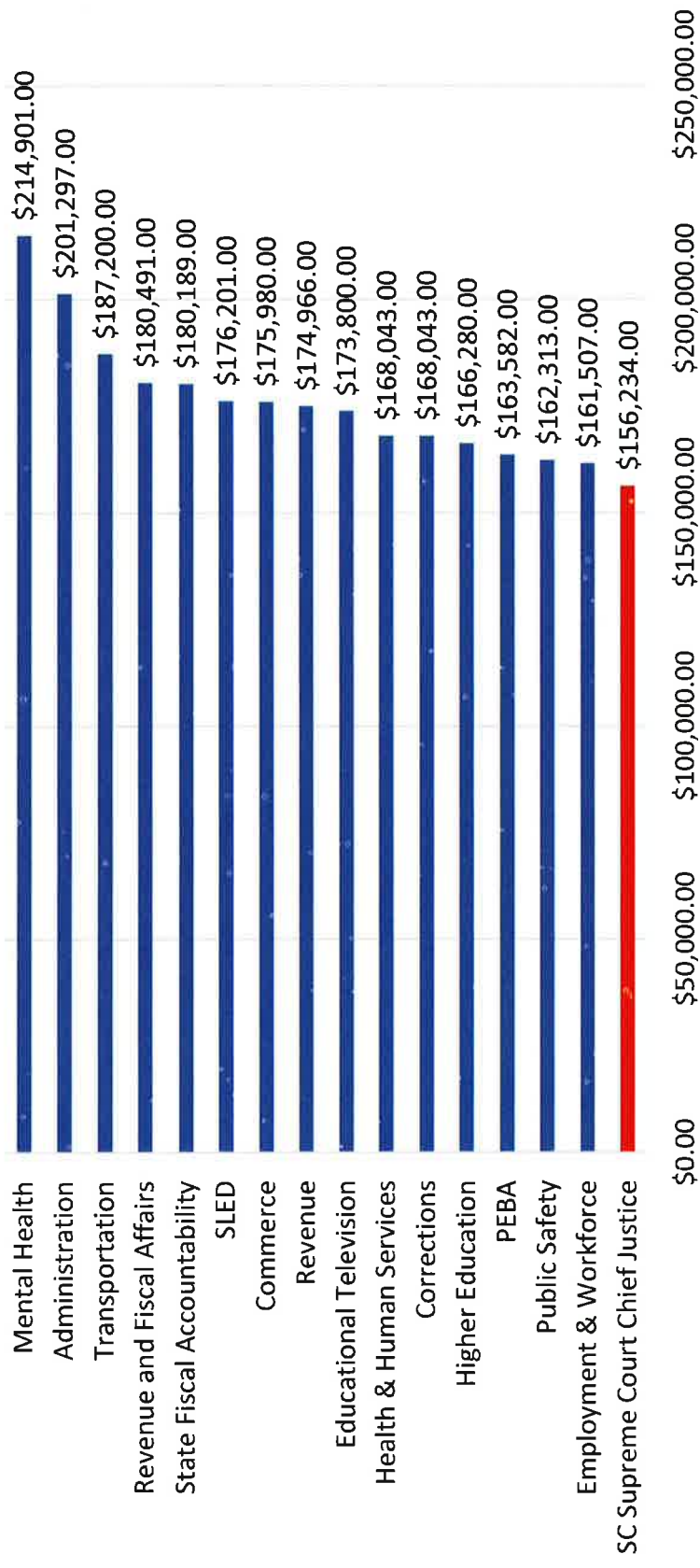
Total Fines and Fees Revenue



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	Proviso 73.2 Law Enforcement Surcharge	Magistrate Court Filing - \$25	Magistrate Court Filing - \$10	Traffic Education Program	Total Fines and Fees Received
FY 2008 - 2009	\$2,885,652	\$3,149,944	\$2,127,393	\$4,213,612	\$17,300	\$428,626	\$327,820	\$946,393	\$1,081,166	\$1,582,240	\$171	\$16,760,317
FY 2009 - 2010	\$2,844,313	\$3,031,925	\$2,108,297	\$4,229,706	\$35,513	\$896,457	\$773,202	\$ -	\$1,068,624	\$1,562,793	\$680	\$16,551,510
FY 2010 - 2011	\$3,045,706	\$3,089,474	\$2,038,817	\$4,093,223	\$32,239	\$834,518	\$776,352	\$ -	\$997,522	\$1,701,364	\$3,240	\$16,612,455
FY 2011 - 2012	\$2,671,844	\$3,095,558	\$1,845,400	\$3,753,517	\$32,032	\$800,381	\$693,947	\$ -	\$879,700	\$1,768,713	\$1,139	\$15,542,231
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
% Change from FY 16-17 to FY17-18	0.18%	-1.91%	1.18%	1.16%	1.84%	-3.28%	-5.18%		9.05%	1.41%	27.01%	0.51%

State Chief Executive Salary Comparison



SCJB Budget Request 2019-2020

- Priority 1: Judicial Salary Increase Recurring - \$11,237,000
 - (amended from \$9,211,000 to reflect PEBA's estimated judicial retirement rate)
- Priority 2: Court Positions Funding Recurring - \$1,500,000
- Priority 3: Court Reporter Positions Recurring - \$1,775,000
- Priority 4: Digital Courtroom Recorder Project III Non-Recurring - \$1,125,000
- Priority 5: Digital Courtroom Recorder Project III Recurring - \$132,000
- Priority 6: Information Technology Positions Recurring - \$401,250
- Priority 7: Case Management System (CMS) Modernization Non-Recurring - \$13,000,000
- Priority 8: Court Education Recurring - \$600,000
- Priority 9: Court of Appeals Deputy Clerk (1.00 FTE) Recurring - \$113,000
- Priority 10: Office of Disciplinary Counsel Attorney III Recurring - \$100,000

Total Recurring	\$15,858,250
Total Non-Recurring	\$14,125,000
TOTAL	\$29,983,250



South Carolina Judicial Branch

End of Presentation

