

AGENCY NAME:	COMMISSION ON INDIGENT DEFENSE		
AGENCY CODE:	E230	SECTION:	061

Fiscal Year 2020–2021 Accountability Report

SUBMISSION FORM

I have reviewed and approved the data submitted by the agency in the following online forms:

- Reorganization and Compliance
- Strategic Plan Results
- Strategic Plan Development
- Legal
- Services
- Partnerships
- Report or Review

I have reviewed and approved the financial report summarizing the agency's budget and actual expenditures, as entered by the agency into the South Carolina Enterprise Information System.

The information submitted is complete and accurate to the extent of my knowledge.

AGENCY DIRECTOR (SIGN AND DATE):	Signature on file.
(TYPE/PRINT NAME):	J. Hugh Ryan, III

BOARD/CMSN CHAIR (SIGN AND DATE):	Signature on file.
(TYPE/PRINT NAME):	John S. Nichols

Reorganization and Compliance Responses:

These responses were submitted for the FY 2020-2021 Accountability Report by the

COMMISSION ON INDIGENT DEFENSE

Primary Contact:

First Name	Last Name	Role/Title	Phone	Email Address
Rodney	Grizzle	Comptroller	803-734-1168	rgrizzle@sccid.sc.gov

Secondary Contact

First Name	Last Name	Role/Title	Phone	Email Address
Donna	Bridges	Administrative Coordinator	803-734-1451	dbridges@sccid.sc.gov

Agency Mission

The Commission and the Office of Indigent Defense were established by Act 164 of 1993, effective July 1, 1993. The Office operates pursuant to §17-3-310, et seq. of the South Carolina Code of Laws, 1976, as amended. Effective July 1, 2005, the Office of Appellate Defense became a division within the agency.

The Commission on Indigent Defense, through the Office of Indigent Defense and its divisions, and in cooperation and consultation with other state agencies, professional associations and other groups interested in the administration of criminal justice and the improvement and expansion of defender services, establishes and monitors programs and services for legal representation to indigent defendants charged with criminal offenses in the courts of the state. The agency also manages the Rule 608 Contract program, contracting with attorneys across the state to provide representation in criminal and specific family court cases.

The Appellate Defense division of SCCID handles appeals on behalf of indigent clients and consists of a staff of eleven attorneys.

The Capital Trial division within SCCID handles capital cases, statewide, frequently partnering with outside counsel appointed by the court.

The Office of Indigent Defense establishes guidelines for court-appointed attorneys in representing indigent clients and administers distribution of funding for indigent defense. Additionally, the office establishes and supervises training programs for public defenders and staff across the State and oversees a central reporting system of statistical data in the delivery of indigent defense service

Adopted in: 2018

Agency Vision

The SC Commission on Indigent Defense (SCCID) is responsible for ensuring that qualifying individuals are provided indigent defense services in South Carolina and provide the highest quality of representation to our clients.

The SCCID sets and enforces standards, allocates resources, and seeks to maintain accountability of those persons entrusted with the life and liberty of indigent persons charged with crimes, facing DSS abuse and neglect, Termination of Parental Rights, other Family Court matters, PCR and SVP matters.

Adopted in: 2018

Recommendations for reorganization requiring legislative change.

No

Please list significant events related to the agency that occurred in FY 2020-2021.

Month Started	Month Ended	Description of Event	Agency Measures Impacted	Other Impacts

Does the agency intend to make any other major reorganization to divisions, departments, or programs to allow the agency to operate more effectively and efficiently in FY 2021-22?

Note: It is not recommended that agencies plan major reorganization projects every year. This section should remain blank unless there is a need for reorganization.

No

Is the agency in compliance with S.C. Code Ann. § 2-1-220, which requires submission of certain reports to the Legislative Services Agency for publication online and the State Library? See also S.C. Code Ann. § 60-2-20.

Yes

If not, please explain why.

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Is the agency in compliance with various requirements to transfer its records, including electronic ones, to the Department of Archives and History? See the Public Records Act (S.C. Code Ann. § 20-1-10 through 20-1-180) and the South Carolina Uniform Electronic Transactions Act (S.C. Code Ann. § 26-6-10 through 26-10-210).
Yes
Does the law allow the agency to promulgate regulations?
Yes
Please list the law number(s) which gives the agency the authority to promulgate regulations.
17-3-340(I)
Has the agency promulgated any regulations?
No
Is the agency in compliance with S.C. Code Ann. § 1-22-120(J), which requires an agency to conduct a formal review of its regulations every five years?

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AGENCY'S DISCUSSION AND ANALYSIS

The South Carolina Commission on Indigent Defense (SCCID) continued to strengthen and fulfill the mission of our statewide public defender system which was created in 2007. The Agency held regular meetings with the Circuit Public Defenders to address the numerous issues resulting from COVID-19's affects on court operations. The Agency along with Circuit Defenders developed a plan to hire temporary contract attorneys to assist in moving the backlog of cases.

In October of 2019, SCCID was awarded a Federal Grant from the Office of Juvenile Justice Delinquency Prevention Program for a period of 3 years. During the 3-year grant period, this grant will address issues in the state's juvenile defense system by equipping lawyers with skills to prevent youth from being unnecessarily incarcerated, and to assist youth in remaining in the community or re-entering the community with reduced risk of recidivism. This project will also emphasize training for all attorneys defending indigent juvenile offenders. The intensified training will build upon the training function already established by the state's Commission on Indigent Defense, coordinated by Juvenile Defender Advocate, who will serve as a resource for juvenile defense attorneys. The training will include specialized topics regarding the ability of juvenile defense counsel to advocate for placement decisions to reduce juvenile prospects of re-offending and promote successful reentry if placed out of their homes.

SCCID continued quarterly meetings with the Circuit Public Defenders and maintained open communication lines with all. SCCID continued to expand its training program. SCCID successfully conducted its 7th annual Public Defense 100 training series for new public defenders entering the system from throughout the state. The program consists of three multi-day seminars and workshops focusing on case analysis and trial advocacy. SCCID has also expanded its training to include attorneys, who contract with the agency, to represent indigent clients in cases where the public defender has a conflict. In addition to its ongoing training programs, SCCID will continue to present seminars on new and developing areas in the law to assure that clients receive knowledgeable and effective representation.

The agency entered its 9th year of contracting with private attorneys to handle Criminal Conflicts, Family Court, PCR and SVP cases. Contracts are awarded on a one-year basis to attorneys throughout the state. This program, which effectively supplants the Rule 608 court-administered program, continues to be highly successful and efficient in moving cases, and continues to receive universal approval from judges, participating attorneys, prosecutors, and agencies that are involved. Only the most qualified attorneys are selected for contracts which are awarded by a committee consisting of representatives of the agency, the SC Bar, the Commission, and the Circuit Public Defenders. The results of the contract system have been to eliminate calendar conflicts, move the dockets faster, reduce the number of potential appeals, and provide quality representation. The agency continued its partnership with the USC Law School's Children's Law Center to co-host seminars on Family Law issues for contract attorneys and public defenders handling juvenile criminal cases. SCCID fully participates in the Bench and Bar Committee for Family Law and has a well-established cooperative relationship with all interests which are represented on the committee including DSS, DJJ, Court Administration, GAL Program, Family Court Judges, and other key personnel in the Family Court.

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The agency continues to monitor and review its policies and guidelines and their application by service providers, including private investigators, contract attorneys and other counsel appointed by the courts. We have frequently requested hearings or telephone conferences with judges and counsel to address requests for attorney fee/expert witness fees that exceed caps, policies and guidelines, or to establish an agreement as to caps on fees and experts in many cases. This involvement has resulted in a much more efficient use of limited state resources. While it has taken many years to reach this point, nearly all participants in the system now recognize that the agency does carefully monitor and audit voucher requests for payment of fees and costs that do not appear reasonable. The contract system, because of its flat fee structure, has resulted in a more efficient voucher processing system. Due to this increased efficiency, the agency has not had to fill a voucher processing position after the position became vacant.

We continue to work very diligently to have municipalities with their own optional courts provide resources for indigent representation. As a result, in a growing number of municipalities, the municipality and the circuit public defender have entered into contracts to do so. The legislature overwhelmingly again approved Proviso 61.12, which requires adequate funding by municipalities that chose to have a municipal court. This requirement continues to fulfill a long-term goal of the Commission and the agency and is a significant achievement in both providing access to justice at the municipal level and having the funding source for it as well.

The agency continued support and program planning and implementation with the SC Public Defender Association for their annual training conference (SCCID successfully implemented an on line conference due to the in-person cancellation of the conference due to COVID); co-sponsoring with the USC School of Law's Children's Law Center seminars on juvenile issues for both public defenders and private bar contract attorneys; its arrangement with the Nelson Mullins law firm to provide pro bono appellate attorneys to assist the agency's appellate division in brief writing and oral arguments of selective cases before the state's appellate courts to help alleviate the crushing caseload that our appellate division must handle.

The position of Comptroller/Financial Analyst created in July of 2016 and filled in August of 2016 continues to serve a crucial function for the agency. This position provides the agency with an uninterrupted focus on its finances and their sources, which can be very complex to understand and follow, and allows us to pursue financial audits of fee and fine allocations. It has also allowed the Assistant Director position to focus entirely on administrative and personnel matters and supervise voucher processing and payment. This has resulted in a much smoother and more cost-effective operation of the agency with increased accountability. In addition, there is continued publishing of weekly (every Monday) financial reports with year to date and supporting information and side-by-side comparisons of 3 consecutive fiscal years; continued adjustments in agency operational priorities as necessary and close monitoring of fees and fines revenue designated for agency receipt.

The South Carolina Supreme Court received a grant to participate in the Right to Counsel Campaign. The grant provides Training and Technical Assistance (TTA). SCCID was invited by the Chief Justice to participate on the team of stakeholders in South Carolina to explore the

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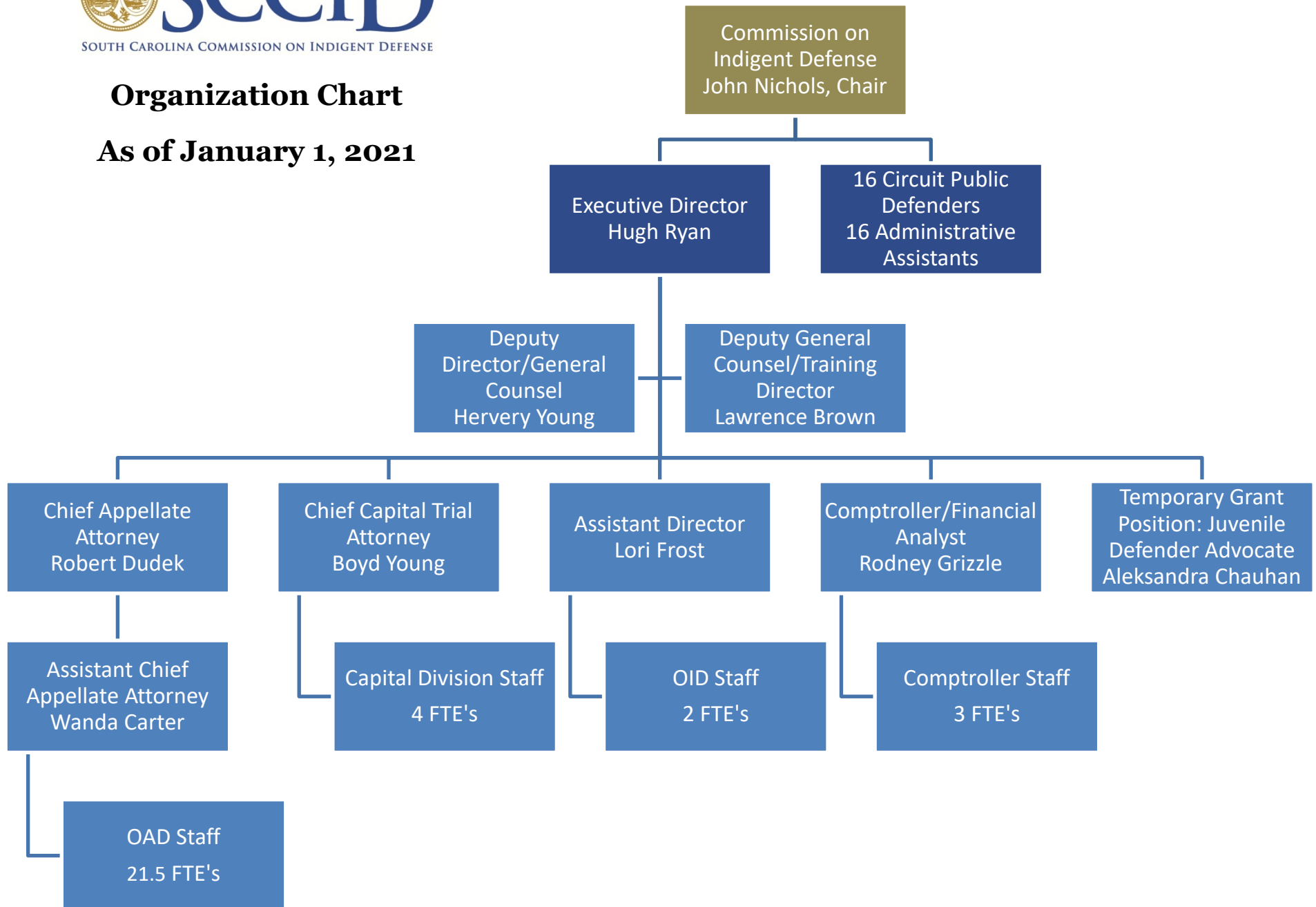
adoption, implementation, and sustainment of effective approaches to ensuring the Right to Counsel in all courts across the State. We continue to work on this project.

The Agency has continued to work on ways to give and receive employee feedback. In March 2021 supervisors met and evaluated each employee's performance, outlining any areas for improvement, highlight things they have done well, and accept feedback on each employee's assessment of the Agency's performance. The Agency also implemented a policy that all employees leaving the Agency will complete an exit interview. This will provide the Agency with information concerning tasks we may be doing well and those tasks we may can improve on.

In November 2018, the House Legislative Oversight Committee conclude their review of SCCID and provided their final recommendations. SCCID has completed many of these recommendations and continues to work on the others. The Agency received positive feedback from the Committee for the preparation and extensive compilation of Agency data This process has required substantial work and production of documents, many of which can be found posted on the SC Legislature website (<https://www.scstatehouse.gov/>) under the tab "Committee Postings and Reports". There you can also find video archives of each of the meetings.

During the FY20-21 Legislative Session, the agency successfully advocated for a significant increase in state funding. The Agency received over 4 million in recurring funding and 4.8 million in non-recurring funding. Included in the recurring funding was the addition of 16 new PD's and 32 investigators statewide. These positions will be a benefit to the entire criminal justice system. Cases will be moved more efficiently, and defense counsel will have more resources to provide a quality defense. The 4.8 million in non-recurring funding will be used over a 2-year period to contract with private attorneys to assist in moving the substantial court backlog created by the COVID-19 closure of courts.

Organization Chart
As of January 1, 2021



FY2020-21 Strategic Plan Results:

These responses were submitted for the FY 2020-2021 Accountability Report by the
COMMISSION ON INDIGENT DEFENSE

Goal Ensure the Effective Legal Representation of South Carolina Citizens eligible for Indigent Defense Services														
Strategy 1.1										Statewide Enterprise Objective				
Enhance the Circuit Public Defender System										Government and Citizens				
Measure Number	Description	Base	Target	Actual	Value Type	Desired Outcome	Time Applicable	Calculation Method	Data Source	Data Location	Primary Stakeholder	Stakeholder Need Satisfied	State Funded Program Number Responsible	Notes
1.1.1	Increase the number of Full -Time Public Defenders in each Circuit to Reduce the number of cases handled by each Public Defender to ensure efficient Representation of indigent defendants in all SC trial courts	287.5	291.5	292	Count	equal to or greater than	State Fiscal Year (July 1 - June 30).	Total number of Public Defenders	SCCID Annual Agency Report	Division of Administration	Those citizens of South Carolina that have been charged with a crime and legal representation has been provided.	Those citizens of South Carolina that have been charged with a crime and legal representation has been provided will have their cases handled in a timelier manner.	1000.010000.000; 1000.100000X000; 1000.150000X000; 1000.160000X000;	
1.1.2	Decrease the number of cases (Warrants) handled by each individual Public Defender	412.32	376	395.41	Count	equal to or less than	State Fiscal Year (July 1 - June 30).	Total number of cases (Warrants) handled, divided by the total number of Public Defenders.	SCCID Annual Agency Report	Division of Administration	Those citizens of South Carolina that have been charged with a crime and legal representation has been provided.	Those citizens of South Carolina that have been charged with a crime and legal representation has been provided will have their cases handled in a timelier manner.	1000.010000.000; 1000.100000X000; 1000.150000X000; 1000.160000X000;	
1.1.3	Increase the number of Full-Time Investigators in each Circuit.	37	46	37	Count	equal to or greater than	State Fiscal Year (July 1 - June 30).	Total number of investigator in the state-wide Public Defender system	SCCID Annual Agency Report	Division of Administration	Those citizens of South Carolina that have been charged with a crime and legal representation has been provided.	Those citizens of South Carolina that have been charged with a crime and legal representation has been provided will have their cases handled in a timelier manner.	1000.010000.000; 1000.100000X000; 1000.150000X000; 1000.160000X000;	

FY 2020-2021 Agency Accountability Report
FY2021-22 Strategic Plan:

These responses were submitted for the FY 2020-2021 Accountability Report by the
COMMISSION ON INDIGENT DEFENSE

Goal Ensure the Effective Legal Representation of South Carolina Citizens eligible for Indigent Defense Services

Strategy 1.1

Statewide Enterprise Objective

Enhance the Circuit Public Defender System

Government and Citizens

Measure Number	Description	Base	Target	Actual	Value Type	Desired Outcome	Time Applicable	Calculation Method	Data Source	Data Location	Primary Stakeholder	Stakeholder Need Satisfied	State Funded Program Number Responsible	Notes
1.1.1	Increase the number of Full -Time Public Defenders in each Circuit to Reduce the number of cases handled by each Public Defender to ensure efficient Representation of indigent defendants in all SC trial courts	292	308		Count	equal to or greater than	State Fiscal Year (July 1 - June 30).	Total number of Public Defenders	SCCID Annual Agency Report	Division of Administration	Those citizens of South Carolina that have been charged with a crime and legal representation has been provided.	Those citizens of South Carolina that have been charged with a crime and legal representation will have their cases handled in a timelier manner.	1000.010000.000; 1000.100000X000; 1000.150000X000; 1000.160000X000;	
1.1.2	Decrease the number of cases (Warrants) handled by each individual Public Defender	395.41	376		Count	equal to or less than	State Fiscal Year (July 1 - June 30).	Total number of cases (Warrants) handled, divided by the total number of Public Defenders.	SCCID Annual Agency Report	Division of Administration	Those citizens of South Carolina that have been charged with a crime and legal representation has been provided.	Those citizens of South Carolina that have been charged with a crime and legal representation will have their cases handled in a timelier manner.	1000.010000.000; 1000.100000X000; 1000.150000X000; 1000.160000X000;	
1.1.3	Increase the number of Full-Time Investigators in each Circuit.	37	70		Count	equal to or greater than	State Fiscal Year (July 1 - June 30).	Total number of investigator in the state-wide Public Defender system	SCCID Annual Agency Report	Division of Administration	Those citizens of South Carolina that have been charged with a crime and legal representation has been provided.	Those citizens of South Carolina that have been charged with a crime and legal representation will have their cases handled in a timelier manner.	1000.010000.000; 1000.100000X000; 1000.150000X000; 1000.160000X000;	

These responses were submitted for the FY 2020-2021 Accountability Report by the														
COMMISSION ON INDIGENT DEFENSE														
Goal Enhance Training and Professional Development of South Carolina Public Defenders and Staff														
Strategy 2.1										Statewide Enterprise Objective				
Provide mandatory training program for all new Public Defenders and contract attorneys										Education, Training, and Human Development				
Measure Number	Description	Base	Target	Actual	Value Type	Desired Outcome	Time Applicable	Calculation Method	Data Source	Data Location	Primary Stakeholder	Stakeholder Need Satisfied	State Funded Budget Program Number Responsible	Notes
2.1.1	Increase accessibility to PD101, PD 102 and PD 103 Training Classes.	69.33	60		Count	equal to or greater than	State Fiscal Year (July 1 - June 30).	Total number of Training hours provided by SCCID to all Public Defenders and Contract Attorneys.	SCCID Training Year-End Report	SCCID Training	Those citizens of South Carolina that have been charged with a crime and legal representation has been provided.	Those citizens of South Carolina that have been charged with a crime and legal representation has been provided will have their cases handled in a timelier manner.	0105.200000X000	
2.1.2	Increase Topic Specific Training to all Pubic Defenders and Contract Attorneys	11	8		Count	equal to or greater than	State Fiscal Year (July 1 - June 30).	Total number of Topic Specific Training Session offered to all Public Defenders and Contract Attorneys.	SCCID Training Year-End Report	SCCID Training	Those citizens of South Carolina that have been charged with a crime and legal representation has been provided.	Those citizens of South Carolina that have been charged with a crime and legal representation has been provided will have their cases handled in a timelier manner.	0105.200000X000	

These responses were submitted for the FY 2020-2021 Accountability Report by the COMMISSION ON INDIGENT DEFENSE														
Goal Enhance Training and Professional Development of South Carolina Public Defenders and Staff														
Strategy 2.2										Statewide Enterprise Objective				
Enhance Mentoring Programs in Circuit Public Defender Offices										Education, Training, and Human Development				
Measure Number	Description	Base	Target	Actual	Value Type	Desired Outcome	Time Applicable	Calculation Method	Data Source	Data Location	Primary Stakeholder	Stakeholder Need Satisfied	State Funded Budget Program Number Responsible	Notes
2.2.1	Expand Mentoring programs to all 16 Public Defender Circuits	6	16		Count	Equal to or greater than	State Fiscal Year (July 1 - June 30).	Total number of Mentoring Programs in the State-wide Public Defender Office.	SCCID Annual Agency Report	Division of Administration	Those citizens of South Carolina that have been charged with a crime and legal representation has been provided.	Those citizens of South Carolina that have been charged with a crime and legal representation has been provided will have their cases handled in a timelier manner.	1000.010000.000; 1000.100000X000; 1000.150000X000; 1000.160000X000;	
2.2.2	Provide Mentoring opportunities to newly hired PD in Family and Summary Courts	6	16		Count	Equal to or greater than	State Fiscal Year (July 1 - June 30).	Total number of Family and Summary Court Mentoring Programs in the State-wide Public Defender Office.	SCCID Annual Agency Report	Division of Administration	Those citizens of South Carolina that have been charged with a crime and legal representation has been provided.	Those citizens of South Carolina that have been charged with a crime and legal representation has been provided will have their cases handled in a timelier manner.	1000.010000.000; 1000.100000X000; 1000.150000X000; 1000.160000X000;	

FY 2020-2021 Agency Accountability Report Budget Responses:										
These responses were submitted for the FY 2020-2021 Accountability Report by the										
COMMISSION ON INDIGENT DEFENSE										
			FY 2020-21 Expenditures (Actual)				FY 2021-22 Expenditures (Projected)			
State Funded Program Number	State Funded Program Title	Description of State Funded Program	General	Other	Federal	TOTAL	General	Other	Federal	TOTAL
0100.010000.000	Administration	Establishes and monitors programs and services for the delivery of legal representation to indigent defendants in State courts	\$548,298.00	\$292,082.00	\$132,922.00	\$973,302.00	\$558,109.00	\$466,968.00	\$87,041.00	\$1,112,118.00
0100.050000X000	Death Penalty Trial Funds	Provides cost effective representation and resources for capital trials statewide		\$430,909.00		\$430,909.00	\$500,000.00	\$2,406,600.00		\$2,906,600.00
0100.070000X000	Conflict Fund	Funds which are used to pay for cases services expenses of the Circuit Public Defender Offices such as expert witnesses, investigators, psychiatric evaluations, transcripts and any other expenses that the court deems necessary for the individual's legal representation.		\$2,022,190.00		\$2,022,190.00		\$2,500,000.00		\$2,500,000.00
0100.110000X000	Legal Aid Funding	Flow through funds that go to the South Carolina Legal Aid Services		\$1,143,866.00		\$1,143,866.00		\$1,700,000.00		\$1,700,000.00
0100.130000X000	Court Fine Assessment	Funds which are used to pay for the expenses of the agency to include Salaries, Fringe Benefits, and all operating costs.						\$665,060.00		\$665,060.00
0100.190000X000	Rule 608 Appointment	Funds used to pay contract attorneys fees and expenses for criminal and family court cases assigned to them by the courts.	\$7,944,277.00			\$7,944,277.00	\$9,115,374.00	\$1,000,000.00		\$10,115,374.00
0100.270000X000	Civil Commitment Voucher Processing	Payment processing services that SCCID provides to the Department of Mental Health for attorneys handling Civil Commitment Hearings. The payment of attorneys fees are reimbursed by DMH on a monthly basis.		\$310,670.00		\$310,670.00		\$375,000.00		\$375,000.00
0104.250000X000	Information Technology Services	Funding for the Information Technology Services provided to SCCID by the Department of Administration's Division of Technology Office.	\$127,192.00			\$127,192.00	\$127,192.00			\$127,192.00
0105.200000X000	Professional Training and Development	Funding for the Training Services that SCCID provides to the Circuit Public Defenders and 608 Contract Attorneys.		\$6,944.00		\$6,944.00		\$286,414.00		\$286,414.00

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			FY 2020-21 Expenditures (Actual)				FY 2021-22 Expenditures (Projected)			
0501.000000.000	Division Of Appellate Defense	Represents indigents in the majority of criminal appeals, including death penalty appeals before the SC Court of Appeals and the SC Supreme Court	\$745,010.00	\$694,492.00		\$1,439,502.00	\$756,537.00	\$883,883.00		\$1,640,420.00
1000.010000.000	Office Of Circuit Public Defenders	Provides a consistent and fair statewide public defender system with standards and accountability for the delivery of legal representation to indigent defendants in State courts	\$3,790,470.00			\$3,790,470.00	\$3,830,689.00			\$3,830,689.00
1000.100000X000	Defense Of Indigents/Per Capita	Funds which are disbursed to the Office of the Circuit Public Defenders for the operations of those offices	\$12,301,049.00	\$2,459,907.00		\$14,760,956.00	\$15,901,049.00	\$4,173,052.00		\$20,074,101.00
1000.150000X000	Dui Defense Of Indigents	Funds which are disbursed to the Office of the Circuit Public Defenders for the defense of DUI defense cases.	\$976,593.00			\$976,593.00	\$976,593.00			\$976,593.00
1000.160000X000	Criminal Domestic Violence	Funds which are disbursed to the Office of the Circuit Public Defenders for the Criminal Domestic Violence defense cases.	\$1,377,185.00			\$1,377,185.00	\$1,377,185.00			\$1,377,185.00
1004.000000.000	Office Of Circuit Public Defender	This Program is no longer in use will be deleted from budget.					\$60,224.00			\$60,224.00
1504.000000.000	Death Penalty Trial Division	Provides cost effective representation and resources for capital trials statewide		\$393,652.00		\$393,652.00		\$471,600.00		\$471,600.00
9500.050000.000	State Employer Contributions	Employer contributions for agency employees	\$2,908,314.00	\$400,334.00	\$30,878.00	\$3,339,526.00	\$3,050,937.00	\$368,295.00	\$34,436.00	\$3,453,668.00

FY 2020-2021 Agency Accountability Report

Legal Responses:

These responses were submitted for the FY 2020-2021 Accountability Report by the

COMMISSION ON INDIGENT DEFENSE

Description	Purpose	Law Number	Jurisdiction	Type	Notes
26.78 percent of 56 percent of \$100 filing fee in civil actions is paid to the Defense of Indigents Per Capita Fund administered by SCCID. SCCID distributes the funds to SC organizations that are grantees of the Legal Services Corporation. (SCCID acts as pass-through agency for distribution of funds.)					
Commission on Indigent Defense, Defense of Indigents per capita receives 14.56 percent of additional \$50 filing fee in civil actions.					
Commission on Indigent Defense, Division of Appellate Defense receives 1.81 percent of additional \$50 filing fee in civil actions.	Funding agency deliverable(s)	14-1-204	State	Statute	
Persons convicted in general sessions court must pay assessment of 107.5 percent of fine amount. After specified deductions, Office of Indigent Defense receives 14.46 percent of remaining funds for the defense of indigents.	Not related to agency deliverable	14-1-206	State	Statute	
Persons convicted in magistrates court must pay assessment of 107.5 percent of fine amount. After specified deductions, Office of Indigent Defense receives 14.46 percent of remaining funds for the defense of indigents.	Funding agency deliverable(s)	14-1-207	State	Statute	
Persons convicted in municipal court must pay assessment of 107.5 percent of fine amount. After specified deductions, Office of Indigent Defense receives 14.46 percent of remaining funds for the defense of indigents.	Funding agency deliverable(s)	14-1-208	State	Statute	
Punishment for murder; notice to defense attorney of solicitor's intention to seek death penalty; appointment of attorneys for indigent; investigative, expert or other services.	Requires a service	16-3-26	State	Statute	Legal Services
Short Title - Uniform Post-Conviction Relief Act	Not related to agency deliverable	17-27-10	State	Statute	
Appeals	Requires a manner of delivery	17-27-100	State	Statute	
Rules - Supreme Court may adopt rules deemed necessary. Note: Supreme Court has passed Rule 71.1 South Carolina Rule of Civil Procedure requiring appointment of counsel for indigent applicants in certain PCR actions.	Requires a manner of delivery	17-27-110	State	Statute	
Construction. Chapter to be interpreted to make law uniform in states that adopt it.	Not related to agency deliverable	17-27-120	State	Statute	
Waiver of attorney-client privilege by allegation of ineffective prior counsel; access to files.	Requires a manner of delivery	17-27-130	State	Statute	
Discovery in post-conviction relief proceeding	Requires a manner of delivery	17-27-150	State	Statute	
Capital case post-conviction relief procedures - provides for appointment of counsel for indigent applicants	Requires a service	17-27-160	State	Statute	Legal Services

**These responses were submitted for the FY 2020-2021 Accountability Report by the
COMMISSION ON INDIGENT DEFENSE**

Description	Purpose	Law Number	Jurisdiction	Type	Notes
Persons who may institute proceeding; exclusiveness of remedy	Requires a service	17-27-20	State	Statute	Legal Services
Jurisdiction of Court	Requires a manner of delivery	17-27-30	State	Statute	
Commencement of Proceedings by filing application	Requires a manner of delivery	17-27-40	State	Statute	
Filing procedures for post-conviction relief actions	Requires a manner of delivery	17-27-45	State	Statute	
Form and contents of application	Requires a manner of delivery	17-27-50	State	Statute	
Court costs and expenses for indigents	Requires a service	17-27-60	State	Statute	Legal Services
Court procedures on receipt of application	Requires a manner of delivery	17-27-70	State	Statute	
Hearing on application; final judgment	Requires a manner of delivery	17-27-80	State	Statute	
Grounds for relief	Requires a manner of delivery	17-27-90	State	Statute	
Persons entitled to counsel shall be so advised; when counsel shall be provided	Requires a service	17-3-10	State	Statute	Legal Services
Discretionary authority of judge to appoint counsel not limited; remuneration and reimbursement.	Not related to agency deliverable	17-3-100	State	Statute	
Power of Supreme Court to establish rules and regulations.	Not related to agency deliverable	17-3-110	State	Statute	
Requires that adequate legal counsel be appointed for persons charged with murder, who are determined to be financially unable to retain adequate counsel and that the attorney appointed be paid fees and costs as deemed appropriate by the court.	Requires a service	17-3-20	State	Statute	Persons charged with murder determined to be financially unable to retain adequate legal counsel. This section specifies a customer/deliverable for the agency as the attorney appointed will be either a public defender or private counsel who will be compensated with indigent defense funds of the Agency.
Affidavit of inability to employ counsel; payment of indigent's assets to state; application fee, waiver or reduction of fee; disposition of revenues; fund for screening applicants	Requires a service	17-3-30	State	Statute	No - This relates to a customer of the agency for which the deliverable is handled by another entity
Commission on Indigent Defense Created; Appointment of members; terms; powers and duties.	Requires a service	17-3-310	State	Statute	Legal Services
Office of Indigent Defense; executive director; appointment; duties	Not related to agency deliverable	17-3-320	State	Statute	
Duties of Office of Indigent Defense: Distribute all funds appropriated by GA for defense of indigents; perform duties of Appellate Defense; compile statistics covering indigent defense in the State;	Not related to agency deliverable	17-3-330 (A)(1-4); (B); (C)	State	Statute	
Report annually to the General Assembly on the indigent defense system.	Report our agency must/may provide	17-3-330 (A)(5)	State	Statute	Through the Budget process SCCID reports to the Governor, Ways & Means and Senate Finance Committees on the status of the Indigent Defense system.

**These responses were submitted for the FY 2020-2021 Accountability Report by the
COMMISSION ON INDIGENT DEFENSE**

Description	Purpose	Law Number	Jurisdiction	Type	Notes
Duties of Commission: Approve programs which provide legal representation to indigent persons and juveniles accused of violations of criminal law; Approve policies and standards for Circuit Public Defender Offices, minimum training for appointed counsel; Procedures for qualifications/performance of independent counsel; providing and compensating experts, investigators, etc.to provide effective representation; determining indigence and assessing and collecting costs of legal representation; compensation of appointed attorneys; removing circuit PD for cause; Uniform definition of "case" for determining caseload statistics; accepting contractual indigent defense representation.	Not related to agency deliverable	17-3-340	State	Statute	
Immunity from civil liability for Commission members and Circuit PD Selection Panel members	Not related to agency deliverable	17-3-350	State	Statute	
Division of Appellate Defense created; Administration and staffing; duties and responsibilities	Requires a service	17-3-360	State	Statute	Legal Services
Appointment of Counsel by Court: Court can still appoint counsel for disqualified person for conflict or when division deems it advisable not to provide representation	Not related to agency deliverable	17-3-370	State	Statute	
Funding for the commission will be by appropriations in the state General Appropriations Act including federal funds as may be available.	Funding agency deliverable(s)	17-3-380	State	Statute	
Creation of claim against assets and estate of person for whom counsel is provided	Not related to agency deliverable	17-3-40	State	Statute	
Affidavit of assets of persons seeking appointed counsel; application fee; claim against assets and estate of person provided counsel	Requires a service	17-3-45	State	Statute	No - This relates to a customer of the agency for which the deliverable is handled by another entity
Definitions	Not related to agency deliverable	17-3-5	State	Statute	
Determination of fees for appointed counsel and public defenders; maximum amounts; authorization to exceed maximum; payment for certain services	Requires a service	17-3-50	State	Statute	No - This relates to a customer of the agency for which the deliverable is handled by another entity
Circuit Public Defender Selection Panel, county representation, nomination of Circuit Public Defender, election of Circuit Public Defender	Not related to agency deliverable	17-3-510	State	Statute	
Circuit Public Defender, qualification, responsibilities	Not related to agency deliverable	17-3-520	State	Statute	
Chief county public defenders, responsibilities and duties	Not related to agency deliverable	17-3-530	State	Statute	
Maintenance and staffing of county public defender offices	Not related to agency deliverable	17-3-540	State	Statute	
Carry-forward of unpaid obligations	Not related to agency deliverable	17-3-55	State	Statute	
Funding	Funding agency deliverable(s)	17-3-550	State	Statute	
Administration of Funds	Requires a manner of delivery	17-3-560	State	Statute	
Administration of Personnel	Requires a manner of delivery	17-3-570	State	Statute	
Public Defenders, requirements as to employment	Requires a manner of delivery	17-3-580	State	Statute	
Office space and equipment	Not related to agency deliverable	17-3-590	State	Statute	

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COMMISSION ON INDIGENT DEFENSE**

Description	Purpose	Law Number	Jurisdiction	Type	Notes
Existing contracts for providing indigent defense services: Contracts for indigent services in existence at time Act enacted remain effective until expire or one year from effective date of act, whichever is sooner.	Requires a manner of delivery	17-3-600	State	Statute	
Appropriation for expenses of appointed private counsel and public defenders; restrictions and limitations	Requires a service	17-3-80	State	Statute	Legal Services
Fiscal year-end disposition of unexpended appropriations for payment of private appointed counsel for counties without public defender corporations	Not related to agency deliverable	17-3-85	State	Statute	
Vouchers for payment for services by private appointed counsel and for reimbursement of expenses; approval and submission for payment	Requires a service	17-3-90	State	Statute	Legal Services
Budgetary Expenditure and Proviso Authority	Funding agency deliverable(s)	2017-2018 SC Appropriations Act, Parts 1A & 1B, Section 61	State	Proviso	
Short Title - Sexually Violent Predator Act	Not related to agency deliverable	44-48-10	State	Statute	
Standard for determining predator status, control, care, and treatment of person, release, mistrial procedures; persons incompetent to stand trial.	Requires a manner of delivery	44-48-100	State	Statute	
Periodic mental examination of committed persons, report, petition for release; hearing; trial to consider release. Provides for right to counsel; payment for expert services.	Requires a manner of delivery	44-48-110	State	Statute	
Petition for release; hearing ordered by court; examination by qualified expert, burden of proof. Provides for payment for expert services.	Requires a manner of delivery	44-48-120	State	Statute	
Grounds for denial of petition for release.	Requires a manner of delivery	44-48-130	State	Statute	
Restricted release of confidential information and records to agencies and Attorney General.	Requires a manner of delivery	44-48-140	State	Statute	
Evidentiary records; court order to open sealed records.	Requires a manner of delivery	44-48-150	State	Statute	
Registration of persons released from commitment.	Requires a manner of delivery	44-48-160	State	Statute	
Involuntary detention or commitment; constitutional requirements.	Requires a manner of delivery	44-48-170	State	Statute	
Legislative Findings	Requires a manner of delivery	44-48-20	State	Statute	
Definitions	Requires a manner of delivery	44-48-30	State	Statute	
Notification to team, victim and AG regarding release, hearing or parole, effective date of parole or release; immunity.	Requires a manner of delivery	44-48-40	State	Statute	
Multidisciplinary team; appointments; review of records; membership	Requires a manner of delivery	44-48-50	State	Statute	
Prosecutor's review committee; scope of review; membership requirements.	Requires a manner of delivery	44-48-60	State	Statute	
Petition for probable cause determination.	Requires a manner of delivery	44-48-70	State	Statute	
Determination of probable cause; taking person into custody; hearing; evaluation. Requires notification of right to counsel.	Requires a manner of delivery	44-48-80	State	Statute	

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Description	Purpose	Law Number	Jurisdiction	Type	Notes
Trial; trier of fact; continuation of trial; assistance of counsel; access of examiners to person; payment of expenses. Requires court to appoint counsel for indigent person and to authorize reasonable payment for expenses for professional expert services.	Requires a service	44-48-90	State	Statute	Legal Services
Indigent defense. In determining indigence for appointment of legal counsel for child in delinquency proceeding, court must determine financial ability of parents to retain counsel. If parents could afford to retain counsel but refuse, court appoints counsel and may order parents to reimburse Indigent Defense Fund or pay court-appointed attorney an amount determined by the court.	Requires a service	63-19-1040	State	Statute	Legal Services
Taking a child into custody. Sets forth rules for detention and release of children accused of violations of criminal laws, requirements for notification of certain persons, information to be provided to those persons, and restrictions of use of such information.	Requires a manner of delivery	63-19-810	State	Statute	
Detention hearings, screenings. Requires court to appoint counsel for child at detention hearing if none is retained. Prohibits child from proceeding without talking to attorney at least once.	Requires a service	63-19-830	State	Statute	Legal Services
Legal representation in child abuse and neglect cases. Provides for appointment of legal counsel for children, parents/legal guardians of children, or other persons subject to any judicial proceeding who cannot afford legal representation.	Requires a service	63-7-1620	State	Statute	Legal Services
Representation by Counsel; guardian ad litem - (A) In Termination-of-Parental-Rights actions, requires that the family court appoint counsel to represent parents, guardians, or other persons entitled to legal counsel, who are unable to afford legal representation. (B) Requires appointment of attorney for the guardian ad litem to protect the child's interests in certain circumstances.	Requires a service	63-7-2560	State	Statute	Legal Services
Persons not required to give consent or relinquishment. In adoption matters, requires that the family court appoint legal counsel to represent an incompetent indigent parent unless good cause is shown to waive that appointment.	Requires a service	63-9-320	State	Statute	Legal Services
Requires the state to provide equal protection and due process under the law.	Requires a manner of delivery	US Constitution 14th Amendment	Federal	Statute	Any person entitled to counsel under the Constitution of the United States determined to be financially unable to retain counsel
Guarantees a citizen the right to a speedy and public trial, an impartial jury, to be informed of the nature and cause of the accusation, to confront witnesses against him, to present witnesses in his favor, and to be represented by an attorney	Requires a manner of delivery	US Constitution 6th Amendment	Federal	Statute	Any person entitled to counsel under the Constitution of the United States determined to be financially unable to retain counsel

FY 2020-2021 Agency Accountability Report
Services Responses:

These responses were submitted for the FY 2020-2021 Accountability Report by the

COMMISSION ON INDIGENT DEFENSE

Description of Service	Description of Direct Customer	Customer Name	Others Impacted By the Service	Agency unit providing the service	Description of agency unit	Primary negative impact if service not provided
Manages the Financial, Budgeting, Information Technology and Human Resources duties for the agency's division to include all reporting requirements by all the central service agencies, Executive and Legislature Branches of State Government.	The Executive Branch; Legislative Branch and State Agencies	The Executive Branch; Legislative Branch and State Agencies		Administration	Establishes and monitors programs and services for the delivery of legal representation to indigent defendants in State courts	Financial, statistical and programmatic information and services would not be provided to the Executive, Legislative, Judicial Branches or other State Agencies, creating a breakdown in data systems and the courts
The Division of Appellate Defense represents defendants in criminal appeals to the Court of Appeals and the South Carolina Supreme Court.	Those persons that have been charged with a crime and their indigency status has been approved, so legal representation has been provided.	South Carolina persons that have been charged with a crime		Division of Appellate Defense	Represents indigents in the majority of criminal appeals, including death penalty appeals before the SC Court of Appeals and the SC Supreme Court	Those individuals who have appeals cases to be heard by the Courts would see their wait times for the case extend beyond the acceptable time for handling appeals
The Division of Appellate Defense represents defendants in criminal appeals to the Court of Appeals and the South Carolina Supreme Court.	The Judicial Branch	The South Carolina Court of Appeals and the South Carolina Supreme Court		Division of Appellate Defense	Represents indigents in the majority of criminal appeals, including death penalty appeals before the SC Court of Appeals and the SC Supreme Court	The South Carolina Supreme Court and Court of Appeals would slow down or come to a halt, causing a huge backlog of cases.
The Office of Circuit Public Defenders provide legal representation to indigent defendants charged with criminal offenses in the South Carolina Court system.	Those persons that have been charged with a crime and their indigency status has been approved, so legal representation has been provided.	South Carolina persons that have been charged with a crime		Office of Circuit Public Defenders	Provides a consistent and fair statewide public defender system with standards and accountability for the delivery of legal representation to indigent defendants in State courts	Those individuals who have criminal cases to be heard by the courts would see their wait times for their case extend beyond acceptable time frames for handling cases.
The Office of Circuit Public Defenders provide legal representation to indigent defendants charged with criminal offenses in the South Carolina Court system.	The Judicial Branch	The South Carolina General Session, Magistrate and Municipal Courts		Office of Circuit Public Defenders	Provides a consistent and fair statewide public defender system with standards and accountability for the delivery of legal representation to indigent defendants in State courts	The General Sessions Courts would slow down or come to a halt, causing a huge backlog of cases.
The Death Penalty Trial Division represents indigent defendants in death-penalty trials.	Those persons that have been charged with a Capital Crime and their indigency status has been approved, so legal representation has been provided.	South Carolina persons that have been charged with a crime		Death Penalty Trial Division	The Death Penalty Trial Division represents indigent defendants in death-penalty trials as well as consulting services and defense training to other lawyers representing clients in capital trials.	Those individuals who have a Capital Criminal case to be heard by the courts would see their wait times for their case extend beyond acceptable time frames for handling cases.
The Death Penalty Trial Division represents indigent defendants in death-penalty trials.	The Judicial Branch	The South Carolina General Sessions Courts		Death Penalty Trial Division	The Death Penalty Trial Division represents indigent defendants in death-penalty trials as well as consulting services and defense training to other lawyers representing clients in capital trials.	The General Sessions Courts would slow down or come to a halt, causing a huge backlog of cases.

Agency Partnerships Responses:

These responses were submitted for the FY 2020-2021 Accountability Report by the

COMMISSION ON INDIGENT DEFENSE

Name of Partner Entity	Type of Partner Entity	Description of Partnership
County Governments in South Carolina	Local Government	The county governments in South Carolina work in conjunction with SCCID in providing funding the Public Defender Offices in the 16 Judicial Circuits within their counties.
General Public of South Carolina	Individual	Those citizens of South Carolina that have been charged with a crime and their indigency status has been approved, so legal representation has been provided.
Municipal Governments in South Carolina	Local Government	The municipal governments in South Carolina work in conjunction with SCCID and the Public Defender Offices in the 16 Judicial Circuits within their counties.
SC Court of Appeals and SC Supreme Court	State Government	The Appellate Defense Division and Death Penalty Trial Division works with the SC Court of Appeals and the SC Supreme Court to provide fair and consistent legal adjudication.
South Carolina Judicial Department	State Government	Integration of the Office of Public Defenders into the South Carolina Judicial Departments Case Management System to allow legal case information to be accessed by the Public Defenders.

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Report Name	Law Number (If required)	Summary of Information Requested in the Report	Most Recent Submission Date	Reporting Frequency	Type of Entity	Method to Access the Report	Direct access hyperlink or agency contact
Affirmative Action Reports	§1-13-110	Plan sets forth employment goals for minorities and women whose representation in the workforce is less than would be reasonably expected by availability estimates of the qualified labor pool.	10/29/2020	Annually	South Carolina state agency or agencies	Hard copy available upon request	Lawrence Brown
Agency Accountability Report	§1-1-810	The report "must contain the agency's or department's mission, objectives to accomplish the mission, and performance measures that show the degree to which objectives are being met." Agencies must "identify key program area descriptions and expenditures and link these to key financial and performance results measures."	9/15/2020	Annually	Governor or Lt. Governor AND Legislative entity or entities	Provided to LSA for posting online	
Detailed Expenditure/Revenue Reports by Circuit PCC/CID (Proviso 117.106)		All Circuit Public Defenders Offices must provide all their allocations and expenditures from the previous fiscal year that closed on June 30th	8/31/2021	Annually	Legislative entity or entities	Provided to LSA for posting online	
Employee Report		Annual EEO Personnel Report	7/13/2021	Annually	South Carolina state agency or agencies	Hard copy available upon request	Lawrence Brown
Employee Report Data Report		Updates or Corrections to Agency Employees Information to be used in EEO Reporting		Annually	South Carolina state agency or agencies	Hard copy available upon request	
Fines and Fees Report (Proviso 117.73)		(1) the code section, regulation, or proviso that authorized the fines and fees to be charged, collected, or received; (2) the amount of the fine or fee; (3) the amount received by source; (4) the purpose for which the funds were expended by the agency; (5) the amount of funds transferred to the general fund, if applicable, and the authority by which the transfer took place; and (6) the amount of funds transferred to another entity, if applicable, and the authority by which the transfer took place, as well as the name of the entity to which the funds were transferred. The report must be posted online by September first. Additionally, the report must be delivered to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by September first. Funds appropriated to and/or authorized for use by each state agency shall be used to accomplish this directive.	8/31/2021	Annually	Legislative entity or entities	Provided to LSA for posting online	
GAAP Accounts Payable Report (Package 3.12)		Accurate reporting in accordance with GAAP requires the analysis and recognition of prior year payables.	9/8/2020	Annually	South Carolina state agency or agencies	Hard copy available upon request	Rodney Grizzle
GAAP Capital Assets (Package 3.08)		Ensure the accuracy of the information reported in SCEIS and to collect certain information related to capital assets which are not captured in the ASSET Module or the SCEIS General Ledger.	8/31/2020	Annually	South Carolina state agency or agencies	Hard copy available upon request	Rodney Grizzle
GAAP Fund Balance and Net Position (Net Asset) Reporting (Package 3.20)		Transactions, including, but not limited to, revenues, expenditures/expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable.	8/13/2021	Annually	South Carolina state agency or agencies	Hard copy available upon request	Rodney Grizzle

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Report Name	Law Number (If required)	Summary of Information Requested in the Report	Most Recent Submission Date	Reporting Frequency	Type of Entity	Method to Access the Report	Direct access hyperlink or agency contact
GAAP Grants and Revenue Reports (Packet 3.03)		Accurate reporting in accordance with GAAP requires the analysis and recognition of receivables and deferred revenue in connection with grant awards and contributions.	9/8/2020	Annually	South Carolina state agency or agencies	Hard copy available upon request	Rodney Grizzle
GAAP Master Control Report		The Master Control Report provides guidance and direction through a checklist format for the reporting package forms to be completed by the agency	7/9/2021	Annually	South Carolina state agency or agencies	Hard copy available upon request	Rodney Grizzle
GAAP Operating Expenses Report (Packet 3.09)		GAAP require the State disclose in the Notes to its financial statements the terms of non-cancelable operating leases	8/18/2021	Annually	South Carolina state agency or agencies	Hard copy available upon request	Rodney Grizzle
Information Security and Privacy Survey		Survey is used help provide a better understanding of the progress made in the implementation of statewide security initiatives and policies.	8/2/2021	Annually	South Carolina state agency or agencies	Electronic copy available upon request	Rodney Grizzle
IT Data Collection Planning Report		The report is to update DOA on any changes or updates on the agency's IT plans.	7/23/2021	Annually	South Carolina state agency or agencies	Hard copy available upon request	Rodney Grizzle
Mileage Report		Mileage for all employees requesting reimbursement		Quarterly	South Carolina state agency or agencies	Hard copy available upon request	
Minority Business Employment Utilization Plan		To emphasize the use of minority small businesses by state agencies in all aspects of procurement.	8/3/2021	Annually	South Carolina state agency or agencies	Hard copy available upon request	Jeffery Smith
Minority Business Employment Utilization Quarterly Reports		To emphasize the use of minority small businesses by state agencies in all aspects of procurement.	6/30/2020	Quarterly	South Carolina state agency or agencies	Hard copy available upon request	Jeffery Smith

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Report Name	Law Number (If required)	Summary of Information Requested in the Report	Most Recent Submission Date	Reporting Frequency	Type of Entity	Method to Access the Report	Direct access hyperlink or agency contact
Proviso 117.21 (Pass-Thru Funds) Legal Aid		Each organization receiving a contribution in this act shall render to the state agency making the contribution by November first of the fiscal year in which funds are received, an accounting of how the state funds will be spent, goals to be accomplished, proposed measures to evaluate success in implementing and meeting the goals, a copy of the adopted budget for the current year, and also a copy of the organization's most recent operating financial statement. The funds appropriated in this act for contributions shall not be expended until the required financial statements are filed with the appropriate state agency. No funds in this act shall be disbursed to organizations or purposes which practice discrimination against persons by virtue of race, creed, color or national origin. The State Auditor shall review and audit, if necessary, the financial structure and activities of each organization receiving contributions in this act and make a report to the General Assembly of such review and/or audit, when requested to do so by the State Fiscal Accountability Authority. From the funds an organization receives from a state agency, for accountability purposes, by June thirtieth organizations receiving contributions in this act shall submit a report to the state agency making the contribution that includes an accounting of how the funds were spent and the outcome measures used to determine the success of the stated goals. State agencies receiving such data from organizations shall forward the information to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.	7/8/2021	Twice a year	Legislative entity or entities	Provided to LSA for posting online	
Schedule of Expenditures for Federal Awards-SEFA		Summary of all Federal Funds were received by SCCID for FY20-21	7/27/2021	Annually	South Carolina state agency or agencies	Hard copy available upon request	Rodney Grizzle
South Carolina State Auditors Office		Audit of the agency for fiscal year 20-21	8/20/2021	Annually	South Carolina state agency or agencies	Hard copy available upon request	Rodney Grizzle
UI Quarterly Filings		Quarterly wages of Employees of the State Agency		Quarterly	South Carolina state agency or agencies	Hard copy available upon request	
Wage and Contribution Report		Every employer must file this report for each calendar quarter showing each employee who was in employment at any time during the quarter.		Quarterly	South Carolina state agency or agencies	Hard copy available upon request	