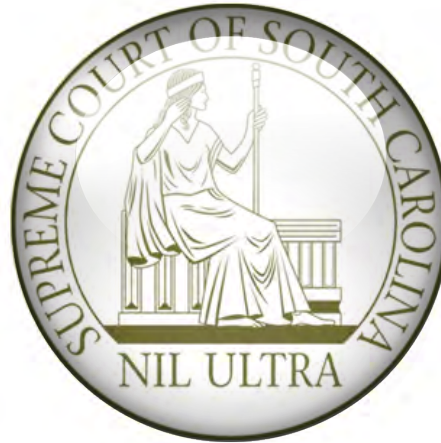

SOUTH CAROLINA

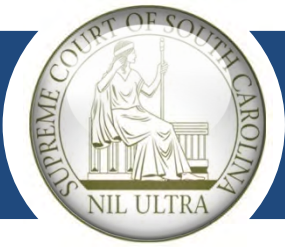


JUDICIAL DEPARTMENT

Annual Judicial Conference

August 20, 2015

Chief Justice Jean Hoefer Toal

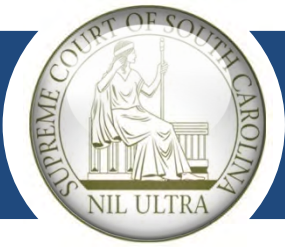


In Memoriam

The Honorable Curtis Graham Shaw

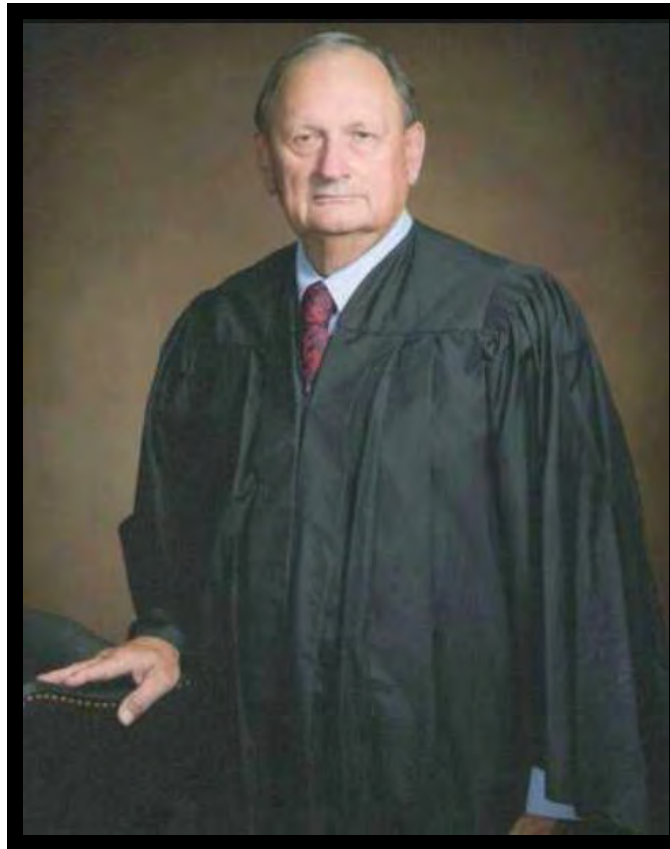


1933 - 2015

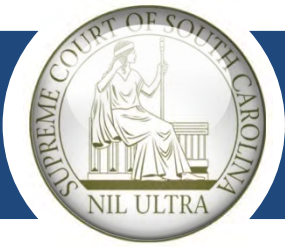


In Memoriam

The Honorable J. Ernest Kinard, Jr.



1939 - 2015

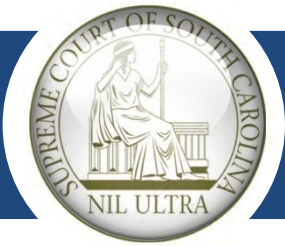


Welcome

➤ The following judges were elected this year:

<u>Circuit Court</u>	
4th Judicial Circuit, Seat 2	Roger E. Henderson , Chesterfield, S.C.
13th Judicial Circuit, Seat 1	Perry H. Gravely , Pickens, S.C.
At-Large, Seat 9	Tanya A. Gee , Columbia, S.C.

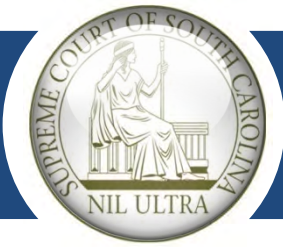
<u>Family Court</u>	
9 th Judicial Circuit, Seat 2	Alice Anne Richter , Mount Pleasant, S.C.
4 th Judicial Circuit, Seat 1	Cely Anne Brigman , Florence, S.C.



Our New Leader



The Honorable Costa M. Pleicones
Elected May 27, 2015
Term Begins January 1, 2016



Thank You

➤ The following judges will retire this year:

Circuit Court

Judge James R. Barber, III

December 31, 2015

Family Court

Judge Judy L. McMahon

June 30, 2016

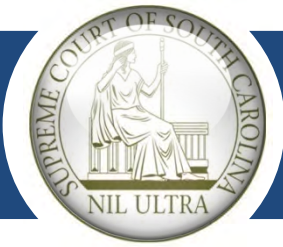
Masters in Equity

Judge Ellis B. Drew, Jr.

June 30, 2016

Judge William C. Coffey, Jr.

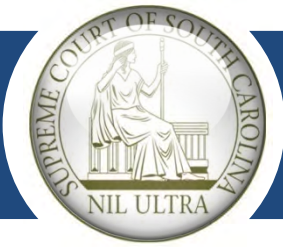
June 30, 2016



South Carolina Courts' Report Card (2000 – 2015)

- **Business models, management techniques, and technology = greater efficiencies, standardization, and better business organization**
- **Courts now have more stable funding, increased number of judges, more uniformity, and the benefits of technology**
- **Historic new commitment to court stability with the election of new trial judges**
- **More judges = efficient management of dockets and resources**
- **Technology will continue to be a priority**
 - **Greater accessibility**
 - **Efficiency**
 - **Easier Navigation**

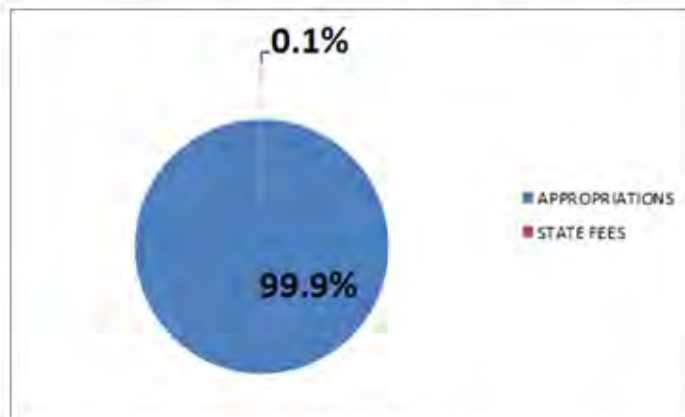




Stable Court Funding: Funding Sources in 2000 and Current

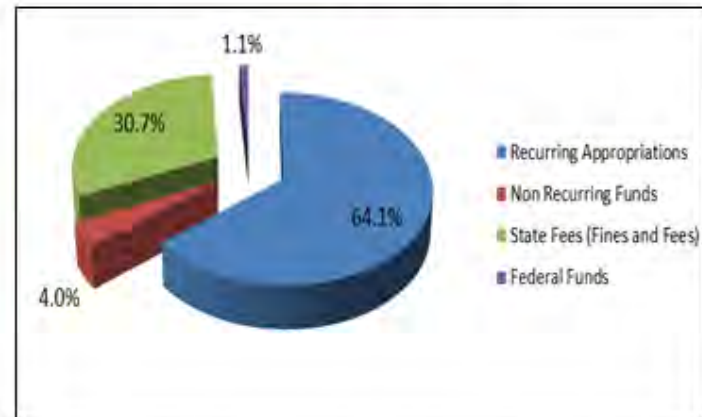
Since 2000, the Judicial Department has developed multiple funding sources so that all funding is not completely dependent upon appropriations from the Legislature.

FY 2000 - 2001



Expenditures = \$46,553,075

FY 2015 - 2016



Recurring Expenditures = \$70,357,426
Non-Recurring Expenditures = \$2,950,000
TOTAL: \$73,307,426

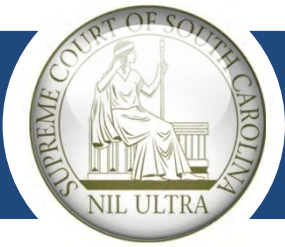


SCJD Estimated Expenditures for FY 2015 – 2016

FISCAL YEAR	GENERAL FUNDS	STATE FEES and OTHER FUNDS	FEDERAL FUNDS	SHORTFALL	TOTAL EXPENDITURES
FY 2000 - 2001	\$46,486,500	\$66,575			\$46,553,075
FY 2001 - 2002	\$39,014,860	\$2,849,873	\$928,311		\$42,793,044
FY 2002 - 2003	\$35,685,629	\$6,683,806	\$2,897,322		\$45,266,756
FY 2003 - 2004	\$31,849,253	\$10,105,241	\$5,831,459		\$47,785,953
FY 2004 - 2005	\$32,650,207	\$12,207,897	\$4,664,535		\$49,522,639
FY 2005 - 2006	\$33,958,408	\$14,390,096	\$5,755,279		\$54,103,783
FY 2006 - 2007	\$36,631,439	\$15,065,443	\$5,053,703		\$56,750,585
FY 2007 - 2008	\$38,758,746	\$15,676,166	\$5,495,072		\$59,929,984
FY 2008 - 2009	\$30,662,336	\$16,756,185	\$6,262,290	\$6,653,495	\$60,334,306
FY 2009 - 2010	\$22,782,531	\$18,722,279	\$8,985,511	\$6,921,200	\$57,411,521
FY 2010 - 2011	\$37,623,159	\$16,796,023	\$6,515,150		\$60,934,332
FY 2011 - 2012	\$37,507,247	\$17,422,194	\$5,537,336		\$60,466,777
FY 2012 - 2013	\$44,632,218	\$14,273,643	\$2,445,896		\$61,351,757
FY 2013 - 2014	\$46,183,780	\$18,041,571	\$564,334		\$64,789,685
FY 2014 -2015	\$47,048,973	\$19,842,376	\$414,759		\$67,306,107
Authorized for FY 2015-2016	\$47,024,033	\$22,498,000	\$835,393		\$70,357,426
Authorized Non-Recurring FY 2015-2016	\$2,950,000*	\$3,965,197**			\$6,915,197
Non-Recurring Carryforward FY 2015-2016	\$3,389,560*				\$3,389,560

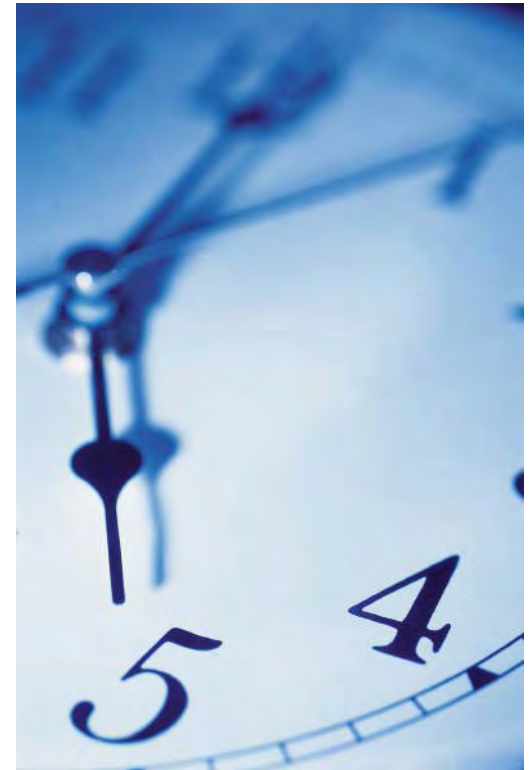
*Disaster Recovery, Building Security, and Digital Recorders.

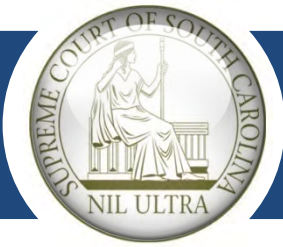
**Capital Reserve funds originally authorized in 2012 for E-Filing.



Docket Management Task Force

- **Leadership:**
 - **Chair:** Justice Kaye Hearn
 - **Subcommittee Chairs:**
 - Justice Costa Pleicones
 - Justice Donald Beatty
 - Judge Aphrodite Konduros
 - Judge Clifton Newman
- **Major Accomplishments Include:**
 - Faster delivery of justice to South Carolinians
 - Backlog reduction
 - Accountability



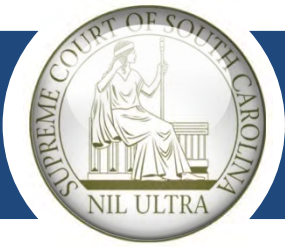


Docket Management Task Force

➤ Common Pleas Subcommittee:

- **Motions practice is the primary issue affecting docketing**
- **Civil Motions Pilot Program will be implemented by Chief Justice Order in the 3rd and 15th Circuits which requires the submission of briefs along with written motions and authorizes the court to rule on motions without a hearing**
- **PCR Pilot Program implemented by Chief Justice Order in the 5th and 11th Circuits that will include:**
 - **Uniform procedures**
 - **Roster meeting and status conference held at least one month prior to court**
 - **Goal is to eliminate roster instability by requiring advance docketing and meaningful preparation**





Docket Management Task Force

➤ Family Court Subcommittee:

- All circuits are meeting their benchmarks and keeping more accurate data
- Continue to appoint additional Chief Administrative Judges in certain circuits as needed
- Continue to evaluate Clerk of Court rules and DJJ and DSS dockets for ways to improve docketing





Progress on Case Disposition

New Judges

+

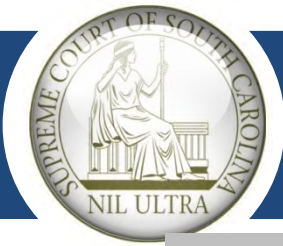
Increased Use of Technology

+

**Increased Collaboration of Judges,
Clerks of Court, and Attorneys**

=

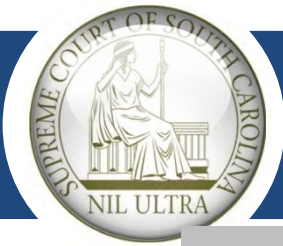
Big Improvement in Case Disposition



Family Court Benchmarks

Circuit	Pending Docket 365 Days or Less
15 th – Georgetown, Horry	97%
11 th – Edgefield, Lexington, McCormick, Saluda	97%
16 th – Union, York	96%
9 th – Berkeley, Charleston	95%
13 th – Greenville, Pickens	94%
5 th – Kershaw, Richland	92%
7 th – Cherokee, Spartanburg	92%
2 nd – Aiken, Bamberg, Barnwell	91%
14 th – Allendale, Beaufort, Colleton, Hampton, Jasper	88%
10 th – Anderson, Oconee	88%
6 th – Chester, Fairfield, Lancaster	87%
8 th – Abbeville, Greenwood, Laurens, Newberry	87%
1 st – Calhoun, Dorchester, Orangeburg	86%
3 rd – Clarendon, Lee, Sumter, Williamsburg	84%
12 th – Florence, Marion	83%
4 th – Chesterfield, Darlington, Dillon, Marlboro	81%

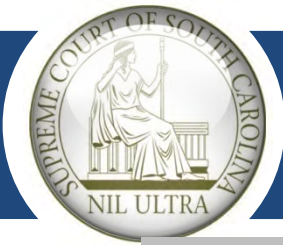
***Goal: 80% of Pending
Docket 365 Days or Less
As of July 31, 2015**



Common Pleas Benchmarks

Circuit	Pending Docket 365 Days or Less*
10 th – Anderson, Oconee	75%
2 nd – Aiken, Bamberg, Barnwell	73%
13 th – Greenville, Pickens	73%
16 th – Union, York	71%
8 th – Abbeville, Greenwood, Laurens, Newberry	67%
4 th – Chesterfield, Darlington, Dillon, Marlboro	69%
6 th – Chester, Fairfield, Lancaster	68%
12 th – Florence, Marion	68%
11 th – Edgefield, Lexington, McCormick, Saluda	67%
15 th – Georgetown, Horry	67%
1 st – Calhoun, Dorchester, Orangeburg	64%
7 th – Cherokee, Spartanburg	62%
9 th – Berkeley, Charleston	62%
3 rd – Clarendon, Lee, Sumter, Williamsburg	62%
14 th – Allendale, Beaufort, Colleton, Hampton, Jasper	56%
5 th – Kershaw, Richland	53%

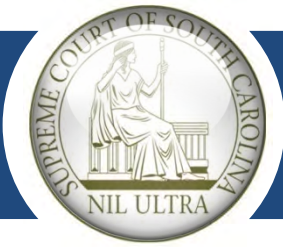
*Goal: 80% of Pending
Docket 365 Days or Less
As of July 31, 2015



General Sessions Benchmarks

Circuit	Pending Docket 365 Days or Less
16 th – Union, York	93%
12 th – Florence, Marion	81%
7 th – Cherokee, Spartanburg	82%
2 nd – Aiken, Bamberg, Barnwell	79%
10 th – Anderson, Oconee	77%
15 th – Georgetown, Horry	76%
14 th – Allendale, Beaufort, Colleton, Hampton, Jasper	74%
11 th – Edgefield, Lexington, McCormick, Saluda	73%
1 st – Calhoun, Dorchester, Orangeburg	73%
13 th – Greenville, Pickens	72%
9 th – Berkeley, Charleston	65%
5 th – Kershaw, Richland	65%
8 th – Abbeville, Greenwood, Laurens, Newberry	50%
3 rd – Clarendon, Lee, Sumter, Williamsburg	53%
4 th – Chesterfield, Darlington, Dillon, Marlboro	53%
6 th – Chester, Fairfield, Lancaster	31%

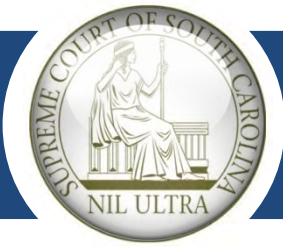
*Goal: 80% of Pending
Docket 365 Days or Less
As of July 31, 2015



Appellate Court Caseload

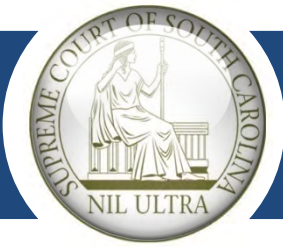
- **Backlog of certiorari and PCR petitions in the SC Supreme Court addressed:**
- **System developed with law clerks and staff attorneys to move cases more efficiently**
 - **Fewer oral arguments**
 - **Digital court reporting**
 - **Decreased number of extensions**
 - **Since May 2014, pending Certiorari Cases have decreased by 43.9% and pending PCR Certiorari Cases have decreased by 26.9%**





The Importance of the Internet and Court Technology

- **The Internet represents innovation, access to information, and a more transparent court system**
- **Technology has been a game changer for the Courts as well as the citizens of South Carolina**
- **In 2000, no major courthouse in South Carolina had Internet access and court personnel communicated by telephone, fax machine, and mail**
- **There was a unified court system in principle but not in practice**



Technology: Model Internet Platform

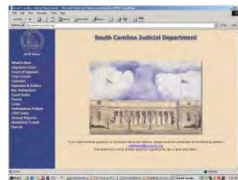
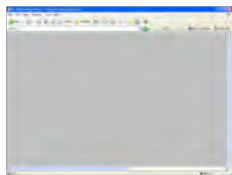
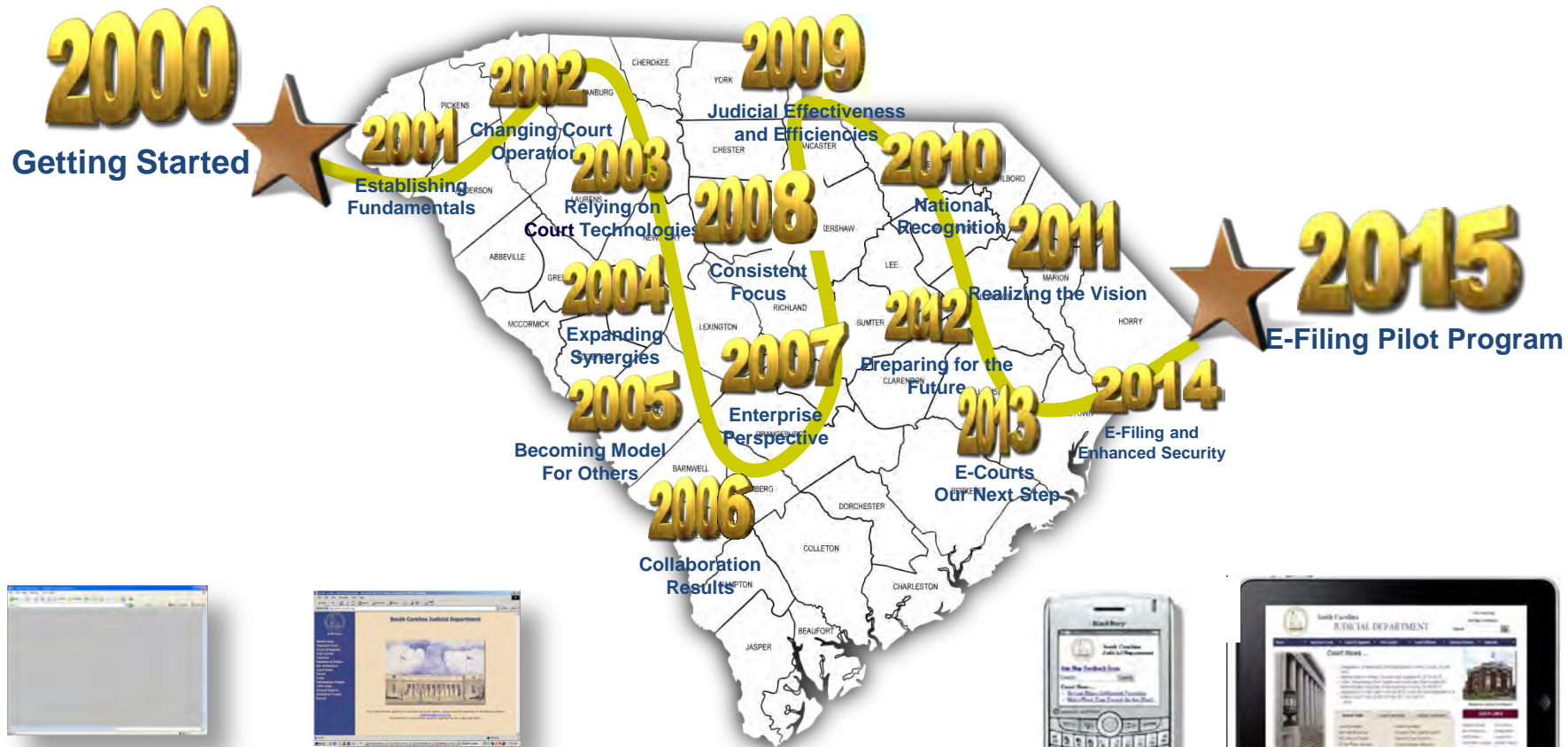
- **An unorganized and inefficient court system leads to a breakdown in the administration of justice**
- **Technology allows the Judicial Branch to evaluate caseloads on a statewide basis, to evaluate inequities, and to allocate resources**
- **Technology as the key to the effective and efficient administration of justice is the hallmark of my term**
- **Technology Plan: Use a high-speed Internet based connectivity to improve court operations and enhance public access**

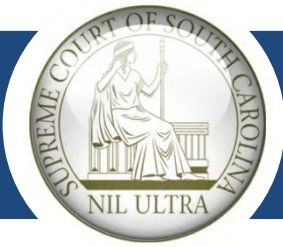


Photo Courtesy: Keith McGraw, University of South Carolina



SCJD Technology Roadmap

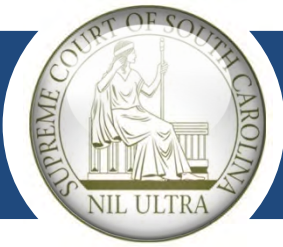




Increased Public Access: Appellate Court Case Management

- Oral argument videos and case exhibits uploaded so judges can view them online
- In October 2013, public access became available for:
 - Appeals from the Court of Common Pleas (excluding PCR cases)
 - Appeals from the Court of General Sessions
 - Appeals from Administrative Tribunals
 - Certiorari proceedings relating to the decisions of the Board of State Canvassers
 - Certiorari proceedings to review decisions of the South Carolina Court of Appeals (excluding Family Court cases)

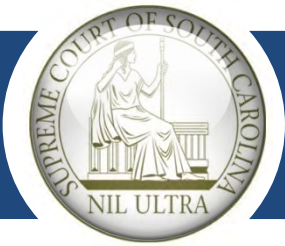




Increased Public Access: Live Streaming Oral Arguments

- ❖ The Supreme Court, in partnership with SCETV, began live streaming of oral argument in September 2014
- ❖ Videos of oral arguments can be watched live and are archived and stored on the Supreme Court Video Portal
- ❖ A link to the Video Portal is available on the Court's website





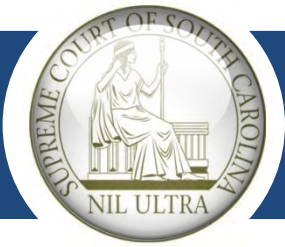
The Technology Crown Jewel: E-Filing

- **Allows attorneys to file, serve, and view documents via the Internet**

- **Pilot program will begin this year in Common Pleas**
 - ❖ **Clarendon County – November 2015**
 - ❖ **Greenville County – February 2016**

- **Benefits for Judges Include:**
 - ❖ **Rapid access to documents from anywhere at any time**
 - ❖ **Less staff time and resources spent searching for paper documents and files**
 - ❖ **Instant notice to parties whenever the court files a document**
 - ❖ **Reduction in physical space needed for files**
 - ❖ **Ability to transfer a filing with instructions to Clerks of Court, law clerks, and staff**
 - ❖ **Ability to have electronic binders for cases to include references, opinions, and other resources**





The Technology Crown Jewel: E-Filing

- Using technology to teach technology
- Training materials for attorneys include:
 - ❖ Online Webinars with free CLE credit
 - ❖ 23 User Reference Guides for attorneys, paralegals, law clerks, and judges
 - ❖ 15 Training Videos (5 minutes each) produced by our partner SC ETV





E-Filing Training Video

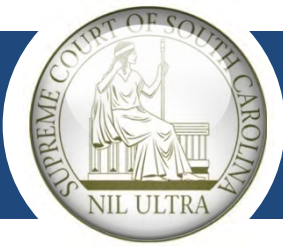




South Carolina Still Leads the Nation

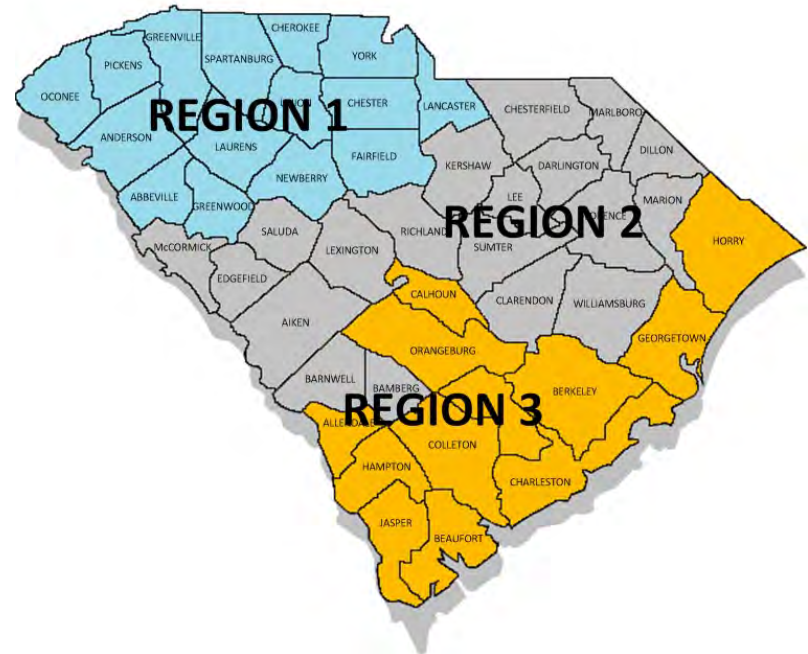
- ✓ **Highest Caseload Per Judge**
- ✓ **Lowest Number of Judges**

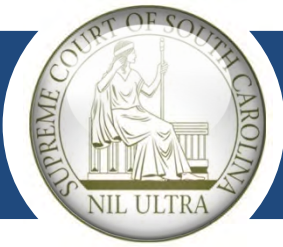




Improving the Management of Cases: Business Courts

- Three Business Court Regions created with two judges assigned to each region and two at-large judges
- The Business Court Judges will have exclusive jurisdiction over any business court case filed within his or her region
- Presiding Judges:
 - ❖ Region 1 - R. Lawton McIntosh
Edward W. Miller
 - ❖ Region 2 - George C. James, Jr. (Buck)
Clifton Newman
 - ❖ Region 3 - Maité Murphy
Roger M. Young, Sr.
 - ❖ At-Large - J. Derham Cole
Alison R. Lee
- Purpose is to increase the efficiency of the civil court by addressing complex business matters with specialized case management procedures

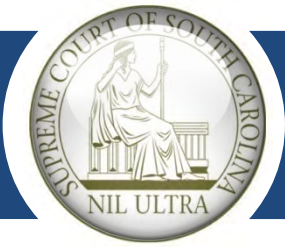




Commissions as Problem Solvers: Access to Justice

- The Commission is under the new leadership of Chair, Matthew Richardson
- Current Initiatives:
 - ❖ Collaboration with the SC Bar, Bar Foundation, and Legal Services to create a more robust, statewide Pro Bono Program with a full time Director
 - ❖ Development of a “one stop portal” that will provide the public with ready access to one intake system for their civil legal needs
 - ❖ Development of judicial training on how to effectively manage self-represented litigants. Judge R. Keith Kelly and Judge Rochelle Y. Conits will present today.

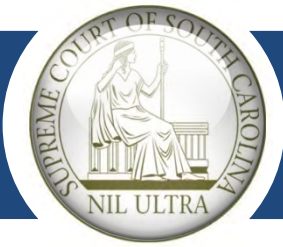




For the Good of the Order: Colloquium

- A book signing and Colloquium sponsored by the Supreme Court Historical Society will be held December 10 – 11, 2015 in Columbia to celebrate the release of *Madam Chief Justice*
- The Colloquium will focus on the importance of technology and the court system





For the Good of the Order: Judicial Salaries

The Stage Has Been Set

We Will Not Give Up





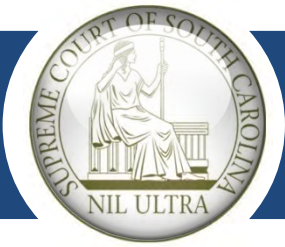
It Has Been a Team Effort





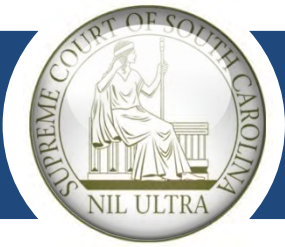
Passing of the Torch





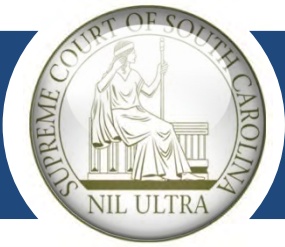
Passing of the Torch





How I Always End





What We Are All Working For

