

# The Supreme Court of South Carolina

RE: Access to Justice Commission

---

## ADMINISTRATIVE ORDER

---

**(a) Purpose.** The South Carolina Access to Justice Commission was established in 2007,<sup>1</sup> in recognition of the need to expand access to civil legal assistance for people of low income and modest means in South Carolina.

**(b) Membership.** The Access to Justice Commission shall consist of up to thirty-one appointed members. With the exception of ex officio members, members shall serve terms for three years with a maximum of two terms at the discretion of the Chief Justice. All current terms as of December 1, 2021, shall be extended to December 31, 2022, and the terms shall thereafter be staggered as described below. An entity represented on the Commission may request that the Chief Justice appoint or invite, as appropriate, a new member representing that entity for the duration of the existing term. The Chief Justice shall designate a Chair from the membership.

Members will be appointed as follows:

**(1) Judiciary.** The Chief Justice shall appoint nine representatives of the Court system consisting of:

**(A)** A Justice from the Supreme Court;

**(B)** A Judge from the Federal District or Federal Bankruptcy Court for a three-year term, with the initial term ending on December 31, 2025;

**(C)** A Circuit Court Judge for a three-year term, with the initial term ending on December 31, 2025;

---

<sup>1</sup> See Order 2007-01-31-01, as amended by Order 2014-10-20-01, as amended by Order 2016-08-10-04, as amended by Order 2019-01-28-01, as amended by Order 2022-06-22-01.

**(D)** A Family Court Judge for a three-year term, with the initial term ending on December 31, 2025;

**(E)** A Judge representing either Probate or Master-in-Equity Court appointed by the Chief Justice to serve a three-year term, with the initial term ending on December 31, 2025;

**(F)** One state Clerk of Court representative to serve for one three-year term, with the initial term ending on December 31, 2025;

**(G)** A Judge representing Magistrates Court appointed by the Chief Justice to serve a three-year term, with the initial term ending on December 31, 2025; and

**(H)** The Director of South Carolina Court Administration and the counsel to the Chief Justice shall serve as ex-officio members.

**(2) Practicing Lawyers.**

**(A)** The South Carolina Bar president will appoint one officer member to serve for a three-year term with the initial term ending on December 31, 2025;

**(B)** The South Carolina Bar Foundation president will appoint one officer member to serve for a three-year term, with the initial term ending on December 31, 2025;

**(C)** The Chief Justice will appoint one member from the South Carolina Association for Justice for a three-year term, with the initial term ending on December 31, 2025;

**(D)** The Chief Justice will appoint one member from the South Carolina Defense Trial Attorneys' Association for a three-year term, with the initial term ending on December 31, 2024;

**(E)** The Chief Justice will appoint one member from firms of more than 15 members for a three-year term, with the initial term ending on December 31, 2024;

**(F)** The Chief Justice will appoint one member from firms of less than 15 members for a three-year term, with the initial term ending on December 31, 2024;

**(G)** The Chief Justice will appoint one at-large attorney member for a three-year term, with the initial term ending on December 31, 2024; and

**(H)** The Chief Justice will appoint one member of the Young Lawyers Division of the South Carolina Bar for a three-year term, with the initial term ending on December 31, 2024.

**(3) Civil Legal Services.** The Chief Justice will appoint eight members to represent the interest of legal aid programs as follows:

**(A)** One board member and one staff member from South Carolina Legal Services to serve three-year terms, with the initial terms ending on December 31, 2024;

**(B)** One representative from South Carolina Appleseed Legal Justice Center to serve a three-year term, with the initial term ending on December 31, 2023;

**(C)** One representative from the South Carolina Bar Pro Bono Board to serve a three-year term, with the initial term ending on December 31, 2024;

**(D)** One representative from any other civil legal services program to serve a three-year term, with the initial term ending on December 31, 2023;

**(E)** The Executive Director and the Pro Bono Program Director for the South Carolina Bar shall serve as ex-officio members; and

**(F)** The Executive Director of the South Carolina Bar Foundation shall serve as an ex-officio member.

**(4) Law Schools.** The Chief Justice will appoint one representative from each of the accredited law schools in South Carolina who will serve a three-year term, with the initial term ending on December 31, 2023.

**(5) Public Members.**

**(A) Governmental Representative.** The Chief Justice will invite the Governor or his or her designee and two representatives from the South Carolina General Assembly to serve on the Commission for a three-year term, with the initial terms ending on December 31, 2023.

**(B) South Carolina Business Community Representative.** The Chief Justice will appoint one member to the Commission from the business community in South Carolina to serve for a three-year term, with the initial term ending on December 31, 2023, from the Association of Corporate Counsel, South Carolina Chapter.

**(6) General Appointments.** The Chief Justice may appoint additional non-voting advisory members at his or her discretion.

**(c) Responsibilities.** The Commission is charged with the following goals, purposes, and responsibilities:

**(1)** Identify and assess current and future needs of low-income South Carolinians for access to justice in civil matters by examining the full range and volume of such unmet legal needs periodically. This evaluation should: (a) determine and document how unrepresented people with legal disputes are attempting to meet these needs without attorneys, the extent to which these efforts are successful, and the consequences of the lack of attorney representation; (b) recognize the enormous efforts currently being made by attorneys to serve low-income South Carolinians; (c) analyze the need for funding and other resources to close the gap; and (d) address any other matters related to the delivery of equal access to justice in civil matters to all South Carolinians.

**(2)** Develop a strategic plan for delivery of civil legal services to low income South Carolinians throughout the state that will assist with the education of the public about the large gap between the ideal of equal access to the legal system and the reality of lack of representation.

**(3)** Foster coordination within the civil legal services delivery system and between legal aid organizations and other legal and non-legal organizations.

(4) Support increase of resources and funding for access to justice in civil matters. Analyze feasible options and strategies for pursuing such funding. Examine additional state, local, and other non-IOLTA funding.

(5) Encourage wise and efficient use of available resources through collaboration among legal aid and other organizations including other legal advocacy groups, non-legal advocacy groups, providers of social services, law schools, the court system, corporate and government law departments, and other state and local agencies.

(6) Develop and implement other initiatives designed to expand civil access to justice, such as increasing community education, enhancing technology, developing assisted pro se programs, and encouraging greater voluntary participation of the private bar in pro bono legal assistance to low-income people in South Carolina.

(7) Consider the legal needs and access to the civil justice system of persons whose income and means are such that they do not qualify under existing assistance programs, and propose initiatives designed to meet these needs.

**(d) Attendance.** Active member participation in Commission meetings and activities is vital to the Commission's success. Commission members who miss more than one Commission meeting or activity in a calendar year may be removed at the discretion of the Chief Justice.

s/Donald W. Beatty

Donald W. Beatty

Chief Justice of South Carolina

Columbia, South Carolina  
August 29, 2023