

The Supreme Court of South Carolina

Re: Amendments to South Carolina Appellate Court
Rules

Appellate Case No. 2023-001521

ORDER

Pursuant to Article V, Section 4 of the South Carolina Constitution, the South Carolina Appellate Court Rules are amended as provided in the attachment to this order. These amendments, which are effective immediately, reduce the number of copies required to be filed in lawyer and judicial disciplinary matters, certification for summary court judges, and for various applications for admission.

s/ Donald W. Beatty C.J.

s/ John W. Kittredge J.

s/ John Cannon Few J.

s/ George C. James, Jr. J.

s/ D. Garrison Hill J.

Columbia, South Carolina
October 11, 2023

Rule 402(g)(2), SCACR, is amended to provide:

(2) Determination of Fitness of Certain Law Students. A student enrolled in an ABA Approved Law School who has a character problem that might disqualify the student from being admitted to practice law may have the matter resolved by filing a provisional application. The application shall be made on a form approved by the Committee on Character and Fitness and shall be filed with the Clerk of the Supreme Court. . . .

Rule 405(b), SCACR, is amended to provide:

(b) Application. An attorney desiring a limited certificate of admission to practice law shall file with the Clerk of the Supreme Court an application on a form prescribed by the Supreme Court. . . .

Rule 28(g)(2), RLDE, Rule 413, SCACR, is amended to provide:

(2) Petition. Any lawyer transferred to incapacity inactive status shall be entitled to petition for transfer to active status once a year or at whatever shorter intervals the Supreme Court may direct in the order transferring the lawyer to incapacity inactive status or any modifications thereof. The lawyer shall serve a copy of the petition on disciplinary counsel and shall file the petition with the Clerk of the Supreme Court. The petition filed with the Clerk shall be accompanied by proof of service showing service on disciplinary counsel.

Rule 33(c), RLDE, Rule 413, SCACR, is amended to provide:

(c) Service and Filing of Petition. The lawyer shall serve a copy of the petition on disciplinary counsel and on the Commission on Lawyer Conduct and shall file the petition with the Supreme Court. The petition filed with the Supreme Court shall be accompanied by a filing fee of \$1,500 and proof of service showing service on disciplinary counsel and the Commission on Lawyer Conduct.

Rule 414(c), SCACR, is amended to provide:

(c) Application. An attorney desiring a limited certificate of admission shall file with the Clerk of the Supreme Court an application on a form prescribed by the Supreme Court. . . .

Rule 415(b), SCACR is amended to provide:

(b) Application. An attorney desiring a limited certificate shall file with the Clerk of the Supreme Court an application on a form prescribed by the Supreme Court accompanied by:

Rule 424(b), SCACR, is amended to provide:

(b) Application. An applicant under this rule shall file an application with the Clerk of the Supreme Court. The application shall be accompanied by a non-refundable application fee of \$1,000. . . .

Rule 28(g)(2), RJDE, Rule 502, SCACR, is amended to provide:

(2) Petition. Any judge transferred to incapacity inactive status shall be entitled to petition for transfer to active status once a year or at whatever shorter intervals the Supreme Court may direct in the order transferring the judge to incapacity inactive status or any modifications thereof. The judge shall serve a copy of the petition on disciplinary counsel and shall file the petition with the Clerk of the Supreme Court. The petition filed with the Clerk shall be accompanied by proof of service showing service on disciplinary counsel.

The final paragraph of Rule 509(c), SCACR is amended to provide:

After reviewing the examination papers, an applicant who feels an error has been made in grading an answer may petition the Supreme Court to have the answer regraded. The petition, accompanied by a filing fee of twenty-five (\$25.00) dollars, must be filed with the Supreme Court within ten (10) days of the applicant's review of the examination and must enumerate the alleged errors in grading. . . .