

The Supreme Court of South Carolina

Re: Electronic Sentence Sheet Application (ESSA), Amendment to Order filed July 22, 2024 and Appointment of Committee

ORDER

By Order dated July 22, 2024, the use of an Electronic Sentence Sheet Application (ESSA) was mandated in Lexington County on a pilot basis, and two other counties were scheduled to join the pilot program at later dates. In addition, a new sentencing sheet (Form SCCA 217) was adopted for use in all other counties.

Based on input received from circuit judges, circuit solicitors and other stakeholders, I find the ESSA and the sentencing sheet need further study prior to any additional implementation. Pursuant to the provisions of Article V, Section 4 of the South Carolina Constitution, the July 22, 2024 Order is amended as follows.

The pilot program mandating the use of the ESSA for Lexington County Court of General Sessions that commenced July 24, 2024, shall continue. However, the scheduled pilot programs in the Cherokee County Court of General Sessions (effective August 19, 2024) and the Union County Court of General Sessions (effective August 26, 2024) are held in abeyance, pending further study of the ESSA.

The sentencing sheet approved on July 24, 2024, may continue to be used. In addition, an earlier version of the sentencing sheet may be used if doing so will not prevent essential sentencing information from being entered into the trial court case management system (CMS).

A sentencing sheet which meets the needs of the bench, bar and other stakeholders is essential to the proper and efficient operation of the Court of General Sessions. Further, recording sentencing information electronically will help enhance the accuracy of that information, and will facilitate the prompt and efficient transmission of sentencing information to the South Carolina Department

of Corrections, local detention centers and other governmental agencies having a need for this information. I commend those who have worked on the current sentencing sheet and the ESSA for their efforts to attain these goals.

Based on the need for further study to determine the most effective means to obtain these goals, I appoint a Committee chaired by the Honorable George C. James, Jr., Supreme Court Justice. The Committee shall consist of two circuit judges selected by the Circuit Court Judges' Advisory Committee, two circuit solicitors selected by the South Carolina Solicitors' Association, two circuit public defenders selected by the South Carolina Public Defender Association, at least one representative of a Clerk of Court (selected by Justice James), and at least one representative of Court Administration (selected by me). Justice James and I shall be notified in writing on or before August 30, 2024, of the members selected for service on the Committee. In addition, Justice James may add such additional members to the Committee as he may determine is appropriate.

It is my desire that the Committee will convene as soon as is practical, as directed by Justice James, to study and make recommendations regarding the best means to obtain these goals. While this may include revisions to the ESSA or the sentencing sheet, the Committee may consider other alternatives. Before finalizing its recommendations to me, the Committee shall share its proposed recommendations with all stakeholders, and adjust its recommendations as appropriate.

s/John W. Kittredge
John W. Kittredge
Chief Justice

Columbia, South Carolina
August 16, 2024