

The Supreme Court of South Carolina

RE: Chief Judges for Administrative Purposes of the Summary Courts

ORDER

The judges of the magisterial and municipal courts, hereinafter referred to as “summary courts,” of South Carolina being a part of the unified statewide judicial system and pursuant to the provisions of Article V, Section 4 of the South Carolina Constitution,

IT IS ORDERED that the judges of the magisterial courts listed below be designated as Chief Judge or Associate Chief Judge for Administrative Purposes of the Summary Courts in the counties in which they hold office.

Chief Judges and Associate Chief Judges for Administrative Purposes, as well as all other County magistrates, who are designated as full-time, are prohibited from engaging in outside employment, judicial or otherwise, during the hours of 9:00 a.m. to 5:00 p.m., Monday through Friday unless authorized in writing by their respective County governing body and approved by South Carolina Court Administration.

<u>County</u>	<u>Chief Judge</u>	<u>Associate Chief Judge</u>
Abbeville	Judge T.T. Mitchum	
Aiken	Judge P.Y. Rushton	Judge D.H. Williamson
Allendale	Judge W.D. Branch, Jr	
Anderson	Judge W.D. Eubanks	Judge C.B. Murphy
Bamberg	Judge R.C. Threath	
Barnwell	Judge J.W. Gantt	Judge S.W. Anderson
Beaufort	Judge L.G. Scott	Judge E.G. Vaux

County	Chief Judge	Associate Chief Judge
Berkeley	Judge R.S. Deaton	Judge W.V. Baggett
Calhoun	Judge J.P. Bloom	
Charleston	Judge R.L. Singleton-Brown	Judge S.M. Perry
Cherokee	Judge W.D. Cobb	
Chester	Judge O.D. Williford	
Chesterfield	Judge J.K. Melton	
Clarendon	Judge R. L. Moody	Judge M.E. Johnson
Colleton	Judge H.A. Bonds	Judge E.O. Duffie, III
Darlington	Judge D.B. Curtis	
Dillon	Judge L.J. Williams	
Dorchester	Judge R.A. Demott	Judge T.S. Richardson
Edgefield	Judge G.D. Hitt	
Fairfield	Judge V.C. Hollins	
Florence	Judge D. Kelly	Judge K.B. Cox
Georgetown	Judge J.A. Love	Judge S.C. Pop
Greenville	Judge J.D. Anders	Judge L. Foster
Greenwood	Judge C.D. Warren	Judge C.M. Henderson
Hampton	Judge T.P. Alexander	
Horry	Judge M.A. Clayton	Judge M.A. Harris

County	Chief Judge	Associate Chief Judge
Jasper	Judge J.S. Lee	
Kershaw	Judge J.E. Davis	
Lancaster	Judge C.M. Ingram	Judge F.A. Thomas
Laurens	Judge D.J. Bron	Judge W.M. Wham
Lee	Judge S.C. Davidson	
Lexington	Judge M.A. Johnson	Judge G.S. Morgan
Marion	Judge K.B. Tiller	Judge K.D. Fling
Marlboro	Judge M.D. Weaver	
McCormick	Judge P.L. Smith	
Newberry	Judge R.C. Halfacre	
Oconee	Judge B.A. Norton	
Orangeburg	Judge D.F. Dash	Judge M.D. Williamson
Pickens	Judge B.A. Dow	Judge M.A. Baker
Richland	Judge V.R. Stroman	Judge H.A. Cuff
Saluda	Judge W.R. Freeman	
Spartanburg	Judge Q.M. Wood	Judge J.T. Wall
Sumter	Judge W.M. Gamble	Judge L. Blanding
Union	Judge D.K. Morrow	
Williamsburg	Judge M.I. Easler	Judge R.B. Foxworth

<u>County</u>	<u>Chief Judge</u>	<u>Associate Chief Judge</u>
----------------------	---------------------------	-------------------------------------

York County	Judge T.L. Bomar-Howze	Judge D.W. Sexton
-------------	------------------------	-------------------

A Chief Judge's authority shall include, but not be limited to, the following:

1. Coordinate with the Office of South Carolina Court Administration (hereinafter "Court Administration") on all matters pertaining to summary court judges in the county.

2. Coordinate the activities of the summary court judges of the county with other affected persons and/or agencies to ensure cooperation and effective judicial service.

3. Establish with the other magistrates of the county a schedule so arranged that a magistrate will be available, in person or on call, in the county to issue warrants and conduct bail proceedings. The bail proceedings schedule shall comply with the provisions of the Order of the Chief Justice dated September 19, 2007, outlining certain bond procedures in those courts. The Chief Judge shall also inform the municipal courts of the details of the county magisterial court schedule to ensure the availability of a magistrate to issue warrants and conduct bail proceedings for the municipal courts when the municipal judge is unavailable. However, time after normal business hours and weekends does not constitute unavailability in and of itself.

4. Establish a procedure with all municipal courts within the county whereby those municipal courts provide the Chief Judge with a monthly bond schedule indicating their availability for bond court.

5. Monitor all summary court judges within the county to ensure compliance with the above-referenced Order dated September 19, 2007. The monitoring shall include, but shall not be limited to, ensuring that: bond hearings are being conducted twice daily; the constitutional and statutory rights of defendants and victims are being upheld; bonds are neither excessive nor limited to cash only; and no irregular practices, as outlined in the above-referenced Order, are occurring.

6. Establish within the county a procedure to ensure that Certificates of Transmittal are completed, and the appropriate documents (warrants or other charging papers, checklists, bond forms, and checks for cash bonds received) are attached and transmitted with fifteen (15) days to the appropriate magistrate, municipal judge, or Clerk of Court of General Sessions having jurisdiction over the case.

7. Call a meeting, at least on a quarterly basis, of all summary court judges in the county to formulate uniform procedures in the county summary court system. Require that all summary court judges, who have court bank accounts, bring to the quarterly meetings documentary proof of all monthly reconciliations of those bank accounts since the previous quarterly meeting. A minimum of one municipal judge from each municipality within the county shall be required to attend these meetings.

8. Coordinate the planning of budgets for the magistrates in the county, with those magistrates' input, and appear before the county governing body to present and justify the budget request.

9. Attend schools and meetings for Chief Judges that are called to implement policies and procedures under this and other Orders.

10. Set terms of court, both civil and criminal, when terms are necessary for the disposition of any cases with the jurisdiction of the magisterial court.

11. Provide for the orderly assignments of any case within the jurisdiction of the magisterial court to any magistrate of the county, regardless of whether the case is transferred from circuit court or originally filed in the magisterial court.

12. Designate the hours of operation of each magistrates court office in the county, and designate the hours during which each magistrate shall be present in the office, based upon the number of hours fixed for each magistrate by the county governing body.

13. Collect and review information concerning the age of pending civil and criminal cases from the other magistrates and municipal judges in the county on a quarterly basis to ensure that all: nonjury civil cases are disposed of within ninety (90) days of filing; jury civil cases are disposed of within one hundred twenty (120) days of filing; nonjury criminal cases are disposed of within sixty

(60) days of arrest; and jury criminal cases are disposed of within one hundred twenty (120) days of arrest.

14. When any summary court judge in the county dies, retires, is suspended, goes out of office, becomes incapacitated, is unable to perform the duties of their office, and when a successor has not been nominated or qualified, the Chief Judge shall immediately take custody, or provide for the orderly transfer, of all records, past and present. These include civil and criminal dockets, warrant books, receipt books, financial records including official checking account statements and stubs, bank accounts and any funds contained therein, the Code of Laws, pending and disposed warrants, tickets, NRVC's, and other court records.

15. Ensure that Court Administration is provided written notification of the appointment, retirement, resignation, suspension, or death of any summary court judge, whether municipal or magistrate, within the county.

16. Appoint, coordinate, and assign constables throughout the county, in those counties that utilize constables, to ensure cooperation and effective judicial service.

17. Establish within the county a procedure with all summary court judges and appropriate public officials to ensure that court-generated revenues are collected, distributed, and reported in an appropriate and timely manner.

18. Monitor all requests for recusals countywide. When all magistrates have recused themselves from a particular case in order to avoid the appearance of impropriety, the Chief Judge shall request from the Chief Justice, by and through Court Administration, a judge from outside of that county be assigned to dispose of the case by order of the Chief Justice.

19. Report to Court Administration any significant or repetitive non-compliance by any summary court judge in the county concerning the Chief Judge's execution of the provisions of this Order.

No order issued by the Chief Judge under the authority of this Order shall be effective unless the order is filed with Court Administration and approved for consistency with statewide administrative policies.

Associate Chief Judges appointed in this Order shall act in the absence or disability of the Chief Judge. They shall also perform administrative duties that are assigned to them by the Chief Judges.

The authority conferred on the Chief Judges and Associate Chief Judges for Administrative Purposes of the Summary Courts by this Order shall become effective on August 19, 2024 and shall continue through December 31, 2024, unless amended or revoked by Order of the Chief Justice.

Within two weeks of appointment, all Chief Judges shall reconcile each court bank account from each summary court judge in the county that has court bank accounts and shall report any findings regarding discrepancies to Court Administration.

The order dated June 20, 2024, is rescinded.

s/John W. Kittredge

John W. Kittredge

Chief Justice of South Carolina

Columbia, South Carolina
August 16, 2024