

ANNUAL REPORT OF JUDICIAL DISCIPLINE IN SOUTH CAROLINA 2015 - 2016

COMPLAINTS PENDING & RECEIVED:

Complaints Pending June 30, 2015	27	
Complaints Received July 1, 2015 – June 30, 2016	<u>294</u>	
Total Complaints Pending and Received		<u>321</u>

DISPOSITION OF COMPLAINTS:

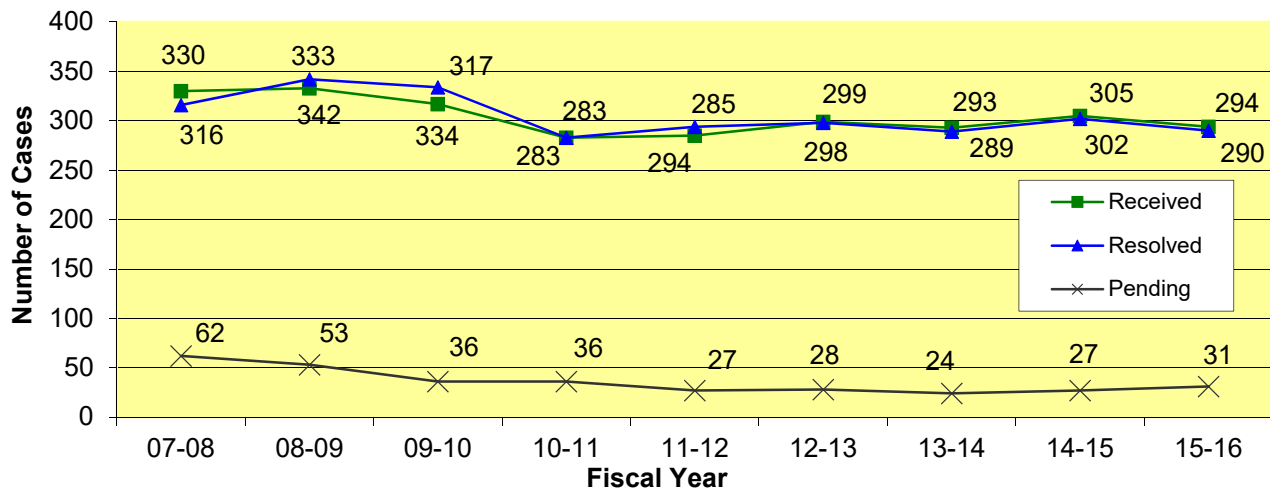
Dismissed:

By Disciplinary Counsel after initial review (no jurisdiction)	172	
By Disciplinary Counsel after investigation (lack of evidence)	24	
By Investigative Panel	79	
By Supreme Court	<u>0</u>	
Total Dismissed		<u>(275)</u>

Not Dismissed:

Referral to Another Agency	0	
Closed but not Dismissed	1	
Closed due to Death	1	
Deferred Discipline Agreement	0	
Letter of Caution	13	
Confidential Admonition	0	
Public Reprimand	0	
Suspension	0	
Removal from Office	<u>0</u>	
Total Not Dismissed		<u>(15)</u>

Total Complaints Resolved (290)
Total Complaints Pending as of June 30, 2016 31



JUDICIAL POSITION*:

Magistrate	110	Master/Referee	13
Circuit Court Judge	75	Appellate Court Judge	5
Family Court Judge	44	Administrative Law Judge**	1
Municipal Court Judge	22	Judicial Candidate	1
Probate Court Judge	18	Unknown	1

*These figures represent the number of complaints filed against each type of judge.

**By statute enacted in 2014, discipline of administrative law judges was changed from the State Ethics Commission to the Commission on Judicial Conduct.

SOURCE OF COMPLAINT:

Litigant	83.39%	
Family/Friend of Litigant	3.80%	
Victim/Litigation Witness	2.42%	Less than 1.00%:
Citizen (not involved in case)	2.08%	Family/Friend of Victim/Witness
Disciplinary Counsel	1.73%	Anonymous
Self-Report	1.73%	Another Judge
Attorney	1.38%	
Public Official/Agency/Law Enforcement	1.38%	

CASE TYPE:

Criminal	44.79%	
Domestic	15.28%	
Not Case Related	7.29%	
General Civil	6.94%	Less than 1.00%:
Probate	6.25%	Real Estate
Landlord/Tenant	4.86%	Regulatory/Zoning/Licensing
Debt Collection/Foreclosure	3.47%	Professional Negligence
Property Dispute/Claim & Delivery	3.13%	Personal Injury
Post-Conviction Relief	2.78%	
Contract Dispute	2.08%	
Employment	1.04%	

ALLEGED MISCONDUCT:

Fairness/Bias/Prejudice	53.93%	Less than 1.00%:
Civility/Temperament	10.71%	Domestic Conduct
Competence	9.29%	Trust Account Conduct
Disqualification/Recusal/Conflict	8.21%	Business Transactions Conduct
Diligence	5.71%	Supervision/Employee Relations
Ex Parte Communication	4.29%	Political Activity/Campaign
Criminal Conduct	1.43%	Unauthorized Practice of Law

SUBSTANCE ABUSE/MENTAL HEALTH:

One complaint involved substance abuse or mental health issues. That complaint involved alcohol abuse.

COMMISSION ON JUDICIAL CONDUCT

COMMISSION PROCEEDINGS:

Meetings of Investigative Panels	5
Formal Charges Filed	0
Disciplinary Hearings	0
Incapacity Proceedings	0
Meetings of Full Commission	1

REQUESTS FOR DISMISSAL REVIEW:

Requests for Review by Complainant	5
Dismissal Affirmed	(5)
Case Remanded for Further Investigation	<u>(0)</u>
Dismissal Reviews Pending	0

JUDGES BEING MONITORED:

New Monitor Files Opened	0
Judges Currently Monitored	0

SUPREME COURT OF SOUTH CAROLINA

DISCIPLINARY ORDERS*:

Dismissal	0
Letter of Caution	0
Admonition	0
Public Reprimand	0
Definite Suspension	0
Removal from Office	0
Transfer to Incapacity Inactive	0
Interim Suspension	1

*These figures represent the number of orders issued by the Supreme Court, not the number of complaints resolved. One disciplinary order might conclude multiple complaints.

COMPLAINTS REFERRED TO SUPREME COURT:

Complaints resolved	0
Pending as of June 30, 2016	1