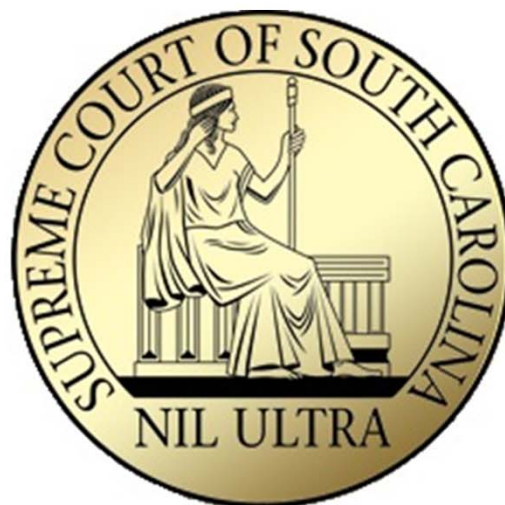


**2013 Annual Judicial Conference**  
**August 22, 2013**



**Chief Justice Jean Hoefler Toal**

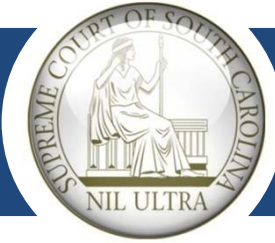


## In Memoriam

**Retired Circuit Court Judge B. Hicks Harwell**



**1933 - 2012**

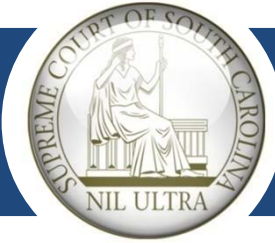


# Welcome to the South Carolina Courts

## ➤ 11 new trial judges began July 1st

Circuit Court	
At-Large, Seat 14	R. Keith Kelly, Woodruff, S.C.
At-Large, Seat 15	Maité Murphy, North Charleston, S.C.
At-Large, Seat 16	Donald Bruce Hocker, Laurens, S.C.

Family Court	
5th Circuit, Seat 2	Michelle Manigault Hurley, Columbia, S.C.
8th Circuit, Seat 3	Joseph Collins Smithdeal, Greenwood, S.C.
At-Large, Seat 1	Kelly Pope, Lyman, S.C.
At-Large, Seat 2	Tony Miller Jones, Rock Hill, S.C.
At-Large, Seat 3	James G. McGee, III, Florence, S.C.
At-Large, Seat 4	Monét S. Pincus, Columbia, S.C.
At-Large, Seat 5	Randall Edward McGee, St. Matthews, S.C.
At-Large, Seat 6	David Earl Phillips, Easley, S.C.



## South Carolina Circuit Court Caseload



RANKING	STATE	JUDGES per 100,000 POPULATION	FILINGS per JUDGE
1	Massachussetts	1.3	379
2	Idaho	2.7	516
3	Alaska	5.6	537
...	...	...	...
<b>NATIONAL AVERAGE</b>		<b>3.1</b>	<b>1780</b>
...	...	...	...
48	Florida	3.2	3100
49	New Jersey	4.7	3410
50	South Carolina	1.0	5060

Results of joint study by COSCA, BJA and NCSC

Report for 2010 which is the most current year for which statistics are available

➤ **South Carolina continues to have:**

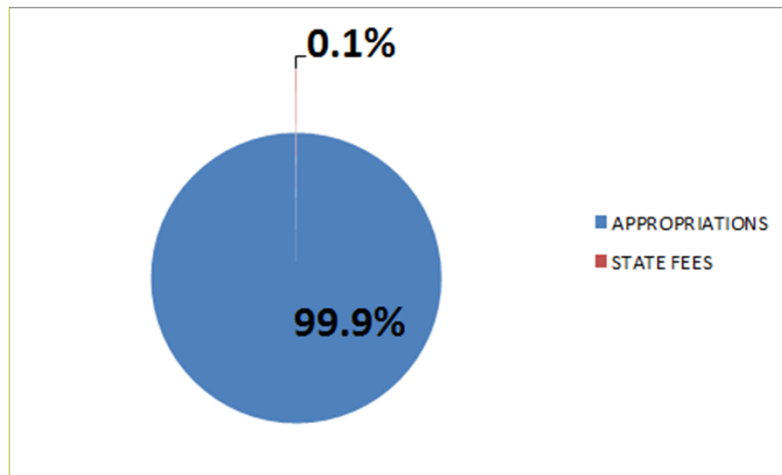
- ❖ **Fewest judges per population**
- ❖ **More than twice the national average of filings per judge**



## Funding Sources in 2000 Compared to This Year

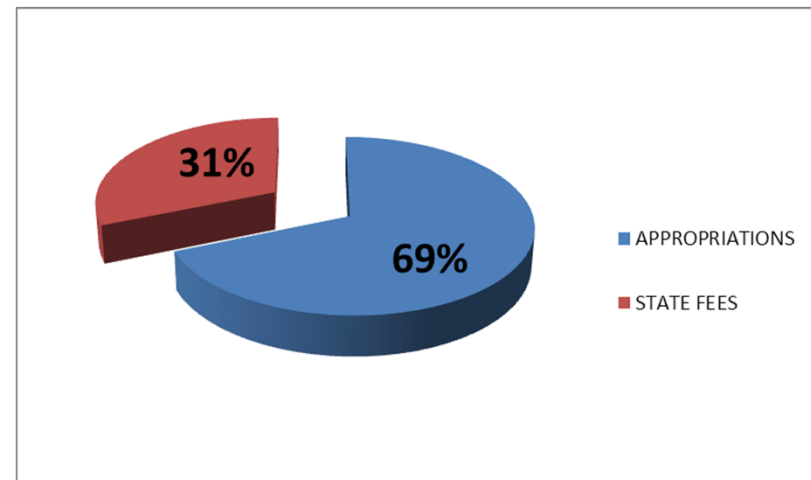
*Since 2000, the Judicial Department has developed multiple funding sources so all funding is not completely dependent upon appropriations from the Legislature.*

**FY 2000 - 2001**

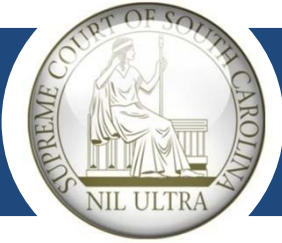


**Expenditures = \$46,553,075**

**FY 2013 - 2014**



**Expenditures = \$65,608,824**

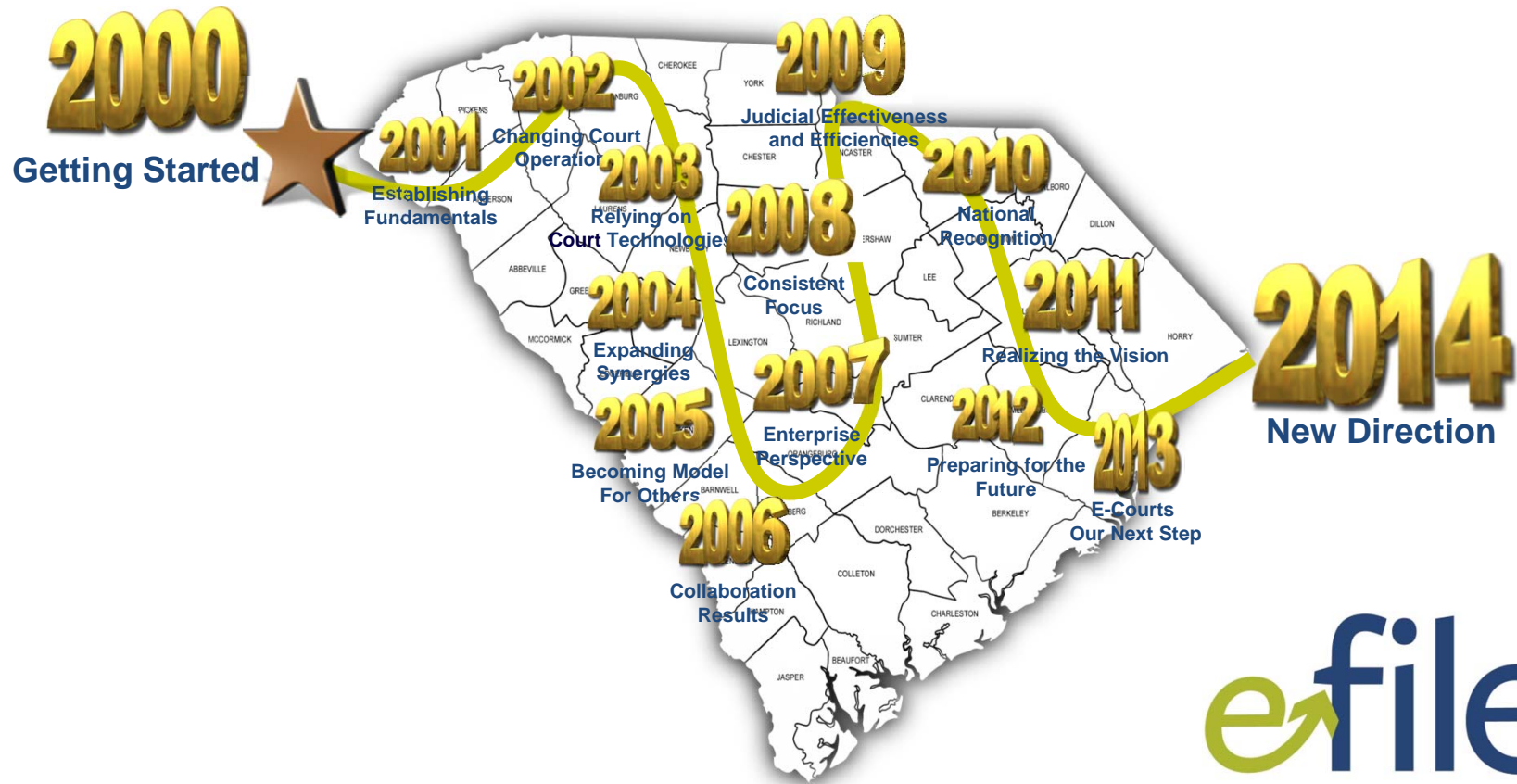


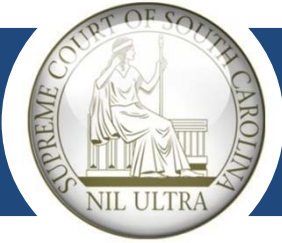
## SCJD Estimated Expenditures for FY 2013 – 2014

FISCAL YEAR	GENERAL FUNDS	STATE FEES and OTHER FUNDS	FEDERAL FUNDS	SHORTFALL	TOTAL EXPENDITURES
FY 2000 - 2001	\$46,486,500	\$66,575			\$46,553,075
FY 2001 - 2002	\$39,014,860	\$2,849,873	\$928,311		\$42,793,044
FY 2002 - 2003	\$35,685,629	\$6,683,806	\$2,897,322		\$45,266,756
FY 2003 - 2004	\$31,849,253	\$10,105,241	\$5,831,459		\$47,785,953
FY 2004 - 2005	\$32,650,207	\$12,207,897	\$4,664,535		\$49,522,639
FY 2005 - 2006	\$33,958,408	\$14,390,096	\$5,755,279		\$54,103,783
FY 2006 - 2007	\$36,631,439	\$15,065,443	\$5,053,703		\$56,750,585
FY 2007 - 2008	\$38,758,746	\$15,676,166	\$5,495,072		\$59,929,984
FY 2008 - 2009	\$30,662,336	\$16,756,185	\$6,262,290	\$6,653,495	\$60,334,306
FY 2009 - 2010	\$22,782,531	\$18,722,279	\$8,985,511	\$6,921,200	\$57,411,521
FY 2010 - 2011	\$37,623,159	\$16,796,023	\$6,515,150		\$60,934,332
FY 2011 - 2012	\$37,507,247	\$17,422,194	\$5,537,336		\$60,466,777
FY 2012 - 2013	\$44,632,218	\$14,273,643	\$2,445,896		\$61,351,757
<i>Authorized for</i> FY 2013-2014	\$45,110,824	\$20,498,000	\$0		\$65,608,824



# SCJD Technology Roadmap



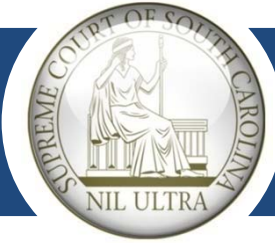


## SCJD Security

- **SCJD's employee security awareness activities continue**
- **SCJD has strengthened the SC Courts' security policy**
  - ❖ **Stronger passwords**
  - ❖ **90 day expiration of passwords**
  - ❖ **Computers automatically lock after 30 minutes**
  - ❖ **Reimaging computers before issuing to new employees**







## Statewide Court Case Management System

- **The CMS and JMS systems continue to be enhanced**
- **2013 functionality includes:**
  - Images available on the Central Index
  - 90+ other fixes and enhancements
- **SCJD continues to be a key member of the SC Traffic Records Coordinating Committee. The Committee's mission is to implement an electronic ticketing system in South Carolina**
- **SCJD is now hosting 41 of the 46 counties in its data center**

The letters "CMS" in a large, 3D, blue font with a slight shadow underneath.

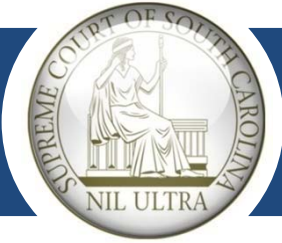


## Appellate Court Case Management System

### ➤ Appellate CMS Milestones:

- ❖ Supreme Court justices and Court of Appeals judges are circulating opinions electronically
- ❖ Statistical reporting is live
- ❖ Public access. First phase of public access will go live this fall. Staff testing is underway





## Masters-In-Equity

➤ The final two Master-In-Equity courts went live this month

Abbeville (H)	Allendale (H)	Beaufort (H)
Berkeley	Calhoun (H)	Charleston
Clarendon (H)	Kershaw (H)	Lee (H)
Georgetown (H)	Aiken (H)	Sumter (H)
Dorchester (H)	Spartanburg (H)	Anderson (H)
Oconee (H)	Horry (H)	York (H)
Orangeburg (H)	Greenville	Lexington
Richland		



**100% Complete**



## Electronic Filing

- The efile contract was awarded July 1<sup>st</sup> to Tybera Corporation of Orem, Utah
- Tybera Corporation has over 10 years of efile experience in more than 7 states and 5 large, metropolitan jurisdictions
- The Efile Advisory Committee met August 8<sup>th</sup> to see a demonstration of Tybera's base application
- Customization of the system for South Carolina started August 9<sup>th</sup>
- Greenville, Richland, Charleston, and Clarendon will be the first pilot counties

**e**file  
SC COURTS





## Docket Management Task Force

- Justice Kaye G. Hearn is Chair of the Docket Management Task Force
- Purpose was to review court operations, consistency, and effectiveness to maximize the use of court resources
- The Task Force was comprised of three subcommittees: Common Pleas, General Sessions, and Family Court
- Orders implementing many of the Task Force's recommendations have been signed and others are pending





# Docket Management Recommendations

## Common Pleas Subcommittee

- Fast Track Jury Trials implemented statewide
- Reform PCR process
- Increase mandatory mediation (another 1/3 of circuits now require mandatory mediation)
- Implement short notice trial docket
- Maximize the use of chambers weeks

## General Sessions Subcommittee

- Implement a uniform docket management system
- Expand the use of General Sessions Non-Jury terms of court
- Expand alternate sentencing programs

## Family Court Subcommittee

- Implement ABC Docket, a method of scheduling cases for trial, in all circuits.
- Increase mandatory mediation
- Develop Short Form Financial Declaration form
- Schedule temporary hearings within 4 weeks of the hearing request
- Limit pages of affidavits



## General Sessions Docket

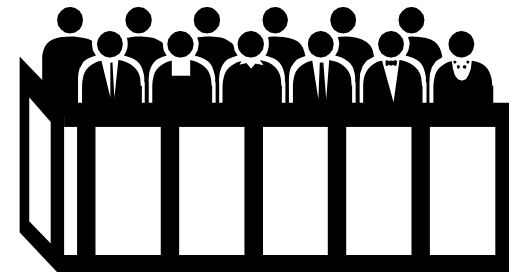
- **Drain the Swamp**: An Administrative Order will be issued requiring Solicitors to reconcile their pending cases with Clerks of Courts and Public Defenders
  
- The Court is examining a system for differentiated case management which will set all cases on tracks or scheduling orders:
  - For **cases less than 545 days old**, Judges, Solicitors, and defense attorneys in counties which have in place a differentiated case management order tailored to that county will collaborate to set deadlines to process cases from bond hearings, the scheduling of first and second appearances, and the scheduling of pleas or trials
  
  - **Cases over 545 days old** will be exclusively managed by the Chief Judge for Administrative Purposes and will be either set for trial or dismissed





## Fast Track Jury Trials

- **Fast Track Jury Trials adopted statewide on March 7th**
- **A Fast Track Jury Trial is a voluntary, binding jury trial before a reduced jury panel and a mutually selected Special Hearing Officer**
- **Used on an *ad hoc* basis in Charleston and has proven to be successful.**
- **Fast Track Jury Trials:**
  - **Last no more than 1 day**
  - **Consist of no more than six jurors**
  - **Involve an abbreviated case presentation with relaxed rules of evidence**
  - **No post-trial motions or right to appeal**
  - **Aids in the efficient use of judicial resources**



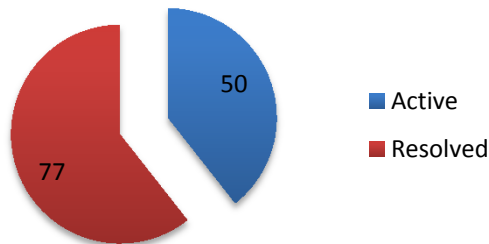




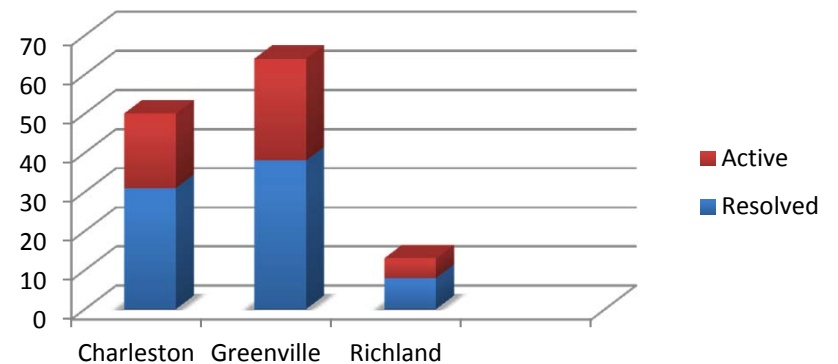
# Business Courts

- Business Court Pilot Program extended through December 1st
- Presiding Judges:
  - ❖ Charleston – Roger M. Young, Sr.
  - ❖ Greenville – Edward W. Miller
  - ❖ Richland – Clifton Newman
- Purpose is to increase the efficiency of the civil court by addressing complex business, corporate, and commercial matters with specialized case management procedures
- Currently considering how and when to **expand the pilot program statewide**

**Total Caseload**



**Caseload by County**





## Second Annual South Carolina Pro Bono Summit

- The Second Annual Access to Justice Pro Bono Summit will be held on October 21st in conjunction with the ABA's National Pro Bono Celebration
- The first Summit was a huge success and led many law firms to adopt pro bono policies. It also inspired pro bono participation all over the state
- Representatives from over 35 law firms and organizations will attend
- Summit will be held annually



National Pro Bono Celebration  
October 20 - 26, 2013



## Summary Court Judges Pilot Mentoring Program

- Created by the Commission on the Profession to assist newly appointed Summary Court Judges in their progression to the bench
- Circuit and Family Court Judges as well as Masters-in-Equity shall serve as mentors to the new judges for one year
- Uniform mentoring plan will be provided
- Objectives of the program:
  - ❖ Prepare new judges for their role in the judicial process
  - ❖ Teach high ethical standards and professionalism
- A certificate of completion will be provided at the end of the program





## Family Court Update

- **Child Support Enforcement System (CSES) continues to be developed by DSS now as a state project while in litigation with Hewitt Packard**
- **Family Court Case Management System (FCCMS) continues to be part of the DSS CSES project**
- **The Clerks of Court are represented by David Hamilton and Beulah Roberts**
- **Smith Data/QS1's support of their Family Court applications will continue until the state's CFS applications are implemented**

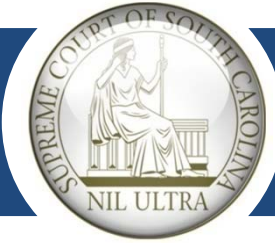




## Judicial Department Recognized as 2013 Top Ten Court Websites

- The Forum on the Advancement of Court Technology (FACT) named [sccourts.org](http://sccourts.org) among this year's winners of the [Top Ten Court Websites Award](#)
- A three-judge panel independently evaluates each website based on criteria such as: access to public records, electronic services offered, optimization for mobile technology, 508 compliance, and usability





## Recognition by the Solicitors Regulation Authority of the United Kingdom

- **South Carolina has been approved as a Recognized Jurisdiction for the Qualified Lawyer Transfer Scheme (QLTS) for the Solicitors Regulation Authority of the United Kingdom**
- **The QLTS is a series of tests that enables internationally qualified attorneys to become English solicitors**
- **To be eligible to take the QLTS assessments, you must be a qualified attorney in a recognized jurisdiction**
- **South Carolina attorneys are now eligible to take the QLTS assessments**





## National Conference of Appellate Court Clerks

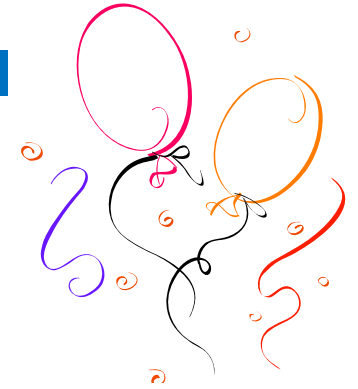
- **Jenny Kitchings**, Clerk of Court of the SC Court of Appeals, and **John Reynolds**, Dynamic Solutions Coordinator, presented on the implementation of iPads in the appellate courts at the National Conference of Appellate Court Clerks (NCACC) in Seattle at the Court Technology Conference
- The presentation focuses on the judges' use of iPads at the Court of Appeals
- Our judges use iPads to access C-Track, view and annotate documents, electronically circulate opinions, view digital exhibits, and view audio and video recordings of oral arguments





## Happy Farewell

**Wishing them a wonderful retirement:  
Tom Timberlake, Finance and Personnel  
Motte Talley, Court Administration**







## For the Good of the Order

***Our strong work ethic encourages public trust and confidence in the rule of law and South Carolina's Judicial Branch.***

