



The Supreme Court of South Carolina

JEAN HOEFER TOAL
CHIEF JUSTICE

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MEMORANDUM

TO: All Sheriffs
All Chiefs of Police
All City and County Prosecutors

FROM: The Honorable Jean Hoefer Toal

RE: Disposal of DUI/DUAC Cases in the Summary Courts Statewide

DATE: March 22, 2011

Beginning Monday, March 21, 2011, I will be issuing individual Orders to Chief Magistrates and Chief Administrative Municipal Court Judges statewide directing that they dispose of all pending DUI/DUAC cases within one-hundred twenty (120) days that are in violation of my time disposition Order for those courts issued February 14, 2011. Due to the enormity of this directive, I am asking for your cooperation in disposing of these cases in the following regards.

- Realistically evaluate the merits of each and every case, starting with the older cases and moving forward.
- Give prosecuting arresting officers the authority to negotiate cases when appropriate.
- Make every effort to honor your required court appearances. I am directing affected summary court judges to scrutinize continuances in these cases.
- Promptly comply with discovery requests from defendants and defendant's attorneys.

I am sending similar requests to the Department of Public Safety, solicitors, the Bar, and the circuit and family court bench. Should you have questions or suggestions concerning this matter, please do not hesitate to contact me or my staff.

JHT/mhb