



The Supreme Court of South Carolina

JEAN HOEFER TOAL
CHIEF JUSTICE

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MEMORANDUM

TO: All Solicitors

FROM: The Honorable Jean Hoefer Toal

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

DATE: March 22, 2011

I am deeply concerned with the current backlog of DUI/DUAC cases in the summary courts statewide. 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 with the summary courts in disposing of these cases. As you are aware, Rule 601, SCACR, Conflicts in Hearing Dates, gives circuit and family courts priority over the summary courts in all matters. Over the next 120 days and longer if subsequent orders are issued, I ask that you be tolerant in the release of trial attorneys from circuit and family courts when their appearance conflicts with the disposition of a DUI/DUAC case within the summary courts.

I would also urge you to take an active role in disposing of these cases. Your leadership and resources could go a long way in our efforts. If you have assistant solicitors available to prosecute these cases, please assign them. If you have strategic suggestions to offer to your local summary court judges, please do so.

I am sending a similar request to the circuit and family court bench asking for their assistance as well. Should you have questions or suggestions concerning this matter, please do not hesitate to contact me or my staff.

JHT/mhb