

<b>AGENCY NAME:</b>	South Carolina Judicial Branch		
<b>AGENCY CODE:</b>	B040	<b>SECTION:</b>	57



**Fiscal Year 2025-26  
Agency Budget Plan**

**FORM A - BUDGET PLAN SUMMARY**

**OPERATING  
REQUESTS  
(FORM B1)**

**For FY 2025-26, my agency is (mark "X"):**

<input checked="" type="checkbox"/>	Requesting General Fund Appropriations.
<input type="checkbox"/>	Requesting Federal/Other Authorization.
<input type="checkbox"/>	Not requesting any changes.

**NON-RECURRING  
REQUESTS  
(FORM B2)**

**For FY 2025-26, my agency is (mark "X"):**

<input checked="" type="checkbox"/>	Requesting Non-Recurring Appropriations.
<input type="checkbox"/>	Requesting Non-Recurring Federal/Other Authorization.
<input type="checkbox"/>	Not requesting any changes.

**CAPITAL  
REQUESTS  
(FORM C)**

**For FY 2025-26, my agency is (mark "X"):**

<input type="checkbox"/>	Requesting funding for Capital Projects.
<input checked="" type="checkbox"/>	Not requesting any changes.

**PROVISOS  
(FORM D)**

**For FY 2025-26, my agency is (mark "X"):**

<input checked="" type="checkbox"/>	Requesting a new proviso and/or substantive changes to existing provisos.
<input type="checkbox"/>	Only requesting technical proviso changes (such as date references).
<input type="checkbox"/>	Not requesting any proviso changes.

Please identify your agency's preferred contacts for this year's budget process.

	<u>Name</u>	<u>Phone</u>	<u>Email</u>
<b>PRIMARY CONTACT:</b>	Dan Shearouse	(803) 734-1800	DShearouse@sccourts.org
<b>SECONDARY CONTACT:</b>	Paul Magargle	(803) 734-0642	pmagargle@sccourts.org

I have reviewed and approved the enclosed FY 2024-25 Agency Budget Plan, which is complete and accurate to the extent of my knowledge.

<b>SIGN/DATE:</b>	<u>Agency Director</u> 	<u>Board or Commission Chair</u>
<b>TYPE/PRINT NAME:</b>	Chief Justice John W. Kittredge	

*This form must be signed by the agency head – not a delegate.*

Agency Name:	Judicial Department
Agency Code:	B040
Section:	57

BUDGET REQUESTS			FUNDING					FTES				
Priority	Request Type	Request Title	State	Federal	Earmarked	Restricted	Total	State	Federal	Earmarked	Restricted	Total
1	B2 - Non-Recurring	Case Management System Modernization	45,000,000	0	0	0	45,000,000	0.00	0.00	0.00	0.00	0.00
2	B1 - Recurring	Family Court Case Management System	3,000,000	0	0	0	3,000,000	0.00	0.00	0.00	0.00	0.00
3	B1 - Recurring	Judicial System Enhancements	3,625,000	0	0	0	3,625,000	6.00	0.00	0.00	0.00	6.00
4	B1 - Recurring	Attorney and Staff Retention	1,000,000	0	0	0	1,000,000	0.00	0.00	0.00	0.00	0.00
5	B1 - Recurring	Office of Disciplinary Counsel Staff	725,000	0	0	0	725,000	7.00	0.00	0.00	0.00	7.00
TOTALS			53,350,000	0	0	0	53,350,000	13.00	0.00	0.00	0.00	13.00

Agency Name:	Judicial Department		
Agency Code:	B040	Section:	57

## **FORM B1 – RECURRING OPERATING REQUEST**

<b>AGENCY PRIORITY</b>	2
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*Provide the Agency Priority Ranking from the Executive Summary.*

<b>TITLE</b>	<b>Family Court Case Management System</b>
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*Provide a brief, descriptive title for this request.*

<b>AMOUNT</b>	<b>General: \$3,000,000</b> <b>Federal: \$0</b> <b>Other: \$0</b> <b>Total: \$3,000,000</b>
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*What is the net change in requested appropriations for FY 2025-2026? This amount should correspond to the total for all funding sources on the Executive Summary.*

<b>NEW POSITIONS</b>	0.00
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*Please provide the total number of new positions needed for this request.*

<b>FACTORS ASSOCIATED WITH THE REQUEST</b>	<b>Mark "X" for all that apply:</b>	
	<input type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input checked="" type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input checked="" type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	HR/Personnel Related
<input checked="" type="checkbox"/>	Consulted DTO during development	
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

<b>STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES</b>	<b>Mark "X" for primary applicable Statewide Enterprise Strategic Objective:</b>	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
	<input checked="" type="checkbox"/>	Government and Citizens

<b>ACCOUNTABILITY OF FUNDS</b>	NA
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*What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?*

	Vendors and Contractors
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**RECIPIENTS OF FUNDS**

*What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?*

**JUSTIFICATION OF REQUEST**

Pursuant to court order dated January 20, 2015, the South Carolina Judicial Branch (SCJB), effective 2025, is mandated to assume operational and financial responsibility for the Family Court Case Management System (FCCMS), Contract No. 07-S7279. This mandated responsibility arises from the case of the *South Carolina Department of Social Services (SCDSS), the South Carolina Judicial Branch (SCJB), and the County Clerks of Court versus Hewlett-Packard Company* and the resulting Intra Governmental Agreement. The SCJB must promptly begin the process of transitioning the system of hosting, maintenance, and operations of the FCCMS from the SCDSS.

To comply with the legal obligations imposed under the court order, the Judicial Branch requests recurring funding for the license, maintenance, support, and hosting costs of the FCCMS.

*Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.*

Agency Name:	Judicial Department		
Agency Code:	B040	Section:	57

## **FORM B1 – RECURRING OPERATING REQUEST**

<b>AGENCY PRIORITY</b>	3
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*Provide the Agency Priority Ranking from the Executive Summary.*

<b>TITLE</b>	<b>Judicial System Enhancements</b>
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*Provide a brief, descriptive title for this request.*

<b>AMOUNT</b>	<b>General: \$3,625,000</b> <b>Federal: \$0</b> <b>Other: \$0</b> <b>Total: \$3,625,000</b>
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*What is the net change in requested appropriations for FY 2025-2026? This amount should correspond to the total for all funding sources on the Executive Summary.*

<b>NEW POSITIONS</b>	6.00
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*Please provide the total number of new positions needed for this request.*

<b>FACTORS ASSOCIATED WITH THE REQUEST</b>	<b>Mark "X" for all that apply:</b>	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input checked="" type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	HR/Personnel Related
<input type="checkbox"/>	Consulted DTO during development	
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

<b>STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES</b>	<b>Mark "X" for primary applicable Statewide Enterprise Strategic Objective:</b>	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens	

<b>ACCOUNTABILITY OF FUNDS</b>	NA
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*What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?*

<b>RECIPIENTS OF</b>	South Carolina Judicial Branch (SCJB) Employees and Retired Judges, former South Carolina Judicial Branch (SCJB) Employees
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*What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?*

**JUSTIFICATION OF REQUEST**

**Family Court Judges:**

A fair justice system must provide equal justice to all citizens. An often neglected, yet critical component of a fair justice system, is the need for the timely and efficient delivery of judicial services. Perhaps no court has a greater need for the expeditious handling and disposition of cases than our Family Courts. When families are in crisis, and the interests of children are at stake, the South Carolina Judicial Branch (and indeed all of South Carolina) must ensure swift access to court. **This is a limited request—two family court judges, one in the Eleventh Circuit and one in the Fourteenth Circuit.**

The Eleventh Circuit is comprised of four counties. The most populated county is Lexington County; its population has dramatically increased. The Fourteenth Circuit is comprised of five counties. The most populated county is Beaufort County; its population has also dramatically increased. Predictably, this population explosion has resulted in a dramatic increase in case filings in all courts, including family court. This significant population / case filing increase is juxtaposed to *no increase* in decades in judicial resources (i.e., family court judgeships) in the Eleventh and Fourteenth Circuits. Families in crisis need timely access to family court for critical temporary hearings, merits hearings, child custody hearings, hearings for abused and neglected children, hearings for children lingering in foster care, etc. When these family-related hearings are not timely heard due to lack of judicial resources, the harm can be irreparable.

**Chief Administrative Judge Allowance:**

The assignment by the Chief Justice to circuit and family court judges to serve as a "chief administrative judge" (CAJ) carries substantial responsibilities, far beyond the traditional judicial function of adjudicating cases and controversies. The demands of CAJ duties have significantly increased in recent years, especially in terms of pressure and time commitment. This is the inevitable consequence of caseload backlogs as South Carolina's population has significantly increased. The increase in judicial resources in recent decades has been far outpaced by the growth in population and corresponding increase in court case filings. Managing the increasing court dockets is the core function of the CAJ. The CAJs have never been compensated for this extra-judicial, administrative service. The South Carolina Judicial Branch (SCJB) is requesting an allowance of \$1,000 per month of service as a CAJ. This amount would be taxable and would not in any manner affect the judge's retirement calculation and benefit.

**Judicial Expense Allowance:**

The monthly allowance set forth in the South Carolina Appropriation Act awarded to each judge or justice meeting full time requirements is used to fund all needed expenses for a judge's office. Having the allowance available to a judge permits immediate acquisition of necessary goods and services. Due to inflation, the current monthly amount of one thousand dollars allowed per judge for his/her office needs is inadequate. The allowance is subject to taxable withholdings; therefore, the net usable amount is reduced. An increase to fifteen hundred dollars per month (taxable) is requested.

**Reactivated Judges:**

The South Carolina Judicial Branch (SCJB) is requesting a fundamental change in the structure of compensating active retired judges. This change will require a statutory change or proviso. The current compensation structure for retired judges disincentivizes service as a retired judge. Currently, the law mandates a retired judge to work consecutive three months, only to receive the differential between retirement pay and the salary of an active judge. In most cases, that difference is ten percent, which results in minimal compensation. It is believed that a significant number of retired judges desire to continue judicial service after retirement, but many decline due to the lack of even a nominal salary. The SCJB proposes that the tethering of judicial pay for retired judges to retirement pay be severed. The SCJB proposes that a retired judge be paid at a rate of \$400 per day (or \$2,000 per week). That equates to a rate of \$50 per hour. Assume a retired judge chooses to work 50 weeks a year (highly unlikely) which would result in a retired judicial salary of \$100,000. The figure shown above represents ten retired judges serving a full year. (It is more probable a retired judge will work part-time, perhaps six months per year. It is also likely that more than ten retired judges will agree to serve. The \$1,000,000 figure is a fair

estimate at this time.) Contrast this pay for the cost of, for example, creating a new circuit court judgeship. That cost is in excess of \$600,000. Beyond the substantial cost savings of utilizing retired judges, the "experience" factor weighs heavily in favor of this request. It takes time for a new judge to be as productive as an experienced judge. The retired judge brings his or her experience to the continued judicial service. With no "break-in" period, the retired judge can hear difficult matters, including complex cases that often require single judge treatment. Due to cost savings and experience, the value of promoting the use of our retired judges cannot be overstated.

*Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.*

Agency Name:	Judicial Department		
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## **FORM B1 – RECURRING OPERATING REQUEST**

<b>AGENCY PRIORITY</b>	4
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*Provide the Agency Priority Ranking from the Executive Summary.*

<b>TITLE</b>	<b>Attorney and Staff Retention</b>
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*Provide a brief, descriptive title for this request.*

<b>AMOUNT</b>	<p><b>General: \$1,000,000</b></p> <p><b>Federal: \$0</b></p> <p><b>Other: \$0</b></p> <p><b>Total: \$1,000,000</b></p>
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*What is the net change in requested appropriations for FY 2025-2026? This amount should correspond to the total for all funding sources on the Executive Summary.*

<b>NEW POSITIONS</b>	0.00
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*Please provide the total number of new positions needed for this request.*

<b>FACTORS ASSOCIATED WITH THE REQUEST</b>	<b>Mark "X" for all that apply:</b>	
	<input type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input checked="" type="checkbox"/>	HR/Personnel Related
<input type="checkbox"/>	Consulted DTO during development	
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

<b>STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES</b>	<b>Mark "X" for primary applicable Statewide Enterprise Strategic Objective:</b>	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens	

<b>ACCOUNTABILITY OF FUNDS</b>	NA
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*What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?*

<b>RECIPIENTS OF</b>	South Carolina Judicial Branch (SCJB) Employees
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**FUNDS**

*What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?*

**JUSTIFICATION OF REQUEST**

The Judicial Branch would like to request recurring appropriations to increase the salaries of attorneys and other staff in an effort to reduce turnover and remain competitive with other state agencies, as well as county and local governments.

The South Carolina Judicial Branch relies on qualified and competent staff to aid in the Branch's ability to meet its mission of providing a fair, independent, and accessible forum for the just and timely resolution of legal disputes.

Providing funding for these positions will permit the Branch to be more competitive in the hiring process and increase its ability to recruit and retain a competent workforce.

*Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.*

Agency Name:	Judicial Department		
Agency Code:	B040	Section:	57

## **FORM B1 – RECURRING OPERATING REQUEST**

<b>AGENCY PRIORITY</b>	5
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*Provide the Agency Priority Ranking from the Executive Summary.*

<b>TITLE</b>	<b>Office of Disciplinary Counsel Staff</b>
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*Provide a brief, descriptive title for this request.*

<b>AMOUNT</b>	<b>General: \$725,000</b> <b>Federal: \$0</b> <b>Other: \$0</b> <b>Total: \$725,000</b>
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*What is the net change in requested appropriations for FY 2025-2026? This amount should correspond to the total for all funding sources on the Executive Summary.*

<b>NEW POSITIONS</b>	7.00
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*Please provide the total number of new positions needed for this request.*

<b>FACTORS ASSOCIATED WITH THE REQUEST</b>	<b>Mark "X" for all that apply:</b>	
	<input type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input checked="" type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	HR/Personnel Related
<input type="checkbox"/>	Consulted DTO during development	
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

<b>STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES</b>	<b>Mark "X" for primary applicable Statewide Enterprise Strategic Objective:</b>	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens	

<b>ACCOUNTABILITY OF FUNDS</b>	NA
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*What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?*

<b>RECIPIENTS OF</b>	South Carolina Judicial Branch (SCJB) Employees
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**FUNDS**

*What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?*

**JUSTIFICATION OF REQUEST**

Public confidence in the integrity of the justice system is imperative. Those in the legal profession are held to high ethical standards, and we must ensure that the system that "polices" the legal profession acts promptly and professionally to process and adjudicate complaints of ethical impropriety

In recent years, case filings have increased. For the years prior to Covid, case filings ranged from 1300-1400 each year. For FY23, the Office of Disciplinary Counsel (ODC) received 1836 new complaints and for FY24, ODC received 2055 new complaints. Further, as technology has evolved, cases involving lawyer misconduct have also become more complex. In order to keep up with the increased case load and complex investigations, ODC needs more resources so that it can more efficiently address its caseload.

*Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.*

Agency Name:	Judicial Department		
Agency Code:	B040	Section:	57

## **FORM B2 – NON-RECURRING OPERATING REQUEST**

<b>AGENCY PRIORITY</b>	1
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*Provide the Agency Priority Ranking from the Executive Summary.*

<b>TITLE</b>	Case Management System Modernization
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*Provide a brief, descriptive title for this request.*

<b>AMOUNT</b>	\$45,000,000
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*What is the net change in requested appropriations for FY 2025-2026? This amount should correspond to the total for all funding sources on the Executive Summary.*

<b>FACTORS ASSOCIATED WITH THE REQUEST</b>	<b>Mark "X" for all that apply:</b>	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input checked="" type="checkbox"/>	IT Technology/Security related
	<input checked="" type="checkbox"/>	Consulted DTO during development
	<input type="checkbox"/>	HR/Personnel Related
	<input checked="" type="checkbox"/>	Request for Non-Recurring Appropriations
<input type="checkbox"/>	Request for Federal/Other Authorization to spend existing funding	
<input type="checkbox"/>	Related to a Recurring request – If so, Priority #	

<b>STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES</b>	<b>Mark "X" for primary applicable Statewide Enterprise Strategic Objective:</b>	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens	

<b>ACCOUNTABILITY OF FUNDS</b>	NA
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*What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?*

<b>RECIPIENTS OF FUNDS</b>	Vendors and Contractors
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*What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon*

**JUSTIFICATION  
OF REQUEST**

As the population of South Carolina expands, the trial courts must increasingly rely on automation to process and resolve cases in a timely fashion. A part of that automation is procuring modern, efficient and effective case management systems.

The current trial court case management system used by the circuit court, the magistrates courts, and many of the municipal courts, which was built by the Judicial Branch in the early 2000's, must be replaced with a modern, web-based system. The Judicial Branch selected a vendor in 2021 through the state procurement process to implement such a system; however, that vendor has indicated it is unable to complete the system, and that contract is in the termination process. As a result, the Judicial Branch will issue a new request for proposal to select a qualified vendor. Based on costs incurred by other jurisdictions for similar systems, the Judicial Branch estimates a cost of an additional \$45 million.

Therefore, the Branch seeks \$45 million in a one-time appropriation to fund the case management system modernization project.

*Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.*

Agency Name:	Judicial Department		
Agency Code:	B040	Section:	57

## **FORM D – PROVISIO REVISION REQUEST**

<b>NUMBER</b>	57.19
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*Cite the proviso according to the renumbered list (or mark "NEW").*

<b>TITLE</b>	JUD: Circuit Court Judges
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*Provide the title from the renumbered list or suggest a short title for any new request.*

<b>BUDGET PROGRAM</b>	III Circuit Court
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*Identify the associated budget program(s) by name and budget section.*

<b>RELATED BUDGET REQUEST</b>	NA
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*Is this request associated with a budget request you have submitted for FY 2025-2026? If so, cite it here.*

<b>REQUESTED ACTION</b>	Delete
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*Choose from: Add, Delete, Amend, or Codify.*

<b>OTHER AGENCIES AFFECTED</b>	NA
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*Which other agencies would be affected by the recommended action? How?*

<b>SUMMARY &amp; EXPLANATION</b>	<p>The Judicial Branch is requesting Proviso 57.19 from General Appropriations Bill for Fiscal Year 2024-2025 be deleted. Section 14-5-130 of the S.C. Code was repealed in H.3776.</p>
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*Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.*

**FISCAL IMPACT**

None

*Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.*

**PROPOSED  
PROVISO TEXT**

**57.19** (JUD: Circuit Court Judges) ~~From the funds appropriated to the Judicial Department, the requirements of Section 14-5-130 pertaining to circuit court judges absenting themselves from the State shall be suspended for the current fiscal year.~~

*Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.*

Agency Name:	Judicial Department		
Agency Code:	B040	Section:	57

## **FORM D – PROVISO REVISION REQUEST**

<b>NUMBER</b>	57.3
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*Cite the proviso according to the renumbered list (or mark "NEW").*

<b>TITLE</b>	JUD: Judicial Expense Allowance
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*Provide the title from the renumbered list or suggest a short title for any new request.*

<b>BUDGET PROGRAM</b>	Various
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*Identify the associated budget program(s) by name and budget section.*

<b>RELATED BUDGET REQUEST</b>	3
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*Is this request associated with a budget request you have submitted for FY 2025-2026? If so, cite it here.*

<b>REQUESTED ACTION</b>	Amend
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*Choose from: Add, Delete, Amend, or Codify.*

<b>OTHER AGENCIES AFFECTED</b>	NA
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*Which other agencies would be affected by the recommended action? How?*

<b>SUMMARY &amp; EXPLANATION</b>	<p>The monthly allowance set forth in the South Carolina Appropriation Act awarded to each judge or justice meeting full time requirements is used to fund all needed expenses for a judge's office. Having the allowance available to a judge permits immediate acquisition of necessary goods and services. Due to inflation, the current monthly amount of one thousand dollars allowed per judge for his/her office needs is inadequate. The allowance is subject to taxable withholdings; therefore, the net usable amount is reduced. An increase to fifteen hundred dollars per month (taxable) is requested</p>
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*Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.*

**FISCAL IMPACT**

\$800,000

*Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.*

**PROPOSED  
PROVISO TEXT**

**57.3.** (JUD: Judicial Expense Allowance) Each Supreme Court Justice, Court of Appeals Judge, Family Court Judge and Circuit Court Judge and any retired judge who receives payment for performing full-time judicial duties pursuant to Section 9-8-120 of the South Carolina Code of Laws, shall receive ~~one thousand dollars~~ per month as expense allowance.

**57.3.** (JUD: Judicial Expense Allowance) Each Supreme Court Justice, Court of Appeals Judge, Family Court Judge and Circuit Court Judge and any retired judge who receives payment for performing full-time judicial duties pursuant to Section 9-8-120 of the South Carolina Code of Laws, shall receive **one thousand five hundred dollars** per month as expense allowance.

*Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.*

Agency Name:	Judicial Department		
Agency Code:	B040	Section:	57

## **FORM D – PROVISIO REVISION REQUEST**

<b>NUMBER</b>	NEW
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*Cite the proviso according to the renumbered list (or mark "NEW").*

<b>TITLE</b>	JUD: Reactivated Judge Program
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*Provide the title from the renumbered list or suggest a short title for any new request.*

<b>BUDGET PROGRAM</b>	V. Reactivated Judges
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*Identify the associated budget program(s) by name and budget section.*

<b>RELATED BUDGET REQUEST</b>	3
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*Is this request associated with a budget request you have submitted for FY 2025-2026? If so, cite it here.*

<b>REQUESTED ACTION</b>	Add
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*Choose from: Add, Delete, Amend, or Codify.*

<b>OTHER AGENCIES AFFECTED</b>	NA
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*Which other agencies would be affected by the recommended action? How?*

<b>SUMMARY &amp; EXPLANATION</b>	<p>The South Carolina Judicial Branch (SCJB) is requesting a fundamental change in the structure of compensating active retired judges. This change will require a statutory change or proviso. The current compensation structure for retired judges disincentivizes service as a retired judge. Currently, the law mandates a retired judge to work consecutive three months, only to receive the differential between retirement pay and the salary of an active judge. In most cases, that difference is ten percent, which results in minimal compensation. It is believed that a significant number of retired judges desire to continue judicial service after retirement, but many decline due to the lack of even a nominal salary. The SCJB proposes that the tethering of judicial pay for retired judges to retirement pay be severed. The SCJB proposes that a retired judge be paid at a rate of \$400 per day (or \$2,000 per week). That equates to a rate of \$50 per hour. Assume a retired judge chooses to work 50 weeks a year (highly unlikely) which would result in a retired judicial salary of \$100,000. The figure shown above represents ten retired judges serving a full year. (It is more probable a retired judge will work part-time, perhaps six months per year. It is also likely that more than ten retired judges will agree to serve. The \$1,000,000 figure is a fair estimate at this time.) Contrast this pay for the cost of, for example, creating a new circuit court judgeship. That cost is in excess of \$600,000. Beyond the substantial cost savings of utilizing retired judges, the "experience" factor weighs heavily in favor of this request. It takes time for a new judge to be as productive as an experienced judge. The retired judge brings his or her experience to the continued judicial service. With no "break-in" period, the retired judge can hear difficult matters, including complex cases that often require single judge treatment. Due to cost savings and experience, the value of promoting the use of our retired judges cannot be overstated.</p>
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*Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.*

**FISCAL IMPACT**

\$1,000,000

*Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.*

**PROPOSED  
PROVISO TEXT**

(JUD Reactivated Judge Program)

In the current fiscal year, the provisions of Section 9-8-120(3) of the South Carolina Code requiring a retired judge or justice serve without pay until service of three or more consecutive months of full judicial duties as an acting a justice or as a judge prior to receiving the difference between retirement payment and active pay are suspended. Upon approval of the Chief Justice, a retired judge or justice shall receive \$400 a day for full judicial duties.

*Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.*

Agency Name:	Judicial Department		
Agency Code:	B040	Section:	57

## **FORM D – PROVISIO REVISION REQUEST**

<b>NUMBER</b>	NEW
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*Cite the proviso according to the renumbered list (or mark "NEW").*

<b>TITLE</b>	JUD: Travel Court
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*Provide the title from the renumbered list or suggest a short title for any new request.*

<b>BUDGET PROGRAM</b>	I. The Court A Supreme Court / II Court of Appeals
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*Identify the associated budget program(s) by name and budget section.*

<b>RELATED BUDGET REQUEST</b>	NA
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*Is this request associated with a budget request you have submitted for FY 2025-2026? If so, cite it here.*

<b>REQUESTED ACTION</b>	Add
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*Choose from: Add, Delete, Amend, or Codify.*

<b>OTHER AGENCIES AFFECTED</b>	NA
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*Which other agencies would be affected by the recommended action? How?*

<b>SUMMARY &amp; EXPLANATION</b>	<p>In recent years, the Supreme Court and Court of Appeals began the practice of holding terms of "travel court" throughout South Carolina. During a term of travel court, the Supreme Court or Court of Appeals will travel to a location outside of Columbia at which students and members of the public are exposed to the judicial branch of government and have the opportunity to receive a real-life civics lesson. After oral arguments have concluded for every case, the justices hold a question and answer session where students and the public can engage the justices on questions relating to the judicial system or the practice of law. The Supreme Court most recently held a term of court at the Citadel in Charleston but have also traveled to Spartanburg and Hartsville within the last year. When traveling to certain locations, local hotels are outside the GSA rate. This proviso would allow the Chief Justice to approve lodging that is above the GSA rate.</p>
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*Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.*

**FISCAL IMPACT**

None

*Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.*

**PROPOSED  
PROVISO TEXT**

JUD: Travel Court) Upon approval of the Chief Justice, Supreme Court Justices and Judges of the Court of Appeals or any Acting Justice on the Supreme Court or Acting Judge of the Court of Appeals may be reimbursed for actual expenses incurred for traveling term of court held outside of Richland County.

*Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.*

Agency Name:	Judicial Department		
Agency Code:	B040	Section:	57

## **FORM D – PROVISO REVISION REQUEST**

<b>NUMBER</b>	NEW
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*Cite the proviso according to the renumbered list (or mark "NEW").*

<b>TITLE</b>	JUD: Chief Administrative Judge Allowance
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*Provide the title from the renumbered list or suggest a short title for any new request.*

<b>BUDGET PROGRAM</b>	III Circuit Court/IV Family Court
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*Identify the associated budget program(s) by name and budget section.*

<b>RELATED BUDGET REQUEST</b>	3
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*Is this request associated with a budget request you have submitted for FY 2025-2026? If so, cite it here.*

<b>REQUESTED ACTION</b>	Add
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*Choose from: Add, Delete, Amend, or Codify.*

<b>OTHER AGENCIES AFFECTED</b>	NA
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*Which other agencies would be affected by the recommended action? How?*

<b>SUMMARY &amp; EXPLANATION</b>	<p>The assignment by the Chief Justice to circuit and family court judges to serve as a "chief administrative judge" (CAJ) carries substantial responsibilities, far beyond the traditional judicial function of adjudicating cases and controversies. The demands of CAJ duties have significantly increased in recent years, especially in terms of pressure and time commitment. This is the inevitable consequence of caseload backlogs as South Carolina's population has disproportionately increased. The increase in judicial resources in recent decades has been far outpaced by the growth in population and corresponding increase in court case filings. Managing the increasing court dockets is the core function of the CAJ. The CAJs have never been compensated for this extra-judicial, administrative service. The South Carolina Judicial Branch (SCJB) is requesting an allowance of \$1,000 per month of service as a CAJ. This amount would be taxable and would not in any manner affect the judge's retirement calculation and benefit.</p>
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*Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.*

**FISCAL IMPACT**

None

*Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.*

**PROPOSED  
PROVISO TEXT**

(JUD: Chief Administrative Judge Allowance) Each Chief Administrative Judge assigned to Circuit and Family Courts shall receive one thousand dollars per month as an administrative allowance.

*Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.*

Agency Name:	Judicial Department		
Agency Code:	B040	Section:	57

## **FORM D – PROVISO REVISION REQUEST**

<b>NUMBER</b>	NEW
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*Cite the proviso according to the renumbered list (or mark "NEW").*

<b>TITLE</b>	JUD: Judicial Branch Office Space Renovations
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*Provide the title from the renumbered list or suggest a short title for any new request.*

<b>BUDGET PROGRAM</b>	9818.36000X000
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*Identify the associated budget program(s) by name and budget section.*

<b>RELATED BUDGET REQUEST</b>	NA
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*Is this request associated with a budget request you have submitted for FY 2025-2026? If so, cite it here.*

<b>REQUESTED ACTION</b>	Add
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*Choose from: Add, Delete, Amend, or Codify.*

<b>OTHER AGENCIES AFFECTED</b>	NA
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*Which other agencies would be affected by the recommended action? How?*

<b>SUMMARY &amp; EXPLANATION</b>	<p>2021-2022 Bill H.5150, Budget for 2022-2023 - Part 1B, Proviso 118.19 (SR: Nonrecurring Revenue) – subsection (B) line (48) provided the Judicial Department \$1,641,410 for the Court of Appeals New Courtroom and Office Space.</p> <p>Based on analysis, the two court rooms used currently by the Court of Appeals are sufficient to handle court sessions, thus an additional courtroom is not necessary.</p> <p>The Judicial Branch is requesting authority to use these funds to renovate office space within the Calhoun and Supreme Court buildings in order to provide the proper office space for current and future staffing needs.</p>
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*Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.*

**FISCAL IMPACT**

None

*Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.*

**PROPOSED  
PROVISO TEXT**

(JUD: Calhoun and Supreme Court Building Office Space Renovations)  
Non-Recurring funds appropriated to the Judicial Department in 2021-2022 Bill H.5150, Budget for 2022-2023 - Part 1B, Proviso 118.19 for the Court of Appeals New Courtroom and Office Space shall be used to renovate office space located in the Calhoun and Supreme Court Buildings.

*Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.*

Agency Name:	Judicial Department		
Agency Code:	B040	Section:	57

## **FORM D – PROVISO REVISION REQUEST**

<b>NUMBER</b>	NEW
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*Cite the proviso according to the renumbered list (or mark "NEW").*

<b>TITLE</b>	JUD: Across the Board Cut Exemption
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*Provide the title from the renumbered list or suggest a short title for any new request.*

<b>BUDGET PROGRAM</b>	Various
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*Identify the associated budget program(s) by name and budget section.*

<b>RELATED BUDGET REQUEST</b>	NA
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*Is this request associated with a budget request you have submitted for FY 2025-2026? If so, cite it here.*

<b>REQUESTED ACTION</b>	Add
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*Choose from: Add, Delete, Amend, or Codify.*

<b>OTHER AGENCIES AFFECTED</b>	NA
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*Which other agencies would be affected by the recommended action? How?*

<b>SUMMARY &amp; EXPLANATION</b>	<p>The South Carolina Judicial Branch is one of the three co-equal branches of state government. The Branch receives approximately .75% (or less than 1%) of total general appropriations for the entire state to administer the core government function of managing the unified court system for South Carolina. 89% of the Branch’s recurring general appropriations are used for statutorily mandated salary and fringe benefits. The remaining 11% of recurring general fund appropriations are used for operating costs to fund judicial core functions. Core functions such as judicial salaries, monthly allowance, reactive judge program, court rotation, court interpreting, and court education are mandated by statute, thus unable to absorb any reductions in funding.</p>
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*Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.*

**FISCAL IMPACT**

Reduction of funding will render the Branch incapable of meeting South Carolina Constitutional requirements, thus resulting in the cancellation of terms of court and increased case backlog. Reduction of funding will diminish the effectiveness and efficiency of the unified court system.

*Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.*

**PROPOSED  
PROVISO TEXT**

(JUD: Across the Board Budget Reductions)  
Whenever the Executive Budget Office or General Assembly implements an across the board budget reduction, the funds appropriated in Part IA, Section 57, shall be exempt from any such mandated budget reductions.

*Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.*