

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



Fiscal Year FY 2024-2025

Agency Budget Plan

FORM A - BUDGET PLAN SUMMARY

OPERATING REQUESTS <i>(FORM B1)</i>	For FY 2024-2025, 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 <i>(FORM B2)</i>	For FY 2024-2025, 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 <i>(FORM C)</i>	For FY 2024-2025, my agency is (mark "X"):	
	<input type="checkbox"/>	Requesting funding for Capital Projects.
	<input checked="" type="checkbox"/>	Not requesting any changes.

PROVISOS <i>(FORM D)</i>	For FY 2024-2025, 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>
PRIMARY CONTACT:	Tonnya Kohn	(803) 734-1800	tkohn@sccourts.org
SECONDARY CONTACT:	Paul Magargle	(803) 734-0642	pmagargle@sccourts.org

I have reviewed and approved the enclosed FY 2024-2025 Agency Budget Plan, which is complete and accurate to the extent of my knowledge.

SIGN/DATE: TYPE/PRINT NAME:	<u>Agency Director</u>	<u>Board or Commission Chair</u>

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

Fiscal Year 2024-2025 Executive Summary

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

Agency Priority	Request Type	Title	General Dollars	Federal Dollars	Earmarked Dollars	Restricted Dollars	Total Dollars	General FTEs	Federal FTEs	Earmarked FTEs	Restricted FTEs	Total FTEs
1	B1 - Recurring	Court Administrative Support Positions	\$4,200,000	\$0	\$0	\$0	\$4,200,000	38.00	0.00	-38.00	0.00	0.00
2	B1 - Recurring	Staff Court Interpreters	\$500,000	\$0	\$0	\$0	\$500,000	5.00	0.00	0.00	0.00	5.00
3	B1 - Recurring	Office of Disciplinary Counsel Staff	\$1,025,000	\$0	\$0	\$0	\$1,025,000	10.00	0.00	0.00	0.00	10.00
4	B2 - Non-Recurring	Legal Fees	\$5,000,000	\$0	\$0	\$0	\$5,000,000	0.00	0.00	0.00	0.00	0.00
5	B1 - Recurring	Appellate Attorneys	\$600,000	\$0	\$0	\$0	\$600,000	0.00	0.00	0.00	0.00	0.00
6	B1 - Recurring	Family Court Law Clerks	\$1,500,000	\$0	\$0	\$0	\$1,500,000	16.00	0.00	0.00	0.00	16.00
7	B1 - Recurring	Court of Appeals Judges and Staff	\$2,300,000	\$0	\$0	\$0	\$2,300,000	12.00	0.00	0.00	0.00	12.00
8	B2 - Non-Recurring	Court Art Restoration and Conservation	\$500,000	\$0	\$0	\$0	\$500,000	0.00	0.00	0.00	0.00	0.00
Subtotal:			\$15,625,000	\$0	\$0	\$0	\$15,625,000	81.00	0.00	-38.00	0.00	43.00

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

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	1
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Court Administrative Support Positions
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$4,200,000 Federal: \$0 Other: \$0 Total: \$4,200,000
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<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 checked="" 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"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<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

ACCOUNTABILITY OF FUNDS	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?

RECIPIENTS OF	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 is grateful for the financial support provided for the 130 FTEs awarded in previous budgets for court and administrative support positions, and the acknowledgment that reliance on an erratic funding source to provide core services threatens SCJB's ability to meet its mission of providing a fair, independent, and accessible forum for the just and timely resolution of legal disputes.

The Judicial Branch would like to request recurring appropriations for the remaining 38 court administrative support positions funded by other sources.

Providing funding for these state appropriations will permit the Judicial Branch to use fines and fees to begin projects that support local courts which have languished due to lack of funding.

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

AGENCY PRIORITY	2
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Staff Court Interpreters
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$500,000 Federal: \$0 Other: \$0 Total: \$500,000
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	5.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<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 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 type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<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

ACCOUNTABILITY OF FUNDS	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?

RECIPIENTS OF	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 is seeking additional appropriations to fund five (5) staff court interpreters for the Spanish language.

The administration of justice requires clear communication in the courtroom, which means that all participants in the legal process should be able to fully participate in the process through a clear understanding of what is occurring in real time. Using interpreters is imperative for those with limited English proficiency. Failure to provide clear, concise interpretation services results in a serious impediment to everyone's right to have access to justice. The primary consequence of not having an adequate number of court interpreters is the possible denial of meaningful access to the court system. SC Code Section 17-1-50(B)(1) requires the court to appoint a certified or otherwise qualified court interpreter to any criminal proceeding where a party, witness, or victim does not sufficiently understand English to comprehend the proceedings. The law states all fees for interpreting services must be paid out of the general fund of the State from funds appropriated to the South Carolina Judicial Branch.

As of the 2020 United States Census, the percentage of South Carolinians that primarily speak Spanish at home is 4.4%. The National Population Projections expect international migration to overtake natural birth as the driver of population growth in the United States by 2030, which forecasts a growing need for more robust foreign language services. In light of this forecast, it is anticipated that the Spanish speaking population in South Carolina will continue to increase.

Due to the increased demand for Spanish interpreters and the difficulty that many courts continue to have in securing Spanish interpreters for court proceedings, the Judicial Branch has developed a plan to add staff court interpreters for the Spanish language. The staff court interpreters will be assigned throughout the state as needed for extended trials, and where the local courts are able to schedule hearings which require a Spanish interpreter in groups so as to maximize this new resource. The staff court interpreters will be utilized throughout the state as needed to maximize efficiency within the courts and reduce delays. When the staff court interpreters are not assigned to court, they would assist with the implementation of training programs for Judges, Clerks of Court, and their staff, and free-lance interpreters, as well as responding to questions.

Recurring general appropriations will provide a means for these often-marginalized communities to receive required services and allow the Branch to better serve all South Carolinians by ensuring access to justice.

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

AGENCY PRIORITY	3
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Office of Disciplinary Counsel Staff
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$1,025,000 Federal: \$0 Other: \$0 Total: \$1,025,000
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	10.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<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"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<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

ACCOUNTABILITY OF FUNDS	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?

RECIPIENTS OF	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 for two (2.00 FTEs) Attorneys, one (1.00 FTE) Investigator, two (2.00 FTEs) Paralegals, and five (5.00 FTEs) Administrative Assistants in the Office of Disciplinary Counsel. The Judicial Branch would also like to request recurring appropriations to contract with forensic specialists for specialized investigations.

The Office of Disciplinary Counsel is charged by the Supreme Court of South Carolina to receive, screen, investigate, and as necessary, prosecute complaints made against both judges and lawyers in South Carolina. Complaints brought before the Office of Disciplinary Counsel have increased over the last several years.

FY 2021 – Judicial Discipline: 213 Lawyer Discipline: 1248

FY 2022 – Judicial Discipline: 286 Lawyer Discipline: 1571

FY 2023 – Judicial Discipline: 432 Lawyer Discipline: 1836

Not all complaints are actual misconduct, but each must be screened with many complaints requiring extensive and specialized investigations.

The Judicial Branch has often used volunteer attorneys to assist in the investigations of complaints. With the shortage of people available to provide this assistance voluntarily, full time attorneys and investigators are needed to handle the increase in case load and the large backlog of cases. Also, the Office of Disciplinary Counsel produces a significant number of documents, correspondence, and filings. Because of the lack of administrative and paralegal assistance these duties are being conducted by attorneys within the office.

Providing funding for these positions will allow for these matters brought before the Branch to be handled in a more expeditious manner so as to improve efficiency in the judicial disciplinary process and 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.

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

AGENCY PRIORITY	5
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Appellate Attorneys
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$600,000 Federal: \$0 Other: \$0 Total: \$600,000
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<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 type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<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	

ACCOUNTABILITY OF FUNDS	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?

RECIPIENTS OF	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 South Carolina Judicial Branch relies on qualified and competent attorneys 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.

The Judicial Branch would like to request recurring appropriations to increase the salaries of Appellate Attorneys to be more comparable with market averages and other public entities.

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

AGENCY PRIORITY	6
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Family Court Law Clerks
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$1,500,000 Federal: \$0 Other: \$0 Total: \$1,500,000
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	16.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<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"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<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

ACCOUNTABILITY OF FUNDS	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?

RECIPIENTS OF	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

The Judicial Branch requests recurring appropriations to fund sixteen (16) FTEs in order to provide a Family Law Clerk in every Circuit. Currently, each Circuit Court Judge employs one Law Clerk. Court of Appeals Judges and Supreme Court Justices employ two Law Clerks. Law Clerks are typically recent law school graduates who are hired for set terms of one or two years.

Established by the South Carolina General Assembly in 1976, Family Court has exclusive jurisdiction over all matters involving domestic or family relationships. Family Court is the forum for matters relating to all aspects of domestic life, including adoption, paternity, custody, parental rights, child neglect, spousal and child support, divorce, juvenile adjudications, and orders of protection from domestic abuse. Family Court also has jurisdiction over minors under the age of seventeen alleged to have violated any state law or municipal ordinance.

Family Court Judges handle complex, personal legal matters in the lives of individuals and families. The law in these areas is constantly evolving. Family Court Judges often encounter cases of first impression, which present legal issues that have not been considered or decided by a higher court. These cases, and the parties involved, deserve the time and attention that their legal matters require. But this is can be a challenge for Family Court Judges, given the volume of cases before them.

Family Court case filings statewide are consistently high each year:

FY 2021 – 55,172 cases

FY 2022 – 58,887 cases

FY 2023 – 59,214 cases

Currently, it takes approximately 30 days from filing for parties to receive an initial hearing in Family Court. This delay can be the beginning of a longer time to resolution than desired. And, unlike many Circuit Court cases, Family Court cases have many points in time at which a judge is required to resolve a matter and issue an order.

One measure of success for Family Court is the "benchmark" of resolving 80 percent of cases within 365 days. As of September 2023, Family Courts in only four counties within South Carolina were not meeting this benchmark. Though we are making progress towards all counties meeting the benchmark, the addition of Law Clerks will improve the efficiency of Family Court and reduce the time in resolving cases. The Law Clerks will also promote consistency and provide much needed support to the Family Court bench.

Some duties of Family Court Law Clerks will include:

- Assisting the Judge in completing Form Orders during proceedings, a duty with which many Clerks of Court previously assisted;
- Conducting legal research and analysis; thereby, improving the quality of judicial decisions;
- Drafting legal memoranda;
- Communicating, as needed and appropriate, with attorneys, parties, County Clerks of Court and their employees;
- Preparing and maintaining confidential data and reports;
- Attending hearings, trials and other courtroom proceedings;
- Traveling to court proceedings statewide.

Family Court Law Clerks can also assist with the unique responsibilities of working with Pro Se litigants, or parties who choose to represent themselves in court instead of hiring an attorney. Pro Se litigants require additional court resources and can create case management inefficiencies. In FY 2020, 2021, 2022, and 2023, pro se litigants filed 19 percent, 21 percent, 13 percent, and 17 percent of cases in Family Court.

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

AGENCY PRIORITY	7
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Court of Appeals Judges and Staff
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$2,300,000 Federal: \$0 Other: \$0 Total: \$2,300,000
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	12.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<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"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<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

ACCOUNTABILITY OF FUNDS	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?

RECIPIENTS OF	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 requests recurring appropriations to fund three (3) new Court of Appeals Judges and staff members.

Commenced to operation on September 1, 1983, the Court of Appeals has jurisdiction over appeals not within the seven classes of cases for which the Supreme Court has exclusive jurisdiction.

Court of Appeals case filings are consistently high each year:

FY 2019- 1320 cases

FY 2020- 1211 cases

FY 2021- 784 cases

FY 2022- 920 cases

FY 2023- 1,071 cases

The addition of three Court of Appeals Judges and staff will assist in reducing the backlog of cases within the Court of Appeals. This will allow judges more time to devote to hearing complicated matters, and allow cases filed to move more efficiently through the court system.

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 B2 – NON-RECURRING OPERATING REQUEST

AGENCY PRIORITY	4
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Legal Fees
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Provide a brief, descriptive title for this request.

AMOUNT	\$5,000,000
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<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 type="checkbox"/>	Consulted DTO during development
<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 #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<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	

ACCOUNTABILITY OF FUNDS	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?

RECIPIENTS OF FUNDS	Vendors
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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**

Thousands of people interact with the South Carolina Judicial Branch each day, coming into contact with its judges and employees, entering its facilities, and being governed by its rules and procedures.

Most of those interactions are routine. Others result in decisions by juries or judges where at least half of the parties are dissatisfied, but sometimes no party is satisfied. While most of the dissatisfied avail themselves of the appeals process, others seek legal redress against the judges, employees and institution itself.

Additionally like any institution with far-reaching impact and operations, the South Carolina Judicial Branch has structured rules and procedures by which it must govern itself and operations. Dissatisfied parties may take issue with the process, procedures, and rules established by the Supreme Court and Branch officials. Also they may seek redress in state and federal courts.

Legal action against any Branch of government is not unusual. However, as the number of people who interact with our state courts and the Judicial Branch increases, so does the need to defend itself against threatened and real legal challenges.

Currently, the Judicial Branch does not have a budget for litigation. This requested appropriation will assist the Judicial Branch in defending against the increasing cost and amount of threatened and real litigation. As a coequal Branch of government, it is vital the Judicial Branch be able to engage adequate legal representation.

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

AGENCY PRIORITY	8
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Court Art Restoration and Conservation
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Provide a brief, descriptive title for this request.

AMOUNT	\$500,000
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<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 type="checkbox"/>	Consulted DTO during development
<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 #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<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	

ACCOUNTABILITY OF FUNDS	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?

RECIPIENTS OF FUNDS	Vendors
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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**

The appellate courts have been acquiring fine and decorative works of art to preserve the courts' history. These exhibits are located in the Supreme Court and Court of Appeals' buildings and consist of paintings, historical furnishings, and prints from the Nineteenth (19th) through Twenty-first (21st) Centuries. Many paintings are in beautiful historical hand carved frames considered true treasures and very valuable. As noted in a recent appraisal by Miller Gaffney Art Advisory, due to age, improper lighting, and other environmental factors that cause deterioration, the collections need restoration and conservation measures in order to preserve the life of the article and ensure the ability to be enjoyed by generations to come.

The South Carolina Judicial Branch requests \$500,000 non-recurring dollars to restore damaged paintings and frames, repair the skylight in Supreme Court and provide proper ambient light to preserve the portraits in the gallery, and commission portraits for the Supreme Court Justices and Court of Appeals Judges that are missing from the collections.

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 – PROVISO REVISION REQUEST

NUMBER	NEW
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Cite the proviso according to the renumbered list (or mark "NEW").

TITLE	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.

BUDGET PROGRAM	Various
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	NA
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Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.

REQUESTED ACTION	Add
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	NA
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>The South Carolina Judicial Branch is one of the three co-equal branches of state government. The Branch receives approximately .83% (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.

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

FORM D – PROVISO REVISION REQUEST

NUMBER	NEW
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Cite the proviso according to the renumbered list (or mark "NEW").

TITLE	JUD: Judicial Department Office Space Renovations
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Provide the title from the renumbered list or suggest a short title for any new request.

BUDGET PROGRAM	Various
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	NA
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Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.

REQUESTED ACTION	Add
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	NA
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<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 Department is requesting authority to use these funds to renovate office space within the Judicial Department’s 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: Judicial Department 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 Judicial Department's Buildings.

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