

The Supreme Court of South Carolina

DONALD W. BEATTY
CHIEF JUSTICE

POST OFFICE BOX 3543
SPARTANBURG, SOUTH CAROLINA 29304-3543
TELEPHONE: (864) 596-3450
FAX: (864) 596-2202
EMAIL: dbeatty@sccourts.org

MEMORANDUM

To: Clerks of Court
Circuit Court Judges
Family Court Judges
Probate Court Judges

From: Chief Justice Beatty

Subject: Coronavirus

Date: March 12, 2020

The South Carolina Judicial Branch (SCJB) is actively monitoring the development of Coronavirus (COVID-19). Pandemic preparation is contemplated in the SCJB's Business Continuity Plan. Our Business Continuity Plan has been established to ensure that the SCJB can prepare for, respond to, and recover from any emergency that disrupts normal operations.

County employees working within the Unified Judicial System should follow the decisions made by the respective county government officials with regard to office and facility closings. Under present conditions, courts can and should remain operational and are projected to be able to do so.

The majority of clerks of court have responded to our request for your emergency plans regarding a pandemic situation. Please follow those plans and monitor the websites of the South Carolina Department of Health and Environmental Control and the Centers for Disease Control and Prevention. As the situation continues to develop, we will provide further information if and when circumstances so warrant. In the meantime, please review the information below in regards to your respective courts.

- Courthouses should remain available for the following critical functions:
 - Acceptance of filings and payments
 - Emergency hearings
 - Transmission of necessary information to SLED and/or NCIC, as well as the County Statistics Portal information.
- Court dates may be rescheduled as is necessary and prudent. Coordinate necessary changes in schedules with your Chief Judges for Administrative Purposes. However, if you believe it will be necessary to cancel court for a period greater than two weeks, seek an order from the Chief Justice through Court Administration.
- To the extent possible and circumstances warrant, hearings that can be held by video may be held remotely. Telephonic hearings may be held remotely as a last resort.
- To the extent possible and circumstances warrant, litigants should be excused from attending routine hearings (e.g. represented defendants at status conferences).
- Requests for jury excuses due to claimed illness or fear of exposure should be liberally considered and any juror claiming to have flu-like symptoms should be excused from service until at least 14 days after the symptoms have abated.
- Jury pools and jury trials should be held at the discretion of the trial judge. Decisions to postpone jury trials or draws should be made after consultation with the clerk of court, Chief Judges for Administrative purposes and the trial judge, with notice provided to Court Administration.
- If necessary, employees should be cross-trained, especially on critical functions.
- If a courthouse temporarily closes, there should be adequate signs posted directing persons to the nearest other alternate location within the county where filings and payments may be made. The court should include this information on his voicemail and its website/social media if possible.

The SCJB's Crisis Management Team will continue to monitor this situation and provide further information as received. We remain committed to the safety of the state court system and to the public. Thank you for your assistance in implementing these measures.

Court News ...

2020-03-16-01

The Supreme Court of South Carolina

ORDER

Pursuant to provisions of Article V, Section 4 of the South Carolina Constitution,

IT IS ORDERED that until subsequent order by the Chief Justice, Family Courts statewide shall only hear emergency matters including, but not limited to, DSS Emergency Protective Custody, Juvenile Detentions, Bench Warrants, and Emergency Petitions for Orders of Protection from Domestic Abuse.

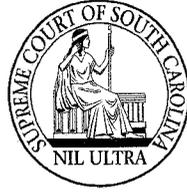
IT IS FURTHER ORDERED that only attorneys, their clients, and necessary witnesses will be allowed to appear for these emergency hearings.

s/Donald W. Beatty

Donald W. Beatty

Chief Justice of South Carolina

Columbia, South Carolina
March 16, 2020



The Supreme Court of South Carolina

DONALD W. BEATTY
CHIEF JUSTICE

POST OFFICE BOX 3543
SPARTANBURG, SOUTH CAROLINA 29304-3543

MEMORANDUM

To: Clerks of Court
Circuit Court Judges
Family Court Judges
Probate Court Judges
Solicitors
Public Defenders

From: Chief Justice Beatty

Subject: Coronavirus

Date: March 16, 2020

As the number of coronavirus cases has increased in South Carolina, and a state of emergency has been declared, the South Carolina Judicial Branch continues to consider all aspects of court operations.

As the situation continues to develop, we will provide further information and direction if and when circumstances so warrant. In the meantime, please review the following directives for your courts.

- All jury trials are postponed. Non-jury trials and other hearings may continue at the trial judge's discretion, but only attorneys, their clients, and necessary witnesses will be allowed to appear. However, the Family Courts shall restrict their proceedings to emergency matters referenced in the Order dated March 16, 2020.
- All roll calls and any other large gatherings are cancelled until further notice.
- If you deem it necessary to curtail operations beyond the scope of this memorandum, courthouses should remain available for the following critical functions:
 - Acceptance of filings and payments
 - Emergency hearings

Court News ...

2020-03-18-03

The Supreme Court of South Carolina

Re: Family Court Schedule and Judicial Travel

ORDER

Pursuant to the provisions of Article V, Section 4 of the South Carolina Constitution and S.C. Code Ann. §§ 63-3-320; -340 (2010),

IT IS ORDERED that all Family Court Judges shall return to their home circuits and follow the directives as outlined in my Trial Courts Coronavirus Memorandum dated March 16, 2020. Unless otherwise ordered, only emergency hearings shall be held pursuant to my Statewide Family Court Order dated March 18, 2020.

IT IS FURTHER ORDERED that each Chief Judge for Administrative Purposes shall prepare weekly schedules for their circuit's emergency hearings through May 1, 2020 and shall forward such schedules to Court Administration. In the event that the circuit does not have an adequate number of judges to cover emergency hearings due to previously-scheduled leave or illness, the Chief Judge for Administrative Purposes shall notify Judges' Scheduling at Court Administration so that another judge can be assigned as deemed necessary.

Until further ordered, all Family Court Judges shall only preside over hearings in their home circuit beginning March 23, 2020 unless they receive an Order assigning them to a county outside of their circuit.

All previously scheduled terms of court from March 23, 2020 through May 1, 2020 are hereby canceled, and all judges who are not assigned to vacation, official leave or an Administrative Week shall be assigned to chambers.

s/Donald W. Beatty
Donald W. Beatty
Chief Justice of South Carolina

Columbia, South Carolina
March 18, 2020

Court News ...

2020-03-18-02

The Supreme Court of South Carolina

Re: Circuit Court Schedule and Judicial Travel

ORDER

Pursuant to the provisions of Article V, Section 4 of the South Carolina Constitution,

IT IS ORDERED that all Circuit Judges shall return to their home circuits where they shall follow the directives regarding court hearings as outlined in my Trial Courts Coronavirus Memorandum dated March 16, 2020.

Unless otherwise ordered, only emergency hearings shall be held at the discretion of each Chief Judge for Administrative Purposes. In the event that any circuit is without a judge for any period of time, due to previously scheduled leave or illness, the Chief Judge for Administrative Purposes shall notify Judges' Scheduling at Court Administration so that another judge can be assigned to address any emergencies which may arise.

Until further ordered, all Circuit Court Judges shall only preside over emergency hearings in their home circuit beginning March 23, 2020 unless they receive an Order assigning them to hold court outside of their circuit. Any circuit judge who is serving as a Chief Judge for Administrative Purposes in a circuit other than that of their residence, may hold emergency hearings in both their circuit of residence as well as the circuit in which they serve as Chief Judge for Administrative Purposes.

All previously scheduled terms of court from March 23, 2020 through May 1, 2020 are hereby canceled, and all judges who are not assigned to vacation, official leave or an Administrative Week shall be assigned to chambers.

s/Donald W. Beatty

Donald W. Beatty
Chief Justice of South Carolina

Columbia, South Carolina
March 18, 2020