

Session 109 - (1991-1992)

H 4322 General Bill, By Wilkins and H.H. Clyborne

A Bill to amend the Code of Laws of South Carolina, 1976, by adding Chapter 6 to Title 14 so as to create the Judicial Nominating Commission and to establish its powers and duties; to amend Sections 2-19-10, relating to the Joint Legislative Committee to Review Candidates, so as to delete provisions on electing the members of the Judiciary; 14-1-215, relating to retired judges or justices presiding in certain courts, so as to provide for screening by the Judicial Nominating Commission; 14-3-10, relating to the composition of the Supreme Court, so as to provide that they be appointed by the Governor instead of elected by the General Assembly; 14-3-20, relating to the qualifications of justices to the Supreme Court, so as to provide for their appointment by the Governor instead of election by the General Assembly; 14-3-40, relating to the vacancies in the Supreme Court, so as to provide appointment to fill a vacancy; 14-5-110, relating to the qualification of circuit court judge, so as to provide for the appointment; 14-5-160, relating to the assignment of a judge to fill a vacancy, so as to provide the procedure to fill a vacancy; 14-5-610, as amended, relating to judicial circuits and election of judges, so as to provide for their appointment by the Governor and screening by the Judicial Nominating Commission; 14-8-20, relating to the election of judges of the Court of Appeals, so as to provide for their appointment; 14-8-30, relating to the qualifications of judges of the Court of Appeals, so as to provide for the appointment by the Governor; 14-8-40, relating to the oath of office, so as to provide for appointment by the Governor; 14-8-60, relating to the vacancies on the Court of Appeals, so as to provide for the procedure to fill a vacancy; 20-7-1370, as amended, relating to the qualifications and terms of family court judges, so as to provide for appointment by the Governor; 20-7-1410, relating to the initial election of family court judge, so as to provide for appointment by the Governor; to repeal Sections 2-19-70 and 2-19-80, relating to the prohibition against pledging and reopening of filing where incumbent judges withdraw, die, or are found not qualified, respectively; and to provide that the above provisions take effect upon ratification of an amendment to Article V of the Constitution of this State establishing the Judicial Nominating Commission to assist the Governor in appointing judges for the above-referenced courts.

01/30/92 House Introduced and read first time HJ-7

01/30/92 House Referred to Committee on Judiciary HJ-9