**South Carolina General Assembly**

118th Session, 2009-2010

**S. 448**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Senator Ford

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Introduced in the Senate on February 18, 2009

Currently residing in the Senate Committee on **Judiciary**

Summary: Law

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/18/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\02-18-09.docx)‑8

2/18/2009 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2009\02-18-09.docx)‑8

**VERSIONS OF THIS BILL**

[2/18/2009](file:///p:\pprever\2009-10\448_20090218.docx)

**A** **JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO SECTION 4, ARTICLE V OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE POWERS OF THE SUPREME COURT, SO AS TO PROVIDE THAT THE JURISDICTION OVER THE ADMISSION TO THE PRACTICE OF LAW AND THE DISCIPLINE OF PERSONS ADMITTED MUST NOT BE UNDER THE SUPREME COURT BUT RATHER MUST BE AS PROVIDED BY THE GENERAL ASSEMBLY BY LAW.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. It is proposed that Section 4, Article V of the Constitution of this State be amended to read:

“Section 4. The Chief Justice of the Supreme Court shall be the administrative head of the unified judicial system. He shall appoint an administrator of the courts and ~~such~~ assistants as he deems necessary to aid in the administration of the courts of the State. The Chief Justice shall set the terms of any court and shall have the power to assign any judge to sit in any court within the unified judicial system. Provided, each county shall be entitled to four weeks of court each year and ~~such~~ the terms ~~therefore~~ of court shall be provided for by the General Assembly. Provided, further, that the Chief Justice shall set a term of at least one week in any court of original jurisdiction in any county within sixty days after receipt by him of a resolution of the county bar requesting it. The Supreme Court shall make rules governing the administration of all the courts of the State. Subject to the statutory law, the Supreme Court shall make rules governing the practice and procedure in all ~~such~~courts. The ~~Supreme Court shall have~~ jurisdiction over the admission to the practice of law and the discipline of persons admitted must be as provided by the General Assembly by law.”

SECTION 2. The proposed amendment in SECTION 1 must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 4, Article V of the Constitution of this State be amended so as to provide that the jurisdiction over the admission to the practice of law and the discipline of persons admitted must not be under the Supreme Court but rather must be as provided by the General Assembly by law?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

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