

Session 105 - (1983-1984)

H 2153 General Bill, By Sheheen, P. Freeman, J.H. Toal and Wilkins

Similar (H 2335)

A Bill to amend Chapter 8 of Title 14, as amended, Code of Laws of South Carolina, 1976, relating to the Court of Appeals, so as to provide for the establishment of a permanent Court of Appeals with appellate jurisdiction of questions of law and equity arising in the Circuit Court and the Family Court except in five classes of cases; to provide that the Court of Appeals shall consist of a Chief Judge and five Associate Judges; to provide that the Chief Judge shall preside and in his absence the Senior Associate Judge; to provide that the Court of Appeals shall sit in panels and may sit en banc; to provide that the members of the Court of Appeals shall be elected by a joint public vote of the General Assembly for a term of six years; to provide that in any contested election for a position on the Court of Appeals, the vote of each member of the General Assembly present and voting shall be recorded; to provide that the Judges of the Court of Appeals, subject to the administrative authority of the Chief Justice, shall appoint a Clerk of Court for the Court of Appeals; to provide that the judges of the Court of Appeals shall receive compensation to be determined by law; to provide for the filling of vacancies on the Court of Appeals by election or, if the unexpired term does not exceed one year, by executive appointment; to provide that the judges of the Court of Appeals shall have the same power to issue prerogative writs at chambers as in open court; to provide that all cases within the jurisdiction of the Court of Appeals shall be filed with the Supreme Court and shall either be retained by the Supreme Court or referred to the Court of Appeals; to provide that each seat on the Court of Appeals shall be numbered and candidates shall be required to file for a specific seat; to provide that a concurrence of four of the Justices of the Supreme Court shall be necessary to retain a case over which they do not have exclusive jurisdiction; to provide that a public record shall be kept of how many and which justices of the Supreme Court concurred or dissented in the assignment of a case to the Court of Appeals; to provide for certification of cases to the Supreme Court by the Court of Appeals; to provide that the decisions of the Court of Appeals shall be published as provided by the General Assembly; and to provide that this Act shall take effect on July 1, 1985, if the Constitution of this State has been amended prior to such date so as to establish a Court of Appeals.

01/11/83	House	Introduced and read first time HJ-236
01/11/83	House	Referred to Committee on Judiciary HJ-237
03/17/83	House	Tabled in committee