



The Voter

April 2011

League of Women Voters of Sumter County

Judicial Diversity Master In Equity

Judge Richard L. Booth made the fifth presentation in our series on "Judicial Diversity in South Carolina" at 6:00 PM on Monday, March 14, 2011 in the Seminar Room of CCTC's Health Sciences Building on South Main Street.

Born and raised in Sumter County, Judge Booth practiced law continuously in Sumter since earning his J.D. in 1977 from the University of South Carolina School of Law. Initially appointed Special Referee and Interim Master for Sumter County in 2006, he has served as permanent Master in Equity since 2008. Judge Booth, is married, and has a son and daughter.

The Master in Equity is based on Old English Law. The law courts or "courts of law" were the courts in England that enforced the king's laws in medieval times. Here the King's Judges, educated in law rather than theology, administered the universal law of the realm. This body of law evolved on the basis of previously set precedent into what is recognized as the Common law of England. However, if changes were not quick enough, or if decisions by the judges were regarded as unfair, litigants could still appeal directly to the King, who, as the sovereign, was seen as the 'fount of justice' and responsible for the just treatment of his subjects. Such filings were usually phrased in terms of throwing oneself upon the king's mercy or conscience.

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April Annual Membership Meeting

League of Women Voters of Sumter County
6:00 PM, Monday, April 11, 2011

**Election of Sumter LWV Officers for 2011-2012
and
Selection of State Convention Delegates**

Location: Central Carolina Technical College
New Health Sciences Center
Seminar Room
133 South Main Street
Sumter, SC 29150

Dues are due: \$50.00.



Mark Your Calendars!

Future Programs

May 14-15, 2011

**State Convention
Quality Inn, Sumter, SC**

Report from Board of Directors

The Board of Directors of the Sumter County LWV met on Thursday, March 31, 2011 to finalize plans for the State Convention of the LWVSC that will be held in Sumter, May 14 and 15, 2011. Registration for State Board members and league presidents will begin on Friday, May 13. The State Board will have dinner at the Alice Boyle Garden Center at 842 West Liberty that evening.

Most of the attendees for the LWVSC State Convention will arrive on Saturday morning with the First Plenary Session starting at 9:00 AM at the Quality Inn of Broad Street. The Sumter County League is authorized three voting delegates at the convention. Naturally we would hope that other members will help greet and meet the delegates from around the state and attend as many of the events as possible. An outline of the full agenda for the State Convention is provided on Page 3 of this Newsletter.

The second purpose of the board meeting was to make plans for the Annual Membership Meeting of the Sumter County League. That meeting is called for Monday, April 11, 2011 in the CCTC Health Sciences Building on South Main Street at 6:00 PM. In addition to hearing reports on the local league's activities over the past year, officers for 2011-2012 will be elected (nominees will be the current Board Officers) and the three Convention Delegates selected.

In other business, the membership will be asked to review the proposed changes to the LWVSC Bylaws and the Recommended LWVSC Program for 2011-2013. Both of these documents were forwarded to you as attachments to an email from President Barbara Zia that I forwarded to you on March 31, 2011. Please look over all the attachments to that email for they include Convention schedule, event prices, and the list of Nominees for the LWVSC Board for 2011-2013.

One final bit of business will be to act on a recommendation from your board to increase dues to \$50.00 per member as a result of the increase in National Dues approved at last year's national convention. The amount of dues that we will pay to LWVUS and LWVSC will be \$44.00 per member. Our current dues of \$45.00 will not provide any money for the operation of the Sumter County LWV. We have operated with minimal expense in the past, but we do need some income for the coming year. I urge the membership to approve the recommended increase in dues for the coming year.

It has been my pleasure to serve as your president during the past eight months. I look forward to working with you in the year ahead.

Chuck Gibbs, President

State Convention May 14-15, 2011

The Sumter LWV will host the LWVSC 2011 Biennial Convention, **Empowered for Action: Staying True to Our Mission for 60 Years**, Saturday and Sunday, May 14-15, 2011. All Convention activities will be held at the Sumter Quality Inn Hotel, 2390 Broad Street, Sumter, SC.

Registration Details:

- Full Registration Fee (2 days) -- \$75 per person*
- Saturday or Sunday ONLY Registration Fee (includes activities, lunch) -- \$35 per day
- Saturday banquet ONLY-- \$25
- Luncheon per day -- \$20
- Registration is due by May 4, 2011. A \$25 late fee will be assessed on registrations received after May 4.
- Please Note: Registration fees are the same for delegates and non-delegates.
- Payment is due at time of registration.
- Please indicate vegetarian meal requests.

To obtain a copy of the **registration form** and additional Convention information please visit the State League's website, <http://www.lwvsc.org> and click on "What's New?" in the far left column. Then click on "2011 Convention."

Be part of grassroots democracy and help frame the League's future in South Carolina. There'll be excitement galore: setting issues and action priorities, receiving reports from League leaders and study committees, electing a new state board, membership growth awards for local Leagues, guest speakers, workshops, panel discussions.

Join us and League members from across the state for a fun, action-packed spring weekend in beautiful Sumter.



LWVSC CONVENTION 2011
Empowered for Action: Staying True to Our Mission for 60 Years
Quality Inn Hotel, 2390 Broad Street, Sumter, SC 29150

AGENDA

SATURDAY MAY 14th

- 8:00 a.m.** **Registration—(Continental breakfast available in hotel dining room)**
- 9:00 a.m.** **OPENING PLENARY SESSION:** Barbara Zia, LWVSC President
Welcome: Chuck Gibbs, LWV of Sumter County President
Adoption of Rules, Adoption of Agenda
Appointment of Parliamentarian, Secretary, and Credentials Chair
Credentials Report
Introduction of LWVSC Board
Roll Call of Local Leagues
Treasurer's Report—Dianne Haselton, LWVSC Treasurer
Proposed Budget—Rebecca Lambert, LWVSC Budget Committee Member
Nominating Committee Report—Frances Elmore, LWVSC Nominating Committee Chairwoman
- 10:30 a.m.** **CONVENTION ADJOURNS**
PRESENTATION: Educating the Next Generation of South Carolina Voters: iCivics, with Dr. Jane Brailsford, Lexington County School District, & Allison Sullivan, President, SC Bar Young Lawyers Division
- 11:15 a.m.** **CONVENTION RECONVENES**
Proposed Bylaws—Janie Shipley, LWVSC Membership Services Vice President
Proposed Program of Study and Action—JoAnne Day, LWVSC Issues and Action Vice President
- Noon** **LUNCHEON WITH GUEST SPEAKER:** Transparency and Openness in Managing Our State's Finances, The Honorable Curtis M. Loftis, Jr., State Treasurer of South Carolina
- 1:30 p.m.** **PANEL DISCUSSION:** Making Every Vote Count in South Carolina—Ensuring the Integrity of Our Voting System
- 2:30 p.m.** **WORKSHOP:** Building League Membership and Leadership
- 3:30 p.m.** **CONVENTION ADJOURNS FOR THE DAY--**Delegates are free to network, caucus on League issues, relax poolside or explore Sumter.
- 6:00 p.m.** **RECEPTION Honoring 2011 Spirit of Democracy Awardees—**Hosted by LWV of Sumter County
- 7:00 p.m.** **BANQUET: Guest Speaker--**The Honorable Ruth V. McGregor, Arizona Supreme Court Chief Justice, retired—A national perspective on judicial independence and diversity
Presentation of Spirit of Democracy Award to the Honorable Ernest A. Finney, Jr., South Carolina Chief Justice, retired
- 9:00 p.m.** **Informal Networking for League Leaders (optional)**

SUNDAY MAY 15th

- 8:00 a.m.** **Breakfast for Local League Presidents & MAL Unit Chairs**
- 8:30 a.m.** **Registration**
- 9:00 a.m.** **CONVENTION RECONVENES**
Adoption of Budget, Bylaws, Program & Action Priorities
Election of New State Board
Presentation of Membership Growth Award
- Noon** **LUNCHEON--Presentation of Spirit of Democracy Award** to Sarah Leverette and Mary Ann Deku
ROUNDTABLE DISCUSSION—Action Update with State League Policy Priority Specialists
- 1:30 p.m.** **PANEL DISCUSSION--**Transparency and Independence in the South Carolina Judicial Selection Process
- 2:30 p.m.** **CLOSING PLENARY SESSION**
Guidance by Local Leagues to LWVSC Board
Address by New LWVSC President
- 3:00** **CONVENTION ADJOURN**

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To settle civil wrongs the courts of law only awarded money. Then civil disputes came along that money couldn't remedy. Thus, the King appointed representatives called Chancellors (Masters) to bring equity. For example, if a plaintiff gave a defendant a considerable amount of money to acquire The Hope Diamond and the defendant didn't deliver The Hope Diamond, the Master in Equity had to remedy the loss of having something unique. The Hope Diamond is different from a regular diamond and simply giving the plaintiff his money back doesn't settle the issue.

Eventually, the king began to regularly delegate the function of resolving such petitions to the Chancellor, an important member of the King's Council. This role gave rise to the basic distinction between legal and equitable interests. The early Chancellors were often clergymen or nobles, acting as the King's confessor and thereby literally as keeper of the King's conscience. After the end of the 17th century, only lawyers were appointed to the office of Chancellor. Soon the Chancery, the Crown's secretarial department, began to resemble a judicial body and became known as the "Court of Chancery" (Equity courts).

The King's court or Equity court awarded equitable remedies and the local court (Circuit Court) awarded legal remedies. A Master is a judicial officer appointed by courts of equity to hear testimony and make reports which, when approved by the presiding judge, become the decision of the court. Masters are typically involved in hearing motions, case management, dispute resolution or adjudication of specific issues referred by judges. Their functions would otherwise fall to the judges of the court.

The Master in Equity holds hearings for contested and uncontested non-jury matters; hears cases referred or transferred by consent of attorneys or by Order of the Chief Administrative Judge of the Circuit Court; schedules pre-trial conferences and hears pre-trial motions; researches applicable law; issues written Orders; advertises foreclosure properties; handles all post-trial motions; hears appeals for Magi-

strate and Probate Court rulings; coordinates and performs the monthly Master's Sale; coordinates and implements any and all administrative matters necessary to the proper function of the office.

The Master in Equity is an adjunct of the Circuit Court. Cases requiring a lot of testimony are referred to Equity such as real property and business cases, injunctions, default cases with un-liquidated damages, supplementary proceedings, and cases referred by consent of all parties. Real property cases include mortgage foreclosures, quieting title, partitions, boundary disputes and mechanic's liens.

There are 150 to 200 cases currently pending before Judge Booth. Most are foreclosures. He hears from 50 to 80 foreclosure cases per month.

A Master in Equity is a part-time position and the number of Masters is based on the population. There is one female Master in Horry County, Cynthia Geddings and one female in Dorchester County, Diane Goodstein.

Sumter County LWV Local Officers		
President	Charles Gibbs cgibbs@sc.rr.com	775-0487
Past President	Lorraine Dennis	905-4350
First Vice President	Barbara Brown	469-3165
Second Vice President	Marie Hill	469-4252
Treasurer	Barbara Wiley	469-8419
Secretary	Ethel Wells	481-2342
Director	Jeanette Roveri	720-3019
Director	Evelyn Bradford	499-5961