



The Voter

December 2010

League of Women Voters of Sumter County

Judicial Diversity 3rd Judicial Circuit

Judge Jeff Young made the second in our planned presentations on “Judicial Diversity in South Carolina” at 6:00 PM on Monday, November 8, 2010 in The Seminar Room of CCTC’s Health Sciences Building on South Main Street. Judge Young serves as a Circuit Court Judge at-large. His presentation was excellent. Sorry that so few attended.

Judge Young was born and raised in Sumter. He graduated from The Citadel in 1977, and earned his Juris Doctorate from USC in 1984. He served on both Active and Reserve duty with the USAF from 1977 to 2007, retiring as a Lt. Colonel. He was elected to the House of Representatives in 1994 and served until 1998. Elected as a Family Court Judge for the Third Judicial Circuit in 2004, he served in that capacity until 2009 when he was elected as a Circuit Judge. Judge Young is married and they have one daughter and three sons.

The Circuit Court operates with two jurisdictions—General and Criminal. General jurisdiction is called “Common Pleas” and involves civil complaints of more than \$7,500. Criminal jurisdiction is called “General Sessions” and involves cases that carry fines of more than \$500, or incarceration of more than thirty days and up to the death penalty. All appeals from Magistrate’s Court are heard by the Circuit Court, either in Common Pleas or General Sessions.

(continued on Page 2)

December Annual Membership Meeting

League of Women Voters of Sumter County

6:00 PM, Monday, December 13, 2010

Topic: Probate Court

Speaker: Judge Dale Atkinson

Location: Central Carolina Technical College

New Health Sciences Center

Seminar Room

133 South Main Street

Sumter, SC 29150

Contact: Dawn Adkins (803) 774-3337

Dues are due: \$45.00.



Mark Your Calendars!

Future Programs

January 10, 2011

**Legislative Delegation
Seminar Room, 6:00pm**

(Continued from Page 1)

There are sixteen circuits in the state served by forty-six Circuit Court Judges. Thirty-three of the judges serve as resident judges in the individual circuits, and sixteen serve as at-large judges, traveling the state. Judge Young fills Seat #1 of the at-large judgeships. When he was elected in 2009, there were nine others seeking the position. Judge Young feels that judges must know the law and must apply it impartially even when unpopular.

Circuit Court Judges are elected by a Joint Session of the General Assembly. Candidates for the position are screened by the Judicial Merit Selection Commission (JMSC). The JMSC was created by amendment to the South Carolina Constitution. It is composed of ten persons, five of who are appointed by the House and five by the Senate. Six of the ten members must be sitting members of the state legislature. The JMSC recommends three candidates for each judgeship after a detailed and thorough screening process designed to eliminate unqualified individuals seeking the office.

Each candidate must undergo a public hearing taken under oath, and a detailed investigative procedure including a SLED investigation. They must successfully complete a written examination. Lawyers and other individuals may submit anonymous letters concerning individual candidates to the JMSC that become part of the investigative record. At the conclusion of the screening process, the JMSC makes public a report that recommends three candidates for each of the judgeships to be filled. Candidates may not seek a commitment from sitting members of the General Assembly until the Screening Report is made public. Then the candidates actively solicit votes from the representatives and senators. The General Assembly, in Joint Session, elects the judges.

While not perfect, the current system requires the JMSC to consider such items as gender and ethnicity in making their final recommendations. Only Virginia has a similar system.

Judge Young provided a number of charts that detail the diversity found in the various state courts. Data from the reports are reported elsewhere. Copies will be available at our December meeting. Plan now to come and hear Dale Atkinson, Judge of Probate, on December 13, 2010. Same time, same location.

Chuck Gibbs, President

Happy Holidays!



LWVSC—Legislative Issues

As always, the LWVSC has a list of Legislative Issues that it plans to address during the 2011 Legislative Session. Some of these are:

- K-12 Education: A reliable, consistent and adequate system to fund public schools.
- Early Education/Child Welfare: Support The Children’s Trust in advocacy efforts.
- Criminal/Juvenile Justice: Follow up on 2010 Sentencing Reform Legislation.
- Restructure DEHC: Improve accountability and oversight of agency operations.
- Reapportionment: Ensure SC Legislature uses transparent redistricting initiatives.

For a discussion of these and other issues, see the Fall Issue of **SC Voter**.

I would like to add an item that has come to my attention as a result of the “Sportsplex” controversy that resulted in better communications between county and city councils. One of the underlying causes was the impact of Act 388 that was passed several years ago. Sales taxes are used to reduce school property taxes for owner-occupied homes but there is no break for business owners. The shift to sales taxes makes state revenue more dependent on retail sales. In addition, the legislature capped the number of mills that local governments could add in a given year.

When the recession hit, local tax income was reduced, as was state sales tax revenue. The legislature reduced the amount of ‘aid-to-municipalities’ remitted to local governments.

Local tax income was reduced, state aid was reduced, and local governments were barred from increasing local tax rates even when agreed to by local citizens. Now that we know what the shortcomings of Act 388 are, we need to revise it to better meet the needs of the public school districts and local governments. Give the idea some thought. We meet with the Sumter County Legislative Delegation at 6:00 PM on Monday, January 10, 2011.

Chuck Gibbs, President

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