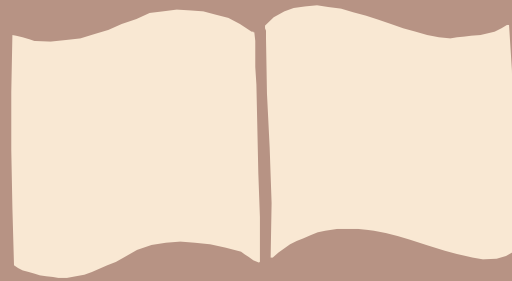


Summary Courts





Summary Courts

Departmental Overview and Responsibilities

- The department of “Summary Courts” was formed in 1981 when County Council approved a reorganization of the magistrate’s system.
- 41 Summary Court Specialist & Administrative Support (Director, Administrative Assistants, Auditor, Project Officers and Victim/Witness Advocates)



Summary Courts

Departmental Overview and Responsibilities

Mission

To provide administrative support to the seventeen judges that operate in Charleston County. Administrative support includes the availability of trained and professional clerks who are responsible for scheduling, record keeping, financial accounting and public information.



Summary Courts

Departmental Overview and Responsibilities

- Prepare court documents
- Assist the general public
- Collect fines and fees
- In 2009 – 12,256 arrest warrants were prepared by staff
- 3,537 bench warrants



Summary Courts

Magistrates Jurisdiction

- Traffic violations and criminal misdemeanor cases
- Fine not exceeding \$500 plus assessments or imprisonment not exceeding 30 days or both
- Common Types: CDV, Prostitution, Assault & Battery, Violation Check Law, Harassment and Stalking
- Civil matters such as restraining orders, evictions, landlord/tenant disputes, pre-distress warrants, claim & delivery and public sales of abandoned property



Summary Courts

Magistrate Courts



- ✓ Appointed every four years by the Governor upon advice and consent of our local senators

Requirements

- ✓ U.S. Citizen
- ✓ S.C. resident for at least five years
- ✓ 21 years of age
- ✓ Possess a four year college degree
- ✓ Certification exam within one year of their appointment



Summary Courts

Magistrate Courts

- Centralized Courts (4)
- North Charleston (3)
- Downtown Charleston
- Mount Pleasant
- McClellanville
- Ravenel
- Johns Island
- James Island
- West Ashley



Summary Courts

Magistrate Courts

- Small Claims Courts (2)
- Preliminary Hearing Court
- Bond Hearing Court



Summary Courts

Magistrate Courts

Smalls Claims Court

- City Small Claims Court- 995 Morrison Drive- Downtown Charleston
- North Area Small Claims Court- Lonnie Hamilton Public Service Building
- Magistrate's have jurisdiction over civil matters not exceeding \$7,500.00
- Defendant must reside in Charleston County



Summary Courts

Magistrate Courts

Preliminary Hearing Court

- Established in August 1988
- Simplified the process for all parties
- Must be requested no sooner than five days after the bond hearing but before the first Roll Call date
- Purpose is to establish Probable Cause
- Dismiss/Bound Over/Waive



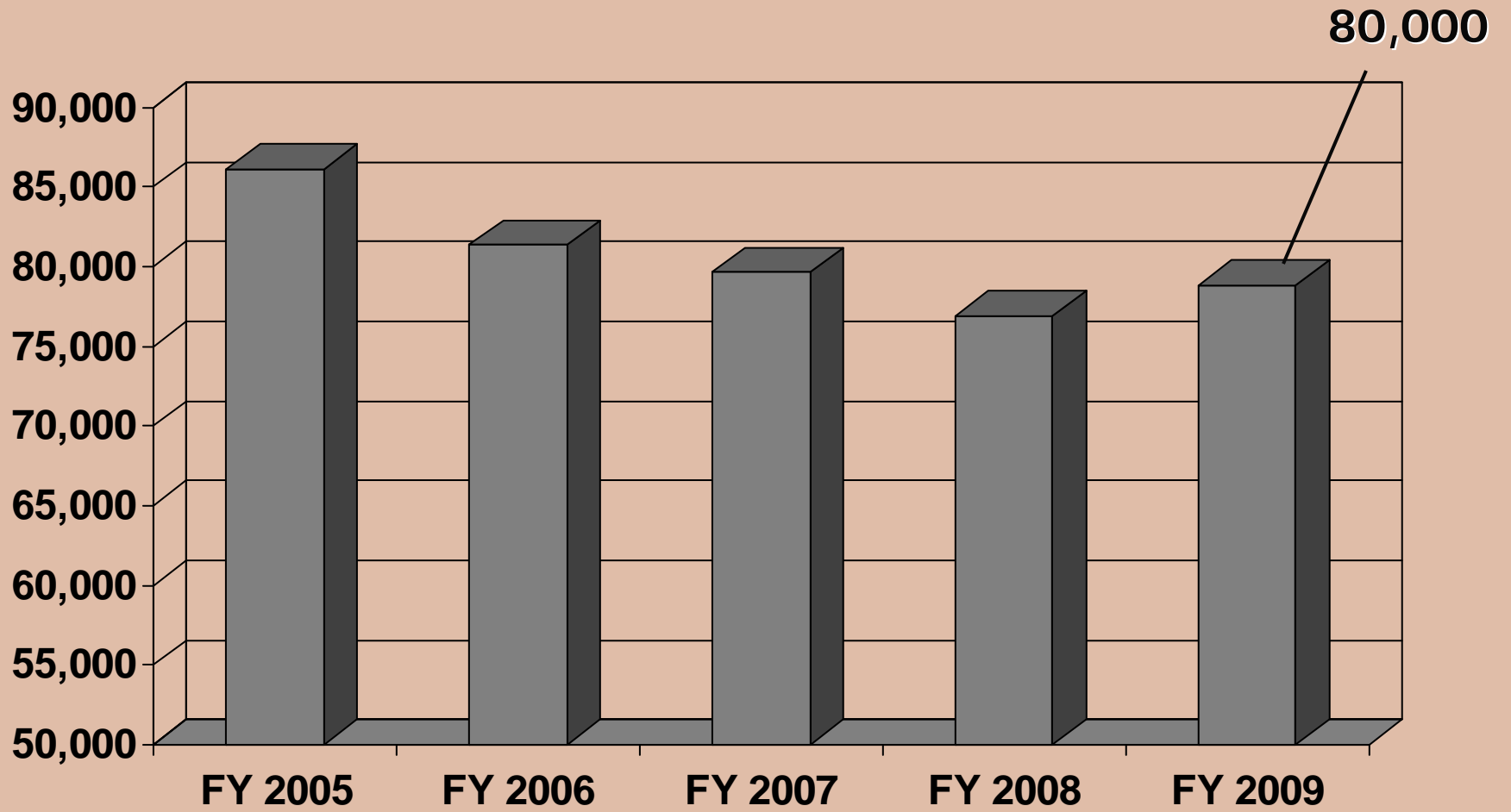
Summary Courts

Magistrate Courts

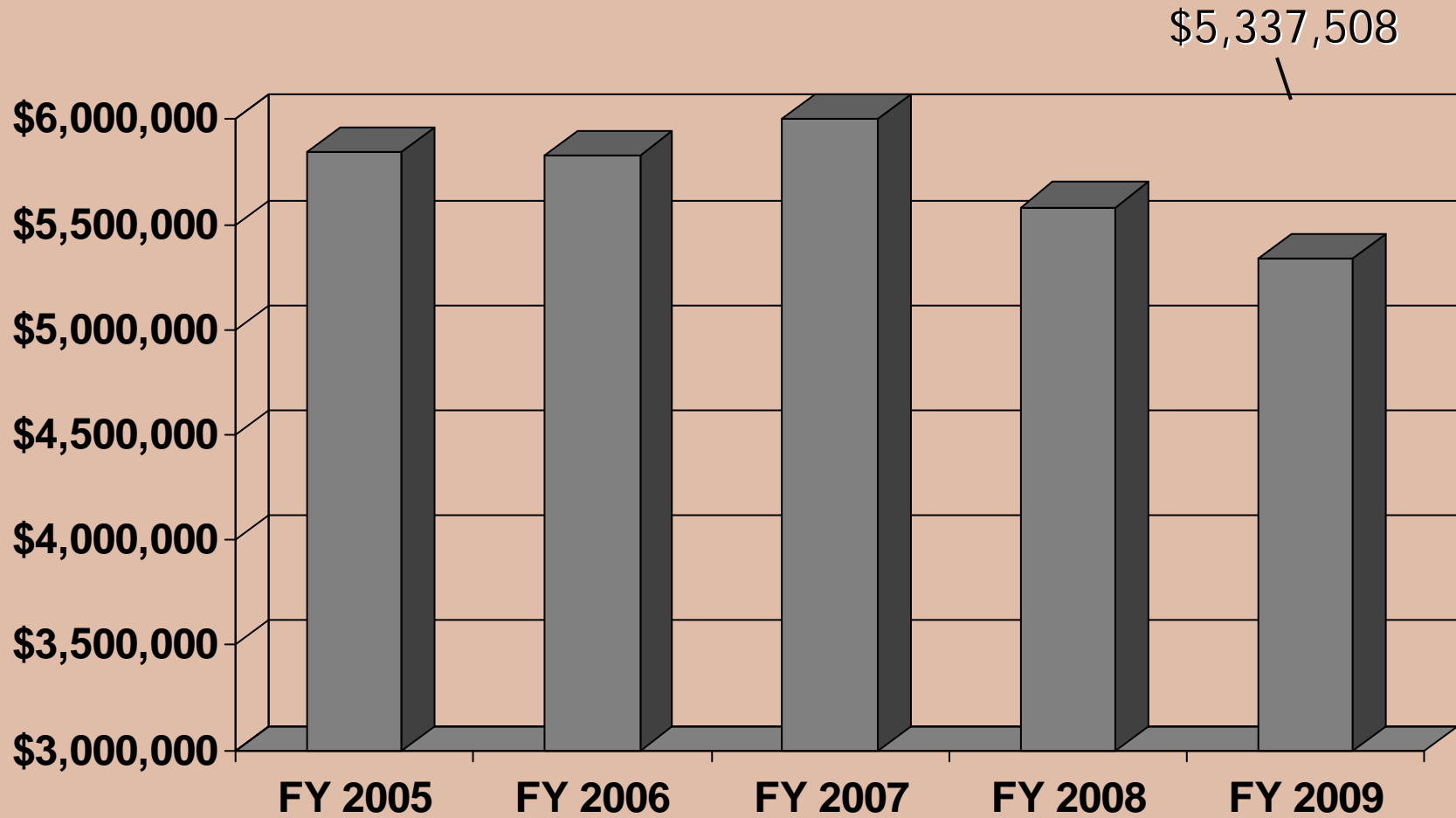
Bond Hearing Court

- Established in November 1985
- Required by law to have a bond hearing within 24 hours from their arrest
- Given notice of preliminary hearing and first & second appearance
- Surety Bond vs Personal Recognizance
- Video Conferencing
- Night Bond Hearing Court

Caseload



Revenue





Summary Courts

Civil Fees & Assessments

- **Summons & Complaint**

\$45 Filing Fee

\$10 Service Fee

\$25 Proviso Fee

\$80 Total

- **Eviction**

\$20 Filing Fee

\$10 Service Fee

\$10 Proviso Fee

\$40 Total

- **Claim & Delivery**

\$45 Filing Fee

\$10 Service Fee

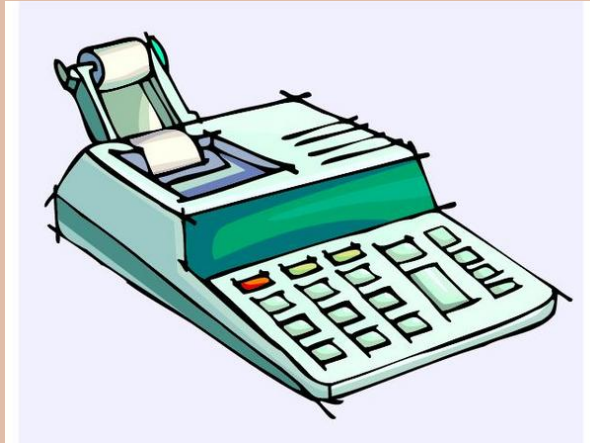
\$10 Proviso Fee

\$65 Total



Summary Courts

Auditor



- Accuracy of all Civil, Traffic and Criminal Dockets, Financial Reports, Bank Statements and Petty Cash
- Submits to the County Treasurer the State Portion of all Fines and Fees Collected



Summary Courts

Victims/Witness Fund

- SUCO – Summary Court Victim Surcharge (12% of fine)
- SURS – Surcharge for Criminal Offense (\$25)

Types of Services

- Travel to and from Court
- Emergency Protection
- Medical Expenses



Summary Courts

- www.Charlestoncounty.org
- www.13th-judicial-circuit.org/

Frequently Asked Questions

How do I get my drivers license reinstated?

- You must pay your outstanding traffic ticket (s) at the appropriate court and then send the reinstatement form and required fee to the Department of Public Safety or Highway Department of the state in which you are a licensed driver.

Can you take my income tax refund for not paying a ticket?

- Yes. Legislators established the Setoff Debt Collection Act. This act allows any governmental agency to seize your State Income Tax for any fine, penalty, cost, fee, assessment, surcharge, service charge, restitution or other amount imposed by a court.

How can I evict my tenant for non-payment of rent?

- On the sixth day of the month, if the tenant has not paid rent, the landlord can file for eviction at the cost of \$40. In South Carolina courts, a month-to-month or verbal agreement is as valid as a written contract.

How do I collect the \$500 my neighbor owes me?

- In order to collect monies owed to you, you must file a summons and complaint at one of the two Small Claims Courts in Charleston County. This will require a filing fee of \$80, and you must provide a current Charleston County address for the person from whom you wish to collect.