

ORDINANCE NO.: 2020-080

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Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article III, Directors, Departments and Employees, Sec. 2-127 Director of municipal court/administrative municipal court judge; Chapter 13, Municipal Court, Sec. 13-2 Administrative municipal court judge and municipal court judges; add Sec. 13-6. Court administrator, and renumber sections

BE IT ORDAINED by the Mayor and Council this 15th day of September, 2020, that the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article III, Directors, Departments and Employees, Sec. 2-127 Director of municipal court/administrative municipal court judge; Chapter 13, Municipal Court, Sec. 13-2 Administrative municipal court judge and municipal court judges are hereby amended; and Sec. 13-6. Court administrator is hereby added and proceeding sections are renumbered to read as follows:

Sec. 2-127. Director of municipal court/administrative municipal court judge.

The administrative municipal court judge is appointed by City Council, per sec. 13-2. The director of municipal court, subject to the city manager, shall have administrative supervision over the activities relating to municipal court administration, and city records management and shall perform such additional duties as may be assigned by the city manager. Council may elect to have the administrative municipal court judge perform both functions, in which case the administrative municipal court judge shall also have administrative supervision over the activities relating to municipal court administration, and city records management and shall perform such additional duties as may be assigned by the city manager.

Sec. 13-1. Establishment of municipal court.

There is hereby established a municipal court for the city pursuant to S.C. Code 1976, § 14-25-5.

Sec. 13-2. Administrative municipal court judge and municipal court judges.

The court shall be presided over by an administrative municipal judge and by one or more municipal judges, who shall be appointed by the city council for a term fixed by the city council of not less than two years but not more than four years and shall continue to serve beyond the appointed term until a successor is appointed and qualified.

(a) The administrative municipal court judge shall be an attorney who is a member in good standing with the South Carolina Bar. The administrative municipal court judge shall, on a weekly basis, preside over various terms and sessions of court, jury and non-jury matters; schedule and assign other municipal judges to various terms and sessions of court; cause all reporting requirements of the South Carolina Supreme Court or South Carolina Court Administration be properly and timely prepared and submitted; direct and oversee the judicial and administrative duties of the municipal court; and establish, review and revise the procedures of the court. All such duties shall be exercised in accordance with state law and municipal ordinances, rules and regulations.

(b) Municipal judges shall be attorneys at law appointed by the city council to preside over terms of municipal court set by the administrative municipal court judge. Judges may be full-time or part-time as determined by the council.

Sec. 13-3. Rules and regulations.

The administrative municipal judge shall have power to make such rules and regulations, not inconsistent with state laws and city ordinances, for the conducting of the business of the municipal court, as may be necessary for the dispatch of the court, the preservation of order and the furtherance of public justice.

Sec. 13-4. Assessment of costs.

The municipal judge of the city may assess certain charges as the costs of court on defendants convicted, or dismissed through leniency.

Sec. 13-5. Installment payment of fines.

The judge of the municipal court may authorize the payment of fines in installments in such cases and upon such terms as the municipal judge, in his discretion, deems appropriate.

Sec. 13-6. Court administrator.

The municipal court administrator, subject to the city manager, shall exercise general supervisory control over the

municipal court department and all municipal court employees, to include the clerks of the court, personnel of the violations bureau, bailiffs and all secretaries. He shall monitor all court operations and procedures, maintain court records, dockets, recordings and transcripts, maintain liaison with all municipal judges and perform such additional duties as may be required by law or assigned to him by the city manager.

Sec. 13-7. Ministerial recorder.

The city council hereby establishes the office of ministerial recorder. Ministerial recorders shall be elected from time to time by the council and shall serve at its pleasure or until the office is vacated when employment with the city is terminated. The compensation of ministerial recorders shall be fixed by the city council. Ministerial recorders of the city shall perform the powers provided by law and shall be subject to supervision of the court administrator. Ministerial recorders shall not be law enforcement officers but may hold any other position under the court administrator.

Sec. 13-8. Clerk of court.

Pursuant to South Carolina Code Sec., 14-25-35, the municipal clerk or other municipal employee may be appointed to serve as clerk of the court. The clerk of the court shall keep such records and make such reports as may be determined by the State Court Administrator.

Sec. 13-9. Juror compensation.

Municipal court jurors shall receive compensation of \$10.00 per day and \$5.00 for mileage per day.

This ordinance is effective as of final reading.

Requested by:

City Manager



Mayor

Approved by:



City Manager

Approved as to form:

T. A. Knox

City Attorney

ATTEST:



City Clerk

Introduced: 9/1/2020
Final Reading: 9/15/2020

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