#### UNITED STATES DISTRICT COURT DISTRICT OF SOUTH CAROLINA CHARLESTON DIVISION

| Linquista White, et al., Plaintiffs, |                   |
|--------------------------------------|-------------------|
| v.                                   | Civil Action No.  |
| Kevin Shwedo, et al.,                | 2:19-cv-03083-RMG |
| Defendants.                          |                   |

#### **DECLARATION OF ROBERT HUNTER**

#### I, Robert Hunter, declare as follows:

- 1. I am an attorney with the Racial Justice Program of the American Civil Liberties Union Foundation ("ACLU") and co-counsel for Plaintiffs in this case.
- 2. I have personal knowledge of the facts set forth in this Declaration and could testify competently to them if called to do so.
- 3. On April 24, 2019, I visited the South Carolina Office of Motor Vehicle Hearings ("OMVH"), located at 1205 Pendleton Street, Suite 325, Columbia, S.C. 29201.
- 4. I asked the clerk on duty about OMVH procedures for securing a hearing to contest the suspension of a driver's license by the South Carolina Department of Motor Vehicles ("DMV") for failure to pay a traffic ticket.
- 5. I asked the clerk whether an individual can contest the DMV's suspension of a driver's license for failure to pay a traffic ticket on the basis of inability to pay through the OMVH appeal process. The clerk informed me that inability to pay is not a basis for contesting the suspension of a driver's license for failure to pay a traffic ticket through the OMVH appeal process.

- 6. The clerk did not identify any process by which an individual could contest the DMV's decision to suspend a driver's license for failure to pay a traffic ticket on the basis of inability to pay.
- 7. I also asked the clerk on duty how the OMVH enforces any deadline that may apply to the filing of a contested case. She informed me that once the \$200 case filing fee is paid, the case is assigned to a hearing officer. The clerk explained that after the case is assigned to a hearing officer, the DMV can move to dismiss the case on the basis that the filing is untimely, if it so chooses.
- 8. I also asked the clerk to confirm whether the \$200 filing fee set forth in OMVH Rule 21 can be waived if the individual seeking a hearing to contest a particular driver's license suspension cannot afford to pay it. The clerk informed me that the \$200 filing fee that must be paid to secure an OMVH hearing concerning a license suspension cannot be waived for any reason.
- 9. Attached as Exhibit A is a true and correct copy of the South Carolina Administrative Law Court's Fiscal Year 2017-18 Accountability Report ("ALC 2017-18 Accountability Report"). I obtained this document several months ago from the ALC website, where it was still available as of November 1, 2019.
- 10. The ALC 2017-18 Accountability Report provides OMVH Workload Reports for Fiscal Year 2016-17 and Fiscal Year 2017-18. Ex. A at A-9. The workload reports identify the number of appeals concerning different types of DMV decisions that are filed and disposed by the OMVH in each fiscal year. *See Id*.
- 11. Of the thirteen non-miscellaneous categories of DMV decisions that were appealed to the Office of Motor Vehicles Hearings in Fiscal Year 2016-17 and Fiscal Year 2017-18, none

concerned DMV decisions to suspend a license for failure to pay a traffic ticket. Exhibit A at A-9. The thirteen specific categories are as follows: "Implied Consent or BAC," "Habitual Offender 1st Declared," "Habitual Offender Reduction," "Financial Responsibility," "Dealer Licensing," "Physical Disqualification," "IFTA," "Self-Insured," "Driver Training School," "IRP," "Points Suspension," "HOR 2," and "IID (Ignition Interlock)." *Id*.

12. Of the 6,089 cases filed in the OMVH in Fiscal Year 2017-18, only four concerned "Miscellaneous" DMV decisions. Similarly, of the 6,240 cases filed in the OMVH in Fiscal Year 2016-17, only five concerned "Miscellaneous" decisions.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this Declaration was executed on November 1, 2019 in New York, New York.

Robert Hunter, NY Reg. No. 5672647

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## **EXHIBIT A**

| AGENCY NAME: | South Carolina Administrative Law Court |          |    |  |
|--------------|---|----------|----|--|
| AGENCY CODE: | CO5                                     | SECTION: | 58 |  |

## Fiscal Year 2017-18 Accountability Report

## **SUBMISSION FORM**

AGENCY MISSION

The Court's mission is to provide a neutral forum for fair, prompt and objective hearings for any person(s) affected by an action or proposed action of certain State agencies or departments. The purpose of an administrative court such as the ALC, is to separate the adjudicatory proceedings from the investigative and policy-making functions of the agency. Prior to the creation of the Court, citizens who had a dispute with a state agency and wanted to challenge any action related to the dispute had to appear before hearing officers employed or contracted by that particular agency. The creation of this Court provided a forum separate from the agency whose decision was in dispute. The Court places a very high value on its ability to be fair and neutral to all of the litigants that appear before the Court and on continuing efforts to improve its results.

The Office of Motor Vehicle Hearings (OMVH) was created in 2005 as an office within the ALC and its mission is to provide a neutral forum for fair, prompt, and objective hearings for persons affected by certain actions or proposed actions of the SC Department of Motor Vehicles, ensuring due process and respecting the dignity of all.

AGENCY VISION

The Court's vision, including the OMVH, is to provide a technologically advanced court, easily accessible by all customers and stakeholders, to ensure the fair, prompt and objective resolution of all cases.

Please select yes or no if the agency has any major or minor (internal or external) recommendations that would allow the agency to operate more effectively and efficiently.

|                  | Yes | No |
|------------------|-----|----|
| RESTRUCTURING    |     |    |
| RECOMMENDATIONS: |     |    |

## 2:19-cv-03083-RMG Date Filed 11/01/19 Entry Number 15-1 Page 3 of 19

**South Carolina Administrative Law Court** 

AGENCY NAME:

(TYPE/PRINT NAME):

| AGENCY CODE:             | CO5   | SECTION:                 | 58                 |
|--------------------------|---|--------------------------|--------------------|
| Please identify your age | ncy's preferred contacts for t                            | his year's accountabilit | y report.          |
|                          | <u>Name</u>   | Phone                    | <u>Email</u>       |
| PRIMARY CONTACT:         | Jana Shealy   | 734-6411                 | jshealy@scalc.net  |
| SECONDARY CONTACT:       | Margaret Sanders  | 734-6414                 | msanders@scalc.net |
| the extent of my knowle  |   |                          |                    |
|                          |   |                          |                    |
| AGENCY DIRECTOR          |   |                          |                    |
| (SIGN AND DATE):         | 0200 211  |                          | 10/10              |
| (TYPE/PRINT NAME):       | The Honorable Ralph King A<br>Chief Administrative Law Ju |                          | 19/18              |
| Board/Cmsn Chair         |   |                          |                    |
| (SIGN AND DATE):         |   |                          |                    |

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| AGENCY NAME: | South C | Carolina Administrative La | w Court |  |
|--------------|---------|----------------------------|---------|--|
| AGENCY CODE: | CO5     | SECTION:                   | 58      |  |

## **AGENCY'S DISCUSSION AND ANALYSIS**

The Administrative Law Court (ALC) is in the Executive Branch and since its inception has evolved from an agency with 6 Administrative Law Judges (ALJ) and staff to an agency and court of record with an additional division, the Office of Motor Vehicle Hearings (OMVH), housing five (5) hearings officers and staff. Although the Court's jurisdiction has increased at a steady rate since its inception, the number of cases filed has decreased slightly. The Court now hears cases involving all state agencies except those arising under the Consolidated Procurement Code, the Public Service Commission and the Workers' Compensation Commission. (See Age of Disposed Cases below for specific case types filed with the Court).

The Court was created to provide a neutral forum for fair, prompt and objective hearings related to our jurisdiction. Though the ALC provides an excellent forum for the review of administrative law matters, there is always room for improvement, especially related to the time frames for disposing its cases (See Graph Charts regarding percentage of disposed cases). In analyzing the statistics for this year's disposals, there were a small number of cases that were disposed of well beyond the targeted time-frame. A closer review shows why it is often important to note that delays in cases may be beyond the control of the Court, in particular when motions for continuances, or to hold matters in abeyance pending the outcome of another court case are filed. For example, a county tax matter was filed and assigned in 2007 but was not disposed of until 2017. The party requesting the hearing asked for the matter to be held in abeyance pending the outcome of a quiet title action involving his property that was pending in circuit court and ultimately appealed to the Court of Appeals. When the case was reassigned to a new judge (due to the retirement of the previously assigned judge) the matter was dismissed with leave for the parties to refile if necessary after the Court of Appeals decision. Similarly, a 2009 case was held in abeyance pending outcome in another court and the matter was reassigned due to retirement and it was ultimately dismissed. In all, there were five cases that were at least three to eight years old and six cases that were two to three years old. The Court's overall disposition time-frames are trending at comparable rates over the past few years, even considering these anomalies.

The Chief Judge is statutorily responsible for the assignment of cases filed with the Court to an ALJ and is the Director of the OMVH where the cases are automatically assigned to a hearing officer based on specific geographic regions. The Chief Judge is also responsible for the administration of the Court and OMVH, including budgetary matters and supervision of the support staff. The other ALJs are individually responsible for efficiently disposing of cases assigned to them and for the supervision of his or her administrative assistant/law clerk. Although the Chief Judge is the administrator of the Court, each ALJ has complete autonomy over the cases he or she is assigned to adjudicate. Each ALJ and his or her law clerk are responsible for ensuring the fair and prompt disposition of the cases assigned to their office. Although there are internal workflows and timeframes for disposing of cases, there is no required uniformity among the judges' offices nor are there requirements that mandate compliance with the timeframes or workflows. The Court's current structure, with six autonomous judges' offices, does not lend itself to centralized oversight of case disposition processes. Legislative changes would be necessary if the General Assembly determined that such centralization or oversight of case dispositions was necessary. If the Court is unable to accomplish its goals and objectives, the greatest risk of a negative impact on the public would be for due process to be delayed or denied. If a case becomes moot due to lack of a timely decision, this could potentially have a negative impact on the parties involved. Citizens should be able to rely on a court system that is fair and prompt. Further, a court that is fully funded without reliance on fees would also mitigate these issues rising to the level of immediate concern for all stakeholders.

| AGENCY NAME: South Carolina Administrative Law Court |     |          |    |  |
|--|-----|----------|----|--|
| AGENCY CODE:   | CO5 | SECTION: | 58 |  |

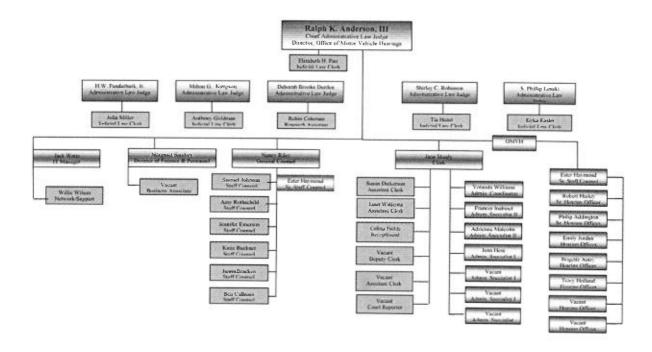
A top priority of the Court (including OMVH) is protecting our information and IT assets against increasing cyber threats and vulnerabilities. We depend heavily on our network and information systems for essential operations and data security and go beyond the minimum necessary steps to protect them. Recently the Court initiated a modernization of our data systems, networks, courtrooms and information platforms. This was imperative to protect business-critical applications and data. After strategic planning the Court began constructing a modernized and secure IT infrastructure that enhanced the agency's voice, network, data, and video capabilities, providing secure platforms for internal and external communications.

The Court will continue to develop and enhance a secure electronic filing system that is safe for all users, internal and external. Consolidating records while reducing the paper process will allow litigants faster access to the Court's information and provide electronic access to the public. In addition, the system and reduction of paper filings will increase the court's efficiency in processing and disposing of cases.

Much effort is being put into the cyber security education of all agency employees. Weekly safety briefs are a standard through email and on the Court's intranet site which is always accessible for users. The ALC's personnel stay informed by industry leaders to leverage best practices. We recognize that the first line of defense in maintaining the security and integrity of our IT assets and networks starts with informed IT personnel.

The Court will continue its efforts to meet its strategic goal to develop technology improvements and increase the Court's efficiency.

# SC ADMINISTRATIVE LAW COURT ORGANIZATIONAL CHART 2018



| AGENCY NAME: | South ( | Carolina Administrative La | w Court |  |
|--------------|---------|----------------------------|---------|--|
| AGENCY CODE: | CO5     | SECTION:                   | 58      |  |

## AGE OF DISPOSED CASES REPORT

| Total    | Average Age | % Meeting |
|----------|-------------|-----------|
| Disposed | at Disposal | Objective |

|        |   | Disposed | at Disposal | Objective |
|--------|---|----------|-------------|-----------|
| Agency | I. Contested Cases Objective = 90 Days                      | 211      | 86          | 70        |
| DNR    | Hunting/Fishing Violations [ALC CC 90]                      |          | 227         |           |
| DOR    | ABC Applications/Renewals [ALC CC 90]                       | 52       | 93          | 60        |
| LLR    | Wage Disputes [ALC CC 90]                                   |          |             |           |
| LLR    | OSHA Violations [ALC CC 90]                                 | 17       | 194         | 35        |
| ANY    | Injunctive Relief Hearings [ALC IJ 90]                      | 80       | 77          | 66        |
| ANY    | Public Hearings for Proposed Regulations [ALC RH 90]        | 44       | 67          | 95        |
| ANY    | Subpoenas   | 6        | 13          | 100       |
| ANY    | Miscellaneous   | 12       | 73          | 75        |
| Agency | II. Contested Cases Objective = 120 Days                    | 49       | 149         | 45        |
| DCA    | Applications/Violations [ALC CC 120]                        | 3        | 203         | 0         |
| DNR    | Coastal Fisheries Violations [ALC CC 120]                   | 1        | 143         | 0         |
| DOI    | Insurance Agent Applications [ALC CC 120]                   | 2        | 152         | 50        |
| DOI    | Insurance Rate Cases [ALC CC 120]                           |          | ##D         |           |
| DOR    | ABC violations [ALC CC 120]                                 | 40       | 150         | 45        |
| SLED   | CWP/PI/Security License [ALC CC 120]                        | 3        | 80          | 100       |
| Agency | III. Contested Cases Objective = 180 Days                   | 77       | 336         | 57        |
| ANY    | Setoff Debt Collection [ALC CC 180]                         | 2        | 86          | 100       |
| ANY    | Tourism Expenditure Review [ALC CC 180]                     |          | 220         |           |
| DHEC   | Health Licensing Cases [ALC CC 180]                         | 13       | 845         | 0         |
| DNR    | Boating Under the Influence [ALC CC 180]                    | 7        | 148         | 86        |
| DOI    | Insurance Agent Violations [ALC CC 180]                     | 3        | 331         | 0         |
| DOR    | Bingo Violations [ALC CC 180]                               | 7        | 141         | 86        |
| DOR    | County Property Tax [ALC CC 180]                            | 25       | 332         | 60        |
| DOT    | Outdoor Advertisements/DBE/Displacement                     |          |             |           |
| PEBA   | State Retirement Systems [ALC CC 180]                       | 10       | 249         | 60        |
| sos    | Charities [ALC CC 180]                                      | 9        | 83          | 89        |
| Agency | IV. Contested Cases Objective = 300 Days                    | 48       | 340         | 50        |
| DHEC   | Certificate of Need [ALC CC 300]                            | 9        | 318         | 44        |
| DHEC   | Environmental Permitting [ALC CC 300]                       | 11       | 296         | 64        |
| DHEC   | Ocean and Coastal Resource Management [ALC CC 300]          | 4        | 494         | 0         |
| DOR    | State Tax Cases [ALC CC 300]                                | 24       | 536         | 50        |
| Agency | V. Appeals Objective = 120                                  | 70       | 120         | 54        |
| DEW    | Employment and Workforce Appeals [Appeals from DEW]         | 70       | 120         | 54        |
| Agency | VI. Appeals (all other non inmate) Objective = 180          | 81       | 202         | 67        |
| HHS    | Medicaid and Provider Appeals [Appeals (all others) 180]    | 15       | 370         | 47        |
| DOA    | Employee Grievance Appeals [Appeals (all others) 180]       | 2        | 133         | 50        |
| Any    | Charter School Appeals [Appeals (all others) 180]           | 2        | 161         | 50        |
| CJA    | Criminal Justice Academy Appeals [Appeals (all others) 180] |          |             |           |

| AG           | ENCY NAME:            | South Carolina Administrative Law Court                      |                  |     |     |    |
|--------------|-----------------------|--|------------------|-----|-----|----|
| AGENCY CODE: |                       | CO5  | CO5 Section: 58  |     |     |    |
| ОМУН         | Administrative Licen  | se Revocations/Ignition I                                    | nterlock Appeals | 29  | 152 | 79 |
| LLR          |                       | fessional Licensing Board Appeals [Appeals (all others) 180] |                  | 11  | 175 | 64 |
| DSS          | Daycare/Fostercare    | Appeals, SNAP (FI) [DSS]                                     |                  | 11  | 139 | 91 |
| PEBA         | PEBA Employee Insu    |  | 11               | 214 | 45  |    |
| Categor      | v IV Case Types: Obie |  |                  |     |     |    |

DOC

**ALL CASE TYPES** 

Inmate grievances [DOC & PPPS]

ALL CASE TYPES excluding inmate grievances

NOTE: DOI: Dept. of Insurance; LLR: Dept. of Labor, Licensing and Regulation; DNR: Dept. of Natural Resources; DOR: Dept. of Revenue; DHEC: Dept. of Health and Environmental Control; HHS: Dept. of Health and Human Services; DSS: Dept. of Social Services; SLED: State Law Enforcement Court; DOC: Department of Corrections; PPPS, Department of Probation, Parole and Pardon Services; PEBA: Public Employee Benefit; OMVH: Office of Motor Vehicle Hearings; CA: Department of Consumer Affairs; DEW: Employment and Workforce; CJA: Criminal Justice Academy; SOS: Secretary of State; DOA: Department of Administration; DOT: Department of Transportation

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## COMBINED COURT AND OMVH WORKLOAD SINCE 2011

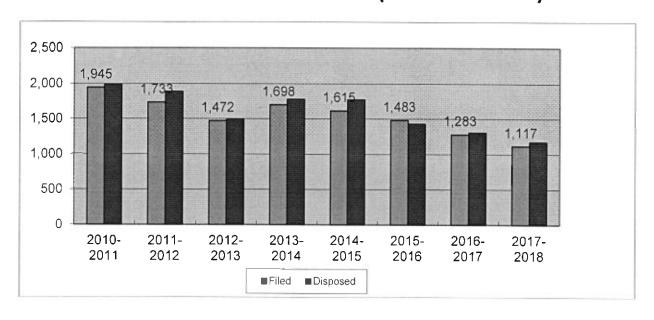
| FISCAL<br>YEAR | COURT | омун | TOTAL<br>CASES<br>FILED | COURT | омун | TOTAL CASES |
|----------------|-------|------|-------------------------|-------|------|-------------|
| FY 10-11       | 1945  | 6786 | 8,731                   | 1986  | 6760 | 8,746       |
| FY 11-12       | 1733  | 6939 | 8,671                   | 1886  | 7501 | 9,387       |
| FY 12-13       | 1472  | 6776 | 8,248                   | 1497  | 6678 | 8,175       |
| FY 13-14       | 1698  | 6863 | 8,561                   | 1776  | 6777 | 8,553       |
| FY 14-15       | 1615  | 6796 | 8,411                   | 1771  | 6627 | 8,398       |
| FY 15-16       | 1483  | 6385 | 7,868                   | 1430  | 6568 | 7,998       |
| FY 16-17       | 1283  | 6240 | 7,523                   | 1310  | 6314 | 7,624       |
| FY 17-18       | 1117  | 6089 | 7,206                   | 1175  | 6309 | 7,426       |

| AGENCY NAME: | South C | Carolina Administrative La | w Court |
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| AGENCY CODE: | CO5     | SECTION:                   | 58      |

#### **COURT'S WORKLOAD REPORT SINCE 2011**

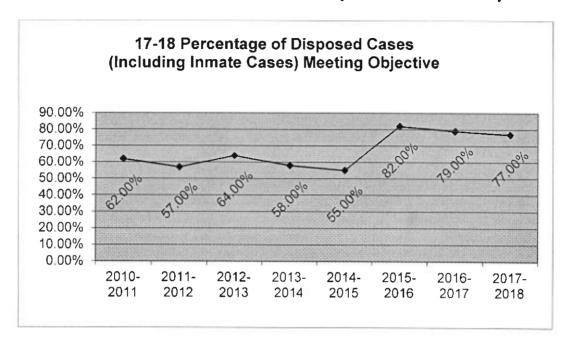
|          | *CCs, RHs, | <u>Al-</u> |       | *CCs, RHs, | <u>Al-</u>     |             |
|----------|------------|------------|-------|------------|----------------|-------------|
|          | IJs, and & | Shabazz/   | TOTAL | IJs, and & | Shabazz/       |             |
| FISCAL   | other      | Furtick    | CASES | other      | <u>Furtick</u> | TOTAL CASES |
| YEAR     | appeals    | Appeals    | FILED | appeals    | Appeals        | DISPOSED    |
| FY 10-11 | 750        | 1,195      | 1,945 | 924        | 1,062          | 1,986       |
| FY 11-12 | 643        | 1,090      | 1,733 | 627        | 1,259          | 1,886       |
| FY 12-13 | 567        | 905        | 1,472 | 559        | 938            | 1,497       |
| FY 13-14 | 636        | 1,062      | 1,698 | 670        | 1106           | 1,776       |
| FY 15-16 | 506        | 977        | 1,483 | 543        | 887            | 1,483       |
| FY 16-17 | 492        | 791        | 1,283 | 534        | 776            | 1,310       |
| FY 17-18 | 483        | 634        | 1,117 | 536        | 639            | 1,175       |

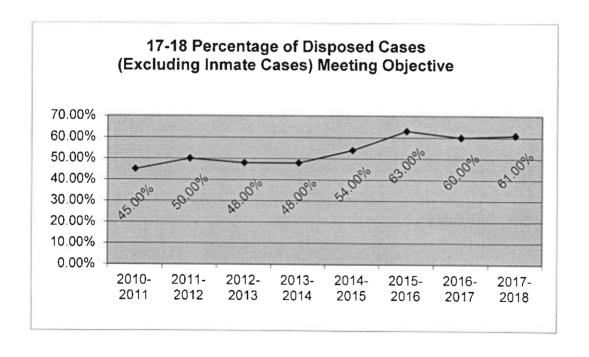
## FILINGS AND DISPOSITIONS FOR THE COURT (EXCLUDING OMVH) SINCE 2011



| AGENCY NAME: | South ( | Carolina Administrative La | w Court |  |
|--------------|---------|----------------------------|---------|--|
| AGENCY CODE: | CO5     | SECTION:                   | 58      |  |

## DISPOSITION PERCENTAGES FOR THE COURT (EXCLUDING OMVH) SINCE 2011





| AGENCY NAME: | South ( | Carolina Administrative La | w Court |  |
|--------------|---------|----------------------------|---------|--|
| AGENCY CODE: | CO5     | SECTION:                   | 58      |  |

## **OMVH WORKLOAD REPORT FOR CURRENT YEAR 2017-2018**

| Case Type # | Description                    | CASES FILED | CASES DISPOSED |
|-------------|--------------------------------|-------------|----------------|
| 01          | Implied Consent or BAC         | 5887        | 6096           |
| 02          | Habitual Offender 1st Declared | 38          | 56             |
| 03          | Habitual Offender Reduction    | 32          | 41             |
| 04          | Financial Responsibility       | 67          | 44             |
| 05          | Dealer Licensing               | 9           | 8              |
| 06          | Physical Disqualification      | 15          | 11             |
| 07          | IFTA                           | 6           | 6              |
| 08          | Self-Insured                   |             |                |
| 09          | Driver Training School         |             |                |
| 10          | IRP                            |             |                |
| 11          | Miscellaneous                  | 4           | 6              |
| 12          | Points Suspension              | 4           | 6              |
| 13          | HOR 2                          | 4           | 2              |
| 14          | IID (Ignition Interlock)       | 23          | 33             |
| TOTAL       |                                | 6089        | 6309           |

## **OMVH WORKLOAD REPORT FOR 2016-2017**

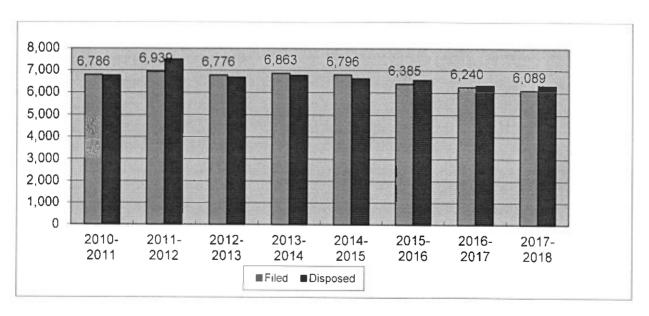
| Case Type # | Description                    | CASES FILED | CASES DISPOSED |
|-------------|--------------------------------|-------------|----------------|
| 01          | Implied Consent or BAC         | 5991        | 6117           |
| 02          | Habitual Offender 1st Declared | 53          | 41             |
| 03          | Habitual Offender Reduction    | 51          | 47             |
| 04          | Financial Responsibility       | 53          | 40             |
| 05          | Dealer Licensing               | 16          | 9              |
| 06          | Physical Disqualification      | 8           | 8              |
| 07          | IFTA                           | 6           | 5              |
| 08          | Self-Insured                   |             |                |
| 09          | Driver Training School         | -           | 200            |
| 10          | IRP                            | 2           |                |
| 11          | Miscellaneous                  | 5           | 3              |
| 12          | Points Suspension              | 8           | 6              |
| 13          | HOR 2                          | 9           | 10             |
| 14          | IID (Ignition Interlock)       | 38          | 28             |
| TOTAL       |                                | 6240        | 6314           |

| AGENCY NAME: | South ( | Carolina Administrative La | w Court |  |
|--------------|---------|----------------------------|---------|--|
| AGENCY CODE: | CO5     | SECTION:                   | 58      |  |

## **OMVH WORKLOAD REPORT FOR 2015-2016**

| Case Type # | Description                    | CASES FILED | CASES DISPOSED |
|-------------|--------------------------------|-------------|----------------|
| 01          | Implied Consent or BAC         | 6197        | 6332           |
| 02          | Habitual Offender 1st Declared | 52          | 71             |
| 03          | Habitual Offender Reduction    | 42          | 51             |
| 04          | Financial Responsibility       | 31          | 45             |
| 05          | Dealer Licensing               | 9           | 7              |
| 06          | Physical Disqualification      | 8           | 8              |
| 07          | IFTA                           | 7           | 9              |
| 08          | Self-Insured                   | 0           | 0              |
| 09          | Driver Training School         | 0           | 0              |
| 10          | IRP                            | 1           | 1              |
| 11          | Miscellaneous                  | 4           | 4              |
| 12          | Points Suspension              | 6           | 8              |
| 13          | HOR 2                          | 7           | 5              |
| 14          | IID (Ignition Interlock)       | 31          | 27             |
| TOTAL       |                                | 6385        | 6568           |

## FILINGS AND DISPOSITIONS FOR THE OMVH SINCE 2011



| Agency Name:<br>Agency Code:               | ADMINISTRATIVE LAW COURT COSO Sections S8   |                                |   | Fiscal Year 2017, 2018<br>Accountability Report                       |
|--|---|--------------------------------|---|---|
| Statewide Enterprise Strategit Objective   | Annie Coal Strategy Measure   | 2017-18<br>Save Terpot Actual  | Strategic Planning and Pr<br>Time Applicate Data Scurre and Calculation                               | Strategic Planning and Performance Measurement Template<br>Jon Method |
| Government and Criteris                    | Accountability for performance of judicial functions and responsibilities   | See Analysis<br>and Discussion | have 1 - have 30 CMS, updated date. Excel formula<br>using 8 of center<br>and age of each case        | Sen Analysis<br>and Oksoassion  |
| Government and Cititiens                   | Centur  | See Analysis<br>and Dhenasion  | Tally 1 - Name 30 - CMS, updated dially - Excel formula<br>using 8 of crosses<br>and age of each core | See Analysis<br>and Discussion  |
| Maintaining Safety, Integrity and Security | 3 3.1<br>3.1<br>3.1<br>3.1<br>3.1   |                                |   |   |
| Éducaiton, Training, and Human Development | 1   Work with electronic and records of the Protects of 10 protects and security channels on the Protects of 10 protects of |                                |   |   |
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|  |         | ADMINISTRATIVE LAW COURT |  |
|--|---------|--------------------------|--|
| Azensy Code:                               | 0500    | Section:                 | Accountability Report  |
| Mateuride Enterprise Strategic Objective   | Type    | dem é                    | Strategic Planning and Performance Measurement Template Times Antibodes Times  |
|  |         | Coal Strokey Means       | Base Target Actual   |
| Government and Citizens                    | 3 4     | 1 11                     | Provide the and impartial hearings for all inligates. Accountability for performance of judicial functions and responsibilities.   |
|  | 0       | 111                      | Bi-danud judgs meetings  |
| Gavernment and Citizens                    | U       | 2                        | Annual man way condenses to the upsortes TRBD Condent Presents in a lately was every more than the condenses to the upsortes the condenses the |
|  | s, (    | 2.1                      |  |
|  | o 0     | 211                      | Return Only on the Case of the |
|  | 0       |                          | Continually assess and improve court's public information on website   |
| Maintaining Safety, Integrity and Security | ٠ ی     |                          | Enhance information technology to accurate and security  |
|  | • 0     | 311                      | Develop and a view upon retrieve treation points a many to Ucedate.  Develop and a view upon retrieve treation points after the second point of the second points of the second p |
|  | *:      | 21.6                     | Develop procurement plan for electronic filing system  |
|  | v c     | 3.2                      | Division of Information Seculty Compilance<br>Division of Information Seculty Compilance<br>Cratinary in development of The material and execution information   |
| Education, Training, and Human Development | 0       |                          | Work with extensional and professional and a second a second and a second a second a second a second and a second a sec |
|  | M ·     | 4.1                      | Provide an opportunity for Law students to learn about administrative law  |
|  | 0 1     | 411                      | Partner with USC School of Law and the JOE program   |
|  | 1       | 4.2                      | Parties with the certifiets its -doubling juilted and activation and statement and activation in the parties of the certifiets and annurse sord national and statement and annurse sord national and activation and annurse area of national activation and annurse area of national activation and activation activation activation and activation activation activation activation and activation activatio |
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Agency Name: ADMINISTRATIVE LAW COURT Fiscal Year 2017-2018 **Accountability Report** Agency Code: C050 Section 058 **Program Template** FY 2017-18 Expenditures (Actual) FY 2018-19 Expenditures (Projected) Program/Title Purpose Associated Measure(s) Other **Federal** TOTAL Other TOTAL Administrative Overhead Process, hear and decide contested cases, \$ 2,431,008 \$ 540,516 2,971,524 \$ \$ 2,541,666 \$ 550,516 3,092,182 All Goals 1, 2 and 3 appeals, regulations and injunctive relief \$ \$ matters from state agencies pursuant to \$ \$ Article 1 Section 22 of the SC Constitution, Ś \$ S.C. Code Ann 1-23-500 et seq., Al-Shabazz 5 \$ v. State and various agency specific \$ \$ statutes ŝ \$ Administrative Overhead Administration of the Agency (the Court 145,655 \$ \$ 116,597 \$ 262,252 \$ 147,635 \$ \$ 267,732 N/A 120,097 and OMVH) particulaly in regards to \$ 5 Agency Accounting, Human Resources, \$ \$ Budgeting and Receptionist functions. S \$ \$ \$ OMVH Hearings Process, hear and decide administrative 615,058 \$ 615,058 \$ 628,058 \$ 628,058 All Goals 1, 2 and 3 hearings required by SC motor vehicle and \$ \$ driver's license laws pursuant to South \$ \$ Carolina Code Title 56. Administrative \$ \$ Procedures Act and Financial Reponsibility \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ 5

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| Agency Name: | ADMINISTRAŢIVE LAW CDURT                                 | VE LAW COURT            | 8007-1001 real lead  |
|--------------|--|-------------------------|--|
| Agency Code: | COSD   | 850 25:55               | Accountability Report Accountability Report  |
| , E-3        | Law Nember   | Authorities Type of law | Ders the law specify a latter of sensor functions of the specify a sensor of |
|              | Title 1, Chapter 23                                      | State                   | Administrative Law Court and election  |
| y re         | Fitle 1, Chapter 13                                      | Mark State              | University production of the control |
| 4 6          | Title 2, Chapter 19<br>Title 3, Chapter 5                |                         | Glintino di Judges<br>Perceptual debris and Externents to LIS for Development of Wasterward  |
| ę.           | Title 6, Chapter 4                                       | Stare                   | Cotested cases from the Tourin Expenditure Review Committee  |
| 9 ~          | Title 6, Chapter 8                                       | State                   | injunktion regarding to AC Building Codes, Council   |
| <b>.</b> 60  | Title 9, Chapter 8                                       | State State             | Applies for the Saste of Control  |
| б :          | Title 9, Chapter 18                                      | Stare                   | Appeal i ggarding Qualified Omentic Relations Orders   |
| B 1          | Title 10, Chapter 21                                     | State State             | Contested casse regarding the state or the contested by the state of the contested by the state of the sta |
| 12           | Title 12, Chapters 4, B, 24, 28, 54, 60                  | State                   | Revenue Procedures Act, excludibiling contessed case hearings before the ALC for bounty and  |
| 13           | Title 12, Chapter 56<br>Title 16, Chapter 17             | State State             | Contributed cases regarding the scriet Debt Colorame reference and the Chart. of   |
| 15           | Tille 23, Chapter 9                                      | State                   | Appeals then the State for Manch and a second continues and properties.  |
| 16           | Title 23, Chapter 31 Title 23, Chapter 36                | State State             | Contracted cases regarding the format clean the construction by SED. Contracted cases regarding the frame clean to the construction by SED.  |
| 18           | Title 23. Chapter 43                                     | State                   | Appeals and injuries relief from the X2 solutions Council to graduate the Council regarding to t |
| 13<br>50     | Title 27 Chapter 29                                      | State State             | Conference asks regarding control of country boundaries by the Conference survey.  |
| 77           | Trie 31, Chapter 21                                      | State                   | Apples If from the XI farmand Alaric Commission regarding the Bailt Housening Law  |
| 22 22        | Title 32, Chapter 7                                      | State                   | CONTRACTORS regarding princed funnial contracts by the Dept of Consumer Affairs  |
| 23           | Title 33, Chapter 56 Title 33, Chapter 57                | State State             | Contracted cases from the Secretary of State (egading solicitations of charitable funds).  |
| 52           | Title 34 Chapter 36                                      | State                   | Connested cases from the Pert of Connested Relative Relat |
| 26           | Title 36. Chapter 9                                      | State                   | Colletable cases regarding the Commercial Colletable and secure transaction filings from the   |
| 28           | Tile 38 Chapters 3, 5, 9, 13, 21, 25, 27, 29             | State State (           | CONTRICTED SEAR AND INVESTMENT OF THE PROPERTY OF CONTRICTED OF TO THE PROPERTY OF THE PROPERT |
|              | 31 33, 39, 43, 44, 53, 59 70, 71, 73, 75, 78,            | State                   | agent kersing, agent wolations, ball bendomen, rate cases, captive insurance companies,  |
| 52           | 90, 91<br>Trile 39, Chapter 1                            | State State             | provey of genetal inflammations, services and services and inflammation of the community, etc., inflammation  |
| 30           | Title 39, Chapter 37                                     | State                   | Applies from the Depth of Agriculture reports.   |
| 31           | Title 39 Chapter 61                                      |                         | Contracted cases and injunctive relief from the Dept, of Consumer Alfainr nggarding the Monor  |
| 35           | 18 19, 22, 23, 28, 29, 30, 13, 15, 36, 37, 39            | State                   | t Keples and injudice for the venous beach and containing a time of the body.  Activities and Resultation residence resistances in the Body of the body.   |
|              | 45 47 51, 55 56, 58, 59, 60, 61 61 65, 68                | State                   | Earmines, Raiz Esae Commission, Revolential Bullets Commission, Board of Commercially  |
| 46           | 69, 75, 77, 81, 82<br>Tale 41, Channel 1                 |                         | and the found of National are a few anamplies  |
| ¥ 5£         | Title 41, Chapter 8                                      | State State             | Applea Jan Ville Geller Labor, Lecennig and Regulation Registrom, Park Right (1994).<br>Special Jan dividuoles etiele from the Debt. of Labor, Literatures and Regulation regarding literal  |
| 3/6          | Title 41, Chapter 14                                     | State State             | Inhighter relef from the Dept of Labor, Licensing and Regulation regarding the Boller Solety   |
| 37           | Title 41, Chapter 15                                     | State                   | Comented Caves from the Dept. of Labor, Licensing and Regulation, Devision of Labor  |
| RF 68        | Title 41, Chapter 29 Title 41, Chapter 35                | State State 6           | A Appa's Irinpiyanen and Workfuce<br>Appa's Irinpiyanen and Workfuce   |
| 40           | Title 42, Chapter 15                                     | State                   | Appeal from the Workers' Commission regarding feet of attorneys and hospital   |
| 41           | Tribe 43, Chapter 25                                     | State                   | Chipe id from the Commission for the Blind   |
| 43           | Title 44, Chapter 1                                      | State State             | contribute Cass (from the Bear of February Commentation Contribute Cass) from the Bear of February Cass (from the Bear of February Commentation Contribute Cass) from the Bear of February Cass (from the Bear of February Cass).  |
| 94           | Title 44. Chapter 6                                      | State                   | Appeal from the Dept., of Meaths and Human Services  |
| 45           | Trie 44 Chapter 7  | Same State C            | CONDISTING East, From He Cape, of He Lith and Control regarding the State Control From He Cape Control He Lith and Control Regarding the State   |
| 47           | Tille 44, Chapter 79                                     | State                   | Contested Gases from the Pept of Consumer Allian regarding the Physical Finness Services Act   |
| 48           | Tille 45, Chapter 9                                      | Stare                   | Appola Isram the State Human Affats Commission regarding Equal Enjoyment and Provineges to   |
| F 53         | Tripe 46, Chapter 9                                      | State State             | Apples from the Paghas Crop Per Commission   |
| 51           | Tale 47, Chapters 4, 17, 19                              | State                   | Appeals form the State Livestock-Poultry Health Commission   |
| 5 5          | Trile 48, Chapter 1                                      | State                   | Controlled Cases (from the light of Health and Environmental Control regarding the Pollution<br>and the from the Control administration.   |
| ংক           | Trife 48, Chapter 27                                     | State State             | or and the state double of a feature of the state of the  |
| 55           | Title 48, Chapter 19                                     | State                   | Contested Cases from the Dept. of Health and Environmental Control regarding coastal   |
| <b>%</b> 0   | Title 48, Chapter 57                                     |                         | The state of Evil or the state of the state  |
| SB S         | Tibe 49, Chapter 23                                      | State                   | Controls of Cases from the Ex-Control of Cases o |
| 53           | Title 50, Chapter 21                                     | State                   | Contested Gaes from the Dept. of Natural Resources regarding the narration of waterzaft,   |
| 09 5         | Title 52, Chapter 19                                     | State State A           | Applay also directive relief from the Dept. of Labor, Licensing and Regulation regarding   |
| 5 62         | Title 54, Chapter 15                                     | State                   | Appleas and unitaries where from successions and appleases of Pilotogae.   |
| 63           | Title 55, Chapter 5                                      | State                   | ababe His min the Aeronautic Commission  |
| ¥ 59         | Tritle 56, Chapters 1, 5, 9, 15, 28 Tritle 58, Chapter 3 | State State T           | In the Office of Most Vertical (MANY) defined to the Office of the Office of |
| 38           | Title 58 Chapter 27                                      | State                   | Contracted data from the Public Service Commission regarding the Lease of Rennewable Electric  |
| 67           | Title 59, Chapter 25                                     | State                   | for the State Good of electricities and the State Good of electric |
| 3 5          | Title 59, Chapter 58 Title 59, Chapter 58                | State State A           | Apples I from Led stated districts or the SC Public Charter School Dutrict regarding charter<br>Apples I from the SC Chamwishian on Higher Education   |
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| 70    | Title 59, Chapter 102     | 1                | Contraided expertions the Biggs of Communer Affairs regarding within the present and accommuner Affairs regarding within the present.  |   |
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| 22    | Tele 61 Chapter 150       | State State      | Applies with the Control of the Cont |   |
| 7.3   | Title 63, Chapters 11, 13 |                  | Agency from the flat of Society experience from the control of the |   |
| 74    | Chapter 71                |                  | Dept of Labor, Ucensurg and Regulation, Occupational Safety and Health   |   |
| 72    | Chapter 63                | Regulation       | Contested Cases from the Dept of Transportation  |   |
| 7,9   | Chapter 19<br>Chapter 28  |                  | Design and Contracted Behavior   |   |
| 78    | Chapter 127               | Regulation       | Days of Liber, Liberising and Regulation, Dissipational Health and Safety Review Board   |   |
| 57 SE | Chapter 7                 | State Regulation | The following of Research of Control C |   |
| 81    | Chapter 61-43             | Regulation       | Det, of Heals and Environment Control, Strategies for the Permitting of Agricultural Animal  |   |
| 82    | Chapter 69                | Regulation       | Deep of insurance  |   |
| 2 2   | Chapter 72                |                  | Obes, of Health Cartesianments (Australianments and Conservation Destrict), Designation of the Conservation C |   |
| BS SB | Chapter 114               | Regulation       | Dept. of Social Services, before the testines  |   |
| 989   | Chapter B                 | State Regulation | Marie Clear Committee Comm |   |
| à 88  | Chapter 25                | Regulation       | Count of laboration and Residential of Section and Sec |   |
| 68    | Chapter 44                | Regulation       | South Careful Later Commission   |   |
| 06    | Chapter 61-57             |                  | Chest of Health and Environmental Centruit Development of Subdivision Water Supply and   |   |
| 91    | Chapter 61-67             |                  | Dwyt, of Health and Environmental Exerting Wastewater Back from Construction   |   |
| 92    | 58.1                      | State Proviso    | Appendix and Expediture of coupling costs and Doplets of Index   |   |
| F6 98 | 275                       | State Proviso    | County (You's Speech for Administration Landings)  |   |
| 95    | Al-Shabazz v State, etc.  |                  | Adventisher, operational appeals from Constitution and Dept. of Probation, Parish  |   |
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| Agency Name:                | ADMINISTRATIVE LAW COURT                     | VE LAW COURT  |   | Fiscal Vear  | Fiscal Year 2017-2018 |
|-----------------------------|--|---|---|--|-----------------------|
| Agency Code:                | CO50 Section:                                | 85  |   | Accountable  | Accountability Report |
| Divisions or Major Programs | Description                                  | Service/Product Provided to Customers                 | Customer Segments                                 | Specify only for the following Segments: (1) Industry: Name; (2) Professional Organization: Name; (3) Public Demographics. | tation: Name; (3)     |
| SCALC Hearings              | Contested case hearings, appeals, regulation | Final Orders issued in all cases filed with the Court | Executive Branch/State Agencies<br>General Public | Any person filling a request for a heading with the ALC  |                       |
|                             |  |   | Local Govts.                                      | And the same same same same same same same sam   | 2::                   |
| Control of the Control      |  |   | Industry  | Legal community (attorneys)  | 19                    |
| CINIAN DEATHIRS             | contrested case freatfiles regarding univers | rinal Orders issued in all cases liled with the UMVH  | General Public                                    | Any nerson filing a reminest for a hearing with the DMVH   | -C                    |
|                             |  |   | Industry  | Legal community (attorneys)  | V-(                   |
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Agency Name: ADMINISTRATIVE LAW COURT Fiscal Year 2017-2018 **Accountability Report** Agency Code: Section: C050 058 Partner Template Name of Partner Entity Type of Partner Entity **Description of Partnership** Associated Goal(s) State Government All objectives Work with the agencies to provide information for citizens who are University of South Carolina, School of Law Provide internships for the summer JOE Program State Government All objectives Professional Association SC Bar Provide speakers for continuing legal education seminars and assist in All objectives SCPRT State Government The ALC and SC PRT provide and assist each other with IT support as All objectives

Fiscal Year 2017-2018 Accountability Report

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|-----|---------------------------------------|---------------------------|--|----------------|------------------------|--|---|--|
| Ę   | Is this a Repart, Review, Or<br>both? | Report or Review Name     | Name of Entity Requesting the<br>Report or Conducting Review | Type of Entity | Reporting<br>Frequency | Current Fiscal Year, Submission<br>Date or Review Timebre<br>(MM/DD/mmy) | Summary of Information Requested in the Report or<br>Reviewed | Method to Access the Report or Information from the Review |
|     | External Review and Report            | Restructuring Report      | House Legislative Oversight<br>Committee                     | State          | Americally             | dennery  | Oversight information from agency                             | Paper  |
| ~   | External Review and Report            | Restructuring Report      | Office of Synate Oversight                                   | State          | Armash                 | Asruary  | Oversight information from agency                             | Paper  |
|     | External Review and Report            | Accountability Report     | Exitative Builget Office                                     | State          | Annually               | September  | Annual accountability regarding performance                   | www scale hell and paper                                   |
|     | External Review and Report            | Annual Budget Plans       | Executive Budget Office                                      | State          | Amonth                 | September/October  | Prioritize and make requests for operating and capital needs  | Paper  |
|     | External Review and Report            | Organizational Chart      | Human Besources  | State          | Annually               | September  | Positions titles and classification                           | Paper  |
| up. | External Renew and Report             | IT/IS Plans               | Division of Technology                                       | State          | Annually               | October  | Data collection and survey regarding IT plans and policies    | Paper  |
| 4   | External Review and Report            | Minority Report           | DOA  | State          | Quarterly              | 100%   | Purchases from minority wendors                               | Paper  |
|     | External Review and Report            | Minority Utilization Plan | DOA  | State          | Annually               | September  | Projection of purchases from minority vendors                 | Paper  |
| 8   | External Review and Report            | State Vehicle Summary     | DOA  | State          | Monthly                | 10th   | Leave car mileage   | Paper  |
| 6   | External Review and Report            | DEW UCE                   | DEW  | State          | Quarterly              | 15th   | Wage and contribution report                                  | Paper  |
| 0   | External Review and Report            | Procurement               | DOA  | State          | Quarrerly              | 15th   | Type of procurement   | Paper  |
| 11  | External Review and Report            | Decailed Budget           | DOA  | State          | Annually               | September  | Budget requests placed in line nems                           | Paper  |
| 7.1 | External Review and Report            | GAAP                      | 93   | State          | Annually               | Upon request   | General accounting principals report                          | Paper  |
| 63  | External Review and Report            | Travel Narrative          | DOA  | State          | Annually               | Upon request   | Trave' justification  | Paper  |
| 7   | External Review and Report            | Fees and Fines Report     | DOA  | State          | Annually               | August   | Other revenue   | www scalc net and paper                                    |

| Agency Name: |                                       | ADMINISTRATIVE LAW COURT  |  |                |                          |  |                         |
|--------------|---------------------------------------|---------------------------|--|----------------|--------------------------|--|-------------------------|
| Agenty Code: | 0580                                  | Sections                  | 850  |                |                          |  |                         |
| Real         | ls this a Repart, Review, or<br>both? | Report or Review Name     | Name of Entity Requesting the<br>Report or Conducting Review | Type of Entity | Reporting<br>Freeparency | Current Fiscal Year, Submission<br>Date or Review Timefore<br>(MM/DD/YYYY) | Summary of Inform       |
|              | External Review and Report            | Restructuring Report      | House Legislative Oversight<br>Committee                     | State          | Ammaily                  | hersary  | Oversight in            |
| 7            | External Review and Report            | Restructuring Report      | Office of Senate Oversight                                   | State          | Armash                   | Samary   | Oversight in            |
|              | External Review and Report            | Accountability Report     | Exicultive Budget Office                                     | State          | Annially                 | September  | Annual accounts         |
| 4            | External Review and Report            | Annual Budget Plans       | Executive Budget Office                                      | State          | Arrough                  | September/October  | Prioritize and make n   |
| **           | External Review and Report            | Organizational Chart      | Human Resources  | State          | Annually                 | September  | Positions               |
| w            | External Review and Report            | IT/IS Plans               | Division of Technology                                       | State          | Annually                 | October  | Data collection and sur |
| 7            | External Review and Report            | Minority Report           | DOA  | State          | Quarterly                | 1009   | Purchases               |
|              | External Review and Report            | Minority Utilization Plan | DOA  | State          | Annually                 | September  | Projection of pure      |
| 80           | External Review and Report            | State Vehicle Summary     | DOA  | State          | Monthly                  | 10th   | Le                      |
| en.          | External Review and Report            | DEW UCE                   | DEW  | State          | Quarterly                | 15th   | Wage an                 |
| 10           | External Review and Report            | Procurement               | DOA  | State          | Quarrerly                | 15th   | Type                    |
| 11           | External Review and Report            | Detailed Budget           | DOA  | State          | Annually                 | September  | Budget regu             |
| 17           | External Review and Report            | GAAP                      | CG   | State          | Annually                 | Upon request   | General acco            |
| 13           | External Review and Report            | Travel Narrative          | DOA  | State          | Annually                 | Upon request   | [a]                     |
|              |                                       |                           |  |                |                          |  |                         |