



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

Bill Number:	S. 0471	Introduced on January 14, 2021
Author:	Rankin	
Subject:	Jury Voir Dire	
Requestor:	Senate Judiciary	
RFA Analyst(s):	Gardner	
Impact Date:	March 14, 2022	

Fiscal Impact Summary

This bill modifies the jury selection process for the court of common pleas and equity courts.

The bill may extend common pleas court docket times and the time each party spends in preparation for a jury trial. Judicial, the Commission on Prosecution Coordination (CPC), and the Commission on Indigent Defense intend to use existing General Fund resources to manage any increase in costs resulting from implementation of the bill.

Revenue and Fiscal Affairs (RFA) anticipates any additional activities within equity courts will be minimal and can be managed with existing staff and within existing funds. Therefore, this bill will have no local expenditure impact.

A determination of the bill's impact is pending, as the Office of the Attorney General is still reviewing the bill.

Explanation of Fiscal Impact

Introduced on January 21, 2021

State Expenditure

This bill modifies the jury selection process in the court of common pleas and equity courts. Currently, the judge questions the potential jurors in order to determine their ability to serve as a juror, this questioning process is known as voir dire. After voir dire, a list of twenty jurors is randomly drawn from the remaining potential jurors to create a jury panel, from which the parties may alternatively strike jurors until twelve remain.

This bill allows the judge to determine the number of jurors that will be on the jury panel and grants the parties the right to conduct voir dire. If the parties wish to conduct voir dire, they must exchange written questions at least seven days prior to selection of the jury. The trial judge will rule on any objections to the questions and will present final approval of the questions. Each party will be given 30 minutes to ask questions, but this time limit may be extended by the judge under certain circumstances. The bill also outlines questions which may not be asked of the potential jurors during voir dire. The effective date of this bill is January 1, 2022. RFA

anticipates the modified jury selection process required by this bill will begin after enactment of this bill.

In addition, the bill enables a trial judge to determine the number of jurors in a secondary jury panel, whereas currently the secondary jury panel consist of twenty jurors.

Judicial. This bill modifies the manner in which a jury selection is made in courts of common pleas and equity cases. Judicial indicates that these changes may lengthen the jury selection process, which could impact the court docket. However, Judicial states there is no data to estimate the number of hearings that would be impacted nor the extra docket time that may be needed due to this bill. Despite this, Judicial anticipates being able to cover any additional expenditures in the court of common pleas with existing General Fund resources. Therefore, this bill will have no expenditure impact for Judicial.

Commission on Prosecution Coordination. This bill may result in more allocated time per case brought before a jury in the court of common pleas or an equity court if the parties choose to participate in voir dire. CPC anticipates being able to manage these additional responsibilities within existing appropriations. Therefore, this bill will have no expenditure impact for the department.

Commission on Indigent Defense. This bill may result in more allocated time per case brought before a jury in the court of common pleas or an equity court if the parties choose to participate in voir dire. The implementation of this bill will have no expenditure impact, as the department expects to manage any increase in the workload within current resources.

Attorney General. The expenditure impact is pending, contingent upon a response from the agency.

State Revenue

N/A

Local Expenditure

This bill lengthens the jury selection process which may result in additional docket time within equity courts. However, there is no data upon which to predict the number of hearings that would be impacted should the bill be enacted, nor the extra docket time that these hearings might require. Despite this, RFA anticipates any additional activities will be minimal, and can be managed with existing staff and within existing funds. Therefore, this bill will have no local expenditure impact.

Local Revenue

N/A



Frank A. Rainwater, Executive Director