

The Supreme Court of South Carolina

RE: Summary Court Pretrial Detainees

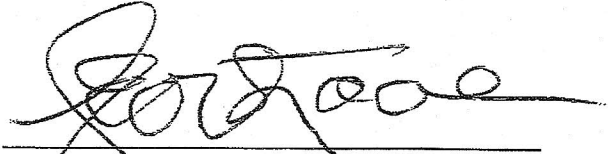
ORDER

I FIND THAT direction is needed in cases where a defendant is incarcerated on a summary level offense(s), is unable to make bond, and is detained pretrial for the maximum amount of time that the defendant would be subject to if convicted for the offense(s).

Therefore, pursuant to Article V, Section 4, S.C. Constitution,

IT IS ORDERED that when a defendant charged with a summary level offense(s) is unable to make bond and is detained pretrial for the maximum amount of time the defendant would receive if convicted for the offense(s), the on-call bonding magistrate or municipal court judge shall immediately convert the defendant's surety bond to a personal recognizance bond and discharge the defendant. Nothing herein affects the defendant's right to contest the charge against him, including trial by jury. When determining the maximum amount of time a defendant would receive if

The provisions of this Order are effective immediately and shall remain in effect unless amended or revoked by further Order of the Chief Justice.

A handwritten signature in black ink, appearing to read "Jean Hofer Toal", written over a horizontal line.

The Honorable Jean Hofer Toal
Chief Justice

October 28, 2010
Columbia, SC