

Uniform Guidelines and Procedures for Nomination of Circuit Public Defenders (adopted by SCCID 9/13/07)

I. Circuit Public Defender Selection Panel

Pursuant to SC Code Section 17-3-510, each Circuit Public Defender Selection Panel is responsible for nominating a person to serve as the Circuit Public Defender for their circuit. Each selection panel shall:

1. Convene the first meeting at a convenient time and place, designated by the executive director of SCCID in consultation with all panel members, within ten (10) days of all panel members being elected.
2. Elect a chairman and a secretary of the selection panel and transmit these names along with mailing and email address to SCCID.
3. Follow Robert's Rules of Order in conducting all meetings and in the selection of the panel's nominee.
4. Upon receipt of the applications from SCCID the Panel shall interview all applicants. The Panel may also seek references and take such steps as they feel are necessary to insure the most qualified candidate is elected to the position of Circuit Public Defender.
5. The Panel shall make the selection of Circuit Public Defender within 30 days of receiving the applications from SCCID. Any extension of time may be granted only by the Executive Director of SCCID for good cause.
6. By a majority vote of its membership, select and forward to SCCID the circuit nominee for Circuit Public Defender. The Selection Panel shall also forward to the Commission all relevant materials used in the selection and a certification signed by all members of the panel (see attached form) that the nomination process was properly conducted.

II. Office of the South Carolina Commission on Indigent Defense

1. SCCID will draft a standardized job description to be used in all advertisements for the Circuit Public Defender position.
2. SCCID will post the position through the Office of Human Resources ([www.scjobs.com](http://www.scjobs.com)) and will advertise the position in a manner reasonably calculated to alert interested candidates, as soon as practical after the first (organizational) meeting of the Selection Panel.

3. Notify the SC Employment Security Commission and the State Career Center of the Office of Human Resources of the available position and comply with all relevant laws and regulations including SC Code section 8-11-120, 8-11-230 and State HR Regulations 19-703.
4. Provide in the position advertisement that applications may be submitted online or mailed to the Office of SCCID on the standard state application form (available online or through SCCID) along with any additional information the applicant wishes to provide.
5. Provide that the time period for receiving applications will not be less than twenty (20) days from the date of the initial posting on the state's human resources site.
6. SCCID will review the applications to insure all applicants meet the statutory qualifications for the position and provide to the Selection Panel a SLED criminal background check for each applicant.
7. Upon completion of the review process all applications and supporting material will be forwarded by the Agency to the Chairman of the Selection panel.
8. If a nominee is rejected by the Commission, SCCID will repost and advertise the position as outlined above.

### III. Commission on Indigent Defense

1. At the next scheduled commission meeting after receipt of a nomination or at a time established by the Chairman, the Commission shall by majority vote accept or reject the nomination but may not substitute the name of another person.(17-3-510(C)) The Commission may interview any nominee at its discretion.
2. The Commission shall notify the nominee and the chairman of the Selection Panel of the Commission's vote on the nomination .
3. If the nominee is accepted the Commission shall oversee an oath taking ceremony for each Public Defender, to be held at a convenient time, at a courthouse in the defendant's circuit.

**Certification of Nomination of Circuit  
Public Defender**

The Circuit Public Defender Selection Panel for the \_\_\_\_\_ Judicial Circuit, by a majority vote of its membership, hereby nominates \_\_\_\_\_, whose SC Bar Number is \_\_\_\_\_, and whose business mailing address is \_\_\_\_\_ zip \_\_\_\_\_, business telephone number \_\_\_\_\_, email address \_\_\_\_\_ to be the Circuit Public Defender for the this Judicial Circuit of South Carolina. This Panel swears and affirms that this Selection Panel has at all times followed the Uniform Guidelines for the Selection of Circuit Public Defenders.

\_\_\_\_\_  
Signature (Chairman)

\_\_\_\_\_  
Bar Number

\_\_\_\_\_  
Signature (Secretary)

\_\_\_\_\_  
Bar Number

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Bar Number