



State of South Carolina  
The Circuit Court of the Fifteenth Judicial Circuit

J. MICHAEL  
BAXLEY  
JUDGE

March 23, 2009

531 EAST CAROLINA AVENUE  
HARTSVILLE, SOUTH CAROLINA 29550

**NOTICE TO HORRY COUNTY ATTORNEYS AND PRO SE PARTIES**  
**\*\*ELIMINATION OF MASTER ROSTER MEETINGS\*\***

Effective January 1, 2009, the Common Pleas division of the Horry County circuit court will no longer conduct master roster meetings for the jury and non-jury trial dockets. This change is in response to requests from members of the Bench and Bar who have expressed concern that the master docket meetings are time consuming, inefficient, and expensive for clients. Please be aware that this new policy has prospective application only -- all cases older than thirteen months **ARE NOT** going to be immediately called for trial.

Beginning January 1, 2009, the general jury docket will be administered pursuant to the requirements of Rule 40, SCRPC. Counsel is encouraged to read Rule 40 and become familiar with its provisions. Consistent with the rule, the following procedures will be adopted:

1. The parties should be aware that, if no action is taken in advance to prevent the case from automatically being called to trial, this case will be on the trial roster at thirteen months of age. **This is the only notice you will receive of this scheduling process**, so counsel and pro se parties are encouraged to diary this deadline. Because rosters are posted at least thirty days in advance of trial, this means that the case will actually be placed on the trial roster at twelve months of age unless other action is taken by counsel and pro se parties as described below.
2. Prior to placement of the case on the trial docket at 12 months of age, counsel or pro se parties may file a motion requesting:
  - a. A scheduling order;
  - b. A postponement of trial to some specific future roster;
  - c. Request for a date certain trial;
  - d. Complex designation and assignment to an individual judge, if appropriate;
  - e. Reference to the master or a special referee; or
  - f. Any other disposition allowed by Rule 40.

Failure to file any type of motion will result in the case automatically being placed on the trial docket at twelve months from the date of filing for trial when the case is 13 months of age. As a courtesy to other counsel and parties whose cases are also pending on the docket, counsel is instructed not to wait until twelve months has elapsed, and the case is already on the trial docket, to take any action regarding the trial status of the case. The Court is not likely to grant relief in such a situation; thus, it is recommended that motions be filed at least 90 days in advance of the deadlines contained herein to give the Court the ability to timely react.

Be advised that the Court is currently unable to refer tort claims to the Master in Equity because of the tremendous caseload in foreclosures and collections presently inundating that office. Rule 53, SCRPC, allows referral to a special referee by consent of the parties.

All the provisions of Rule 40, SCRPC, shall apply to the cases pending on the docket. The fact that certain provisions are listed above does not mean that other provisions of the Rule do not apply. Thank you for your cooperation as we attempt to streamline the operations of the Common Pleas docket by eliminating the master roster meetings.