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South Carolina Practice Materials: A Selective Annotated Bibliography

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South Carolina Practice Materials: A Selective Annotated Bibliography

By Eve Ross*

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South Carolina Practice Materials: A Selective Annotated Bibliography

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Introduction

This bibliography briefly describes selected primary and secondary sources that are widely used in South Carolina law practices. It is meant to serve as a reference guide for lawyers, librarians and any legal researchers unfamiliar with South Carolina legal resources.

The South Carolina Bar provides the Fastcase legal research platform free to its members. Secondary sources available for purchase within Fastcase are marked as such. An outline of these resources is at <https://fc7.fastcase.com/outline/SC>.

The South Carolina Bar—Continuing Legal Education Division is the main publisher of law practice materials with a South Carolina focus. For a complete list of their materials, please visit <https://cle.scbar.org/Book-Store/View-All-Products>.

I am grateful to Pamela Rogers Melton and Christine Sellers Sullivan for their work in authoring earlier versions of this bibliography. I am likewise grateful for colleagues at the University of South Carolina School of Law, at the South Carolina Bar and throughout the state who reviewed my work—especially F. Ladson Boyle, Jaelyn Fabean Cherry, Richard Handel, Alicia Hutto, Rebekah K. Maxwell, Michael R. Mounter and Donna Trimble, all of whom alerted me to resources and details I would have missed.

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I. Primary Materials

A. Statutory Materials

State Code

Code of Laws of South Carolina 1976 Annotated. Eagan, Minn.: Thomson Reuters, 1976-. 22 volumes in 49. Annual.

The official text of the current South Carolina Code of Laws includes all laws of a general and permanent nature, as enacted by the South Carolina General Assembly, arranged by title, chapter and section. Annotated with references to statutory history, case law, attorney general opinions and secondary sources. Tables and indices are included.

Available in Westlaw (1990-).

South Carolina Code of Laws Annotated by LexisNexis. 1995-.

The Lexis+ version has different annotations than the official print version.

South Carolina Code of Laws. 2008-.

<https://fc7.fastcase.com/outline/SC/83>

The Fastcase version has different annotations than the official print version.

South Carolina Code of Laws. Columbia, S.C.: Legislative Council. 2000-. Annual.

<https://www.scstatehouse.gov/code/statmast.php> (current year)

<https://www.scstatehouse.gov/Archives/codeoflaws.php> (2000-prior year)

This unofficial version of the current South Carolina Code of Laws is maintained by the South Carolina Legislative Council. It includes Code text, numbering, history and Effect of Amendment, Editor's and Code Commissioner's notes, but no other annotations.

Superseded SC Codes & Statutes

https://guides.law.sc.edu/SCLegalResources/superseded_statutes

Supported by the University of South Carolina Law Library, this research guide provides links to digitized versions of superseded codes and statutes of South Carolina hosted by The Internet Archive. Includes Code of Laws of South Carolina – 1902, 1912, 1922, 1932, 1942 and 1952; Complied Code of South Carolina – 1903; Revised Statutes – 1893; General Statutes (1882); Revised

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Statutes (1873); Statutes at Large – 1682 to 1866; and Public Laws of the State of South Carolina [1790]. For document delivery from superseded codes or historical session laws that have not been digitized, contact the UofSC Law Library.

Session Laws

Acts and Joint Resolutions of the General Assembly of the State of South Carolina. Columbia, S.C.: South Carolina Code Commission. 1868–. Formerly titled *Statutes of South Carolina* 1682–1867. Annual.

<https://www.scstatehouse.gov/Acts&JointResolutions/curraandjr.php> (current session) and <https://www.scstatehouse.gov/Archives/aandjr.php> (2011–prior session)

Official publication of the laws enacted during each session of the South Carolina General Assembly. Volumes were printed through the 2010 session, however print ceased with the 2011 session. In South Carolina, laws are assigned act numbers and ratification numbers in the order they are enacted. Includes tables to match ratification numbers with act numbers and indicate which acts have been vetoed and which vetoes await action by the legislature. Acts are grouped into “general and permanent laws” and “local and temporary laws.” Each volume has an index to support research into the history of local laws.

Available in Westlaw (*Enacted Legislation (Session Laws)* – current year; *South Carolina Historical Enacted Legislation*, 1991–) and in Lexis+ (*South Carolina Advance Legislative Service*, 1990–).

Acts. South Carolina Legislative Services Agency, 1980–.

<https://www.scstatehouse.gov/listofacts.php> (current)

<https://www.scstatehouse.gov/aacts.php> (1980–prior session).

Acts of the South Carolina General Assembly are listed in the order enacted. The full text of an act is linked to its act number. Following each act number is the ratification number, the House or Senate bill number, a brief description, and the effective date. There is also a linked list of acts in order of effective date.

Budget Bills. South Carolina Legislative Services Agency, 1996–.

<https://www.scstatehouse.gov/budget.php>

General Appropriations Bills (budget bills) and budget rescissions are published separately from the general *Acts*. Full-text search of budget bills is available on this page.

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Municipal Codes

Code Library – South Carolina. American Legal Publishing Corporation.

<https://codelibrary.amlegal.com/regions/sc>

Municipal codes are available free online for several South Carolina counties and municipalities, including the counties of Greenville and Richland. Coverage and frequency of updates vary.

MuniCode Library – South Carolina. Municipal Code Corporation.

<https://library.municode.com/sc>

Municipal codes are available free online for numerous South Carolina counties and municipalities, including the county of Charleston and the municipalities of Charleston, Columbia, Greenville, Myrtle Beach, Rock Hill and Spartanburg. Coverage and frequency of updates vary.

Other Legislative Information

Legislation. South Carolina Legislative Services Agency, 1971–.

<https://www.scstatehouse.gov/legislation.php>

Each session’s bills are searchable by bill; act number or ratification number, depending on whether the bill was enacted; sponsor; committee and subject. The site allows searching by keyword or phrase across all sessions. The University of South Carolina Law Library has House and Senate bills in print 1971–1994.

Available in Westlaw (*Proposed Legislation (Bills)*, current year; *Historical Proposed Legislation*, 2005–) and Lexis+ (SC Full-Text Bills, 1991–; *SC Bill Tracking Reports*, 1988–).

Journal of the House of Representatives. Clerk of the House of Representatives. 1842–. Daily.

<https://www.scstatehouse.gov/sessphp/hjournal.php> (current session)

<https://www.scstatehouse.gov/ajournal.php> (1986–prior session)

The South Carolina House of Representatives publishes a journal of its proceedings on its website daily when in session. Journals are indexed, printed, and published, in both PDF and hardbound (a.k.a. “made permanent”), annually and are indexed by subject, bill number, and legislator. Permanent volumes are also available in PDF format beginning with 1986. Online PDF indices are best navigated via bookmarks. The University of South Carolina Law Library has the *House Journal* in print 1843–2020.

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Available in Westlaw at South Carolina Legislative History – Journals (1993–).

Journal of the Senate. Clerk of the Senate. 1846–. Daily.

<https://www.scstatehouse.gov/sessphp/sjournal.php> (current session)

<https://www.scstatehouse.gov/ajournal.php> (1990–prior session)

The South Carolina Senate publishes a journal of its proceedings on its website daily when in session. Journals are indexed, printed, and published, in both PDF and hardbound (a.k.a. “made permanent”), annually and are indexed by subject, bill number, and legislator. Permanent volumes are also available in PDF format beginning with 1990. Online PDF indices are best navigated via bookmarks. The University of South Carolina Law Library has the *Senate Journal* in print 1843–2020.

Available in Westlaw at South Carolina Legislative History – Journals (1993–).

Legislative Digest. Legislative Council and Legislative Services Agency, 2001–. Annual.

<https://www.scstatehouse.gov/Archives/alegdigest.php>

Published at the end of each legislative session, the *Legislative Digest* is a chronological compilation of that year’s proposed legislation in the Senate and in the House of Representatives. Entries include bill number, sponsors, bill title and bill history actions with references to the *Senate Journal* or *House Journal*. Digests include finding aids by subject, sponsor and ratification number. The University of South Carolina Law Library has the *Legislative Digest* in print 1975–2011.

Legislative Update. South Carolina Bar, 2013–. Annual.

<https://www.scbars.org/lawyers/legal-resources-info/legislative-information>

The *Legislative Update* consists of summaries of all legislation adopted in a session of the South Carolina General Assembly, with links to the full text of the bills. Organized according to the titles of the South Carolina Code of Laws.

B. Case Law Materials

Case Reports

Shearouse Advance Sheets. Weekly.

<https://www.sccourts.org/opinions/indexAdv.cfm> (2000–)

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Unofficial source of South Carolina Supreme Court and South Carolina Court of Appeals opinions, published and unpublished. Judicial advisory opinions and court orders are also searchable under the Opinions/Orders tab.

South Carolina Reports. 1868–. Eagan, Minn.: Thomson Reuters, 1998–. Multiple volumes, updated with advance sheets.

Official reporter of decisions of the South Carolina Supreme Court (1868–) and Court of Appeals (1983–). Prior to these courts' existence, South Carolina appellate courts included the Courts of Common Pleas and General Sessions of the Peace (1783–1795), the Constitutional Court of Appeals (1791–1824), the Court of Appeals (1824–1835), two Courts of Errors—one for law and one for equity (1836–1867), and the Court of Appeals (1859–1867).

Available in Fastcase (Supreme Court, 1868–; Court of Appeals 1983–), Westlaw (1783–) and Lexis+ (Supreme Court, 1868– ; Court of Appeals 1983–).

South Eastern Reporter, Second Series. Eagan, Minn.: Thomson Reuters, 1939–. Multiple volumes, updated with advance sheets.

Unofficial reporter of cases from the South Carolina Supreme Court (1868–) and Court of Appeals (1983–). Also contains state supreme court and intermediate appellate court decisions from Georgia, North Carolina, Virginia and West Virginia.

Available in Fastcase, Westlaw and Lexis+.

Digests and Citators

Authority Check

Citator with coverage including South Carolina statutes, cases and regulations.

Available in Fastcase.

Citator. South Carolina Department of Revenue. Quarterly.

<https://dor.sc.gov/policy/index>

This citator consists of a linked PDF that identifies the effect of the Department of Revenue's advisory opinions on previous advisory opinions. However, it does not note the effects of case law, legislation or regulations.

KeyCite

Citator with coverage including South Carolina statutes, cases and regulations.

Available in Westlaw.

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Shepard's

Citator with coverage including South Carolina statutes and cases. Not available for South Carolina regulations.

Available in Lexis+.

West's South Carolina Digest 2d. Eagan, Minn.: Thomson Reuters, 1991-. 35 volumes updated annually with pocket parts and pamphlet supplements; volumes replaced as needed.

Headnotes from South Carolina Supreme Court and Court of Appeals cases, and cases from federal courts covering South Carolina, arranged by topic and Key Number. Supplements may be updated by consulting the digest sections of bound volumes and advance sheets of *South Carolina Reports*. Finding aids include descriptive word index, words and phrases section, table of cases and plaintiff-defendant tables.

West's South Eastern Digest 2d. Eagan, Minn.: West Group, 1981-. 68 volumes updated annually with pocket parts and pamphlet supplements; volumes replaced as needed.

Headnotes from South Carolina Supreme Court and Court of Appeals cases, as well as cases from federal courts covering South Carolina, arranged by topic and Key Number. Includes the same for Georgia, North Carolina, Virginia and West Virginia as well. Supplements may be updated by consulting the digest sections of bound volumes and advance sheets of *South Carolina Reports*. Finding aids include descriptive word index, words and phrases section, table of cases and plaintiff-defendant tables.

Attorney General Opinions

Opinions. South Carolina Attorney General. 1974-.

<http://www.scag.gov/opinions>

Keyword search opinions or view chronological summaries of all opinions year by year. A broad topic index is also included. Historical opinions are available in print as *Reports of the Attorney General of South Carolina to the General Assembly* (select years 1877-1994) at the University of South Carolina Law Library.

Available in Fastcase (1988-), HeinOnline (select years 1846-), Westlaw (1955-) and Lexis+ (1959-).

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Court Records and Pleadings

C-Track Public Access. South Carolina Judicial Branch. 2012–.

<https://sccourts.org/ACMS/index.cfm>

Search records and briefs filed in the South Carolina Supreme Court and Court of Appeals. Select Case Search to search using case title, case type, case number, court, or date filed. Alternatively, select Participant Search to search by name, South Carolina bar number, or South Carolina Department of Corrections inmate number. If documents cannot be located online, contact the South Carolina Supreme Court Library.

Public Index. South Carolina Judicial Branch.

<https://www.sccourts.org/caseSearch>

Search trial court records and pleadings county-by-county by party name, case number, court type, case type, or date. Does not support full-text search. Coverage varies by county; however, all counties provide access to some court records from 2019 to present through the public index. If documents cannot be located online, contact the county's clerk of court.

Available with full-text search in Westlaw (*South Carolina Civil Trial Court Orders/Documents*, 2000–; *South Carolina Criminal Trial Court Orders/Documents*, 2005–) and Lexis+ (*South Carolina Dockets*, 1996–; *South Carolina Briefs, Pleadings and Motions*, 2000–).

South Carolina Briefs and Records. University of South Carolina Law Library. 1858–2014.

<http://pirl.co/sclaw>

The University of South Carolina Law Library has print copies of records and briefs for some (but not all) cases decided from 1858–2014 by the South Carolina Supreme Court and South Carolina Court of Appeals. This searchable database contains only metadata including appellant, appellee, date, *South Carolina Reports* citation, and *South Eastern Reporter* citation. To access the full text of a print document associated with a case listed in the database, contact University of South Carolina Law Library. If a case is not listed, contact the South Carolina Supreme Court Library or the South Carolina Court of Appeals Library.

Court Rules

Court Register. South Carolina Judicial Branch.

<https://www.sccourts.org/courtReg>

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Online searchable and browsable source for current South Carolina court rules: appellate (professional conduct is included at Rule 407, SCACR), civil, criminal, family, probate, magistrate, alternative dispute resolution, evidence and e-filing. Rule amendments and other relevant state court orders are archived chronologically at <https://www.sccourts.org/whatsnew/index.cfm> (2011–).

Available in Fastcase (*Court Rules*), Westlaw (*South Carolina Statutes and Court Rules*) and Lexis+ (*SC – South Carolina State & Federal Court Rules*).

Kahn, Justin S. *South Carolina Rules Annotated*. Columbia, S.C.: South Carolina Bar, CLE Division, 2014–. 1 volume replaced annually with new edition.

<https://fc7.fastcase.com/outline/SC/1593>

Covers South Carolina rules of civil procedure, electronic filing policies, criminal procedure, family court, probate court, administrative law court, magistrate court and alternative dispute resolution. Republished annually with updated notes and annotations after each rule. An index is provided. Previously published as *South Carolina Rules of Procedure Annotated* (1994–2013) and covered rules of civil, criminal and family court procedure.

Available in Fastcase.

Local Rules. United States District Court, District of South Carolina.

<https://www.scd.uscourts.gov/navtop/rules.asp>

The local civil rules and local criminal rules for the federal district court of the District of South Carolina are each available in PDF format and updated from time to time.

Available in Westlaw (*South Carolina Federal Court Rules*) and Lexis+ (*SC–South Carolina State & Federal Court Rules*).

South Carolina Local Bankruptcy Rules. United States Bankruptcy Court, District of South Carolina.

<https://www.scb.uscourts.gov/local-rules>

The local rules for the bankruptcy court of the District of South Carolina are available in PDF format and updated from time to time.

Available in Westlaw (*South Carolina Federal Court Rules*) and Lexis+ (*SC – South Carolina State & Federal Court Rules*).

South Carolina Rules of Court: KeyRules, Volume IA. Eagan, Minn.: Thomson Reuters. 1 volume. Annual.

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An outline of the rules that apply to the most commonly filed pleadings, motions, discovery requests, notices and applications. For each document, *KeyRules* includes the procedural rules as to timing, filing, service and hearings, along with checklists and forms designed to assist practitioners and their paralegals in drafting, filing and serving documents. Thomson Reuters also publishes state rules of court (Volume I) and applicable federal and local rules for federal courts (Volume II) with the *KeyRules* format as Volume IIA.

Available in Westlaw (*South Carolina KeyRules – State Circuit Court*).

C. Regulatory Materials

Administrative Rules and Regulations

South Carolina Code of State Regulations Annotated. Eagan, Minn.: Thomson Reuters, 2011–. 10 volumes updated annually with pocket parts.

Formerly part of the *Code of Laws* (blue looseleaf binders, discontinued in 2012), the *Code of State Regulations* (red hardbound volumes) includes codified regulations organized by state agency into chapters and sections.

Available in Fastcase (2013–), Westlaw (*South Carolina [Historical] Regulations*, 2002–) and Lexis+ (*SC–South Carolina Code of Laws, Regulations*, 2005–).

South Carolina Code of State Regulations. Columbia, S.C.: Legislative Council. Updated annually in its entirety.

<https://www.scstatehouse.gov/coderegs/statmast.php>

Unofficial version of the current South Carolina Code of Regulations maintained by the South Carolina Legislative Council. Includes regulation text, numbering and history, but no other annotations.

South Carolina State Register. Columbia, S.C.: Legislative Council, 1977–. Monthly.

<https://www.scstatehouse.gov/registerandregs.php>

Contains all the proposed, amended and final regulations of South Carolina state agencies, notices of repeal, and executive orders. The *State Register* is organized by agency, published monthly, both in print and online, and includes an annual index. Also includes an index to final regulations published in the annual Acts and Joint Resolutions with references to volume and issue of the *State Register*.

Available in Westlaw (*South Carolina Proposed & Adopted Regulations*, 2006–) and Lexis+ (*SC – South Carolina Register*, 2000–).

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Administrative Decisions

Advisory Opinions. South Carolina Tax Commission, 1951–1993; South Carolina Department of Revenue, 1993–.

<https://dor.sc.gov/policy/index>

Advisory opinions include revenue rulings, revenue procedures, letter rulings and information letters.

Available in Lexis+.

En Banc Orders. South Carolina Administrative Law Court, 1994–.

<https://scal.sc.net/search.aspx>

Decisions of the Administrative Law Court are searchable by docket number, caption, date, agency, judge and case type. Decisions are also searchable by party name and party type (2009–). The Administrative Law Court was created by the South Carolina General Assembly's Act No. 181 of 1993, as amended by Act No. 452 of 1994.

Available in Fastcase (2008–), Westlaw (1994–) and Lexis+ (1994–).

South Carolina Procurement Review Panel Decisions. State Fiscal Accountability Authority, 1982–.

<https://procurement.sc.gov/legal/legal-panel-orders>

Contains procurement decisions for all state agencies covered by the South Carolina Consolidated Procurement Code.

Available in Westlaw and Lexis+.

Decisions. South Carolina Public Service Commission, 1952–.

<https://dms.psc.sc.gov/Web/Dockets>

Full-text search of PDFs of orders and matters. The Public Service Commission regulates public utilities and certain transportation companies.

Available in Westlaw (1971–) and Lexis+ (1957–).

South Carolina Workers' Compensation Decisions. South Carolina Workers' Compensation Commission, 1993–.

Contains decisions and orders of the South Carolina Workers' Compensation Commission relating to workers' compensation benefits. Includes decisions from individual commissioners as well as decisions of the full panel.

Available online in Westlaw (1998–) and Lexis+ (1993–) only.

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Ethics Opinions and Other Advisory Opinions

Advisory Opinions. Advisory Committee on Standards of Judicial Conduct, 1989–.

<https://www.sccourts.org/advisoryOpinions>

Full text of the opinions of the Advisory Committee on Standards of Judicial Conduct, as to judges' ethics, organized by year.

Available in Fastcase (*S.C. Jud. Ethics Opin.*)

Advisory Opinions Topics. South Carolina State Ethics Commission, 1992–.

<https://ethics.sc.gov/advisory-opinions/advisory-opinions-topics>

Full text of the opinions of the South Carolina State Ethics Commission under the Ethics Reform Act of 1991, organized by topic.

Ethics Advisory Opinions. South Carolina Bar Ethics Advisory Committee, 1990–.

<https://www.sctbar.org/lawyers/legal-resources-info/ethics-advisory-opinions>

Full text of the opinions of the South Carolina Bar Ethics Advisory Committee, as to lawyers' ethics, organized by year.

Available in Fastcase (*S.C. Ethics Opin.*)

D. State Constitution

Constitution of South Carolina, Code of Laws of South Carolina 1976 Annotated. Eagan, Minn.: Thomson Reuters, 1976–. Volume 23. Annual.

The official, current (1895) South Carolina Constitution, with case law annotations, is available in Volume 23 of the multi-volume set of the *Code of Laws of South Carolina*.

Available in Westlaw.

The Constitution of the State of South Carolina 1895.

<https://www.scstatehouse.gov/scconstitution/sconst.php>

This unofficial version of the current (1895) South Carolina Constitution is maintained by the South Carolina Legislative Council. It includes Constitution text, numbering, history, and Editor's notes, but no other annotations.

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Underwood, James L. *The Constitution of South Carolina*. Columbia, S.C.: University of South Carolina Press, 1986–94. 4 volumes.

This aging treatise provides invaluable historical background and case law context for the South Carolina state constitution. Volume 1 covers the relationship of the legislative, executive and judicial branches. Volume 2 summarizes the journey toward local self-government. Volume 3 addresses issues of church and state, morality and free expression. Volume 4 discusses the struggle for political equality.

II. Government Resources

A. State Home Page

SC.gov

<https://www.sc.gov>

Menus include health and safety, education and employment, government, visitors, business, residents, and online services.

B. Government Offices

Legislature

South Carolina Legislature

<https://www.scstatehouse.gov>

Compiles and updates information on legislation and legislators. Provides a freely accessible, unannotated version of the state's session laws, Code of Laws, Constitution, State Register and Code of Regulations.

Courts

South Carolina Judicial Branch

<https://sccourts.org>

The official website of the South Carolina judicial system, this site contains information about all levels of courts and all members of the South Carolina bar, via the AIS (Attorney Information System). Also provides free online access to weekly advance sheets from the South Carolina Supreme Court and Court of Appeals, appellate court dockets and documents (C-Track Public Access), court calendars, court forms, court rules, electronic filing of court documents, searchable published and unpublished opinions, and more.

Governor and State Agencies

Office of the Governor

<https://governor.sc.gov>

Contains press releases, executive orders, executive budgets, veto messages and signing statements.

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Agency Listing. State of South Carolina.

<https://www.sc.gov/Agency-Listing>

Comprehensive list of state agencies with brief descriptions of their charges and links to their websites. Choose alphabetical order or group by category.

State Boards & Commissions. South Carolina Secretary of State. Daily.

<https://search.scsos.com/boardsandcommissions>

Search for current members of a board, commission or committee. Download a PDF list of vacancies or expired terms. The database includes information on term length, expiration date of the term, appointing authority and any required qualifications for membership.

Cities and Counties

County Information. South Carolina Association of Counties.

<https://www.sccounties.org/county-information>

Alphabetical, geographic and population listings of all 46 counties. In-depth information includes budgets, form of county government, property tax rates, statistical profile and more.

South Carolina – Cities, Towns, Places. South Carolina Information Highway (SCIWAY).

<https://www.sciway.net/city>

Alphabetical listing of 300 cities, towns or places in South Carolina with links to local government, local newspapers, history, maps and more.

South Carolina – Counties. South Carolina Information Highway (SCIWAY).

<https://www.sciway.net/cnty>

Map and alphabetical listing of all 46 counties with links to local government, local newspapers, history, maps and more.

South Carolina Municipal Directory. Municipal Association of South Carolina.

<https://www.masc.sc/about/sc-municipalities/municipal-online-directory>

Search for a city or town; browse cities and towns alphabetically; or browse by council of governments, county, population, state representative or state senator.

III. State-Specific Resources

A. Bar Associations

Each county in South Carolina includes an active voluntary bar association. The largest associations are Charleston County Bar Association (<http://charlestoncountybar.org>), Greenville County Bar Association (<https://www.greenvillebar.org>), and Richland County Bar Association (<https://richbar.org>). Charleston and Greenville each have member directories on their websites. Richland does not include a member directory. Richland has archives of its quarterly newsletter, *Richbar News* (2008–).

Local Bar Presidents. South Carolina Bar.

<https://www.scbars.org/lawyers/directory/lawyers-desk-book/local-bar-presidents>

The president of each county's bar association is listed here alphabetically by county along with their term of office and contact information.

South Carolina Association for Justice

<https://www.scaj.com>

SCAJ is a voluntary association of plaintiffs' attorneys or trial lawyers in civil litigation. It offers its members online discussions, in-person CLE seminars and the TRIALSmith document bank and expert database.

South Carolina Association of Criminal Defense Lawyers

<https://scacdl.org>

SCACDL is a voluntary association of South Carolina lawyers who represent people charged with criminal offenses in state or federal court. Members have access to a motions and brief bank, online discussions, and CLE programs.

South Carolina Bar

<https://www.scbars.org>

The SC Bar is a mandatory bar. Its website contains a member directory, ethics advisory opinions, a lawyer referral service, a link to Fastcase, and recent issues of *South Carolina Lawyer*. Its Continuing Legal Education Division acts as a book publisher and online bookstore in addition to providing CLE.

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South Carolina Black Lawyers Association

<https://www.facebook.com/SouthCarolinaBLA>

An affiliate chapter of the National Bar Association, focused on community service, with an annual conference.

South Carolina Defense Trial Attorneys' Association

<https://www.scdtaa.com>

SCDTAA is a voluntary association of defense lawyers, affiliated with the Defense Research Institute (DRI). It offers a freely searchable member directory and archives of its quarterly newsletter, *The DefenseLine* (1993–). Members have access to additional online discussions.

South Carolina Women Lawyers Association

<https://scwla.org>

SCWLA is a voluntary association to promote the advancement of women in the legal profession. The member directory on its website can be viewed region by region and searched by name, city, or practice area. SCWLA regularly offers CLE programs.

B. Bar Journals

South Carolina Law Review. Columbia, S.C.: University of South Carolina School of Law, 1963–. Quarterly.

<https://sclawreview.org>

<https://scholarcommons.sc.edu/sclr> (1948–2016)

Each year, the South Carolina Law Review publishes a survey of South Carolina and Fourth Circuit law, traditionally in Issue 4. Formerly known as *South Carolina Law Quarterly* (Volume 1–14, 1948–62) and the *Yearbook of the Selden Society* (Volumes 1–9, 1937–48). The journal hosts an annual symposium with CLE programming.

Available in HeinOnline (1948–) and Westlaw (1983–).

SC Lawyer. South Carolina Bar, 1989–. Bimonthly.

<https://www.scbar.org/bar-news/sc-lawyer>

Practical and informative articles intended for a broad range of South Carolina attorneys. All issues are available in print and online formats for members of the South Carolina Bar. Recent issues (2018–) are freely accessible online regardless of bar membership.

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Available in Fastcase (1998–), HeinOnline (1989–) and Westlaw (1991–).

C. Continuing Legal Education

CLE Catalog. South Carolina Association for Justice.

<https://www.scaj.com/?pg=semwebcatalog>

Choose between live webinars and self-paced online programs of interest to plaintiffs' attorneys.

LegalTech Seminar Series. University of South Carolina School of Law.

https://sc.edu/study/colleges_schools/law/community_resources/legaltech_seminar_series/index.php (current year)

<https://at.uofsclaw.org/legaltech-seminar-series-archive> (2015–prior year)

Sponsored by the University of South Carolina School of Law, seminars consist of prominent experts in various legal technology fields speaking for an hour on an aspect of technology and the law. Series provides approximately ten or twelve seminars per year, and recordings are available.

South Carolina Bar, Continuing Legal Education Division

<https://cle.sctbar.org>

The division produces and presents in-person, web-based and telephone-based CLE. These offerings are available either live or recorded.

Supreme Court of South Carolina, Commission on CLE and Specialization

<https://www.commcle.org>

This regulatory agency of the Supreme Court of South Carolina administers the mandatory CLE program and accredits all CLE programming. Its website includes a searchable database of all accredited CLE seminars and allows lawyers access to their CLE credits.

D. Newspapers and Newsletters

The DefenseLine. South Carolina Defense Trial Lawyers Association, 1982–. Quarterly.

<https://www.scdtaa.com/the-defenseline> (1993–)

Includes articles written by defense lawyers on topics of interest to the civil defense bar. Also includes judicial profiles, case notes of important opinions and a verdict report.

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eBlast. South Carolina Bar. Weekly.

<https://www.sbar.org/bar-news/e-newsletter> (May 28, 2020–)

Highlights South Carolina Bar activities, upcoming CLE seminars, recent court opinions and other legal information.

eClips. South Carolina Association for Justice. Daily.

<https://www.scaj.com/?pg=eClipsViewer> (browse most recent)

<https://www.scaj.com/?pg=search> (search all)

Provides headlines, brief summaries and links to nationwide news articles about litigation, verdicts and settlements. Headlines and summaries are searchable and freely available online up through the current date. Full article access depends on links to original sources, typically major newspapers.

The Legal Chatter. South Carolina Legal Services, 2017–. Frequency varies.

<https://sclegal.org/newsletters>

Practical articles designed to be of use to low-income South Carolinians and the lawyers who serve them. Example topics include child abuse, disaster preparedness, foreclosure, name changes, work discrimination and more.

Midsouth Employment Law Letter. Brentwood, Tenn.: Business & Legal Resources, 2019–. Monthly.

Edited by employment law practitioners, this newsletter covers employment issues at the state level and explains developments in federal agencies including the EEOC, NLRB, OSHA and Department of Labor with a focus on Kentucky, North Carolina, South Carolina, Tennessee and West Virginia

SCAJ Justice Bulletin. South Carolina Association for Justice, 1983–. Quarterly.

<https://www.scaj.com/?pg=NewBulletin>

Practical articles by and for South Carolina trial lawyers. The *Bulletin* webpage also includes a free, searchable database of past *Bulletin* issues, past *eClips* litigation news, and the SCAJ document bank. SCAJ members have access to TRIALSmith searching of testimony, disciplinary actions, expert challenges, Medline articles, case law, briefs and motions.

eBulletin. South Carolina Press Association, 2020–. Weekly.

<https://scpress.org/ebulletin/>

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A weekly newsletter delivered to members of the South Carolina Press Association (SCPA). Includes an “FOI Briefs” section that summarizes news about open government, freedom of information and public corruption in the state, its counties and municipalities. Issues from the past year are freely viewable online by nonmembers of the SCPA.

Sections. South Carolina Bar. Newsletter frequency varies by section.

<https://www.scbare.org/lawyers/sections-committees-divisions/sections>

Links to sections of the SC Bar. Some sections devoted to particular practice areas have newsletters.

South Carolina Employment Law Letter. Brentwood, Tenn.: Business & Legal Resources, 1997–2019. Monthly.

Edited by employment law practitioners, this newsletter covered South Carolina employment issues at the state level and explained developments in federal agencies including the EEOC, NLRB, OSHA and Department of Labor with a focus on South Carolina. Columns offered practical advice for human resources departments. The number used in the citation that appears to be a page number is a story number. In 2019, it was replaced by the *Midsouth Employment Law Letter* which covers Kentucky, North Carolina, South Carolina, Tennessee and West Virginia.

South Carolina Lawyers Weekly. Minneapolis, Minn.: BridgeTower Media, 2001–. Weekly, with an option to receive headlines daily via email.

<https://sclawyersweekly.com>

Highlights developments in case law, court rules, verdicts and settlements. Covers decisions issued by state appellate courts, state circuit courts, state agencies and relevant federal courts. Publishes an annual list of the largest law firms in the state. Available in print or digitally. A daily email newsletter with headlines is also available.

Uptown. Municipal Association of South Carolina, 2002–. Monthly.

<https://www.masc.sc/resources/publications/uptown> (recent issues)

<https://www.masc.sc/Pages/newsroom/uptown/Past-Issues.aspx> (2002–21)

This monthly newsletter reports on local government issues, legislative concerns and innovative programs of member municipalities.

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E. Blogs

Blog. Gregory Forman, 2009–. Frequency varies.

<https://www.gregoryforman.com/blog>

A family law practitioner regularly posts updates on family law issues and tips for practice. Searches can be limited by audience (family law attorney or family law litigant) and by topic. Topics include adoption, alimony, appellate procedure, attorneys' fees, child custody, child support, contempt, child abuse, divorce, equitable distribution, guardians ad litem, jurisdiction, litigation strategy, mediation, paternity, protection from domestic abuse, and visitation.

Everyday Evidence. Daniel Coble, 2018–. Frequency varies.

<https://www.everydayevidence.org/blog>

A magistrate judge explains the law of evidence, with a focus on South Carolina and the Fourth Circuit. The blog also touches on civil, criminal and constitutional law topics.

SC Employers' Blog. Chris Gantt-Sorenson, Perry MacLennan, Denny Major, Demetrius Pyburn and Garrett D. Steck, 2015–. Frequency varies.

<https://www.scemployersblog.com>

Employment lawyers post about management-side employment law, including state legislative updates and relevant state and federal case law. Topics searchable in the archives include South Carolina Department of Employment and Workforce, South Carolina Medicaid, South Carolina Department of Health and Environmental Control, and South Carolina Department of Health and Human Services, among many more.

Tax Law Insights. Jeffrey T. Allen and Erik P. Doerring, 2009–. Frequency varies.

<https://www.burr.com/blogs/tax-law-insights/>

Tax law practitioners post updates on topics in state and federal tax law, particularly as implemented in South Carolina. Additional lawyers sometimes post about estate planning, employee benefits or related topics.

F. Podcasts

City Quick Connect Podcast. Municipal Association of South Carolina, 2018–. Frequency varies.

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<https://www.masc.sc/Pages/programs/voices/City-Quick-Connect-Podcast.aspx>

Municipal Association staff mainly discuss state legislative activity during the legislative session. Topics tend to be of interest to municipal leaders; for example, business licenses, disaster preparedness and economic development. Past episodes remain available.

Direct Examination: A South Carolina Lawyer Podcast. Amber Fulmer, Dayne Phillips and Joseph Bias, 2019–. Frequency varies.

<https://sclawpod.com>

Hosts and guests are South Carolina lawyers discussing South Carolina law and other topics of interest to lawyers. Past episodes remain available.

G. Directories

[Year] South Carolina Legislative Manual. Columbia, S.C.: Clerk of South Carolina House of Representatives, 1924–, 1 volume replaced annually with new edition.

<https://www.scstatehouse.gov/man20/manual20.php> (2020 edition)

Includes biographies of state legislators; legislative committees, rules and statistics; contact information for executive and judicial officials; lists of media representatives and political party leadership; legal holidays; state symbols and more. Current edition is free online or can be purchased in print via scstatehouse.gov. University of South Carolina Law Library has selected editions 1924–1938 and a complete print collection 1939–.

Lawyers Desk Book. Columbia, S.C.: South Carolina Bar, 1994–. 1 volume replaced annually with new edition. Online directory is updated more often.

<https://www.scbars.org/lawyers/directory/lawyers-desk-book> (online)

<https://www.scbars.org/lawyers/lawyers-deskbook> (purchase a print copy)

Searchable online directory of SC Bar members. Scroll down to browse contact information for members of the state and federal judiciary; other government officers at the federal, state and county levels; court reporters; legal services programs and more. Print version has attorney names and addresses listed alphabetically and geographically. Print was discontinued after the 2015 edition, then restarted in 2019 on a limited basis. University of South Carolina Law Library has 1994–2015 in print.

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South Carolina Legal Directory. Dallas, Tex.: Legal Directories Publishing Co. 1972-. 1 volume replaced annually with new edition.

Official directory of the South Carolina Bar. Lists attorney names and addresses both alphabetically and geographically Includes contact information for members of the state and federal judiciary and other government officers. University of South Carolina Law Library has selected editions 1977-.

H. Law Libraries

Sol Blatt Jr. Law Library, Charleston School of Law
<https://charlestonlaw.edu/sol-blatt-jr-law-library>

South Carolina Court of Appeals Library
<https://sccourts.org/appeals/library.cfm>

South Carolina Supreme Court Library
<https://www.sccourts.org/supreme/library.cfm>

University of South Carolina Law Library
<http://law.sc.edu/library>

I. Law Schools

Charleston School of Law
<https://charlestonlaw.edu>

University of South Carolina School of Law
<https://law.sc.edu>

IV. General Jurisprudence

A. Encyclopedias

South Carolina Jurisprudence. Eagan, Minn.: Thomson Reuters, 1991–. 32 volumes. Annual.

Comprehensive treatment of South Carolina statutory and case law organized by topic. Articles are authored mainly by practitioners. Index and tables are in softbound volumes shelved at the end.

Available in Westlaw.

B. General Legal Research

Benson, Paula Gail, and Deborah Davis Hottel. *A Guide to South Carolina Legal Research and Citation*. 3d ed. Columbia, S.C.: South Carolina Bar, CLE Division, 2014. 1 spiralbound volume.

Prescribed by Rule 268 of the South Carolina Appellate Court Rules, this manual provides citation forms specific to South Carolina sources of law. Appendices provide an overview of South Carolina legislative, judicial and regulatory processes.

C. General Practice and Procedure

General Practice

McSorley, William, Philip J. Mace and Wynne M. Potash. *The Paralegal Survival Guide: Facts and Forms*. 3rd ed. South Carolina Bar, CLE Division, 2020. 2 softbound volumes.

Covers generally applicable topics including ethical issues, law firm security and office administration. Also includes practical advice and sample documents for administrative practice, e-discovery, elder law, family court juvenile process, litigation (plaintiff and defendant), family law, residential foreclosure, residential real estate, and social security disability.

Managing Your Law Practice. South Carolina Bar, Practice Management Assistance Program.

<https://www.scbare.org/lawyers/managing-your-law-practice>

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Tips, forms, and checklists for starting or winding down a practice. Information on basic technology and emergency preparedness.

South Carolina Legal & Business Forms

Westlaw's *South Carolina Legal & Business Forms* collection provides a searchable database of forms for business enterprises (corporations, limited liability companies, professional corporations, partnerships, joint ventures, and franchises), real property (sales, options, conveyances, security arrangements, exchanges, partition, adjoining landowners, easements, licenses, and leases), and estate planning (gifts, trusts, and wills).

Available in Westlaw.

South Carolina Legal Forms Library

Gale's *South Carolina Legal Forms Library* offers a wide variety of state-specific forms, all drafted by practitioners, organized by legal topic. Some are simple, fill-in-the-blank forms, while others are highly complex and tailored to specific situations. The most common searches are for forms relating to bankruptcy, corporations, divorce, landlord-tenant, name change, paternity, power of attorney, and wills & estates, but this is far from a complete list of the forms available. The Gale LegalForms Attorney Directory is part of the Legal Forms Library and contains contact information of participating lawyers in the state, organized by practice area.

Available in Gale's Legal Forms Library.

Appellate Practice and Procedure

Toal, Jean Hoefler, Margaret E. Baker and Amelia Waring Walker. *Appellate Practice in South Carolina. 3rd ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2016. 1 softbound volume.

This trusted resource co-authored by a former Chief Justice of the South Carolina Supreme Court covers procedures in South Carolina appellate courts, judicial review, jurisdiction, justiciability, appealability of judgments and orders, issue preservation, standard and scope of review, the record on appeal, the appellate brief, and oral argument. Appendices contain examples of questions of law and questions of fact; examples of actions at law and actions in equity. Includes a CD with a sample index and a sample brief.

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Civil Practice and Procedure

Anderson, Ralph King. *Nuts and Bolts of South Carolina Substantive and Procedural Law: A Trial Handbook*. 3rd ed. Columbia, S.C.: South Carolina Bar, CLE Division, 2008. 1 volume.

This source is intended as a reference to procedural and substantive issues that can arise during the course of a trial. Chapters cover witnesses, the South Carolina Rules of Evidence, motions, conduct of trial, statute of limitations, South Carolina Tort Claims Act, Unfair Trade Practices Act, ethics, preservation of error, and habeas corpus. Bibliographical references and an index are included.

Available in Lexis+ (no longer updated).

Flanagan, James. *South Carolina Civil Procedure*. 4th ed. Columbia, S.C.: South Carolina Bar, CLE Division, 2020. 2 volumes.

This is the standard reference work on the South Carolina Rules of Civil Procedure. Following the format of the rules, it adds analysis, commentary and case law on each rule as well as other procedural topics including service of process, the right to a jury, and post-trial motions. Separate chapters cover South Carolina's case law and statutes on personal and subject matter jurisdiction, venue, and res judicata.

Available in Lexis+.

Ipock, Charles. *The South Carolina Litigation Handbook*. Columbia, S.C.: South Carolina Bar, CLE Division, 2015. 1 spiralbound volume.

This quick reference lists civil causes of action and their available remedies; types of damages, fees, costs and interest and how they are recoverable; types of defenses; and discovery objections. Its filing deadlines section breaks down all time periods defined by the South Carolina Rules of Civil Procedure under headings of pre-trial, trial, summary judgment, and appeal.

Manos, Rose Duggan, and Jacob S. Barker. *So You Have a Judgment, Now What?*. 2nd ed. Columbia, S.C.: South Carolina Bar, CLE Division, 2018. 1 softbound volume.

This slim volume provides practical guidance on knowing your client and the debtor; evaluating collectability; filing the judgment properly; exemptions; execution; supplemental proceedings; expiration; the Uniform Enforcement of Foreign Judgments Act; property encumbered by a judgment; piercing the corporate veil; fraudulent conveyances; and receivers. Includes forms on CD.

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Moise, E. Warren. *So You're Going to Try Your First Case: A Primer for Federal and State Jury Trials, Workers' Compensation Hearings, Fast Track Jury Trials, Mediations and Arbitrations. 5th ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2018. 1 softbound volume.

This source is intended to introduce new trial attorneys to basic procedures and myths about the courtroom. It is specifically designed for South Carolina lawyers. Topics include basics about the judicial system, case strategy, pretrial preparation, opening statements, closing arguments, examination of witnesses, and trial motions. Includes practical advice for appearing in various South Carolina courts and handling specific situations.

Nelson, Thomas C. *South Carolina Deposition Procedure Handbook.* Columbia, S.C.: South Carolina Bar, CLE Division, 2015. 1 softbound volume.

Covers scheduling and noticing a deposition; conducting a deposition; using a deposition at trial; and the roles of court reporters and transcripts. Includes an index and a CD with forms.

Nichols, John S. *Masters-in-Equity and Special Referees in South Carolina. 4th ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2014. 1 softbound volume.

This slim volume is a guide to the procedures of practice before Masters-in-Equity and Special Referees in South Carolina. A sample Order of Reference that meets the Supreme Court's requirements is included.

Nichols, John S. *Service of Process in South Carolina. 4th ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2014. 1 softbound volume.

This is a slender reference to the rules, statutes, and pertinent case law on proper service of process. Forms provide examples of ways to perfect service. The focus is on South Carolina practice, and differences from the federal rules are noted.

Sanders, Alex, Deborah Neese and John S. Nichols. *Trial Handbook for South Carolina Lawyers. 5th ed.* Eagan, Minn.: West Group, 2010. 1 volume updated annually with pamphlets.

A practical trial guide designed to be kept at hand, in the heat of trial. It details every aspect of a trial sequentially, providing quick access to procedural and substantive principles of trial law and the proper application of those principles. Authority is cited for every statement, including the most recent South Carolina and federal case law.

Available in Westlaw.

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South Carolina Litigation Forms & Analysis

Westlaw's *South Carolina Forms & Analysis* collection contains litigation forms for the commencement of actions, pretrial procedures, substitution and joinder of parties, third-party practice, counterclaims and cross-claims, consolidation of actions, discovery, pretrial conferences, resolution without trial, witnesses and subpoenas, exhibits, trial motions, judgments, post-trial matters, appeals, and more.

Available in Westlaw.

Southerlin, Kenneth G. *A Guide to Civil Practices and Procedures in Magistrate Court*. Columbia, S.C.: South Carolina Bar, CLE Division, 2021. 1 spiralbound volume.

Written by a magistrate judge, this text is a comprehensive practical guide and form book covering major issues encountered in South Carolina magistrate court, with a focus on landlord-tenant matters. It covers jurisdiction, filing a case, presenting the case to the judge and jury, post-judgment procedures, and appeals. It includes discussion of applicable rules of evidence and of civil procedure, 19 flow charts covering court procedures, and 102 ready-to-file sample forms.

Sullivan, Michael G., and Douglas Scott MacGregor. *Elements of Civil Causes of Action*. 5th ed. Columbia, S.C.: South Carolina Bar, CLE Division, 2015. 1 softbound volume.

Fifty chapters list the most common South Carolina civil causes of action alphabetically and break each one down into its component parts.

Available in Fastcase and Lexis+.

Courts

Clerk of Court and Register of Deeds Manual. South Carolina Judicial Branch.

<https://www.sccourts.org/clerkOfCourtManual/index.cfm>

This source is the authorized practice and procedures manual for the clerks of South Carolina trial level courts. The introduction provides an overview of the judicial system in South Carolina. The chapters cover office practices, financial practices, records retention, jury management, and procedures specific to criminal, civil, and family courts as well as the register of deeds. Each chapter starts with a detailed table of contents.

Summary Court Judges Bench Book. South Carolina Judicial Branch.

<https://www.sccourts.org/summaryCourtBenchBook>

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This source is the authorized manual of procedures for magistrates and municipal judges in South Carolina. It provides an overview of the judicial system; rules and procedures specific to magistrates' and municipal courts; brief explanations and code citations for crimes, offenses, and traffic violations; and numerous sample documents for common procedures.

Criminal Law and Procedure

Clary, Gary E., and Walter M. Bailey, Jr. *The South Carolina Capital Trial. 2nd ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2009. 1 softbound volume.

This older resource is unique in its thorough coverage of South Carolina capital trials. It is organized by phases: pretrial, guilt phase, penalty phase, and post-trial.

Coble, Daniel M. *Pocket Prelims.* Columbia, S.C.: South Carolina Bar, CLE Division, 2019. 1 spiralbound volume.

Written by a magistrate judge, this slim volume addresses the law on preliminary hearings or arraignments. It briefly covers the Fourth Amendment, guns, drugs, property crimes, assault, domestic violence, robbery, murder, manslaughter, practice tips, South Carolina magistrate court contact information, South Carolina Rules of Criminal Procedure, and the South Carolina Rules of Evidence.

Cole, Ronnie M., James B. Huff and Helena L. Jedziniak. *Handling Traffic Cases in South Carolina. 6th ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2016. 1 volume.

Covers traffic cases from the points of view of both prosecution and defense. Thorough coverage of substantive and procedural issues relating to driving under the influence. Other topics include flying and boating under the influence; driving under suspension; failure to stop for a blue light; license checkpoints; insurance problems; involuntary manslaughter; and reckless homicide. Appendices include sample motions, forms, and helpful websites.

Ferguson, John R. *Criminal Offenses in South Carolina. 3rd ed.* Eagan, Minn.: Thomson Reuters. 2019–2020. 1 softbound volume annually with replacement pamphlets.

This is an outline of South Carolina criminal law used by prosecutors, defense attorneys, and judges. Felonies and misdemeanors are grouped into categories, and information about each is included: similar crimes and cross-references to related common law offenses; elements of the offense; penalties; cross-

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references to related statutory offenses; and a citation to a basic illustrative case, when possible. Includes tables and indices.

Available in Westlaw.

Gasser, Jonathan S. *South Carolina Death Penalty Reference Manual*. Columbia, S.C.: South Carolina Bar, CLE Division, 1998. 1 softbound volume.

This aging reference work indexes every South Carolina capital murder case up to the date of publication. Each case is listed by citation, trial judge, prosecuting attorney, appellate defense counsel, factual summary, issues presented on appeal, and Supreme Court ruling. An index of cases and a cross index of matters discussed on appeal are included.

Haworth, Ashley, J., Rutledge Johnson and Jessica E. Kinard. *South Carolina Post-Conviction Relief Manual*. 3rd ed. Columbia, S.C.: South Carolina Bar, CLE Division, 2017. 1 softbound volume.

This small manual provides an overview of the procedural and substantive law of post-conviction relief in the state courts of South Carolina for noncapital cases. Topics covered include procedure, summary dismissal, claims, final order, and appeal.

McAninch, William Shepard, W. Gaston Fairey and Lesley M. Coggiola. *The Criminal Law of South Carolina*. 6th ed. Columbia, S.C.: South Carolina Bar, CLE Division, 2013. 1 volume.

<https://fc7.fastcase.com/outline/SC/1611>

Outlines general principles of criminal law, offenses against the person and property, anticipatory offenses, parties to criminal activity, and defenses.

Available in Fastcase and Lexis+.

Shealy, Miller W., Jr., and Margaret M. Lawton. *Criminal Procedure for South Carolina Practitioners*. Columbia, S.C.: South Carolina Bar, CLE Division, 2011. 2012 supplement. 1 softbound volume with supplement.

This single-volume work covers the basics of criminal procedure in the investigative stages of the criminal process, with an emphasis on the decisions of the South Carolina Supreme Court and Court of Appeals. Twenty-four chapters deal with constitutional protections, searches, seizures, warrants, and interrogations.

Available in Lexis+.

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Shealy, Miller W., Jr., and Margaret M. Lawton. *South Carolina Crimes: Elements and Defenses*. Columbia, S.C.: South Carolina Bar, CLE Division, 2011. 2012 supplement. 1 softbound volume.

Designed for use by a defense attorney or a prosecutor, this resource provides an overview of all major South Carolina crimes and breaks them down into their elements. Key terms are defined and conflicts in case law are identified. The same procedure is used for defenses such as self-defense, insanity and so on. The practitioner can reference a particular crime; determine the elements necessary for proving the offense; and determine the defenses available, the possible sentence, and the meaning of key terms used in the definition of the crime. Detailed footnotes are provided.

Available in Lexis+.

Strickler, Douglas S. *South Carolina Criminal Offenses and Penalties*. Columbia, S.C.: South Carolina Bar, CLE Division, 1997–2017. Updated periodically. 1 spiralbound volume.

This single-volume work contains the citation and sentence for every South Carolina criminal offense. Offenses included are all crimes in Title 16 of the South Carolina Code, all classified offenses, all offenses carrying a maximum penalty of one year or more, and certain offenses selected by the author. The book is organized in two sections, with offenses listed alphabetically in one and by code section in the other. Although no index is provided, tabs subdivide each section.

Yenovkian, Melanie McCulley, and Carly Gillespie. *Drug Litigation in South Carolina*. 5th ed. Columbia, S.C.: South Carolina Bar, CLE Division, 2020. 1 softbound volume.

This substantial work describes drug possession; possession with the intent to distribute; distribution; trafficking; conspiracy; prescription drugs; specific controlled, counterfeit, and noncontrolled substance offenses; juveniles; procedural and evidentiary issues; sentencing; industrial farming; marijuana-related issues; drug liability; and relevant statutory problems.

Yenovkian, Melanie McCulley, and Jeffrey K. Gurney. *The Fourth Amendment: A Step-by-Step Guide to Search and Seizure Jurisprudence in South Carolina*. 2nd ed. Columbia, S.C.: South Carolina Bar, CLE Division, 2014. 1 softbound volume.

This work analyzes practical questions including whether the Fourth Amendment applies, whether a search warrant is valid, whether an arrest lawful, whether a warrantless search or seizure falls into an exception to the warrant requirement, and whether evidence should be suppressed.

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Evidence

Kahn, Justin S. *South Carolina Evidence Handbook Annotated. 15th ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2020. 1 volume replaced annually with new edition.

Provides updated case law annotations for both South Carolina Rules of Evidence and Federal Rules of Evidence. Also covers selected statutes and constitutional provisions relating to evidence.

Available in Fastcase and Lexis+.

Jury Instructions

Anderson, Ralph King, Jr. *South Carolina Requests to Charge: Civil. 2nd ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2009. 1 volume revised and updated in 2016.

Provides suggested jury instructions for civil actions from the opening general charge to wrongful death. Each charge is annotated with case law and references to secondary sources. A table of contents and a detailed index are included.

Available in Fastcase, Westlaw (*Anderson's South Carolina Requests to Charge – Civil*) and Lexis+.

Anderson, Ralph King, Jr. *South Carolina Requests to Charge: Criminal. 2nd ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2012. 1 volume.

Provides suggested jury instructions on all major criminal offenses and defenses in South Carolina. Each charge is annotated with South Carolina authority, if available. A table of contents and a detailed index are included.

Available in Fastcase, Westlaw (*Anderson's South Carolina Requests to Charge – Criminal, 2nd Ed.*) and Lexis+.

Hubbard, F. Patrick. *Jury Instructions for Criminal Cases in South Carolina: Defendants' Requested Instructions. 2nd ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2001. 1 softbound volume.

An older work, however, the focus on the defense may be helpful to defense attorneys in the preparation and trial of criminal cases. This resource focuses on the elements and requirements of selected major crimes and affirmative defenses. Also discussed are the preparation of motions and proposed charges on evidence and procedural rights. Bibliographical references, although no index, are included.

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Ruschky, Eric William. *Pattern Jury Instructions for Federal Criminal Cases: District of South Carolina*. Columbia, S.C.: South Carolina Bar, CLE Division, 2011. 1 volume.

An older work; however, the focus on jury instructions for use in the federal district court for the District of South Carolina may be helpful.

D. General Reference

Annual Reports. South Carolina Judicial Branch. 2000–. Annual.

<https://www.sccourts.org/annualReports>

Statistics on caseloads in civil, criminal, family, and probate courts. A report on fines and fees is available via the “SCJD Transparency” link.

Community Profiles. South Carolina Department of Employment and Workforce. Monthly reports, but not all data in the reports is updated monthly.

<https://www.dew.sc.gov/data-and-statistics/labor-market-information/community-profiles>

County-by-county statistics on population characteristics, unemployment rates, major employers, educational institutions, and more.

Compensation Reports. Municipal Association of South Carolina. Annual.

<https://www.masc.sc/resources/research-tools/compensation-reports>

Salary database for municipal employees throughout the state.

Local Government Reports. South Carolina Department of Revenue. Coverage varies by report.

<https://dor.sc.gov> (click Local Government dropdown menu.)

Reports include Accommodations Tax Allocations by County, Assessed Property by County, Homestead Exemption Reimbursements, Manufacturers Depreciation Reimbursements, Merchants Inventory Reimbursements, Monthly Gross and Net Sales Report, Motor Vehicle Collections, Residential Exemption Reimbursements, Sale Ratio Study, Taxpaying Ability by School District, and Tax Collections by County.

Inform SC – Performance Map & Matrix. South Carolina Department of Commerce, 2011–.

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<https://www.sccommerce.com/research-data/inform-sc-performance-map-matrix>

Data on announced economic development projects for the past 10 years in which the South Carolina Department of Commerce was involved in recruiting the business to locate in South Carolina.

State Salary Query. South Carolina Department of Administration, annual.

<https://admin.sc.gov/transparency/state-salaries>

Salary database for state employees, with some exceptions and limitations as listed on the webpage.

V. Practice Materials by Topic

Administrative Law and Practice

Lowell, Randolph R., Richard H. Seamon and Paige J. Gossett. *South Carolina Administrative Practice & Procedure. 3rd ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2013. 1 volume.

This treatise discusses general principles underlying administrative agencies and their rulemaking and records. It also addresses the procedure of contested cases and administrative appeals at the Administrative Law Court—including the ALC rules as an appendix—and judicial review of agency decisions. Some topics relate to specific agencies such as workers' compensation; professional and occupational licenses (the Department of Labor, Licensing and Regulation); procurement; health and environment and public utilities (the Public Service Commission).

Alcohol Law

Geathers, John D., and Justin R. Werner. *The Regulation of Alcoholic Beverages in South Carolina.* Columbia, S.C.: South Carolina Bar, CLE Division, 2007. 1 softbound volume.

Although this volume is older, its focus on South Carolina's regulatory framework for alcoholic beverages has no equal. Includes information on permits, licenses and enforcement.

Nelson, Thomas C. *South Carolina Implied Consent Handbook.* Columbia, S.C.: South Carolina Bar, CLE Division, 2020. 1 softbound volume.

The title of this resource is derived from a key statute relating to driving under the influence in South Carolina: S.C. Code § 56-5-2950 regarding "implied consent" for a breath test. This resource covers suspension of driving privileges; procedure and evidence in the Office of Motor Vehicle Hearings; appeals to the Administrative Law Court and beyond; law enforcement procedures; and forms.

Yarborough, David B. *South Carolina Dram Shop Litigation: A Practice Guide.* Columbia, S.C.: South Carolina Bar, CLE Division, 2016. 1 softbound volume.

This resource provides a primer on South Carolina dram shop law. It covers the dram shop case from both the plaintiff and defense sides, including discussion of bartender and restaurant liability, the toxicology of ethanol, and beverage industry standards and training.

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Alternative Dispute Resolution (see Civil Practice and Procedure)

Automobile Law (see Criminal Law and Procedure; Insurance Law; and Tort Law)

Bankruptcy and Creditor-Debtor Law

Baker, Jan M., C. Jennalyn Dalrymple and Lydia Ann Eloff. *The South Carolina Bankruptcy Practice Manual. 2nd ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2012. 1 softbound volume.

This resource discusses basic tenets of the United States Bankruptcy Code and supplements those discussions with helpful practice tips tailored to South Carolina. The most common issues appearing in bankruptcy cases are covered, while more complex issues are briefly touched upon. Official forms, local rules, and practice forms are provided in both print and CD versions.

Boundary Law

Carter, L. Kimble. *South Carolina Boundary Law Compendium. 2nd ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2003. 1 softbound volume.

This one-volume treatise is older, but it specifically covers South Carolina case law on principles and rules of evidence for determining the location of real property boundaries. It is written to assist land surveyors, attorneys, and others interested in easily locating South Carolina law on this topic. An appendix contains the text of notable boundary law cases. A table of cases cited is also included.

Business Law

Adams, Gregory Burke, James R. Burkhard, Joseph D. Clark, Sherwood M. Cleveland, Brant J. Hellwig and David A. Merline. *South Carolina Corporate Practice Manual. 2nd ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2005. 1 volume.

<https://fc7.fastcase.com/outline/SC/1610>

This aging yet comprehensive guide is designed for both the general practitioner and corporate specialist. Chapters cover choice of entity, corporate records, tax and securities issues, dissolution and more.

Available in Fastcase and Lexis+.

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Barnes, Scott Y., James R. Burkhard, Suzanne H. Clawson and David A. Merline, Jr. *South Carolina Limited Liability Companies. 5th ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2020. 1 volume.

This trusted treatise begins with an overview of the South Carolina Uniform Limited Liability Company Act of 1996. Other chapters discuss choice of entity; securities; determining a member's distributive share of the limited liability company's income, gain, loss, deduction, or credit under section 704 of the Internal Revenue Code; using the LLC and LLP for professional and service organizations; operational issues affecting LLCs and LLPs; taxation of LLCs; using LLCs for estate planning; single member LLCs; limited liability company mergers and conversions; personal liability of LLC managers and members; manager-managed operating agreements; member-managed operating agreements; S-corporation LLC operating agreements; and agreements of conversion.

Collie, Brian M., James T. H. Buxton and Nathan D. Johnson. *South Carolina Business Law Handbook: A Practical Guide for Business Owners, Entrepreneurs and Their Counsel.* Columbia, S.C.: South Carolina Bar, CLE Division, 2018. 1 softbound volume.

Chapters include an introduction to general business considerations and the role of legal counsel; choice of business entity; corporate law basics; initial tax considerations; corporate governance; business licenses in South Carolina; what business owners need to know about workers' compensation insurance; selected topics in South Carolina and federal employment law; real estate considerations for business owners; intellectual property basics for attorneys and entrepreneurs; select South Carolina tax topics; securities considerations; estate planning regarding a business; buying and selling a South Carolina business and termination of business.

Maybank, Burnet R., James R. Burkhard, Jeanne M. Born, Melissa Wheeler Dunlap and Jaclyn Fabean Cherry. *South Carolina Nonprofit Corporate Practice Manual. 2nd ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2015. 1 softbound volume.

A practical and authoritative resource of nonprofit corporate practice in South Carolina. Topics covered include incorporation, selecting a name, governance, liability, federal requirements, state taxes, and postage. Sample forms are included in hard copy and in electronic version on a supplemental CD. An index and table of contents are provided.

Business Organizations (see Business Law)

Commercial Law (see Business Law)

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Construction Law

Ariail, A. Bright, and Calvin T. Vick, Jr. *South Carolina Construction Law Desk Book*. Columbia, S.C.: South Carolina Bar, CLE Division, 2013. 2016 supplement. 1 volume.

<https://fc7.fastcase.com/outline/SC/1603> (2013 ed.)

<https://fc7.fastcase.com/outline/SC/1604> (2016 supplement)

Chapters cover licensure of construction professions and occupations; state and local public construction projects; contract clauses; insurance; claims arising out of contract or quasi contract; construction defect claims and damages; design professional liability; payments; mechanics' liens; bonds and suretyship; alternative dispute resolution; and relevant aspects of employment law, workplace safety law, and bankruptcy law.

Available in Fastcase.

Melton, Lawrence C. *South Carolina Construction Law. 2nd ed.* Vienna, Va.: HLK Global Communications, Inc. 2012. 1 softbound volume.

Provides an exhaustive treatment of the topic of construction law in South Carolina. The fifteen chapters address every aspect of construction, from licensing of design professionals and building trades, through conception and final completion of the project, to resolution of disputes arising therefrom. The chapters contain definitions, references to statutes and cases, and illustrative tables.

Consumer Law

Smith, Kathleen Goodpasture. *The South Carolina Consumer Protection Code: Text with Comments. 4th ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2001. 2008 supplement. 1 volume.

This older volume prints the South Carolina Consumer Protection Code with the drafters' comments. There is no analysis or application of the SCCPC beyond the comments. Two appendices contain forms.

Corporations (see Business Law)

Damages

Ward, James L., Jr., and Edward J. Westbrook. *South Carolina Damages*. Columbia, S.C.: South Carolina Bar, CLE Division, 2009. 2017 supplement. 1 volume.

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<https://fc7.fastcase.com/outline/SC/1600> (2009 treatise)

<https://fc7.fastcase.com/outline/SC/1601> (2017 supplement)

This comprehensive work discusses the theory and policy behind damages in Part I. Part II addresses compensatory damages, specifically South Carolina's modified comparative negligence, damages in personal injury and property torts, and contract damages. Part III covers punitive damages, and Part IV covers set-off in wrongful death and survival actions; prejudgment and post-judgment interest; the collateral source rule; taxation of settlements and judgments; and the limitations on damages against the state and nonprofits. Part V addresses permissible arguments on damages in closing arguments, and Part VI addresses damages for these specific causes of action: admiralty, South Carolina anti-trust, auto accidents, civil conspiracy, civil rights, class actions, construction contracts, defamation, invasion of privacy, dram shop liability, fraud, misrepresentation, insurance bad faith, insurance stacking, intentional infliction of emotional distress, interference with contractual and business relations, land sales contracts, legal malpractice, marital torts, medical malpractice, premises liability, qui tam, sales of goods under the Uniform Commercial Code, securities, service contracts, South Carolina Tort Claims Act, South Carolina Unfair Trade Practices Act, Title VII, workers' compensation, wrongful death actions, survival actions, and wrongful discharge and employment contracts.

Available in Fastcase.

Disability Law

Thompson, Stacy E. *Social Security Disability Cases in South Carolina: Basic Case Evaluation and Management*. 4th ed. Columbia, S.C.: South Carolina Bar, CLE Division, 2019. 1 softbound volume.

Chapters cover definitions, the disability application process, types of disability benefits, the standard of review, the electronic file, electronic services, case evaluation, the initial client interview, obtaining necessary information, preparation for the hearing, handling cases involving minor children, what happens after a favorable decision, the appeals council, federal court appeals, attorney fees, ethical issues, and the role of the paralegal in social security disability cases.

Elder Law

Millender, Franchelle C., Sarah Garland St. Onge, Andrew J. Atkins, Melody J. E. Breeden, Michael B. Bridges, Kathryn C. DeAngelo, Chadwicke L. Groover, Patricia L. Harrison, Catherine H. Kennedy, Michael S. Large, Kirby R. Mitchell, Mitchell C. Payne, Michael J. Polk, and Donna V.

STATE PRACTICE MATERIALS

Sands. *A Practical Guide to Elder and Special Needs Law in South Carolina*. 3rd ed. Columbia, S.C.: South Carolina Bar, CLE Division, 2021. 1 volume.

<https://fc7.fastcase.com/outline/SC/1612>

Chapters cover ethics and client relations; planning for death and disability; long term care; social security, SSI, Medicare, Medicaid, and veterans' benefits; nursing home care; accessing Medicaid for long term care; the vulnerable adult (abuse, neglect, exploitation, and identity theft), and protective actions in probate court (guardianships, conservatorships, and the role of the guardian ad litem).

Available in Fastcase and Lexis+.

Environmental Law

Finklea, Samuel L., ed., and Amy E. Armstrong. *Environmental Law in South Carolina*. 4th ed. Columbia, S.C.: South Carolina Bar, CLE Division, 2016. 1 softbound volume.

This single-volume work begins its treatment of South Carolina environmental law with a discussion of the common law causes of action that are still used in environmental litigation. The other chapters explore statutory protection of the environment; water and air quality; waste management; coastal zone management; natural resource protection; administrative practice; land use regulation; mining; radon; and real estate transactions. Appendices cover the organization of the South Carolina Department of Health and Environmental Control and the South Carolina Department of Natural Resources. There is a detailed index.

Estate Planning (*see* Wills, Trusts, Estates and Probate)

Family Law

Brown, Melissa F., Melissa M. Frazier, Martha L. Hamel, C. Vance Stricklin, Jr., Ruth L. Cate, David P. Geis, Ernest J. Jarrett, Ryan A. McLeod, Kirby R. Mitchell, Chris B. Paton, Ashlin B. Potterfield, Gary H. Smith, J. Benjamin Stevens, and Katherine H. Tiffany. *South Carolina Family Lawyer's Toolkit*. 3rd ed. Columbia, S.C.: South Carolina Bar, CLE Division, 2017. 1 spiralbound, tabbed notebook.

A spiralbound tabbed notebook, with CD, the toolkit consists mainly of outlines, checklists, and flowcharts. Tabs include grounds for divorce, venue, direct examination of a divorce client, approval of agreement, name change, income, child support, UIFSA jurisdiction, alimony, equitable distribution,

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business records predicate, electronic evidence, the expert witness opinion rule, custody, UCCJEA jurisdiction, adoption, contempt, attorney fees, objections, and applicable rules of procedure.

Bultz, Jay M. *The Master Agreement: A Comprehensive Form Document for Creating Agreements for Separation, Divorce, and Parenting*. 2nd ed. Columbia, S.C.: South Carolina Bar, CLE Division, 2018. 1 spiral-bound volume.

Intended for mediators and attorneys preparing agreements or memoranda of understanding and for attorneys and judges in drafting orders. Includes a comprehensive outline for mediation, a checklist of issues and alternative options for discussions. Includes forms on CD.

Thompson, James Fletcher. *South Carolina Adoption Law and Practice: A Guide for Attorneys, Certified Investigators and Families*. Columbia, S.C.: South Carolina Bar, CLE Division, 2010. 1 volume.

Addresses legal concepts of parental fitness, custody, termination of parental rights and adoption. Covers consent under South Carolina case law; the best interest of the child; birth father rights and responsibilities; the responsible father registry; confidentiality of adoptions; counseling birth parents; evaluating potential adoptive parents; financial considerations; attacks on finalized adoptions; the Interstate Compact on the Placement of Children; the Indian Child Welfare Act; and relevant South Carolina statutes.

Available in Lexis+.

Parise, Sandra R., ed., and Parise Kristina Noe. *South Carolina Family Court Handbook*. Columbia, S.C.: South Carolina Bar, CLE Division, 2016. 1 softbound volume.

This handbook reprints the statutory provisions and rules of practice that apply to South Carolina Family Court. These include Titles 20 and 63 and portions of Titles 15, 16, and 19 of the South Carolina Code of Laws, as well as state rules of civil procedure, evidence, and alternative dispute resolution. The handbook also provides child support guidelines, instructions, tables, and worksheets; life expectancy tables; and family court judges, secretaries, court reporters, clerks of court, and docket clerks.

Stephens, Jenny R. *The South Carolina Guardian ad Litem's Toolkit*. Columbia, S.C.: South Carolina Bar, CLE Division, 2014. 1 spiralbound volume.

Covers the South Carolina guardian ad litem statute, the order appointing a guardian ad litem, the affidavit of the guardian ad litem, the guardian ad litem case summary, the guardian ad litem checklist, the initial letter to the parent,

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the initial letter to the attorney, the guardian ad litem questionnaire, the HIPAA medical authorization form, the guardian ad litem home visit checklist, the guardian ad litem pretrial checklist, motions, consent orders, the guardian ad litem report, and trial.

Stevens, J. Benjamin, and Jonathan W. Lounsberry. *Family Law Essentials: A Primer for Private Practice Before the Family Court in South Carolina*. Columbia, S.C.: South Carolina Bar, CLE Division, 2018. 1 softbound volume.

Chapters cover topics including calculating child support, division of assets and debts, alimony, the initial pleadings, the temporary hearing, trying the case in family court, drafting orders, and contempt actions.

Stuckey, Roy T. *Marital Litigation in South Carolina: Substantive Law. 5th ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2020. 1 volume.

<https://fc7.fastcase.com/outline/SC/1596>

Chapters cover jurisdiction, establishing the validity of marriages, annulment, divorce, separate support and maintenance, alimony, property, paternity, termination of parental rights, child custody, visitation, child support, attorneys' fees and litigation expenses, agreements, bankruptcy, and taxation.

Available in Fastcase, Westlaw and Lexis+.

Stuckey, Roy T. *Marriage and Divorce Law in South Carolina: A Layperson's Guide. 5th ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2020. 1 softbound volume.

This concise, authoritative, and understandable resource explains the laws of South Carolina governing marriage and its dissolution in terms that a nonlawyer can understand, but it is not intended as a substitute for legal advice. Among the topics covered are creating a marriage, ending a marriage, issues that arise when a marriage ends, and hiring and working with an attorney. A detailed index makes finding particular topics easy.

Health Law

Daniel, E. Bart, Joseph P. Griffith, Jr., J. Brady Hair, Derk Van Raalte, Marshall Austin and Sloan P. Ellis. *Health Care Fraud and Collateral Consequences. 3rd ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2019. 1 softbound volume.

Chapters cover types of health care fraud, investigative agencies, how an investigation begins, federal and state enforcement, defending health care

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cases, federal sentencing guidelines, collateral consequences, and proceedings. Includes lists of online resources and acronyms.

Insurance Law

Barnes, William F., III. *The Law of Automobile Insurance in South Carolina*. 7th ed. Columbia, S.C.: South Carolina Bar, CLE Division, 2015. 1 softbound volume.

<https://fc7.fastcase.com/outline/SC/1602>

Chapters cover the regulation of the automobile insurance business, liability insurance, uninsured and underinsured motorist coverage, personal injury protection coverage, physical and property damage coverages, bad faith and criminal penalties, stacking, procedure (including interpleader, declaratory judgment actions, service of process on and collecting judgments against insurance companies, choice of laws, statute of limitations, and parties), and statutory liens. An emergency regulation and numerous forms are appended.

Available in Fastcase and Lexis+.

Holmes, Janice. *Guide to South Carolina Liability and Property Insurance Law*. Columbia, S.C.: South Carolina Bar, CLE Division, 2019. 1 softbound volume.

<https://fc7.fastcase.com/outline/SC/1594>

Chapters cover general policy issues (inception, agents, misrepresentations, and termination), policy interpretation, property insurance, general liability (coverage, exclusions, and conditions), professional liability, excess insurance, duty to defend, bad faith and extracontractual liability, practice and procedure, and other considerations (named insureds, additional insureds, and subrogation).

Available in Fastcase.

Jury Verdicts (see also III. D. Newspapers and Newsletters)

All South Carolina Jury Verdicts & Settlements

Lexis' *All South Carolina Jury Verdicts & Settlements* collection provides consolidated search of several sources, including publications of the American Association for Justice (AAJ), American Law Media (ALM), Dolan Media, and LexisNexis. Dates of coverage vary.

Available in Lexis+.

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South Carolina Jury Verdicts & Settlements

Westlaw's *South Carolina Jury Verdicts & Settlements* collections provides consolidated search of several sources, including publications of Thomson Reuters/West, Jury Verdict Research, and the Association of Trial Lawyers of America. Dates of coverage vary.

Available in Westlaw.

VerdictSearch. ALM Media.

<https://verdictsearch.com>

Search can be limited to a specific state. Dates of coverage for South Carolina are not specified; "most venues have about 20 years of data."

Juvenile Law

Barton, Kathryn. *South Carolina Children's Law Resource Manual*. Columbia, S.C.: South Carolina Bar, CLE Division, 2014. 1 softbound volume.

This manual covers the juvenile justice system from petition and taking into custody through appeal and expungement. Other topics include school discipline, confidentiality of student records, juvenile arbitration programs, and foster care.

Labor and Employment Law

Burnette, M. Malissa, and Leigh M. Nason. *Labor and Employment Law for South Carolina Lawyers*. 5th ed. Columbia, S.C.: South Carolina Bar, CLE Division, 2019. 2 volumes.

<https://fc7.fastcase.com/outline/SC/1595>

Volume I covers employment contracts, covenants not to compete, employment-related torts, retaliatory discharge, labor-management relations, workers' compensation, and several labor and employment-related statutes. Volume II covers additional employment-related statutes, civil and constitutional rights of employees, alternative dispute resolution, and statutes of limitations in employment cases.

Available in Fastcase and Lexis+.

Little on South Carolina Employment Law. San Jose, Cal.: Littler Mendelson U.S. State Libraries, 2017-. Ebook only, updated annually.

<https://fc7.fastcase.com/results?docUId=203931139¤tView=outline>

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E-book summarizes relevant federal and state employment law requirements. Sections cover pre-hire, time of hire, during employment, and end of employment. If you have not purchased *Little*, click on Outline to view the editions and tables of contents.

Available in Fastcase.

Land Use Law

Comprehensive Planning Guide for Local Governments. Municipal Association of South Carolina, 2018.

<https://www.masc.sc/resources/publications>

This guide is intended as a reference tool for officials who administer land use regulations. Chapters cover planning, zoning, the board of architectural review, zoning enforcement procedures, land development regulations, the official map, and development agreements. Forms, checklists, and a copy of the Comprehensive Planning Enabling Act of 1994 are included.

Landlord-Tenant

Southerlin, Kenneth G. *A Guide to Civil Practices and Procedures in Magistrate Court*. Columbia, S.C.: South Carolina Bar, CLE Division, 2021. 1 spiralbound volume.

Written by a magistrate judge, this text is a comprehensive practical guide and forms book covering major issues encountered in South Carolina magistrate court, with a focus on landlord-tenant matters. It covers jurisdiction, filing a case, presenting the case to the judge and jury, post-judgment procedures, and appeals. It includes discussion of applicable rules of evidence and of civil procedure, 19 flow charts covering court procedures, and 102 ready-to-file sample forms.

Medical Malpractice (see Tort Law)

Municipal / Local Government Law

Annexation Handbook. Municipal Association of South Carolina, 2012. PDF.

<https://www.masc.sc/resources/publications>

Explains the municipal annexation procedures approved by South Carolina's legislature in 2000. Viewable free online or can be ordered in print.

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Election Handbook. Municipal Association of South Carolina, 2017. PDF.

<https://www.masc.sc/resources/publications>

Provides detailed instructions for conducting South Carolina municipal elections. Viewable free online or can be ordered in print.

Forms and Powers of Municipal Government. Municipal Association of South Carolina, 2017. PDF.

<https://www.masc.sc/resources/publications>

Surveys the powers of municipal governments and outlines roles and responsibilities of the mayor and the council, depending on the form of government. Viewable free online or can be ordered in print.

Model Employee Handbook for SC Municipalities. Municipal Association of South Carolina, 2017. PDF.

<https://www.masc.sc/resources/publications>

Designed to help municipalities comply with state and federal employment laws. Viewable free online or can be ordered in print.

Public Official's Guide to Compliance with the South Carolina Freedom of Information Act. South Carolina Press Association, 2017. PDF.

<https://scpress.org/public-officials-guide-to-the-foia>

This guide contains the entire text of the law, as well as a section-by-section plain language explanation of the law. Includes tips on responding to FOIA requests and amending a public meeting agenda. The 25-page document includes a detailed index. Viewable free online or can be ordered in print.

Personal Injury (see Tort Law)

Practice of Law and Professional Responsibility

Crystal, Nathan M. *Annotated South Carolina Rules of Professional Conduct 2021 Edition*. Columbia, S.C.: South Carolina Bar, CLE Division, 2021. 1 softbound volume updated as needed online between editions.

<https://cle.scbbar.org/Book-Store/Annotated-Rules-Update> (updates only)

This trusted resource provides practical and comprehensive treatment of issues arising under the South Carolina Rules of Professional Conduct (Rule 407, SCACR). It contains the Rules of Professional Conduct, Rules for Lawyer Disciplinary Enforcement (Rule 413, SCACR), and other relevant rules such

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as about financial recordkeeping and conduct during depositions. The volume is thoroughly annotated with relevant case law and ethics advisory opinions current through December 2020. The book covers not only ethics topics, but also related legal topics including malpractice liability, attorney-client privilege, and the work-product doctrine. It includes an index and comparisons of each South Carolina Rule with the corresponding Model Rule.

Gray, Elizabeth Van Doren, William H. Jordan, Alexis K. Lindsay, Robert E. Stepp and J. Calhoun Watson. *The Law of Legal Malpractice in South Carolina*. Columbia, S.C.: South Carolina Bar, CLE Division, 2017. 1 softbound volume.

This single volume discusses the elements of a claim for legal malpractice, breach of duty, proximate causation, damages, the relationship to other causes of action, third-party claims, defenses, vicarious liability of law firms and partners, assignability of legal malpractice claims, and jurisdiction.

Probate (see Wills, Trusts, Estates and Probate)

Products Liability (see also Tort Law)

Henry, Christopher. *Death by Dicta: The Life of the Sophisticated User Doctrine in South Carolina Products Liability Law*. 69 *South Carolina Law Review* 1039–1068 (2018).

Published in the *South Carolina Law Review*'s annual "Survey of South Carolina Law" edition (traditionally Issue #4), this law review note summarizes and contextualizes key cases in South Carolina products liability law.

Available in Westlaw, Lexis and HeinOnline.

Real Estate and Real Property

Barnes, Scott Y., D. Sean Faulkner, M. Kevin Garrison, Thomas L. Harper Jr., Joan W. Hartley, Dorothy M. Helms, Mark R. Holmes, W. Thomas Lavender Jr., Claire T. Manning, Christopher S. McDonald, Judith L. McInnis, Edward G. Menzie, Mary Dameron Milliken, Gary W. Morris, Mark S. Sharpe, Michael W. Tighe, M. Jeffrey Vinzani, and James I. Warren III. *Practical Guide to Commercial Real Estate in South Carolina*. Columbia, S.C.: South Carolina Bar, CLE Division, 2012. 1 softbound volume.

<https://fc7.fastcase.com/outline/SC/1599>

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Chapters cover commercial real estate contracts, commercial leasing in South Carolina, development agreements, governmental incentives for economic development, South Carolina commercial real estate lending, closing opinions, land surveys and other due diligence, zoning and land use, tax issues, environmental pitfalls, easements, title insurance, multistate practice and ethics, mortgage modifications, and the commercial foreclosure process and alternatives.

Available in Fastcase.

Berkowitz, Susan B. *South Carolina Foreclosure Law Manual. 4th ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2021. 1 softbound volume.

Covers the foreclosure process, loss mitigation as an alternative to foreclosure, defense counterclaims, third-party claims, and bankruptcy issues.

Castine, Joby C. *Deeds of Conveyance.* Columbia, S.C.: South Carolina Bar, CLE Division, 2019. 1 softbound volume.

Discusses the parts of a deed; types of deeds; parties to a deed; the capacity to execute deeds; consideration; exceptions, reservations, conditions, covenants, and restrictions; present estates that may be conveyed by deed; construction of deeds; concurrent ownership; title examination; decedents; deeds to water, minerals, air, tracks, and timber; contracts for deeds or bonds for title; and deeds of correction. Includes sample deed forms.

Hayes, Dean A. *Tax Sales of Real Property and Mobile Homes in South Carolina. 4th ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2021. 1 softbound volume.

The fourth edition provides a case law and statutory update for the seven years since the prior edition. This practical resource contains multiple sample pleadings for cases where a defendant is in the military, is a minor, is incompetent, is deceased, or cannot be located. There are also sample pleadings for an action to set aside a tax sale or obtain tax sale coverage and an action to quiet title. The book covers the constitutional and statutory basis for tax sales, priority of a tax lien, government consolidation of tax collection, the time for attachment of a lien, tax execution, notice requirements, sales procedure, the sixth notice requirement, exercise of the right of redemption, costs, owner rights during the redemption period, voiding a tax sale, failure to redeem, surplus funds (overage), warranty of a tax sale deed, a law or equity case, equitable requirements if the tax sale is voided, strict compliance with statutory requirements, presumptions and burden of proof, statutes of limitation, jurisdictional defects and mere irregularities, certified mail return receipt requested requirement, bankruptcy, co-tenants; rents, unknown owners or heirs

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as parties, the attorney's duty to the client, mobile and manufactured homes, the effect of a tax sale on an interest of the federal government, forfeited lands, and quiet title actions.

MacGregor, Douglas Scott. *South Carolina Community Association Law: Condominiums and Homeowners Associations*. Columbia, S.C.: South Carolina Bar, CLE Division, 2019. 1 softbound volume.

<https://fc7.fastcase.com/outline/SC/1613>

Chapters cover the South Carolina Horizontal Property Act, the creation of the condominium, the council of co-owners, use restrictions, conversion to condominium ownership, the Vacation Time Sharing Plan Act, the community association manager, and homeowners' associations. Appendices include title insurance considerations for condominiums and timeshares.

Available in Fastcase.

Manning, Claire T. *Handbook for South Carolina Dirt Lawyers. 2nd ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2008. 1 softbound volume.

<https://fc7.fastcase.com/outline/SC/1597>

Chapters cover traps for the unwary, searching titles, insurable title vs. marketable title (and curing title defects), basic title insurance, title insurance policy endorsements, affirmative coverage, ethics in real estate transactions, preparing closing statements, selected title and closing issues, basic bankruptcy for dirt lawyers, fraud, and forgery. A list of useful websites is included.

Available in Fastcase and Lexis+.

Unger, Richard M. *Treatise on the Law of Easements*. Columbia, S.C.: South Carolina Bar, CLE Division, 2017. 1 softbound volume.

<https://fc7.fastcase.com/outline/SC/1598>

Chapters cover easements in general, creating the easement, the scope of the easement, rights and obligations, termination, the Third Restatement of Property (Servitudes), and access coverage under title insurance. Sample easement documents, sample pleadings and additional reference materials such as key cases are included.

Available in Fastcase.

School Law (see Juvenile Law)

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Social Security (see Disability Law)

Taxation

Law and Policy. South Carolina Department of Revenue.

<https://dor.sc.gov/policy/index>

The SC Department of Revenue's Law & Policy page links to a variety of policy manuals including *Tax Incentives for Economic Development* (2021), *Sales and Use Tax Manual* (2021), *Legislative Update* (2020), *Deed Recording Fee Manual* (2018), and *Property Tax Manual* (2015); draft policy documents; proposed regulations; current-year tax legislation, and more.

Maybank, Burnet, III, Franklin Daniels and Cashida Okeke. *South Carolina State Tax Traps and Pitfalls*, South Carolina Lawyer, May 2013, at 43–51.

https://www.nexsenpruet.com/uploads/1169/doc/SC_State_Tax_Traps_and_Pitfalls_-_Daniels_and_Maybank.pdf

This classic article briefly explains the law behind common state tax issues in South Carolina such as individual liability for unpaid sales taxes, hidden tax liens, single member LLCs, property value reassessment, and more. Practical solutions are suggested.

Publications. South Carolina Department of Revenue.

<https://dor.sc.gov/communications/publications> (Publications)

The SC Department of Revenue's Publications page links to brochures and flyers on the accommodations tax, business personal property, individual income tax and property exemptions for veterans.

South Carolina State Tax Reporter. Chicago, Ill.: Wolters Kluwer (CCH). Irregularly.

This state tax reporter arranges the entirety of South Carolina state and local tax law topically by tax type. CCH editors write and update explanations of state tax issues and provide the text of all state tax laws and regulations, relevant court cases and administrative rulings. The University of South Carolina Law Library has 1980 to present in print.

Available in Wolters Kluwer Cheetah.

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South Carolina Tax Practice Insights (Expert Commentary on SC Tax Laws).

Lexis' *South Carolina Practice Insights* collection includes commentary written by South Carolina tax practitioners and contains tips for dealing with complex issues; planning strategies, lessons, and illustrative case examples; risks and benefits of certain actions; alerts to certain practice mistakes; perspective on issues that have divided courts; and drafting guidance. Major headings in the table of contents include administrative provisions; corporate income and franchise taxes; estate, inheritance, and gift taxes; personal income taxes; property taxes; sales and use taxes; and miscellaneous taxes (franchise and unemployment).

Available in Lexis+.

Tax Notes Today State – South Carolina. Tax Analysts. 1972–. Daily.

<https://www.taxnotes.com/document-list/jurisdictions/us-states-and-territories/south-carolina>

This database contains state tax legislation, court filings, agency news releases and more. A typical entry includes the full text of a document, preceded by a short summary.

Von Lehe, John C., and Jennifer W. Davis. *South Carolina Taxation and Economic Tax Incentives*. 3rd ed. Columbia, S.C.: South Carolina Bar, CLE Division, 2013. 1 softbound volume.

Chapters of this treatise cover South Carolina income tax, sales tax, property tax, business license tax and economic tax incentives. There is also a chapter on procedure.

Title Insurance (see Real Estate and Real Property)

Tort Law

Cole, Ronnie M., Candice K. Lapham and Jacque Littleton. *The South Carolina Collision Investigation Tool Kit*. Columbia, S.C.: South Carolina Bar, CLE Division, 2010. 1 spiralbound volume.

An older yet in-depth volume about specifics of automobile collisions. Includes discussion of statutes, case law, and rules of evidence; the traffic collision report form; officer training records; dispatch audio; written logs; inspection of damaged vehicles; online resources; and more.

Denton, Daniel R. *The Law of Slip & Fall in South Carolina*. Columbia, S.C.: South Carolina Bar, CLE Division, 2014. 1 softbound volume.

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This treatise covers classifications of visitors as adult trespassers, children, licensees, or invitees; burden of proof; duties owed by storekeepers and landlords; standards of care; immunities and statutory limits on recovery; comparative negligence; assumption of risk; and specific types of hazard. Numerous practice tips and sample documents are included.

Hubbard, F. Patrick, Robert L. Felix and James P. Mazingo. *The South Carolina Law of Torts. 4th ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2011. 1 volume updated annually with supplements.

<https://fc7.fastcase.com/outline/SC/1591> (2011 treatise)

<https://fc7.fastcase.com/outline/SC/1592> (2020 supplement)

A trusted, comprehensive reference on South Carolina tort law. Chapters cover policy and process, negligence, strict liability, products liability, fraud, economic torts, intentional torts, interference with reputation, privacy, damages, wrongful death, survival actions, joint tortfeasors, and vicarious liability. Cross-referenced and annotated.

Available in Fastcase (2011 and 2020) and Lexis+ (2011 and 2019).

Water Law (see also Real Estate and Real Property)

Taylor, Mullen. *Evolution of Surface Water Regulation in South Carolina.* 66 *South Carolina Law Review* 639–665 (2015).

<https://scholarcommons.sc.edu/sclr/vol66/iss3/6>

This law review article traces South Carolina's history of surface water regulation from special legislation, through riparian common law, the doctrine of prior appropriation, water management legislation enacted during droughts, and finally to the state's surface water permitting scheme adopted in 2010.

Available in HeinOnline, Westlaw and Lexis.

Wills, Trusts, Estates and Probate

Black, Charles M., Jr., F. Ladson Boyle, Wm. Bert Brannon, Dan A. Collins, James B. Drennan, III, William S. Elder, Randy E. Fisher, James C. Hardin, III., Patricia Logan Harrison, J. Tod Hyché, W. Steven Johns, John M. Jolley, Fred L. Kingsmore, Jr., Jennifer Ross MacLeod, S. Alan Medlin, Briani B. Mellen, William G. Newsome, III, William M. Reynolds, III, Harley D. Ruff, J. Munford Scott, Jr., Kenneth F. Smith, John R. Thomas, Karen H. Thomas, Arthur E. White, III, and Kenneth

SOUTH CAROLINA

B. Wingate. *Estate Planning in South Carolina. 2nd ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2016–2018. 6 volumes.

<https://fc7.fastcase.com/outline/SC/1605> (Volume. I: The Law of Wills and Trusts)

<https://fc7.fastcase.com/outline/SC/1606> (Volume V: Trusts)

A thorough guide for practitioners of estate planning. Each volume stands alone as a treatise and can be purchased separately. Volumes include *Volume I: The Law of Wills and Trusts*; *Volume II* with chapters on interviewing the client, ethical considerations, mapping the plan, drafting wills in South Carolina, revocable living trusts, and tax planning; *Volume III* covering planning for closely-held businesses, planning for needs-based government benefits, choosing fiduciaries, transferring assets outside of probate, execution and safekeeping of documents, and terminating the representation; *Volume IV* on estate litigation, asset protection, post-mortem estate planning, and advanced techniques in estate planning; *Volume V: The South Carolina Trust Code*; and *Volume VI: South Carolina Fiduciary Accounting and Taxation*.

Available in Fastcase.

Moses, Albert L., and William Bert Brannon. *The South Carolina Probate Practice Manual. 5th ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2017. 1 volume.

This hefty volume delves into procedural matters; estate administration; probate and appointment; duties, rights, and powers of the personal representative; locating, identifying, and categorizing estate assets; multiple-party bank accounts; valuation of estate assets; the personal representative's responsibilities as to claims, real property, and taxes; estate administration expenses; identifying heirs and devisees; accounting rules; distribution; and closing the estate.

Myers, Matthew J. *The South Carolina Personal Representative Handbook. 2nd ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2018. 1 softbound volume.

This small volume is intended to educate and assist the non-professional personal representative in South Carolina in probating an estate. Chapters include an overview of probate administration; opening, managing, and closing the estate; creditor claims; determining heirs and devisees and their interests; distributions; and special circumstances.

Todd, Albert C., III, W. Steven Johnson, William M. Reynolds, III, Jonathan E. Spitz and John Dunbar Kornegay, III. *Book of Estate Planning Questions and Answers. 4th ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2021. 1 softbound volume.

STATE PRACTICE MATERIALS

Experienced estate planning practitioner Al Todd wrote, and his successors have edited, straightforward, concrete answers to their clients' frequently asked questions. This brief conversational guide is written for the estate planning client or layperson. Topics include: your estate, documents you may need, trusts, wills, powers of attorney, health care power of attorney and living will, how property passes at death, probate of estates, avoiding probate, second marriages, the personal representative, life insurance, and taxes.

Workers' Compensation

Beard, Grady L., Shannon Till Poteat, Vernon R. Sumwalt, Margaret Miles Bluestein, Allison P. Sullivan, Derrick L. Williams and M. Malissa Burnette. *The Law of Workers' Compensation Insurance in South Carolina. 7th ed.* Columbia, S.C.: South Carolina Bar, CLE Division, 2019. 1 softbound volume.

<https://fc7.fastcase.com/outline/SC/1607>

This comprehensive single-volume treatise contains expert analysis of the major areas of workers' compensation law and practice in South Carolina. Chapters cover such topics as practice and procedure, persons covered, accidents, "arising out of" employment, course of employment, specific injuries, benefits, defenses, misconduct, third-party actions, exclusive remedy, occupational diseases, appeals, social security offset; the state fund, and Medicare. Bibliographical references and an index are included.

Available in Fastcase and Westlaw.

Zoning (*see* Land Use Law)

SOUTH CAROLINA

Appendix:
South Carolina Publishers of Legal Materials

Clerk of the House of Representatives, Clerk of the Senate,
Legislative Council or
Legislative Services Agency
scstatehouse.gov/publications.php

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scalc.net

South Carolina Association for
Justice
PO Box 11557
Columbia, SC 29211
(803) 799-5097
scaj.com

South Carolina Attorney General
PO Box 11549
Columbia, SC 29211
(803) 734-3970
scag.gov

South Carolina Bar – CLE
Division
1501 Park Street
Columbia, SC 29201
(803) 799-6653 ext. 110
publications@scbar.org
cle.scbar.org

South Carolina Defense Trial
Attorneys' Association
1 Windsor Cove
Columbia, SC 29223
(803) 252-5646
scdtaa.com

South Carolina Department of
Revenue
300A Outlet Pointe Boulevard
Columbia, SC 29210
(844) 898-8542
dor.sc.gov/contact

South Carolina Judicial Branch
1231 Gervais Street
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(803) 734-1080
sccourts.org

South Carolina Lawyers Weekly
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sclawyersweekly.com

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