

Library 6099/667



The State of South Carolina
OFFICE OF THE ATTORNEY GENERAL

CHARLIE CONDON
ATTORNEY GENERAL

May 19, 1999

The Honorable Charles H. Pate
Magistrate, Alligator Township
Chesterfield County
Route 1, Box 650
McBee, South Carolina 29101

Dear Magistrate Pate:

In a letter to this Office you referenced that the county has advised you that it would not provide rent for your office space nor would facilities be otherwise provided.

As you referenced, S.C. Code Ann. § 22-8-30 (A) states that "(e)ach county shall provide sufficient facilities and personnel for the necessary and proper operation of the magistrates' courts in that county." A prior opinion of this Office dated October 12, 1990 indicated that by such provision, the responsibility for magistrate offices is a county rather than a State responsibility. I have researched such provision but have been unable to find where such provision has been interpreted by the Supreme Court as to the manner in which the county is to carry out its responsibilities.

I can only suggest that inasmuch as it is the responsibility of a county to provide you office space, you should contact the county attorney to obtain his assistance in providing you the necessary office space.

This letter is an informal opinion only. It has been written by a designated Assistant Attorney General and represents the position of the undersigned attorney as to the specific question asked. It has not, however, been personally reviewed by the Attorney General nor officially published in the manner of a formal opinion.

With kind regards, I am,

Very truly yours,

Charles H. Richardson
Senior Assistant Attorney General

CHR:kws

REQUEST LETTER