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February 6, 1987

Donald M. Williams, Esquire
Isle of Palms City Attorney
140 East Bay Street
P. O. Box 1431
Charleston, South Carolina 29204

Dear Mr. Williams:

In a letter to this Office you questioned whether the City of Isle of Palms is required by statute to pay jurors for their service in its municipal court. In your letter you indicated that it is your conclusion that due to the lack of authority expressly providing for such compensation, there is no obligation to compensate such jurors. I am assuming that the City does not have any separate ordinance providing for such compensation.

Based upon my review, I am also unaware of any statute expressly providing that jurors in municipal courts shall be compensated. Such is in contrast to provisions establishing for payment to jurors serving in the circuit courts and magistrates' courts. See: Sections 14-7-1370 and 22-2-160 of the Code. Generally, it is stated that "(s)ince jury service is a civic duty, there is no right to compensation for such service in the absence of statute." 47 Am. Jur. 2d Jury Section 94, p. 706. Therefore, I am in agreement with your conclusion that there is by statute no obligation to compensate jurors for their service in municipal court.

Mr. Williams
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If there is anything further, please advise.

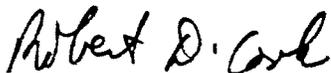
Sincerely,



Charles H. Richardson
Assistant Attorney General

CHR:lm

REVIEWED AND APPROVED BY:



Robert D. Cook
Executive Assistant for Opinions