

1984 S.C. Op. Atty. Gen. 232 (S.C.A.G.), 1984 S.C. Op. Atty. Gen. No. 84-98, 1984 WL 159905

Office of the Attorney General

State of South Carolina

Opinion No. 84-98

August 13, 1984

*1 William M. Brice, Jr., Esquire

Post Office Box 275

York, South Carolina 29745

Dear Mr. Brice:

You have asked whether a municipal judge is required by the terms of [§ 9-1-1530, 1976 Code](#) of Laws, to retire at age 72 when the judge is not a member of the Retirement System.

You have enclosed a copy of a memorandum dated June 30, 1983, by the South Carolina Court Administration Office. As that memorandum indicates, citing prior opinions of this office, [§ 9-1-1530](#) provides explicitly that the mandatory retirement age of 72 applies to 'any employee or teacher whether or not appointed and regardless of whether or not a member of the South Carolina Retirement System' For this reason, it must be concluded that the mandatory retirement age of 72 is applicable to the judge in question.*

If we can provide further information, please advise.

Sincerely yours,

Kenneth P. Woodington

Senior Assistant Attorney General

Footnotes

* See, [Op. Atty. Gen. No. 2829, 1970](#); [3-11-80](#); [2-4-80](#); [4-3-78](#) and [6-8-72](#).

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