

1976 WL 30647 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 6, 1976

*1 The Honorable James B. Edwards
Governor
Columbia, South Carolina

Dear Governor Edwards:

I am enclosing herewith a detailed opinion concerning your authority to create by executive order a commission to hear complaints and grievances against magistrates, municipal judges and county judges of less than statewide jurisdiction.

The substance of this opinion is that you have the authority to create such a commission. It shall be an administrative arm of your office without authority to invoke compulsory process, such as the issuance of subpoenas or the compelling of testimony, and its conclusions are not binding upon you but are advisory only.

Additionally, you have the authority to utilize such a commission in the making of investigations, the taking of evidence, and reporting its findings to you. You may accept or disregard such findings, but in making your decision as to the action to be taken by you, you must consider the evidence adduced before the commission.

Very truly yours,

Daniel R. McLeod
Attorney General

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