

1976 WL 30492 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 15, 1976

*1 Honorable L. Marion Gressette
Chairman
Senate Judiciary Committee
The State Capitol
Columbia, South Carolina

Honorable Robert E. Kneece
Chairman
House Judiciary Committee
The State Capitol
Columbia, South Carolina

Gentlemen:

Reference is made to today's telephone conference, relating to problems confronting this Office in implementing that portion of the new Judicial Reform Act which establishes full time solicitors. Article IX of the Judicial Reform Act is scheduled to go into effect on January 1, 1977. The Act provides for full time solicitors to be compensated at an annual salary to be established by the General Assembly, with authorization for full time secretary for each solicitor and various expense allocations. A question has been raised by the State Auditor concerning implementation of Article IX as it would affect the budget request of the Attorney General for the next fiscal year.

Under the current budget, this Office has appropriated funds for paying each solicitor the annual salary of \$20,728.00, plus \$150.00 per month for expenses. The new Judicial Reform Act, however, does not identify the agency responsible for the administration of Article IX. Moreover, the Act does not establish the salary for full time solicitors or for secretaries to the solicitors. We understand that the General Appropriations Act contains a lump sum amount for implementation of the Judicial Reform Act, and Jim Fields is now checking to determine that portion of the appropriation set aside for implementation of Article IX.

The present administrative staff of this Office is not sufficiently large to permit administration of Article IX. Additional administrative personnel would be required if it is the intention of the General Assembly for this Office to administer Article IX of the Judicial Reform Act. Of course, an alternative would be to administer Article IX through the court administrator.

We believe that a conference in the near future concerning this problem would be helpful, said conference to be attended by Senator Gressette, Representative Kneece, representatives from the State Auditor's Office, Mr. Fields and myself. Senator Gressette has suggested including Senator Dennis and possibly others in the conference, and we would, of course, defer to the discretion of Senator Gressette and Representative Kneece in this respect.

Yours very truly,

Victor S. Evans
Deputy Attorney General

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