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The State of South Carolina  
OFFICE OF THE ATTORNEY GENERAL

CHARLES M. CONDON  
ATTORNEY GENERAL

November 21, 2000

Elizabeth G. Patterson, State Director  
South Carolina Department of Social Services  
P. O. Box 1520  
Columbia, SC 29202-1520

Dear Ms. Patterson:

You have asked whether DSS attorneys appointed pursuant to Rule 608, SCACR to represent private litigants may use state resources such as computers, Westlaw, phones, copiers, faxes, etc. You report that General Counsel for the Budget and Control Board's Office of Human Resources has already advised that attorneys can use administrative leave for purposes of their appointments.

I have located no provisions of State law that expressly address this question. Although S.C. Code Ann. §40-5-380 (Supp. 1999) addresses pro bono work by State attorneys, that statute does not address Rule 608 appointments. Because the Budget and Control Board's Office of Human Resources has already advised you that attorneys may use administrative leave for the purpose of Rule 608 appointment, I suggest you contact the Board for guidance as to the issues regarding the above resources.

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

If you have further questions, please let me know.

Yours very truly,

J. Emory Smith, Jr.

Assistant Deputy Attorney General