

# The State of South Carolina



## Office of the Attorney General

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June 2, 1994

Honorable Maggie W. Glover  
Senator, State of South Carolina  
Post Office Box 142  
Columbia, South Carolina 29202

Dear Senator Glover:

In a letter to this Office you questioned which Senator has the appointing authority as to magisterial appointments.

While I acknowledge the input that Senators provide in regard to recommendations for such appointments, S.C. Code Section 22-1-10 provides:

The Governor, by and with the advice and consent of the Senate, may appoint magistrates....

Such is consistent with Article V, Section 26 of the State Constitution. Therefore, while a Governor may rely on recommendations from Senators, he has the authority to make the appointment.

Honorable Maggie W. Glover

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I have attempted to contact you by telephone this week to discuss your question with you. If there are any further questions, do not hesitate to contact me.

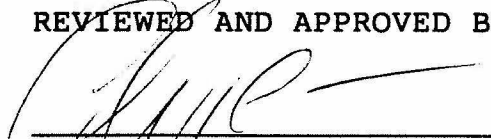
Sincerely,



Charles H. Richardson  
Assistant Attorney General

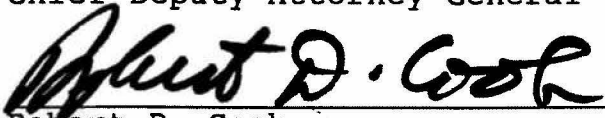
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REVIEWED AND APPROVED BY:



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