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# The State of South Carolina



## Office of the Attorney General

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July 24, 1990

The Honorable M. H. Carroll, Jr.  
Clerk of Court for York County  
P. O. Box 649  
York, SC 29745

Dear Mr. Carroll:

You have requested clarification as to the recognition to be given to acknowledgments. Previous Opinions of this Office have concluded that such acknowledgments may be used under § 30-5-30 of the Code of Laws of South Carolina, 1976, provided that they were made in another state. Ops. Atty. Gen. May 12, 1980; 1973 Ops. Atty. Gen. No. 3495 (March 16, 1973); see also 1975 Ops. Atty. Gen. No. 3990 (March 10, 1975) (copies enclosed). Acknowledgments executed inside the State are not acceptable for use under section 30-5-30. Id.

The Office of the Attorney General continues to be guided by a prior Opinion unless the prior Opinion "is clearly erroneous or the applicable law has changed." (Ops. Atty. Gen. October 3, 1986). As to the use of acknowledgments under section 30-5-30, the above Opinions are not clearly erroneous nor has the applicable law changed so as to alter the Opinions' conclusions. Therefore, the conclusions of these Opinions as to the use of acknowledgments still stands.


THE HONORABLE M. H. CARROLL, JR.

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If you need additional information, please let me know.


Yours very truly,

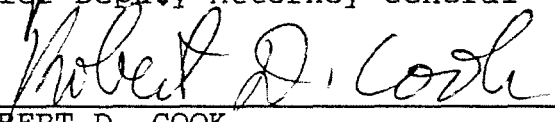
  
J. Emory Smith, Jr.  
Assistant Attorney General

JESjr/jps

Enclosures

REVIEWED AND APPROVED BY:

  
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Chief Deputy Attorney General

  
\_\_\_\_\_  
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