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The State of South Carolina



Office of the Attorney General

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ATTORNEY GENERAL

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February 6, 1992

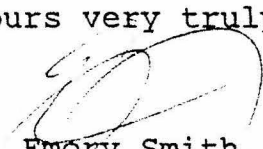
The Honorable Liz Godard
Clerk of Court, Aiken County
Aiken County Courthouse
Post Office Box 583
Aiken, South Carolina 29820-0583

Dear Ms. Godard:

You have requested the opinion of this Office as to whether an additional filing fee can be charged for the filing of an Amended Transcript. S.C. Code Ann. Section 8-21-310(11)(c) provides for a \$5.00 fee "for receiving and enrolling transcripts of judgment from magistrates' courts and federal district courts...." See §§ 15-35-540 (1976) and 22-3-300 (1989). Nothing in § 8-21-310(11)(c) expressly authorizes the charging of an additional fee for filing amendments to those judgments made by those courts. Previous opinions of this Office have concluded that, except for fees for services such as copying, clerks of court may not collect fees additional to those permitted by § 8-21-310 except as otherwise expressly provided by statute. Ops. Atty Gen No. 87-91 (Nov. 18, 1987). Therefore, the opinion of this Office is that additional fee should not be charged for recording amended transcripts of judgments under paragraph 11(c).

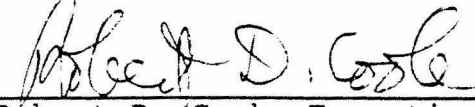
If you need additional information, please let me know.

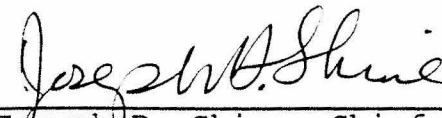
Yours very truly,


J. Emory Smith, Jr.
Assistant Attorney General

JES, JR:jca

REVIEWED AND APPROVED BY:


Robert D. Cook, Executive
Assistant, Opinions


Joseph D. Shine, Chief
Deputy Attorney General