

1981 WL 157778 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 13, 1981

***1 Re: Opinion Request**

The Honorable Daniel H. Shine
Assistant Solicitor
Fourth Judicial Circuit
Post Office Drawer 737
Bennettsville, South Carolina 29512

Dear Mr. Shine:

You have asked whether the marriage of a juvenile affects the Family Court's jurisdiction over a criminal matter pending against him or her. The juvenile's marital status does not affect the Family Court's jurisdiction over him or her.

The Family Court has exclusive jurisdiction over criminal matters pending against a person under the age of 17. [Section 14-21-510 of the Code of Laws of South Carolina \(1976\)](#). Under certain circumstances, jurisdiction of a juvenile may be transferred from Family Court to other courts vested with criminal jurisdiction. See [Sections 14-21-510\(c\), 14-21-540 and 14-21-545](#). In any event, the jurisdiction of the Family Court over a juvenile is based upon the age of the offender. Therefore, it is the opinion of this office that the marital status of a person under the age of 17 does not affect the jurisdiction of Family Court with regard to a criminal matter pending against him.

Sincerely,

Scott Elliott
Assistant Attorney General

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