

1981 WL 157996 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 30, 1981

*1 Mr. C. W. F. Spencer, Jr.
City Attorney
Spencer & Spencer
Post Office Box 790 C.S.S.
Rock Hill, South Carolina 29730

Dear Mr. Spencer:

Mr. McLeod has referred your recent letter to me for reply. You have inquired if a candidate named Elizabeth Josephine Dunlap Rhea and known as Betty Jo can be placed on the ballot either as Elizabeth Dunlap Rhea (Betty Jo) or Betty Jo Rhea.

I agree with your conclusion that either alternative would be allowable under [Stephenson v. Ellisor](#), 270 S.C. 560, 243 S.E.2d 445 (1987). That case stated that ‘. . . a derivative of one's given name, properly acquired under the common law and used in good faith for honest purposes . . .’ may be placed on an election ballot. ‘Nicknames, bearing no relation to a person's given name, remain outside of the scope . . .’

[The Oxford Dictionary of English Christian Names](#) (1974) lists ‘Betty’ as a diminutive of Elizabeth. Applying the rationale of [Stephenson](#) in which the Court found that ‘Nancy’ was a derivative of ‘Ferdinan’ because ‘Ferdinan’ contains the first three letters of the derivative name of ‘Nancy’, ‘Elizabeth’ also contains three letters of the name ‘Betty’. Further, it cannot be said that ‘Betty’ is a nickname wholly unrelated to the given name of Elizabeth.

Likewise, according to [American Given Names](#) (1979), ‘Josephine’ is a feminine form of ‘Joseph’ and ‘Jo’ is a form that came out of or is used for ‘Josephine’. ‘Jo’ would be a derivative of the given name ‘Josephine’.

Therefore, it would appear that the name of Elizabeth Josephine Dunlap Rhea could be placed on the ballot in either alternative form you presented in your letter.

Sincerely,

Treva G. Ashworth
Senior Assistant Attorney General

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