

1981 WL 157997 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 30, 1981

\*1 Mr. Steve K. Good

Director

South Carolina Judicial Department

Post Office Box 11330

Columbia, South Carolina 29211

Dear Mr. Good:

You have requested opinions from this Office regarding the following proviso included in the 1981-82 General Appropriations Act, to wit:

Provided, further, that every county shall provide for each circuit judge residing therein an office with all utilities including a private telephone.

In response to your inquiries, I can advise you as follows:

1. Enclosed please find a copy of an earlier opinion to the effect that charges for long distance telephone calls that are otherwise proper (i.e., business related) are to be provided by the respective counties.
2. In my opinion, the private telephone can be a part of a centralized courthouse telephone system in the absence of any intent to require that a private telephone line be provided. The statutory language itself does not appear to require a private telephone line but, instead, a private telephone.
3. Although the statute does not make clear whether or not the private telephone required to be provided can be one with extensions to the judge's secretary or to the court reporter, in my opinion, a reasonable interpretation of the statute is that the private telephone provided can be one with extensions, at least in the absence of language prohibiting it. Of course, a definitive resolution of the question can be sought through a declaratory judgment action pursuant to [Sections 15-53-10 et seq., CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended.

With kind regards,

Karen LeCraft Henderson

Senior Assistant Attorney General

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