

1980 WL 120852 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 29, 1980

*1 Mr. G. F. Broom, Jr.
County Administrator
County of Lexington
Lexington, South Carolina 29072

Dear Mr. Broom:

You have requested the opinion of this Office on the following questions:

1. Under state law, should court bailiffs be the responsibility of and managed by the County Clerk of Court or the County Sheriff?
2. What provisions are made in law for court criers? Are criers considered to be different from other bailiffs or are the two treated as one and the same?

The answers to your questions are as follows:

1. Court bailiffs are employed by the sheriffs of the counties and the numbers of bailiffs, as well as their removal, would be subject to the determination of the circuit judge, in his discretion. The proper procedure is for the sheriff to determine from the circuit judge the numbers of bailiffs that will be required and to act pursuant to the instructions which he receives. § 14-15-210.
2. There is no specific provision of court criers in Lexington County nor is there any general law applicable to this subject. In Lexington County, however, the compensation is established by the provisions of Section 15-1938, Code of Laws, 1962. Should the circuit judge determine that the services of a court crier are required for the functioning of the court, the employment of such an individual should be made by the county upon receipt of such notice.

Very truly yours,

Daniel R. McLeod
Attorney General

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