

1977 WL 37294 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 7, 1977

***1 In Re: Dorchester County Family Court Quarters**

The Honorable J. Woodrow Lewis
Chief Justice
South Carolina Supreme Court
Post Office Box 53
Darlington, South Carolina 29532

Dear Mr. Chief Justice:

I have received a call from Mr. Sidney Jones of Summerville concerning proposed location of the Family Court for Dorchester County. He states that the proposed location which the County desires to use is in the old County hospital building which is located in Summerville, approximately 27 miles from St. George. This building will be used by the County for a County office building and quarters can be provided most suitably in that building. The present courthouse is overflowing at the present time and additions to it are apparently impracticable from several standpoints. I informed Mr. Jones of your admonition that payments ordered by the Family Courts will eventually be required to be paid to the clerk of the circuit courts. The majority of the payments will be ordered from residents of the Summerville area because of the population trend, and at present Summerville residents make payments in St. George so that continuance of such orders from Summerville would not be a change from the present practice.

I do not find any provision regarding the location of Family Court quarters in the Judicial Reform Act of 1976. Article VIII, Section 1 of that Court merely provides that 'each county shall provide sufficient physical facilities for the operation of the Statewide Family Court system in that county.' In previous years specific provision has been made for quarters in the courthouse for various courts, such as the Juvenile and Domestic Relations Courts, for certain size cities (Section 15-1113). An amendment to that section made special provision for temporary quarters for the court 'as convenient to the courthouse as may be practicable.' The present Family Court Act of 1968 provided that 'suitable quarters shall be provided by the local authority of the county for the hearing of cases and for the use of the judge—.' Section 15-1095.7, Code Supplement.

Mr. Jones, speaking for the Dorchester authorities, would like some guidance as to whether the County can make plans now for the establishment of the Court in Summerville, which is the location they would prefer simply because quarters for the Family Court of Dorchester County can presently be established in the County building in the most adequate manner. The matter is not as pressing as I at first thought it was but they are now in the stages of consulting with the architect about the internal design of the old hospital building.

I understand that Mr. Huger Sinkler will attempt to arrange a conference with you next week and I will bring up the matter with you then if you have not by then previously contacted Mr. Jones.

With best wishes,
Cordially,

Daniel R. McLeod
Attorney General

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