

1977 WL 37461 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 9, 1977

***1 RE: Orders Specifying Methods and Conditions of Release (Form 1 and Form 2)**

Mr. Neal Forney
Assistant Director
S. C. Court Administration
Post Office Box 11788
Columbia, South Carolina 29211

Dear Neal,

Pursuant to our conversation of this date, I am enclosing copies of the bond forms which were previously approved by this Office and which I understand have been used for some time by the magistrates. The current forms are satisfactory in their present state and our approval of them continues. Nevertheless, in accordance with our previous discussions and suggestions we have received, I would recommend three (3) administrative modifications when the next printing is begun. First, the municipal courts should be added under the magistrates' courts in the heading on page 1 of both forms so as to make clear the appropriateness of their use by both courts. (See Opinion of the Attorney General dated February 26, 1976.) Second, color coding would be helpful it seems to facilitate use of the forms and to avoid confusion. Third, in Form 2 on page 2, line 8, the word 'Court' in the phrase, 'and not depart the Court without leave,' should be changed to 'State' to be consistent with the language of the statute and that of Form 1.

I have also included a modified page 3 of Form 2 to provide a section for surety to certify by sworn oath before the judge that he is legally qualified to act as surety in the amount specified. This provision is recommended at this time as an optional feature which should be included in Form 2 at the next printing.

If you have any questions or suggestions regarding this matter, please contact me at your very earliest convenience. Thank you for your cooperation and assistance.

With best personal regards, I am
Very truly yours,

Richard P. Wilson
Assistant Attorney General

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