

1977 S.C. Op. Atty. Gen. 325 (S.C.A.G.), 1977 S.C. Op. Atty. Gen. No. 77-398, 1977 WL 24734

Office of the Attorney General

State of South Carolina

Opinion No. 77-398

December 16, 1977

***1 RE: Selection of Potential Jurors in Lancaster County**

William M. Catoe, Jr., Esquire
Lancaster County Attorney
E. Hilton Street
Post Office Box 356
Kershaw, South Carolina 29067

Dear Mr. Catoe:

In reference to your question of whether a citizen of that particular section of Kershaw County to be annexed to Lancaster County by virtue of Act No. 348, 60 Acts and Joint Resolutions 982 (1977) should be included in those individuals eligible to serve as jurors in Lancaster County, the following response is provided.

Section 14-7-140, Code of Laws of South Carolina, 1976, states that:

The jury commissioners of each county shall, in the month of December of each year, prepare from the official enrollment books of qualified electors a list of such electors of their county, qualified under the provisions of the Constitution, and of good moral character as they may deem otherwise well qualified to serve as jurors, being persons of sound judgment and free from all legal exceptions. Such list shall include not less than two from every three of such electors qualified under the provisions of the Constitution and of good moral character to be selected without regard to whether such persons live within five miles or more than five miles from the courthouse. (Emphasis Added).

The term 'qualified elector' has been determined to mean 'registered elector'. [Moorer v. State of South Carolina, et al., 244 S.C. 102, 135 S.E.2d 713 \(1964\)](#). Section 7-5-120, Code of Laws of South Carolina, 1976, states that to qualify to register to vote in a certain county, the citizen must be qualified in certain particulars. Among the qualifications is the requirement that he be a resident of that county. Thus, to be a registered elector in Lancaster County and thus be eligible in one particular under Section 14-7-140, *supra*, to serve as a juror in Lancaster County, an individual must be a resident of Lancaster County. Until those particular residents of Kershaw County above referred to become residents of Lancaster County they could not register to vote in Lancaster County and thus would not be among those qualified Lancaster County electors eligible to serve as jurors in Lancaster County.

If there are any further questions, do not hesitate to contact me.

Sincerely,

Charles H. Richardson
Staff Attorney

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