

1979 WL 43470 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 18, 1979

*1 Honorable Robert M. Doster
Municipal Judge
City of Lancaster
Post Office Box 190
Lancaster, South Carolina 29720

Dear Judge Doster:

In a letter to this office you asked if the alternative method of drawing jurors as outlined by [Sections 14-25-680 through 14-25-720 of the 1976 Code](#) of Laws is used for a term of municipal court, is it necessary that such method be used for another term of municipal court to be held several weeks later. You stated that you would now prefer to have the jury drawn pursuant to [Sections 14-25-650 through 14-25-670 of the 1976 Code](#) of Laws.

Upon reviewing those sections referring to the selection of juries in municipal court, I am unaware of any provisions which prevent a municipality from alternating the manner of selecting a jury between terms. Specifically, Section 14-25-730 states in part:

‘[Sections 14-25-680 to 14-25-720](#) shall not repeal any existing law relating to the selecting and drawing of juries in municipal courts, but shall be complementary thereto, and shall constitute merely an alternative method for selecting and drawing juries in such courts.’ (Emphasis added.)

Also [Section 14-25-680](#) states in part that the manner of selecting a jury outlined in the sections following Section 14-25-690 serves:

‘(a)s an alternative method of selecting and drawing juries, and disposing of jury ballots drawn, to that set forth in [Sections 14-25-650 to 14-25-670 . . .](#)’.

Therefore, unless otherwise provided by local law, in the opinion of this office, a municipality may alternate in the manner of selecting a jury between terms so as to follow either that method prescribed by [Sections 14-25-650 et seq.](#) or [14-25-680 et seq.](#) of the 1976 Code of Laws.

Hopefully the above is in complete response to your inquiry.

Sincerely,

Charles H. Richardson
Assistant Attorney General

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