

1975 WL 29464 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 4, 1975

\*1 James M. Herring Esq.  
Corish, Smith, Remler & Moore  
Attorneys at Law  
P. O. Box 5959  
Hilton Head, South Carolina 29928

Dear Mr. Herring:

Your letter of January 20, 1975, has been forwarded to me for action. You have asked this office for an opinion on the procedure for a Georgia professional association to follow in order to establish a law firm branch office in South Carolina.

As you have pointed out in your letter, the South Carolina Code would not allow forming a professional association in this State unless all stockholders are licensed to practice in South Carolina. There seems to be no exception to this requirement.

There has always been a question as to whether or not out-of-state law firms may open up branch offices in the State of South Carolina regardless of whether or not they are incorporated. It is my opinion that any persons holding themselves out as lawyers in the State of South Carolina must have a license to practice law in the State of South Carolina. It is further my opinion that regardless of what organizational method is used by a law office, such as yours, prior to their opening a law office under a firm name, all persons included in that firm name must be licensed to practice in the State of South Carolina. (See enclosures.) In your particular situation, I do not think it is proper for the law office of Corish, Smith, Remler and Moore, to establish offices in this State under that name, regardless of its being a partnership or a professional association, without all of the above-named individuals being licensed to practice in the State of South Carolina.

Sincerely,

A. Camden Lewis  
Assistant Attorney General

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