

1973 WL 26843 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 16, 1973

***1 In Re: Mayor's Authority to Preside Over Municipal Courts**

Honorable I. H. Hamilton
City Attorney
121 Cedar Street
Post Office Box 9
Summerville, South Carolina 29483

Dear Mr. Hamilton:

The Attorney General has referred to me your letter of August 13, 1973, inquiring about the authority of the Ridgeville Council to name a Recorder to preside over the town court. I know of no authority for the appointment of a Recorder in the absence of a statute to that effect.

This Office is of the opinion that the Ward v. Monroeville case does not have the effect of disqualifying South Carolina Mayors from presiding over their municipal courts unless there are highly unusual circumstances such as prevailed in the Town of Monroeville. A notice of this opinion has been distributed previously to all mayors by Jim Caldwell, Director of the South Carolina Municipal Officers Association. I am asking Jim, by copy of this letter, to furnish you with a copy of that opinion.

Sincerely,

Joseph C. Coleman
Deputy Attorney General

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