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HENRY McMASTER
ATTORNEY GENERAL

September 6, 2006

G. P. Callison, Jr., Esquire
McCormick County Attorney
Post Office Box 3208
Greenwood, South Carolina 29648-3208

Dear Mr. Callison:

In a letter to this office you questioned whether a McCormick County magistrate has the authority to set office hours for the magistrate's court. You indicated that formerly the office hours were from 9:00 to 5:00 but have been changed to 8:00 to 4:00.

Chief Justice Toal in an order dated June 11, 2006 designated the various Chief Judges or Associate Chief Judges for Administrative Purposes of the Summary Courts in the various counties of this State. Pursuant to the order,

A Chief Judges' authority shall include, but not be limited to, the following:

...10. Designate the hours of operation of each magistrate's court office in the county, and designate the hours during which each magistrate shall be present in the office, based upon the number of hours fixed for each magistrate by the county governing body.

Therefore, by such Order, a Chief Judge has the authority to set office hours for magistrate's court. As a result, a determination would have to be made as to whether the hours for the McCormick County magistrate referenced in your letter are consistent with the hours designated by the Chief Magistrate.

Request Letter

Mr. Callison
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With kind regards, I am,

Sincerely,


Charles H. Richardson
Senior Assistant Attorney General

REVIEWED AND APPROVED BY:



Robert D. Cook
Assistant Deputy Attorney General