

The State of South Carolina



Office of the Attorney General

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March 24, 1986

Mr. Louis L. Rosen, Director  
South Carolina Court Administration  
P. O. Box 50447  
Columbia, South Carolina 29250

Dear Louis:

You have requested advice as to whether a county may charge a \$5.00 fee for mailing copies of the Court Roster. In response to your request, I am enclosing copies of two previous opinions of this Office which indicate that the only fees which can be set for or by Clerks of Court or Register of Mesne Conveyances are those set forth in §8-21-310 of the Code of Laws of South Carolina, 1976, except as to reasonable charges for copying, etc. and except as otherwise expressly provided Ops. Atty. Gen. (June 11, 1985 and June 19, 1980); see §4-1-150 of the Code. Neither §8-21-310 nor other statutes expressly provide for charging a fee for mailing copies of the Roster. Therefore, such a fee could be charged only if reasonably related to the cost of copying and mailing the roster. See also, Rule 40(a) South Carolina Rules of Civil Procedure.

If you have any questions, please let me know.

Yours very truly,

J. Emory Smith, Jr.  
Assistant Attorney General

JESjr/srcj  
Enclosures

REVIEWED AND APPROVED BY:

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