

1980 WL 120988 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

December 3, 1980

**\*1 Re: Defender Corporation of Lancaster and Chester Counties**

Purvis W. Collins  
Director  
S.C. Retirement System  
Sol Blatt Building  
2nd Floor  
Columbia, South Carolina 29201

Dear Mr. Collins:

You have requested an opinion as to whether the above entity is an employer within the meaning of [§ 9-5-30, 1976 Code of Laws](#). Public Defenders' offices are created by [§ 17-3-60](#) and constitute eleemosynary corporations created by the respective Bars. However, [§ 17-3-70](#) provides that the funds for the maintenance of Defender Corporations are to be appropriated to the Judicial Department and administered by that Department. Based on the foregoing, it is the opinion of this Office that for social security purposes the Public Defenders' offices are agencies of the State and therefore 'employers' under [§ 9-5-30](#).

Sincerely yours,

Kenneth P. Woodington  
Assistant Attorney General

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