

1983 WL 181892 (S.C.A.G.)  
Office of the Attorney General  
State of South Carolina  
May 23, 1983

**\*1 Re: Compensation to Judge of Probate**

Thurmond Bishop, Esquire  
Attorney at Law  
122 Court Square  
Abbeville, South Carolina 29620

Dear Thurmond:

You have asked this office for its opinion concerning whether the Judge of Probate, when filling a vacancy in the office of the Clerk of Court pursuant to Section 14-17-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, is entitled to receive the pay of the Clerk of Court during the time she fills the vacancy. I have enclosed a copy of correspondence from Louis L. Rosen, Director of the South Carolina Court Administration, to the Calhoun County Administrator concerning this question. In addition, I have enclosed a copy of the opinion of Roy McBee Smith, Spartanburg County Attorney, which has been ratified by Daniel R. McLeod, former Attorney General. The opinion of Mr. Smith, ratified by this office, concludes that the Probate Judge is entitled to the compensation due the Clerk during the period of time in which the Probate Judge acts as Clerk of Court.

I note that in your letter of April 19, 1983, addressed to this office, you have reached a similar conclusion.  
Very truly yours,

Edwin E. Evans  
Senior Assistant Attorney General

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