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Office of the Attorney General

State of South Carolina

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Dear Ken:

I have reviewed Cary Chamblee's report on the public hearing and the application for registration to practice landscape architecture.

Cary's explanation of the public hearing looks fine. I would suggest you keep this and all other information in regard to any changes in rules and regulations in a file for the Board. This file should contain all the steps taken in regard to any changes in your rules and regulations, such as the actions taken by the Board and Council, the proof of public notice, and the information gathered from the public hearing. This file need not be elaborate, but it would be a good idea to have this information in one place for each change in your rules.

I have also looked over the application for registration to practice landscape architecture. As I indicated to you on the phone, the instructions that accompany the application definitely imply that the applicant has three months to submit all necessary references. I think the present applicants should be afforded this three month period to complete their applications, but in the future, it would be wise to pick one date by which all applicants are required to supply all necessary information to the Board of Registration.

As we have also discussed, the references sought from applicants under registration method I should be changed so that no references are required from landscape architects in regard to professional competency. In other words, the only references that should be required should not be limited to landscape architects and should only concern the issue of the applicant's good moral character. This change in reference letters should be made as soon as possible.

In reviewing the Board's application for registration, I was reminded that one can apply for registration under what amounts to an apprenticeship with a licensed landscape architect. It is necessary for the Board to develop standards by which these individuals will be judged prior to anyone applying for registration under this method. It is only by adopting these sorts of standards ahead of time and then applying them in an evenhanded fashion that the Board can escape the allegation that their actions are arbitrary.

If you have questions in regard to any of these matters, please do not hesitate to contact me.

With best regards, I am  
Very truly yours,

Keith M. Babcock  
Staff Attorney

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