

1975 S.C. Op. Atty. Gen. 128 (S.C.A.G.), 1975 S.C. Op. Atty. Gen. No. 4051, 1975 WL 22348

Office of the Attorney General

State of South Carolina

Opinion No. 4051

July 15, 1975

*1 The Honorable William W. Peagler
Judge of Probate
Moncks Corner, S.C. 29461

Dear Judge Peagler:

We are in receipt of your recent letter in which you raised some questions concerning a recent case before your Court. You have stated that a mother filed a runaway petition against her minor daughter who married four days later without signed parental permission. One week after the marriage the mother requested her daughter be committed to the Reception and Evaluation Center in Columbia. On June 27, 1975, you committed the minor. You have now inquired whether or not you had jurisdiction over this minor.

I have conferred with Mr. Raymond Halford of this Office and it is our opinion that you lost jurisdiction over the minor when she married. The marriage may be invalid, but until that marriage should be set aside, she is emancipated by that marriage.

Very truly yours,

Treva G. Ashworth
Assistant Attorney General

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