

1974 WL 27170 (S.C.A.G.)
Office of the Attorney General
State of South Carolina
June 19, 1974

***1 In Re: Juveniles, Criminal Jurisdiction of Magistrate's Court**

Honorable R. A. Stephenson
Sheriff
Marion County
Harion, South Carolina 29571

Dear Sheriff Stephenson:

You have inquired whether or not a 10-year old child may be sentenced to jail by a magistrate.

In counties having family courts or juvenile courts, those courts have exclusive jurisdiction of most criminal offenses involving those under seventeen years of age. In other counties, the arrest of a child under eighteen years of age shall be reported to the Probate Court of the county. (Section 71-258, 1962 Code of Laws of South Carolina) The Probate Court is the proper place for disposition of a criminal charge against an 8-year old where there is no family court or juvenile court.

Very truly yours,

Joseph C. Coleman
Deputy Attorney General

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