

From: Schimsa, Rebecca <RebeccaSchimsa@gov.sc.gov>
To: Philpott, Katie <KatiePhilpott@gov.sc.gov>
Pisarik, Holly <HollyPisarik@gov.sc.gov>
CC: Veldran, Katherine <KatherineVeldran@gov.sc.gov>
Date: 8/5/2016 1:00:06 PM
Subject: RE: Magistrate Appointment

Katie,

I am aware of an informal AG Opinion dated February 23, 2001, regarding Judge Duffy's order on weighted voting following the *Vander Linden v. Hodges* case from the Fourth Circuit, which indicates that single branch delegation voting must be determined by weighted vote pursuant to a specific formula.

However, I would advise Senator Hayes to seek legal advice from the Senate Clerk's Office regarding the process for a delegation nomination for a magistrate.

Thank you,

Rebecca

Rebecca S. Schimsa
Deputy Legal Counsel
Office of Governor Nikki R. Haley
O: 803-734-6068 | C: 803-429-4561

From: Philpott, Katie
Sent: Thursday, August 04, 2016 6:03 PM
To: Pisarik, Holly
Cc: Schimsa, Rebecca; Veldran, Katherine
Subject: Re: Magistrate Appointment

Am I correct in asserting that a "majority of the senatorial delegation" must nominate the individual?

Katie R. Philpott
Director of Boards and Commissions
Office of Governor Nikki R. Haley
1205 Pendleton Street
Columbia, South Carolina 29201
803.201.3423 (cell)
803.734.8051 (fax)

On Aug 4, 2016, at 5:18 PM, Veldran, Katherine <KatherineVeldran@gov.sc.gov> wrote:

Please advise. KV

Begin forwarded message:

From: Sarah Gilbert <SarahGilbert@scsenate.gov>
Date: August 4, 2016 at 4:45:54 PM EDT
To: "'katherineveldran@gov.sc.gov'" <katherineveldran@gov.sc.gov>
Subject: Magistrate Appointment

Hi Katherine,

Senator Hayes needed clarification on the number of signatures required for a magistrate appointment. My understanding is the entire Senatorial delegation must sign the letter. Senator Hayes thought it may just be the Senators that represent the township that magistrate handles. Can you please clarify?

Thanks!

Sarah

Sarah S. Gilbert
Research Assistant
Senator Robert W. Hayes Jr., Chairman
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