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December 27, 1934.

Mr. Glen Copple,  
County Attorney,  
Yuma, Arizona.

Dear Sir:

Mr. Jack Livingston who was recently elected clerk of the Superior Court of your county, has requested an opinion of the Attorney General as to whether he should take office on the first day of January or on the first Monday in January. This office has referred Mr. Livingstone to you for advice.

I will state that the Attorney General is of the opinion that Section 18 of Article 6 of the Constitution of Arizona fixes a definite term of the clerks of the Superior Courts of this state, which term commences on the first Monday in January after such clerks were elected. We have reached this conclusion after a careful study of the said Section 18, together with Section 5 of Article 6 and Section 1 of Article 5. We feel that it was the purpose of the constitutional provisions to fix the term of a clerk of a Superior Court to commence and end with the term of the Judge of the same court, and for this reason, Section 827 R. C. A. 1928, has no application to the terms of clerks of Superior Courts.

Yours truly,

Attorney General

PHB/hc

Assistant Attorney General

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