

TPO Defense Checklist

For Respondents Served with an Order of Protection

Domestic Abuse Cases | Family Court | State of South Carolina

IMPORTANT — READ FIRST

This checklist is an educational resource published by The Family Law Exchange. It is not legal advice and does not create an attorney-client relationship. Laws change, judges differ, and every case has unique facts. Use this document as a roadmap and a starting point, then verify the current text of every statute cited and consult a licensed South Carolina attorney whenever possible.

Knowledge is Power. Community is Strength.

What This Document Covers

South Carolina's Protection from Domestic Abuse Act (S.C. Code Ann. § 20-4-10 et seq.) gives Family Court the power to issue Orders of Protection between household members. If you have been served with a petition and notice of hearing, the clock is running. This checklist walks you through what to do, what not to do, what defenses exist, what motions to consider, and what to expect at the hearing — all under South Carolina law.

It is organized in twelve sections so you can move through it in order or jump to whatever you need first:

- Section 1 — The First 24 to 48 Hours
- Section 2 — Reading and Understanding the Order
- Section 3 — Compliance Rules: Dos and Don'ts
- Section 4 — Key South Carolina Statutes
- Section 5 — Defenses to Consider
- Section 6 — Evidence Preservation
- Section 7 — Procedural Steps and Motions to File
- Section 8 — Preparing for the Hearing
- Section 9 — At the Hearing
- Section 10 — Post-Hearing Options and Appeals
- Section 11 — Collateral Consequences
- Section 12 — Resources and Citations

Section 1 | The First 24 to 48 Hours

South Carolina is unusual. Unlike most states, an Order of Protection generally cannot be entered against you *ex parte*. The petitioner must serve you first, and you have the right to appear at the emergency hearing if one is requested. See S.C. Code Ann. § 20-4-50(a). This is a real opportunity — do not waste it.

Do These First — In Order

1. Read the entire petition and the notice of hearing. Twice. Note the hearing date, time, courtroom, and judge.
2. Calendar the hearing immediately. Miss it and the court can enter a final order on the petitioner's evidence alone.
3. Check whether an emergency or temporary order was already entered against you. If yes, read every restriction word-for-word.
4. Stop all contact with the petitioner — including indirect contact through children, family, friends, or social media — until you have read the order's exact terms.
5. Surrender or secure all firearms before the hearing if any order in effect against you triggers 18 U.S.C. § 922(g)(8).
6. Photograph and copy every page of the documents you were served, front and back.
7. Write a detailed timeline of the events the petition describes, while memory is fresh. Date, time, location, witnesses, what was said, who else was present.
8. Begin gathering evidence: texts, emails, photographs, medical records, GPS data, location history, call logs, doorbell or security camera footage. See Section 6.
9. Identify witnesses who can corroborate your version of events. Get their full names, phone numbers, and current addresses.
10. Decide whether you will retain counsel or proceed *pro se*. If *pro se*, begin drafting your Answer/Return and witness list now.

Deadline Snapshot

- Emergency hearing on petitioner's request: within 24 hours of service on you, on good-cause showing under § 20-4-50(a).
- Regular hearing: within 15 days of the filing of the petition under § 20-4-50(b).
- If you are served less than 5 days before the scheduled hearing, you are entitled to a continuance on motion under § 20-4-50(c).
- Final orders, once entered, last 6 months to 1 year per § 20-4-70(A), and the petitioner may seek extension.

Section 2 | Reading and Understanding the Order

Before you do anything else, you must know exactly what is prohibited and exactly what is required. Mistakes here lead to contempt findings, arrest, and new criminal charges that survive even if you win the underlying TPO case.

Identify Each of the Following on the Face of the Order

- The case caption — court, county, case number, and the parties' full legal names.
- Whether the document is a Petition only, a Notice of Hearing, a Temporary Order of Protection, or all three.
- The hearing date, time, courtroom, and judge.
- All persons protected — petitioner, minor children, other household members.
- Stay-away provisions — distance, locations, schools, workplaces, daycares.
- No-contact provisions — direct, indirect, electronic, through third parties, social media.
- Residence provisions — whether you must vacate, when, and what you may take with you.
- Custody and visitation provisions — temporary custody, supervised visitation, exchange logistics.
- Financial support provisions — temporary spousal or child support.
- Property provisions — restrictions on transferring or encumbering property.
- Firearm provisions — surrender requirements, deadline, custodian.
- The mandatory boilerplate language required by § 20-4-60(B) regarding penalties for violation and the criminal firearm prohibition under § 16-25-125.

If Anything in the Order is Unclear

Ask the Clerk of Court for clarification before the hearing or file a written motion for clarification. Do not guess. Ambiguity in a protective order is the most common cause of accidental violations.

Section 3 | Compliance Rules: Dos and Don'ts

Every act after service is evidence. Assume the petitioner, the police, the prosecutor, and the judge will see everything you do, write, or post. Compliance is not optional — it is your first and best defense.

DO

- Obey every provision of every order, even the ones you believe are wrong. **Challenge the order in court, not on the street.**
- Keep a written log of all interactions with the petitioner, children, or third parties who might relay information.
- Route all custody-related communication through a court-approved app (OurFamilyWizard, TalkingParents, AppClose) once you are authorized to communicate.
- Preserve and back up texts, emails, social media messages, voicemails, and call logs in their original devices and as cloud-stored copies.
- Tell your employer, in general terms, that you may need time off for a court hearing — do not detail the allegations.
- If you must retrieve personal property from a shared residence, request a civil standby through the sheriff's office in writing in advance.
- Document any attempted contact from the petitioner. Their conduct can be relevant to credibility, motive, and mutual-combat issues.
- Move firearms out of your possession to a third party who is not a prohibited person, or to a federally licensed dealer, before the hearing if any order is in effect.
- Hire counsel if you can. If you cannot, treat this checklist as your project plan and work it methodically.

DO NOT

- Do not contact the petitioner. Not to apologize, not to explain, not to reconcile, not even through a friend or family member.
- Do not post anything about the case, the petitioner, the judge, or the lawyers on social media. Lock down all accounts.
- Do not delete texts, emails, photos, or social media content. Deletion is destruction of evidence; it is far worse than what you are afraid the content might show.
- Do not threaten anyone, including the petitioner, witnesses, your own family members, or the petitioner's lawyer.
- Do not show up at the petitioner's home, work, school, gym, church, or any place the order names. Run errands somewhere else.
- Do not violate the order even if the petitioner invites contact. Petitioner consent is not a defense in South Carolina. The order binds you, not them.
- Do not give law enforcement a statement without counsel. Anything you say will appear in the petitioner's case-in-chief.
- Do not bring children into the dispute or use them as messengers.

- Do not represent yourself at the hearing without preparation. If you must go pro se, read Sections 7 through 9 of this document carefully.
- Do not assume the hearing will be continued. Show up ready every time.

Section 4 | Key South Carolina Statutes

These are the provisions of the South Carolina Code that will govern your case. Pull each one up at scstatehouse.gov and read it for yourself. Citations below are current as of publication; verify before filing anything.

Citation	What It Says and Why It Matters to the Defense
§ 20-4-10	Short title. The chapter is the Protection from Domestic Abuse Act. Use the proper short title in every pleading.
§ 20-4-20	Definitions. "Abuse" requires (1) physical harm, bodily injury, assault, or threat thereof, OR (2) sexual criminal offenses. "Household member" includes spouses, former spouses, persons with a child in common, and cohabitants — same-sex cohabitants included after <i>Jane Doe v. State</i> , 421 S.C. 490, 808 S.E.2d 807 (2017). If the petitioner does not meet a statutory definition, the case fails.
§ 20-4-30	Jurisdiction and venue. Family Court has jurisdiction; magistrates have limited authority during non-business hours. Venue lies where the respondent lives, where the petitioner lives if respondent is a nonresident, or where the parties last resided together.
§ 20-4-40	Petition contents. The petition must state the specific time, place, and details of the alleged abuse. Vague or conclusory petitions are vulnerable to a motion to dismiss.
§ 20-4-50	Hearing on petition. Emergency hearings within 24 hours on good cause; otherwise hearing within 15 days. If served less than 5 days before the hearing, the respondent is entitled to a continuance on motion.
§ 20-4-60	Contents of an order of protection. Lists what relief the court may grant — no contact, stay-away, possession of residence, temporary custody and visitation, temporary support, property restrictions. Includes mandatory boilerplate warning.
§ 20-4-65	Filing fee. No filing fee is charged for either party to file under this chapter.
§ 20-4-70	Duration of order. Final orders run 6 months to one year, subject to extension on motion and good cause; respondent is entitled to a hearing on extension within 30 days of expiration.
§ 20-4-80	Mailing or service of order on law enforcement and others.
§ 20-4-100	Responsibilities of law enforcement officers. Officers must serve, enforce, and report.
§ 20-4-110	Immunity for good-faith reporters — but good faith is rebuttable, which matters when defending against a fabricated petition.
§ 20-4-120	Petitioner's right to relief not affected by leaving the residence or by using force in self-defense. Read carefully — the same logic applies in reverse to a respondent who used reasonable force to defend himself.
§ 20-4-140	Foreign protection orders — full faith and credit; right to notice and opportunity to be heard.

Citation	What It Says and Why It Matters to the Defense
§ 20-4-375	Filing a false protection order is a criminal offense and creates civil liability. This is the statutory anchor for a counterclaim or a referral to the prosecutor when the petition is fabricated.
§ 16-25-20	Criminal domestic violence offenses — defines CDV, CDV in the second degree, and CDV of a high and aggravated nature. Many TPO petitions reference these underlying acts.
§ 16-25-125	Prohibits firearms possession by persons charged with or convicted of a crime of domestic violence — referenced in mandatory order language under § 20-4-60(B).
§ 16-25-30	Bail and bond conditions in CDV cases; relevant when criminal charges run parallel to the TPO.

Federal Law You Must Know

- 18 U.S.C. § 922(g)(8) — federal firearms prohibition while a qualifying protective order is in effect.
- 18 U.S.C. § 922(g)(9) — Lautenberg Amendment: lifetime federal firearms prohibition for misdemeanor crimes of domestic violence.
- Violence Against Women Act (VAWA), 18 U.S.C. § 2265 — full faith and credit for protection orders across state lines.
- United States v. Rahimi, 602 U.S. 680 (2024) — Supreme Court upheld § 922(g)(8) against Second Amendment challenge but emphasized the requirement of credible threat findings.

Section 5 | Defenses to Consider

The petitioner bears the burden of proving abuse by a preponderance of the evidence under § 20-4-50(a). Your job is to make that burden harder to meet. The defenses below are not mutually exclusive — most cases will combine three or four.

Threshold Defenses — These End the Case

- **No household-member relationship.** If the petitioner does not meet the § 20-4-20(b) definition (spouse, former spouse, parent of a common child, current or former cohabitant), the Family Court has no jurisdiction under Chapter 4. The petitioner's remedy, if any, is a magistrate-court restraining order under § 16-3-1700 et seq.
- **No "abuse" within the statute.** The conduct alleged must rise to physical harm, bodily injury, assault, threat of the same, or a sexual criminal offense. Emotional abuse, financial abuse, verbal arguments, name-calling, or property damage standing alone are not "abuse" under § 20-4-20(a).
- **Lack of personal jurisdiction.** If you do not live in South Carolina, do not have a substantial connection to the state, and the alleged conduct did not occur in or have effect in South Carolina, the court may lack personal jurisdiction over you.
- **Improper venue.** Venue must lie under § 20-4-30(B). A motion to transfer can buy time and move the case to a more favorable court.
- **Insufficient service or notice.** If service was defective or you received less than 5 days' notice, move for a continuance under § 20-4-50(c) or to quash service.
- **Petition fails to state a claim.** Vague, conclusory, or non-specific allegations that lack time, place, and detail may be dismissable under § 20-4-40(b).

Merits Defenses — These Win at the Hearing

- **Self-defense.** Reasonable force used to defend yourself from imminent physical injury is not "abuse." Read § 20-4-120 carefully — the statute recognizes self-defense expressly for petitioners and the same principle protects a respondent.
- **Defense of others.** Reasonable force used to defend children or other household members from the petitioner.
- **Mutual combat or primary aggressor analysis.** If the petitioner initiated the physical contact, the burden of showing your reaction was disproportionate falls on the petitioner. Pull police reports — officers are trained to identify the primary aggressor.
- **Fabrication and motive to lie.** Custody disputes, pending divorces, immigration leverage, eviction from a shared home, criminal exposure for the petitioner, or new romantic relationships are all classic motives for false petitions. Build the timeline.
- **Mistaken identity or factual impossibility.** You were not present, you were somewhere else, the petitioner has the wrong person. GPS data, time-stamped photos, surveillance video, work badge logs, and witness testimony can decisively establish you could not have committed the act.

- **Insufficient evidence.** Preponderance is more likely than not — over 50 percent. If the petitioner's only evidence is uncorroborated testimony, your direct denial plus impeachment material can defeat the petition.
- **Witness credibility attack.** Prior inconsistent statements, prior false allegations, criminal record involving dishonesty (Rule 609, SCRE), bias, motive, capacity, sensory limitations, intoxication at the time of observation.
- **Stale or remote allegations.** Acts long in the past, particularly without recent escalation, undercut any claim of present need for protection. The statute is forward-looking — argue that protection is unnecessary now.
- **Lack of imminence.** For emergency relief, prima facie immediate and present danger of bodily injury is required under § 20-4-50(a). Old allegations without recent conduct fail the test.
- **False petition under § 20-4-375.** If the petitioner knowingly filed a false petition, that is a criminal offense and a basis for civil liability. Preserve evidence; you may need it for a counter-action.

Procedural and Constitutional Defenses

- Due-process challenge to procedure (notice, opportunity to be heard, right to counsel of your choice, right to cross-examine).
- Vagueness or overbreadth of an order's terms.
- Prior pending action / abstention if a federal or other state proceeding addresses the same conduct.
- Res judicata or collateral estoppel if the petitioner litigated and lost the same allegations elsewhere.
- Younger or Rooker-Feldman issues if the conduct intersects with federal proceedings.

Section 6 | Evidence Preservation

Cases are won by the side that controls the documentary record. The petitioner is doing the same work. Start now.

Digital Evidence — Capture Now, Authenticate Later

- Texts and iMessages — back up to iCloud or Google, then export to PDF using a screen recording or a third-party tool that preserves metadata.
- Emails — print to PDF with full headers visible. Keep the originals in the email account; do not move them to deleted items.
- Social media — download a full archive of your account (Facebook, Instagram, X, TikTok) and capture screenshots of any of the petitioner's public posts that are relevant.
- Photographs — preserve original files with EXIF data intact. Do not edit, crop, or re-save.
- Voicemails — save audio files; transcribe with timestamps.
- Call logs — pull from the carrier (request via subpoena if needed).
- Location data — Google Timeline, Apple Significant Locations, Life360, Find My iPhone, work GPS badge data.
- Doorbell and security camera footage — Ring, Nest, Arlo, ADT. Download before retention windows close (often 30 to 60 days).
- Vehicle data — toll records, OnStar, Tesla, navigation history.

Physical and Documentary Evidence

- Medical records of yourself, the petitioner, and the children for the relevant time period.
- Police reports, 911 audio, body-worn camera footage, and CAD logs from every responding incident.
- Receipts, bank statements, and credit card statements showing where you were and when.
- Work attendance, timecards, badge logs, and supervisor confirmations.
- Communications from teachers, daycare, doctors, therapists about the children.
- Prior court orders, custody orders, divorce filings — both with this petitioner and any other matter relevant to credibility.

Witnesses

- List every witness with name, current address, phone, email, and a one-sentence summary of what they will testify to.
- Identify whether each witness is friendly, neutral, or hostile.
- Get written statements from friendly witnesses before memories fade.
- For hostile or reluctant witnesses, plan to subpoena. South Carolina Family Court issues subpoenas under Rule 45, SCRPC. Use the form available from the Clerk of Court.

Authentication Tip

Screenshots alone often face hearsay and authentication challenges. Pair screenshots with: (1) a custodian declaration explaining how you captured the image, (2) the underlying device available in court if needed, and (3) corroboration like a carrier subpoena response or platform business-records affidavit.

Section 7 | Procedural Steps and Motions to File

Below is the menu of pre-hearing filings to consider. Not every case needs every motion. Pick the ones that fit your facts, draft them carefully, file with the Clerk of Family Court, serve the petitioner (or counsel), and bring file-stamped copies to the hearing.

Foundational Filings

- **Answer / Return to Petition.** A written, verified response that admits or denies each numbered allegation in the petition and asserts affirmative defenses. Even where SC Family Court allows oral response at the hearing, filing a written Answer in advance signals seriousness and frames the issues.
- **Witness List and Exhibit List.** File and serve in advance. Many judges will exclude undisclosed witnesses or exhibits.
- **Subpoenas Duces Tecum.** Rule 45, SCRPC. Use these for phone records, medical records, employment records, surveillance footage, and any third-party documents you cannot otherwise obtain.
- **Notice of Appearance (Pro Se or Counsel).** Make sure the court and petitioner know how to reach you for service.

Pre-Hearing Motions to Consider

- **Motion to Dismiss.** Where the petitioner is not a household member, the alleged conduct is not statutory abuse, jurisdiction is lacking, or the petition fails to state specific time and place under § 20-4-40(b).
- **Motion for Continuance.** If served less than 5 days before hearing (right of continuance under § 20-4-50(c)), if you need time to retain counsel, or if material witnesses are unavailable. File in writing whenever possible.
- **Motion to Dissolve or Modify Temporary Order.** Particularly where the temporary order's terms are overbroad, ambiguous, or interfere with employment, residence, or access to children without adequate basis.
- **Motion in Limine.** Exclude prior bad acts (Rule 404, SCRE) where their prejudicial effect outweighs probative value, hearsay statements that do not fit an exception, and other inadmissible evidence the petitioner intends to use.
- **Motion to Consolidate.** If a divorce, separate maintenance, or custody case is pending, request consolidation so the same judge hears related issues together — § 20-4-40(d).
- **Motion to Compel Discovery / Motion for Production.** Discovery is limited in TPO cases by time pressure, but documentary requests for medical records, texts, and police reports can succeed where the petitioner is the source.
- **Motion to Quash Subpoena.** If the petitioner subpoenas privileged records or records irrelevant to the abuse allegation.
- **Motion to Transfer Venue.** If venue is improper under § 20-4-30(B) or if a more convenient venue exists.
- **Counter-Petition.** Where you have a genuine, statutorily sufficient basis to seek protection from the petitioner. Be cautious — mutual protective orders create their own collateral consequences

under § 20-4-60(F), and mutual orders that do not comply with the section may be vacated on petitioner's request.

- **Motion to Seal.** If the petition is dismissed or denied, request sealing or expungement of the file under the court's inherent authority to manage records.

Section 8 | Preparing for the Hearing

Two Weeks Out

- Finalize your timeline of events with dates, times, locations, and supporting evidence for each entry.
- Issue subpoenas — they require lead time to serve and to allow recipients to comply.
- Confirm witness availability and arrange transportation.
- Begin assembling the exhibit binder — see formatting below.
- Outline your direct testimony and write out the questions you will ask each witness.
- Outline your cross-examination of the petitioner and each of the petitioner's witnesses.

One Week Out

- Visit the courthouse if you have never been. Locate the courtroom, parking, and security screening.
- Confirm exhibits are admissible — authentication, hearsay exceptions, best-evidence rule.
- Prepare three copies of every exhibit: court, petitioner, your own.
- Number every exhibit and prepare an exhibit list cross-referenced to your direct examination outline.
- File any remaining motions and serve copies on the petitioner.
- Prepare a one-page opening statement (if the court will allow) and a one-page closing argument.

48 Hours Out

- Re-read the petition, the temporary order, and every order in effect against you.
- Practice your testimony with someone you trust. Have them ask hostile questions.
- Pick conservative court attire — suit or business-formal.
- Confirm that all firearms are still out of your possession.
- Review the 'At the Hearing' checklist in Section 9.
- Sleep.

Exhibit Binder Format

- Tabbed and numbered, with an index page at the front.
- Each exhibit on its own tab; multi-page exhibits stapled or clipped together.
- Authentication declaration paper-clipped to each digital evidence exhibit.
- Three identical binders: original for the court (handed to the bailiff), copy for the petitioner, copy for you.

Section 9 | At the Hearing

Conduct

- Arrive 45 minutes early. Pass through security, find the courtroom, sit quietly and observe.
- Address the judge as "Your Honor" at all times. Stand when speaking and when the judge enters or leaves.
- Do not interrupt. If the petitioner says something untrue, write it down — your time to respond comes during cross-examination or direct testimony, not during the petitioner's turn.
- Do not make facial expressions, sigh, shake your head, or laugh. The judge is watching you throughout.
- Do not approach the petitioner. Use the bailiff to move exhibits if necessary.

Order of Proceedings — Typical SC Family Court TPO Hearing

1. Case called by the clerk; appearances entered.
2. Any preliminary motions argued (continuance, dismissal, in limine).
3. Petitioner's case-in-chief: opening, direct testimony, witnesses.
4. Respondent cross-examines petitioner's witnesses.
5. Respondent's case-in-chief: direct testimony, witnesses, exhibits offered.
6. Petitioner cross-examines respondent's witnesses.
7. Rebuttal evidence (if allowed).
8. Closing arguments.
9. Judge's ruling — typically from the bench in TPO cases.

Cross-Examining the Petitioner

- One fact per question. Leading questions only — you supply the fact, petitioner answers yes or no.
- Lock in the timeline early. Get the petitioner to commit to specific dates and times.
- Confront with prior inconsistent statements — police reports, prior pleadings, texts, social media.
- Establish motive — pending divorce, custody battle, financial leverage, immigration leverage.
- Never ask a question to which you do not know the answer.
- Stop when you have what you need. Do not over-ask.

Your Direct Testimony

- Tell the story chronologically.
- Be specific — date, time, location, who said what.
- Stay calm. Do not argue with the judge or the petitioner.
- Answer only what is asked. Do not volunteer.
- If you do not remember, say so. Do not guess.
- Tie each fact to an exhibit where possible.

If the Judge Rules Against You

- Listen carefully to the findings and the terms of the order.
- Ask politely for clarification of any term you do not understand.
- Request a written order with findings of fact and conclusions of law.
- Ask for a stay pending appeal if the order will displace you from your home or job.
- Do not argue. Preserve your appeal rights by remaining respectful.

Section 10 | Post-Hearing Options

If the Order is Denied

- Obtain a certified copy of the denial order.
- Consider a motion to seal under the court's inherent authority.
- Preserve all your evidence in case the petitioner refiles.
- If the petition was knowingly false, consider a civil action under § 20-4-375 and a referral to the prosecutor.

If the Order is Granted

- Read the final order line by line on the day it is entered. Calendar the expiration date.
- Comply with every provision — surrender of firearms, vacating the residence, custody exchange logistics.
- File a Motion to Reconsider under Rule 59, SCRCP within 10 days if there is a basis (newly discovered evidence, manifest error of law).
- File a Notice of Appeal to the South Carolina Court of Appeals within 30 days of the written order — see Rule 203, SCACR. Family-court appeals are reviewed de novo on the record but with deference to the judge's credibility findings.
- Consider a Motion to Modify or Vacate under § 20-4-70 on changed circumstances.
- Coordinate with criminal defense counsel if any parallel CDV charges are pending. Statements at the TPO hearing may be admissible against you in the criminal case.

Long-Term Recovery

- Maintain a clean compliance record — every text, every interaction, every custody exchange documented.
- Complete any court-ordered counseling, anger management, or parenting classes.
- Reapply for firearm rights after order expires; expungement and restoration procedures vary.
- Plan for the order's expiration and oppose any extension request under § 20-4-70 with proper notice and a full evidentiary showing.

Section 11 | Collateral Consequences

A protective order is a civil finding by preponderance of the evidence, but its ripple effects reach far beyond the four corners of the order itself. Know what is at stake.

Area	Likely Consequence
Firearms	Federal prohibition under 18 U.S.C. § 922(g)(8) while the order is in effect; SC prohibition under § 16-25-125; concealed carry permit suspension or revocation.
Custody and Visitation	Adverse impact in any pending or future custody proceeding under the SC Children's Code; supervised visitation may be ordered; relocation may be restricted.
Housing	Background-check disclosure to landlords; eviction risk under lease morality clauses.
Employment	Background-check disclosure in industries that pull civil records; immediate impact on jobs requiring firearms (military, law enforcement, security, federal employment, certain trades).
Security Clearance	Reportable adverse event for clearance holders; can result in suspension or revocation pending adjudication.
Immigration	Potentially significant impact for non-citizens — consult an immigration attorney before any hearing or plea.
Professional Licensing	Reportable to many licensing boards — law, medicine, nursing, real estate, education, finance.
Financial	Increased insurance premiums; reduced borrowing capacity; difficulty renting.
Travel	Some countries restrict entry to persons with a domestic-related civil or criminal record.
Reputation	Civil court filings are public records in South Carolina; petition allegations and judge's findings may surface in online court-record databases.

Section 12 | Resources and Citations

Primary Authority

- South Carolina Code of Laws, Title 20, Chapter 4 — Protection from Domestic Abuse Act. scstatehouse.gov.
- South Carolina Code of Laws, Title 16, Chapter 25 — Criminal Domestic Violence and related provisions.
- South Carolina Rules of Civil Procedure — particularly Rules 6, 12, 26-37, 45, 56, 59, and 60.
- South Carolina Rules of Family Court.
- South Carolina Rules of Evidence — particularly Rules 401-403, 404, 608, 609, 801-805, and 901.
- South Carolina Appellate Court Rules — particularly Rule 203, SCACR (notice of appeal).

Key Cases

- Jane Doe v. State, 421 S.C. 490, 808 S.E.2d 807 (2017) — household-member definition includes same-sex cohabitants.
- United States v. Rahimi, 602 U.S. 680 (2024) — federal firearms prohibition under 18 U.S.C. § 922(g)(8) constitutional.

Where to Find Forms

- SC Judicial Department: sccourts.org — petition forms, response forms, subpoena forms, certificate of service.
- Clerk of Family Court in the county of filing — local-form requirements and judge-specific scheduling rules.

Practical Support

- South Carolina Bar Lawyer Referral Service: sctbar.org.
- South Carolina Legal Services: sclegal.org (income-eligible representation).
- Self-Represented Litigant Resources: sccourts.org/selfHelp.
- The Family Law Exchange: familylawexchange.com — state-specific courses, document review, and the Court Companion Program.

THE FAMILY LAW EXCHANGE

Knowledge is Power. Community is Strength.

familylawexchange.com