

Interjurisdictional Service in
South Carolina
A Resource from the
Pandemic Rapid Response Team

December 2022



	Ex Parte Protective Order (Temporary/Emergency)	Final Protective Order
Statute	2021 South Carolina Code of Laws § 20-4	
Terminology	Order of Protection	Order of Protection
Length of Order	Up to 15 days after petition submission.	Fixed time not less than six months nor more than one year.
Available Relief	<p>Order the respondent to:</p> <ul style="list-style-type: none"> • Refrain from abusing, threatening to abuse, or molesting the petitioner or the person or persons on whose behalf the petition was filed • Refrain from communicating or attempting to communicate with the petitioner in any way which would violate the provisions of this chapter • Refrain from entering or attempting to enter the petitioner's place of residence, employment, education, or other location as the court may order 	<p>In addition to relief provided by an order of protection prior to a hearing:</p> <ul style="list-style-type: none"> • Award temporary custody and visitation rights with regard to minor children living in the home over whom the parties have custody; • Direct the respondent to pay temporary financial support for the petitioner and minor child unless the respondent has no duty to provide this support; • Grant temporary possession to the petitioner of the residence to the exclusion of the respondent when the respondent has a legal duty to support the petitioner or minor children living in the household and the residence is jointly leased or owned by the parties or the respondent is the sole owner or lessee;

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Available Relief		<ul style="list-style-type: none"> • Prohibit the transferring, destruction, encumbering, or otherwise disposing of real or personal property mutually owned or leased by the parties or in which one party claims an equitable interest, except when in the ordinary course of business; • Provide for temporary possession of the personal property, including pet animals, of the parties and order assistance from law enforcement officers in removing personal property of the petitioner if the respondent's eviction has not been ordered. • Award costs and attorney's fees to either party; • Award any other relief authorized by Section 63-3-530; provided, however, the court must have due regard for any prior family court orders issued between the parties; • Prohibit harm or harassment, including a violation of Chapter 1, Title 47, against any pet animal owned, possessed, kept, or held by: <ul style="list-style-type: none"> ○ The petitioner; ○ Any family or household member designated in the order; ○ the respondent, if the petitioner has a demonstrated interest in the pet animal.
Protected Parties	<ul style="list-style-type: none"> • Spouse or former spouse • Parents with child in common • Male and female who are currently cohabitating • Other adults living together 	

Requirements for Service	<ul style="list-style-type: none"> • A certified copy of an order of protection must be mailed to or served upon the petitioner, the respondent, and local law enforcement agencies having jurisdiction in the area where the petitioner resides. • Upon request of the petitioner, the court may, as part of the order, require the sheriff's department or the police department to assist in execution of service of the order.
Registration Required for Enforcement	Not required. Any individual may register a foreign protection order in this State.
Military Jurisdictions	<p>Military Bases:</p> <ul style="list-style-type: none"> • 169 FW • Fort Jackson • Joint Base Charleston • MCAS Beaufort • MCRD Parris Island • Shaw Air Force Base • USAREC, Columbia Recruiting Battalion <p>Processes on Military Jurisdictions: Contact the individual military jurisdiction for service process details.</p>
Tribal Jurisdictions	<p>Federally Recognized Tribe:</p> <ul style="list-style-type: none"> • Catawba Indian Nation (Catawba Tribe of South Carolina) <p>State Recognized Tribe:</p> <ul style="list-style-type: none"> • Beaver Creek Indians • Edisto Natchez Kusso Tribe of South Carolina • Pee Dee Indian Nation of Upper South Carolina • Pee Dee Indian Tribe of South Carolina • Santee Indian Organization • The Waccamaw Indian People • Wassamasaw Tribe of Varnertown Indians <p>Processes on Tribal Jurisdictions: Contact the individual tribal jurisdiction for service process details.</p>

Other Information	None
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Out of State Service Fees¹:

None

For more information, please contact State Point of Contact Amy Wessinger (awessinger@sccourts.org).

If you would like to provide suggestions/feedback on this Profile, visit:
https://ncsc2.iad1.qualtrics.com/jfe/form/SV_eQzzYCcGK38Q64C

¹ Courts should not charge a victim of domestic violence, dating violence, stalking, or sexual assault any costs associated with the filing, issuance, registration, or service of protection orders, whether issued by civil or criminal courts, including intra- and inter-jurisdictional orders. This no-cost provision also applies to any fees or costs associated with a criminal matter related to domestic violence, stalking, dating violence, and sexual assault (42 U.S.C. § 3796 hh(c)(4)). Charging any of these costs will render a jurisdiction ineligible for certain VAWA funds.