



## SOUTH CAROLINA

**Each state has different requirements for getting a civil domestic violence protection order. Because it severely impedes teen victims' access to domestic violence protective orders, South Carolina's grade for protecting teen victims of dating and domestic violence is an F.**

### Do I Qualify for an Order of Protection in South Carolina?

#### Type of Relationship

In order to qualify for an order of protection, the abuser must be someone:

- You live with or used to live with (if they are of the opposite sex)<sup>1</sup>
- You are married to or used to be married to<sup>2</sup>
- You have a child with<sup>3</sup>

#### Type of Abuse<sup>4</sup>

A judge is allowed to give you an order of protection when your abuser has:

- Physically abused you
- Attempted to physically abuse you
- Threatened to physically abuse you
- Sexually abused you

#### Age

If you are 18 or older, you can obtain an order of protection yourself without an adult's permission. If you are under 18, you will need an adult household member to file for you.<sup>5</sup>

### How Do I Get an Order of Protection?

If you want to obtain an order of protection, you can go to court to file for a temporary order of protection. A judge can give you a temporary order that day and will schedule a full hearing within 15 days.<sup>6</sup> After the hearing, a judge can give you a permanent order of protection which lasts 6 months to 1 year and is renewable.<sup>7</sup>

### What Can I Ask for in an Order of Protection?

You may ask the court for the following in an order of protection:

- Abuser cannot abuse, threaten, molest, communicate or attempt to communicate with you<sup>8</sup>
- Abuser must stay away from your home, school, work and other specified places<sup>9</sup>
- Temporary child custody and visitation<sup>10</sup>
- Temporary child and spousal support<sup>11</sup>
- Temporary and/or exclusive use of the home<sup>12</sup>
- Attorneys fees<sup>13</sup>

### How Much Will It Cost?

It is free.<sup>14</sup>

You have the right to a safe and healthy relationship...  
free from violence and free from fear.

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<sup>1</sup> S.C. Code Ann. §20-4-20(b)(iv) (2006).

<sup>2</sup> *Id.* §20-4-20(b)(i)-(ii).

<sup>3</sup> *Id.* §20-4-20(b)(iii).

<sup>4</sup> *Id.* §20-4-20

<sup>5</sup> *Id.* §20-4-40(a).

<sup>6</sup> *Id.* §20-4-50(a),(b).

<sup>7</sup> *Id.* §20-4-70(A).

<sup>8</sup> *Id.* §20-4-60(a)(1)-(2).

<sup>9</sup> *Id.* §20-4-60(a)(2).

<sup>10</sup> *Id.* §20-4-60(c)(1).

<sup>11</sup> *Id.* §20-4-60(c)(2).

<sup>12</sup> *Id.* §20-4-60(c)(3).

<sup>13</sup> *Id.* §20-4-60(c)(6).

<sup>14</sup> *Id.* §20-4-40(f).

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