



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 protection orders, South Carolina's grade for protecting teen victims of dating and domestic violence is an F.

Do I Qualify for a Protection Order in South Carolina?

Type of Relationship

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

- You live with or used to live with (if they are of the opposite sex)¹
- You are married to or used to be married to²
- You have a child with³

Type of Abuse⁴

A judge may issue you a protection order 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 a protection order yourself without an adult's permission. If you are under 18, you will need an adult household member to file for you.⁵

How Do I Get a Protection Order?

If you want to obtain a protection order, 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.⁶ After the hearing, a judge can give you a permanent order of protection which lasts 6 months to 1 year and is renewable.⁷

What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser cannot abuse, threaten, molest, communicate or attempt to communicate with you⁸
- Temporary child custody and visitation¹⁰
- Abuser must stay away from your home, school, work and other specified places⁹
- Temporary child and spousal support¹¹
- Temporary and/or exclusive use of the home¹²
- Attorneys fees¹³

How Much Will It Cost?

It is free.¹⁴

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

¹ S.C. Code Ann. §20-4-20(b)(iv) (2006).

² *Id.* §20-4-20(b)(i)-(ii).

³ *Id.* §20-4-20(b)(iii).

⁴ *Id.* §20-4-20

⁵ *Id.* §20-4-40(a).

⁶ *Id.* §20-4-50(a),(b).

⁷ *Id.* §20-4-70(A).

⁸ *Id.* §20-4-60(a)(1)-(2).

⁹ *Id.* §20-4-60(a)(2).

¹⁰ *Id.* §20-4-60(c)(1).

¹¹ *Id.* §20-4-60(c)(2).

¹² *Id.* §20-4-60(c)(3).

¹³ *Id.* §20-4-60(c)(6).

¹⁴ *Id.* §20-4-40(f).

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