

The Supreme Court of South Carolina

Re: Temporary Hearings in Family Court

ADMINISTRATIVE ORDER

Pursuant to Article V, Section 4 of the South Carolina Constitution,

IT IS ORDERED that the following procedures shall apply to all Temporary Hearings scheduled after the date of this Order:

1. Hearings on Motions for Temporary Relief shall be set as quickly as possible, but in no event later than four weeks of the filing of the motion. The Chief Judge for Administrative Purposes (Chief Judge), with the assistance of the Clerk of Court, shall monitor the scheduling of Temporary Hearings to ensure this deadline is met. In order for both sides to have adequate time to prepare for the temporary hearing, service of the Motion for Temporary Relief should be completed as expeditiously as possible.
2. Attorneys requesting a Temporary Hearing must designate on the Motion for Temporary Relief the name of opposing counsel if known.
3. Attorneys representing the moving party shall list all conflict dates and times when requesting a hearing on Motions for Temporary Relief.
4. The Clerk of Court shall coordinate the scheduling of Temporary Hearings with all counsel known to be involved in the case.
5. Attorneys representing parties at the Temporary Hearing are encouraged to consult with one another prior to the hearing to attempt to resolve issues on a temporary basis.
6. All routine Temporary Hearings shall be allotted fifteen minutes and each party shall be limited to eight pages of affidavits, excluding the Background Information Form SCCA 459 (11/12), proposed parenting plans, financial declarations, attorneys' fees affidavits, and attachments or exhibits offered

only as verification of information contained in the affidavits. Parties wishing to extend the fifteen minutes limit to thirty minutes must request additional time from the Clerk of Court and will not be held to the eight-page document limit set forth herein.

7. Either Counsel of record may upon written request of the Chief Administrative Judge ask that a matter be deemed complex, and if such request is granted, the Judge shall set the temporary hearing for appropriate time to consider the issues.
8. Each party shall submit at the Temporary Hearing a Financial Declaration, a Background Information Sheet Form SCCA 459 (11/12), and a proposed parenting plan pursuant to S.C. Code Section 63-15-220 if custody is contested. The presiding judge may consider imposing appropriate sanctions pursuant to Rule 20(d) of the *South Carolina Rules of Family Court* for willful noncompliance if a Financial Declaration is not produced to the family court judge at the time of the Temporary Hearing.

s/ Jean H. Toal
Jean Hoefer Toal
Chief Justice

November 21, 2012
Columbia, South Carolina