

REQUESTING COURT APPROVAL FOR ABORTIONS

DO I HAVE TO GO TO COURT?

You do not need a court order to get an abortion if you are 17 or older; if you have ever been married; if you have a court order of emancipation; or if you have the consent of one parent, a legal guardian, one grandparent, or someone who has been acting as your parent for at least 60 days.

WHERE CAN I GO FOR ASSISTANCE IN PREPARING AND FILING MY REQUEST?

The county Clerk of Court will provide you with very simple forms which were designed so that you can fill them out yourself, and start the court procedure as fast as possible. Take a look at the forms, and see if you need help in filling them out. If you do, the Department of Social Services (Adoption and Birth Parent Services) can help you. Their office address and telephone number are found on the reverse side of these instructions. Also, the Clerk of Court can appoint a lawyer for you to help you fill out these forms, if you ask for a lawyer and are unable to pay one. Remember that a lawyer (if you ask for one) will help you at the hearing. If you made mistakes filling out the form, your lawyer can correct things at the hearing.

WHAT COURT WILL HANDLE MY REQUEST?

You may file your request in either circuit or family court in any county in the State. If neither court is in session in the county where you file your request, the clerk will arrange for you to have a hearing in a nearby county. If you are unable to obtain transportation, please notify the Clerk of Court.

DO I HAVE TO PAY ANY MONEY TO FILE THIS REQUEST?

If you declare that you don't have enough money to file you request, the court will not charge you.

HOW WILL I BE NOTIFIED OF WHAT HAPPENS IN COURT?

The court will send court documents to your Guardian ad Litem and to your attorney, if you have one. You can choose whether or how you personally want to receive these papers:

- (1) You can choose to have them sent to you at any address you want;
- (2) You can have them sent to someone else, whom you choose;
- (3) You can have them sent to you and this other person you choose;
- (4) You can have them sent to your Guardian ad Litem, your attorney (if you have one) and no one else.

WHO WILL KNOW ABOUT MY REQUEST?

If you wish, you may use the name "Jane Doe" and never tell your name to anyone. The only place your name would appear would be on one piece of paper that would be kept in a sealed envelope with the court. No one but you, your Guardian ad Litem, your attorney (if you have one), any person you ask the court to notify, and court personnel will know about this proceeding, and they are all sworn to secrecy. The hearing will be closed to the general public (you may have any person present at the hearing you want, however) and all of your records will be sealed.

WILL A GUARDIAN AD LITEM BE APPOINTED TO ASSIST ME?

When you file your request, the Clerk of Court will appoint a Guardian ad Litem for you. You may ask the Clerk of Court to appoint a specific person as your Guardian ad Litem. If you receive a court-appointed Guardian ad Litem, the clerk will tell you the name, address and telephone number of your Guardian ad Litem, and can assist you in setting up an appointment to see your Guardian ad Litem. The Clerk of Court will notify your Guardian ad Litem by telephone and in writing of the appointment and hearing date.

WILL AN ATTORNEY BE APPOINTED TO REPRESENT ME?

You have a right to a lawyer, and the Clerk of Court will appoint a lawyer to represent you, if you ask. You may choose to represent yourself in court. If you want an attorney, the Clerk of Court will provide the name, address and telephone number of your lawyer. The Clerk of Court can assist you in setting up an appointment to see your lawyer. The Clerk of Court will notify an appointed attorney by telephone and in writing of the appointment and the date of hearing.

WILL I HAVE TO PAY MY GUARDIAN AD LITEM OR MY ATTORNEY?

No, not if the court finds that you don't have enough money to pay your Guardian ad Litem or your attorney.

WHAT CAN I DO IF I'M NOT SATISFIED WITH THE COURT'S DECISION?

A Notice of Intent to Appeal (Form SCCA 465) to the South Carolina Supreme Court must be filed with the county Clerk of Court within 72 hours of the date you receive the court order. It is strongly recommended that you have an attorney handle an appeal since important documents must be filed and deadlines must be met. Ask the Clerk of Court to appoint you an attorney if you don't already have one. When the Notice of Intent to Appeal is filed, the Clerk of Court will notify South Carolina Court Administration so that the transcript can be prepared on time. If you or your attorney desire to prepare a memorandum to law or brief, it should be filed with the Supreme Court within 10 days of the filing of the Notice of Intent to Appeal.

SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES REGIONAL ADOPTION OFFICES

Region I

Adoption Services: Region I County DSS

714 N. Pleasantburg Dr.

Greenville, SC 29607

864-282-4730 (main); (800) 868-6595 (fax)

Abbeville, Anderson, Cherokee, Greenville, Greenwood, Laurens, Newberry, Oconee, Pickens, and Spartanburg

Region II

Adoption Services: Region II County DSS

2638 Two Notch Rd.

Suite 200

Columbia, SC 29204

(803) 898-8980 (main); (888) 711-7095 (toll free); (800) 898-9053 (fax)

Aiken, Bamberg, Barnwell, Edgefield, Kershaw, Lexington, McCormick, Richland, and Saluda

Region II (Rock Hill)

Adoption Services: Region II County DSS

454 South Anderson Rd.

Business and Technology Center – Suite 401

Rock Hill, SC 29730

(803) 329-9626 (main); (800) 922-1537 (toll free); (803) 324-7956 (fax)

Chester, Fairfield, Lancaster, Union, and York counties

Region III

Adoption Services: Region III County DSS

3346 Rivers Ave., Suite F

North Charleston, SC 29405

(803) 953-9750 (main); (800) 922-1518 (toll free); (843) 953-6145 (fax)

Allendale, Beaufort, Berkeley, Charleston, Colleton, Jasper, and Hampton counties

Region III (Orangeburg)

Adoption Services Region III Orangeburg County DSS

2570 Old St. Matthews Road, NE

Orangeburg, SC 29116

(803) 515-1852 (main); (803) 515-1837 (fax)

Calhoun, Dorchester, and Orangeburg

Region IV

Adoption Services: Region IV County DSS

181 East Evans St.

Florence Business and Technology Center – 112

Florence, SC 29506

(843) 661-2495 (main); (800) 763-6637 (toll free); (843) 317-1599 (fax)

Clarendon, Chesterfield, Darlington, Dillon, Florence, Georgetown, Horry, Lee, Marion, Marlboro, Sumter, and Williamsburg counties