

INSTRUCTIONS TO PLAINTIFF

1. By this form, the defendant has filed a counterclaim against you and is suing you.
2.
 - a. You must appear at the date and at the time set for trial. If you fail to appear the defendant may be given a default judgment against you in the amount specified in the counterclaim.
 - b. You should bring with you at the time set for trial all books, papers, witnesses, and evidence you have to establish your defense. You are required to comply with the South Carolina Rules of Evidence.
 - c. At your request the court will issue subpoenas for any witnesses you may need. (You must order the subpoena as soon as possible and before the trial date.) There is a fee of \$3.00 for the magistrate to prepare and mail a subpoena. If the subpoena is delivered by a deputy, there is an additional service fee of \$8.00 that must be paid to the court. Further, you will be responsible to the witness for a fee of \$25.00.
3. If you desire a jury trial, you must request one in writing at least five (5) working days prior to the date set for trial. If no jury trial is timely requested, the matter will be heard and decided by the magistrate.
4. If you are a member of the Armed Services of the United States, please advise the court upon receipt of this counterclaim.
5. If you are under 18 years of age, please advise the court upon receipt of this counterclaim.
6. If you are a prisoner in any municipal, county, state, or federal jail or prison, please advise the court upon receipt of this counterclaim.
7. You may be represented by an attorney, but are not required to have one. The magistrate's court will explain the procedure of the court and will help you prepare papers related to your action if you require such assistance. The court cannot, however, represent you or provide you with an attorney.
8. If you are a business and are going to be represented by a Non-Lawyer, a Non-Lawyer Authorization Form must be filed with the court. (See 33-1-103 SC Code of Laws)