

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF \_\_\_\_\_ )  
 )  
 \_\_\_\_\_ )  
 ) Petitioner, )  
 )  
 vs. )  
 )  
 \_\_\_\_\_ )  
 ) Respondent. )

IN THE FAMILY COURT  
 \_\_\_\_\_ JUDICIAL CIRCUIT

**FAMILY COURT ORDER**  
**PROTECTION FROM DOMESTIC ABUSE ACT**  
 (For Use By Family Court Judges)

Docket No. \_\_\_\_\_  
 Judge: \_\_\_\_\_  
 Attorney for Petitioner: \_\_\_\_\_  
 Attorney for Respondent: \_\_\_\_\_  
 Court Reporter: \_\_\_\_\_

**PETITIONER IDENTIFIERS**

\_\_\_\_\_  
 Date of Birth of Petitioner

And/or on behalf of minor family member(s) or other  
 Protected persons: (list name and DOB)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**RESPONDENT IDENTIFIERS**

SEX *	RACE *	DOB*
EYES	HAIR	SOCIAL SECURITY #
HEIGHT		WEIGHT
DRIVERS LICENSE #		STATE

Relationship to Petitioner: \_\_\_\_\_

Respondent's Address

**\*Indicates required information for entry into NCIC**

CAUTION:

- Weapon Involved       Weapon Present on Respondent's Property       Access to weapons

**THE COURT HEREBY FINDS:**

That it has jurisdiction over the parties and subject matter,  
 Respondent has been provided with reasonable notice and opportunity to be heard.  
 Additional findings of this order are as set forth below.

**THE COURT HEREBY ORDERS:**

- That the above named Respondent be restrained from committing further acts of abuse or threats of abuse.  
 That the above named Respondent be restrained from any contact with the Petitioner/Plaintiff as set forth on the attached pages.

The terms of the this order shall be effective until \_\_\_\_\_ , \_\_\_\_\_ .

**WARNINGS TO RESPONDENT;**

**This order shall be enforced in any county of South Carolina and by the courts of any state, District of Columbia, any U. S. Territory, and may be enforced by Tribal Lands (18 U.S.C. Section 2265). Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262). State and federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. Section 922). Only the Court can change this order.**

**For Additional Information Call:**

\_\_\_\_\_  
 Phone Number - Sheriff

\_\_\_\_\_  
 Phone Number - Clerk of Court

A Petition for Order of Protection was filed on (date) \_\_\_\_\_. I held a hearing on (date) \_\_\_\_\_. Respondent ( was /  was not) given actual notice and an opportunity to participate. Respondent ( did /  did not) appear. After hearing the evidence, and examining the affidavits and verified pleadings, I have determined that the petition should be GRANTED, based on these facts:

1. That the Respondent and the Petitioner (check one or more):

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> are husband and wife  | <input type="checkbox"/> have this child/children in common:                                   | <input type="checkbox"/> are cohabiting  |
| <input type="checkbox"/> were husband and wife | <input type="checkbox"/> are household or family members pursuant to S.C. Code § 20-4-20(a)(2) | <input type="checkbox"/> were cohabiting |

2. Venue is properly in this county, since this is the county where

- a. the act of abuse occurred; or
- b. the Respondent resides; or
- c. the parties last resided together.

3. Abuse occurred on (date) \_\_\_\_\_ at \_\_\_\_\_ o'clock ( a.m. /  p.m) at \_\_\_\_\_ in this manner: \_\_\_\_\_.

4. \_\_\_\_\_ committed this abuse.

5. \_\_\_\_\_ ( was /  were) the victim(s) of this abuse.

Check here if the victim is less than 18 years old and name: \_\_\_\_\_.

6.  The evidence establishes that ( Respondent /  Petitioner) represents a credible threat to the physical safety of the victim. The ( Respondent /  Petitioner) used, attempted to use, or threatened to use physical force against ( Respondent /  Petitioner) that is reasonably expected to cause bodily injury.

7. The ( Petitioner /  Respondent) is a fit and proper person to have custody of the minor child or children.

8. ( Respondent /  Petitioner) is employed at \_\_\_\_\_ and earns approximately \$ \_\_\_\_\_ gross per month and has reasonable monthly expenses of \$ \_\_\_\_\_.

9. ( Respondent /  Petitioner) is employed and earns approximately \$ \_\_\_\_\_ gross per month, and has reasonable monthly expenses of \$ \_\_\_\_\_ for ( himself /  herself) and the minor children.

10. ( Petitioner /  Respondent) has shown a need for child support in the amount of \$ \_\_\_\_\_ per \_\_\_\_\_ and ( Petitioner /  Respondent) has the ability to make these payments.

11. ( Petitioner /  Respondent) has shown a need for temporary financial support in the amount of \$ \_\_\_\_\_ per \_\_\_\_\_ and ( Petitioner /  Respondent) has the ability to make those payments.

12. ( Petitioner /  Respondent) should have the use and possession of the home and furnishings located at \_\_\_\_\_ in \_\_\_\_\_, S.C., with ( Respondent /  Petitioner) making the mortgage and/or rental payments plus any taxes and/or insurance on the property.

13. ( Petitioner /  Respondent) retained an attorney, \$ \_\_\_\_\_ is a reasonable attorney's fee, and ( Respondent /  Petitioner) should contribute to this expense.

14. Other: \_\_\_\_\_.

**IT IS THEREFORE ORDERED THAT:**

A. ( Respondent /  Petitioner) is temporarily restrained, prohibited and forbidden to abuse, threaten to abuse, or molest, ( Petitioner /  Respondent) or engage in any other conduct that would place ( Petitioner /  Respondent) in reasonable fear of bodily injury.

B. ( Respondent /  Petitioner) is temporarily restrained and prohibited from using, attempting to use, or threatening to use physical force against ( Petitioner /  Respondent) that would reasonably be expected to cause bodily injury.

C. ( Respondent /  Petitioner) is temporarily restrained, prohibited and forbidden to communicate or attempt to communicate with ( Petitioner /  Respondent) in any way or to enter or attempt to enter ( Petitioner's /  Respondent's) place of residence, employment, education or the following locations: \_\_\_\_\_

D. ( Petitioner /  Respondent) is awarded temporary custody of the minor child(ren) named \_\_\_\_\_.

E. ( Respondent /  Petitioner) is awarded temporary visitation rights with the minor child(ren) as follows: \_\_\_\_\_

F. ( Respondent /  Petitioner) shall pay the sum of \$ \_\_\_\_\_ each \_\_\_\_\_ as temporary child support through the clerk of court, plus 5% court costs, making a total payment of \$ \_\_\_\_\_, commencing on \_\_\_\_\_, and each and every \_\_\_\_\_ thereafter.

G. ( Respondent /  Petitioner) shall pay the sum of \$ \_\_\_\_\_ each \_\_\_\_\_ as temporary financial support through the clerk of court, plus 5% court costs, making a total payment of \$ \_\_\_\_\_, commencing on \_\_\_\_\_, and each and every \_\_\_\_\_ thereafter.

H. The sole, exclusive possession of the residence and furnishings located at the aforementioned address (appearing under number "12" of this order) is awarded to ( Petitioner /  Respondent) with ( Respondent /  Petitioner) making the mortgage and/or rental payments plus any taxes and/or Insurance on the property.

I. ( Respondent /  Petitioner) is temporarily restrained, prohibited, and forbidden to transfer, encumber, destroy, sell or otherwise dispose of, except in the ordinary course of business, real or personal property jointly owned or leased by the parties or in which ( Petitioner /  Respondent) claims an equitable interest including, but not limited to, the following: \_\_\_\_\_.

J. (Respondent /  Petitioner) shall pay \$ \_\_\_\_\_ to the ( Petitioner /  Respondent) by \_\_\_\_\_ (date) as a contribution toward ( Petitioner's /  Respondent's) attorney fees.

K. The following law enforcement agencies shall be served with a copy of this Order by the Clerk of Court: \_\_\_\_\_.

L. The law enforcement agencies listed below are directed to assist ( Petitioner /  Respondent) as follows:

(1) Accompany ( Petitioner /  Respondent) to remove ( his /  her) personal property at \_\_\_\_\_;

(2) Accompany ( Petitioner /  Respondent) to assist in placing ( his /  her) in possession of the residence, located at \_\_\_\_\_;

(3) Other: \_\_\_\_\_.

RESPONSIBLE LAW ENFORCEMENT AGENCIES: \_\_\_\_\_.

M. IT IS FURTHER ORDERED, pursuant to S.C. Code Ann. § 63-3-530, that \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

N. Federal Firearms Prohibition, pursuant to 18 U.S.C § 922.

- 1. Does this Order protect an intimate partner, a child of an intimate partner, or a child of the Respondent?  YES  NO
- 2. Did the person restrained have actual notice and an opportunity to participate in the hearing?  YES  NO
- 3. Does the Order find the restrained person a credible threat or explicitly prohibit the use, attempted use, or use, or threatened use of physical force?  YES  NO

THE PROVISIONS OF THIS ORDER SHALL EXPIRE ON \_\_\_\_\_ (a date which is not less than 6 months and does not exceed 12 months from the date of this Order) UNLESS OTHERWISE PROVIDED BY S.C. CODE ANN. §20-4-70.

**VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE PUNISHABLE BY NOT MORE THAN THIRTY DAYS IN JAIL AND A FINE OF NOT MORE THAN FIVE HUNDRED DOLLARS OR MAY CONSTITUTE CONTEMPT OF COURT PUNISHABLE BY UP TO ONE YEAR IN JAIL AND/OR A FINE NOT TO EXCEED FIFTEEN HUNDRED DOLLARS.**

**PURSUANT TO § 16-25-125 OF THE SOUTH CAROLINA CODE OF LAWS, IT IS UNLAWFUL FOR A PERSON WHO HAS BEEN CHARGED WITH OR CONVICTED OF CRIMINAL DOMESTIC VIOLENCE OR CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE, WHO IS SUBJECT TO AN ORDER OF PROTECTION, OR WHO IS SUBJECT TO A RESTRAINING ORDER, TO ENTER OR REMAIN UPON THE GROUNDS OR STRUCTURE OF A DOMESTIC VIOLENCE SHELTER IN WHICH THE PERSON'S HOUSEHOLD MEMBER RESIDES OR THE DOMESTIC VIOLENCE SHELTER'S ADMINISTRATIVE OFFICES. A PERSON WHO VIOLATES THIS PROVISION IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE FINED NOT MORE THAN THREE THOUSAND DOLLARS OR IMPRISONED FOR NOT MORE THAN THREE YEARS, OR BOTH. IF THE PERSON IS IN POSSESSION OF A DANGEROUS WEAPON AT THE TIME OF THE VIOLATION, THE PERSON IS GUILTY OF A FELONY AND, UPON CONVICTION, MUST BE FINED NOT MORE THAN FIVE THOUSAND DOLLARS OR IMPRISONED FOR NOT MORE THAN FIVE YEARS, OR BOTH.**

**AND IT IS SO ORDERED.**

\_\_\_\_\_  
\_\_\_\_\_, SC

\_\_\_\_\_  
FAMILY COURT JUDGE

COPY GIVEN TO PETITIONER BY \_\_\_\_\_ (initials)

COPY GIVEN TO RESPONDENT BY \_\_\_\_\_ (initials)

RESPONDENT'S HOME ADDRESS: \_\_\_\_\_

RESPONDENT'S PLACE OF EMPLOYMENT: \_\_\_\_\_

Information which may be of assistance to law enforcement in identifying the respondent:  
\_\_\_\_\_  
\_\_\_\_\_

**ATTACH PHOTOSTATIC COPY OF RESPONDENT'S DRIVERS LICENSE, IF AVAILABLE.**