



State of South Carolina
The Family Court of the Sixth Judicial Circuit

Debra A. Matthews
Judge

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MEMORANDUM

To: Sixth Judicial Clerk of Courts, Attorneys Practicing in the Sixth Judicial Family Court, South Carolina Department of Social Services, South Carolina Department of Juvenile Justice

From: Debra A. Matthews

CC: Coreen Khoury

Subject: Court Procedures COVID-19 and WebEx Remote Hearings

Date: April 6, 2020

We hope you all are well and staying safe. As you all know, the COVID-19 epidemic has changed how our family courts operate and conduct business. Beginning immediately, we will be complying with the South Carolina Supreme Court Order dated April 3, 2020 (Order). The Order is attached for your reference. Hearings are conducted on Monday, Wednesday and Friday of each week. Judge Khoury will continue handling Lancaster County cases and I will continue handling Fairfield and Chester cases (Chester hearings are held in Fairfield). Please see the South Carolina Judicial Branch website to keep up to date on all information concerning the COVID-19 guidelines and orders.

Judge Khoury and I will accept temporary and final orders as outlined in Section (f) (1-2) of the Order. Name change orders will continue to be accepted provided that all proper paperwork, including the affidavit is submitted with the proposed order. Written testimony in the form of an affidavit or certification must be included addressing the appropriate questions for a name change.

Please understand that this is a new process, and things will change as we put these procedures into practice. The protocol outlined in this memo will be followed throughout the Sixth Circuit in accordance to the Order. As the practice develops protocols may change, you will all be informed of updates and changes.

Fairfield, Chester and Lancaster:

To request a hearing via WebEx, you need to email the request to the Clerk of Court, AA, and the Judges as outlined below:

The contacts for the Clerk's Offices, Administrative Assistants and Judges are as follows:

Fairfield County request for hearing should be sent to Beverly Bookert (Beverly.Bookert@fairfield.sc.gov); Kelly Douglas (dmatthewssc@sccourts.org) and Judge Matthews (dmatthewsj@sccourts.org).

Chester County request for hearing should be sent to Dequitta Kennedy (Dkennedy@chestercounty.org); Kelly Douglas (dmatthewssc@sccourts.org) and Judge Matthews (dmatthewsj@sccourts.org).

Lancaster County request for hearing should be sent to Angela Rutledge (ARutledge@lancastersc.net); Allyson Whitaker (ckhourysc@sccourts.org) and Judge Khoury (ckhouryj@sccourts.org).

The request absolutely must include the names and email addresses of all participants.

You must copy all attorneys of record and all pro se parties. If your client or your witness will be at a separate location from you, then their name and email address must be included in the request. There should be no more than 3 persons at any location at the same time. The Court will generate the evite to the hearing, and can only include those people that are listed on your request. This will require you to communicate with opposing counsel **prior** to sending the request to ensure everyone is correctly listed.

If the hearing is to approve an agreement, you must attach a copy of the agreement to the hearing request.

Necessary Hearing Time:

It is absolutely imperative that you request enough time for your hearings. This process will take longer than our hearings normally take in Court. We are requesting that you ask for double the time you would normally take. No hearing request should be for less than thirty minutes.

In addition, you must be on time to the remote hearings. We understand that people often start negotiating at the Courthouse. Normally, we strongly encourage the practice, and allow additional time for further negotiations, but given the difficulties of conducting hearings remotely, we need everyone to appear online as scheduled and ready to proceed with the hearing. If we all get on the remote access and you want time to negotiate, we can discuss options for moving your hearing to a later date and time.

We will consider scheduling emergency or expedited hearings via WebEx as well. These hearings are NOT automatically set as WebEx hearings, and keep in mind that all parties must agree before you can submit the request to schedule via WebEx (See emergency agreement form). Our current emergency docket days will remain in place; however, if you have an emergency or expedited hearing, you can submit a request, following the protocol outlined in the Order and request that it be conducted remotely, provided everyone agrees. If the matter has already been scheduled on an Emergency Docket, you must also include that information in your request.

Conduct at Hearing:

Please be on time for the hearings. Hearings will still include a Court Reporter, and as usual, it is important that you not speak out of turn or over top of one another, as the Court Reporter will be unable to catch everything. It is also important that you explain this to your clients in advance of the hearing. All parties need to respect the process just as if they were in the Courtroom. You will need to have your files handy. In many cases, the clerks will be scanning and emailing files to us. This means that it will take us much longer to locate documents in the file.

All temporary hearing packages must be scanned in advance of the hearing. We encourage you to discuss with opposing counsel the possibility of agreeing to submit temporary hearing packages to the Court and to each other in advance of the hearing. This should only be done if both sides agree and everything is submitted together. This will allow the Court to review the documents prior to the hearing, as opposed to spending WebEx time watching us read. You may submit documents during a hearing, but you need to scan those documents into your computer prior to the hearing. This will mean that documents are available and ready to forward to the Court.

If you have not previously filed a financial declaration make sure you scan a completed financial declaration into your computer before the hearing.

We are all in this together, and we will work diligently to adapt our new process where necessary to ensure that everyone has appropriate access to the Court.

Thank you and stay safe!

Sincerely yours,

**Debra A Matthews
Chief Administrative Judge**

Attachments: Supreme Court Order
 Agreement to WebEx hearing form
 Probable Cause form
 PPH form