

SC Family Court Timeline

The system moves slowly. All cases will take several months to complete. It is not unusual for most cases to take a year.

All cases begin with the filing of a Summons and Complaint. This asks very generally for what you want (relief) and requires the other side to respond to your requests.

In some cases, we will file a Motion for Temporary Relief. In others we hold off or forgo a temporary hearing entirely. Temporary hearings are useful in custody or alimony cases, or when restraining orders are needed.

Once the pleadings are returned from the Clerk of Court, we coordinate service of the pleadings on the other party. The other party has thirty (30) days to respond. Sometimes we agree to expand that time.

In some cases, we will also begin discovery (formal information gathering) or a Guardian ad Litem may be appointed (if this is a contested custody case or a paternity, adoption, or child name change).

Once we have sufficient information to make a reasonable settlement offer, we generally begin the negotiation process. In many cases, we are able to resolve the matter this way. In some cases, we must attend mediation.

If we reach an agreement, we will request a final hearing to have the agreement approved (and divorce/name change if applicable). If we are not able to reach an agreement, we proceed to trial.