

I AM NOT AN ATTORNEY, but if you do the work, step by step and show it to the family clerk of court they may help you. You have to get several of these notarized and clocked in before you serve them, that is where the court has to help you. Always make at least 5 copies. There is \$150.00 filing fee, but rumor has it, that at times the court may waive that fee. You also have to pay the sheriff to have the papers served and that is around \$25.00 a serve. If your Grandchild has a pending visitation case already going on, you must name those people as defendants, even if that person is your son or daughter and they are on your side, they too, must be served.

HOW TO FILE FOR GRANDPARENT VISITATION: <http://www.judicial.state.sc.us/forms/index.cfm>

STEP 1. (GO TO ABOVE WEBSITE TO PRINT YOUR FORMS)

1. There are 2 ways you can get your forms.

A. After you go to the above site, on the drop down box under “Search #1 Forms by court type” Choose FAMILY COURT, then click on the submit button. Find the following Forms, and print them out in Acrobat or Word form . I personally find Acrobat form to be easier.

B. Or on the first page you can enter the Form number under “Search # 3 Form by ID” Just make sure you are printing the FAMILY COURT FORMS, this is why I just go through the first option under Search #1.

C. Please note that these forms will have the letters SCCA before the number but it will not pull up in a search if you try to put the letters in.

467 FAMILY COURT COVERSHEET. YOU CHECK THE BOX THAT SAYS “This case is subject to MEDIATION pursuant to the Family Court Alternative Dispute Resolution Rules“. AND UNDER CUSTODY/VISITATION YOU CHECK THE BOX THAT SAYS: “Custody/Visitation-Other 699” then circle the word Visitation and by other put Grandparent

403F VERIFICATION YOU CHECK THE BOX THAT SAYS “I HAVE READ THE ATTACHED COMPLAINT” (See sample copy of “Complaint for Grandparent Visitation”). There is no form for Grandparent visitation so you have to type one up yourself.

COMPLAINT FOR GRANDPARENT VISITATION This is the form you will type up yourself (See Example)

401F SUMMONS THIS GIVES THE DEFENDANT NOTICE THAT THEY HAVE 30 DAYS TO ANSWER YOUR COMPLAINT

STEP 2. THEY HAVE 30 DAYS TO ANSWER YOU **FROM THE DAY THEY ARE SERVED** ALL THE ABOVE PAPERWORK. THEN YOU FILE

410 REQUEST FOR HEARING. AND IF YOU OR THE COURT DID NOT RECEIVE A REPLY TO YOUR COMPLAINT YOU ATTACH AN **AFFADAVIT OF DEFAULT 400.07** I WAS MY OWN ATTORNEY WITH A LEGAL COACH HE HAD ME PRINT **400.07 AFFADAVIT OF DEFAULT FOR DIVORCE.** AND MODIFY THE WORDING. IN OTHER WORDS, I FOLLOWED THE FORMAT BUT CHANGED THE WORDING TO FIT MY CASE, SO I HAD TO TYPE UP THE WHOLE FORM (PLEASE SEE ATTACHED EXAMPLE **TITLED AFFADAVIT OF DEFAULT**

STEP 3 After you receive your notice of hearing from the court, you then Serve them with.

A. Copy of the “Certificate of mailing” that you will receive from the court.

B. Copy of your original Request for hearing

C. FORM 411 NOTICE OF HEARING (GENARAL)

D. FORM 254F SUBPOENA IN A CIVIL CASE

STATE OF SOUTH CAROLINA

IN THE FAMILY COURT
_____ JUDICIAL COURT

COUNTY OF _____

Plaintiff

COMPLAINT FOR GRANDPARENT VISITATION

Vs.

Docket No. _____

Defendant's

1. (Option A. This is for someone who does not live in the same state as their grandchild) Plaintiff is temporarily in _____ County, State of _____ for employment reasons but maintains her permanent residence in Horry County, SC, along with SC Drivers License and voters Registration. Plaintiff will be returning to SC in the Spring of 2013. (Option B. for someone who does live in SC) 1. Plaintiff is a resident of _____ County, State of _____.

2. Upon information and belief, Defendants are residents of _____ County, State of South Carolina.

3. The Plaintiff is informed that the defendant _____, claims to be the father of _____ and currently has a pending court case to prove paternity.

4. Plaintiff is informed and believes this Court has subject matter jurisdiction over the issues and personal jurisdiction over the parties in this action.

5. Plaintiff _____ is the maternal Grandmother of _____. And she has had a very strong parental y type bonded relationship with her grandchild since she was born. After the birth of _____ the plaintiff went down to part time status at work so she cold watch the child while the defendant _____ worked. This left the plaintiff with the child 4 days a week, some days were 12 hours long. Along with this time the plaintiff also kept _____ when defendant _____ would go to the grocery store, go to Doctor appointments, go to get her hair cut, her nails done, out to a movie or any where else that she wanted or needed to go. The Plaintiff was allowed to take her Granddaughter on an airplane for a family visit for 5 days. She also kept the child overnight at least four times a month and also watched her when the defendant _____ went out of town for business trips. The plaintiff would pick up the child at day care when she got older for the defendant _____ when she had to work late or just wanted to out to dinner with her friends.

6. This strong relationship went on between Grandma and Grandchild for 4 ½ years. The Plaintiff also took the child to church every Sunday for 2 years.

7. The Plaintiff also contributed to the financial well being of her grandchild. She bought her all of her bedroom furniture, bassinette, her stroller, her swing, all her bottles, her wardrobe and many other essentials needed. Including most of her toys and clothes for the first 2 years of her life. The plaintiff also bought the defendant _____ groceries and financially supported her during the 12 weeks of Family Medical Leave after _____ was born.

8. Naturally the Plaintiff and child developed a very strong relationship.

9. Numerous times the defendant _____ would get angry and prevent the plaintiff from seeing the child. Then when the defendant would need a babysitter again she would allow the plaintiff back into her granddaughters' life. The plaintiff has not seen her grandchild _____ since May of 2012.

10. The Plaintiff believes that it would be in the best interest of the child to have her only living blood Grandmother in her life.

11. The Plaintiff has tried everything she can think of to see her grandchild _____, and has offered to see her under the defendant _____ strictest supervision of what ever she chooses but to know avail. The plaintiff has spoken to her granddaughter twice on the telephone and the child could not stop begging the plaintiff to see her again.

12. The Plaintiff has offered to pay for counseling for her and the defendant and has made many attempts to heal their relationship but the defendant _____ refuses the offers.

13. The Plaintiff has been informed numerous times by the defendant (Put Childs other parent if named in the action here) that he does not, nor will he ever object to her visiting with her granddaughter _____.

Plaintiff asks that this court grand the following relief.

1. That an order for both temporary and permanent visitation be made, on the grounds of the strong parental like bond that she the Plaintiff and her granddaughter have and that it is the best interest of the child. Pursuant to #63-3-530-33 of the Codes of Laws of the State of South Carolina.

2. That the court grant such other further relief as is just and proper.

I affirm under the penalties of perjury that the statements and representation in the Complaint are true.

Date _____ 20____

Plaintiff's Signature

Street Address

City, State, Zip

Telephone No.

IMPORTANT TIP: You must prove all that you stated in this complaint to the Judge. You can do that by Affidavit of Statements from witness, pictures, receipts, video etc.. You will also need to do your own Affidavit of Statement, You will have to check with the court on how many are allowed. If memory serves me correct you can only have a total of 8 pages of Affidavits of Statements. You cannot use physical witnesses in a Temporary hearing. Although it is ok to have both the person and their statement with you.

STATE OF SOUTH CAROLINA

IN THE FAMILY COURT
_____ JUDICIAL COURT

COUNTY OF _____

Plaintiff

AFFIDAVIT OF DEFAULT

vs

Defendant

Docket No. _____

Personally appeared the Plaintiff who states the Defendant _____, was Served with a copy of the Family Court Coversheet, Summons and Complaint for Grandparent Visitation on the ____ day of _____, _____. Defendant _____ was served in the following manner.

(Check One)

- _____ Personal Service-an Affidavit of Service has been filed with this Court.
- _____ Certified mail, restricted delivery - and Affidavit of Service by mailing and a return Receipt has been filed with this Court.
- _____ Accepting service - an Acceptance of Services has been filed with this Court.

The Plaintiff further states that

- 1) More then 30 days have passed since the date of service;
- 2) No Contested Answer or other responsive pleadings have been served upon the Plaintiff as Required by the Summons;
- 3) Defendant, _____ is either not in active military service of the United States or has waived his/her rights under the Uniformed Service Members Civil Relief Act; and
- 4) Defendant, _____ is now in default.

Sworn to before me this

_____ day of _____, _____

Notary Public of South Carolina

My Commission expires: _____