## Timeline of a Restraining Order Case

1. The Plaintiff files a Complaint and Motion for Restraining Order at the Magistrate Court or Office. 3. The Court will serve the Defendant with the paperwork in the case. The Defendant must be served at least 5 days before the hearing. If the Defendant is not served in time, the hearing may be delayed.

5. Before the hearing: parties should prepare evidence to bring to Court. Bring printed out, paper copies of all evidence you want the Court to consider. Bring copies of any audio or video recordings on a CD or flash drive that can be left with the Court.

7. At the hearing date: the Court will decide whether to grant the Restraining Order or deny it. 9. If the Restraining Order is granted, the Defendant must pay the \$55 filing fee. If the Restraining Order is denied, the Plaintiff must pay the \$55 filing fee.

2. The Magistrate Court should schedule a hearing within 15 days of the filing of the Complaint and Motion. 4. Before the hearing: each party may hire an attorney to represent them in the case or plan to present their case on their own without an attorney.

6. At the hearing: Each party will have the opportunity to present their case/tell their story to the Court and show the Court the evidence they brought.

8. If the Court grants the Restraining Order, it will be in effect for one year from the date of the hearing.

University of South Carolina School of Law Domestic Violence Clinic