



CLEMENT RIVERS, LLP

ATTORNEYS AT LAW

Clement Rivers, LLP's COVID-19 Quick Reference Guide for South Carolina^{1 2}

STATE/ COUNTRY	GENERAL STATUS	LOCAL JURISDICTION STATUS	COURTS/LEGAL STATUS	MISC./USEFUL LINKS
SOUTH CAROLINA	<p>A statewide state of emergency is still in place. There is no statewide face coverings or masks law.</p> <p>Read order: HERE</p>	<p>The City of Charleston enacted an ordinance requiring face coverings or masks for all persons entering any building open to the public in the City while inside the building and in other settings, including outdoors. Certain exemptions apply. The latest ordinance shall automatically expire on the 61st day after October 13, 2020 if not terminated sooner. The City of Charleston has regularly updated this ordinance since first enacted on July 1, 2020.</p> <p>Read ordinance: HERE</p> <p>Other municipalities have similar face covering ordinances in place.</p>	<p>State-wide in-person hearings and civil/criminal jury trials shall not commence after December 4, 2020. Circuit Court Judges shall continue to preside over all other regularly scheduled hearings as assigned. Where possible, the use of Remote Communication Technology (RCT) to conduct hearings is encouraged. This Order shall remain in effect until amended or rescinded by Order of the Chief Justice. Any Order allowing the resumption of jury trials will be issued at least three weeks prior to the affected date to allow for the proper summoning of jurors.</p> <p>Read 12/3/2020 Order: HERE</p> <p>Jury selection and jury trials may be conducted per the Chief Justice's plan. Non-jury trials and hearings may be conducted in person or</p>	<p>SC Business/ Employer Contact Guide HERE</p> <p>SC DHEC Coronavirus HERE</p> <p>SC Department of Insurance HERE</p> <p>SC Emergency Management Division HERE</p> <p>SC Employment & Workforce COVID-19 Resource Hub: HERE</p> <p>SC Judicial Department HERE</p> <p>SC Workers' Compensation Commission HERE</p> <p>United States District Court, District of South Carolina HERE</p>

¹ This Quick Reference Guide is a compilation of various local, state, and federal orders, all of which are subject to change. Please verify with the appropriate jurisdiction before relying on any orders related to deadlines. YCRLAW attorneys are available to help you with any specific questions.

² Last updated December 17, 2020, 9:00am ET.

		<p>Remote Communication Technology (RCT). Judges may elect to hear motions without hearings, provided parties have time to respond. Oaths in trials, hearings, and depositions may be administered via RCT. All scheduling order deadlines issued before 4/3/2020 are stayed until 45 days following Governor lifting/rescinding emergency COVID-19 orders. All scheduling order deadlines issued on or after 4/3/2020 are not stayed. Both the decision to issue such an order and the terms of that order must consider the impact the emergency has on the ability of the parties and counsel to proceed. Judges are encouraged to seek input from the parties and counsel before issuing a new or amended scheduling order. Due date for all trial court filings due on or after 4/3/2020 was extended 30 days and filing fees waived; these automatic extensions and fee waivers ends on 1/16/2021. If a party was required to take an action on or after 3/13/2020 but failed to do so, that procedural default is forgiven, and required action shall be taken by 5/4/2020.</p>	
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Attorneys are able to grant more than one extension of time without leave of the court and encouraged to do so. Extensions do NOT extend time to act under Rules 50(b), 52, 59, or 60, SCRCP, or Rule 29, SCRCrimP; does NOT extend or affect time to service notice of appeal. Trials and hearings may be conducted without a court reporter as long as recorded in a manner to allow a court reporter to transcribe later. Courthouses shall remain open to filings and payments and shall clearly list closures with signs and on website. **Statute of limitations, repose, and similar statutes are NOT tolled at this time.** Attorneys may serve other attorneys via email, except for summons and complaint, subpoena, or other documents requiring personal service. Attorneys may sign with electronic signatures. Clerks may accept filings via email or fax. Certification in lieu of affidavits allowed. This order is effective immediately. Unless extended, this order shall be rescinded in ninety (90) days.
Eff. 04/03/2020; Updated 12/16/2020

Read Order:

[HERE](#)

Protective masks or other facial coverings are REQUIRED while inside county and municipal courthouses. During courtroom proceedings, the judge may require the removal of masks or face coverings for a brief period of time for the fair presentation of the case. In such instances social distancing should be observed. Persons may be required by judges, courthouse staff, or law enforcement to briefly remove their mask when necessary for identification purposes. All persons employed in, conducting business in, or otherwise visiting or present for any reason in county and municipal courthouses statewide shall be screened for fever by courthouse staff using an infrared or temporal thermometer. Anyone who registers a temperature of 100.4 degrees Fahrenheit or above shall not be admitted. Any person who refuses to comply with these directives is subject to contempt for violation of this order. This order does not prohibit anyone from wearing other PPE, including but not limited to gloves, in addition to their

mask or other facial covering. *Eff. 07/30/2020.*

Read Order:
[HERE](#)

Upon the request of a required attendee at mediation, attendance by video conference is permitted. *Eff. 03/19/2020*

Read Order:
[HERE](#)

SC State Appellate Courts is holding oral arguments and hearings by Cisco WebEx. Rules for service/delivery of appellate documents are modified as outlined in the Order. While order is in place, no fee for extensions of time. All due dates from 3/20/2020 through 06/08/2020 are extended 20 days, except notice to file appeal. There will be forgiveness of procedural defaults from 3/13/2020 to 03/20/2020. *Eff. 05/29/2020*

Read Order:
[HERE](#)

Participation in Closings of Real Estate Transactions – to the extent that the Rules of Professional Conduct

		<p>may require an attorney to be physically present at the closing of a real estate transaction and in close proximity to the parties to the transaction, an attorney may participate in and supervise the closing of a real estate transaction by way of a video conference. Necessary persons to a real estate transaction may, under the direction of the supervising attorney, similarly participate in the real estate closing by way of a video conference, provided any necessary person so consents; further, the supervising attorney shall ensure that the attestation of a recordable instrument is accomplished, which may be satisfied by use of real-time audio-visual communication technology, provided the identity of any necessary person is confirmed and a notary attests the signature of any necessary person. The supervising attorney shall consult with any lender(s) and any participating title insurance company to ensure that the real estate closing measures taken are acceptable to the applicable lender(s) and title insurance company. This order is effective as of May 1, 2020 and remains in effect until</p>	
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August 1, 202, unless modified or rescinded earlier. *Eff. 05/01/2020.*

Read Order:
[HERE](#)

United States District Court—District of South Carolina: all civil/criminal jury selections, jury trials, and roster meetings are continued until further order of the Court unless the Presiding Judge determines there is a need to go forward with a jury trial. Existing deadlines in civil cases are not extended further. Any judge has the inherent authority to extend any deadline in his or her case. **Statutes of limitations are not tolled** Non-jury civil matters set for hearing shall NOT continued unless canceled or rescheduled by the Presiding Judge. The Court's consideration of motions that can be resolved without court appearance is not affected. *Eff. 09/18/2020*

Read Order:
[HERE](#)

United States District Court—District of South Carolina: persons who have travelled internationally in the past 14 days, who have been asked to self-quarantine by any

doctor/hospital/health agency, diagnosed with or had contact in the past 14-days with anyone diagnosed with COVID-19, or displaying symptoms of COVID-19 shall NOT enter any federal courthouse in the District of South Carolina. *Eff. 5/19/2020*

Read Order:
[HERE](#)

United States District Court—District of South Carolina: all clerk's offices are closed to the public but available via phone and mail, ECF filings continue, all forms of payment accepted except cash. *Eff. 3/31/2020*

Read Order:
[HERE](#)

South Carolina Workers' Compensation Commission's office is closed and all live hearings (other than emergency situations) are suspended until May 1, 2020. Hearings may be conducted by telephone or Court Call. All filings/submissions must be made electronically or by US Mail. *Eff. 03/21/20*

Read Advisory Notice:
[HERE](#)

			<p>Neither state nor federal courts have issued orders tolling statutes of limitation.</p>	
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