



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

Karen S. Roper  
Judge

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MEMORANDUM

To: Family Court Practitioners of the Pickens County Bar  
From: Karen S. Roper, Chief Administrative Judge for Pickens County Family Court  
Subject: Supreme Court Orders RE: Operation of the Trial Courts During the Coronavirus  
Emergency (As Amended August 27, 2021) and RE: Use of Remote  
Communication Technology by the Trial Courts, issued August 27, 2021  
Date: August 31, 2021

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Pursuant to the above Supreme Court Orders, **all hearings in Pickens County Family Court shall be scheduled as in-person hearings**, except in the circumstances listed below:

1. For all matters currently noticed as a virtual courtroom hearing, it shall remain docketed as a virtual courtroom hearing. If you wish to convert a currently scheduled remote hearing to an in-person hearing, you are responsible for sending out any new hearing notices in compliance with SCRCP and SCRFC. Please also promptly inform the docketing clerk.
2. If all parties/attorneys consent to hold a virtual hearing, please indicate this on your hearing request and submit the accompanying consent signatures. It will not be scheduled as a virtual hearing unless all parties consent, or unless the circumstances in #3 below apply.
3. If any hearing participant has a circumstance that necessitates a virtual courtroom hearing or partial remote appearance (COVID exposure, travel distance, etc.), and all parties are not in agreement, please indicate this on your hearing request and submit a letter to the CAJ (or to the presiding judge, if during the week of the hearing – same as applies to requests for continuance) outlining the circumstances. These requests will be considered on a case-by-case basis. A pretrial conference may be necessary to fully consider your request.

4. For any virtual courtroom hearings, please follow my attached Virtual Courtroom Guidelines, particularly regarding the submission of exhibits/temporary packets. These Virtual Courtroom Guidelines are also posted on the Judicial Branch website.

Please be aware that Chief Justice Beatty's Order Regarding Required Use of Protective Masks in County and Municipal Courthouses dated July 30, 2020, remains in full force and effect. All in-person hearing participants must wear a mask covering their nose and mouth. In addition, please continue to screen your clients and witnesses prior to the hearing to ensure that no one has any known COVID exposure, positive test, or symptoms. These safety measures will help ensure that our Family Court remains fully operational.

Thank you for your diligent efforts over the last year in submitting packets to resolve uncontested issues, allowing us to finalize many matters that would have been otherwise delayed during the pandemic. However, per the latest Supreme Court Order, the Family Court is no longer authorized to approve settlement agreements or orders without a hearing, except in the limited circumstances below:

- a. Uncontested divorce based upon separation for one year, with or without name change, but no other relief (no custody, visitation, child support, alimony, equitable distribution, attorney's fees, GAL fees, etc.). Also attached to this memo is a checklist to aid your packet submissions.
- b. Temporary Consent Orders
- c. Consent Orders regarding procedural matters (discovery, appointment of GAL, etc.)
- d. Consent Orders to return a child pursuant to S.C. Code Ann. §63-7-1700(D)

Again, thank you for your continued cooperation during our many changes to court operations, and I will keep you updated upon receiving any new directives from Columbia.

**Judge Karen Sanchez Roper**  
**VIRTUAL COURTROOM GUIDELINES**  
[ROPER VIRTUAL COURTROOM LINK](#)

WEBEX CALL IN USERS: 1-408-418-9388 MEETING NUMBER: 173 727 7163 PASSWORD: CZyBM89tNW2

1. All Hearings

- a. Every participant who appears in the virtual courtroom should:
  - i. Connect using a reliable computer and internet connection with both audio and video communications;
  - ii. Be aware of all rules governing hearings in the virtual courtroom as detailed on the [scccourts.org](http://scccourts.org) website;
  - iii. Conduct himself or herself in the same manner as if he or she were physically present in the courtroom
- b. If possible and safe:
  - i. A party should be in the same location as his or her attorney;
  - ii. A non-party witness should be in the same location as the attorney for the party who calls the witness.
- c. Even if the attorney and a party/witness are in the same location, it is advisable for each to use separate computers to connect to the virtual courtroom. If possible, both the lawyer and the party/witness should use the microphone/speaker of one of the devices and the microphone/speaker of all other devices should be turned off to avoid feedback.
- d. If a party or witness cannot be physically present in the same location as the party's attorney, then the party/witness should:
  - i. Be alone during the entire time he or she appears in the virtual courtroom;
  - ii. Remove all recording and communication devices (including but not limited to computers, mobile phones, landlines, cameras, digital or other recording equipment), other than the device being used to connect to the virtual courtroom, from the location;
  - iii. Receive a copy of these Guidelines prior to the hearing from the attorney who calls the witness.

2. Motion Hearings

- a. Prepare a list of all submissions;
- b. Convert the list and all submissions to separate, individual electronic files in PDF. Name each PDF consistent with the number or name shown on the list (e.g. "Plaintiff 1 Financial Declaration");
- c. Serve all parties with a copy of the list and all submissions no later than 5 pm of the day immediately prior to the day of the hearing;
- d. Send copy of the list and all submissions to Judge's assistant by email ([kropersc@scccourts.org](mailto:kropersc@scccourts.org)) no later than 5pm of the day immediately prior to the day of the hearing;
- e. File with the Clerk a hard copy of all affidavits, financial declarations, or other submissions before the hearing.

3. Exhibits in Testimonial Hearings and Trials

- a. Premark and number each exhibit for identification;
- b. Compile a descriptive list of all exhibits in numerical sequence;
- c. Deliver original exhibits and list to the Clerk to hold for the court reporter;
- d. Convert all exhibits and the list to individual, separate electronic files in PDF. Name each PDF consistent with the exhibit list (e.g. "Plaintiff's Exhibit 1"). If an exhibit consists of more than one page, number each page;
- e. Serve exhibits and list on all parties as soon as practical before the beginning of the hearing, but no later than 5 pm on the day immediately prior to the hearing;
- f. Send a copy of exhibits and list to the court reporter and Judge's assistant by email ([kropersc@scccourts.org](mailto:kropersc@scccourts.org)) no later than 5pm on the day immediately prior to the hearing;
- g. Prepare at least one printed copy of every exhibit to have available for the party/witness during direct and cross examination. If the witness is not in the same location as one of the attorneys, the attorney who calls the witness is responsible for getting a copy of all exhibits to that witness.

## UNCONTESTED DIVORCE PACKETS CHECKLIST

Please include this completed checklist along with your packet and proposed final consent divorce order submissions to the presiding Judge. “Completed” means that each checkbox contains a check mark (or in the case of checkbox 12, an “NA” if name change is not applicable).

I hereby confirm the following:

- 1. The proposed order addresses no issues other than divorce and resumption of a former legal name. NOTE: If the proposed order expressly and affirmatively “bars” alimony, leaves property “as is,” or allocates debts by name, it addresses “other issues” and a hearing must be requested.
- 2. The packet includes the original and extra copies of the proposed consent final divorce order, with requisite cover sheets attached.
- 3. The proposed consent order is accompanied by a statement from the submitting attorney that, as an officer of the court, all counsel approve the decree and that all waiting periods have been satisfied or waived by the parties.
- 4. The consent signatures of all parties and all attorneys of record appear at the foot of the proposed consent order.
- 5. The proposed consent order conforms to Rule 10(d), SCRCP in terms of spacing, margin and font size, captioning, and page numbering.
- 6. The packet includes affidavits from both parties that are properly signed and notarized.
- 7. Each party’s affidavit includes an attached copy of the affiant’s state-issued photo identification.
- 8. The affidavit of at least one party addresses jurisdiction and venue and specifies the date of the marriage and the date of separation.
- 9. The affidavit of at least one party includes a statement that reconciliation is not possible and that further efforts by the Court would be unavailing; and the proposed order expressly makes this finding.
- 10. The affidavit of the person seeking the divorce states the ground for divorce, affirmatively requests a divorce, and includes supporting testimony; and the proposed order addresses the divorce ground with appropriate proposed findings and conclusions. NOTE: A summary of the testimony is not a finding. The Court must make its own findings and conclusions based on the testimony and evidence presented.
- 11. The packet includes a properly signed and notarized affidavit from a third party that adequately corroborates the ground for divorce; and that affiant’s state-issued photo ID is attached.
- 12. If a party seeks the resumption of a former name, the requester’s affidavit expressly makes this request and establishes that (1) there are no legal obstacles to this request and (2) the requester was formerly known legally by the new name sought; and the proposed consent order expressly grants the name change and sets forth the properly-spelled full name.