

Session 118 - (2009-2010)

S 1189 General Bill, By Malloy, McConnell, Ford, Pinckney and Rose

Summary: Family Court

A BILL TO AMEND SECTION 15-36-10 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LIABILITY FOR ATTORNEY'S FEES AND COSTS OF FRIVOLOUS SUITS, SO AS TO CLARIFY THAT AN ACTION IN FAMILY COURT IS SUBJECT TO THE SOUTH CAROLINA FRIVOLOUS CIVIL PROCEEDINGS SANCTIONS ACT; TO AMEND SECTION 15-36-10 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FRIVOLOUS SUITS, TO ADD THAT THE FRIVOLOUS CIVIL PROCEEDINGS SANCTIONS ACT DOES NOT ALTER THE SOUTH CAROLINA FAMILY COURT RULES; AND TO AMEND SECTION 63-3-530, RELATING TO THE EXCLUSIVE JURISDICTION OF FAMILY COURT, TO PERMIT A JUDGE TO SANCTION A PARTY WHO FILES A FRIVOLOUS CLAIM OR MOTION IN DOMESTIC MATTERS, AND TO MANDATE THAT JUDGES SANCTION PARTIES WHO FILE A SECOND OR SUBSEQUENT FRIVOLOUS CLAIM OR MOTION WITH THE COURT.

02/17/10 Senate Introduced and read first time SJ-7

02/17/10 Senate Referred to Committee on Judiciary SJ-7

02/19/10 Senate Referred to Subcommittee: L.Martin (ch), Rankin, Hutto, Bright, Davis