**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3084**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Gatch

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Prefiled in the House on December 5, 2024

Currently residing in the House Committee on **Judiciary**

Summary: Guardians ad Litem

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/5/2024 House Prefiled

 12/5/2024 House Referred to Committee on **Judiciary**

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3084&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3084_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63‑3‑820 AND 63‑3‑850, RELATING IN PART TO THE APPOINTMENT AND COMPENSATION OF AN ATTORNEY FOR A GUARDIAN AD LITEM, SO AS TO REQUIRE THE ATTORNEY’S FEE BE AUTHORIZED BY THE COURT.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 63‑3‑820(E) of the S.C. Code is amended to read:

 (E) The court may appoint an attorney for a lay guardian ad litem. A party or the guardian ad litem may petition the court by motion for the appointment of an attorney for the guardian ad litem. This appointment may be by consent order. The order appointing the attorney must set forth the reasons for the appointment and must establish a method for compensating the attorney, the amount which must be authorized by the court pursuant to Section 63‑3‑850.

SECTION 2. Section 63‑3‑850(A) of the S.C. Code is amended to read:

 (A) At the time of appointment of a guardian ad litem, the family court judge must set forth the method and rate of compensation for the guardian ad litem, including an initial authorization of a fee based on the facts of the case, which must include any portion of the fee authorized to compensate an attorney for the guardian ad litem if the court has appointed an attorney for the guardian ad litem pursuant to Section 63‑3‑820(A). If the guardian ad litem determines that it is necessary to exceed the fee initially authorized by the judge, the guardian must provide notice to both parties and obtain the judge’s written authorization or the consent of both parties to charge more than the initially authorized fee.

SECTION 3. This act takes effect upon approval by the Governor.

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