



ALAN WILSON  
ATTORNEY GENERAL

December 08, 2023

The Honorable Joseph White  
Member  
South Carolina House of Representatives  
District No. 40  
320D Blatt Bldg.  
Columbia 29201

Dear Representative White:

Attorney General Alan Wilson has referred your letter to the Opinions section. Your letter asks this Office to support a moratorium on

- The issuance of court orders that mandate paid supervisors for custodial visits; this shall not affect those parents under the purview of DSS and/or law enforcement.
- The issuance of bench warrants for the nonpayment of family court litigation related fees.
- The issuance of bench warrants related to exercising parental rights as provided for within SC 63-15-260.
- The issuance of bench warrants related to ‘gag orders’ in family court.

This Office’s opinions cannot call for a moratorium on court orders or the issuance of bench warrants as this request is beyond the scope of our authority. This Office’s opinions are limited by statute to advising State officers “on questions of law relating to their official business.” S.C. Code § 1-7-110. While we may advise on legal issues, we have no authority to direct the judiciary not to exercise its authority. Such a request for a moratorium would be more appropriately addressed to the Chief Justice of the Supreme Court as “the administrative head of the unified judicial system.” S.C. Const. art. V, § 4. The South Carolina Constitution assigns the Supreme

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Court with the power to “make rules governing the administration of all the courts of the State.”  
Id.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew Houck", with a large, stylized flourish extending to the right.

Matthew Houck  
Assistant Attorney General