



# WILLIAMSBURG COUNTY CLERK OF COURT

## *Newsletter*

**Message from  
Honorable Sharon W. Stagers, Clerk of Court**

*Dear Citizens,*

*Thank you! It's truly been a pleasure to serve you another year! What an amazing year it has been! Therefore, I present to you our 5th annual newsletter.*

*We continue to strive to serve you in the most professional, effective and efficient manner. This newsletter is designed to give you informative information on each of my departments. Inside this edition, you will get an insight from each departments deputy clerk. I hope that you find this newsletter to be a valuable resource.*

*It is our commitment to continue to serve you with the utmost efficiency and effectiveness. Please don't hesitate to contact us for assistance. We look forward to continuing to serve you within the years to come. Once again, I thank you for allowing me to serve you. It is indeed my pleasure!*

*Sharon W. Stagers*



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# MISSION

**TO PROVIDE THE CITIZENS OF  
WILLIAMSBURG COUNTY WITH  
PROFESSIONAL, EFFECTIVE, EFFICIENT  
WORLD-CLASS SERVICE FROM EMPLOYEES  
THAT EXEMPLIFY A HIGH STANDARD OF  
INTEGRITY AND PROFESSIONALISM. TO  
MAINTAIN ACCURATE AND EASILY  
ACCESSIBLE COURT AND REAL ESTATE  
RECORDS FOR THE PUBLIC.**



# REGISTER OF DEEDS DIVISION

## REGISTER OF DEEDS DEPARTMENT

Rhonda E. July, Deputy Register of Deeds

Deeds registration is a land management system whereby all important instruments which relate to the common law title to parcels of land are registered on a government-maintained register. Deeds registration systems were set up to facilitate the transfer of title.

The Register of Deeds Department records the following types of documents in Williamsburg County.

- Mortgages
- Deeds
- Plats of Property
- State Tax Liens
- Federal Tax Liens
- Power of Attorneys
- UCC Financing Statements
- Mechanic Liens
- Other Related Property Records

**This Office Does:**

- File, index, and record deeds, mortgages, and other property related records
- Record and index financing statements and state and federal tax liens.

**This Office DOES NOT:**

- Perform title searches
- Advise or make legal recommendations
- Prepare or provide deed forms

**Employees of the Register of Deeds Department will not help you fill out a deed or any other documents. Doing so is considered the “PRACTICE OF LAW.”**

A deed is the instrument that transfers ownership of real property from one owner to another. It contains the names of the current owner (the grantor) and new owner (the grantee), the legal description of the property, and is signed by grantor. Transfers of real property must be in writing and notarized. Deeds should be recorded in the county where the property is located.

When you are buying property, you also need to choose how you are going to hold title. Co-buyers can take title as joint tenants with right of survivorship or tenants in common.



**The following are deeds that are used for transfer of real property in South Carolina.**

### **South Carolina Deed Transfer**

A general warranty deed is used to transfer an interest in real estate in South Carolina in most real estate transactions. A South Carolina warranty deed conveys real property with warranty covenants to the buyer. It requires an acknowledgement of the grantor's signature.

### **Warranty Deeds**

A warranty deed is the most common type of deed used in most purchase and sale transactions. It offers the best protection for the grantee because it guarantees that the title is good and marketable. The grantor promises the grantee that the grantor will defend the grantee from any all claims made by third parties. Then general warranty deed contains the following provisions:

- Amount of consideration
- The names and addresses of the grantor and grantee
- City and county where the property is located and the legal description of the property.
- Signature of the parties
- Notary acknowledgement

Transfer of property may also be done through a special or limited warranty deed or quitclaim deed. A contract for deed, land contract or installment agreement is used when the seller agrees to finance the purchase of the property and holds title or deed as security until the buyer makes all the property and holds title or deed as security until the buyer makes all payments.

### **Deeds Without Warranty**

When a special or limited warranty deed is used, the grantor only warrants that there are no title defects during the time the grantor owned the property. The special or limited warranty deed gives the grantee greater protection than a quitclaim deed and less protection than a full or general warranty deed.

### **Quitclaim Deed**

A quitclaim deed transfers ownership interest of the grantor to the grantee without any warranties or guarantees that title is good or that the property is free of liens or claims. A quitclaim deed is used mostly in non-sale transactions such as transfers between spouses.

### **Deed of Trust**

A deed of trust or trust deed is similar to a mortgage. Title is transferred to a trustee, which is usually a trust or title company that holds the real property as security for the borrower's loan. At the time the loan is paid in full, title is transferred to the borrower. The only powers that the trustee has is the power of sale if the borrower defaults. The trustee can then sell the property to pay off the lender at a foreclosure sale auction.

## **Grant Deed**

Grant deeds transfer ownership from the grantor to the grantee. The grantor promise that title has not been transferred previously and that there are not any encumbrances, other than those stated in the deed.

## **Lawyers for Deeds**

**If you are transferring property in South Carolina, you should seek the help of a lawyer.**

## **FREQUENTLY ASKED QUESTIONS:**

### **How do I research property or get a copy of a document?**

You may come in our office during regular hours and someone will assist you. Please know the name of the person who owns the property or the book and page of the document. You may also search our public records on line from January 1994 to the present, and we have images on line from September 2001 to the present @ [sclandrecords.com](http://sclandrecords.com). If you know the book and page of the document, you may send in a written request through the mail along with a check or money order for \$5.00. Please note that we can provide only minimal research assistance. An attorney must be consulted in order to conduct a proper title search of real estate.

### **What form of payment is accepted?**

Checks or Money Orders, and they should be made payable to Williamsburg County Clerk of Court. We also so accept cash for in office services.

### **What documents can I look up in the Register of Deeds Department?**

The Register of Deeds records deeds, mortgages, power of attorney, plats, easements, mechanics liens, state and federal tax liens, mortgage satisfactions and other documents pertaining to real property only. We **do not** have mobile home title information. Mobile homes are considered personal property and titles can be obtained through the SC Department of Motor Vehicles. We also **do not** have access to Birth Certificates and Death Certificates. These documents are available only from SCDHEC (South Carolina Department of Health and Environmental Control) you can access their information at <http://www.scdhec.gov/VitalRecords/>

### **What do I need to bring to record a document?**

We require the original document with original signatures for **all** documents. Also bring a check, money order, or cash for the recording fee and a self addressed stamped envelope for the original to be mailed back to you.

### **Can I mail in my document for recording?**

Yes, we accept documents by mail. Please include a cover letter with your name and phone number in case we need to contact you, a self addressed stamped envelope so we can return the document to you, and a check or money order made payable to Williamsburg County Clerk of Court.

**Can I get forms of documents at the Register of Deeds Department?**

No, we are unable to provide forms to the public or offer legal advice. We suggest that you contact an attorney with any legal needs.

**Where can I go to receive legal advice?**

We always suggest that you speak with a real estate attorney concerning legal questions. The South Carolina Bar Association sponsors a free answering service on Tuesday – Thursday afternoons (888-321-3644). They will answer questions on everything except criminal law questions.

You may also be able to get help from the [South Carolina Legal Services Agency](#).

October 2017 the Forfeit Land Commission (FLC) held it's first sale. FLC is comprised of the Kimber Cooper (county treasurer; Crystal Powell (county auditor); and myself, Clerk of Court, with the assistance of our county tax collector, Norma Cyrus. We sold property, that was past the redemption phase, that FLC owned, to the highest bidder. We look forward to holding our second sale this year.

**\*\*\*\*The Register of Deeds Department installed new software in December 2017, these software updates will allow us to be able to receive E-filing of documents from those attorneys who choose to access the E-filing system. The E-filing system should be available by early spring 2018.\*\*\*\***

Williamsburg County Register of Deeds Department  
125 West Main Street  
Kingstree SC 29556  
(843) 355-9321 Ext. 7100



# FAMILY COURT DIVISION

## All About Family Court

Family courts are a division of each state's superior courts. Family courts only deal with certain issues that relate to family matters. For example, some of the issues that Family court may hear are child support, divorce, domestic and child abuse, custody and adoption cases.

Some cases submitted in Family court can be done Pro-se, which means to represent oneself in court. However, we DO NOT assist in any Pro Se matters. When doing so you must know what to do from start to finish. Some of these cases include: Pro-se divorce, visitation and child support cases . We strongly encourage you to seek the advice of an attorney in any legal matter. We ARE NOT and DO NOT act as attorneys!

Most of the time here in Williamsburg County Family court, is held for one week out of the month. In 2017 we had 376 Family Court cases submitted for filing.

We are looking at ways to improve our services to the community. Our Family court division here is still striving to give professional, friendly and efficient service to the residents of Williamsburg County. We are hoping to provide an online payment option to our customers by mid-year.

New Employee: Maria Matthews, Wage Withholding and RTSC Clerk

Chief Administrative Judge for the 3rd Circuit Family Court: Honorable Gordon B. Jenkinson

Karen Boyd, Family Court Supervisor

# GENERAL SESSIONS DIVISION

## *What is General Session?*

South Carolina Circuit Courts are divided into two division:

**General Sessions (criminal court)**

**Common Pleas (civil court)**

General Sessions Court handles felony and misdemeanor criminal cases ranging from those with a penalty of more than 30 days and /or a \$500 fine to those carrying the death penalty.

**After an arrest, a General Sessions case usually follows these steps:**

**Bond hearing:** This hearing occurs within 24hours after an arrest. The Magistrate Judge determines if a person held in custody can be released on bond. The judge also determines if a person is a danger to the community. If a judge decides to release someone on bond, he/she then sets the amount and conditions.

**Preliminary Hearing:** These hearing are available to the defendant(s) charged with serious crimes. The defendant has the right to request a preliminary hearing within 10days of the bond. This request must be made through magistrate court.

**Initial Appearance & Second Appearance:** Once bond is set a person is he/she is scheduled for a first appearance. The defendant talks with Solicitors' about retaining a private attorney, a public defender or proceeding Pro Se (represent themselves). A representative from the public defender's office is also at the appearance. A second appearance is then set after the first appearance. This is when the attorney or defendant advises the Judge if the case is set to be set for trial, plea if they want to plea or that the case is being handled in another way.

**When is my trial date:** Circuit Solicitor's keep the trial schedule, which is called a "roster" or "docket". The clerk is not responsible for your court date. The order in which cases are called, nor what cases will be on the roster.

**Trial:** During a jury trial, the jury listens to evidence to determine if the defendant is guilty or not guilty. If the jury finds the defendant guilty, the judge imposes a sentence, which can be imprisonment, fines, probation or death.

**Post-Conviction Relief (“PCR”)** This process must begin within one year of sentence or the end of appeals. PCR is the last step to challenge your conviction, any person seeking a PCR must petition the court themselves. PCR cases are usually handled in the Courts of Common Pleas.

**How do I get a transcript of my hearing:** You may request a copy of your transcript by writing a letter to the court reporter. The letter must include the name of the case and date, the Indictment number, the name of the judge and the county.

**What if I do not have money for a lawyer?** If you are accused of a crime punishable by imprisonment, you are entitled to legal representation. If you cannot afford a lawyer and meet certain financial qualifications, a Public Defender will represent you.

**How do I apply for a Public Defender?** Contact the Clerk’s Office. The General Session Clerk will require you to complete the Affidavit of Indigency/Application for Counsel. This is a \$40 fee. In some cases the defendant is still incarcerated the application can be completed at the detention center and fee waived.

**Expungements:** An expungement is an order that commands the state agencies to destroy records. There are some exceptions, not all charges can be expunged. All expungement application must be submitted through the 3<sup>rd</sup> Circuit Solicitor’s office. If your case has been Dismissed or Nol Prossed there is no fee. However, there is a fee that applies in other cases. Please do not assume if you were found not guilty, your information is not on your record. In some way this can affect your job, financial aid, an apartment/house or the military.

**What is a pardon?** A pardon is granted by the state that excuses a person convicted of a crime from its legal consequences. It does not erase the conviction, it just ends the penalty.

**What is difference between pardon and expungement?** An expungement can wipe the record clean. A pardon the original conviction remains. After receiving a pardon, you must acknowledge the conviction.

**Jury Information (Venire): The jury system is involves two types:** The Grand jury and Petit Jury. Grand Jurors serve for 1year. **Grand Jury** has two main functions. First, they decide whether a person charged with a serious crime will be tried. If so, the finding is called **true bill**. If no probable cause does not exist, it is called a **no bill**.

Petit Jury are summoned for 1 week to render verdicts in individual trials in Circuit Court or Common Pleas Court. The Clerk is responsible for summoning jurors. If a juror believes he/she should be disquali-

fied, exempted or excused? If you do not have a medical excuse, please report the first day of court to speak with the judge.

According to the S.C. State Laws, if an individual is summoned to attend jury duty, in any court, and fails to appear on schedule date without sufficient excuse, that person may be required to pay a fine or penalties imposed by the judge. In addition, the judge may require the Sheriff's Office to come to your home or business to escort you to the Courthouse. Please, do not ignore or forget about you jury service.

**Jury Information line:** (843) 355-8976 This number has been implemented for when jurors are told to report back to court or call in during the week of jury service.

In General Session Court we scan all documents that are submitted to the court. In this manner it helps the clerk from pulling the file. The information can be emailed from the computer saving valuable time.

776 Disposed cases for 2017

We look forward to continuing to offer the best service possible to the citizens of Williamsburg County.

**The Chief Administration Judge for General Session- The Honorable R. Ferrell Cothran**

**“ Consider the time, before you commit the crime”**

Sharron M. Richardson, Deputy Clerk of Court for General Sessions

# COMMON PLEAS DIVISION

My fellow citizens, it is a pleasure serving the public for the past number of years.

As a clerk, I've worked in several departments, Common Pleas being my main duty. At the beginning

Of my career I wonder why a civil action was named "common pleas". I research and found a long history on the topic. The gist of it all; this form of court originated in England in the late 12<sup>th</sup> and early 13<sup>th</sup> century to permit individuals to press civil grievances against one another without involving the King. This allows the common people to recover debts or property. Therefore, the common people filed their complaint in the court of Common Pleas

Working for the Court of Common pleas allowed me the opportunity to serve many of our most Honorable judges and the best plaintiff and defendant attorneys and more importantly you as a Petit juror.

The clerk's office is a record keeping entity. Our Clerk of Court is charged with the responsibility to record, preserve and care for legal documents filed within her office. As clerk of Common Pleas, I have the responsibility to record civil law suits such as: motor vehicle accident, personal injury, and debt collection, wrongful death, foreign judgment and foreclosure to name a few. In my years of work there are two actions that concern me for the public sake, Judgments and Foreclosures.

A judgment is a court order that awards a specific amount of money to a person as payment for the

Damages he or she suffered. Collecting on a judgment is more difficult than people realize. **As a concern citizen please remember:**

Before you embark on paying out monies to an individual or a business, CHECK them out, and ask questions: is this person or business license, is there any judgment against this person or business. Maybe, the answer could avoid you from going through a difficult collection process.

**Foreclosure is more of a heart breaking action.**

A foreclosure is a legal process in which a lender attempts to recover the balance of a loan from a borrower who has stopped making payments to the lender. At the first default payment please do not hesitate to look for help. There are programs that can be most helpful BEFORE receiving a foreclosure Summons and Complaint.

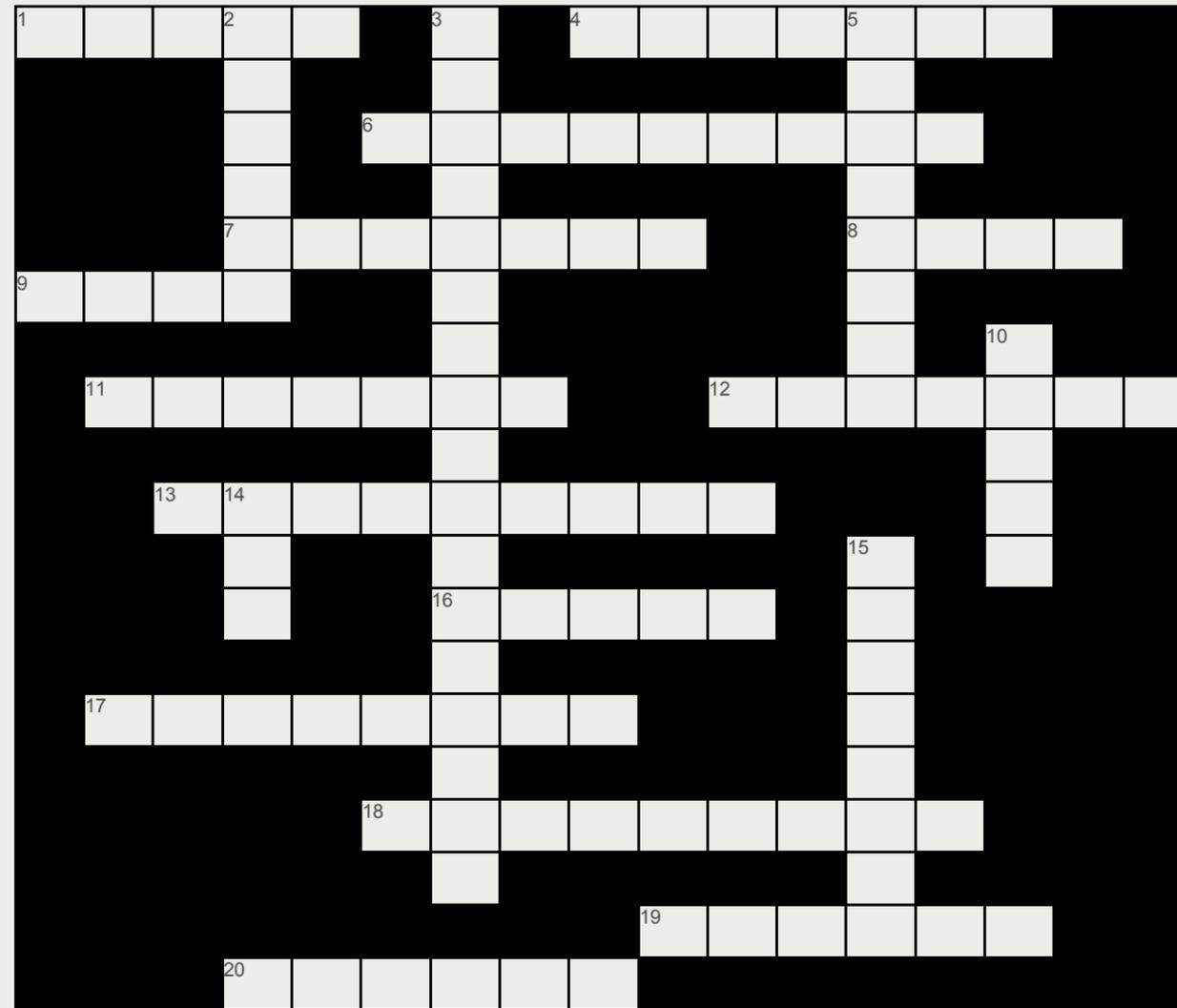
Thanks for allowing me to share

May God bless the Office of the Clerk of Court

Laura M Brown, Deputy Clerk of Court for Common Pleas

# Court terms crossword puzzle

Joseph H.



Across

1. a person appointed to decide cases in the court of law
4. an official in the court of law that keeps order
6. the final part of court that gives a decision and resolves
7. a conclusion or resolution reached after consideration
8. a detailed study of a person or persons being accused
9. a body of people that give a verdict of a case based on evidence
11. to dismiss until another day
12. a person who sees an event take place
13. a person who brings a case against another
16. a government body that interprets and applies laws to cases
17. a conclusion or resolution reached after consideration
18. a person or persons being sued or accused in the court of law
19. a procedure that allows a party to challenge the decision made by the court
20. a person who practices and studies law, gives legal advice, represents people in court

Down

2. when a person who has been proved of a crime
3. a person who types what is said during a court session
5. when a person is not guilty of the crime at time
10. the seat for judges in court
14. a general rule made by the government
15. available facts that help prove a case to be true

IN THE  
KNOW!

## 2017 Back-to-School Bash



**A huge thank you to all of our annual participants and sponsors who help to make this event possible! It only gets bigger and better! Our children are the future and we must help lead them on a path to be able to lead the way! Thank you to everyone!**





**COUNTY  
TREASURER**



**HOPEHEALTH**



**AUDITOR'S OFFICE**



**TRANSIT**



**CLERK OF COURT & STAFF ALONG WITH SUMMER INTERNS**

## Internships

*Offering 6-six weeks summer internships for the summer of 2018.*

*Internship dates: June 18, 2018 through July 28, 2018*

*Requirements:*

*Must be a high school junior or senior age 16-18*

*Three page essay on your future career goals and how this internship would help you.*

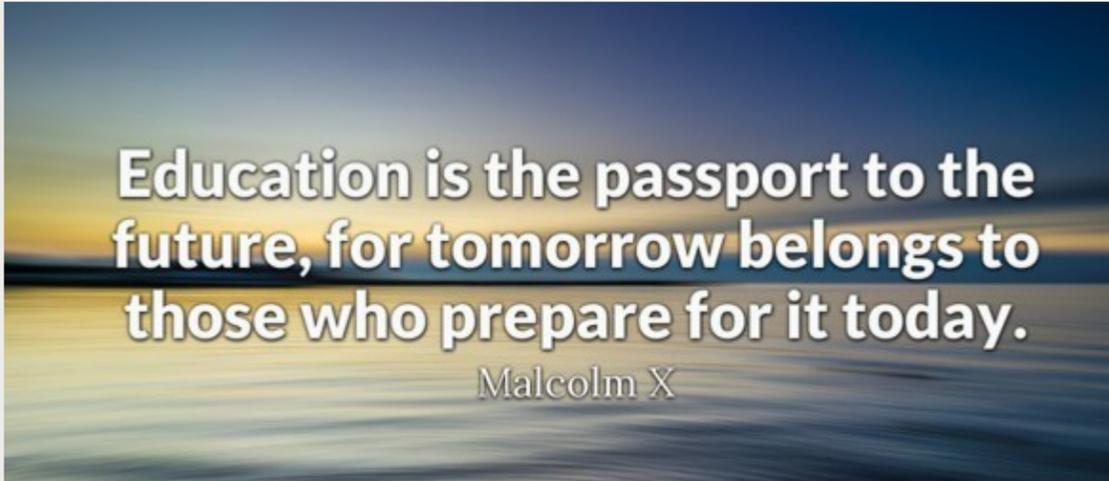
*Three teacher references*

*Transcript*

*Deadline for submission: May 1, 2018*

*Please turn ALL required information into the Clerk of Court in a sealed envelope.*

*Please use our direct email, [clerkofcourt@wc.sc.gov](mailto:clerkofcourt@wc.sc.gov), to send your questions, ideas and suggestions for future articles.*



**Education is the passport to the  
future, for tomorrow belongs to  
those who prepare for it today.**

Malcolm X

# GIVING BACK



**Each year I do my best to support the community. Here is the Kingstree Senior High School football team and their coaches. We try to feed the team, at least, once a year. These young men appreciate us coming out to give a little back to them. "Helping to uplift our young men"**

## PINK OUT DAY



**Pink Out Day was hosted by our County Treasurer, Kimber Cooper. My staff and I wore our pink in support of Breast Cancer Awareness! Get screened annually! Early detection can be the key!**

## SUMMER INTERNS



Students are selected for summer internships after going through an interview process and all required documents. Students work throughout the different divisions within the clerk of court office. They experience, first hand, how the court system operates.

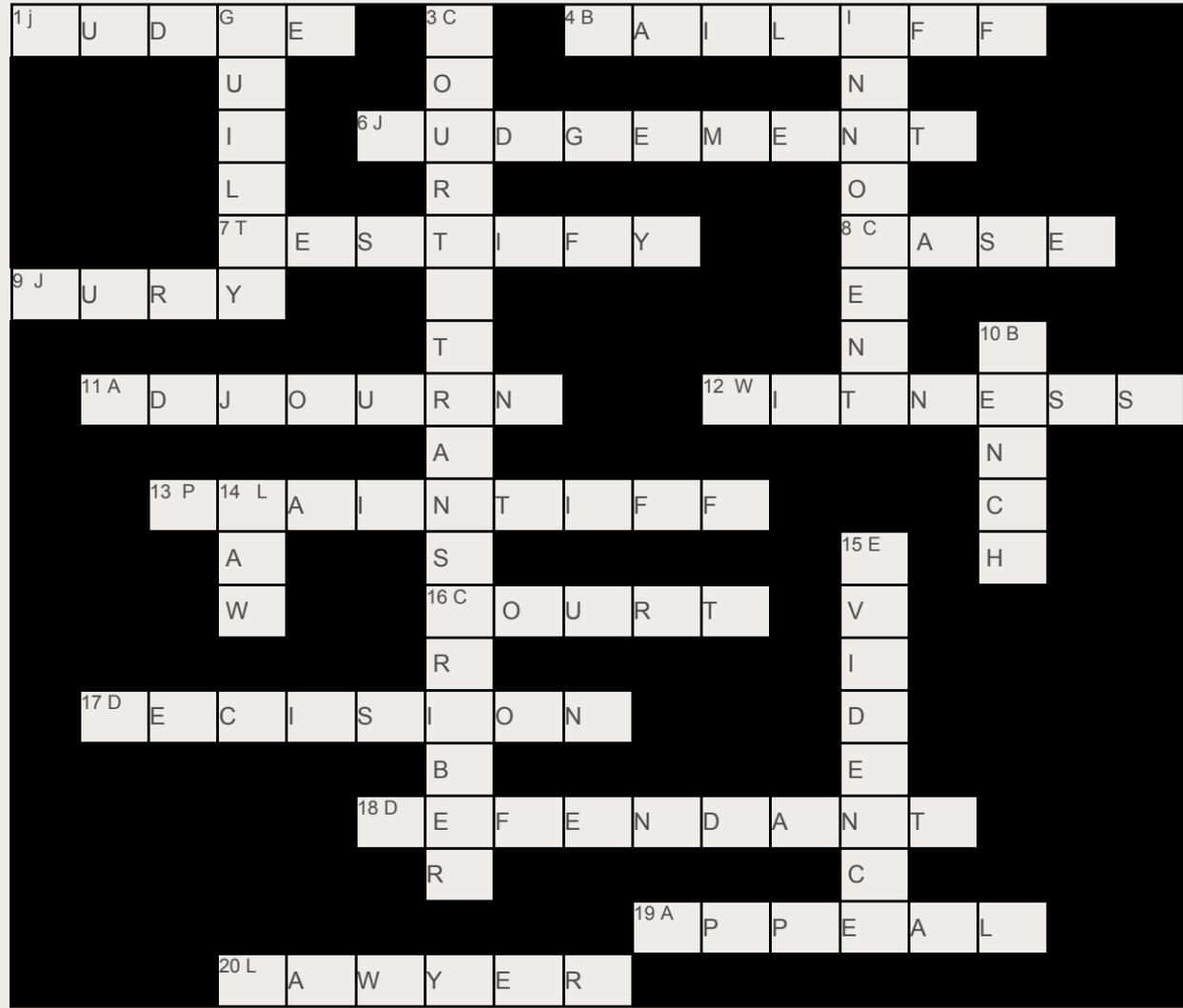
Pictured; Rachel Cooper, Sharron Richardson, Chief Deputy Clerk for GS, Judge Clifton Newman, Shayna Burgess & Makayla Fulton.

## CHRISTMAS TREE LIGHTING



On December 8, 2017 we held our 1st courthouse Christmas Tree Lighting. We moved the remainder of the program into the auditorium, due to the frigid and rainy weather. There guest were greeted with hot chocolate, apple cider and chocolate chip cookies. We were entertained with songs, praise dancing and Santa Claus. We hope to make this an annual event

# ANSWER KEY



**\*NOT PRODUCED AT TAX PAYER'S EXPENSE\***

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