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Have a
JUVENILE
RECORD?

The background of the central section features silhouettes of graduates in blue against a lighter blue background. Some graduates have their arms raised, and one is seen throwing a graduation cap. The overall mood is celebratory and hopeful.

PLAN FOR
**YOUR
FUTURE!**

SOUTH CAROLINA



NATIONAL JUVENILE DEFENDER CENTER

HAVE A JUVENILE RECORD? PLAN FOR YOUR FUTURE!

*A Guide to Collateral Consequences
of Juvenile Court Involvement*

Your juvenile
record doesn't
disappear when
you turn 18.

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Introduction

As you begin to move forward with your life after being involved in the juvenile court system, this guide provides information about what obstacles lay ahead and how to prepare yourself for them.

The court and police paperwork about your case are called your “juvenile record.” This record can affect your life for years to come. But you can still pursue your goals and build a bright future by understanding the challenges caused by a juvenile record and knowing what to do and where to get help.

The road forward might be met with challenges — but we hope this guide will show you that progress can be made and there is a community of advocates in South Carolina who are here to help you succeed.

“A journey of a thousand miles begins with a single step.” — Lao Tzu

Glossary

Adjudication: An adjudication is when you go to court and the juvenile court judge decides you broke the law. It is not a conviction.¹

Collateral Consequences: Collateral consequences are the ways that your juvenile record can create challenges for you as you move forward with your life, like getting a job, applying for college, finding a place to live, joining the military, or simply obtaining a driver's license.

Defense Lawyer: Your defense lawyer is the lawyer who defended you in your juvenile case, who may have been from the public defender's office or appointed by the judge. This person's job is to be sure the court hears your perspective in your juvenile case. Your lawyer may also be able to help you after your case is over.

Delinquent Act: If you are under 18 and you're accused of breaking the law, you are accused of a delinquent act, not a crime — as long as your case is in juvenile court.

Disposition: A disposition in family court is similar to a sentence in adult court. The disposition in your case is what the judge requires you to do because the judge decided that you broke the law. Your disposition could include probation, participating in a mentoring program, paying money, community service, being sent to a juvenile facility, and other requirements.²

Expungement: If your juvenile record is expunged, the record will be destroyed and you can deny the offense ever happened.³

Juvenile Record: Your juvenile record includes the court and police paperwork related to your juvenile case.

Taken into Custody: If you are under 17 and picked up by the police, it is called being *taken into custody* instead of being arrested.⁴ As of July 1, 2019, if you are under 18 years old and picked up by the police, it is called being *taken into custody* instead of an arrest.⁵

Making the Most of This Guide

Having a juvenile record can get in the way of future opportunities. The barriers created by your juvenile record are called “collateral consequences.” This guide provides basic information about the collateral consequences of a juvenile record in South Carolina and what you can do to overcome them.

Every young person’s situation is different. Depending on the offense you faced in court, you may have a suspended driver’s license or trouble enrolling back into school. The Summary Chart on page 6 tells you which collateral consequences are addressed in this guide, and where in the guide to look for more details. You can read the entire guide or jump to the sections that matter most to you.

Following the discussion on collateral consequences, you will find a Resources section. There are many organizations in South Carolina that are available to help you address the problems you are facing. The Resources section includes contact information for your local public defender office and organizations that can assist you with education, housing, immigration, and other collateral consequences.

This guide only talks about the consequences of juvenile court involvement – not adult criminal court involvement. Sometimes when youth are charged with serious crimes, they are charged as an adult even though they are under 17 years old. Here, we will only focus on juvenile records.

Because the law is always changing, some of the information in this guide might become outdated. Also, this guide does not discuss every collateral consequence or every detail of each consequence. You can contact the lawyer who represented you in juvenile court or someone at your local public defender office to make sure you have the most current information you need.

This guide is only intended to provide information, not legal advice.

How Should I Talk About My Juvenile Record?

It's important to pay attention to the specific words used when someone asks you a question in an interview or when you're filling out an application. If you are asked if you have a conviction or if you have ever been convicted of a crime, you can answer "No," as long as you do not have any adult court convictions. A juvenile adjudication is not a criminal conviction in South Carolina.⁶ Also, if an application asks about arrests, you can answer "No," as long as you have not been arrested as an adult.⁷

Juvenile records in South Carolina are confidential, so it is rare that you will need to tell people about your juvenile record. But, if you do, be careful and follow these tips:

- **Talk with the lawyer who represented you in your juvenile case or a lawyer from your local public defender office** about your juvenile record and how you should answer questions. A lawyer can provide you with specific advice.
- **Make sure the interviewer knows that under South Carolina law a juvenile adjudication is not the same as a criminal conviction.**
- **Be brief and don't give too many details.**
 - For example, "I have a juvenile adjudication for a misdemeanor from 2015."
 - If you are asked for more information about your specific adjudication, a lawyer can help you figure out what exactly you should say.

A juvenile adjudication
is *not* a criminal conviction.

- **Avoid blaming others.** It seems as if we do not take responsibility for our own actions when we blame others. If we do not take responsibility, then others may think we have not learned from our past mistakes.
- **Talk about how you have learned from your past.** “I made a youthful mistake, but I’ve changed. I’m more mature now, and I have stayed out of trouble since.”
- **Focus on the positive things you are doing in your life.**
 - I have good grades.
 - I graduated from high school (or completed my GED).
 - I’m attending college.
 - I volunteer with _____.
 - I have a job at _____.
 - I help take care of my younger siblings.
 - I help with household responsibilities, like chores and running errands for my parents.
- **Practice!** Sometimes it is hard to talk about your juvenile court involvement. Practice with a lawyer, friend, or mentor to make sure you feel comfortable.
- **Ask for a letter from a mentor, teacher, or other trusted leader that talks about your skills and strengths.** The letter can help show the employer or school that you work hard, show up on time, follow the rules, have a positive attitude, and are able to do the job or complete the school program.

South Carolina Collateral Consequences Summary Chart



MY JUVENILE RECORD

Page 11

1. Who can look at my juvenile record?

Your juvenile record is generally confidential (not available for people to see).

2. Can my juvenile record be used against me in later juvenile or adult criminal cases?

Yes. A judge can look at your juvenile record in future cases, which could lead to more serious consequences.

3. How can I keep people from looking at my juvenile record?

If you have an adjudication or arrest for a nonviolent offense, you can apply to get your record expunged (cleared).



SCHOOL

Page 16

4. Will my juvenile record affect my ability to go to my local public school?

Maybe. Your juvenile record can be shared with your school, which may affect whether you can continue to attend the same school.

5. Can I get accepted into a college, technical, or trade school if I have a juvenile record?

Yes, but you may need to say that you have a juvenile record on some applications, which could affect the school's decision to accept you.

6. Can I get a student loan to help pay for college, technical, or trade school?

Your juvenile record should not impact your ability to get federal college loans to help pay for school.



JOBS AND THE MILITARY

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7. Can I get a job if I have a juvenile record?

Yes, but you might need to say that you have a juvenile record on some job or occupational license applications, which could affect the employer's decision to hire you.

8. Can I join the military if I have a juvenile record?

Maybe. Your juvenile record might make it harder for you to enlist in the military.

South Carolina Collateral Consequences Summary Chart *(Continued)*



IMMIGRATION

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9. Will my juvenile record affect my immigration status?

It's complicated. Your juvenile record might affect your ability to remain in the United States.



PUBLIC BENEFITS AND HOUSING

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10. Can I get public benefits (like food stamps, Medicaid, SSI and TANF) with a juvenile record? What happens to my benefits if I am locked up?

You should be able to get public benefits with a juvenile record. But, getting locked up might affect things like food stamps (SNAP), Medicaid, Supplemental Security Income (SSI), and Temporary Assistance for Needy Families (TANF).

11. Can I live in public housing or get a housing voucher if I have a juvenile record?

Maybe. Depending on the type and location of offense, a juvenile record may limit your public housing options.

OTHER CONSEQUENCES

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12. What happens if I don't pay the court costs, fines, or restitution?

Your probation could be extended or terminated "unsuccessfully," and you might not be able to apply to get your record expunged (cleared).

13. If I had to give my fingerprints as part of my juvenile case, what happens to them after my case is closed?

If you are adjudicated for a felony, your fingerprints will be shared with the FBI and other law enforcement agencies. If you are not adjudicated for a felony or if your record is expunged, the state must destroy your fingerprint record.

14. If I had to give my DNA as part of my juvenile case, what happens to my DNA after my case is closed?

If you are adjudicated for a felony or certain misdemeanor offenses, your DNA sample will be kept in the state DNA database and can be shared with other law enforcement agencies for investigation purposes.

15. Do I have to register as a sex offender if I have a sex offense on my juvenile record?

Yes. If you are adjudicated for a sex offense, you will be placed on the sex offender registry for life.

South Carolina Collateral Consequences Summary Chart *(Continued)*



OTHER CONSEQUENCES *(Cont.)*

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<p>16. Can I get or keep my driver's license if I have a juvenile record? Can I get or keep my state ID if I have a juvenile record?</p>	<p>Maybe. The family court judge can restrict or suspend your driver's license until you are 17 or 18 years old. Your juvenile record should not impact your ability to get or keep your state ID.</p>
<p>17. Can I vote if I only have a juvenile record?</p>	<p>Yes. Your juvenile record should not impact your right to vote.</p>
<p>18. Can I serve on a jury if I only have a juvenile record?</p>	<p>Yes. Your juvenile record should not impact your ability to serve on a jury.</p>
<p>19. Can I own or carry a gun if I have a juvenile record?</p>	<p>Yes. Your juvenile record should not impact your ability to own or carry a gun.</p>

Collateral Consequences in South Carolina

Note to the reader: This section includes endnotes (small numbers at the end of a sentence or phrase that correspond to additional information at the end of the guide). The endnotes often tell you what laws or rules apply to the sentence containing the endnote number.



MY JUVENILE RECORD

▶ 1. Who can look at my juvenile record?

Court and police records about your juvenile case are confidential.⁸ This means they are not available to the public without a judge's approval. But there are some people who can see your record, like the police, prosecutors, Department of Juvenile Justice (DJJ) probation officers, judges, and family court employees.⁹ Your lawyer and other juvenile defense attorneys can also look at your record. A judge can share your juvenile record with someone else, but only if the judge decides there is a good reason to share it with that person.¹⁰

Certain state agencies can find out information about your juvenile record, such as DJJ, the Department of Social Services, and other agencies that provide services to youth.¹¹ Your records may also be shared with law enforcement agencies and prosecutors for "criminal justice purposes," like conducting investigations.¹² If a judge suspends your driver's license, that information will be sent to the Department of Motor Vehicles (DMV).¹³ Go to Question 16 for information about how your juvenile record might impact your driver's license.

Schools receive incident reports and disposition information for students charged with violent crimes, crimes involving weapons, and crimes



relating to schools.¹⁴ Go to Question 4 for information on how your juvenile record might affect your ability to attend your local school.

Your name, identity, and picture can be released to the press in certain cases. Newspapers and television stations can get your name or picture if you are adjudicated for a violent crime, grand larceny of a motor vehicle, a crime in which a weapon was used, or drug trafficking.¹⁵ This doesn't happen in every case, but it's good to be aware that it is possible.

▶ 2. Can my juvenile record be used against me in later juvenile or adult criminal cases?

Yes. A family court judge may look at your juvenile record when deciding the disposition if you are adjudicated for another charge in family court.¹⁶ If you become involved with the criminal court system as an adult, the judge can look at your juvenile record when considering whether to keep you locked up before trial or when deciding your sentence.¹⁷ And if you are adjudicated for certain crimes and you testify as a witness during a

trial, the judge may look at your juvenile record to question whether you are telling the truth.¹⁸

▶ 3. How can I keep people from looking at my juvenile record?

In some cases, your juvenile record can be expunged, which means your record will be destroyed.¹⁹ Once your juvenile record is expunged, you can answer that the arrest or adjudication never happened.²⁰

ELIGIBILITY REQUIREMENTS FOR EXPUNGEMENT

Offenses or charges that can be expunged:

- Status offenses (truancy – skipping school, underage possession of alcohol, running away from home, or incorrigibility – being beyond the control of your parents);²¹
- Non-violent offenses (all crimes that are not listed as “violent offenses” by South Carolina law);²² and
- Any offense for which you were found not guilty.²³

Offenses that cannot be expunged:

- Violent offenses (like drug trafficking, manufacturing or trafficking meth, armed robbery, carjacking, first degree domestic violence, first and second degree arson, first and second degree burglary, criminal sexual conduct and other serious sex offenses, murder, and crimes that result in someone dying);²⁴
- Traffic offenses (like driving under the influence or speeding);
- Fish, game, and wildlife offenses (like fishing without a license); and
- Sex offenses that require sex offender registration.²⁵

Other requirements you must meet to be eligible for expungement of a status or nonviolent offense:

- Must be at least 17 years old (beginning July 1, 2019, you will have to be at least 18 years old);²⁶
- Must successfully complete all conditions of your disposition, including probation and payment of all fines and restitution;
- Cannot have any felony adjudications that happened before the offense you want to expunge;

- Cannot have any criminal convictions after the adjudication for the offense you want to expunge; and
- Cannot have any pending criminal charges.²⁷

Figuring out whether your juvenile record can be expunged is tricky. Talk to a lawyer to get help!

HOW TO GET YOUR RECORD EXPUNGED

If you meet all the requirements outlined above, you can file an application for expungement with your county Solicitor's Office, which handles the paperwork and oversees the expungement process.²⁸ The Solicitor's Office is the prosecutor's office in your county.

If you were found not guilty, you can request an immediate expungement of your record at no cost, even if you were charged with a violent offense, sex offense, traffic offense, or fish, game, and wildlife offense.²⁹

For all other cases, when you file your application, you must pay a \$250 fee to the Solicitor's Office, \$25 verification fee to the South Carolina State Law Enforcement Division (SLED), and \$35 filing fee to the Clerk of Court.³⁰ Because the application fee is non-refundable, you should make sure that you are eligible for an expungement before you file your application. You can get a copy of your juvenile offense history by contacting the local DJJ office.

The judge must grant your request for expungement if you only have one status offense on your juvenile record.³¹ If you have more than one status offense, or if you have an adjudication for a nonviolent offense, the judge is not required to grant your request for expungement.³²

You should be ready to provide reasons why the judge should expunge your record. A good reason could be that you are applying to college or for

a job, and expunging your juvenile record may keep you from having to report it on applications. Another good reason is that you don't want your juvenile record to make it harder for you to get an occupational license. You can also tell the judge that you completed everything you were supposed to do for your juvenile case, and you would like to keep your record from blocking opportunities in the future.

If the judge expunges your juvenile record, the court records will be destroyed.³³ Police and prosecutor records will be sealed, which means that no one can look at them except for law enforcement and prosecutors, and they can only be used for investigations.³⁴ After your record is expunged, you can legally deny that you were ever arrested or charged with the expunged offense.³⁵

Your expunged felony juvenile record may still show up in a Federal Bureau of Investigation (FBI) background check. Fingerprint records for felony adjudications are shared with the FBI, and the FBI does not have to destroy the record when expunged. FBI background checks may be required for jobs related to working with children and vulnerable adults, law enforcement, the federal government, or the military. If the employer is running a background check through the FBI, you should be prepared to briefly explain that a juvenile adjudication is not the same as a criminal conviction, and follow the tips on how to talk about your juvenile record on page 4.

For help with expunging your juvenile record, contact the lawyer who represented you in family court or your local public defender office. The Resource section at the end of this guide includes how to find contact information for your local public defender's office. You can also find more information about sealing your juvenile record on the Clean Slate Clearinghouse website: <https://cleanslateclearinghouse.org/states/south-carolina/juvenile-record-overview/>.

Once your record is expunged, you can deny the offense ever happened.



SCHOOL

▶ 4. Will my juvenile record affect my ability to go to my local public school?

Maybe. School districts can use your juvenile record to suspend you, transfer you to an alternative school, or expel you — even if your charges were not related to school.³⁶

The police will notify your school if you are charged with selling drugs; a violent crime; a crime involving a weapon; or a crime on school property, at a school activity, or against school personnel.³⁷ These records become part of your permanent school record and can be shared with your teachers.³⁸ If you change schools, your juvenile record information will also be shared with your new school.³⁹ Principals can request copies of all incident reports regardless of the charge for any current, former, or future student.⁴⁰ After you graduate or turn 21 years old, schools are supposed to destroy your juvenile records.⁴¹

For suspensions less than 10 days, the school must send you a written explanation for the suspension and give you an opportunity to meet with the principal within three days of being suspended. You can also challenge the principal's decision by appealing to the school board.⁴²

For expulsions and suspensions of more than 10 days, the school must give you an opportunity for a formal hearing. You can be represented by a lawyer and question the witnesses against you. You can also challenge the expulsion decision by filing an appeal to the Circuit Court.⁴³

A school district can also assign you to any school in the district,⁴⁴ and it can consider your juvenile record when making that decision.⁴⁵ You could be assigned to a middle school or high school away from your neighborhood, or you could be sent to an alternative school.⁴⁶ In order to transfer you to an alternative school, the district must follow certain guidelines.⁴⁷ These guidelines are different for each school district, so it's important that you look at your district's rules about discipline and placement in an alternative school. If you are transferred to another



REMINDER!

Talk to a lawyer or other knowledgeable adult about what to say in a school meeting because what you say can be used against you in a juvenile or criminal court case.

school (including an alternative school), you can challenge the transfer decision by appealing to the school board.⁴⁸

If you move or want to transfer to a different school, the new school can decide to not let you enroll because of your juvenile record.⁴⁹ If the district decides you do not meet its “standards of conduct and behavior,” you may not be allowed into their schools. This ban can last for one year, but you can still enroll in night school or an adult education program.⁵⁰ You can challenge the school’s decision not to enroll you by appealing to the school board. At the school board hearing, you can be represented by a lawyer and ask questions of witnesses.⁵¹ You can challenge the school board’s decision by filing an appeal with the Circuit Court.⁵²

A lawyer or other knowledgeable adult can help you prepare for what to say when challenging the school’s decision to deny you admission, or suspend or expel you. The Resources section at the end of this guide includes contact information for organizations that may be able to provide representation or other assistance, such as South Carolina Legal Services or Protection & Advocacy for People with Disabilities, Inc.

You can be accepted into college even with a juvenile record. *Don’t let your juvenile record keep you from applying!*

▶ 5. Can I get accepted into college or a technical or trade school if I have a juvenile record?

Yes. Pay close attention to how the college application asks about your record. If the application asks if you have a *conviction*, you can answer “No,” if you only have a juvenile record and no adult record because *a juvenile adjudication is not a criminal conviction*.⁵³ If the application asks about *adjudications*, you may need to include information about your juvenile record. Go to page 4 for tips on how to talk about your juvenile record.

The Common Application (Common App) for college, which is used by more than 600 colleges and universities, asks:

Have you ever been adjudicated guilty or convicted of a misdemeanor or felony? Note that you are not required to answer “yes” to this question, or provide an explanation, if the criminal adjudication or conviction has been expunged, sealed, annulled, pardoned, destroyed, erased, impounded, or otherwise required by law or ordered by a court to be kept confidential.

The guidelines for the Common App say that being “adjudicated guilty” is the same thing as being adjudicated delinquent.⁵⁴ Because South Carolina juvenile records are confidential,⁵⁵ you can answer “No” to this question if you only have a juvenile record in South Carolina, you don’t have an adult record, and you don’t have a juvenile record in another state.⁵⁶ In the rare circumstance that the police or family court released your name or photo to the media when you were adjudicated of a serious offense, you may need to answer “Yes” to this question, unless your record has been expunged. Go to Question 1 for more information about the confidentiality of juvenile records.

The Common App also asks about school discipline violations. You are required to report your school discipline violations on the Common App even if they are related to your confidential or expunged juvenile record.

Many schools, including the University of South Carolina, do not ask questions about your juvenile record on their application.

6. Can I get a student loan to help pay for college, technical, or trade school?

Yes. To apply for a federal student loan to help pay for college, you must complete the Free Application for Federal Student Aid (FAFSA). The FAFSA asks whether you have been convicted of a drug charge while receiving federal student loans.⁵⁷ If you only have juvenile adjudications, you can answer “No” to this question — even if your juvenile record includes a drug-related offense — because this question is asking about adult convictions, not juvenile adjudications. And if you have never received federal student aid before, you can also answer “No” because the question is asking if you were convicted while receiving federal financial aid.

If you have a felony adjudication, you may not be eligible for some state scholarships.⁵⁸ If you have multiple drug or alcohol adjudications or convictions, your eligibility for state scholarships could be suspended for one academic year. You can remain eligible for the scholarship if you complete a drug or alcohol class or get the adjudication or conviction expunged.⁵⁹



JOBS AND THE MILITARY

7. Can I get a job if I have a juvenile record?

Yes, but your juvenile adjudication can have an impact on your employment opportunities.

Most employers don't ask about juvenile records, but some might. Remember, if an application asks whether you've been *convicted* of a crime, you can answer "No" as long as you only have a juvenile record.⁶⁰ A juvenile adjudication is *not* a criminal conviction.

An adjudication will not disqualify you from state employment,⁶¹ but it might make it harder to get an occupational license. Just like you need a driver's license to legally drive a car, some jobs require you to have an occupational license. For example, barbers, electricians, and nurses must have occupational licenses. The application for an occupational license might ask about your juvenile record.

However, if your juvenile record has been expunged, you do not need to disclose it on a job or occupational licensing application or in interviews.⁶² Go to Question 3 for information about expunging your juvenile record.

Your expunged felony juvenile record may still show up in a FBI background check. FBI background checks may be required for jobs related to working with children and vulnerable adults, law enforcement, the federal government, or the military. If the employer is running a background check through the FBI, you should be prepared to briefly



A juvenile adjudication
is *not* a criminal conviction.

explain that a juvenile adjudication is not the same as a criminal conviction, and follow the tips on how to talk about your juvenile record on page 4.

▶ **8. Can I join the military if I have a juvenile record?**

Your juvenile record might make it harder for you to join the military. Generally, the United States military does not treat juvenile records differently than adult records. If your record involves selling drugs, sex offenses, domestic violence, or a felony, you may need to request special

permission (a waiver) to enlist.⁶³ Each branch of the military has different rules about waivers. For more information, visit www.usa.gov/join-military or contact a recruiter.

You may need to give the military a copy of your family court paperwork, even if your record has been expunged.⁶⁴ Before you request to expunge your record, make sure to get a copy of your complete family court record. Go to Question 3 for more information about expunging your juvenile record.



IMMIGRATION

▶ 9. Will my juvenile record affect my immigration status?

Talk to an immigration lawyer to find out whether your juvenile record affects your ability to stay in the United States or become a legal resident. If you're adjudicated for certain types of offenses, it will be more difficult to get legal immigration status.⁶⁵

To help your lawyer figure out possible ways that you can get immigration status, tell your lawyer if you:

- Have been abused, neglected, or abandoned by a parent;
- Have been a victim of human trafficking or sex trafficking, or the victim of any crime; or,
- Are undocumented or have a green card or other type of legal status, such as a U visa.

Remember: Everything you tell your lawyer is confidential. This means your lawyer can't share anything you tell them with anyone else.

If you're undocumented or don't have legal status, even just being arrested can cause problems. If you're taken into custody or arrested by the police, Immigration and Customs Enforcement (ICE) may try to pick you up when you are released from the local jail or detention facility.



“ If anyone from the FBI or ICE asks you questions, especially about your immigration status or where you were born, you do not have to answer their questions without a lawyer.”

If anyone from the FBI or ICE asks you questions, especially about your immigration status or where you were born, you do not have to answer their questions without a lawyer.

For help with immigration issues, go to the Resources section at the end of this guide for contact information for organizations that may be able to provide you with legal representation in immigration matters. You can also find more information in the Immigrant Legal Resource Center's Guide for Immigrant Youth: www.ilrc.org/sites/default/files/documents/youth_handbook-2015-06_05-en.pdf.⁶⁶



PUBLIC BENEFITS AND HOUSING

▶ 10. Can I get public benefits (like food stamps, Medicaid, SSI, and TANF) with a juvenile record? What happens to my benefits if I'm locked up?

You should be able to get most public benefits with a juvenile record. If the application asks about convictions and you only have a juvenile record and no adult criminal convictions, you can answer “No.”⁶⁷

Getting locked up in a juvenile facility might affect things like food stamps (Supplemental Nutrition Assistance Program – SNAP), Medicaid, Supplemental Security Income (SSI), and Temporary Assistance for Needy Families (TANF). Your parents may not be able to get SSI checks for you, and your family's food stamps and TANF assistance could be reduced while you are locked up.⁶⁸ If you have health insurance through Medicaid and are sent to a locked juvenile facility, your Medicaid benefits will be suspended or terminated. Ask your probation officer or lawyer to help make sure your Medicaid benefits are restored when you are released.⁶⁹

For help with public benefits, go to the Resources section at the end of this guide for contact information for the South Carolina Legal Services office in your area.

▶ 11. Can I live in public housing or get a housing voucher if I have a juvenile record?

You and your family may not be allowed to live in public housing if you are involved with certain criminal activities — especially drugs or violence — even if you don't go to court.⁷⁰ In some situations, you may not be allowed to live in public housing at all; for example, if you have to register as a sex offender for life or if you are accused of making meth while on public housing property.⁷¹

While criminal background checks do not generally reveal juvenile records, there is no law that stops the housing authorities from asking whether you were ever charged with a crime, put on probation, or adjudicated in family court — all of which may be related to your juvenile record. Since each housing application is different, you should read the questions carefully.



For example, York County Housing Authority asks if any member of your household has ever been charged with “any crime.”⁷² Because South Carolina law treats juvenile offenses the same as a “crime,” you may have to answer “Yes” if you’ve been charged as a juvenile for illegal activity. Go to page 4 for tips on how to talk about your juvenile record.

If an application asks whether you’ve been convicted of a crime, you can answer “No” as long as you only have a juvenile record.⁷³

Also, your juvenile record may only keep you from getting housing for a certain period of time. For example, the Columbia Housing Authority may deny Section 8 housing applicants with a drug charge within the last five years,⁷⁴ but may consider an applicant with a drug charge older than that.

You may be able to challenge a housing authority’s decision to evict you or deny your housing application. Housing authorities are required to give you a hearing if you are denied housing or evicted for illegal activity.⁷⁵

For help with housing issues, go to the Resources section at the end of this guide for contact information for the South Carolina Legal Services office in your area.

“ If an application asks whether you’ve been convicted of a crime, you can answer “No” as long as you only have a juvenile record.”



OTHER CONSEQUENCES

▶ 12. What happens if I don't pay court costs, fines, or restitution?

The family court judge may order you to pay a fine of up to \$200 if you are adjudicated delinquent. But the judge cannot require you to pay that fine if you are committed (locked up) for any amount of time.⁷⁶ The judge can order you to pay restitution, which is to pay someone back for damage caused or property taken. The amount of restitution depends on several things, including the role you played in causing that person's loss and your ability to pay the restitution over time.⁷⁷

There can also be court costs and fees related to your case. Applying for a public defender costs \$40.⁷⁸ Participating in pre-trial intervention or diversion programs can cost up to \$350.⁷⁹ Some youth who have to wear electronic ankle monitors may have to pay for the cost of the monitoring services.⁸⁰

If you don't pay your restitution, fines, or court costs, your probation can be extended or terminated unsuccessfully, and you can't have your record expunged if you don't successfully complete probation.⁸¹ The family court judge can also decide that you violated the terms of your probation and lock you up in a juvenile facility for a period of time.⁸²

If you have questions about court costs, fines, or restitution in your case, contact the lawyer who represented you in family court or your local public defender office. The Resource section at the end of this guide includes how to find contact information for your local public defender's office.

▶ 13. If I had to give my fingerprints as part of my juvenile case, what happens to the fingerprint record after my case is closed?

If you were fingerprinted as part of your juvenile case, the fingerprint record may be sent to the South Carolina State Law Enforcement Division (SLED). If you were adjudicated for a felony, SLED can share your fingerprint record with the FBI and other law enforcement agencies.⁸³

SLED is required to destroy the record if you were not adjudicated for a felony or if you get your juvenile record expunged.⁸⁴ Go to Question 3 for more information about expunging your juvenile record.

Even though SLED notifies the FBI of the expungement,⁸⁵ the FBI does not have to destroy the record. Your expunged felony juvenile record may still show up in a FBI background check, which may be required for jobs related to working with children and vulnerable adults, law enforcement, the federal government, or the military. If the employer is running a background check through the FBI, you should be prepared to briefly explain that a juvenile adjudication is not the same as a criminal conviction, and follow the tips on how to talk about your juvenile record on page 4.

▶ **14. If I had to give my DNA as part of my juvenile case, what happens to my DNA after my case is closed?**

If you are taken into custody on a felony charge, you will have to give the police a DNA sample to be included in SLED's DNA database.⁸⁶ You also have to give a sample if you are adjudicated for eavesdropping or peeping, or if a judge orders you to give a sample.⁸⁷ The samples and related records are confidential, but they can be shared with other law enforcement agencies for criminal investigations and missing person cases.⁸⁸

Your DNA sample and records must be destroyed if you are not adjudicated for a felony, eavesdropping, or peeping.⁸⁹ This destruction should be automatic, and you should receive written notice that the records have been destroyed. If you do not receive written notice, you should contact the lawyer that represented you or someone at your local public defender office about getting the records destroyed. The Resource section at the end of this guide includes how to find contact information for your local public defender's office.

▶ **15. Do I have to register as a sex offender if I have a sex offense on my juvenile record?**

Yes. If you are adjudicated of a sex offense, you will have to register as a sex offender for the rest of your life.⁹⁰ You have one day to register

with the sheriff in the county where you live after being released from a juvenile facility.⁹¹

Your registration information (name and address) will only be available to the public if you were adjudicated for certain crimes: first and second degree criminal sexual conduct; first and second degree criminal sexual conduct with a minor (unless the judge finds that the sexual conduct was consensual); engaging a child for sexual performance; producing, directing, or promoting sexual performance by a child; kidnapping a person 18 years or younger (unless committed by a parent); kidnapping a person over 18 (unless no sexual offense was committed); and trafficking in persons.⁹² Information about other offenses (like eavesdropping and peeping) is only available to victims, witnesses, law enforcement, and organizations that work with children or vulnerable adults.⁹³

If you are required to register, you will have to report to the local sheriff's office at least twice a year for life, in every county where you live, own property, or attend school.⁹⁴ For certain offenses, you may be required to register every 90 days.⁹⁵ Each time you register, you will have to update your personal information, including contact information,⁹⁶ and you may even have to provide information about your internet accounts.

Additionally, you must notify the local sheriff whenever you move (within the same county, to a different county, or out of state), change jobs, or

“ If you have a sex offense on your record and you want to move or stay more than a few nights in another state, contact a lawyer first to make sure your plans will not negatively affect you. ”

attend a different school.⁹⁷ You may not be allowed to live near schools or playgrounds.⁹⁸ Some colleges may prohibit you from enrolling in courses, participating in campus activities, or living in on-campus student housing.⁹⁹

If you have a sex offense on your record and you want to move or stay for more than a few nights in another state, contact a lawyer first to make sure your plans will not negatively affect you.

If you are not sure whether you are required to register or have questions about registering, you can contact the lawyer who represented you in your juvenile case or someone at your local public defender office. The Resource section at the end of this guide includes how to find contact information for your local public defender's office.

16. Can I get or keep my driver's license or state ID if I have a juvenile record?

It depends. A family court judge may restrict or take away your driver's license as part of the disposition of your case.

The judge may restrict or take away your driver's license until your 17th birthday if you are adjudicated of a status offense, which is an act that would not be a crime if it were committed by an adult,¹⁰⁰ like truancy (skipping school), underage possession of alcohol, running away from home, or incorrigibility (being beyond the control of your parents). The judge may restrict or take away your driver's license until your 18th birthday if you are adjudicated for any other offense,¹⁰¹ even if your adjudication had nothing to do with driving. Instead of taking your license away completely, the judge might restrict your license so you can only drive to school or work, or limit your driving to certain hours of the day.

If you can't show that you are enrolled in school, you won't be able to apply for a license until you enroll in school or turn 17 years old.¹⁰² If you are expelled or not enrolled in school, you won't be able to get a learner's permit, a conditional license, or a special restricted license. Go to Question 4 for more information about how your juvenile record can impact your ability to attend school.

The Department of Motor Vehicles (DMV) can deny your license application or suspend your license if you drive a vehicle under the influence of alcohol.¹⁰³



Your juvenile record will not keep you from getting a state ID. Even if you can't get a driver's license, having identification is very important when you apply for jobs, school, benefits, and other programs. You can get a state ID card from your local DMV office. To get a state ID card, you will need to fill out an application and provide proof of your name, address, social security number, and place of birth.¹⁰⁴ You should bring your original birth certificate, social security card, and proof of address to the DMV when you fill out the application.

Go to the Resources section at the end of this guide for the DMV website and information about where to get a copy of your South Carolina birth certificate and other documents needed for a driver's license or state ID.

▶ **17. Can I vote if I have a juvenile record?**

Yes. Your juvenile record will not impact your right to vote.¹⁰⁵

▶ **18. Can I be on a jury if I have a juvenile record?**

Yes. Your juvenile record will not impact your ability to be on a jury.

▶ **19. Can I own or carry a gun if I have a juvenile record?**

Having a juvenile adjudication will not affect your right to lawfully own or carry a gun in South Carolina, as long as you only have a juvenile record and no adult criminal convictions.¹⁰⁶ Remember, it is illegal for a person under the age of 18 to possess a firearm unless they are supervised by a parent or a firearms instructor.¹⁰⁷

Resources

Public Defenders by County

Each county has its own public defender office that provides legal representation to low-income people facing charges in family and adult criminal courts. For contact information for each office, visit: www.sccid.sc.gov/about-us/county-public-defenders. If you have any questions about which office to contact, you can call the South Carolina Commission on Indigent Defense at (803) 734-1343.

South Carolina Legal Services

South Carolina Legal Services (SCLS) provides free legal assistance in civil legal matters, including education, housing, and public benefits. SCLS has nine offices throughout the state. To determine which office serves your county and for that office's contact information, visit <https://sclegal.org/locations/>. You can also call their statewide intake office at (888) 346-5592.

National Juvenile Defender Center

Please contact NJDC if you're having trouble finding a public defender, legal aid attorney, or other help with the collateral consequences of your juvenile court involvement. We will do our best to help find someone to assist you. You can call 202-452-0010, or visit our website (www.njdc.info) for more information.

EDUCATION ADVOCACY

Family Connection South Carolina

Family Connection provides parent-to-parent support to families of children with disabilities or special healthcare needs. They believe families with shared experiences are uniquely qualified to help each other by offering support, guidance, and encouragement. Family Connection's programs and services are family centered and based on the concept of parent-to-parent support. For more information, call (800) 578-8750 or visit www.familyconnections.org.

Parent Guide to Special Education Services in South Carolina

This guide was created by the South Carolina Department of Education and can be found at: <https://ed.sc.gov/scdoe/assets/file/programs-services/173/documents/ParentGuideNov12.pdf>. South Carolina Department of Education's website also provides information about special education regulation and policies, disability resources, and dispute resolution processes. www.ed.sc.gov/districts-schools/special-education-services.

Protection & Advocacy South Carolina

Protection & Advocacy (P&A) is a nonprofit corporation that protects and advances the legal rights of people with disabilities. P&A provides a variety of services that include information, referrals, training, legal representation, and advocacy for change. For more information, call (866) 275-7273 or visit www.pandasc.org.

South Carolina Legal Services

South Carolina Legal Services can assist with education matters to ensure young people are able to maintain access to education. To determine which office serves your county and for that office's contact information, visit <https://sclegal.org/locations/>. You can also call their statewide intake office at (888) 346-5592.

IMMIGRATION

Catholic Charities of South Carolina — Immigration Legal Services

Catholic Charities of South Carolina has four offices throughout the state. They provide low cost, high quality immigration legal services to those who cannot afford a private attorney. They handle primarily family-based immigration cases, including assisting immigrants in filing for permanent residency in the United States and helping immigrants to consular process through consulates abroad. Please call the office closest to you for appointment. You can find more information about their services, along with their contact information, at www.charitiessc.org/immigration-legal-services.

Lighthouse Immigration Legal Services

Lighthouse Immigration Legal Services is a non-profit organization located in North Charleston dedicated to providing the highest quality

of legal advocacy for low-income immigrants and their families who have been victims of crime in the United States. They also offer affordable immigration services for persons 18 and under. They represent clients in petitions and applications to U.S. immigration services as well as representing clients in immigration courts. For more information, call (843) 641-0462 or visit www.sclils.org.

South Carolina Legal Services

South Carolina Legal Services can assist victims of domestic violence, trafficking, and other serious crimes with applications for T visas, U visas, VAWA self-petitions, and battered spouse waivers. To determine which office serves your county and for that office's contact information, visit <https://sclegal.org/locations/>. You can also call their statewide intake office at (888) 346-5592.

HOUSING ASSISTANCE

Carolina Youth Development Center

Carolina Youth Development Center (CYDC) seeks to empower and equip children by providing a safe environment, educational support, and career readiness, in collaboration with families and community partners. CYDC provides shelter, job training, mentoring, and education programs. For more information, call (843) 266-5200 or visit www.cydc.org. They are located at 5055 Lackawanna Boulevard in North Charleston.

Palmetto Place Children's Shelter

Palmetto Place has an emergency shelter and residential homes for children, unaccompanied teens, and young adults in school. They provide food, clothing, shelter, medical and mental health services, and independent living programs. For more information, call (803) 786-6819 or visit www.palmettoplaceshelter.org. They are located in Columbia.

Sea Haven Inc.

The Sea Haven Shelter is a residential home that provides temporary shelter for youth ages 13-17. The shelter is a family style household with a structured environment and daily activities for the youth in residence. The shelter is located at 280 Hwy 57 South, in Little River.

Sea Haven also has a transitional living program for 16 to 22 year olds. They provide housing, medical, employment, education, and parenting services. The transitional living program is located at 307 A Hwy 15, in Myrtle Beach.

Sea Haven's street outreach program is called Project Lighthouse. They provide drop-in services for youth who find themselves on the street. These services include educational, informational, and prevention support. The drop-in center is located at 305-C Highway 15, Hewitt Plaza, in Myrtle Beach.

Transitions — Youth Program

The Transitions Youth Program is designed to link 18-24 year olds with youth-specific case management, housing, programs, and classes, including higher education and job training programs. For more information, call 803-708-4861 or visit www.transitionssc.org/programs-and-services/program-overview. They are located at 2025 Main Street in Columbia.

OTHER RESOURCES

2-1-1

South Carolina 2-1-1 is the one-stop resource for finding assistance in your local community, including housing, education, employment, homeless assistance, and reentry support. www.sc211.org.

DJJ Job Readiness Training Center

The Job Readiness Training Center provides life and job skills classes to DJJ youth on probation, parole, or in committed status ranging primarily from ages 12 to 18, and other youth as part of the agency's prevention and intervention efforts. For more information, call (803) 896-2106 or visit <http://www.state.sc.us/djj/jrtc.php>. The Center is located at 1600 Shivers Road in Columbia.

Driver's License or State Identification Cards

- South Carolina Department of Motor Vehicles: www.scdmvonline.com.
- To get a copy of your birth certificate (if you were born in South Carolina): www.scdhec.gov/VitalRecords/BirthCertificates.

- To get your Social Security Card: <https://faq.ssa.gov/ics/support/KBList.asp?folderID=421>.

Expungement Assistance and Information

- Local public defender offices: www.sccid.sc.gov/about-us/county-public-defenders.
- South Carolina Legal Services: (888) 346-5592 or www.sclegal.org.
- Local solicitor's offices: www.prosecution.state.sc.us/Content/Solicitors.aspx.
- Expungement overview: www.state.sc.us/djj/pdfs/Expungement%20Fact%20Sheet.pdf.
- Local DJJ offices (to get a copy of your juvenile record): (803) 896-9749 or www.state.sc.us/djj/countyoffices.php.

Kid's Law

Kid's Law is a guide that provides you with an overview of several areas of the law affecting young people in South Carolina. Its purpose is to educate you about issues that you or your peers are likely to encounter. It uses a question and answer format to directly address questions that are frequently asked by people your age.

<http://childlaw.sc.edu/frmPublications/Kids%20Law%20Book.pdf>.

South Carolina Youth Advocate Program — Youth Opportunities Program

The Youth Opportunities Program provides education, job training, housing, basic life skills, and medical services for youth, ages 16-21.

For more information, call (800) 882-5513 or visit

<https://scyap.com/ProgramsServices/CommunityBasedServices/YouthOpportunitiesProgram.aspx>.

Youthbuild – Employment Program

Youthbuild is a program for low-income, young adults who have left high school prior to graduation and experience difficulty obtaining meaningful employment. The project targets eligible youth who are residents of South Carolina's Enterprise Community of Lake City and Williamsburg County. Emphasizing youth empowerment, the project provides construction skills training, academic tutoring, and job placement assistance. Participants must be 18 to 24 years of age and residents of the Enterprise Community. For more information, call (843) 354-5708. The program is located at 500 North Academy Street in Kingstree.

Endnotes

- ¹ S.C. CODE ANN. § 63-19-1410(C) (2008).
- ² S.C. CODE ANN. §§ 63-19-1410 (2008), 63-19-1420 (2008), 63-19-1430(D) (2008), 63-19-1440 (2012).
- ³ S.C. CODE ANN. § 63-19-2050 (2015).
- ⁴ S.C. CODE ANN. § 63-19-810(A) (2008).
- ⁵ S.B. 916, 2015-2016 Gen. Assembly (S.C. 2016) (enacted); S.C. CODE ANN. § 63-19-810(A) (2008).
- ⁶ S.C. CODE ANN. § 63-19-1410(C) (2008).
- ⁷ S.C. CODE ANN. § 63-19-810(A) (2008).
- ⁸ S.C. CODE ANN. §§ 63-19-2010 (2008), 63-19-2020 (2008), 63-19-2030 (2008).
- ⁹ S.C. CODE ANN. §§ 63-19-2010 (2008), 63-19-2020(A) (2008), 63-19-2030(A) (2008).
- ¹⁰ S.C. CODE ANN. § 63-19-2010 (2008).
- ¹¹ S.C. CODE ANN. § 63-19-2020(B) (2008).
- ¹² S.C. CODE ANN. §§ 63-19-2020(G) (2008), 63-19-2030(D) (2008).
- ¹³ S.C. CODE ANN. § 63-19-1420(C) (2008).
- ¹⁴ S.C. CODE ANN. §§ 63-19-2020(E) (2008), 63-19-2030(E) (2008).
- ¹⁵ S.C. CODE ANN. § 63-19-2040(A)(4) (2008).
- ¹⁶ *See, e.g.*, S.C. CODE ANN. § 63-19-1410(B) (2008).
- ¹⁷ *See Hayden v. State*, 322 S.E.2d 14 (S.C. 1984).
- ¹⁸ S.C. R. EVID. 609(d) (1995).
- ¹⁹ S.C. CODE ANN. § 63-19-2050 (2015).
- ²⁰ S.C. CODE ANN. § 63-19-2050(E) (2015).
- ²¹ S.C. CODE ANN. § 63-19-2050(C)(1) (2015).
- ²² S.C. CODE ANN. §§ 63-19-2050(C)(2) (2015), 16-1-70 (1986). South Carolina law lists all violent offenses. *See* S.C. CODE ANN. § 16-1-60 (2015).
- ²³ S.C. CODE ANN. § 63-19-2050(C)(3) (2015).
- ²⁴ *See generally* S.C. CODE ANN. §§ 63-19-2050(C)(2) (2015), 16-1-70 (1986). South Carolina law lists all violent offenses. *See* S.C. CODE ANN. § 16-1-60 (2015).
- ²⁵ *See generally* S.C. CODE ANN. § 63-19-2050(A) (2015).
- ²⁶ S.C. CODE ANN. § 63-19-2050(C)(3) (2015); S.B. 916, 2015-2016 Gen. Assembly (S.C. 2016) (enacted).
- ²⁷ S.C. CODE ANN. § 63-19-2050(C) (2015).
- ²⁸ S.C. CODE ANN. § 17-22-910 (2015).
- ²⁹ S.C. CODE ANN. § 63-19-2050(C)(3) (2015).

- ³⁰ S.C. CODE ANN. §§ 17-22-940(A), (G) (2014), 8-21-310(21) (2012).
- ³¹ S.C. CODE ANN. § 63-19-2050(C)(1) (2015).
- ³² S.C. CODE ANN. § 63-19-2050(C) (2015).
- ³³ S.C. CODE ANN. § 63-19-2050(D) (2015).
- ³⁴ S.C. CODE ANN. § 17-1-40(A), (B) (2016).
- ³⁵ S.C. CODE ANN. § 63-19-2050(E) (2015).
- ³⁶ See generally S.C. CODE ANN. § 59-63-210(A) (2001).
- ³⁷ S.C. CODE ANN. §§ 63-19-2020(E) (2008), 63-19-2030(E) (2008), 59-63-370 (1998).
- ³⁸ S.C. CODE ANN. § 59-63-370(2)-(4) (1998).
- ³⁹ S.C. CODE ANN. § 59-63-370(4) (1998).
- ⁴⁰ S.C. CODE ANN. § 63-19-2030(E) (2008).
- ⁴¹ S.C. CODE ANN. § 63-19-2020(E)(2)(b) (2008).
- ⁴² S.C. CODE ANN. § 59-63-230 (1973).
- ⁴³ S.C. CODE ANN. § 59-63-240 (1973).
- ⁴⁴ S.C. CODE ANN. § 59-19-90(9) (2003).
- ⁴⁵ S.C. CODE ANN. § 59-63-1320(2) (1999).
- ⁴⁶ S.C. CODE ANN. §§ 59-63-1320(3) (1999), 59-63-250 (1973).
- ⁴⁷ S.C. CODE ANN. §§ 59-63-1320(3) (1999).
- ⁴⁸ S.C. CODE ANN. § 59-63-250 (1976).
- ⁴⁹ S.C. CODE ANN. § 59-63-217 (1992).
- ⁵⁰ S.C. CODE ANN. § 59-63-217(C) (1992).
- ⁵¹ See generally S.C. CODE ANN. § 59-63-217(B) (1992).
- ⁵² S.C. CODE ANN. §§ 59-63-217(B) (1993), 59-63-240 (1973).
- ⁵³ S.C. CODE ANN. § 63-19-1410(C) (2008).
- ⁵⁴ *What is "Adjudicated Delinquent?"*, THE COMMON APPLICATION: APPLICANT SOLUTIONS CTR., <https://appsupport.commonapp.org/link/portal/33011/33013/Article/778/Adjudicated-delinquency> (last visited Dec. 1, 2017).
- ⁵⁵ S.C. CODE ANN. §§ 63-19-2010 (2008), 63-19-2020 (2008), 63-19-2030 (2008).
- ⁵⁶ Email from Alice Singdahlsen, Chief Financial & Administrative Officer, The Common Application, to D. Michael Mathison, South Carolina Reentry Fellow, Nat'l Juv. Def. Ctr. (Sept. 25, 2017) (on file with NJDC) (despite the confusing wording in the FAFSA question, Ms. Singdahlsen confirmed that people with only South Carolina juvenile adjudications can answer "no" to this question).
- ⁵⁷ See 20 U.S.C. § 1091(r) (West 2015); *Students with Criminal Convictions Have Limited Eligibility for Federal Student Aid*, FED. STUDENT AID, www.studentaid.ed.gov/node/55 (last visited Nov. 10, 2017).

- ⁵⁸ S.C. CODE ANN. REGS. §§ 62-1200.10(A)(7) (2011), 62-900.95(A)(5) (2011), 62-315(A)(6) (2011), 62-465(A)(6) (2011).
- ⁵⁹ *Id.*
- ⁶⁰ S.C. CODE ANN. § 63-19-1410(C) (2008).
- ⁶¹ *Id.*
- ⁶² S.C. CODE ANN. § 63-19-2050(E) (2015).
- ⁶³ *See generally* 32 C.F.R. § 66.6 (West 2016) (listing the military's basic enlistment rules).
- ⁶⁴ *See* 32 C.F.R. § 66.3 (West 2016); DEP'T OF THE ARMY, REG. 601-210, REGULAR ARMY & RESERVE COMPONENTS ENLISTMENT PROGRAM 14 (Aug. 31, 2016) (providing examples of how the military views sealed or expunged cases).
- ⁶⁵ 8 U.S.C. §§ 1227(a)(2) (West 2008), 1182(a)(2) (West 2013).
- ⁶⁶ IMMIGRANT LEGAL RES. CTR., LIVING IN THE UNITED STATES: A GUIDE FOR IMMIGRANT YOUTH (2015), www.ilrc.org/sites/default/files/documents/youth_handbook-2015-06_05-en.pdf.
- ⁶⁷ S.C. CODE ANN. § 63-19-1410(C) (2008).
- ⁶⁸ S.C. CODE ANN. REGS. § 114-1130(H)-(I) (1997).
- ⁶⁹ S.C. CODE ANN. REGS. § 126-365(B)(4) (1996).
- ⁷⁰ 24 C.F.R. § 966.4(l)(5)(i)(B), (l)(5)(iii) (West 2017).
- ⁷¹ 24 C.F.R. §§ 982.553(a)(1)(ii)(C)-(a)(2)(i) (West 2016), 960.204(a)(3)-(4) (West 2017).
- ⁷² *See, e.g.*, YORK HOUS. AUTH., APPLICATION FOR ADMISSION 4 (on file with author).
- ⁷³ S.C. CODE ANN. § 63-19-1410(C) (2008).
- ⁷⁴ *See* COLUMBIA HOUS. AUTH., POLICY B-3 § 8.4(C), ADMISSIONS & CONTINUED OCCUPANCY POLICY 21 (2017), www.nebula.wsimg.com/eb12ca2707ed47bf4831c84227bbcd0e?AccessKeyId=101D5BBA45EBE08B2B04&disposition=0&alloworigin=1.
- ⁷⁵ 42 U.S.C. § 1437d(k) (West 2013).
- ⁷⁶ S.C. CODE ANN. § 63-19-1410(A)(3) (2008).
- ⁷⁷ *Id.*
- ⁷⁸ S.C. CODE ANN. § 17-3-30(B) (2007).
- ⁷⁹ S.C. CODE ANN. § 17-22-110 (1997).
- ⁸⁰ S.C. CODE ANN. § 23-3-540(K) (2015).
- ⁸¹ S.C. CODE ANN. § 63-19-2050(C)(3) (2015).
- ⁸² *See* S.C. CODE ANN. § 63-19-1440(F) (2012). *See also In re Timothy C. M.*, 560 S.E.2d 452 (S.C. Ct. App. 2002) (holding youth can be jailed for failure to pay restitution).
- ⁸³ S.C. CODE ANN. § 63-19-2030(I)-(J) (2008).

- ⁸⁴ S.C. CODE ANN. § 63-19-2030(L) (2008).
- ⁸⁵ S.C. CODE ANN. REGS. § 73-26 (2001).
- ⁸⁶ S.C. CODE ANN. § 23-3-620(A) (2009).
- ⁸⁷ *Id.*
- ⁸⁸ *See generally* S.C. CODE ANN. § 23-3-640 (2004).
- ⁸⁹ S.C. CODE ANN. § 23-3-660 (2009).
- ⁹⁰ S.C. CODE ANN. § 23-3-430 (2015).
- ⁹¹ S.C. CODE ANN. § 23-3-440(3) (2010).
- ⁹² S.C. CODE ANN. § 23-3-490(D)(1) (2015).
- ⁹³ S.C. CODE ANN. § 23-3-490(D)(2) (2015).
- ⁹⁴ S.C. CODE ANN. § 23-3-460(A) (2010).
- ⁹⁵ *Id.*
- ⁹⁶ S.C. CODE ANN. REGS. § 73-260(B) (1996).
- ⁹⁷ S.C. CODE ANN. § 23-3-460 (2010).
- ⁹⁸ S.C. CODE ANN. § 23-3-535(B) (2010).
- ⁹⁹ *See, e.g.,* COASTAL CAROLINA U., APPLICATION FOR UNDERGRADUATE ADMISSION 3, <http://www.coastal.edu/media/administration/admissions/files/pdf/UndergraduateAdmissionApplication.pdf> (last visited Dec. 4, 2017); S.C. CODE ANN. § 23-3-465 (2005).
- ¹⁰⁰ S.C. CODE ANN. §§ 63-19-1420(A) (2008), 63-19-20(9) (2008).
- ¹⁰¹ S.C. CODE ANN. § 63-19-1420(B) (2008).
- ¹⁰² S.C. CODE ANN. § 56-1-176 (2002).
- ¹⁰³ S.C. CODE ANN. § 56-1-286 (2016).
- ¹⁰⁴ S.C. CODE ANN. § 56-1-90 (2017). For a list of acceptable documentation, you can review the application form at the DMV website. *Identification Cards*, S.C. DEP'T OF MOTOR VEHICLES ONLINE, <http://www.scdmvonline.com/Driver-Services/Identification-Cards> (last visited Dec. 4, 2017).
- ¹⁰⁵ *See* S.C. CODE ANN. § 63-19-1410(C) (2008).
- ¹⁰⁶ S.C. CODE ANN. §§ 16-23-500 (2016), 16-1-60 (2015), 16-23-30 (2008), 63-19-1410(C) (2008).
- ¹⁰⁷ *See generally* S.C. CODE ANN. § 16-23-30(B) (2008).

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NATIONAL JUVENILE DEFENDER CENTER

The National Juvenile Defender Center (NJDC) is a nonprofit, nonpartisan organization dedicated to promoting justice for all children by ensuring excellence in juvenile defense. Through community building, training, and policy reform, we provide national leadership on juvenile defense issues with a focus on curbing the deprivation of young people's rights in the court system. Our reach extends to urban, suburban, rural, and tribal areas, where we elevate the voices of youth, families, and defenders to create positive case outcomes and meaningful opportunities for children. We also work with broad coalitions to ensure that the reform of juvenile courts includes the protection of children's rights — particularly the right to counsel. To learn more about NJDC, please visit www.njdc.info.

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