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South Carolina  
DEPARTMENT OF  
JUVENILE JUSTICE

[www.state.sc.us/djj](http://www.state.sc.us/djj)

Henry McMaster  
Governor  
State of South Carolina

Freddie B. Pough, Interim Director

**TO:** Parent and Law Enforcement

**FROM:** Edward Golden, County Director

**SUBJECT:** Guidelines for Incurrigible Petitions on juveniles **ages 12-16**

Parents/legal guardians have the right to expect their child's cooperation and obedience. If the child refuses to obey, runs away from home, refuses to attend school, or becomes incorrigible (beyond your control), a parent may request or the family court may require a child to appear before a judge to explain their actions. Prior to a court appearance, however, certain steps must be taken.

In the Second Judicial Circuit the Solicitor determines whether a child will appear in family court. In order to make this decision, the Solicitor will need to be provided with an incident report or a notarized affidavit (a written statement about the child's behaviors).

An incident report will be completed by Law Enforcement if officers are called to respond to a situation in the home. The report will document behaviors such as running away, noncompliance with household rules, refusing to go to school, being disrespectful towards adults in the home, violating curfew and other behaviors that are out of the parent/legal guardian's control. Law Enforcement will forward the reports to the Barnwell County DJJ office where they will be processed then sent to the solicitor's office for review. Based on the information received, the solicitor's office may decide to prosecute and take the juvenile to court, refer to a diversion program such as arbitration or intensive intake, require compliance with a contract or dismiss the charges.

A notarized affidavit can be submitted by a parent or legal guardian of an incorrigible child; however, prior to completing the affidavit the parent will need to take the child to one of the local resources (see attachment) for counseling or other supportive services. The parent will be expected to schedule and maintain appointments and cooperate with the service provider. After two or more consecutive sessions with no notable improvements, the parent must then obtain on letterhead a written statement from the service provider. The statement must indicate that the child and /or family participated in the recommended services but no progress was made or that the child repeatedly failed to keep scheduled appointments. This statement should also indicate the parent's level of cooperation, including transporting the child to appointments and a willingness to participate in family counseling if deemed necessary. The written statement and notarized affidavit would then be taken to the Second Circuit Family Court Solicitor's office for review.

Bamberg/Barnwell County DJJ Staff

## **BARNWELL COUNTY LOCAL RESOURCES LIST**

If the parents or guardian comply with the solicitors' requirements as set out above, a petition may be filed at the discretion of the Solicitor's Office. Please contact our office at 803-259-7114 if you need further assistance.

<b>AGENCY</b>	<b>PHONE/WEBSITE</b>	<b>SERVICES</b>
John de la Howe School	(864) 391-21231 <a href="http://www.delahowe.k12.sc.us">www.delahowe.k12.sc.us</a>	Residential Service
William J. McCord Adolescent Treatment Facility	(803) 534-2328 <a href="http://www.tccada.com">www.tccada.com</a>	Adolescent Addiction Treatment
Wil Lou Gray Opportunity School	(803) 822-5480 <a href="http://www.willougray.org">www.willougray.org</a>	Residential Services
Youth Challenge Academy	803-299-4872 <a href="http://www.scyouthchallenge.com">www.scyouthchallenge.com</a>	Residential Services
JOB CORPS	800-733-5627 <a href="http://www.jobcorps.gov">www.jobcorps.gov</a>	Job search, placement
Polly Best Center of Barnwell Aiken-Barnwell Mental Health Center	(803) 259-7170 <a href="https://www.state.sc.us/dmh/ab/polly.html">https://www.state.sc.us/dmh/ab/polly.html</a>	Treatment for Emotional Disorders and Medication Management
AXIS 1 Center of Barnwell	(803) 541-1245 <a href="http://www.axis1.org">www.axis1.org</a>	Adolescent Addiction Treatment and Behavioral Health
Continuum Of Care	(803) <a href="http://www.coc.sc.gov">www.coc.sc.gov</a>	Youth with the most severe and complex emotional or behavioral health challenges