



**Daniel Coble**  
Judge

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## **SETTLEMENT APPROVAL HEARINGS**

The court requires the below information and documents for all settlement hearings.

### **Minor Settlement Approval Hearings**

- **The minor child must be present;**
- The proposed Guardian *ad Litem* must be present;
- You must inform the court as to whether a court reporter or translator is needed;
- You must provide a Petition to Appoint Guardian *ad litem*;
- You must provide a Petition to Approve Settlement;
- You must provide a Disbursement Sheet;
  - o Disbursement sheet must include whether there are liens and the amount of the liens
  - o If no liens exist, you must inform the court the amount of medical expenses incurred
- You must provide a Proposed Order Appointing Guardian *ad Litem*;
- You must provide a Proposed Order Approving Settlement; and
  - o The Proposed Order must list all liens to be paid
- If the net amount to minor exceeds \$15,000.00/year, a conservator must be appointed or a structured settlement must be established, which requires:
  - o A copy of the Certificate of Appointment of Conservator; or
  - o A copy of the documents establishing a structured settlement

### **Wrongful Death and Survival Settlement Approval Hearings**

- **The Personal Representative of the Estate must be present;**
- You must inform the court as to whether a court reporter or translator is needed;
- You must provide a Petition to Approve Settlement;
  - o To include statutory beneficiaries of wrongful death and survival actions
  - o To include proportion of proceeds going to each action
- You must provide a Disbursement Sheet; and
- Proposed Order Approving Settlement

\*All attorneys are responsible for reviewing S.C. Code Ann. §§ 62-5-433 and 15-51-10 *et seq.*