



SOUTH CAROLINA LEGAL SERVICES PRIORITIES FOR 2014

CONSUMER/FINANCE

Secure and Retain Property for Low-Income Families and Enforce Consumer Protection Laws

- I. Cases
 - A. Bankruptcy/Debtor Relief
 - 1. Chapter 7& 13 to save a home, car, or medically necessary equipment or where there is substantial harassment from creditors affecting the mental and/or physical well-being of the client.
 - B. Collection (Including Repossession/Deficiency/Garnishment)
 - 1. Where the client has been served with pleadings or property has been repossessed
 - 2. Where the client disputes the debt or the amount of debt
 - C. Contracts/Warranties
 - D. Collection Practices/Creditor Harassment
 - E. Predatory Lending Practices (Not Mortgages)
 - F. Loans/Installment Purchase (Not Collections)
 - G. Public Utilities
 - H. Unfair Sales Practices
 - I. Other Consumer/Finance
- II. Matters
 - A. Conduct consumer outreach and education clinics on foreclosure, debt collection and bankruptcy
 - B. Improve access to Bankruptcy Court by addressing restrictive practices of credit counseling agencies both internally and externally
 - C. Provide training to staff on consumer law issues
 - D. Work with agency partners to increase awareness of consumer issues
- III. Goals
 - A. Enable low-income families to protect their property
 - B. Ensure that consumer protection laws are enforced and consumer rights are exercised

- IV. Projected Outcomes
 - A. Increased access to services and courts and increased awareness of consumer issues
 - B. Increased consumer knowledge of their legal rights and how to preserve and protect these rights
 - C. Increased knowledge, experience and efficiency of staff
 - D. Increased number of consumer case referrals to and from agency partners

EDUCATION

Ensure and maintain access to education

- I. Cases
 - A. Discipline (Including Expulsion and Suspension)
 - B. Special Education (Includes Section 504 Plans)
 - C. Access (Including Bilingual, Residency, Testing and Enrollment)
 - D. Vocational Rehabilitation
 - E. Student Financial Aid
 - F. Other Education (Includes School Fees and Charges)
- II. Matters
 - A. Develop and distribute education brochures
 - B. Community outreach and community legal education to increase access to services and increase awareness of education issues
 - C. Provide training to staff on education issues
 - D. Develop agency partnerships to increase awareness of education issues
- III. Goals
 - A. Increase the awareness of the rights and responsibilities of children in the educational system
 - B. Ensure that every child has the opportunity for a quality education
- IV. Projected Outcomes
 - A. Increased access to services and increased awareness of education issues
 - B. Knowledgeable parents will be better able to advocate for their children
 - C. Increased efficiency of staff
 - D. Increased number of education case referrals to and from agency partners
 - E. Increased legal knowledge of school officials and agencies that impact the opportunity for a quality education

EMPLOYMENT

Ensure the Economic Stability of Low-Income Workers by Allowing Access to Employment Remedies

- I. Cases
 - A. Employment Discrimination (Representation at administrative level (informal hearing with employer) and representation at court level where the administrative process has been exhausted and a Right to Sue Letter issued by EEOC)
 - B. Wage Claims (Representation at administrative level (informal hearing with employer) and representation at court level where the administrative process has been exhausted)
 - C. EITC (Earned Income Tax Credit)
 - D. Taxes (Not EITC)
 - E. Employee Rights
 - F. Agricultural Worker Issues (Not Wage Claims/FLSA Issues)
 - G. Other Employment (including wrongful termination) (Representation at administrative level (informal hearing with employer); Representation at court level where the administrative process has been exhausted provided it has been reasonably determined that damages or the amount in question is not sufficient for a private attorney to accept or if the applicant does not have the consultation fees required by private attorneys.
 - H. Cases to resolve problems preventing employment (e.g. driver's license suspension)
- II. Matters
 - A. Develop and distribute employment brochures
 - B. Community outreach and community legal education to increase access to services and to increase awareness of employment issues
 - C. Provide training to staff on employment issues
 - D. Develop agency partnerships to increase awareness of employment issues
 - E. Legal Education clinics on process to expunge criminal records
- III. Goals
 - A. Increase awareness of employment law issues for low-income citizens in South Carolina
 - B. Ensure that employment protection laws are exercised and enforced
- IV. Projected Outcomes
 - A. Increased access to services and increased awareness of employment issues
 - B. Knowledgeable individuals will be better able to advocate for themselves and avoid legal problems
 - C. Increased efficiency of staff
 - D. Increased number of employment case referrals to and from agency partners
 - E. Conduct expungement clinics statewide to increase access to employment

FAMILY

Ensure Safety, Housing and Economic Stability of the Family Unit

- I. Cases
 - A. Adoption where an increased economic benefit can be obtained
 - B. Visitation only when non-custodial parent is current in child support and where there is obvious benefit to the child
 - C. Custody - defend already filed custody actions only when doing so is in the best interest of the child (ren)
 - D. Custody - initiate:
 - 1. Cases where a minor has been abused, neglected, or threatened with harm (i.e. "at risk") (non DSS involvement)
 - 2. Cases where the non-custodial parent has removed the child and refuses to return the child to the custodian
 - 3. Custodian needs an order to prevent eviction from public housing
 - 4. Custodian needs an order to deal with school/medical issues
 - 5. Custodian needs an order when a parent is enlisting in the US Military
 - 6. Third party custody intervention actions to keep child out of foster care
 - E. Divorce/Separation/Annulment
 - 1. Divorce in situations of domestic abuse we can file
 - F. Name Change - obtain or amend birth certificate where economic benefit can be gained or to allow for issuance of a passport or government ID
 - G. Guardianship and conservatorship issues
 - H. Domestic Abuse, where necessary, to include assistance in getting Orders of Protection
 - I. Child Support Reductions - where the obligor is disabled and/or has a disability case pending with supporting medical documentation; the obligor is involuntarily unemployed and is actively looking for employment; the obligor is within the self-support reserve amount of monthly income and is not voluntarily underemployed
 - J. Other Family
 - Contempt - Rule to Show Cause
 - 1. Defend when defendant is not in willful contempt
 - 2. File contempt action to enforce Family Court Orders which are not enforceable by the Clerk of Court
- II. Matters
 - A. Develop and distribute family brochures
 - B. Community outreach and community legal education to increase access to services and to increase awareness of family issues
 - C. Provide training to staff on family issues
 - D. Develop agency partnerships to increase awareness of family issues
- III. Goals
 - A. Ensure that low-income families have safe and permanent homes with sufficient income and the involvement of both parents in the child's life

- B. To increase and preserve safety by reducing the violence experienced by families
- C. To increase and preserve family stability through legal intervention
- D. To increase and preserve physically and mentally healthy individuals and families through legal intervention
- E. To increase the legal knowledge of domestic violence and rape crisis advocates, law enforcement agencies, fatherhood practitioners, and other agencies with an emphasis on the Hispanic community that advocate for low-income families

IV. Projected Outcomes

- A. Increased access to services and increased awareness of family issues and domestic violence
- B. Knowledgeable families will be better able to advocate for themselves and avoid legal problems
- C. Increased efficiency of staff
- D. Increased number of family case referrals to and from agency partners
- E. More low-income individuals will be empowered to advocate for and represent themselves in family court
- F. More low-income parents will be empowered to advocate for and represent themselves in family court and avoid imprisonment where child support reduction is warranted
- G. Increased awareness of domestic violence and rape crisis advocates and Fatherhood practitioners; raised awareness of family dynamics and increased number of family law referrals
- H. Increased awareness of domestic violence, child abuse and neglect, custody and visitation, grounds for divorce and child support guidelines

HEALTH

Ensure the Access to Health Care to Low-Income Individuals

I. Cases

- A. Medicaid
 - 1. Representation at the administrative level and in court regarding the termination, overpayment, or denial of or other limitation of medical services
 - 2. Representation in collection actions regarding the Medicaid process
- B. Medicare
 - 1. Representation at the administrative level and in District Court regarding the termination, overpayment, or denial of Medicare process
 - 2. Representation in collection actions regarding the Medicare process
- C. Government Children's Health Insurance Programs
- D. Home and Community Based Case
- E. Private Health Insurance
- F. Long Term Health Care Facilities
- G. State and Local Health
- H. Other Health

1. Nursing home and home health care issues
2. Mental health care issues
3. Basic health care services to medically indigent

II. Matters

- A. Develop and distribute healthcare brochures
- B. Community outreach and community legal education to increase access to services and to increase awareness of healthcare issues
- C. Provide training to staff on healthcare issues
- D. Develop agency partnerships to increase awareness of healthcare issues
- E. Advocating for increased charity care with community health care partners

III. Goals

- A. Increased efficiency of staff to recognize healthcare issues
- B. Increase the number of healthcare advocates
- C. Advocate for increase in charitable services to indigent patients

IV. Projected Outcomes

- A. Increased access to services and increased awareness of healthcare issues
- B. Knowledgeable individuals who are better able to advocate for themselves and avoid legal problems
- C. Increased efficiency of staff
- D. Increased number of healthcare care referrals to and from agency partners
- E. Increased number of healthcare advocates

HOUSING

Ensure Sufficient Quality and Quantity of Affordable Housing for Low-Income Families

I. Cases

- A. Federally Subsidized Housing Rights (Section 8)
 1. Evictions
 2. Access to quality housing
 3. Obtaining necessary repairs to rented housing
 4. Resolving problems with subsidized housing providers
 5. Utility cutoffs/ouster
 6. Security deposit returns
- B. Homeownership/Real Property (Not Foreclosures)
 1. Access to quality housing
 2. Obtaining or maintaining ownership of homes or real property
 3. Loan closings where granted by SC Help for persons who have been unable to pay due to unemployment, divorce, illness, etc. and eligible for the forgivable loans
- C. Private Landlord/Tenant
 1. Evictions
 2. Access to quality housing
 3. Obtaining necessary repairs to rented housing

- 4. Utility cutoffs/ouster
 - 5. Security deposit returns
 - D. Public Housing
 - 1. Evictions
 - 2. Access to quality housing
 - 3. Obtaining necessary repairs to rented housing
 - 4. Resolving problems with subsidized housing providers
 - 5. Utility cutoffs/ouster
 - 6. Security deposit returns
 - E. Mobile Homes
 - F. Housing Discrimination
 - G. Mortgage Foreclosures (Not Predatory Lending Practices)
 - H. Mortgage Predatory Lending Practices
 - I. Other Housing
 - 1. Access to quality housing
 - 2. Resolving problems with subsidized housing providers
- II. Matters
- A. Develop and distribute housing brochures
 - B. Community outreach and community legal education to increase awareness of housing issues
 - C. Provide training to staff on housing issues
 - D. Develop agency partnerships to increase awareness of housing issues
 - E. Provide housing counseling to help enable homeowners to stay in their homes
- III. Goals
- A. Enable low-income families to protect their property
 - B. Ensure that the laws protecting tenancies for low-income persons are exercised and enforced
 - C. Improve the condition of rental housing for low-income persons
 - D. Help low-income persons to become homeowners
 - E. Increase the knowledge of housing providers and agencies; such as housing authority managers, Magistrates, SHAC Hispanic Housing Coordinator, and other agencies that advocate for low-income families
- IV. Projected Outcomes
- A. Increased access to services and increased awareness of housing issues
 - B. Knowledgeable tenants/homeowners will be better able to advocate for themselves and avoid legal problems
 - C. Increased efficiency of staff
 - D. Increased number of housing referrals to and from agency partners
 - E. Increased knowledge of housing providers and agencies
 - F. Increased number of housing advocates
 - G. Increased awareness of common housing issues, such as the rights and responsibilities of landlords and tenants, evictions, and homeownership problems

INCOME MAINTENANCE/PUBLIC BENEFITS

Obtain and Maintain Economic Benefits for Low-Income Families

- I. Cases
 - A. Social Security (Not SSDI)
 - B. Food Stamps
 - C. SSDI (overpayment and cessation cases; and other cases where efforts to refer to the private bar have not been successful) Note: that 2 attorney rule not applicable to overpayment and cessation cases
 - D. SSI (overpayment and cessation cases; and other cases where efforts to refer to the private bar have not been successful) Note: that 2 attorney rule not applicable to overpayment and cessation cases
 - E. Unemployment Compensation
 - F. Veterans Benefits
 - 1. Pensions
 - 2. Veteran's Disability - initial filing and through first denial; second and subsequent denials if private attorney cannot be secured
 - 3. Cases to prevent homelessness and secure employment
 - G. State and Local Income Maintenance
 - H. Other Income Maintenance
- II. Matters
 - A. Develop and distribute brochures on Social Security, Supplemental Security Income, Unemployment Benefits, Medicaid, and other public benefits
 - B. Community outreach and community legal education to increase access to services and to increase awareness of income maintenance/public benefit issues
 - C. Provide training to staff on income maintenance/public benefit issues
 - D. Develop agency partnerships to increase awareness of income maintenance/public benefits issues
 - E. Assist low-income families in obtaining and maintaining public benefits
- III. Goals
 - A. Educate the public as to benefits that are available to them
 - B. Ensure that the laws protecting individual rights are exercised and enforced
- IV. Projected Outcomes
 - A. Increased access to services and increased awareness of income maintenance/public benefits issues
 - B. Knowledgeable individuals will be better able to access benefits and advocate for themselves and avoid legal problems
 - C. Increased efficiency of staff
 - D. Increased number of income maintenance/public benefits case referrals to and from agency partners
 - E. Increased number of public benefits advocates
 - F. Increased awareness of qualification for income maintenance and public benefits programs

INDIVIDUAL RIGHTS

- I. Cases
 - Immigration - SCLS can assist victims of domestic violence, trafficking and other serious crimes with applications for T, U visa, VAWA self-petitions, and battered spouse waivers

- II. Matters
 - A. Develop and distribute immigration and human trafficking brochures
 - B. Community outreach and community legal education to increase access to service and increase awareness of immigration and human trafficking issues
 - C. Provide training to staff on immigration and human trafficking
 - D. Develop agency partnerships to increase awareness of immigration and human trafficking issues

- III. Goals
 - A. Increase awareness of immigration and human trafficking issues
 - B. Increase efficiency of staff to recognize immigration and human trafficking issues
 - C. Increase number of immigration and human trafficking advocates

- IV. Projected Outcomes
 - A. Increased access to services and increased awareness of immigration and human trafficking issues
 - B. Knowledgeable individuals will be better able to advocate for themselves and avoid legal problems
 - C. Increased efficiency of staff
 - D. Increased number of immigration and human trafficking cases to and from other agencies
 - E. Increased number of immigration and human trafficking advocates

MISCELLANEOUS AND ELDER LAW

Ensure Access to the Civil Legal Justice System

- I. Cases
 - A. Legal Assistance to Non-Profit Organizations or Group (Including Incorporation/Dissolution)
 - B. Indian/Tribal Law
 - C. Wills/Estates
 - 1. Drafting and Execution of Law Will & Testament
 - D. Advance Directives
 - 1. Drafting and Execution of Power of Attorney
 - 2. Drafting and Execution of Health Care Power of Attorney
 - 3. Drafting and Execution of Living Will
 - E. Probating Estates (to include deeds of distribution)
 - F. Heirs' Property Issues

- G. Other Miscellaneous
 - 1. Provide counsel and advice or brief services in any case not specifically prohibited by the Legal Services Corporation statute or regulations or other federal law
 - 2. Community Economic Development

- II. Matters
 - A. Develop and distribute Elder Law brochures
 - B. Community outreach and community legal education to increase access to services and to increase awareness of elder law and federal tax issues
 - C. Provide training to staff on elder law and tax issues and community economic development
 - D. Develop agency partnerships to increase awareness of elder law and federal tax issues

- III. Goals
 - A. Increase awareness of elder law issues for low-income citizens of South Carolina
 - B. Increase efficiency of staff to recognize elder law and tax issues
 - C. Increase number of elder law and federal tax issue advocates

- IV. Projected Outcomes
 - A. Increased access to services and increased awareness of elder law and tax issues
 - B. Increased awareness of elder law issues in the area of Probate Court and advance directives
 - C. Knowledgeable individuals will be better able to advocate for themselves and avoid legal problems
 - D. Increased efficiency of staff
 - E. Increased number of elder law and tax case referrals to and from agency partners
 - F. Increased number of elder law and tax advocates

EMERGENCIES

SCLS can represent clients in any emergency situation approved by the Executive Director or a member of the management team, or if the Executive Director of the management team is not available, the Managing Attorney of the Office in which the emergency case arises.

An emergency is any of the following situations:

Those non-priority cases or matters that require immediate legal action to:

- 1. Secure or preserve the necessities of life;
- 2. Protect against or eliminate a significant risk to the health or safety of the client or immediate family members; or,
- 3. Address other significant legal issues that arise because of new and unforeseen circumstances

Approved by Board of Directors 12/13/2013