

**SOUTH CAROLINA LEGAL SERVICES
PRIORITIES FOR 2010**

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 and Practices

I. Other Consumer/Finance

EDUCATION

Ensure and maintain access to education

I. Cases

- A. Discipline (Including Expulsion and Suspension)**
- B. Special Education/Learning Disabilities**
- C. Access (Including Bilingual, Residency, Testing and Enrollment)**
- D. Vocational Education**
- E. Student Financial Aid**
- F. Other Education – Includes School Fees and Charges**

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**

- 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.

FAMILY

Ensure Safety and 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. Only initiate Physical cruelty divorce

F. Name Change- obtain or amend birth certificate where economic benefit can be gained or to allow for issuance of a passport.

G. Guardianship and conservatorship issues

H. Domestic Abuse

I. Child Support Reductions

J. Other Family:

Contempt - Rule to show cause

1. Defend when defendant is not in willful contempt
2. File contempt actions to enforce Family Court orders which are not enforceable by the Clerk of Court

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 Care

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

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

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

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 - after efforts to refer to Private Bar have not been successful

D. SSI - after efforts to refer to Private Bar have not been successful

E. Unemployment Compensation

F. Veterans Benefits

1. Pensions;

2. Veteran's disability – initial filing and through first denial.; second denial if private attorney cannot be secured.

**G. State and Local Income Maintenance
(formerly called TANF/FI)**

H. Other income maintenance

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 Last 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 in any case not specifically prohibited by LSC
statute or regulations or other federal law**

2. Advice and representation on federal tax issues pursuant to LITC grant

3. Community Economic Development

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 or a member 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.**