



SOUTH CAROLINA LEGAL SERVICES PRIORITIES FOR 2017

CONSUMER/FINANCE

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

- I. Cases
 - A. Bankruptcy/Debtor Relief
 - 1. Chapter 7 and Chapter 13 where there is harassment by creditor affecting the mental or physical well-being of the debtor, to save a home, to save a car, to preserve medically necessary equipment and where debtor is referred by the U.S. Bankruptcy Court under the Pro Se/Public Service Initiative
 - 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

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 Bullying)

EMPLOYMENT

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

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)
- G. Other Employment (including wrongful termination)(Representation at administrative level (informal sharing 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)

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)
 - 2. One year separation divorces in instances where the client has diminished mental capacity that makes self-representation not feasible.
- F. Name Change - Birth record correction/amendments and minor name changes when there are compelling reasons for the applicant to have a corrected birth record or name change, such as to allow access to public benefits, public schools, or for applicants who were never given a name on their birth record.

- 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.

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. Home and Community Based Case
 - D. Private Health Insurance
 - E. Long Term Health Care Facilities
 - F. State and Local Health

 - G. 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.
 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.

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) added clarification that 2 atty rule not applicable to overpayment and cessation cases.
Initial disability claims (subject to 2 atty rule in non-rural counties)
 - D. SSI (overpayment and cessation cases; and other cases where efforts to refer to the private bar have not been successful) added clarification that 2 atty rule not applicable to overpayment and cessation cases.
Initial disability claims (subject to 2 atty rule in non-rural counties)
 - 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

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.

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. Wills/Estates
 - 1. Drafting and Execution of Law Will & Testament
 - C. 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
 - D. Probating Estates (to include deeds of distribution)
 - E. Heirs' Property Issues
 - F. Other Miscellaneous
 - 1. Protection of Senior against abuse, neglect, and exploitation.
 - 2. Provide counsel and advice or brief services in any case not specifically prohibited by LSC statute or regulations or other federal law
 - 3. Community Economic Development

EMERGENCIES

SCLS can represent clients in any emergency situation approved by the Executive Director or **by** a member of the management team, or if the Executive Director **or a member** of the management team is not available, **by** the Managing Attorney of the Office in which the emergency case arises, so long as such case or matter is not specifically prohibited by LSC statute or regulations or other federal law.

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 12/9/2016