

SCLS 2009 PAI PLAN

The necessity of a PAI plan is referenced in 45 CFR 1614. A PAI plan governs the expenditures supporting Private Attorney Involvement (PAI). It is intended to inform SCLS clients, staff and other stakeholders of the essential features of South Carolina Legal Services (hereafter “SCLS”) plan to expend \$613,770 (12.5% of its annual LSC grant) by the utilization of the private bar in the delivery of services by the SCLS.

The plan involves both pro bono and compensated components.

South Carolina has a long tradition of pro bono, contract attorney and judicare programs that had common features. Reduced fees, fixed hourly rates, and referrals in specific substantive areas (such as bankruptcy, divorce and the like) were frequently part of the historic judicare programs. A county-by-county spending plan has been devised to guide the managing attorneys in making their referrals. Referrals will be made as a by-product of the regular case acceptance meetings being conducted within local offices. The referrals will feature confirming letters to the client and the receiving attorney setting forth a description of the referral process and notifying the client of the special features of the PAI program. Clients referred to PAI will be subject to the signing of citizenship attestation forms, financial eligibility and other client eligibility criteria to the identical extent as if they were being served in house. Receiving attorneys will invoice SCLS at the local offices. The managing attorney will approve the invoice, and it will be forwarded to the Comptroller for approval of SCLS senior management. Thereafter the invoice will be paid. Managing attorneys, in conjunct with their staffs,

will perform regular oversight to insure quality control and to track financial encumbrance.

PAI Recruitment. Excepting the LATIS program, each of the SCLS offices will recruit locally to identify members of the private bar who are receptive to referrals. Recruitment methods can be quite imaginative. Recruitment of new attorneys can be accomplished at the “Bridge the Gap” seminar which is mandatory for new attorneys. In addition, the holding of open houses, publication in print and broadcast media and use of endorsement by current attorneys are all possible recruitment tools.

One recognized means of recruitment is for SCLS staff to join the county Bar Associations. Staff attorneys can then look for opportunities to recruit at bar functions and to appeal for new PAI attorneys to sign agreements. The SCLS has created a new brochure directed at PAI recruitment. PAI recruitment was the sole function of the SCLS exhibit booth at the annual South Carolina Bar meeting. Recruitment, at a minimum, should insure that every interested attorney is approached through some means so that all involved have been invited to participate, whatever the form of the invitation.

Retention of Private Attorneys. This plan acknowledges the need to promote retention of current PAI attorneys. PAI is a valuable program resource. It is equivalent to several staff attorneys in its capacity to take cases. It is important to note that private attorneys can accept referrals in substantive areas not found within our core staff such as tax, business associations and labor law. Retention must be systematic and can include recognition such as awards, certificates and thank you letters. Bills must be paid promptly and the cases being referred should always be of good quality. It should be conveyed in ways both direct and indirect that PAI is a valuable component of SCLS’s

delivery of legal aid to its clients. SCLS will, during each calendar year, undertake one or more CLE seminars in poverty law to equip receiving attorneys to work with public benefits, public housing, domestic violence and the like. The SCLS will obtain credentials for the seminar from the South Carolina Bar CLE program and will consider utilizing video conferencing to broadcast the seminar.

The SCLS is also budgeting for internal expenses related to PAI. For instance, each of the senior managers and managing attorneys will devote professional time to PAI. This will be entered contemporaneously in the program's case management timekeeping system and accounted for during and at year-end. Likewise, accounting of intake staff labor will be included.

In summary fashion, the PAI budget will consist of

Contract Attorney Payments	\$399,814
(attorney hours @\$65; certain costs to contract attorneys)	
Staff and overhead	\$163,956
(intake, referral, oversight, billing and other support to the contract attorneys)	
Marketing of PAI	\$10,000
(advertisements in South Carolina Lawyer, SC Lawyers Weekly, Open Houses at various offices, postage, brochures, printing, Bar memberships in all counties served by SCCEJ, ABA training, related expenses)	
Contingency	\$40,000
(Reserve to fund overages in above categories)	

TOTAL \$613,770