PRIVATE ATTORNEY INVOLVEMENT PROGRAM

SOUTH CAROLINA
LEGAL SERVICES™
Balancing the Scales of Justice

PARTICIPATING ATTORNEY HANDBOOK

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CHAPTER 1 – INTRODUCTION

Thank you for helping South Carolina Legal Services (SCLS) by agreeing to be a part of the Private Attorney Involvement (PAI) Program. Legal Services Corporation's 2022 Justice Gap Report indicates that low-income Americans did not receive any or enough legal help for 92% of their civil legal problems. Nearly one-half of those who did not seek legal help for one or more problems cited concerns about cost as the reason and more than one-half doubted their ability to find a lawyer they could afford.

In South Carolina, 20% of the population lives at or below 125% of the federal poverty line and 35% lives at or below 200% of the federal poverty level, making them potentially eligible for free assistance with civil legal issues, and the population of those living in poverty continues to rise. Within the state, the percentage of people in poverty varies considerably by county, with more rural counties having the highest rates of poverty.

SCLS, funded primarily by Legal Services Corporation (LSC), is the front-line provider of civil legal aid within the state and serves all 46 counties. However, as the low-income population grows, along with their need for legal representation, SCLS resources are simply unable to keep pace.

SCLS averages more than 20,000 answered telephone calls per year from people seeking legal assistance and processes more than 10,000 intakes. SCLS employs approximately 50 attorneys in its eight regional offices around the state. Therefore, even after screening for financial eligibility, service priority guidelines, and conflicts of interest, many callers must be turned away or provided with limited assistance due to resource limitations. The involvement of private attorneys is vital to our mission to provide representation or counsel and advice to as many low-income South Carolinians as possible without charging a fee. The PAI Program is a program through which SCLS can refer certain cases that meet SCLS requirements to participating private attorneys for representation or utilize the services of private attorneys for community outreach, thereby increasing the number of qualifying applicants who can be served.

By providing legal services through the PAI Program to people of limited means in your community, you are helping someone who would otherwise go unrepresented or uncounseled, but you are still earning a small fee from SCLS. Through your work with SCLS, you can improve the quality and stability of housing for low-income families, bring peace of mind to senior citizens by providing wills and advance directives, ensure citizens receive public benefits to which they are entitled, provide a sense of safety for domestic abuse survivors, protect low-income families and senior citizens who have been victimized by fraud or financial abuse, provide stability for children, or help clear a pathway to employment.

Our communities thrive when we work together for good. We look forward to working with you to meet the civil legal needs of the impoverished members of our communities.

CHAPTER 2 – DEFINITIONS

Participating Attorney - an attorney who has entered into an agreement to participate in the SCLS PAI Program. While any attorney working in the office of a Participating Attorney may work on an accepted case, the Participating Attorney shall be responsible for the case regardless of which attorney in the office works on the case.

Accepted Case – any case that is sent to a Participating Attorney by way of a referral letter from SCLS and that the Participating Attorney accepts by signing and dating the referral letter and returning a copy of the signed and dated referral letter to SCLS.

Referred Client – any client whose case is sent to a Participating Attorney by way of a referral letter from SCLS.

PAI Coordinator – staff member in the SCLS office to which the accepted case is assigned who serves as a liaison to the Participating Attorney in an accepted case.

CHAPTER 3 – REQUIREMENTS FOR PARTICIPATING ATTORNEYS

Section 3.1 – **Licensure**

Attorneys seeking to participate in the SCLS PAI Program must be members in good standing of the South Carolina Bar or authorized to practice law in the jurisdiction in which assistance is rendered. Participating Attorneys must notify SCLS of any disciplinary proceedings initiated by the South Carolina Office of Disciplinary Counsel or any other such entity or agency.

Section 3.2 – **Malpractice Coverage**

Participating Attorneys must maintain adequate legal malpractice insurance that covers activities performed on behalf of clients of SCLS. Proof of coverage must be furnished to SCLS before an attorney is placed on the Participating Attorney Referral List. SCLS will provide legal malpractice insurance if a Participating Attorney is retired or currently not actively in practice and does not have malpractice coverage. SCLS legal malpractice insurance shall serve as secondary insurance where a Participating Attorney has legal malpractice insurance currently in place. Participating Attorneys must notify SCLS if there is any change in their legal malpractice coverage.

Section 3.3 – **Legal Services Corporation Governance**

Participating Attorneys are governed by and must comply with all applicable provisions of the Legal Services Corporation Act and Regulations and other congressional acts relating to Legal Services Corporation.

Section 3.4 – **Requests for Information**

Participating Attorneys must cooperate with all requests by Legal Services Corporation and SCLS, including, but not limited to, information requested by auditors of SCLS, for information or documents related to an accepted case.

Section 3.5 – **Termination of Participation**

Either the Participating Attorney or SCLS may terminate future participation in the PAI Program by written notice to the other party.

CHAPTER 4 – CASE MANAGEMENT

Section 4.1 - **Case Intake**

Applicants are initially interviewed/screened by SCLS staff using a standard application for legal assistance. Financial eligibility and legal problems are identified in this application. Applications are reviewed and may be approved for assistance based on financial eligibility, legal issue, legal merit, and whether the issue fits within SCLS's Case Priorities. *See* Attachments A, B, and C.

Section 4.2 - **Case Referral**

A roster of Participating Attorneys is maintained by SCLS. When an applicant is deemed eligible for services and it is determined the applicant's case is appropriate for the PAI Program, the PAI Coordinator in the assigned office will select a Participating Attorney who has indicated a willingness to accept cases of that type and in the relevant geographic area. Participating Attorneys will be contacted on a rotating basis in order to ensure equitable referrals.

The PAI Coordinator will email or call the Participating Attorney's office for a conflict check and authorization to refer the case. If the Participating Attorney agrees to accept the applicant as a client for the purpose of handling the specific legal matter(s), the PAI Coordinator will send the Participating Attorney a case referral letter along with a PAI Attorney Billing Form, a copy of the intake sheet, income certification, client questionnaire, and client referral letter, and any other legal documents provided by the client. The letter will also set forth the maximum attorney's fee authorized for the case. The Participating Attorney shall sign the case referral letter indicating acceptance of the referral and return it to the PAI Coordinator handling the referral.

Participating Attorneys are under no obligation to accept any referral but do agree to consider acceptance of all referrals when contacted by SCLS. Participating Attorneys who decline to accept a case when contacted, or after an initial conference with the client, will not be penalized with regard to future referrals. However, repeated refusal or inability to accept referrals may result in the Participating Attorney being removed from the PAI Program.

The PAI Coordinator will send the client a letter informing the client their case has been referred to a Participating Attorney through the PAI Program and that the Participating Attorney will evaluate the merits of the case to determine if they will be able to provide extended services. The client is instructed to contact the Participating Attorney immediately to schedule an appointment.

Section 4.3 - **Case Closure**

All accepted cases shall be handled by the Participating Attorney through completion and/or client withdrawal, except matters to be appealed, which require separate approval from SCLS. When the Participating Attorney is ready to close the file, the following documentation must be sent to the PAI Coordinator: **Case Closure Form**; **Final Billing Form**; copy of the closing letter that was sent to the client; Final Order or other documentation showing the file has been closed. The **Final Billing Form** cannot be processed without the accompanying documentation.

Section 4.4 - **Case Appeals**

No Participating Attorney shall undertake any appeal on behalf of a referred client without first obtaining written approval from SCLS except when necessary to comply with the South Carolina Rules of Professional Conduct.

CHAPTER 5 – COSTS AND ATTORNEY'S FEES

Section 5.1 - **Filing Fees**

Referred clients are informed in the initial referral letter that they may be responsible for service and filing fees and that the fees must be paid to the Participating Attorney as soon as the Participating Attorney agrees to undertake representation of the client. However, **Participating Attorneys must seek a waiver of filing fees pursuant to Rule 3(b)(2) of the South Carolina Rules of Civil Procedure, or otherwise move to proceed *in forma pauperis*, in actions initiated in any court on behalf of referred clients**.

Rule 3(b)(2) states the following:

> Where a party is represented in a civil action by an attorney working on behalf of or under the auspices of a legal aid society or a legal services or other nonprofit organization funded in whole or substantial part by funds appropriated by the United States Government or the General Assembly of the State of South Carolina, which has as its primary purpose the furnishing of legal services to indigent persons, or the South Carolina Bar Pro Bono Program, **fees related to the filing of the action shall be waived without the necessity of a motion and court approval**. Before the filing fees will be waived, the attorney representing the party **must file with the clerk a written certification** that representation is being provided on behalf of or under the auspices of the society, organization or program, and that the party is unable to pay the filing fees.

The Certification of Indigent Representation Pursuant to Rule 3(b)(2), SCRCP (SCCA 236), can be found on the South Carolina Judicial Branch website at www.sccourts.org/court-forms/?name=rule+3. A Motion to Proceed in Forma Pauperis can be found at www.sccourts.org/court-forms/?name=pauperis.

If a court refuses to honor the Certification of Indigent Representation, the Participating Attorney should notify the PAI Coordinator handling the case referral.

Section 5.2 - **Other Litigation Costs**

SCLS will reimburse Participating Attorneys for certain costs associated with a case, including, but not limited to, filing fees when the court denies a request for a waiver and the Participating Attorney has attempted to get the filing fee from the client, to no avail, postage, fax, and copying expenses not exceeding $50. Other costs are the responsibility of the referred client. A Participating Attorney may, prior to incurring other costs, request that costs be reviewed for payment by SCLS. Requests for payment of other costs should be submitted to the PAI Coordinator and are reviewed by SCLS on a case-by-case basis. Approval of payment is at the discretion of SCLS.

Section 5.3 – **Attorney and Paralegal Fees**

SCLS will pay a Participating Attorney for their time at an hourly rate of $85 for all representation for which there has been prior approval by SCLS. The maximum fee per referred case is based on case type as set forth in the attached Fee Schedule. *See* Attachment D. Participating Attorneys who accept a *bankruptcy* referral have the option of hourly billing or a flat fee of $1,530 for Chapter 7 cases and $2,009 for Chapter 13 cases. Participating Attorneys agree to accept the fees set forth in the Fee Schedule in lieu of any fees from referred clients.

A Participating Attorney may, by submitting a Request to Increase Maximum Fees to the PAI Coordinator prior to submitting the Final Billing Form, request approval of fees in excess of the maximum fee set forth in the Fee Schedule. Such requests should only be made in unusual situations and not on a regular basis. Total compensation of a Participating Attorney shall not exceed $68,000 in a calendar year.

With the exception of bankruptcy cases in which the Participating Attorney has opted for a flat fee, federal regulations require each Participating Attorney to keep time records on each referred case. In all cases, Participating Attorneys must submit bills and/or invoices before payments are made. In bankruptcy cases, where a Participating Attorney opts for a flat fee instead of hourly billing, the flat fee is payable upon filing of the case. The attorney should submit an invoice along with the notice of filing. On a quarterly basis, Participating Attorneys shall submit a **Case Status Report** and, except for cases involving a flat fee, an **Interim Billing Form** for each referred case. A **Case Closure Form** and **Final Billing Form** (except in flat fee bankruptcy cases) must be submitted within thirty days of closing a referred case. SCLS reserves the right to terminate a Participating Attorney from participation in the PAI Program in the event timely invoices are not submitted.

A Participating Attorney may seek reimbursement for reasonable billable hours of the Participating Attorney or another attorney in the Participating Attorney's office.

Participating Attorneys may also bill for time spent by a paralegal on a referred case. Paralegal time may be billed at a rate of $40 per hour. The amount billed for paralegal time counts toward the maximum allowed fee in the case.

Participating Attorneys shall not bill SCLS for legal work rendered on a referred client's behalf *prior* to the case referral by SCLS or after termination of representation in the case. Once the Participating Attorney has been paid in a referred case and final disposition of the matter has been achieved, no further payment may be sought from SCLS for representation in the matter.

If other civil legal matters become apparent during representation of the referred client, they should be brought to the immediate attention of SCLS and shall not be pursued for reimbursement without written approval from SCLS. Similarly, if a referred client seeks further legal assistance beyond the matter referred, and for which reimbursement by SCLS appears necessary, the client must be referred back to SCLS by the Participating Attorney for screening as to the additional legal assistance. The Participating Attorney must receive written approval from SCLS to provide the additional legal assistance in order to be reimbursed for those services.

Section 5.4 – **Payment**

Participating Attorneys must complete and submit a W-9 to SCLS to receive payment. Participating Attorneys who would like to receive payment via direct deposit, must complete and submit the Direct Deposit Authorization Form and required attachments. Both of these documents will be provided to you upon submission and approval of a Private Attorney Involvement Agreement.

Section 5.5 - **Fee-Generating Cases**

Participating Attorneys are permitted, in their discretion, to petition the court for attorney's fees to be paid by the opposing party, if allowed by law, and may collect and retain any fees awarded. However, any hours billed to SCLS by the attorney shall be offset by the amount of the fee awarded by the court, which, in some instances, may require the attorney to reimburse SCLS for attorney's fees already paid by SCLS to the attorney in the case. The Participating Attorney cannot bill SCLS for time expended collecting an attorney's fee award. This provision can be modified pursuant to an agreement of the parties, for example, where SCLS serves as co-counsel with the Participating Attorney. Receipt of awarded attorney's fees may prevent the Participating Attorney from reporting time spent on the referred case to the South Carolina Bar Pro Bono Program and from including it in calculating pro bono hours for purposes of the South Carolina Supreme Court Pro Bono Honor Roll.

Section 5.6 – **Fee Adjustment; Grievance Procedure**

SCLS may adjust any bill with the understanding that the Participating Attorney may appeal the adjustment to the SCLS Board of Directors. The decision of the Board of Directors is final.

CHAPTER 6 – RESPONSIBILITIES TO CLIENTS

6.1 – **Attorney-Client Relationship**

In a case referred by SCLS to a Participating Attorney, an attorney-client relationship exists between the referred client and the Participating Attorney as well as between the referred client and SCLS. The referred client is provided with this information.

6.2 – **Representation of Referred Client**

A referred client and accepted case are the primary responsibility of the Participating Attorney who accepts referral of the matter, and the Participating Attorney shall exercise independent professional judgment and skills in rendering services to the client. Participating Attorneys agree to give referred clients the best possible representation consistent with professional responsibility regardless of race, creed, color, ethnicity, national origin, religion, sex, sexual orientation, gender expression, age, height, weight, physical or mental ability, veteran status, military obligations, and marital status.

Participating Attorneys have full authority to act on behalf of a referred client in the same way as any other client. However, SCLS is required by its funding source to monitor the effectiveness of all representation provided under its grants. Upon request by SCLS, a Participating Attorney must furnish and make available to SCLS any files, records or books related to any accepted case. Participating Attorneys must confer with SCLS at its request on any accepted case and cooperate with SCLS staff and its Board of Directors to ensure referred clients receive the best legal assistance available.

6.3 – **Completion of Representation**

A Participating Attorney must complete representation of a referred client even if the hours required to do so go beyond the maximum fee set forth in the Fee Schedule. However, the Participating Attorney must submit a Request to Increase Maximum Fees to the PAI Coordinator as set forth in Section 5.3. In addition, a Participating Attorney's obligation to represent clients referred during the two-year term of the Participating Attorney's PAI Program Agreement continues until the clients' cases are concluded, regardless of whether the agreement period has expired.

6.4 – **Termination of Representation**

A Participating Attorney shall not terminate representation of a referred client before final disposition of the case without good cause consistent with Rule 1.16(b) of the South Carolina Rules of Professional Conduct. The Participating Attorney must notify SCLS immediately and file a motion to be relieved as counsel.

Any referred client who wishes to terminate their relationship with a Participating Attorney has the right to do so. In that situation, the Participating Attorney shall notify SCLS immediately and

file a motion to be relieved as counsel pursuant to Rule 1.16(a) of the South Carolina Rules of Professional Conduct.

SCLS reserves the right to terminate a Participating Attorney's involvement in a referred case. In such an event, SCLS shall pay the Participating Attorney for all time and expenses in accordance with the terms of this Handbook, provided that a **Final Billing Form** is timely submitted.

Section 6.5 – **Change in Eligibility Status**

If a Participating Attorney learns that a referred client's family income has increased, the Participating Attorney must notify SCLS. SCLS will then determine if there has been a change in the referred client's eligibility status and if so, whether the change requires termination of assistance consistent with ethical obligations. If SCLS determines a referred client is no longer eligible for services through SCLS but the client's case is in pending litigation, the Participating Attorney must file a motion for the Participating Attorney and SCLS to be relieved as counsel in the case if SCLS determines such a motion can ethically be made without undue prejudice to the client.

CHAPTER 7 – CLIENT FEEDBACK/COMPLAINTS

7.1 – **Client Feedback**

When an accepted case is closed, a "Client Satisfaction Survey" is mailed to the referred client to determine the client's perception of the services performed, resolution of the problem, and overall client satisfaction. When returned, the form is reviewed by the Managing Attorney. All complaints, irregularities, or indications of dissatisfaction are investigated, and corrective action is taken, if necessary.

7.2 – **Client Complaints**

Referred clients have a right to file complaints regarding SCLS pursuant to SCLS Policies and Procedures. Participating Attorneys must advise referred clients of this right.

A referred client who has a complaint about a Participating Attorney must first bring it to the attention of the Participating Attorney and make every effort to resolve the problem with the Participating Attorney. If, after discussing the complaint with the Participating Attorney, the client is still dissatisfied, the client may contact the Managing Attorney in the SCLS office responsible for the referral. The Managing Attorney will attempt to resolve the complaint through informal discussion with the referred client, and if necessary, the Participating Attorney.

CHAPTER 8 – COMMUNITY OUTREACH

8.1 – **Clinics**

SCLS frequently offers legal clinics across the state. These clinics typically last for one to two hours and sometimes involve limited scope representation as recognized in Rule 6.5 of the South Carolina Rules of Professional Conduct (addressing attorneys providing short term limited services under the auspices of a legal services organization). Clients who receive assistance from Participating Attorneys at clinics meet SCLS eligibility requirements. If the services provided create an attorney-client relationship, that relationship does not extend beyond the scope of the clinic nor is there any other ongoing obligation on the part of the Participating Attorney.

Clinics vary by subject matter and services provided. Some clinics, such as pro se divorce clinics, involve reviewing documents as well as giving brief advice on filing or other procedures related to the matter. Other clinics, such as advance directives clinics, involve the actual preparation of legal documents for the clients.

8.2 – **Legal Education**

SCLS is often asked by community organizations across the state to give presentations on legal topics. The topics vary, but frequent requests are made for information related to advance directives, landlord/tenant issues, consumer debt, and family matters. These sessions do not involve advice or representation on an attendee's specific legal matter but are for the purpose of providing general information on the topic. SCLS relies on Participating Attorneys to assist in meeting these requests.

CHAPTER 9 – RESOURCES

8.1 – **Training**

SCLS will notify Participating Attorneys of free or reduced-cost training presented by SCLS or its partner organizations.

8.2 – **Online Resources**

SCLS has materials available online, including recorded trainings, documents, and checklists.

8.2 – **Mentors**

SCLS attorneys are available to serve as mentors to Participating Attorneys if necessary or requested.

CHAPTER 10 – SELF REFERRAL OF CLIENTS

10.1 – **Referral of Client**

If you are a Participating Attorney and have a client who you are representing pro bono or have been contacted by a prospective client who may be eligible for services from SCLS, you may direct them to complete an intake with SCLS either online or by phone and request that their case be referred to you.

Self-referrals are a great way for attorneys to provide pro bono services. The attorney is able to choose which pro bono case to take and the client receives representation from an attorney of their choice without having to wait for the normal referral process. The benefits of self-referral cases are the same as any other PAI referral, including, malpractice insurance coverage as set forth in Section 3.2, waiver of any filing fees under Rule 3(b)(2), SCRCP, payment of attorney's fees according to the current SCLS Contract Attorney Fee Schedule, and reimbursement for certain costs. Upon referral of the case, the Participating Attorney must comply with the other provisions in this handbook.

Self-referrals also benefit SCLS by allowing us to expand our services to eligible clients without requiring additional staff.

Self-referral of an existing client should only be made where representation was undertaken without payment of a fee or expectation of payment of a fee. Self-referrals are not appropriate where fees were anticipated but have not been collected.

Amendments
12/10/2025 – amended Chapter 5 and Attachment D to include option of flat fee in bankruptcy cases and reimbursement for paralegal fees.

ATTACHMENT A

South Carolina Legal Services

125% of the Federal Poverty Level

Effective February 1, 2025

Number in Household	Income Annually	Income Monthly	Income Twice a Month	Income Every Other Week	Income Weekly
1	19,563	1,630.25	815.13	752.42	376.21
2	26,438	2,203.17	1,101.58	1,016.85	508.42
3	33,313	2,776.08	1,388.04	1,281.27	640.63
4	40,188	3,349.00	1,674.50	1,545.69	772.85
5	47,063	3,921.92	1,960.96	1,810.12	905.06
6	53,938	4,494.83	2,247.42	2,074.54	1,037.27
7	60,813	5,067.75	2,533.88	2,338.96	1,169.48
8*	67,688	5,640.67	2,820.33	2,603.38	1,301.69

*For each family unit with more than eight members, add $6,875.
for each additional member in the family.

Effective February 1, 2025

ATTACHMENT B

South Carolina Legal Services

200% of Federal Poverty Guideliness 45 CFR 1611

Effective Feburary 1, 2025

Number in Household	Income Annually	Income Monthly	Income Twice a Month	Income Every Other Week	Income Weekly
1	31,300	2,608.33	1,304.17	1,203.85	601.92
2	42,300	3,525.00	1,762.50	1,626.92	813.46
3	53,300	4,441.67	2,220.83	2,050.00	1,025.00
4	64,300	5,358.33	2,679.17	2,473.08	1,236.54
5	75,300	6,275.00	3,137.50	2,896.15	1,448.08
6	86,300	7,191.67	3,595.83	3,319.23	1,659.62
7	97,300	8,108.33	4,054.17	3,742.31	1,871.15
8*	108,300	9,025.00	4,512.50	4,165.38	2,082.69

*For each family unit with more than eight members, add $10,760 for each additional member in the family.

Effective Feburary 1, 2025

Attachment C

SOUTH CAROLINA LEGAL SERVICES
PRIORITIES FOR 2025

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

Cases

A. Bankruptcy/Debtor Relief - Bankruptcy/Debtor Relief-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, where debtor is referred by the U.S. Bankruptcy Court under the Pro Se/Public Service initiative, and where client is victim of foreclosure rescue scam or other scam that is substantial cause of filing bankruptcy.
B. Collection (Including Repossession/Deficiency/Garnishment
   1. Where the client has been served with pleadings, where property is being repossessed and/or where the client disputes the debt or amount of the debt.
   2. Supplemental proceedings for judgment collection (execution against property and order for examination of assets).
C. Contracts/Warranties on cars and appliance. Home repair/construction defect breach of contract cases must be approved by Deputy Director of Litigation and Training before acceptance.
D. Collection Practices/Creditor Harassment - Including where client has been threatened with jail, threatened with loss of property, subjected to repeated telephone calls or collector coming to home or work.
D. Predatory Lending Practices (Not Mortgages) - with emphasis on deceptive auto lending practices, live loan checks, multiple refinances of finance company loans, and lawsuits on credit card debt by debt buyers (not original creditor).
E. Loans/Installment Purchase (Not Collections) including foreclosure rescue scams, insurance sales, and SBA loans (disaster relief).
F. Public Utilities- including solar energy product sales and contracts.
G. Unfair Sales Practices
I. Other Consumer/Finance

EDUCATION
Ensure and maintain access to education.

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. All wrongful termination applications must be submitted directly to and reviewed by the Employment Unit Head for determination as to appropriate level of service.
H. Cases to resolve problems preventing employment (e.g., driver's license suspension)

FAMILY

Ensure Safety, Housing and Economic Stability of the Family Unit.

Cases

A. Adoption
B. Visitation
C. Custody - defend already filed custody actions only when doing so is in the best interest of the child(ren).
D. Custody – Initiate when doing so is in the best interest of the child(ren)
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.
    3. Habitual drunkenness/drug use
F. Name changes, birth certificate amendments, and delayed birth certificates.
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.

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.

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. Addressing clouds on real estate titles
4. Resolving problems with rent-to-own transactions

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
1. Evictions
2. Title issues
3. Obtaining necessary repairs to rented mobile homes
4. Utility cutoffs/ouster
5. Security deposit returns
6. Resolving problems with mobile home providers

F. Housing Discrimination

G. Mortgage Foreclosures (Not Predatory Lending Practices) to include loan modifications

H. Mortgage Predatory Lending Practices

I. Other Housing
1. Access to quality housing.
2. Resolving problems with subsidized housing providers.
3. Resolving clouded titles where needed to retain homeownership or obtain repairs

<u>INCOME MAINTENANCE/PUBLIC BENEFITS</u>

Obtain and Maintain Economic Benefits for Low-Income Families.

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 entitlement claims (subject to 2 atty rule in non-rural counties and only in cases of homelessness, illiteracy, blindness, or other good cause as approved by the Deputy Director of Litigation and Training).

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 entitlement claims (subject to 2 atty rule in non-rural counties and only in cases of homelessness, illiteracy, blindness, or other good cause as approved by the Deputy Director of Litigation and Training).
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 to include Family Independence benefits
H. Other Income Maintenance to include FEMA and other disaster benefits

INDIVIDUAL RIGHTS

Cases

A. U Visas- File U-Visa packet and keep file open until client completes required biometrics. Attorney is the preparer and submits the entire packet in attorney's name. VAWA self- petitions- same process as U Visas. T-Visas- SCLS can assist crime victims with filing and obtaining T-Visas with same process as U-Visas.
B. Battered spouse waivers- SCLS can assist domestic abuse victims in the preparation of immigrant visa petitions under the Immigration and Nationality Act, as amended by the Violence Against Women Act.
C. Expungements, for the purpose of access to employment, housing, or public benefits.
D. File petition and adjustment of status for Special Immigrant Juveniles when the child or their parent/legal guardian is a victim of battery, extreme cruelty, sexual assault, or trafficking

MISCELLANEOUS AND ELDER LAW

Ensure Access to the Civil Legal Justice System.

Cases

A. Legal Assistance to Non-Profit Organizations or Group (Including Incorporation/Dissolution) where these clients need protection of assets, creation of entity, maintenance of entity and its programs
B. Wills/Estates - Drafting and Execution of Last 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. Probate
   1. Estates (to include deeds of distribution)
   2. Petitions to Determine Heirs
   3. Death Certificate Amendments (to preserve benefits)
   4. Will contests (to protect home)
   5. Common Law Marriage (to protect home and spousal share of estate)
   6. Guardianships
   7. Conservatorships

E. Heirs' Property Issues to include quiet title actions

F. Other Miscellaneous
   1. Protection of senior citizen 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 on December 20, 2024

ATTACHMENT D

SOUTH CAROLINA LEGAL SERVICES™
Balancing the Scales of Justice

Private Attorney Involvement Program
Fee Schedule

$85 PER HOUR UP TO THE MAXIMUM LISTED BELOW:*

$1,530 – 18 HOURS
Consumer
Family
Federal Income Tax

$1,105 – 13 HOURS
Employment
Housing
Public Benefits

$850 – 10 HOURS
Education
Health
License (Auto and Others)
Probate

$510 – 6 HOURS
Expungements

$340 – 4 HOURS
Advance Directives

$170 – 2 HOURS
Legal Education
Pro Se Clinics

* Participating Attorneys who accept a bankruptcy referral have the option of hourly billing or a flat fee of $1,530 for Chapter 7 cases and $2,009 for Chapter 13 cases.

* Participating Attorneys may bill for paralegal time at a rate of $40 per hour. The amount billed for paralegal time counts toward the maximum allowed fee for a case.

* Participating Attorneys may request an increase in the maximum fee.