



South Carolina Legal Services

Intake Playbook

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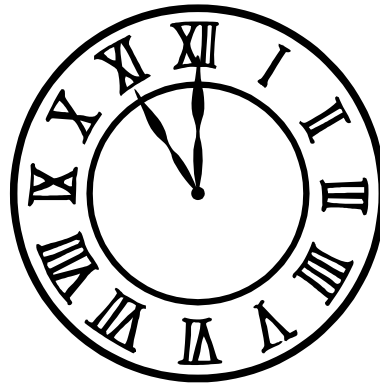
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INTRODUCTION

The SCLS intake manual will be used by all of the South Carolina Legal Services (SCLS) Offices as a guide for determining which legal problems will result in an application for service, assistance by counsel and advice/brief services, and further review by managing attorney for extended services.



HOURS OF OPERATION

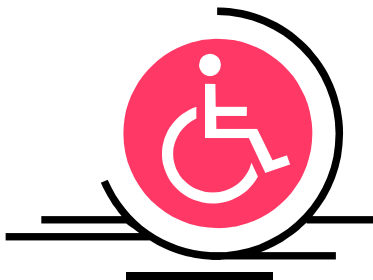
The SCSL intake line hours of operation are 9:00 a.m. to 6:00 p.m., Monday through Thursday.

The SCLS Intake office hours of operation are 8:30 a.m. to 5:00 p.m., Monday through Friday.

APPLICATION INSTRUCTIONS

Screen for eligibility and complete an intake application in SCLS case management system for all LSC eligible applicants who reside in South Carolina.

DISABLED CALLERS SEEKING TELEPHONE INTAKE



Standard TTY Relay Service

If someone calls to get an intake done for an applicant who is deaf, hard of hearing or speech disabled, the staff member doing the intake should inform the person calling for the disabled applicant of the standard TTY Relay Service. Standard TTY relay calls are usually made using a teletypewriter. The TTY connects to standard phone lines and the caller dials the Communications Assistant directly. The applicant must have the TTY-a communications device in order for an intake to be completed over the telephone.

Once the applicant for an intake makes the call, the TTY applicant types their message to the Communications Assistant who reads it to the intake person. The Communications Assistant types the intake person's question to the TTY applicant. The TTY applicant types back the response to the question and the Communications Assistant reads the response to the intake worker. This continues until the intake is completed. Please note that using this procedure will usually double or triple the amount of time it takes to complete an intake. The intake person should make sure they have adequate time scheduled for the intake to be completed.

Speech-to-Speech TTY Relay Service

If someone calls to get an intake done for an applicant who has a mild to severe speech disabilities, as well as any applicant who uses a voice synthesizer, voice enhancer, or any other similar device, the staff member doing the intake should inform the person calling for the disabled applicant that the disabled applicant can use the Speech to Speech TTY Relay Service by dialing 711 or 1-800-229-5746. The disabled applicant does not have to have a TTY-a communications device. The disabled applicant only has to have a voice telephone. The intake staff person should inform the caller that third party intake calls are discouraged by SCLS.

Once the applicant dials 711 or 1-800-229-5746, they connect to a Speech-to-Speech Communications Assistant directly. The Speech-to-Speech Communications Assistant is trained to provide assistance for those individuals having a mild to severe speech disability. The applicant, prior to the Speech-to-Speech Communications Assistant making the call for an intake, is asked what role they want the Communications Assistant

to take part in during the call. If the Communications Assistant takes an active role, they will repeat everything the applicant says to you. If the Communications Assistant takes a passive role, they will only intervene upon request by you or the applicant.

INTAKE POLICY FOR APPLICANTS WITH LIMITED ACCESS TO SCLS

Homebound Applicants

The SCLS recognizes that there maybe potential clients who may not have a telephone or do they have the means to get to the local Offices to be screened for eligibility. The managing attorney for the local Office will determine whether an applicant is eligible to receive homebound intake services. The managing attorney should take into consideration the applicant's disability and/or illness, their inability to contact the SCLS Office for an intake, their inability to get to the local legal services' Office, and, any potential threat of harm to their staff. Determination for homebound intake services should be on a case-by-case basis.

If a managing attorney finds that an applicant is to receive homebound intake services, the intake appointment should be within the hours of 10:00 a.m. through 2:00 p.m. Whenever possible, two (2) staff members should go and conduct the homebound intake. The intake form to be used is on page 10 of the Form Section of the SCLS standardized questionnaire and form manual (**SCLS Form 104**). Once the intake is complete, the SCLS staff should instruct the applicant that the intake will be reviewed for eligibility and that there are no guarantees as to acceptance. Furthermore, the SCLS staff should instruct the applicant that their intake could be accepted, referred to Pro Bono or PAI, or denied.

The SCLS staff should inform the applicant that a determination of case acceptance will be sent by letter within a week of the intake date. The SCLS staff should ask the applicant for permission to forward their intake and any other documents if the managing attorney decides to refer the intake to Pro Bono or to PAI. Most importantly, the SCLS staff must get the LSC compliance documents signed and dated. The LSC compliance document form to be signed is on page 6 of the SCLS standardized questionnaire and form manual (**SCLS Form 102**).

Intake by video conferencing

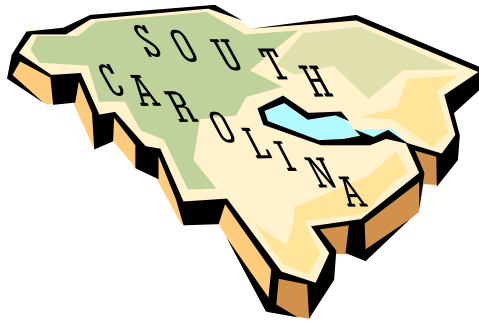


The SCLS recognizes that there may be times when a potential client has no access to a telephone and has the ability to travel short distances. A solution available to the local SCLS Offices is to schedule the applicant an appointment to do the intake via video conferencing. The SCLS, under its “Partners for Justice” Program, has virtual offices in some of rural counties in South Carolina.

The following considerations went into choosing the virtual office sites:

- Virtual office site is in a public venue.
- Personal safety of the client was considered in choosing site.
- Available parking, including handicap accessibility, was considered in choosing site
- Client confidentiality is necessary; a private room must be available for intake
- Site must have electrical capacity to support the video conferencing equipment.
- Virtual office must be available to SCLS applicants at least two days a week with reasonable hours.

The SCLS virtual office sites are as follows:



Aiken Site

Allendale Site

Bamberg Site

Bennettsville Site

Bishopville Site

Camden Site

Cheraw Site

Dillon Site

McCormick Site

Monck's Corner Site

St. George Site

St. Matthews Site

Sumter Site

Procedure to get intake by videoconferencing approved



The SCLS will provide the contact person for each virtual office with brochures explaining how an applicant can get an intake done by video conferencing and explaining that intake services by videoconferencing are for only those applicants who have a disability and have no method of transportation to get them to the local SCLS Office that serves the County in which they reside.

The contact person in the SCLS virtual office must request intake by videoconferencing for the applicant. The virtual office contact person should contact either the managing attorney of the local Office or their designee with their request for intake services by videoconferencing. The virtual office contact person should supply the managing attorney with information on the whether the applicant is disabled, their inability to contact the SCLS Office for an intake, and their inability to get to the local legal services' Office.

The managing attorney for the local SCLS Office will determine whether an applicant is eligible to receive intake services by videoconferencing. The managing attorney should take into consideration the applicant's disability and/or illness, their inability to contact the SCLS Office for an intake, their inability to get to the local legal services' Office, and the cost effectiveness of providing homebound services to the applicant versus the cost of providing intake by video conferencing. Determination for intake services by video conferencing should be on a case-by-case basis.

If a managing attorney finds that an applicant is to receive intake services by video conferencing, the intake appointment should be made when the applicant has access to the private room in the virtual office. However, the video conferencing intake appointment must be made within 72 hours or at least the earliest possible time prior to any deadline the applicant may be under. **The intake form to be used is on page 10 of the Forms Section of SCLS standardized questionnaire and form manual (SCLS Form 104).** Once the intake is complete, the SCLS staff should instruct the applicant that the intake will be reviewed for eligibility and that there are no guarantees as to acceptance. Furthermore, the SCLS staff should instruct the applicant that their intake could be accepted, referred to Pro Bono or PAI, or denied.

The SCLS staff should also inform the applicant that a determination of case acceptance will be sent within a week of the intake date telling the applicant that their intake has been accepted for counsel and advice, brief services, or extended representation. The SCLS staff should ask the applicant for permission to forward their intake and any other documents if the managing attorney decides to refer the intake to Pro Bono or to PAI.

NOTE: the SCLS staff must mail the LSC compliance documents to the applicant for their signature. The LSC compliance document form to be signed is on page 6 of the Forms Section of SCLS standardized questionnaire and form manual (SCLS Form 102).

LEP (Limited English Proficiency) Applicants

Mission of SCLS Language Access Policy

South Carolina Legal Services will provide free quality language services to applicants and clients in the language needed to ensure that Limited English Proficient (LEP) applicants and clients have full access to our legal services. Language services will be provided as necessary to assure applicants have access to SCLS and to assure quality legal representation and to minimize delay or discomfort to those individuals seeking legal services.

South Carolina Legal Services will not discriminate in the provision of services to LEP applicants and clients and will supply free of charge such ancillary services not normally provided to English proficient applicants and clients as will make timely delivery of advocacy to those needing language services to fully access our legal services.

Intake procedure for non-English and non-Spanish speaking Applicants

At the point of initial contact with an applicant for services, whether through the SCLS Intake Office or at a local SCLS office, staff trained in the procedure for handling LEP clients will make an initial assessment of the need for language services and shall procure such services if they are needed to effectively communicate with the applicant.

Individuals who speak a language other than English and/or Spanish are directed to call the local SCLS Offices. The local SCLS Offices will use Language Line services. The local SCLS offices can access the Language Line Personal Interpreter Services by:

- **Dial 1-866-874-3972**
- At the prompt, enter your 6-digit PIN number
- **PRESS 1 FOR SPANISH**
- **PRESS 2 FOR ALL OTHER LANGUAGES** and speak the name of the language at the prompt. **NOTE:** If you need assistance, press **0** or stay on the line to be connected to a representative
- **An interpreter will be connected to the call**
- **BRIEF THE INTERPRETER.** Summarize what you wish to accomplish and give any special instructions to the Interpreter

- **ADD THE NON-ENGLISH SPEAKER** to the line
- **SAY “END OF CALL”** to the Interpreter when the call is completed

Telephone Intake procedure for Spanish speaking Applicants

The applicant calls into the SCLS intake line where they are immediately put in queue. The caller is immediately given the following prompt, “presses 1 for Spanish and for English please remain on the line”. If the caller presses 1, the call will be transferred to a LEP queue which will be answered by the Spanish-speaking intake person housed in the SCLS Intake Office. For intake at the SCLS Intake Office, the LEP Spanish speaking applicants will be referred to a designated bilingual staff member within SCLS. If the LEP intake person is on another call or out of the office, The SCLS intake staff will go into the LEP queue and get the name and telephone number of the applicant so that a call back can be made as soon the LEP staff member is available. The SCLS intake staff will send the SCLS intake managing attorney an email with the contact information for the Spanish speaking applicant. The SCLS intake managing attorney will assign the responsibility of calling back the LEP caller to the LEP intake staff member either in the SCLS Intake Office or in the Greenville Office. If the LEP intake staff is unavailable to make the call back for more than one (1) day, the SCLS intake managing attorney will email the LEP Coordinator regarding the need for a call back to be made since the LEP staff is unavailable. The LEP Coordinator will make arrangements to get the intake completed. Once the intake is completed, the LEP Coordinator will transfer the intake to the SCLS intake office and send the SCLS intake managing attorney an email requesting that the intake be reviewed.

Spanish Speech-to-Speech Relay Calls

If someone calls to get an intake done for an Spanish speaking applicant who has a mild to severe speech disabilities, as well as any Spanish speaking applicant who uses a voice synthesizer, voice enhancer, or any other similar device, the LEP intake staff member doing the intake should inform the person calling for the applicant that the applicant can use the Spanish Speech to Speech TTY Relay Service by dialing 1-866-260-9470. The applicant does not have to have a TTY-a communications device. The applicant only has to have a voice telephone. The LEP intake staff person should inform the caller that third party intake calls are discouraged by SCLS and that it is likely that they will ask a question the caller does not know the answer to. The Spanish-speaking applicant will connect to a specially trained Communications Assistant who can re-voice spoken Spanish to the LEP intake staff person as needed.

Telephone Intake procedure for English speaking Applicants

If the applicant does not press “1” and remains on the telephone line, the applicant hears a pre-recorded message informing them what type assistance they can expect from SCLS. The applicant is also told to have their Social Security and Drivers License Number ready. After the pre-recorded message, the applicant hears general information regarding the type of cases SCLS accepts and information that will be requested of the applicant during the intake until one of the SCLS intake staff picks up their call.

When the applicant speaks to the SCLS intake staff member, the applicant is asked their county of residence and a description of their problem. This information is helpful when referring the applicant to other service agencies if they are financially ineligible, have an issue that is an LSC restricted case and/or have an issue that is not within our service priority guidelines. If SCLS cannot assist the applicant, the SCLS staff will provide referral information as appropriate.

Emergency intakes



The Office where the applicant, who has been served with court documents, calls is the Office that is responsible for doing the emergency intake. If the applicant has been served with court documents and calls the local Office, the local legal services Office will be responsible for doing the intake. If the applicant has been served with court documents and calls the SCLS Intake Office, will be responsible for doing the intake.

Intakes handled solely by staff at the local SCLS Offices

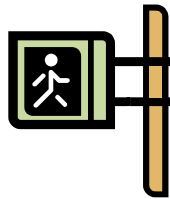
- Referrals received from other (i.e. out of state) legal services programs
- Emergency referrals from court staff, other service providers or community based organizations
- Applicants who are unable to communicate by telephone or navigate the SCLS' intake system (i.e., applicant is deaf and unable to use telephone)

relay systems, applicant is homebound and has no telephone, applicant is living in a shelter and has no privacy to make telephone call, etc.)

- Applicants with a special need or disability that impairs their ability to access the SCLS intake system (i.e., disabled applicant who has no access to a telephone, applicant resides in nursing home without the necessary privacy to discuss their legal problems by telephone); and
- Applicant who walks into a local Office or any local Offices' satellite office

NOTE: The emergency policy is designed to give the applicant the quickest access to an eligibility determination for legal services. The emergency intake policy shall be enforced by all Offices in order to avoid bouncing the applicant from their office to the SCLS Intake Office and/or from the SCLS Intake Office to the local Offices of SCLS.

Walk-in intake procedure



The SCLS recognizes that there are prospective clients who do not have access to the civil legal justice system because they lack transportation. This is especially true in the rural counties of South Carolina. In that situation, the SCLS policy is to do the intake at the local Office if an applicant walks into a local SCLS Office.

Local Offices do not refer walk-ins to the SCLS intake line

- The walk-in applicant is served with legal papers (court documents)
- The walk-in applicant is a government benefit recipient and has received a notice regarding their benefit(s), such as a Notice of Intended Action, a denial or termination notice (these notice carry appeal rights with filing deadlines)
- The applicant walks into the local SCLS Office on a Friday

- The walk-in applicant has limited English proficiency (LEP). SCLS does have a telephone intake policy for Spanish speaking applicants. However, the policy to never give a walk-in applicant the SCLS intake line number also applies to Spanish speaking applicants
- The walk-in applicant has a legal problem involving recent domestic violence
- When the local SCLS office has been informed that by the Information Technology Administrator that the SCLS intake is down for repairs or for backup

Intake privacy policy

Intake interviews for applicants who have not been referred to a local office by the SCLS Intake Office will be conducted in an SCLS Office, an outlying county intake site, or over the telephone. In emergency circumstances, an intake interview can be scheduled at any other site; especially if the applicant is critically ill, physically unable to come to an Office, or is institutionalized. Applicants should be met alone if at all possible. If an applicant is contacting the SCLS intake line by telephone in an SCLS office, the phone should be located in a private setting so the applicant’s personal and financial information cannot be overheard by others at the office. If the intake interview is done in person, the applicant and intake person should be in a private room to preserve confidentiality and privacy.

Financial eligibility pre-screening

Screen non-emergency calls in the following manner:

1. ASK the applicant for the number of people in their “**family unit**”.



“**Family unit**” is defined as those persons living in the same household with

Applicant:

- Whom the applicant is required by law to support or to whom the applicant is providing support or;
- Who are required by law to support the applicant; or
- Who is the “domestic partner” of the applicant.

“**Domestic partner**” is defined as a person who co-habits with the applicant, and with whom the applicant holds himself or herself out to the general public as having the same or similar relationship of spouses; and not a person who is merely a roommate or housemate of the applicant.

2. **ASK** the applicant for their total gross monthly (before taxes) income for their household unit. **See financial eligibility guidelines page 18 through 20.**
3. **SCREEN** the applicant for asset eligibility. **See asset eligibility guidelines pages 20 and 21.**
4. If the applicant is over our general and maximum financial or asset eligibility guidelines (see below):
 - **TELL** the applicant they are over income/assets (as appropriate) and they do not qualify for assistance from SCLS.
 - **REFER** the applicant to the SC Lawyer Referral Services at 1-800-868-2284 and explain that Lawyer Referral is not a free service and that the first half-hour consultation costs \$50.00.
5. Additionally, applicants determined to be ineligible for legal assistance from SCLS for any reason will be:
 - **REFERRED** to LAW Line at (803) 771-0011 or 1-800-521-9788
 - **REFERRED** to the internet resource at: www.LawHelpSC.org/SC
 - **REFERRED** to the SC Lawyer Referral Services at 1-800-868-2284

Below are the 2007 financial guidelines for eligibility for legal services

**The South Carolina Legal Services
General Income Guidelines
125% of the Federal Poverty Level**

<u>No. in Household</u>	<u>Income Annually</u>	<u>Monthly Income</u>
1	\$12,763.00	\$1,063.58
2	\$17,113.00	\$1,426.08
3	\$21,463.00	\$1,788.58
4	\$25,813.00	\$2,151.08
5	\$30,163.00	\$2,513.58
6	\$34,513.00	\$2,876.08
7	\$38,863.00	\$3,238.58
8	\$43,213.00	\$3,601.08

- For each family unit with more than 8 members, add \$4,350 for each additional family member

**The South Carolina Legal Services
Maximum Income Guidelines
200% of the SCLS Income Guidelines**

<u>No. in Household</u>	<u>Income Annually</u>	<u>Monthly Income</u>
1	\$20,420.00	\$1,701.67
2	\$27,380.00	\$2,281.67
3	\$34,340.00	\$2,861.67
4	\$41,300.00	\$3,441.67
5	\$48,260.00	\$4,021.67
6	\$55,220.00	\$4,601.67
7	\$62,180.00	\$5,181.67
8	\$69,140.00	\$5,761.67

- For each family unit with more than 8 members, add \$6,960.00 for each additional family member

NOTE: If the financial information on the applicant exceeds the General Income Eligibility Guidelines (125% chart) but does not exceed the Maximum Income Guidelines (200%) Chart, the intake worker should put the following as a note in the intake case facts: “Note: intake being referred for possible waiver because applicant falls between the general and maximum income eligibility guidelines.

NOTE: These figures change yearly-pages are to be replaced immediately after the SCLS Board approves new financial guidelines

EXCEPTIONS TO INCOME GUIDELINES FOR LSC

An applicant whose income exceeds the annual income ceiling may be financially eligible if the applicant’s assets do not exceed the asset ceiling, or the asset ceiling has been waived, and:

1. The applicant is seeking legal assistance to maintain benefits provided by a governmental program for low-income individuals or families; or
2. The Executive Director, or his/her designee, has determined on the basis of documentation that the applicant’s income is primarily committed to medical or nursing home expenses and that, excluding such portion of the applicant’s income which is committed to medical or nursing home expenses, the applicant would otherwise be financially eligible for services.

A person whose gross income exceeds the general income guidelines level but is less than the Exceptional Income Guidelines, which is 200% of the general income guidelines, may be provided legal assistance if one of the following apply:

1. The applicant is seeking legal assistance to obtain government benefits for low-income individuals or families, or
2. The applicant is seeking legal assistance to obtain or maintain governmental benefits for persons with disabilities,
3. Consideration of one or more of the following factors:
 - i. Seasonal variations in income
 - ii. Unreimbursed medical expenses and medical insurance premiums
 - iii. Fixed debts and obligations, **excluding** food, credit card debt, business expenses, mortgage payments, rent, child support and spousal support and other such routine obligations

- iv. Expenses such as dependent care, transportation, clothing and equipment expenses necessary for employment, job training, or educational activities, in preparation for employment
- v. Non-medical expenses associated with age or disability
- vi. Current tax obligations on applicant's primary residence
- vii. Other significant factors that affect the applicant's ability to afford legal assistance.

Asset Eligibility Check

The applicant's assets are also ascertained in pre-screening. "Assets" means cash or other resources of the applicant or members of the applicant's household that are readily convertible to cash, which are currently and actually available to the applicant.

In cases where an applicant has available assets which, after deducting any applicable taxes, exceed the ceiling set forth below, representation will not generally be afforded, while the excess in assets exists. However, in unusual or extremely meritorious situations, the General Counsel, Director of Litigation, or the Executive Director may grant a waiver of the asset ceiling. The decision should be documented on the "Waiver of Asset Ceiling" form (**SCLS Form 1105** located in the Forms Section of the SCLS standardized questionnaire and form manual) which will be included in the client's file with a copy to the General Counsel. All assets of all resident members of the family unit will be included as assets.

Below are the SCLS asset guidelines for eligibility:

Liquid Asset Ceiling – Single individual \$5,000.00; for each additional family member add \$1,000.00.

Non-liquid Asset Ceiling - \$10,000.00 equity in non-liquid assets for family unit.

Exclusions (not to be counted in liquid or non-liquid asset determination)

- 1) Equity in applicant's principal residence which included up to 25 acres which are contiguous to the home
- 2) Personal and household effects

- 3) Vehicles used for transportation
- 4) Trusts from household funds for educational and medical expenses
- 5) Value of farmland essential to employment or self-employment
- 6) Reasonable equity value in work-related equipment essential to employment or self-employment, provided the owner is attempting to produce income consistent with its fair market value
- 7) Cash value of IRA , Keogh Plans, or other retirement plans
- 8) Assets excluded under the food stamp, TANF, S.C. Family Dependence Act, and SSI programs
- 9) When the applicant is a victim of domestic violence, assets of or held jointly with the alleged perpetrator shall not be considered

Grant Exceptions to Financial/Asset Eligibility Guidelines

Some legal problems can be handled for an applicant without having to financially qualify or fall within the SCLS asset guidelines. When completing an intake, consider the following SCLS grants: HUD Homeless grant, HUD Counseling grant, VOCA, Title III B, and/or the Low Income Taxpayer grant (LITC).

Once the screener determines the applicant may qualify under a SCLS grant, the intake is completed and a note is put in the case facts that the case is being referred for consideration under the specific grant.

NOTE: Grants are subject to change. The SCLS Intake Office managing attorney will communicate changes affecting intake procedures and/or case acceptance to SCLS intake staff promptly and update the intake manual as appropriate.

- **Low Income Taxpayer grant (LITC grant):**
 - Funds **federal** income tax issues for applicants
 - For intake purposes, there are **NO** financial eligibility requirements with the LITC grant. However, financial eligibility is taken at intake to inform the SCLS caseworker on whether to close their case as a CSR Yes or CSR No for LSC purposes
 - The LITC grant has a financial eligibility limit of 250% of the poverty scale. The LITC grant staff will notify applicant if they

are over the income guidelines for the grant

- There is a limit regarding the amount owed to the IRS. This is known as the “amount in controversy”. The limit for the “amount in controversy” cannot be more than \$50,000 for any tax period
 - The grant covers the **entire** State of South Carolina
 - LITC grant intakes are coded as “99”
 - **Intake procedure for LITC cases for SCLS intake staff:**
Intakes will state in the case facts that intake is being referred for possible representation under the LITC grant. Upon completion of the LITC intake, the SCLS intake staff will put the intake in the “grants” intake slot in the office. The SCLS Intake Office managing attorney or designee will review the intake and transfer the intake to the Charleston office. An email will be sent by the SCLS Intake Office managing attorney or designee to the LITC Tax Coordinator and the Transactional Law Unit Head alerting them of the transfer of a possible LITC case.
 - **Intake procedure for LITC cases for SCLS in-office staff:**
When a tax grant (IRS or LITC) intake has been completed, the in-office staff should transfer the intake to the Charleston office. The in-office staff should email notice of the case transfer to the LITC Coordinator and to the Transactional Law Unit Head.
- **HUD Counseling grant:**
 - Funds civil legal assistance to those South Carolinians who are trying to obtain housing, sell housing, and retain their housing. The HUD Counseling Grant is broad in scope
 - There are **NO** financial eligibility requirements with the HUD Counseling grant. However, financial eligibility is taken at intake in order to inform the client at start of services whether it will be possible for a SCLS attorney to represent the client in litigation
 - **NO** court time can be billed to this grant
 - This grant covers the **entire** State of South Carolina.

- **HUD (Homeless) grant:**
 - Funds civil legal assistance to the homeless in retaining or securing affordable housing, preventing loss of custody of children, addressing domestic violence and other issues that may cause homelessness
 - There are **NO** financial eligibility requirements with the HUD Homeless grant. However, financial eligibility is taken at intake to inform the SCLS caseworker on whether to close their case as a CSR Yes or CSR No for LSC purposes
 - 4 Counties covered by the HUD Homeless grant: **Chester, Kershaw, Lancaster, and York.**

- **VOCA grant:**
 - Funds **emergency** civil legal assistance to victims of crime including domestic violence issues, child abuse issues, elder abuse, and elder financial abuse
 - There are **NO** financial eligibility requirements with the VOCA grant. However, financial eligibility is taken at intake to inform the SCLS caseworker on whether to close their case as a CSR Yes or CSR No for LSC purposes
 - 17 Counties covered by the VOCA grant: **Abbeville, Allendale, Anderson, Bamberg, Barnwell, Calhoun, Edgefield, Fairfield, Greenville, Greenwood, McCormick, Newberry, Oconee, Orangeburg, Pickens, Richland, and Sumter.**

- **Title III B grant (Upstate):**
 - Funds civil legal assistance to the elderly in resolving their affairs as they age
 - There are **NO** financial eligibility requirements with the Title III B (Upstate) grant. However, financial eligibility is taken at intake to inform the SCLS caseworker on whether to close their case as a CSR Yes or CSR No for LSC purposes
 - Includes wills and powers of attorney
 - 6 Counties covered by the Title III B-Upstate grant: **Anderson, Cherokee, Greenville, Oconee, Pickens, and Spartanburg.**

- **Title III B grant (Lowcountry):**
 - Funds civil legal assistance to the elderly in resolving their affairs as they age
 - There are **NO** financial eligibility requirements with the Title III B (Lowcountry) grant. However, financial eligibility is taken at intake to inform the SCLS caseworker on whether to close their case as a CSR Yes or CSR No for LSC purposes
 - Includes living wills, guardianships and conservatorships
 - 3 Counties covered by the Title III B-Lowcountry grant: Berkeley, Charleston, and Dorchester

- **Title III B grant (Pee Dee):**
 - Funds civil legal assistance to the elderly in resolving their affairs as they age
 - There are **NO** financial eligibility requirements with the Title III B (Pee Dee) grant. However, financial eligibility is taken at intake to inform the SCLS caseworker on whether to close their case as a CSR Yes or CSR No for LSC purposes
 - Includes Advance Directives
 - 6 Counties covered by the Title III B-Pee Dee grant: **Chesterfield, Darlington, Dillon, Florence, Marion, and Marlboro.**



Conflict check

After completing financial pre-screening, you must ask the applicant for the following so that a conflict check can be run on each name and social security number asked for:

- 1) Applicant's full name with correct spelling (always ask the applicant to spell their name)
- 2) Applicant's maiden name (if applicable)
- 3) Applicant's social security number
- 4) The name and spelling of all Opposing Parties.
 - a. **NOTE:** If the name of the applicant shows up more than once in case management, review information for every name that appears under "Opposing Party".
 - b. When looking at the names under Opposing Party, review race, birthday, social security number and other demographic data to verify that the applicant is not the same person listed as an Opposing Party.
 - c. Names listed under "Client" are not conflicts because the applicant/caller is presumed to be a client for the limited purpose of checking conflicts.

Finding a Conflict of Interest

There are times when nothing in case management distinguishes whether the caller presents a conflict of interest. Note: The general rule for conflicts is that we do not represent an applicant against an old client in a substantially related matter in which the parties are materially adverse, without the old client's consultation and consent. If you cannot tell if a conflict exists, **always** err on the side of caution and conflict the caller out

If a conflict of interest exists, **TELL** the conflicted applicant/caller:

- 1) "SCLS cannot assist you with your legal problem because there is a conflict of interest"

- 2) Please call the SC Pro Bono Program at (800) 395-3425, Extension 164 on Wednesday 9:30 a.m. to 4:30 p.m.
 - a. If conflicted applicant has court papers or a hearing date, **TELL** them to contact the SC Pro Bono Program immediately
 - b. If conflicted applicant calls the SCLS intake line, **TELL** conflicted applicant to inform Pro Bono they are Code 150 referral
 - c. If conflicted applicant is at local office, **TELL** conflicted applicant to inform Pro Bono they are a Code 100 referral.

This policy varies and updates will be forwarded when received of a change by the Pro Bono Program.

NO conflict of interest

If no conflict of interest is found, the SCLS intake staff continues completing the intake application. If staff discovers that the intake is an emergency as defined by SCLS policy or that the intake is an out-of-state referral, the intake is immediately brought to the attention of the SCLS Intake Office managing attorney for further review.

If the intake is an emergency, the completed intake is transferred in the case management system to the appropriate local office immediately. An email is sent to the managing attorney or their designee notifying them of an emergency transfer.

If the intake is not an emergency, the completed intake is reviewed by the SCLS Intake Office managing attorney during the day to see if the intake can be accepted, denied, or transferred to the local SCLS' offices. If an intake is coded for possible representation under one of the SCLS grants, an email is sent to the managing attorney or their designee alerting them of the possible grant case.

If the intake is an out-of-state referral, the SCLS Intake managing attorney sends a copy of the applicant's intake and a letter to the appropriate state's local legal services office. The applicant is also sent a letter explaining that their intake has been referred out of state. Emergency out-of-state referrals are also faxed to the appropriate state's local legal services office.

If the SCLS Intake Office managing attorney is out of the office for more than two (2) days, the SCLS intake staff will transfer all intakes to the appropriate local SCLS offices. The SCLS intake staff will send an email to the Managing Attorney and SCLS office manager to alert them of the transfer of a possible emergency.

Alien Eligibility and Domestic Violence/Sexual Assault/Human Trafficking

LSC now permits the SCLS to represent undocumented aliens who are victims of domestic violence, sexual assault, and human trafficking in actions related to their victimization. Permissible representation includes an undocumented alien victim's child where that child has been similarly victimized. Further, the SCLS is permitted to provide "related legal assistance" to otherwise ineligible aliens who are victims of domestic abuse even if they are not married to (or the child of) their abusers.

Applicants who appear to fall within these guidelines should be fully screened and forwarded to the SCLS Intake Office managing attorney for further review.

What to tell Applicant after intake is completed-Limited representation statement

Once an intake is completed, the intake staff shall inform the applicant that a Managing Attorney will review the intake for final determination as to eligibility. Furthermore the SCLS staff should instruct the applicant that their intake could be denied, accepted for counsel and advice, brief services, extended services (i.e. court representation), or the intake can be referred to an outside attorney for possible representation. The intake staff must ask the applicant for permission to forward their intake and any other documents if the intake is going to be referred to an outside attorney.

Questions to be asked during intake (after case facts screen has been completed):

1. Do you understand and agree that your intake can be denied, accepted for counsel and advice, brief services, or extended services? Yes or No
 - If applicant answers **Yes**, the following language should be entered into the case facts of case management: "Applicant agrees and understands that this intake may be denied or accepted for counsel and advice or brief services"
 - If the applicant answers **No**, the following language is to be entered into case management: "**Applicant does not agree to limited representation.**"
2. Do you understand and agree that your intake and all documents related to your intake could be referred to an outside attorney for representation? Yes or No

- If applicant answers **Yes**, the following language should be entered into the case facts of case management: “Applicant agrees and understands that this intake and all documents related to the intake could be referred to an outside attorney for possible representation.”
 - If the applicant answers **No**, the following language is to be entered into case management: “Applicant does not give permission to refer this intake to an outside attorney for possible representation.”
3. Do you understand and agree that this intake and all information related to this intake may be released upon request to the funders of SCLS?
- If the applicant answers **Yes**, the following language should be entered into the case facts of case management: “**Applicant consents to the release of information required or requested by the funders of SCLS.**”
 - If the applicant answers **No**, the following language is to be entered into case management: “Applicant does not give permission to release information required or requested to the funders of SCLS.”

The intake staff MUST immediately alert the Managing Attorney if the applicant does not agree to limited representation or does not agree to have their intake and all other documents related to their intake be referred to an outside attorney for representation.

If the intake is completed at a local office (in person), the applicant should sign and date the Consent to Possible Limitation of Service along with the LSC Compliance documents.

SCLS Intake Satellite Telephone Stations



The SCLS Intake Office has a telephone intake satellite station located at the Orangeburg Office. Two telephone workstations are set up in the Orangeburg Office where staff members answer telephone calls just as if they were at the SCLS Intake Office. This increases the maximum number of staff doing intake for the SCLS Intake Office from four to six.

The satellite office calls are queued from the SCLS intake telephone line. The SCLS Intake Office managing attorney can review all the queued calls from his desktop. The Intake staffs at the SCLS Intake office and the Orangeburg office will follow the same intake procedures outlined in this manual. The Orangeburg intake staff members' case management has been electronically mapped to the SCLS Intake office. The intake done from the Orangeburg office shows up in the SCLS Intake office's My Centers Pending list.

If an intake is marked as a possible emergency, the Orangeburg intake staff sends an email to the SCLS Intake Office Managing Attorney, immediately upon completion of the intake, alerting the SCLS Intake Office Managing Attorney of the completion of an intake marked as a possible emergency. The SCLS Intake Office managing attorney will review and transfer the intake marked as a possible emergency to the appropriate local office. The SCLS Intake Office Managing Attorney will also send an email to the appropriate SCLS Managing Attorney and/or designee alerting them as to the transfer of an intake marked as a possible emergency to their office.

The Orangeburg Office's intake satellite staff can contact the SCLS Intake Office managing attorney at extension 4400 for questions concerning the answering of the intake line calls and the completion of intake during their shift.

Finally, the SCLS Intake Office managing attorney and the Orangeburg managing attorney will coordinate vacation times, planned doctor's appointments, and other absences of those staff assigned to do intake for the SCLS Intake Office. The purpose of coordinating staff time is to ensure adequate intake line coverage when a SCLS intake staff member is out of the office.

After the Applicant's Information is Entered in Case Management

Non-emergency intakes are printed and put in an intake box. The SCLS Intake Office managing attorney reviews all intakes for acceptance, transfer, or denial. The South Carolina Pro Bono Program notifies the SCLS Intake Office managing attorney of those counties that are not available for domestic intake referral.

Each day, the SCLS Intake Office managing attorney reviews intakes that are within the SCLS priority guidelines and are eligible for legal assistance unless the SCLS Intake Office managing attorney is on vacation or out of the office for more than two (2) days. The SCLS Intake Office managing attorney reviews the intakes for acceptance by the SCLS Intake Office, rejection, and/or transfer to a local SCLS Office for further review for possible representation.

If an intake requires only counsel and advice, the SCLS Intake Office managing attorney assigns those cases to his staff. These include one-year separation advice letters with pro bono referrals and Chapter 7 bankruptcy cases where there is no home or car at risk of loss. Each week, the managing attorney prepares a case acceptance memo for cases assigned to SCLS intake attorney and the SCLS Intake Office managing attorney for counsel and advice, prints a copy of the report and forwards it to SCLS intake staff (including Orangeburg intake staff).

Intakes that are within our service priority guidelines and financially within our guidelines (exception grant cases) are transferred to the local SCLS Office via the case management system.

Applicants that are financially and asset ineligible (excluding grant cases) are sent a denial letter by the SCLS Intake Office managing attorney. Applicants whose case is not within our service priority guidelines receive a denial letter sent by the SCLS Intake Office managing attorney.

Denial at Intake

An intake for services may be denied for the following reasons:

- Applicant withdrew prior to services rendered
- Conflict of Interest exists
- The case is a duplicate
- Eligible client, no service
- Within priorities, no service

- Not within priorities
- Other grant, no service
- Outside Service Area-refer to LSP in Another State
- Over income/assets; no other grant available
- Referred no service

It is the policy of SCLS that all applicants who have their intake denied for services shall be mailed a denial letter explaining the reason for the denial. The decision to deny an applicant's intake for services shall solely be the decision of the managing attorney and/or Supervising Attorney of the local SCLS Office the applicant resides.

Additionally, the denial letter sent to the applicant should mention SCLS has limited resources and that there are not enough resources to handle cases for our entire client population. As a result of SCLS having limited resources, the denial letter sent to the applicant should mention the continual assessment of the needs of our clients and invite the applicant to contact the local Office so that they can be sent a needs assessment survey to complete when SCLS reassesses its service priority guidelines.

If the applicant contacts the local Office and wants to be sent a needs assessment survey, the Office Manager of the Office or the managing attorney's designee shall be responsible for keeping a list of all applicants and/or clients who wish to be sent a need assessment survey. The Office Manager or the managing attorney's designee shall also be responsible for mailing the need assessment survey to the applicant when SCLS reassesses its' priorities.

Out of State Referrals to another legal services provider



SCLS Intake Office intake procedure:

- When an intake staff member completes an intake where it appears to be an out-of-state case, the intake is brought to the SCLS Intake Office managing attorney upon completion of the intake.
- The SCLS Intake Office managing attorney reviews the intake to see whether the intake should be referred out-of-state or whether the applicant can file an action in South Carolina.
- If the intake should be referred out-of-state, the SCLS Intake Office managing attorney determines the State Legal Aid agency to which the intake is to be sent.

Where to send the out-of-state referral (general use):

- If the applicant does not know the County in which the intake is to be referred to, the County is determined by using the following website: **www.naco.org**. This website allows you to find the County by finding the city in which the out-of-state party resides.
- Once the proper County is found, the proper legal aid provider needs to be found. In order to find the proper legal aid provider, you can go to the following website: **www.lawhelp.org**. You would find the State you are going to send the referral to and click on the link. You will then click on legal services provider and the county to find out where to send the out-of-state referral.
- Before sending the referral, it is wise to go to that legal services' website to make sure that the address, telephone number, and fax number is the same as what you found on the Law Help website. You should use the address, telephone numbers, and fax numbers on the website to insure accuracy in your mailing of the referral.

- If you find more than one legal services provider for the county, it is suggested that you check the websites and look at the priorities guidelines for both legal service providers in order to insure accuracy in your mailing of the referral.
- If the referral is an emergency, you should also fax the referral to out-of-state legal services provider.

Intake Transfer when Intake Managing Attorney is not in Office

If the SCLS Intake Office managing attorney is out of the office for more than two (2) days of intake line operation, the intake staff will continue intake for the SCLS local offices. However, there will be no review of intake for acceptance by the SCLS Intake Office. All intakes will be transferred to the local offices.

Prior to the absence, the SCLS Intake Office managing attorney will send an email to the SCLS managing attorneys notifying them of the impending absence and reminding them that intakes will be sent without prior review. Further, the SCLS Intake Office managing attorney will request each managing attorney provide him with the name of a contact person(s) for their respective Office who will be responsible for receiving email alerts regarding possible emergencies transferred to the local Office. Once the contact list is compiled, the SCLS Intake Office managing attorney forwards the list to the intake staff with directions to send possible emergencies by email to those listed. The person who completes the emergency intake will transfer the case to the Office and then send an email to the individual's offices contact person alerting them to the transfer of a possible emergency.

If the SCLS Intake Office managing attorney is out of the office for a short period of time (less than 2 days), the intake staff will give any possible emergency intake to the SCLS Intake Office or the managing attorney's designee to transfer the emergency intakes and to send an email alerting the managing attorney of the transfer of a possible emergency. The non-emergency intakes are put in the intake box and will be reviewed for acceptance, transfer, and/or rejection when the SCLS Intake Office managing attorney is back at the SCLS Intake office.

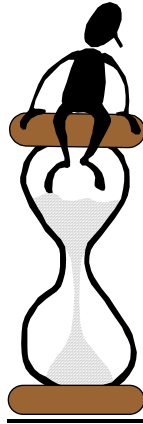
SCLS Intake Line Evaluation

The SCLS Intake Office managing attorney will run monthly reports for open cases, closed cases, and denied cases. Additionally, monthly Officevue reports will be run in order to review the number of calls made to the SCLS intake line, the number of abandoned calls, the number of queued calls, the daily average abandon queue time, and the daily average queue time for the month.

At the end of each quarter, the SCLS Intake Office managing attorney will submit a

report to the SCLS Executive Director. The quarterly report will include statistics detailed above.

Acceptable Wait Times in Queue



The purpose of providing wait times in the quarterly report is to assess whether the wait times in queue meet a high quality of service for clients. An “acceptable daily average wait time” in queue is not a constant. One caller’s acceptable wait time may not be an acceptable wait time of another caller.

The Officevue software suggests that any average daily wait time of more than 10 minutes of all the queued calls is an unacceptable wait time, as seen by the wait time box shading red. Average answered queued calls and average abandoned queue wait times will be given to the SCLS Executive Director in a quarterly report prepared by the SCLS Intake Office managing attorney. In addition, average wait times will be reviewed in comparison with the client satisfaction survey card results returned during the quarter.

The client satisfaction survey card sent to clients of SCLS are asked how long were they on hold before they talked to someone and how many times they called the SCLS intake telephone line before getting someone to talk to. This data will be included in the quarterly report.

Additionally, the SCLS Intake Office quarterly report will include case statistics for those cases that were closed by the SCLS Intake Office and for those cases transferred by the SCLS Intake Office. The case statistics will be sorted by substantive area of law and by geographical area. The purpose of including case statistics in the quarterly report is to assess whether SCLS is providing relatively uniform access of services to their client population and to assess where there may be some area of unmet need or whether there is a client population that does not have access to the civil legal justice system.

Lastly, the trends and statistics in the quarterly report will be discussed as an agenda item at each Quarterly managing attorney meeting for comment and analysis. Any proposed

changes or recommendations made by the management team at the quarterly managing attorney's meeting will be forwarded to the SCLS Board's Priority Committee for them to review and take to the SCLS Board if needed.

Friday duties and activities at SCLS Intake Office



The intake line is closed on Friday to allow the SCLS intake staff time to work on other related matters and activities, such as trainings, task force meetings, casework, and administrative duties. If there are no trainings or task force meetings scheduled, the SCLS Intake Office Managing Attorney holds a staff meeting.

Staff Meetings at SCLS Intake Office

- An agenda is prepared for each staff meeting
- Staff member absences are entered on the staff meeting agenda's calendar
- Task force training dates are given to staff as a reminder to get SCLS paperwork done in time to attend training
- Intake procedures are discussed
- Intake fact omissions are discussed. If there are any questions regarding the case facts within a given intake, the managing attorney has the SCLS intake worker make a call back to get the information needed to assess the intake for service priority eligibility. If applicant is not available, the SCLS intake worker will mail a five (5) day letter requesting the applicant to call the hotline to discuss their intake. A copy of the five (5) day letter and the incomplete intake is then filed in a folder on the managing attorney's desk. If the applicant does not call back within the time allotted in their five (5) day letter, the intake is then denied and the SCLS Intake Office managing attorney sends a denial letter

- Trainings and meetings attended by managing attorney and/or staff are discussed
- Managing attorney gives time for staff to ask questions and invites open discussion with staff before meeting is adjourned.

In general, the Intake Screener and the Intake Systems Paralegals file closed and denied cases; compose denial letters under the direction of the managing attorney; assist in the distribution of the SCLS brochures; review substantive law updates; make callbacks; and handle other projects as assigned by the managing attorney.

The Intake Systems Attorneys work on their caseload, which includes drafting counsel and advice letters, sending referrals to the SC Pro Bono Program, and closing their cases in case management.

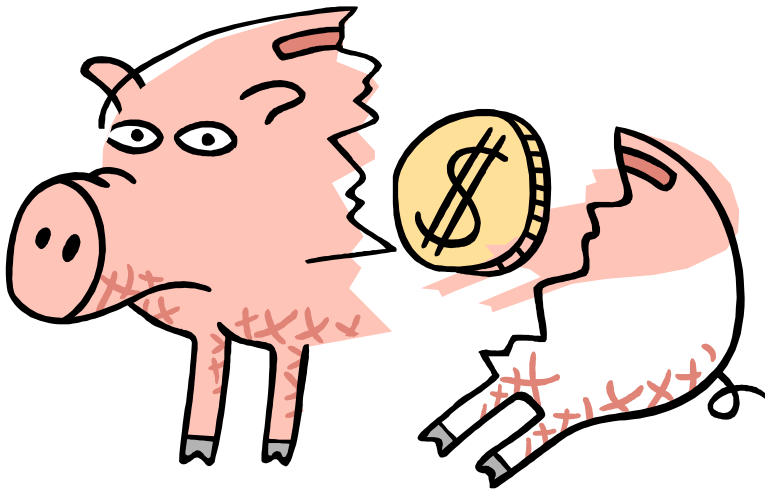
Everyone, including the managing attorney may answer the telephone intake line at the SCLS Intake Office.

The SCLS Intake staff comes to the managing attorney daily for assistance if there is any question regarding an intake.

SCLS Case Priorities

In order to be an effective intake screener, the intake screener needs to be aware of the service priority guidelines of the SCLS. A thorough knowledge of the priorities enables the intake screener to compartmentalize the applicant's legal problem and also helps the screener to pick up other issues during an intake that may lead to additional assistance by SCLS. **Below are the SCLS case priorities:**

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



Cases:

A. Bankruptcy (LSC code: 01)

1. Chapter 7 in order to save a home, car, or medically necessary equipment
2. Chapter 13

B. Collection (LSC code: 02)

1. Where the client has been served with pleadings or property has repossessed
2. Where the client disputes the debt or the amount of debt
3. Where a creditor or collection agency is harassing the client

C. Breach of contract/warranty (LSC code: 03)

D. Credit access (LSC code: 04)

**E. Loans/Installment purchases (other than collection)
(LSC code: 06)**

F. Public and Private Utilities (LSC code: 07)

G. Unfair sales practices (LSC code: 08)

H. Other consumer/finance (LSC code: 09)

Education: Ensure and Maintain Access to Education.



Cases:

A. School enrollment (LSC code: 11)

B. School fees and charges (LSC code: 11)

C. Special education cases (LSC code: 11)

D. Suspension/expulsion cases (LSC code: 11)

E. Other education cases (LSC code: 11)

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



Cases:

A. Job Discrimination (LSC code: 21)

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 the EEOC

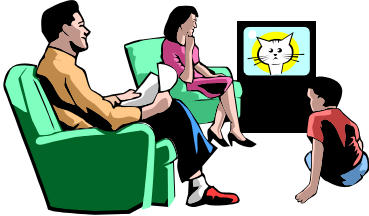
B. Wage Claim (LSC code: 22)

Representation at administrative level (informal hearing with employer) and representation at court level where the administrative process has been exhausted

C. Other Employment including wrongful termination (LSC code: 29)

Representation at administrative level (informal hearing with employer) and representation at court level where the administrative process has been exhausted

Family: Ensure Safety and Housing and Economic Stability of the Family Unit



Cases:

A. Adoption (LSC code: 30)

Where an increased economic benefit can be obtained

B. Visitation (LSC code: 31)

Only when non-custodial parent is current in child support and has no criminal record and where there is an obvious benefit to the child

C. Custody-defend already filed custody actions (LSC code: 31)

Only when doing so is in the best interest of the child(ren)

D. Custody- initiate custody actions (LSC code: 31)

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 (LSC code: 32)

SCLS will initiate divorces only on the ground of physical cruelty

F. Birth Certificate (LSC code: 34)



SCLS will initiate actions to obtain or amend birth certificates where an economic benefit can be gained

G. Domestic Violence (LSC code: 37)

H. Other Family Contempt - Rule to show cause (LSC code: 39)

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



Cases:

A. Medicaid (LSC code: 51)

1. Representation at the administrative level and in District Court regarding the termination, overpayment, or denial of Medicaid process
2. Representation in collection actions regarding the Medicaid process

B. Medicare (LSC code: 52)

1. Representation at the administrative level and in District Court regarding the termination, overpayment, or denial of Medicare
2. Representation in collection actions regarding the Medicare

C. Other Health/Advance Directive (LSC code: 59)

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. Federal Subsidized Housing Rights (Section 8) (LSC code: 61)

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. Home ownership/Real property (LSC code: 62)

1. Access to quality housing
2. Obtaining or maintaining ownership of homes or real property

3. Defending foreclosure actions in court

C. Landlord/Tenant (other than public housing) (LSC code: 63)

1. Evictions
2. Access to quality housing
3. Obtaining necessary repairs to rented housing
4. Utility cutoffs/ouster
5. Security deposit returns

D. Other public housing (Housing Authority) (LSC code: 64)

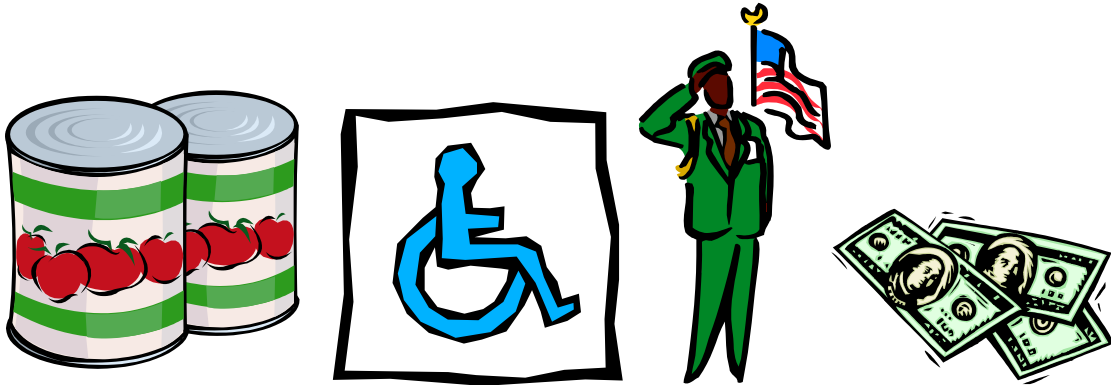
1. Evictions
2. Access to quality housing
3. Obtaining necessary repairs to rented housing
4. Resolving problems with subsidized housing providers
5. Utility cutoffs/ouster
6. Security deposit returns



E. Other housing (LSC code: 69)

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



Cases:

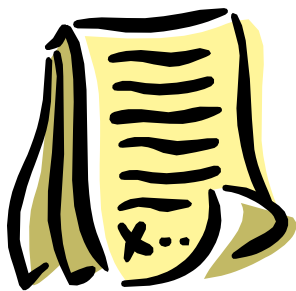
- A. TANF/FI (LSC code: 71)**
- B. Food Stamps (LSC code: 73)**
- C. Social Security (LSC code: 74)**
- D. Supplemental Security Income (LSC code: 75)**
- E. Unemployment compensation (LSC code: 76)**
- F. Veterans benefits (LSC code: 77)**
- G. Other income maintenance (LSC code: 79)**

Miscellaneous and Elder Law: Ensure Access to the Civil Legal Justice System

Cases:

A. Native American Tribal Law (LSC code: 92)

B. Wills/Estates/Advance Directive (LSC code: 95)



1. Drafting and execution of Last Will & Testament
2. Drafting and execution of Power of Attorney
3. Drafting and execution of Health Care Power of Attorney
4. Drafting and execution of Living Will

C. Probating Estates-to include deeds of distribution (LSC Code 95)

D. Heirs Property Issues (LSC codes: 94, 99, and 62)

E. Other Miscellaneous (LSC code: 99)

1. Guardianship and conservatorship issues
2. Provide counsel and advice in any case not specifically prohibited by LSC Statutes or regulations or other federal law

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



4. Community Economic Development



Intake Procedure for Migrant cases

Walk-ins: When a person walks into your office and it appears that the person has a migrant problem and cannot speak English, please contact SCLS Migrant Division staff by phone.

SCLS Intake Office referral: If SCLS Migrant Division cannot be contacted, the SCLS local office is to call and explain the situation to SCLS Intake Office LEP staff. The SCLS Intake Office LEP staff will take the person's name and contact information and will email the information to the SCLS Migrant staff after reassuring the applicant that someone will be in touch with them.

SCLS intake telephone call: If applicant calls SCLS intake number with a migrant case, SCLS Intake Office LEP staff will take the name of the person or persons needing legal assistance and their contact number. The SCLS Intake Office LEP staff will then email the SCLS Migrant staff with the information so that they can contact the Applicant.

SCLS Migrant Division Priorities

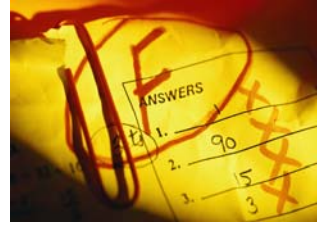
A. Employment Conditions:



Cases:

- Wage Problems (getting all wages, not getting minimum wage, illegal deductions)
- Abuse by contractors, false promises, lack of toilets, clean drinking water and hand washing at work
- Discrimination on the job such as: age, disability, nationality, race, religion, or sex
- Retaliation for reporting violations of law or claiming your rights
- Sexual harassment
- Problems in nurseries, canneries, packing sheds
- Housing where required to be provided by the employer

B. Education and Schools:



Cases:

- Discrimination in schools, including unjust suspension or expulsion of students
- Problems with migrant education programs

C. Civil Rights:

Cases:



- Violation by Law Enforcement
- Violation by INS
- The need to educate people about the changes in immigration law

D. Housing Problems:



Cases:

- Improve compliance with housing codes and municipal codes
- Prevent homelessness
- Prevent redlining

E. Health Care Problems:

Cases:



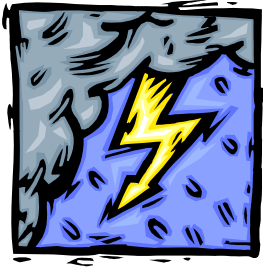
- Pesticide poisoning
- Problems getting help from farm worker or low-income medical clinics

F. Consumer Problems:



Cases:

- Assure enforcement of existing consumer protections
- Warranty issues
- Bankruptcy
- Utility cut-offs



Emergency Disaster Plan for Continuing Intake for Eligible Applicants

If the SCLS Intake Office becomes inoperable as a result of a disaster (i.e., fire, flood, hurricane, etc.), the following procedure for continuing intake goes into effect: The SCLS case management system can be accessed via the World Wide Web. In case of an emergency, the Technology Director will provide the SCLS Office intake staff with the website address needed to access the SCLS case management from their home computers. A pre-recorded emergency message will instruct those calling into the SCLS intake line that the SCLS Intake Office is inoperable due to an emergency. The telephone message will instruct those individuals having access to a personal computer to email a message to the SCLS Intake Office managing attorney asking them to contact them regarding the need for an intake. The SCLS Intake Office managing attorney will monitor his email so that he can forward the applicant's request for services to one of the SCLS Intake office staff working at home. The SCLS intake staff will then contact the applicant and be screened for eligibility. If the applicant is financially eligible for legal services and the applicant's problem is within the service priority guidelines of the SCLS, an intake will be done for the applicant. The SCLS intake staff will log the telephone calls made from their home on an SCLS telephone log so that they can be reimbursed for any long distance charges they may incur as a result of conducting statewide intake at their home. The SCLS telephone log will ask for the date the call was made, the name of the individual called, and the disposition of the call made. A copy of the SCLS intake staff's telephone bill will be submitted along with the telephone log to insure proper reimbursement. Failure to log calls and submit a telephone bill will result in no reimbursement being made to the SCLS intake staff for the calls made pursuant to the emergency disaster policy. The SCLS Comptroller shall make every effort to get a telephone reimbursement check to the appropriate SCLS intake staff member before their telephone bill comes due.

If the emergency situation is where the Internet is inoperable and the SCLS Intake Office is closed, a call backlog will be kept. Callbacks will be done as soon as case management becomes operable. Applicants will be advised as to when they can expect to receive a call back.

Applicants should be given realistic call back times as a result of the emergency. If the emergency situation is where the internet and the telephone is inoperable statewide, the SCLS intake staff may be assigned by the SCLS Executive Director to report for work at one of the local SCLS Offices to assist with doing hand written intakes for those who come to the local SCLS Office for assistance. The written intake form is in the SCLS Procedure Manual. The assignment of staff to a local SCLS Office will continue until the SCLS Intake Office becomes operable or until the Internet and the telephones become operable statewide, which ever comes first.

Referral Numbers for Assistance during times of Emergency



1. Salvation Army: 1-800-SAL-Army
2. Air Force Aid Society: 1-800-769-8951
3. Companheiros das Americas (Partners): 1-800-322-7844
4. Mercy Corps: 1-888-256-1900
5. Feed the Children: 1-800-627-4556
6. American Red Cross: 1-800-HELP NOW (English)
1-800-257-7575 (Spanish)
7. Humane Society of the United States: 1-888-259-5431
8. FEMA: 1-800-621-FEMA
9. Call TTY at 1-800-462-7585 for people with speech or hearing disabilities

County Specific Referrals for callers

There will be times when you, the person doing intake, may need to refer the applicant to another agency. For example, if a victim of domestic violence calls to see if they are eligible to receive legal services while they continue to reside with their abuser, a referral to a local shelter may be warranted in addition to services from SCLS for the safety of the applicant. It is important that those staff members doing intake for SCLS have access to county specific referral numbers so that they will be able to make appropriate referrals for those who call for legal services through the SCLS. *(Statewide Resource needs to be put together by SCLS task forces).*

South Carolina Domestic Violence Programs and Shelters

1. Barnwell County Help Line 803-541-1245
County Served: Barnwell
2. Cumbee Center for Barnwell 803-259-4451
County Served: Barnwell
3. CASA/Family Services 803-534-2248 or 1-800-298-7228
Counties served: Orangeburg, Calhoun, Bamberg
4. CASA 843-626-7595 or 843-448-6206
Counties Served: Horry, Georgetown
5. Citizens Opposed to Domestic Abuse 1-843-770-1070 or 1074
Counties Served: Beaufort, Jasper, Colleton, Hampton
6. Cumbee Center to Assist Abused persons 803-649-0480 or 641-4162
Counties Served: Aiken, Barnwell, Allendale
7. Laurens County Safe Homes 864-682-7270
Counties Served: Laurens, Saluda, Abbeville
8. MEG's House 864-227-1421 or 864-227-1890
Counties Served: McCormick, Edgefield, Greenwood
9. My Sister's House 843-747-4069 or 843-744-3242
Counties Served: Charleston, Berkeley, Dorchester

10. Pee Dee Coalition 843-669-4694 or 800-273-1820
Counties Served: Florence, Darlington, Marion, Chesterfield, Dillon, Williamsburg
11. Safe Harbor, Inc. 864-467-1177 or 800-291-2139
Help Line in Greenville 864-467-3300
Counties Served: Greenville, Oconee, Pickens, Anderson
12. Safe Homes-Rape Crisis Coalition 864-583-9803 or 800-273-5066
Counties Served: Spartanburg, Cherokee, Union
13. Safe Passages, Inc. 803-329-3336 or 803-329-3349 or 800-659-0977
Counties Served: York, Chester, Lancaster
14. Sistercare 803-926-0505 or 800-637-7606
Counties Served: Richland, Lexington, Newberry, Fairfield, Kershaw
15. YWCA of Upper Lowlands, Inc. 803-773-7158
Counties Served: Sumter, Clarendon, Lee

Medicaid offices by Counties

- | | |
|-------------------------|----------------|
| 1. Abbeville County | (864) 366-5638 |
| 2. Aiken County | (803) 643-1938 |
| 3. Allendale County | (803) 584-8137 |
| 4. Anderson County | (864) 260-4541 |
| 5. Bamberg County | (803) 245-4361 |
| 6. Barnwell County | (803) 541-1200 |
| 7. Beaufort County | (843) 470-4625 |
| 8. Berkeley County | (843) 761-8044 |
| 9. Calhoun County | (803) 874-3384 |
| 10. Charleston County | (843) 792-0444 |
| 11. Cherokee County | (864) 487-2521 |
| 12. Chester County | (803) 377-8131 |
| 13. Chesterfield County | (843) 623-5226 |
| 14. Clarendon County | (803) 435-4303 |
| 15. Colleton County | (843) 549-1894 |

16. Darlington County	(843) 332-2289 or (843) 398-4420
17. Dillon County	(843) 774-2713
18. Dorchester County	(843) 563-9524
19. Edgefield County	(803) 637-4040
20. Fairfield County	(803) 635-5502
21. Florence County	(843) 669-3354
22. Georgetown County	(843) 546-5134
23. Greenville County	(864) 467-7800
24. Greenwood County	(864) 229-5258
25. Hampton County	(803) 914-0053
26. Horry County	(843) 381-8260
27. Jasper County	(843) 726-7747
28. Kershaw County	(803) 432-7676 EXT. 106
29. Lancaster County	(803) 286-8208
30. Laurens County	(864) 833-0100
31. Lee County	(803) 484-5376
32. Lexington County	(803) 957-2991 for FI Medicaid (803) 957-2975 for SSI Medicaid
33. McCormick County	(864) 465-2627
34. Marion County	(843) 423-5417
35. Marlboro County	(843) 479-4389
36. Newberry County	(803) 321-2155
37. Oconee County	(864) 638-4400
38. Orangeburg County	(803) 531-3101
39. Pickens County	(864) 898-5815
40. Richland County	(803) 714-7562 or (803) 714-7462
41. Saluda County	(864) 445-2139
42. Spartanburg County	(864) 596-2714
43. Sumter County	(803) 773-5531
44. Union County	(864) 429-1660
45. Williamsburg County	(843) 355-5411
46. York County	(803) 327-9061

DSS Offices by County

1. Abbeville County	(864) 366-5481
2. Aiken County	1-(888)-866-8852
3. Allendale County	(803) 584-3956
4. Anderson County	(864) 260-4100
5. Bamberg County	(803) 245-3932
6. Barnwell County	(803) 541-1202
7. Beaufort County	(843) 470-4600
8. Berkeley County	(843) 761-8044
9. Calhoun County	(803) 874-3384
10. Charleston County	(843) 953-9400
11. Cherokee County	(864) 487-2704
12. Chester County	(803) 377-8131
13. Chesterfield County	(843) 623-2147
14. Clarendon County	(803) 435-4303
15. Colleton County	(843) 549-1894
16. Darlington County	(843) 332-2231
17. Dillon County	(843) 774-8284
18. Dorchester County	(843) 563-9524
19. Edgefield County	(803) 637-4040
20. Fairfield County	(803) 635-5502
21. Florence County	(843) 669-3354
22. Georgetown County	(843) 546-5134
23. Greenville County	(864) 467-7700
24. Greenwood County	(864) 229-5258
25. Hampton County	(803) 943-3641
26. Horry County	(843) 915-4700
27. Jasper County	(843) 726-7747
28. Kershaw County	(803) 432-7676
29. Lancaster County	(803) 286-7108
30. Laurens County	(864) 833-0100
31. Lee County	(803) 484-5376
32. Lexington County	(803) 785-7333
33. McCormick County	(864) 465-2140
34. Marion County	(843) 423-4623
35. Marlboro County	(843) 479-1131
36. Newberry County	(803) 321-2155
37. Oconee County	(864) 638-4400
38. Orangeburg County	(803) 531-3101

39. Pickens County	(864) 898-5810
40. Richland County	(803) 714-7300
41. Saluda County	(864) 445-2139
42. Spartanburg County	(864) 596-3001
43. Sumter County	(803) 773-5531
44. Union County	(864) 429-1660
45. Williamsburg County	(843) 355-5411
46. York County	(803) 684-2315

Local Social Security Offices by County

1. Abbeville County	(864) 223-1711	Office in Greenwood
2. Aiken County	(803)-648-2356	Office in Aiken
3. Allendale County	(800) 772-1213	Office in Aiken
4. Anderson County	(864) 231-7057	Office in Anderson
5. Bamberg County	(800) 772-1213	Office in Columbia
6. Barnwell County	(800) 231-1213	Office in Aiken
7. Beaufort County	(843) 524-5795	Office in Port Royal
8. Berkeley County	(843) 573-3600	Office in Charleston
9. Calhoun County	(803) 531-1568	Office in Orangeburg
10. Charleston County	(843) 573-3600	Office in Charleston
11. Cherokee County	(864) 583-8223	Office in Spartanburg
12. Chester County	(803) 328-6271	Office in Rock Hill
13. Chesterfield County	(843) 479-5302	Office in Bennettsville
14. Clarendon County	(803) 775-9140	Office in Sumter
15. Colleton County	(843) 549-2866	Office in Walterboro
16. Darlington County	(843) 662-4651	Office in Florence
17. Dillon County	(843) 662-4651	Office in Florence
18. Dorchester County	(843) 573-3600	Office in Charleston
19. Edgefield County	(864) 223-1711	Office in Greenwood
20. Fairfield County	(803) 432-7776	Office in Camden
21. Florence County	(843) 662-4651	Office in Florence
22. Georgetown County	(843) 527-2893	Office in Georgetown
23. Greenville County	(864) 233-1116	Office in Greenville
24. Greenwood County	(864) 223-1711	Office in Greenwood
25. Hampton County	(843) 549-2866	Office in Walterboro
26. Horry County	(843) 248-4271	Office in Conway

27. Jasper County	(843) 524-5795	Office in Port Royal
28. Kershaw County	(803) 432-7776	Office in Camden
29. Lancaster County	(803) 328-6271	Office in Rock Hill
30. Laurens County	(864) 938-9898	Office in Clinton
31. Lee County	(803) 432-7776	Office in Camden
32. Lexington County	(803) 929-7635	Office in Columbia
33. McCormick County	(864) 223-1711	Office in Greenwood
34. Marion County	(843) 662-4651	Office in Florence
35. Marlboro County	(843) 479-5302	Office in Bennettsville
36. Newberry County	(864) 938-9898	Office in Clinton
37. Oconee County	(864) 231-7057	Office in Anderson
38. Orangeburg County	(803) 531-1568	Office in Orangeburg
39. Pickens County	(864) 233-1116	Office in Greenville
40. Richland County	(803) 929-7635	Office in Columbia
41. Saluda County	(864) 223-1711	Office in Greenwood
42. Spartanburg County	(864) 583-8223	Office in Spartanburg
43. Sumter County	(803) 775-9140	Office in Sumter
44. Union County	(864) 583-8223	Office in Spartanburg
45. Williamsburg County	(843) 527-2893	Office in Georgetown
46. York County	(803) 328-6271	Office in Rock Hill

County Health Departments

1. Abbeville County	(864) 366-2131
2. Aiken County	(803) 642-1687
3. Allendale County	(803) 584-3818
4. Anderson County	(864) 260-5541
5. Bamberg County	(803) 245-5176
6. Barnwell County	(803) 541-1061
7. Beaufort County	(843) 525-7615
8. Berkeley County	(843) 719-4600
9. Calhoun County	(803) 874-2037
10. Charleston County	(843) 579-4500
11. Cherokee County	(864) 487-2705
12. Chester County	(803) 385-6152
13. Chesterfield County	(843) 623-2117
14. Clarendon County	(803) 435-8168
15. Colleton County	(843) 549-1516
16. Darlington County	(843) 398-4400

17. Dillon County	(843) 774-5611
18. Dorchester County	(843) 832-0107
19. Edgefield County	(803) 637-4035
20. Fairfield County	(803) 635-6481
21. Florence County	(843) 661-4835
22. Georgetown County	(843) 546-5593
23. Greenville County	(864) 282-4100
24. Greenwood County	(864) 942-3600
25. Hampton County	(803) 943-3878
26. Horry County	(843) 248-1500
27. Jasper County	(843) 726-7788
28. Kershaw County	(803) 425-6012
29. Lancaster County	(803) 286-9948
30. Laurens County	(864) 833-0000
31. Lee County	(803) 286-9948
32. Lexington County	(803) 791-3580
33. McCormick County	(864) 852-2511
34. Marion County	(843) 423-8295
35. Marlboro County	(843) 479-6801
36. Newberry County	(803) 321-2170
37. Oconee County	(864) 882-2245
38. Orangeburg County	(803) 536-9060
39. Pickens County	(864) 898-5965
40. Richland County	(803) 576-2980
41. Saluda County	(864) 445-2141
42. Spartanburg County	(864) 596-3337
43. Sumter County	(803) 773-5511
44. Union County	(864) 429-1690
45. Williamsburg County	(843) 355-6012
46. York County	(803) 684-7004

Referral Numbers Given to Applicants Who Do Not Qualify for SCLS Assistance

1. South Carolina Bar: 803-799-6653; 877-797-2227 (toll free)
2. Client Assistance Program: 803-799-6653, extension 170
3. Commission on Lawyer Conduct: 803-734-2038
4. Lawyer Referral Service: 803-799-7100; 800-868-2284 (toll free)
The first thirty (30) minute consultation with a private attorney signed up to participate in the Lawyer Referral Service Program will cost \$50.00 and then will cost what the private attorney charges per his or her hourly rate after that
5. Columbia Better Business Bureau: 803-254-2525
6. The South Carolina Pro Bono Program: 803-799-4015; 800-395-3425, extension 164 (toll free)
7. Eldercare Locator (National number): 1-800-677-1116
8. National Fraud Information Office: 1-800-922-7818
9. Medicare Consumer Information Line: 1-800-MEDICARE
10. Veterans Administration: 1-800-827-1000
11. South Carolina Bar-Law Line: 1-800-771-0011
12. South Carolina Dept. of Consumer Affairs: 1-800-922-1594
13. South Carolina Department of Revenue: 1-803-898-339
14. Lt. Governor's Office on Aging: 1-800-868-9095
15. Adoption and Birth Parent Services: 1-800-922-2504



16. Child Support Enforcement: 1-800-768-5858
17. Palmetto Aids Life Support Services: 1-800-723-7257
18. SC CARES: 1-722-2737
19. TANF/Food Stamps, Client Services: 1-800-768-5700
20. Woman, Infants & Children: 1-800-922-4406
21. ACS Silvercard Hotline: 1-877-239-5277
22. SC Healthcare Association: (803) 772-7511
23. Alzheimer's Association: 1-800-272-3900
24. HUD: 1-803-253-3292
25. SC Department of Disabilities and Special Needs: 1-888-376-4636
26. SC Victims Assistance Network: 1-803-750-1200
27. SC Human Affairs: 1-800-521-0725
28. Worker's Compensation Commission: 1-803-737-5700
29. SC Vocational Rehabilitation Dept.: 1-803-896-6500
30. Protection & Advocacy for People w/ Disabilities: 803-782-0639
31. Elder Abuse Hotline: 1-803-898-7318
32. SC Tax Commission: 1-803-898-5000

APPLICATION TRANSFER GUIDE

The following is a list of the types of applications the SCLS Intake Office should send to the local SCLS Office for further review and possible case assignment by the managing attorney. The following are questions to answer with the applicant based on the specific area of law.

Some fact situations will not fit neatly into these questions. Staff should use common sense, their training and experience to guide them to ask appropriate questions and gather all relevant information.

These questions are a guide for completing an intake. Remember, the applicant's fact scenario is important and the intake should reflect what had happened to applicant that caused him/her to call for legal services.

Consumer/Finance

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

(01) Bankruptcy:

- A. Chapter 7 to save a home, car, or medically necessary equipment
- B. Chapter 13

Prescreening: If an applicant calls for a bankruptcy, Ask:

- Have you attended Consumer Credit Counseling?

NOTE: The Bankruptcy Reform Act of 2005 calls for mandatory consumer credit counseling prior to filing a bankruptcy.

If the applicant says they have **NOT** received consumer credit counseling:

- **TELL** applicant to contact the Family Service Office of South Carolina 1(800) 223-9213 or 1(803)929-6666. Upstate residents (Greenville etc.) - refer to Compass of Carolina at 1-864-467-3434. Lowcountry residents (Charleston etc.) - refer to Family Service Inc. at 1-800-232-6489.
- Review the Applicant's household gross monthly income. If applicant appears to be eligible for legal services, **TELL** applicant to inform Consumer Credit Counseling agency that they contacted legal services, are financially eligible for legal services and you want to request that the fee for consumer credit counseling be waived.

NOTE: The Bankruptcy Reform Act of 2005 provides that indigent bankruptcy filers obtain free consumer credit counseling.

If the Applicant has received their certificate for credit counseling, you should ask:

- Have you ever filed bankruptcy before?
- **IF YES**, when was the last time you filed bankruptcy?
- What Chapter bankruptcy did you file?
- Have you filed a tax return in the last three years?
- What happened to your bankruptcy action?
- Was it dismissed? Discharged?

NOTE: Under the Bankruptcy Act, a person must wait 8 years to file a Chapter 7 bankruptcy if they had previously filed a Chapter 7 bankruptcy action and had their debts discharged. Under the Bankruptcy Act, a person can file Chapter 13 bankruptcy actions back to back as long as dismissal order is without prejudice.

- Do you work?
- **IF YES**, what is your gross monthly income?
- Do you have at least six months of pay stubs in your possession?
- Do you own your home or are you buying a home?
- Are you living in your home?

If Applicant is renting, Skip mortgage questions and go to rent questions.

If Applicant is buying a house, you should ask:

- Are you buying a mobile home or house?
- If you Applicant is buying a mobile home, is there land attached to the Mortgage or are you buying just a mobile home?
- What is the name of your mortgage company?
- Is there a co-signer on the mortgage?

IF YES, ask:

- Who is the co-signer?
- What relationship, if any, is the co-signer to you?

- What is your house payment?
- Are you current or behind in your house payment?

IF Applicant is behind in mortgage payment, you should ask:

- How far behind are you in your house payment?
- How much do you owe?
- Is this the original mortgage or have you had your mortgage refinanced?
- Do you have a second mortgage?
- What is the name of your mortgage company for the second mortgage?
- Is there a co-signer on the second mortgage?

IF YES, ask:

- Who is the co-signer?
- What relationship, if any, is the co-signer to you?
- What is your mortgage payment for the second mortgage?
- When was the last time you made your second mortgage payment?

If Applicant is behind in second mortgage payment, you should ask:

- How far behind are you in your mortgage payment?
- How much do you owe?
- Is this the original second mortgage or have you had the second mortgage refinanced?

If Applicant rents, you should ask:

- How much rent do you pay?
- How often do you pay rent?
- Are you current on your rent?

If Applicant is behind in rent, ask:

- How far behind are you in your rent?
- What is total arrearage owed your rent?
- Have you been served with eviction?

NOTE: If Applicant has been served with eviction pleadings, another intake should be done on the applicant for eviction.

- Do you own any cars or trucks?

IF YES, you should ask:

- What are the make, model, and year of your car(s)?
- How many doors on your car(s)?
- What is the mileage and condition of your car(s)?
- What is the name of the creditor(s) that financed your car loan(s)?
- What is your monthly car payment?
- Are you behind in your car payment?

IF YES, how far behind are you?

- Giving your **best guess**, what is the value of your car(s)?
- Is your house listed as collateral on any of your debt?
IF YES, what debt(s) has your home listed as collateral?
- Is your car(s) listed as collateral on any of your debt?
IF YES, what debt(s) has your car(s) listed as collateral?

The monthly basic living expenses for Applicant are:

- Electric bill?
- Telephone?
- Gas?
- Water?
- Satellite or Cable TV?
- Internet?
- Other utilities?
- Food?
- Clothing expense?
- Transportation?
- Laundry and cleaning?
- Upkeep on the home?
- Charity?
- Medical and dental expenses?

- Home insurance?
- Rental insurance?
- Life insurance?
- Medical insurance?
- Car insurance?
- Car taxes?
- Property taxes?
- Furniture payments?
- Child support payments?

List of Applicant's debts (creditors owed)

NOTE: Intake staff should ask Applicant whether each debt given during the intake is collateralized, and if so, with what? Also, Applicant should be asked if they still have the collateral for the specific debt.

Student Loans

- Do you owe any student loans?

IF YES, ask?

- Who do you owe?
- How much do you owe?

Delinquent Taxes

- Do you owe any back taxes?

IF YES, ask?

- Who do you owe?
- How much do you owe?

NOTE: If Applicant owes Federal Income tax, an additional intake for possible representation under the LITC grant should be completed.

After entering the answers to the questions above, **TELL** Applicant that the managing attorney will review their application to see if a bankruptcy should be filed or whether SCLS will provide assistance filing a bankruptcy under Chapter 7 or 13.

For Chapter 7, if the bankruptcy is needed to save a home, car, or medically necessary equipment, the intake is transferred to the local SCLE offices.

If the SCLS Intake Office managing attorney can answer “yes” to the following question, then the intake gets transferred because the case should meet the SCLS priority guidelines: If the unsecured debt was discharged, would applicant have enough money to continue making the mortgage, car, and/or other secured debt without any further hardship?

If the SCLS Intake Office managing attorney can answer “no” to the above-referenced question, the case is assigned to the SCLS Intake Office and a counsel and advice letter is sent to the applicant about filing a Chapter 7 bankruptcy and the intake is referred to the S.C. Pro Bono Program.

For Chapter 13 intakes, the SCLS Intake Office managing attorney reviews the Applicant’s budget and monthly expenses to determine if there is sufficient income to file a Chapter 13 bankruptcy. If there seems to be sufficient income to file a Chapter 13 bankruptcy, the intake is transferred to the applicable office. If there appears that the applicant does not have sufficient income to file a Chapter 13 bankruptcy, the intake is assigned to the SCLS Intake Office and a counsel and advice letter is sent to the client advising Applicant that they do not have sufficient income to file a Chapter 13 bankruptcy.

(02) Collection:

The SCLS will accept intake applications for collection cases where:

- A. Applicant has been served with any type of collection pleadings
- B. Applicant has had property recently repossessed.
- C. Applicant disputes the existence of a debt or the amount of a debt claimed by the creditor
- D. Applicant is being harassed by a creditor or a collection agency over an existing debt

For collection intakes, you should ask:

- Who is trying to collect the debt?
- Has the creditor served you with collection papers?

IF YES, you should ask:

- What county were the papers filed in?
- What Court were the papers filed in?
- How did you get served?
- When did you get served?
- Are there any co-debtors to the loan(s) in question?
- **IF YES**, who is the co-debtor(s) and what loan(s) do you have with co-debtor?
- Do you owe the debt?

- How long does the loan(s) run for?
- What is the interest rate on the loan(s)?
- When was the last payment on the loan(s) made?
- Do you have the original or copy of the contract and/or loan documents?
- Did you get the loan(s) to buy something or did you put up property for collateral to secure the loan?
- **IF Collateral listed for loan**, what collateral did you list?
- Have you had any property repossessed?

IF YES, you should ask:

- What property did the creditor repossess?
- Was the property something you bought from the creditor or was it something you put up as collateral?
- When did the creditor repossess the property?
- How did the creditor go about repossessing the property?
- Did the creditor send a Right to Cure letter to you giving you a deadline to make your account current in order to avoid repossession?
- **IF YES**, when did you get the Right to Cure Letter?

(03) Breach of contract/warranty:

The SCLS will accept intake applications for breach of contract/warranty cases where:

- A. Applicant has been served with any legal pleadings alleging breach of contract or breach of warranty
- B. Applicant's cause of action stems from a breach of contract or breach of warranty.

For breach of contract/warranty intakes, you should ask:

- Did you have a written or oral contract with the OP?
- **If contract was oral**, were there any witnesses to the contract?
- What were you supposed to do under the contract?
- Did you give OP any money or property?
- Do you have the original or a copy of the contract?

IF YES, please remind Applicant to bring contract with them to any appointment that is scheduled by the local SCLS office.

- What do you want legal services to do in regards to your problem?
- Was there a warranty on the item you bought from OP or was the item bought "AS IS"?
- **IF Warranty exists**, do you have the warranty paperwork?
- Did you buy a separate warranty?
- Was the warranty given to you an oral warranty?

- **IF Warranty was oral**, were there any witnesses to the warranty?
- **IF YES**, who are the witnesses and what relationship(s) do they have to you?
- Did you buy an extended warranty?
- **IF YES**, what did you pay for the extended warranty?
- What was the warranty you paid for?
- Was the extended warranty written or oral?
- **IF Warranty was oral**, were there any witnesses to the warranty?
- **IF YES**, who are the witnesses and what relationship(s) do they have to you?

(04) Credit Access:

The SCLS will accept intake applications for credit access cases where:

- A. Applicant is being denied access to obtaining credit from creditor
- B. Applicant alleges that their credit report is inaccurate and is seeking representation to correct the inaccuracy.

For intakes involving credit access, you should ask:

- Are you being denied access to obtaining credit from OP?

IF YES, you should ask:

- Who is denying you access to getting credit?

- How are you being denied access to credit?
- How long have you been denied access?
- Did the OP tell you why you were not getting credit?
- IF anything, what did OP tell you?
- Do you have a copy of your credit report?
- Is there anything wrong with your credit report?
- What is wrong with your credit report?
- Have you told the credit report agency that there is wrong information on your credit report?

(06) Loans/Installment Purchases:

The SCLS will accept intake applications for loan/installment purchases cases where:

- A. Applicant is being sued by creditor regarding a loan and/or installment purchase
- B. Applicant alleges that the terms of their loan and/or installment purchase is in violation of South Carolina law

For loans/installment purchases intakes, you should ask:

- Did you have a written loan or installment purchase agreement with the OP?
- Was your loan or installment purchase agreement an oral agreement?

- **IF YES**, where there any witnesses to your oral agreement?
- **IF loan or installment purchase written**, was anyone there with at the time the loan or installment purchase written?
- What were the terms of your loan or installment purchase agreement?
- What was the total price you had to pay?
- What was the interest rate on the loan or installment purchase?
- What do you want to do about your loan or installment purchase agreement?
- Do you have the original or copy of the contract or loan documents?

IF YES, please remind Applicant to bring loan or installment purchase documents with them to any appointment that is scheduled by the local SCLS office.

- Did you purchase credit life or credit disability insurance for the loan?
- **IF insurance was bought on the loan**, what did you buy?
- Are you current on the loan insurance payments?
- Did you try to contact OP about having the insurance you bought for the loan?
- Is the insurance making the loan payments?
- Why not?

(07) Public and Private Utilities:

The SCLS will accept intake applications for public and private utilities cases where:

- A. Applicant is being denied access to obtaining utilities from either a private or a public utility company
- B. Applicant alleges that their utility bill is not correct and needs assistance resolving inaccuracies of their bill

For private and public utilities intakes, you should ask:

- Who do you get your utilities from?
- How are you being denied from getting service from the OP?
- Are your utilities being turned off?
- **IF YES**, when?
- Do you owe OP for an outstanding utility bill?

IF YES, ask:

- How much do you owe?
- When was the last time you paid on the account?
- Are there any medical reasons why you cannot go without services until your bill is paid current?
- **IF YES**, what are they?
- Is your utility bill correct?
- **IF NOT**, why not?

(08) Unfair Sales Practice:

The SCLS will accept intake applications for unfair sales practice cases where:

- A. Applicant is being is being sued by creditor and can allege Unfair Sales Practice as a possible defense
- B. Applicant alleges that the terms of their consumer purchase agreement is in violation of Unfair Sales Practice

For unfair sales practices intakes, you should ask:

- Have you been served with collection pleadings?
- **If YES**, ask:
 - What county were the papers filed in?
 - What Court were the papers filed in?
 - How did you get served?
 - When did you get served?
- Do you have the original or copy of the contract and/or loan documents?
- What are the terms of your purchase agreement?
- Were you told something different than what you received in writing?
- What are you saying is “unfair” about the agreement?
- Do you have the original or a copy of your agreement?

NOTE: please remind Applicant to bring loan or installment purchase documents with them to any appointment that is scheduled by the local SCLS office.

(09) All Other consumer/finance:

The SCLS will accept intakes for the following other consumer/finance issues:

- A. Representation is needed in cases regarding consumer/finance issues
- B. Representation is needed in cases where the consumer transaction is in violation of South Carolina law

For Other consumer/finance intakes, you should ask:

- Have you been served with collection pleadings?
- **If YES**, ask:
 - What county were the papers filed in?
 - What Court were the papers filed in?
 - How did you get served?
 - When did you get served?
- Do you have the original or copy of the contract and/or loan documents?
- What are the terms of your purchase agreement or your loan?
- What did you understand the interest rate to be?
- What did you understand would be your monthly payments?
- What are you saying is wrong with your purchase agreement or loan?
- Do you have the original or a copy of the purchase agreement?

NOTE: please remind Applicant to bring loan or installment purchase documents with them to any appointment that is scheduled by the local SCLS office.

Education:

Ensure and maintain access to education

(11) Education cases:

NOTE: Please put the name of the school as the opposing party in caseman when doing an education intake. If a third party applicant needs assistance in getting a child in school or services from a school, also put the name of the child's parents in caseman as opposing parties.

The SCLS will accept intake applications for education cases where:

- A. Representation is needed for school enrollment
- B. Representation is needed because there is a dispute about a school fee or charge
- C. Representation is needed in special Education cases
- D. Representation is needed suspension/expulsion cases
- E. Representation is needed in any other education case

For school enrollment intakes, you should ask:

- What is your relationship to the minor child you are trying to get into school?
- How long has the child been living with you?
- How did you end up getting the child?
- What is the name of the school that says you have to have legal custody to be able to get the child enrolled in school?

- Do you live in the school district?
- Did the school refuse to enroll the child?
- **IF YES**, why did the school refuse to allow you to enroll the child?
- Did you present a school affidavit for enrollment?
- Did the school give you a deadline to provide them with additional documentation for enrollment?
- **IF YES**, when is the deadline? And, what documentation do you need to give the school?
- What did the school say would happen if you could not give them the documentation they wanted by their deadline?
- Where are the child's mother and father?
- Has the child's mother and/or father supported the child?
- Why can't the child live with either the mother or father and attend school where they live?

For school fee issues, you should ask:

- What is the name of the school charging the school fee?
- What district is the school in?
- What fee is the school trying to get you to pay?
- How much is the fee?
- Does your child qualify for free or reduced priced meals at school?
- Is the school asking you to pay the full amount of the fee or a partial amount?

For special education intakes, you should ask:

- What school does your child go to?
- Is your child disabled?
- **IF YES**, what disabilities does your child have?
- Has the school taken a position on your child's disabilities?
- **IF YES**, what is that position?
- Does your child qualify for special education services?
- **IF YES**, did the school identify the primary or main disability?
- **If the school considers your child disabled**, what does the school call your child's disabilities?
- What does the school call your child's main disability?
- Do you agree?
- Can you locate your child's current individualized education plan (IEP)?

NOTE: Schools usually update IEP every year during the Spring

- When was the last time your child was tested?
- Has your child been held back a grade?
- **IF YES**, for what reason?
- Does your child have academic problems?
- **IF YES**, please explain.

- Do you know of any behavioral problems that your child may have?
- **IF YES**, what are they?
- Do you want your child tested for special education services?

Denial of special education services

- What explanation did the school give you for not offering special education services to your child?
- Did the school accommodate your child's disability or medical problem?
- Why not?

For suspension/expulsion intakes, you should ask:

- What is the reason the school gave for suspending or recommending expulsion?
- When does/did the suspension and/or expulsion begin?
- Has there been a suspension and/or expulsion hearing?
- **IF YES**, when was it?
- Do you have any witnesses to the incident?
- What are the names of your witnesses and their relationship to you?
- Did your child talk to the school administrator or principal?

SUSPENSION

- **IF the final consequence is suspension**, did the school administrator and/or principal explain the allegations against your child?
- Is your child in the special education program?
- **IF YES**, has your child been suspended for more than 10 days this school year?
- Has your child been suspended this year before this incident?
- **IF YES**, what caused the suspension?

EXPULSION

- **IF the final consequence is expulsion, ASK:** Did the school administrator and/or principal explain the allegations against your child?
- **IF the child is in special education program and the school wants to expel the child, ASK:** Has the child had the IEP meeting or special education hearing?
- **IF the IEP meeting was held, ASK:** Did you attend the IEP hearing and voice any concerns or disagreements?
- **IF the IEP meeting wasn't held, ASK:** Has the IEP hearing been scheduled and when is it?
- Did the school district tell you how long you had to appeal the decision to expel?
- **IF YES**, How long do you have?
- Do you have a copy of the Code of Conduct?
- Has your child been expelled before?

- **IF YES**, What was the cause of the expulsion?

CLOSING QUESTIONS

- Does your child have an individual behavior contract?
- Does your child have a prior criminal record?
- **IF YES**, What is on his/her criminal record?
- Is there anything going on in your child's life affecting their school behavior?
- **IF YES**, what?

For Other education intakes

These are education intakes that do not fit nicely into one of four types of specific education cases that SCLS will assist clients with. If you have one of these education cases come up that cannot be put in one of the four types discussed in the playbook, the intake staff **SHOULD** list what the Applicant thinks is the problem and put down the facts as given to them by the Applicant.

Employment:

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

(21) Job Discrimination:

The SCLS will accept intake applications for job discrimination cases where:

- A. Representation at the administrative level (informal hearing with employer) is needed
- B. Representation is needed at court level where the administrative process has been exhausted AND a Right to Sue Letter has been issued by the EEOC.

For job discrimination intakes, you should ask:

- What is your basis for believing that you have been discriminated against?
- Did you go to file a complaint for discrimination with your job's Human Resource Director?
- Was there an informal hearing held regarding your discrimination complaint?
- When did the informal hearing occur?
- What was the result of informal hearing?
- Were you represented at the informal hearing?
- Have you contacted the EEOC regarding your discrimination complaint?
- **IF YES**, did you receive a Right to Sue Letter?
- When did you get your Right to Sue Letter?

(22) Wage Claim:

The SCLS will accept intake applications for wage claim cases where:

- A. Representation at administrative level (informal hearing with the employer) is needed
- B. Representation is needed at court level where the administrative process has been exhausted

For wage claim intakes, you should ask:

- What is wrong with your paycheck?
- Did you earn a salary or an hourly wage?
- How often were you paid?
- Did you go to your job's Human Resource Director about your paycheck being wrong?
- When did you go?
- What happened?
- Did you contact the Department of Labor?
- **IF YES**, what happened?

(29) Other Employment (including wrongful termination):

The SCLS will accept intake applications for other employment cases where:

- A. Representation at administration (informal hearing with employer) is needed.
- B. Representation is needed at court level where the administrative process has been exhausted.

For Other Employment intakes like wrongful termination, you should ask:

- When were you terminated?
- What reason was given for your termination?
- How long have you worked for your former employer?
- Did you have any disciplinary write-ups during your employment?
- Did you go to your job's Human Resource Director about you being wrongfully terminated?
- When did you go and see the Human Resource Director?
- What happened after talking to the Human Resource Director?
- Do you have an employee manual?

NOTE: please remind Applicant to bring Employee Manual with them to any appointment that is scheduled by the local SCLS office.

- Was there an informal hearing held regarding your allegation that you were wrongfully terminated?
- **IF YES**, when did it occur and what happened?
- Have you applied for unemployment benefits?
- **IF YES**, did you get them without being penalized?
- **IF NO**, the intake staff should do another intake for unemployment benefits if the appeal time has not run. Appeal time is 10 days from the date of the denial of unemployment benefits

Family:

Ensure Safety and Housing and Economic Stability of the Family Unit

(30) Adoption:

The SCLS will accept intake applications for adoption cases where the client can obtain an increased economic benefit.

For adoption cases, you should ask:

- What is your relationship, if any, to the child you are wishing to adopt?
- How did you get physical custody of the child?
- Was DSS involved in placing the child with you?
- Was the child removed from the biological parents for abuse and neglect by DSS?
- Have the biological parents had their parental rights terminated by DSS?
- Is there a DSS caseworker involved in this matter?
- IF YES, what is name and contact information?
- How long has the child lived with you?
- What are the full names of the natural parents?
- Where are the natural parents?
- Have the natural parents visited with the child in the past 6 months?
- Have the natural parents paid any child support in the past 6 months?

- Are you receiving any public benefit because you the child lives with you?
- Where and when was the child born?
- What was the child's full name given at birth?
- Do you want to change the child's name?
- **IF YES**, what name do you want to appear on the new birth certificate?

(31) Visitation:

The SCLS will accept intake applications for visitation cases only when the non-custodial parent is current in child support and has no criminal record. Also, there has to be an obvious benefit to the child to allowing the non-custodial parent visitation.

For visitation cases, you should ask:

- What relationship, if any, do you have to the child you are seeking visitation for?
- Are you married to the OP?
- Where you ever married to the OP?
- Is there an existing Order for custody?
- **IF YES**, what is the date of the custody Order?
- When was the last time you visited your child?
- How long was your visit?

- List the attempts you made to get visitation with your child and the results of your efforts?
- What type of visitation do you want?
- Are you under a court order to pay child support?
- **IF YES**, ask:
 - How much do you pay?
 - How often do you pay?
 - Are you behind in paying your child support?
 - How far behind are you?
- Do you have a criminal record?
- Have you been investigated for neglect and/or abuse in regards to your child?

(31) Custody:

The SCLS will accept intake applications for custody cases only where:

- A. Representation is needed because a minor child has been abused, neglected, or threatened with harm (i.e. “at risk”) (non-DSS involvement)
- B. Representation is needed because the non-custodial parent has removed the child and refuses to return the child to the custodian

- C. Representation is sought where a custody order is needed to prevent eviction from public housing (can code these types of cases 31, 61, or 63)
- D. Representation is sought where a custody order is needed to deal with school and/or medical issues (can code custody cases for school issues as 31 or 11; can code custody cases for medical issues as 31 or 59)
- E. Representation is sought where an order is needed because a parent is enlisting in the United States Military
- F. Representation is needed for third party intervention so that the minor child is kept out of foster care.

For custody cases, you should ask:

- What is your relationship to the child, if any?
- Are you married to the OP?
- Where you ever married to the OP?
- Do you consider being common law married to the OP?
- Where was the child born? City, County, State?

NOTE: If the child was conceived and born in South Carolina and was born illegitimate, the natural mother has legal custody pursuant to statute. Any intakes of this kind and which do not fit within the six extended priorities listed above, will be assigned to SCLS Intake Office staff for a counsel and advice on having legal custody via the illegitimate child custody statute.

- Is there an existing Order for custody?
- **IF YES**, what is the date of the Order?

- Where was the Order filed?
- Has there been a threat of harm by the OP against the child?
- **IF YES**, what was the threat of harm?
- Has the OP ever physically harmed the child?
- **IF YES**, when and what happened?
- Do you have any witnesses that can corroborate these allegations?
- **IF YES**, who are your witnesses and what relationship, if any, are they to you?
- What is the reason you are seeking custody of the child?

(32) Divorce:

The SCLS will accept intake applications for extended services where there is recent physical cruelty:

NOTE: SCLS only initiates divorces on the Physical Cruelty fault ground. The physical abuse must either be one incident so atrocious as to endanger the life of the applicant or a continued pattern of abuse where the applicant has the reasonable fear of their safety and bodily harm. The incident(s) of abuse must be witnessed by a third party or a third party has seen the bruises and/or aftermath of the abuse immediately after the last incident of abuse occurred.

NOTE: Intake staff should note in the case facts, where applicable, the appropriate grant the case could be accepted under. For physical abuse divorce intakes, the intake can be noted for possible representation under the DOJ grant.

For physical abuse divorce intakes, you should ask:

- What is it that you want legal services to help you with?
- Are there any court actions pending between you and your spouse?
- **IF YES**, where and what type of case is it?
- What is the date of your marriage?

Jurisdiction

- What County and State were you married in?
- In what county did you and your spouse last live together?
- Date of separation and immediate cause?
- How long have you and your spouse lived in SC?

Custody and support

- Where does your spouse work and how much does he make?
- Do you and your spouse have any children?
- **IF YES**, how many?
- Do you receive child support?
- **IF YES**, how much and how often do you get?
- Is support paid voluntarily or paid through the Family Court?
- Is your spouse current on the child support obligation?
- Do you think your spouse will fight for custody of your child(ren)?

- Are there child(ren) by other relationships by either you or your spouse?

Physical abuse ground

- Is there or was there ever physical abuse committed by your spouse during your marriage?
- Date and description of last incident of physical abuse
- Were there any witnesses?
- **IF YES**, who are your witnesses and what relationship, if any, are they to you?
- Were the police called?
- **IF YES**, was your spouse arrested?
- Were there any visible marks as a result of the alleged incident of physical abuse?
- Did you receive any medical treatment?
- **IF YES**, where did you receive medical treatment and for what?
- Have any Orders of Protection or Restraining orders been issued against your spouse?
- **IF YES**, When, where, and for how long?
- Were there previous episodes of physical abuse?

Habitual Drunkenness ground

- Is there habitual drunkenness and/or drug use by your spouse?
- What alcohol or drug does spouse consume?

- How often does spouse use?
- How much does spouse use?
- Has spouse been arrested or lost a job because of alcohol and/or drug use?

Adultery ground

- Is your spouse committing adultery?
- **IF YES**, what proof do you have?
- Is your spouse living with an alleged paramour?
- Has your spouse had any children by anyone else outside the marriage?
- Have you had sexual relations outside your marriage since the separation?

Equitable distribution of marital property or debts

- Is there any marital property to divide?
- **IF YES**, what property and where is it?
- Is there any marital debt to divide?
- **IF YES**, what debts need to be divided?

(34) Birth Certificate:

The SCLS will accept intake applications for those individuals wanting to obtain or amend a birth certificate only where an economic benefit can be gained.

For birth certificate cases, you should ask:

- What is the name listed on your current birth certificate?
- What name do you now use?
- What explanation do you have as to the differences in the name?
- What name do want your birth certificate to now read?
- What is the date of your birth?
- What county and state were you born in?
- What hospital were you born in?
- What is name of doctor or midwife that delivered you?
- Why do you want your birth certificate changed?
- Is there anything else wrong with your current birth certificate?
- **IF YES**, what changes do you want to make?
- Do you have any documents showing the name you are now using?
- **IF YES**, what documents do you have in your possession?

Mother's Information

- What is your biological mother's full name, including maiden name?
- What is her date of birth?
- What city, county, and state was your mother born in?

Father's Information

- What is your biological father's full name?
- What is his date of birth?
- What city, county, and state was your father born in?

(37) Physical Cruelty:

NOTE: To assist offices that have domestic violence grants, all divorce intakes that have a recent allegation (within a year from intake) should be coded as a 37.

The SCLS will accept intake applications for those individuals wanting to obtain an Order of Protection from a recent incident of physical abuse.

NOTE: Intake staff should note in the case facts, where applicable, the appropriate grant the case can be accepted under. For Orders of Protection, the intakes can be noted for possible representation under the VOCA grant, or any local office's domestic violence grant.

For domestic violence/orders of protection cases, you should ask:

- Have you ever experienced abuse from your spouse?
- **IF YES**, what type of abuse have you experienced?

- When did you the last incident of abuse occur?
- Where did the last incident of abuse occur? City, County, State?
- What happened?
- Were there any adult witnesses to the incident?
- **IF YES**, who are the witnesses and what relationship, if any, are they to you?
- What did your witnesses see?
- Did you call the police after the incident?
- Did the police issue a report?
- Did the OP get charged with criminal domestic violence (CDV)?
- **IF NO**, why didn't OP get charged in your opinion?
- What evidence of abuse do you have?
- Were there any bruises, lacerations, or cuts?
- Were there any marks left on you?
- Did you seek medical attention as a result of the incident?
- Do you have any witnesses to the bruises, lacerations, cuts, or marks?
- **IF YES**, who are your witnesses and what relationship, if any, are they to you?
- Are there any previous incidents of abuse?
- **IF YES**, briefly describe.

(39) Other Family Contempt-Rule to show cause:

The SCLS will accept intake applications for family contempt actions only where:

- A. The applicant is the defendant in a contempt action where they are not in willful contempt of a Family Court order.

For defense of contempt intakes, you should ask:

- When did you get served with the Rule to Show Cause?
- How did you receive the Rule to Show Cause?
- Is there a hearing date in the Rule to Show Cause?
- **IF YES**, when and where is the hearing?
- What part of the Order does the OP say you are not following?
- What Court does the Order in which the OP says you are not following come from?
- What evidence do you have that you can show that you have followed the provisions of the Order?
- Do you have witnesses who can testify that you have followed the provisions of the Order?
- Who are your witnesses and what relationship, if any, do they have to you?
- What reasons, if any, do you have for not following the provisions in the Order exactly how they are written?

B. The applicant wants to file a contempt action in order to enforce a Family Court order that is not enforceable by the Clerk of Court. Child support orders where payment is made through the Family Court is an action enforceable by the Clerk of Court and is therefore not within the service priority guidelines of the SCLS.

For intakes where applicant wants to file a contempt action, you should ask:

- What Order are you saying OP is in contempt for not following?
- Where was the Order filed?
- What provision of the Order do you claim OP is not following?
- When did the violation occur?
- How long has OP not followed the provisions of the Order?
- Do you have proof that OP has not followed the provisions of the Order?
- What proof do you have OP has not followed the provisions of the Order?
- Who are your witnesses and what, if any, relationship do they have to you?
- What do you want to happen as a result of you filing a contempt action?

Health

Ensure the Access to Health Care to Low-Income Individuals

(51) Medicaid:

The SCLS will accept intakes for Medicaid cases where:

- A. Representation at the administrative level and in court regarding the termination, overpayment, or denial of or other limitation of medical services
- B. Representation in collection actions regarding the Medicaid process.

For Medicaid intakes, you should ask:

- What health problems do you have?
- Are you seeing a doctor?
- Are you taking any medications?
- When did you apply for Medicaid?
- Were you denied Medicaid?
- When were you denied Medicaid?
- What was the reason for your denial?
- Have you appealed the Medicaid denial?
- Do you have a hearing date?

IF YES, when is the hearing date?

(52) Medicare:

The SCLS will accept intakes for Medicare cases where:

- A. Representation is at the administrative level and in District Court regarding the termination, overpayment, or denial of the Medicare process.
- B. Representation in collection actions regarding the Medicare process.

For Medicare intakes, you should ask:

- When did you apply for Medicare benefits?
- Were you denied Medicare benefits?
- When were you denied Medicare benefits?
- What was the reason for your denial of Medicare benefits?
- Have you appealed the denial of your Medicare benefits?
- Do you have a hearing date?

If YES, when is the hearing date?

For Medicare overpayment intakes, you should ask:

- When did you receive notice of the overpayment?
- What was the reason given in your notice for the overpayment?
- Do you think the overpayment is correct?
- Have you appealed the overpayment?

- Do you have a hearing date?

IF YES, when is the hearing date?

(59) Other Health:

The SCLS will accept intakes for the following other health issues:

- A. Representation is needed in cases regarding nursing home and home health care issues.

For nursing home and home health care issues, you should ask:

- What nursing home do you live in?
- When did you go into the nursing home?
- What complaint(s) do you have against the nursing home?
- Do you have witnesses who can verify your allegations?
- What do you want us to do in regards to your nursing home case?
- Have you made a complaint to DHEC?

IF YES, when and what was the outcome?

- Have you complained to anyone at the nursing home? Who did you complain to?

- B. Representation is needed in cases regarding mental health care issues.

For mental health issues, you should ask:

- Are you seeing a doctor?

IF YES, what are you seeing your doctor for?

- Are you taking any prescribed medications?
- Have you been denied healthcare?

IF YES, who denied you?

- Do you receive Medicaid or Medicare?

C. Representation is needed for basic health care services to the medically indigent.

For basic health care issues, you should ask:

- What health care service were you receiving?
- When did you lose your health care service?
- How were you notified that you lost your health care service?
- Did you appeal the loss of your health care service?

IF YES, ask:

- Was there a deadline to appeal?
- **If yes**, what was the deadline?
- How did you appeal?
- Who did you appeal to?
- When did you appeal?

Housing:

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

(61) Federal Subsidized Housing Rights (Housing Vouchers):

The SCLS will accept intake applications for those applicants needing assistance with:

- A. Eviction
- B. Getting Access to quality housing
- C. Obtaining necessary repairs to rented housing
- D. Resolving problems with subsidized housing providers
- E. Utility cutoffs or illegal ouster
- F. Security deposit returns

NOTE: Intake staff should note in the case facts, where applicable, the appropriate grant the case can be accepted under. For federally subsidized housing intakes, the intake can be noted for possible representation under the HUD Homeless grant and the HUD Counseling grant.

For Applicants who receive Housing Vouchers, you should ask:

- Do you have a written or oral lease?
- How long does your lease run?
- When does your lease expire?
- What amount of rent do you pay out of pocket?

- Did you pay a security deposit?

IF YES, ask:

- How much was your security deposit?
- Have you asked for your security deposit back?
- How did you ask for your security deposit back?
- Did you get the entire amount back?

IF NO, why not?

- Was there any damage to the rental unit when you left?

IF YES, what damage and who is responsible for the damage?

- Does your landlord provide utilities?

IF YES, what utilities did your landlord provide?

- Did you receive a letter from your landlord terminating your lease?

IF YES, ask:

- How did you receive the notice?
- When did you receive the notice?
- What reason did your landlord give for terminating your lease?

NOTE: Intake staff should advise applicant to request an informal hearing with the Housing Authority if Applicant has only received a notice to vacate (letter) from the landlord.

- Have you been served with eviction pleadings?

IF YES, ask:

- What county was the eviction pleadings filed in?
- How did you get served?
- When did you get served?
- What reason do the papers give for the Landlord wanting to evict you?
- Did you request a hearing with the Magistrate court?

IF YES, ask:

- How did you request a hearing?
- When did you request a hearing?

- Have you been served with a Writ of Ejectment?

IF YES, ask:

- What county was the Writ of Ejectment filed in?
- How did you get served?
- When did you get served?
- What date and time is listed as the time when you must move?

(62) Home ownership/Real property:

The SCLS will accept intake applications from those applications needing assistance with:

- A. Getting access to quality housing
- B. Obtaining or maintaining ownership of homes or real property
- D. Defending foreclosure actions in court

NOTE: Intake staff should note in the case facts, where applicable, the appropriate grant the case can be accepted under. For federally subsidized housing intakes, the intake can be noted for possible representation under the HUD Homeless grant and the HUD Counseling grant.

For Homeownership/Property issues, you should ask:

- What kind of home are you buying? Condo? Mobile home? House?
- What kind of arrangement do you have in regards to the purchase of your home?

For RENT-TO-OWN Contracts, you should ask:

- What is the purchase price for your home?
- What is your monthly house payment?
- Is there a written Rent-To-Own contract?
- Do you have a copy of your contract?

IF YES, please remind Applicant to bring contract to office if there case gets accepted.

- Who pays for repairs?
- Who pays the taxes on your home?

For CONTRACT-FOR-DEED issues, you should ask:

- What is the purchase price for your home?
- What is your monthly house payment?
- Is there a written Contract-for-Deed?
- Do you have a copy of your contract?

IF YES, please remind Applicant to bring contract to office if there case gets accepted.

- Who pays for repairs?
- Who pays the taxes on your home?

For Mortgage issues, you should ask:

- How many years do you have on your mortgage?
- What is your monthly mortgage payment?
- What is the interest rate on your mortgage?
- What is the original mortgage amount on your home?
- What type of mortgage do you have?
- Do you have insurance on your mortgage?

If YES, what kind?

- Do you have a copy of your mortgage?

IF YES, please remind Applicant to bring copy of mortgage to local office if they get notified that their case has been accepted.

- Do you have a second mortgage?

IF YES, ask:

- What is your monthly second mortgage payment?
- What is the interest rate on your second mortgage?
- What is the original second mortgage amount on your home?
- What type of second mortgage do you have?
- Do you have insurance on your second mortgage?
- **If YES**, what kind?
- Do you have a copy of your second mortgage?

IF YES, please remind Applicant to bring copy of second mortgage to local office if they get notified that their case has been accepted.

For mobile home buyers, you should ask:

- Do you rent the lot your mobile home is on?

IF YES, who is your landlord?

- What is your monthly lot rent?

- Are you behind in your lot rent?

IF YES, how far behind are you?

- Do you have a copy of the written lease agreement for the lot?
- What are the terms of the lease?
- When does your lease expire?

- Are you behind in your house payments?

IF YES, ask:

- How far behind are you?
- What is the total amount of your arrears?

- Giving your **best guess**, what is the value of your home?
- Do you have Homeowner's insurance?

IF YES, with whom?

- Is there a warranty on your home?

IF YES, what is the name of the warranty company?

NOTE: Intake staff should note in case facts that the intake is possible emergency if the applicant has been served with foreclosure pleadings.

(63) Landlord/Tenant (other than public housing):

The SCLS will accept intake applications for those applicants needing assistance with:

- A. Eviction
- B. Getting Access to quality housing
- C. Obtaining necessary repairs to rented housing
- E. Utility cutoffs or illegal ouster
- F. Security deposit returns

NOTE: Intake staff should note in the case facts, where applicable, the appropriate grant the case can be accepted under. For Landlord-Tenant intakes, the intake can be noted for possible representation under the HUD Homeless grant and the HUD Counseling grant.

For Landlord/Tenant cases, you should ask:

- Do you have a lease?
- **IF YES**, is your lease written or oral?
- **IF written lease**, do you have a copy of your lease?

IF YES, remind applicant to bring copy of lease to local office if their case gets accepted.

- When does your lease expire?
- What amount of rent do you pay?
- How often do you pay rent?
- Are you current in paying your rent?

IF NO, ask:

- How far behind are you?
- How much do you owe?
- What is your landlord's name?

For security deposit issues, you should ask:

- Did you pay a security deposit?
- **IF YES**, how much did you pay?
- Have you requested the return of your security deposit?
- How did you ask that your security deposit be returned?
- Did you get the entire amount?
- **IF NO**, why not?
- Was there any damage to the rental unit when you left?
IF YES, what damage?
- Who is responsible for the damage?
- Did you do a walk-out inspection?

For utility issues, you should ask:

- Does your landlord provide utilities?
- **IF YES**, what utilities does your landlord provide?

For notice issues, you should ask:

- Have you received any written notice from your landlord?

- **IF YES**, what type notice did you get?
- How did you get the notice?
- What did you get the notice?
- Does the notice say that your landlord wants to terminate your lease?
- Have you been served with court papers?

IF YES, ask:

- What County are the papers filed in?
- What Court did the papers come from?
- What are the papers for?
- How did you get served the papers?
- When did you get the papers?
- Did you request a hearing?

IF YES, ask:

- When did you request your hearing?
- How did you request your hearing?

(64) Other public housing (Housing Authority):

The SCLS will accept intake applications for those applicants needing assistance with:

- A. Eviction
- B. Getting Access to quality housing
- C. Obtaining necessary repairs to rented housing
- D. Utility cutoffs or illegal ouster
- E. Security deposit returns

NOTE: Intake staff should note in the case facts, where applicable, the appropriate grant the case can be accepted under. For intakes involving the Housing Authority, the intake can be noted for possible representation under the HUD Homeless grant and the HUD Counseling grant.

For housing issues involving the Housing Authority, you should ask:

- Do you have a written or oral lease?
- What are the terms of your lease?
- When does your lease expire?
- What amount of rent do you pay out of pocket?
- Did you pay a security deposit?

IF YES, ask:

- How much was your security deposit?
- Have you asked for your security deposit back?

- How did you ask for your security deposit back?
- Did you get the entire amount back?

IF NO, why not?

- Was there any damage to the rental unit when you left?

IF YES, what damage and who is responsible for the damage?

For utility issues, you should ask:

- Does your landlord provide utilities?

IF YES, what utilities did your landlord provide?

- When were your utilities cut off?
- How were you notified that your utilities would be cut off?
- Did you receive a letter from your landlord terminating your lease?

IF YES, ask:

- How did you receive the notice?
- When did you receive the notice?
- What reason did your landlord give for terminating your lease?

- Have you been served with eviction pleadings?

IF YES, ask:

- What county was the eviction pleadings filed in?
- How did you get served?

- When did you get served?
- What reason do the papers give for the Landlord wanting to evict you?
- Did you request a hearing with the Magistrate court?

IF YES, ask:

- How did you request a hearing?
 - When did you request a hearing?
- Have you been served with a Writ of Ejectment?

IF YES, ask:

- What county was the Writ of Ejectment filed in?
- How did you get served?
- When did you get served?
- What date and time is listed as the time when you must move?

(69) Other Housing:

The SCLS will accept intake applications for those applicants needing assistance with:

- A. Getting Access to quality housing
- B. Resolving problems with subsidized housing providers

NOTE: Intake staff should note in the case facts, where applicable, the appropriate grant the case can be accepted under. For intakes involving the Other Housing issues, the intake can be noted for possible

representation under the HUD Homeless grant and the HUD Counseling grant.

For Other Housing intakes, you should ask:

- Where do you live?
- What do you live in? Home, mobile home, condo, etc.?
- What type of housing problem do you have?
- Who is your problem with?
- What do you want SCLS to be able to do for you?
- Are you aware of any deadlines, in regards to your housing problem?
- If YES, what are your deadlines?

NOTE: Intake staff should note in case facts that the intake is a possible emergency if the applicant has been served with foreclosure pleadings. For SCLS intake staff, emergency intakes are given to the managing attorney or his designee for transfer upon completion of the intake. An email is sent to the managing attorney of the SCLS Office the intake was transferred to alerting them to the possible emergency.

Income Maintenance/Public Benefits

Obtain and Maintain Economic Benefits for Low-Income Families

(71) TANF/FI:

The SCLS will accept intake applications for TANF/FI cases where:

- A. Representation is needed at the administrative level regarding the termination, overpayment, or denial of TANF/FI benefits.
- B. Representation is needed at the court level regarding the termination, overpayment, or denial of TANF/FI benefits.
- C. Representation is needed in defending a collection action regarding TANF/FI benefits.

For TANF/FI intakes, you should ask:

- When did you get the letter that your TANF/FI benefits would be terminated?
- Or were you told by your caseworker that your benefits would be terminated?
- What was the reason given in the notice for terminating your benefits?
- Have you requested a fair hearing in writing?
- **IF YES**, do you have a hearing date?
- How long have you been drawing your TANF/FI benefits?
NOTE: There is a 2 year cap on TANF/FI benefits

For over payment cases, you should ask:

- When did you get the letter of the overpayment?
- Or were you told by your caseworker that you were overpaid?
- Did you report the circumstance(s) that caused the overpayment to DSS?

IF YES, whom did you report it to?

IF NO, Why not?

- Have you appealed the overpayment?
- Do you have a hearing date?
- Can you afford to repay the overpayment?
- Have you received any letters attempting to collect the overpayment?

(73) Food Stamps:

The SCLS will accept intake applications for Food Stamps cases where:

- A. Representation is needed at the administrative level regarding the termination, overpayment, or denial of Food Stamps.
- B. Representation is needed at the court level regarding the termination, overpayment, or denial of Food Stamps.
- C. Representation is needed in defending a collection action regarding Food Stamps.

For Food Stamp reduction or termination intakes, you should ask:

- When did you get the letter that your food stamps would be reduced or terminated?
- Or were you told by your caseworker that your food stamps would be reduced or terminated?
- What was the reason given in the notice for reducing or terminating your food stamps?
- Have you requested a fair hearing in writing?
- If yes, do you have a hearing date?
- Have you been convicted of a crime?

IF YES, what crime were you convicted of? When?

- When was the last time you re-certified?
- How long have you been receiving food stamps?
- Has the number of persons in your household changed?

IF YES, did you report the change to your caseworker?

- Has your household income changed?

IF YES, did you report the change to your caseworker?

For food stamp overpayment intakes, you should ask:

- When did you get the letter of the overpayment?
- Or were you told by your caseworker that you were overpaid?

- Did you report the circumstance(s) that caused the overpayment to DSS?

IF YES, whom did you report it to?

IF NO, Why not?

- Have you appealed the overpayment?
- Do you have a hearing date?
- Can you afford to repay the overpayment?
- Have you received any letters attempting to collect the overpayment?
- Has your income changed?

IF YES, did you report your change of income to your caseworker?

- Did the number in your household change?
- Have any of your other benefits stopped?

(74) Social Security:

The SCLS will accept intake applications for Social Security cases where:

- A. Representation is needed at the administrative level regarding the termination, overpayment, or denial of Social Security benefits including survivor's benefits.
- B. Representation is needed at the court level regarding the termination, overpayment, or denial of Social Security benefits including survivor's benefits.

- C. Representation is needed in defending a collection action regarding Social Security benefits including survivor's benefits.

For Social Security disability intakes, you should ask:

- What is the nature of your disability?
- Are you seeing a doctor or doctors?
- When did you apply for Social Security disability benefits?
- When did you get denied for Social Security benefits?
- Did you appeal the denial of your Social Security benefits?
- How many times have you appealed the denial of your Social Security benefits?
- Do you have a hearing date?
- How far did you go in school?
- When was the last time you worked?

IF WORKED, What did you do?

- For cessation intakes, ask: Have you requested your benefits to continue? **NOTE: If applicant has not requested benefits to continue, please advise applicant to do so. Applicant has only 10 days to appeal for benefits to continue.**

For SSD overpayment cases, you should ask:

- When did you get notice of the SSD overpayment?
- How did you receive notice of the overpayment? By letter? By telephone?

- What was the reason Social Security gave you as to why you were overpaid?
- Did you report the circumstance(s) that caused the overpayment to Social Security?
- **IF YES**, whom did you report it to?
- How much were you overpaid?
- Do you have any of the overpaid money now?
- Are you able to pay the money back?
- Have you appealed the decision that you were overpaid?
- When did you file your appeal?
- Did you file for a waiver?
IF YES, when did you file for a waiver?
- Do you have a representative payee?
IF YES, who is your representative payee?

For children survivors benefit intakes, you should ask:

- Did the deceased sign the child's birth certificate?
- Did the deceased ever acknowledge that he/she was the biological parent of the child?
- Is there a support order?
- Was a paternity test done?
- Was your child on the deceased's medical insurance?
- Does the deceased's family acknowledge the child as belong to their family?

(75) Supplemental Security Income (SSI):

The SCLS will accept intake applications for SSI cases where:

- A. Representation is needed at the administrative level regarding the termination, overpayment, or denial of SSI benefits.
- B. Representation is needed at the court level regarding the termination, overpayment, or denial of SSI benefits.
- C. Representation is needed in defending a collection action regarding SSI benefits.

For SSI denial intakes, you should ask:

- What is the nature of your disability?
- Are you seeing a doctor or doctors?
- When did you apply for SSI disability benefits?
- When did you get denied for SSI benefits?
- Did you appeal the denial of your SSI benefits?
- How many times have you appealed the denial of your SSI benefits?
- How far did you go in school?
- IF SSI intake is for a child, ask: Is there an IEP?
- When was the last time you worked?

IF WORKED, ask, what did you do?

- For cessation intakes, ask: Have you requested your benefits to continue?

For SSI overpayment intakes, you should ask:

- When did you get notice of the SSI overpayment?
- How did you receive notice of the overpayment? By letter? By telephone?
- What was the reason Social Security gave you as to why you were overpaid?
- Did you report the circumstance(s) that caused the overpayment to Social Security:

IF YES, whom did you report it to?

- How much were you overpaid?
- Do you have any of the overpaid money now?
- Are you able to pay the money back?
- Have you appealed the decision that you were overpaid?
- When did you file your appeal?
- Did you file for a waiver?
- When did you file for a waiver?
- Do you have a representative payee?

IF YES, who is your representative payee?

(76) Unemployment Benefits:

The SCLS will accept intake applications for unemployment benefit cases where:

- A. Representation is needed at administrative level: Unemployment hearing with hearing officer presiding.
- B. Representation at administrative level: Unemployment appeal of hearing officer's decision in front of S.C. Employment Security Commission.
- C. Representation is needed at court level: Unemployment appeal of Employment Security Commission's decision to State Court.

For Unemployment Compensation Benefits Appeal intakes, you should ask:

- What was the date of your termination?
- How long did you work there?
- If applicant worked less than 1 year, ask the applicant: where did you work before the job you just had? When did you work there?
- When did you receive your denial of unemployment benefits?
NOTE: If applicant has not appealed unemployment denial, please advise applicant to do so. Applicant has only 10 days to appeal unemployment denial. 10 day appeal time is from date of denial and not date denial is received by applicant.
- What is the date on the denial notice?
- Do you have your denial notice? **IF YES, remind applicant to bring to local office if case is accepted.**
- What was the reason given by your employer for terminating you?
- What caused your termination?

- Did you appeal the denial?
- When did you appeal the denial?
- Do you have a hearing date?
- Did you quit or resign?

(77) Veterans (VA) Benefits:

The SCLS will accept intake applications for VA benefit cases where:

- A. Representation is needed at the administrative level regarding the termination, overpayment, or denial of VA benefits.
- B. Representation is needed at the court level regarding the termination, overpayment, or denial of VA benefits.
- C. Representation is needed in defending a collection action regarding VA benefits.

For VA disability cases, you should ask:

- What is the nature of your disability?
- Are you seeing a doctor or doctors?
- When did you apply for VA disability benefits?
- When did you get denied for VA benefits?
- When did you appeal the denial of your VA benefits?
- How many times have you appealed the denial of your VA benefits?
- Do you have a hearing date?

- How far did you go in school?
- When was the last time you worked?

IF WORKED, What did you do?

For VA Disability overpayment intakes, you should ask:

- When did you get notice of the VA overpayment?
- How did you receive notice of the overpayment? By letter? By telephone?
- What was the reason did VA give you as to why you were overpaid?
- Did you report the circumstance(s) that caused the overpayment to the VA?

IF YES, whom did you report it to?

- How much were you overpaid?
- Do you have any of the overpaid money now?
- Are you able to pay the money back?
- Have you appealed the decision that you were overpaid?
- When did you file your appeal?
- Did you file for a waiver?
- When did you file for a waiver?
- Have your benefits been stopped or reduced?

(79) Other Income Maintenance:

The SCLS will accept intake applications for Other Income Maintenance cases where:

- A. Representation is needed at the administrative level regarding the termination, overpayment or denial of a public benefit.
- B. Representation is needed at the court level regarding the termination, overpayment, or denial of a public benefit.
- C. Representation is needed in defending a collection action regarding a public benefit.

Note: Separate maintenance and support actions can be done if a public benefit would result from getting the order (i.e., housing, health, education, public benefits)

For Other Income Maintenance intakes, you should ask:

- When did you get the letter that your public benefit would be reduced or terminated?
- Or were you told by your caseworker that your public benefit would be reduced or terminated?
- What was the reason given in the notice for reducing or terminating your public benefit?
- Have you requested a fair hearing in writing?

If YES, do you have a hearing date?

- How long have you been receiving the benefit?
- Has the number of persons in your household changed?

IF YES, did you report the change to your caseworker?

- Has your household income changed?

IF YES, did you report the change to your caseworker?

For Other Income Maintenance overpayment intakes, you should ask:

- When did you get the letter of the overpayment?
- Or were you told by your caseworker that you were overpaid?
- Did you report the circumstance(s) that caused the overpayment?

IF YES, whom did you report it to?

IF NO, Why not?

- Have you appealed the overpayment?
- Do you have a hearing date?
- Can you afford to repay the overpayment?
- Have you received any letters attempting to collect the overpayment?
- Has your income changed?

IF YES, did you report your change of income to your caseworker?

- Did the number in your household change?
- Have any of your benefits stopped?

Miscellaneous and Elder Law:

Ensure Access to the Civil Legal Justice System

(92) Native American Tribal Law:

The SCLS will accept intake applications for Native American Tribal Law cases where the resolution of the applicant's issue(s) comes from invoking Native American Tribal Law. These intakes would involve either:

- A. The applicant is a Native American Indian and Native American Tribal Law takes precedent over South Carolina law.
- B. The opposing party is a Native American Indian and relief by Native American Tribal Law is being sought over South Carolina law.

For intakes regarding Native American Tribal Law, you should ask:

- What is it that you want legal services to do to address your problem?
- Are you or the OP invoking relief by applying Native American Tribal Law?
- Are you a Native American?

IF YES, what tribe are you from?

Are you currently living on a Native American reservation?

IF YES, where is the location of the reservation?

Who is the chief of the reservation?

- Is the OP a Native American?

IF YES, what tribe is the OP from?

Is the OP currently living on a Native American reservation?

IF YES, where is the location of the reservation?

Who is the chief of the reservation?

- What Native American Tribe is the focus of the litigation?

(95) Wills/Estates/Advance Directives:

The SCLS will accept intake applications for those applicants needing assistance with:

A. Drafting and Execution of Last Will & Testament

For intakes regarding the drafting and execution of the applicant's Last Will & Testament, you should ask:

- Do you have a spouse?

IF YES, what is your spouse's name?

IF NO, have you ever been married?

If yes, what was your spouse's name?

- Do you have any children?

IF YES, ask:

- What are the names and ages of your children?
- Are all of your children living?

IF NO, ask for the name of the deceased child(ren)

If any of children are minors, ask:

- Who would you want to take of your children if you pass before they become adults?

- What property do you have?
- Who do you want to leave your property to?
- Who do you want to leave your property to if (the person Applicant just mentioned) dies before you?
- Who do you want to administer your will?
- What relationship, if any, do you have with the person you want to administer your will?

B. Drafting and Execution of Power of Attorney

For intakes regarding the drafting and execution of a Power of Attorney, you should ask:

- Do you currently have a power of attorney?

IF Applicant has NO power of attorney, ask:

- Who do you want to grant your power of attorney to?
- What relationship, if any, do you have to the person you want to give your power of attorney to?

IF Applicant already has a power of attorney, ask:

- Where is your current power of attorney?
- Is it the original power of attorney?

IF NO, ask: Where is the original power of attorney?

- Has your current power of attorney ever been recorded at the courthouse?
- Who do you want to give your power of attorney to now?
- What relationship, if any, do you have to this person?

C. Drafting and Execution of Health Care Power of Attorney

For intakes regarding the drafting and execution of a Health Care Power of Attorney, you should ask:

- Do you currently have a Health Care Power of Attorney?

IF Applicant has NO Health Care Power of Attorney, ask:

- Who do you want to grant your health care power of attorney to?
- What relationship, if any, do you have to the person you want to give your health care power of attorney to?

IF Applicant already has a power of attorney, ask:

- Where is your current health care power of attorney?
- Is it the original power of attorney?

IF NO, ask: Where is the original health care power of attorney?

- Has your current health care power of attorney ever been recorded at the courthouse?
- Who do you want to give your health care power of attorney to now?

- What relationship, if any, do you have to this person?

D. Drafting and Execution of Living Will

For Applicants wanting a living will, enter the following statement in the case facts section of case management:

Applicant is seeking assistance in getting a living will executed

All living will intakes will be transferred to the appropriate SCLS office. Please remember to ask the three (3) limited representation questions and have the applicant's responses noted in the case facts section of case management.

E. Probating Estates (to include deeds of distribution)

For intakes regarding the Probating of an Estate, you should ask:

- Whose estate do you want to probate?
- What is your relationship, if any, to this person?
- Did the person have a will?

IF YES, ask:

- Can the will be located?
- Who is the personal representative of the will?
- What is the contact information of the personal representative?
- Where did the decedent live at the time of death?

NOTE: If the decedent lived in South Carolina at the time of death, enter the County where decedent died in case facts.

- Where was the property decedent owned?
- Does the decedent own any property that is not in South Carolina?
IF YES, what property was owned and where is the property located?
- What was the decedent's address prior to death?
- What property is in the estate?
- Giving me your **best guess**, what is the estimated value of the estate?

F. Heirs Property Issues

For Applicants calling about clearing the title on the property they live on, you should ask:

- Has the property you live on ever been probated?
- Who owned the property before you?
- Did the person who owned the property before you die without a will?
- What are the names of your immediate family?

NOTE: Include in immediate family the names of Applicant's parents, brothers, and sisters

- Where is the property located?
- Giving your **best guess**, what is the estimated value of the property?
- What do you want to do with the property?

(99) Other Miscellaneous:

The SCLS will accept intake applications for those applicants needing assistance with:

A. Guardianship and conservatorship issues

For intakes regarding guardianship and/or conservatorship issues, you should ask:

- What is the name of the person you are seeking guardianship or conservatorship of?

NOTE: Remember to check person for a possible conflict of interest

- What is your relationship, if any, to this person?
- Where does this person live?
- Does this person own property?

IF YES, where is property located?

- Why does this person need a guardian or conservator?

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

For intakes regarding the representation of federal tax issues pursuant to the LITC grant, you should ask:

- For which tax year(s) do you have a problem?
- What was the last communication you had from the IRS? (Payment; Notice of Lien; Notice of Levy; Information to verify Earned Income Tax Credit)
- What do you understand the IRS wants from you?
- Did the IRS give you a deadline to respond to you?

IF YES, what is the date of the deadline?

- Did you respond to the deadline?

IF YES, how did you respond?

- Have you filed all your tax returns for prior tax years in which you were legally obligated to file a tax return?
- Who prepared your taxes for the tax year(s) in dispute?

If the Applicant is an undocumented alien, you should ask:

- Do you have an Individual Tax Identification Number (ITIN)? (*Tiene usted un Numero de Identificacion Fiscal Individual?*)

NOTE: LITC can assist in obtaining an ITIN, and if it is the very first tax return to be filed for the Applicant, LITC can assist in preparation of that tax return only.

- Have you filed a tax return each year to get your tax refund? (Usted hace delcaracion de impuestos cada ano?)

NOTE: A valid ITIN is required to file a tax return. Money withheld from a worker's paycheck based on a false Social Security Number is often lost to the worker: Either the worker does not file a return, or the employer pockets the money. No credit is given the worker for withholding or with the Social Security Administration.

D. Community Economic Development

NOTE: Community Economic Development cases do not lend themselves to telephone intake. Any applicant calling needing assistance with CED matter, such as an incorporation of a Non-profit corporation, should be given the telephone number of the Transitional Unit Heard. The Applicant will be instructed to call the Transitional Unit Head to see if they are eligible for assistance through SCLS.