



2109 Bull Street, P.O. Box 1445, Columbia South Carolina 29201
Phone: (803) 799-9668 Fax: (803) 799-9420
www.sclegal.org | www.lawhelp.org/sc | www.probono.net/sc

September 7, 2011

Mr. Mark Freedman
Senior Assistant General Counsel
Office of Legal Affairs
Legal Services Corporation
3333 K Street NW
Washington, DC 20007

Re: Poverty Data and LSC Funding Distribution

Dear Mr. Freedman:

South Carolina Legal Services, a grantee of the Legal Services Corporation (LSC), respectfully submits the following in response to your request for comments dated August 3, 2011.

We believe that the determination of the number of individuals in poverty in each geographic area should be made by the Legal Services Corporation utilizing information from the American Community Survey. We believe that this approach is superior to the others considered since LSC will have the closest respect for and affiliation with the mission of public support for civil legal services and can be trusted to interpret the information in ways both fair and useful to the low-income clients of South Carolina Legal Services.

We are furthermore of the opinion that the traditional formula utilized in 2000, i.e. “per poor person” funding remains the correct approach. We are aware that other variables focusing on the availability of other funding, the mix of rural vs. urban and unique regional features are also arguable. However, the most efficient means, (and the means least subject to unproductive debate), is still the formula that matches dollars per poor person with no consideration of other variables.



Mr. Mark Freedman
September 7, 2011
Page 2

We believe that the final rule should be implemented and the changes in the distribution of funds should be made in 2013. Delaying the reallocation to allow for a "phase in" approach will be at the expense of the critical legal needs of the client population.

Consistent with this logic, South Carolina Legal Services respectfully submits that the five year redistribution cycle is the better approach and a compromise between adjustments every ten years or every three years. The five years will allow formulation of stable budgets with due planning and diligence. Five years would serve the secondary purpose of reducing the possibility of dramatic increases and reductions associated with a longer cycle. South Carolina Legal Services believes that LSC grantees are of necessity accustomed to fluctuations in annual revenue although, of course, it is a matter of degree.

South Carolina Legal Services appreciates the opportunity to participate in the resolution of these important issues. We are available if additional information or consultation is necessary.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Andrea E. Loney". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Andrea E. Loney
Executive Director

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