



State of South Carolina
Office of The Lieutenant Governor

KEVIN L. BRYANT
LIEUTENANT GOVERNOR

POST OFFICE BOX 142
COLUMBIA, SOUTH CAROLINA 29202

November 17, 2017

Connie Munn, Director
Santee Lynches Regional Council of Governments/ Area Agency on Aging
2525 Corporate Way, Suite 200
Sumter, South Carolina 29154

Re: Legal Services Contract for FY 17-18

Dear Director Munn,

Please be advised that the contract entered into by the Santee Lynches Regional Council of Governments/ Area Agency on Aging (SLRCOG/AAA) is deficient and noncompliant.

Standard for a minimally sufficient contract:

1. At least a broad clause requiring performance in compliance with state and federal law, preferably specific reference compliance with the Older Americans Act in addition to the broad clause.
2. Reference to the Older Americans Act as a funding source.
3. Reference to the Older Americans Act, the Lieutenant Governor's Office on Aging Policies and Procedures Manual, the South Carolina Legal Assistance Delivery Standards, and the Legal Service Corporations Act.
4. Specified Unit Rate.
5. No terms in direct conflict with the Older Americans Act, the Lieutenant Governor's Office on Aging Policies and Procedures Manual, or the South Carolina Legal Assistance Delivery Standards.
6. Severability clause.

Specific deficiencies in the SLRCOG/AAA Contract for 2017-2018:

1. "Follow the terms and conditions for Legal Assistance Providers": This clause is insufficient to incorporate any of the relevant standards.
2. Failure to require performance in compliance with state and federal law.
3. Failure to reference the Older Americans Act as the funding source.
4. Failure to reference the Older Americans Act, the Lieutenant Governor's Office on Aging Policies and Procedures Manual, the South Carolina Legal Assistance Delivery Standards, and the Legal Service Corporations Act.

We ask that you rewrite your contract to correct the deficiencies outlined above by **January 15, 2018** or the LGOA will initiate the hearing process to defund the noncompliant legal assistance programs pursuant to the Older Americans Act Section 306(f) and LGOA Policies and Procedures Section 206 (N).

Additional Feedback:

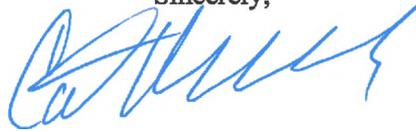
In addition to the above listed deficiencies, we would like to note some areas of concern in your contract that do not rise to the level of deficiencies.

1. The LGOA requests an explanation of why the contract term is not for the entire fiscal year and instead expires on March 31st, 2018.

2. Your current contract provides an initial limit of 20 hours per client. This limit is not in direct conflict with the Older Americans Act, however it creates concerns that a senior may have their legal issue abandoned before their issue is properly resolved. We recognize that not every issue will be fully resolved and that completion can mean many things, but we would prefer that this language ensure that there is not a sudden cut to service to a senior.

Thank you for your assistance to improve our programs and please contact me if you have any questions, 803-734-5292.

Sincerely,



Catherine McNicoll
Director of Legal and Legislative Affairs