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STATE INSTRUCTION NUMBER 16-05

To: Local Area Signatory Officials
Local Area Administrators

Subject: Legal Aid Services for WIOA Title I Participants

Issuance Date: September 7, 2016

Purpose: To provide guidance regarding the use of Workforce Innovation and Opportunity Act (WIOA) funds for legal aid services as a supportive service for eligible participants.

References: Workforce Innovation and Opportunity Act, Public Law 113-128; 20 CFR Parts 680.900 and 680.910; 20 CFR Parts 681.570 and 681.580.

Background: The most promising strategies for serving individuals with barriers to employment involve a concurrent mix of employment, training, and supportive services. In recent years there has been a great deal of interest in assisting participants in overcoming barriers through expungement of criminal records. WIOA now provides an expanded list of allowable supportive services that includes legal aid services for Title I participants. Legal aid can uniquely address certain barriers to employment, including access to driver's licenses, expunging criminal records, and resolving issues with debt, credit, and housing.

Policy: Local supportive services policies may now include legal aid services. As with any supportive service, local policies and procedures must ensure that WIOA funds are used only when services are not available through other agencies or organizations and that the services are necessary for the individual to participate in Title I activities. For Adults and Dislocated Workers, supportive services may only be provided to individuals participating in career or training activities. For Youth, supportive services may be provided during participation in WIOA activities, as well as during the required 12-month follow-up period after exit.

Coordinating legal aid services, specifically expungement services, will require working with local solicitors' offices. SC solicitors can only expunge charges filed in South Carolina. There is a solicitor in each of the 16 Judicial Circuits in South Carolina. Information on eligibility, contacts, and process for payment of fees can be found on each Circuit Solicitor's website.

The following link contains a guide to expungement in South Carolina, including a list of all solicitors' offices and contact information. Please note the guide was last modified in August of 2013.

<http://scjustice.org/wp-content/uploads/2013/10/full-expungement-guide.pdf>

Action: Ensure that all appropriate staff receive and understand this policy guidance.

Inquiries: Questions may be directed to Scott Ferguson at (803) 737-2671 or RSFerguson@dew.sc.gov.

A handwritten signature in cursive script that reads "Patricia Sherlock". The signature is written in dark ink and is positioned above a horizontal line.

Patricia Sherlock, Director
Policies and Procedures