



February 7, 2000

J. Edwin McDonnell
Executive Director
Piedmont Legal Services, Inc.
148 East Main Street
Spartanburg, South Carolina 29306

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John McKay

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Re: Waiver of Governing Body Restriction

Dear Mr. McDonnell:

I recently received your request for a waiver under Part 1607 of the Legal Services Corporation ("LSC") regulations. I understand you seek to permit the partner and associate of an appointee Piedmont Legal Services Board member to receive compensation through Piedmont's Private Bar Involvement ("PBI") program.

The LSC regulations permit Piedmont Legal Services to request a waiver for PBI compensation. Section 1607.5(b) states:

Pursuant to a waiver granted under Section 1607.6(b)(1), a recipient may adopt policies that would permit partners or associates of attorney members to participate in any compensated private attorney involvement activities supported by the recipient.

§ 1607.6(b)(1). A waiver for PBI compensation may be granted under § 1607.6 if the waived requirement is "not mandated by applicable law," and if the recipient demonstrates it cannot comply with the requirement because of, "the nature of the population, legal community or area served." § 1607.6(b),(b)(1).

Based on the circumstances as demonstrated in your waiver request, I will grant Piedmont Legal Services a waiver pursuant to § 1607.5(b) and 1607.6(b)(1) to adopt policies to permit PBI compensation for the partners and associates of Piedmont's attorney Board members.

I wish your program continued success in the provision of legal services to your clients. Please contact me if I can provide any additional assistance.

Sincerely,

John McKay
President