FOR IMMEDIATE RELEASE
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Heirs’ Property Preservation Project
Premieres Video & Recognizes the SC Chapter of The Appraisal Institute

Charleston, SC: On Tuesday, September 9th, The South Carolina Bar, Bar Foundation and The Community Foundation Serving Coastal South Carolina premiered the Heirs’ Property Preservation Project video. The video, created by the SC Bar and Bar Foundation, is an educational tool that will help to expand the reach of this project to help more heirs’ property owners to understand the complex legal issues involved. The video will be made accessible to senior citizens who are not able to attend seminars. In addition, individuals who are not able to read will have an opportunity to gain a better understanding of the issues involved in owning heirs’ property.

Heirs’ property concerns land owned primarily by the descendants of African-Americans who originally purchased, or were deeded, land following emancipation. All descendants equally share in the inheritance of the land, which has been passed down through generations usually without a will. Because of the tenuous nature of this kind of inheritance, heirs’ property owners risk losing their property if even one heir wishes to sell. With increased commercial and resort development in the Lowcountry, heirs’ property is particularly vulnerable.

One thousand copies of this instructional video will be distributed through The South Carolina Centers for Equal Justice and other social service agencies that assist heirs’ property owners. We hope that these videos will be played in homes across the Lowcountry, and shared with relatives who may be dispersed in other regions of the country. Our goal is to help families reach common agreement on the management and protection of their land assets.

During the upcoming year, The SC Chapter of The Appraisal Institute, a professional association of property appraisers, will be working along with the SC Bar Association to offer pro bono services to help participants of the Heirs’ Property Preservation Project establish clear title for their properties. This process requires the division of property or payment to minority interests; consequently, appraisals become necessary. Individual chapter members will be called upon by The SC Centers for Equal Justice to prepare appraisals on properties that are scheduled for clearing of title in court.

One year ago, The Community Foundation Serving Coastal SC and The SC Bar Foundation announced the Heirs’ Property Preservation Project funded by the Ford Foundation. After a full year in operation, the project has made great strides in offering legal services and educational programs to Lowcountry South Carolinians who face land ownership problems. With the collaboration of the SC Centers for Equal Justice, the SC Appleseed Legal Justice Center and the SC...
Bar, over 5,000 individuals have benefited from the Heirs’ Property Preservation Project through educational, legal and advocacy services.

**Reaching the Lowcountry**
The SC Centers for Equal Justice embarked on an ambitious campaign to offer legal education to the public through heirs’ property clinics. Beaufort County was the home for five clinics with another three clinics being held in Berkeley County. Charleston County was the site for 13 clinics and Horry County hosted two clinics. Under the leadership of Willie Heyward, Heirs’ Property Preservation Project Attorney, 1,168 individuals received assistance and were equipped with the educational tools to handle land ownership issues.

Limited and extended legal services were also provided to low-income heirs’ property owners. Wills clinics were offered with nine wills prepared for families with heirs’ property concerns. In addition, 39 heirs’ property cases stand in the pipeline to be handled through The SC Centers for Equal Justice, volunteer lawyers and through private attorney involvement.

The Centers also met the needs of HP owners through community outreach events in the Lowcountry. Over 3,800 individuals were reached through heirs’ property exhibits at family reunions, church events and other community programs in Beaufort, Berkeley and Charleston counties. In addition, 10,000 informational brochures were distributed to individuals needing information on heirs’ property. The Heirs’ Property Preservation Project video will also be used at community events to help teach the public about this important topic.

**Equipping South Carolina Attorneys**
A second arm of the Heirs’ Property Preservation Project sought to provide training and education to attorneys on heirs’ property issues. The SC Appleseed Legal Justice Center hosted a “Saving Heirs’ Property” continued legal education seminar. In attendance were 26 attorneys who each agreed to handle one heirs’ property case on behalf of the project. In addition, The Community Mediation Center of Columbia trained close to 30 South Carolina legal aid attorneys, community leaders and heirs’ property partner agency to provide free mediation services to heirs’ property landowners. By offering this critical service, families can resolve disputes without the intervention of the court system, which is often more economical and more expedient for all involved parties.

**Finding Solutions through Advocacy Efforts**
During the first phase of the project, SC Appleseed Legal Justice Center began making inroads to advocate policy change to enhance property preservation and equitable land use in the state. Partition statues for Alabama, Georgia, North Carolina and South Carolina were studied. In addition, a variety of land use models were explored to serve as potential heirs’ property solutions. The information provided through research provides Appleseed with a stronger basis on which to seek legislative change.

An Heirs’ Property Legislative Task Force was established in the 2003 session of the General Assembly. The partners were invited to participate on the task force and will work closely with the group to resolve heirs’ property issues through systemic legal changes.

**Think Globally, Act locally**
Heirs’ Property issues cannot be considered in isolation. It is pivotal in the debate over “Equitable Growth” in the Lowcountry. The quality of the environment, affordable housing, civic infrastructure (roads, water, septic), zoning and land use are all affected by decisions regarding heirs’ property.
Local conservationists, environmentalists, lawyers, judges, members of zoning boards, neighborhoods, governmental planners and representatives must be well-informed to deal with this complicated issue.

The **Heirs’ Property Preservation Project** is a first step down a long, hard road. Little of this work will be easy. It involves centuries of distrust between segments of the population. It is time to work together.

*To give or get help, contact Willie Heyward or James Moody at the SC Centers for Equal Justice at 843-720-7044*

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