

# South Carolina Licensing Information

Residents & Non-Residents

**Complete the enclosed license application and mail to:**

Pre-Paid Legal Services, Inc.  
PO Box 1443  
Ada, OK 74820

Please enclose a \$40 check or money order made payable to Pre-Paid Legal Services, Inc.

- No white out or alterations on the application.
- Application must be completed, signed, & dated in same color ink.
- Place of Birth needs to indicate City and State.
- Parents Name must be completed- first & last name (please indicate if unknown).
- Attached is a copy of the South Carolina Consumer Protection Code. Please familiarize yourself with the information and answer question 4 **yes**.
- Failure to notarize the application correctly will result in delay of process.  
Notary guidelines to follow:
  1. Date of application and notary **must** be the same.
  2. Notary Public for: must be **state** commissioned in.
  3. **Notary Public must sign on line provided below date.**
  4. Appointment expires: must be month, day and year.
  5. Must have notary seal or stamp.
- You will be notified when you can begin marketing.
- The license will expire annually October 1<sup>st</sup>. You will be notified of the renewal.

*If you have any questions, please call a Pre-Paid Legal Licensing Representative at (580) 436-7424.*

**South Carolina Code of Laws  
(Unannotated)  
Current through the end of the 2005 Regular Session  
Disclaimer**

This statutory database is current through the 2005 Regular Session of the South Carolina General Assembly. Changes to the statutes enacted by the 2006 General Assembly, which will convene in January 2006, will be incorporated as soon as possible. Some changes enacted by the 2006 General Assembly may take immediate effect. The State of South Carolina and the South Carolina Legislative Council make no warranty as to the accuracy of the data, or changes which may have been enacted since the 2005 Regular Session or which took effect after this database was prepared and users rely on the data entirely at their own risk.

**Title 37 - Consumer Protection Code  
CHAPTER 16.  
PREPAID LEGAL SERVICES**

**SECTION 37-16-10.** Definitions.

As used in this chapter:

- (1) "Department" means the Department of Consumer Affairs.
- (2) "Prepaid legal company" means a person or entity offering prepaid legal services to the general public or a segment of the general public.
- (3) "Prepaid legal services" means legal services or reimbursement for legal services provided by an individual licensed or admitted to practice law in the jurisdiction in which the services are to be rendered, and which are provided in return for a predetermined, specified, periodic fee.

**SECTION 37-16-20.** Registration; bond or letter of credit.

Before commencing business in South Carolina, regardless of the means of doing business, any prepaid legal services company must register with the department on a form prescribed by the department. The form must be accompanied by a bond or letter of credit acceptable to the department in the amount of fifty thousand dollars, which must remain in force so long as the prepaid legal services company does business in South Carolina. The amount of the bond or letter of credit may only be increased by regulation.

**SECTION 37-16-30.** Appointment of sales person as company representative; filing of name, address, and telephone number; renewal; fees; refusal or revocation of appointment.

Before any sales or solicitation activity commences, a person seeking to be involved in direct selling or direct in-person or electronic solicitation of the general public or segments of the general public, on behalf of a prepaid legal services company, must be appointed a representative of that prepaid legal services company by filing with the department, on a form prescribed by the department, the appointee's name, address, and telephone number. The appointment must be renewed each year no later than October first. The department may collect a fee of twenty dollars with each initial or renewal filing and may use the proceeds to offset the costs of administering and enforcing this chapter. Appointment may be refused or revoked upon a finding that a prospective representative or representative has been convicted of a crime of deceit or dishonesty within the previous ten years.

**SECTION 37-16-40.** Annual registration; affirmation of continuation of bond; fee.

(A) No later than March first of each year, commencing immediately after registration required by Section 37-16-20, a prepaid legal services company registered with the department must file on a form prescribed by the department an updated registration statement to include a sworn affirmation as to continuation of the bond or letter of credit required by Section 37-16-20.

(B) In connection with its annual registration, the prepaid legal services company must pay a registration fee of eight hundred dollars which the department may utilize for purposes of administering this chapter.

**SECTION 37-16-50.** Prior approval of contracts; required provisions as to selection of attorney; approval process.

Contracts offering prepaid legal services must be filed with the department for approval prior to being offered to the general public or a segment of the general public. A contract for prepaid legal services must include a provision allowing the member or beneficiary the right to select the attorney of his choice when legal services are needed. If this option is chosen, the company may adjust the amount the member or beneficiary is charged to participate in the prepaid legal services plan. However, approval must not be withheld unless the contract is false, misleading, unfair, deceptive, or is in violation of this chapter or other applicable law. Contracts filed are deemed approved if the department does not notify the prepaid legal services company of its nonapproval within forty-five days of receipt of the contract.

**SECTION 37-16-60.** Complaints.

A consumer aggrieved by a prepaid legal company may file a complaint with the department which shall review the complaint, investigate it as the department considers appropriate, and initiate action as authorized by law.

**SECTION 37-16-70.** Contested case hearing with Administrative Law Court.

(A) The department may file a request for a contested case hearing with the Administrative Law Court if a prepaid legal services company violates a provision of this chapter and the prepaid legal services company is subject to any combination of the following:

- (1) an administrative order to cease and desist from committing violations of this chapter;
- (2) administrative fines up to five thousand dollars; and
- (3) revocation or denial of registration.

(B) Upon satisfactory evidence that a prepaid legal services company representative has violated or failed to comply with a provision of this chapter or regulation promulgated pursuant to the authority of this chapter, the administrator may issue an order requiring the company representative to cease and desist from engaging in the violation or revoke or suspend the company representative's authority. A prepaid legal services company representative may file a request for a contested case hearing with the Administrative Law Court if it believes it is aggrieved by the decision of the administrator.

**SECTION 37-16-80.** Failure to abide by contract; use of false, or deceptive acts or practices; repeated or systematic failure to comply or engaging in deceptive acts; sanctions.

For purposes of this chapter, the failure to abide by the terms of a filed contract or the use of false, misleading, unfair or deceptive acts or practices on the part of a prepaid legal services company is a violation of the Consumer Protection Code and subject to all of the remedies of

Chapter 6. Repeated or systematic failure to abide by the terms of a filed contract or repeated or systematic use of false, misleading, unfair or deceptive acts or practices on the part of a prepaid legal services company are grounds for revocation or refusal to register the company or for disallowance for entering new contracts with the public or segments of the public until the violations are remedied to the satisfaction of the department.

**SECTION 37-16-90.** Promulgation of rules and regulations.

The department is authorized to promulgate rules and regulations for the implementation of this chapter.



# STATE OF SOUTH CAROLINA DEPARTMENT OF CONSUMER AFFAIRS

## REGISTRATION FOR PREPAID LEGAL SALES REPRESENTATIVE

**Mailing Address**  
P.O. Box 5757  
Columbia, SC 29250-5757

S.C. Code Ann. § 37-16-10 et seq. (Supp. 1997)  
[www.sccoconsumer.gov](http://www.sccoconsumer.gov)  
803-734-4236/800-922-1594

**Street Address**  
3600 Forest Drive  
Columbia, SC 29204-4006

**Important Notice:** Failure to provide this information will result in this form not being processed. Type or print legibly in ink. Attach a check or money order for \$40.00 payable to the company you will represent and send it to the company prior to your appointment. **Allow six weeks for processing.**

**Name:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**City, State, Zip:** \_\_\_\_\_  
**Social Security No.:** \_\_\_\_\_  
**Telephone No.:** \_\_\_\_\_  
**Date of Birth:** \_\_\_\_\_ **Place of Birth:** \_\_\_\_\_  
**Parent's Name: Father** \_\_\_\_\_ **Mother (Maiden)** \_\_\_\_\_  
**Company Representing:** \_\_\_\_\_

**Have you, within the past ten (10) years, been indicted or found guilty of a felony or any crime of deceit or dishonesty?** Yes  No   
If "yes", attach copies of the indictment, judgment and/or sentencing order.

**Have you ever had a license suspended or revoked by a governmental agency?** Yes  No   
If "yes", attach explanation.

**Are you licensed to sell prepaid legal services in another state?** Yes  No   
Which states? \_\_\_\_\_

**Are you familiar with the South Carolina Consumer Protection Code and how it relates to prepaid legal services?** Yes  No

**I, the undersigned, declare under penalties perjury or revocation or refusal of license that the statements made in this application are true, correct and complete.**

\_\_\_\_\_  
**Applicant Signature**

\_\_\_\_\_  
**Date**

**Subscribed and sworn to before me**  
This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
**Notary Public for:** \_\_\_\_\_  
**My Commission expires:** \_\_\_\_\_

### FOR OFFICE USE

**Approved:** \_\_\_\_\_  
**Date:** \_\_\_\_\_  
**Rejected:** \_\_\_\_\_

<b>Company Name:</b> _____
<b>Date:</b> _____
<b>Company Official:</b> _____
<b>We hereby appoint this applicant as a representative of our company</b>
<b>Company Representative</b>