CENTER FOR Heirs' Property PRESERVATION

HEIRS' PROPERTY MATTERS

The Center's Expanded Influence

[See pages 4 and 5 for full story]

TEL: 843.745.7055 • FAX: 843.745.7054 • WWW.HEIRSPROPERTY.ORG

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WHAT IS HEIRS' PROPERTY?

Most heirs' property in the Lowcountry is land that was either purchased by or deeded to African Americans after emancipation. Much of this land has been passed down through the generations without the benefit of a will so that the land is owned in common by all of the heirs — whether they live on the land; help pay the taxes, or have never set foot on the land.

This unstable form of ownership puts heirs' property at high risk for loss because any heir can sell his/her percentage of ownership to another who can force a sale of the entire property.

A Note From Jennie

As I look back at 16 years at the Center, I am proud of what we have achieved. But at the same time realize there is so much more to be done. Justice is at the heart of our mission and access is our justice tool. We provide landowners with the access to education, expertise, partners, programs and choices, which allows them to realize their legacy and build generational wealth.

Each year we have continually expanded our borders, now serving 22 counties in South Carolina, but our mission and influence far exceeds those geographical boundaries. Whether it was being cohost of the national Aspen Institute webinar on heirs' property/fractionalized land this past fall or being featured recently on Soledad O'Brien's network documentary *Disrupt and Dismantle*, the Center's critical work and influence is displayed on a continually growing stage.

What will the future hold? With the current change in political administrations, it's exciting to see heirs' property mentioned specifically in bills and legislation at national and state levels of government. I like to think that our work has helped shine a light on this important issue. I thank you for your support over the years in building a model that will help to serve a larger, more diverse population in all corners of our nation.

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Our New Home: The Opportunity Center

On January 25th, the Center marked its 16th birthday. And the very next day, we celebrated by breaking ground on our new home, The Opportunity Center! Thanks to this new facility, the Center will expand its influence and services as it continues to grow! Check out the photos below from the ceremonial groundbreaking.

The Center for Heirs' Property Preservation™, Increasing H.O.P.E., and the S.C. Association for Community Economic Development [SCACED], in partnership with Homes of Hope,will be using the new Opportunity Center as their headquarters and as a training center and a business incubator all under one roof. Also included will be a new U.S. Small Business Administration Women's Center. We hope to be in our new home in North Charleston this fall. The goal of the non-profit hub will be to create this shared space as an "entrepreneurial ecosystem". We are continuing to raise funds for this important community project. If you're interested in investing in the Opportunity Center, contact Brett Wadford, bwadford@heirsproperty.org

The Center's Legal Influence in the Community

Private Practice Attorney

One of the things that have always separated the Center from other similar organizations is that we have legal services in-house. We rely on our own talented staff of attorneys who work hard in writing wills and in helping clear titles to family land. But what happens when families and landowners don't meet income or other eligibility requirements to become full clients? That's where the influence of the Center is felt in the local legal community.

Judge Arthur C. McFarland for over three decades served as Charleston's chief municipal judge. He's also had a private practice since returning home to Charleston in the mid-1970s after receiving his Juris Doctor degree from the University of Virginia. Back then, he even recognized the need for an organization like the Center. Today, he's on the attorney referral list, welcoming clients that don't meet the Center's eligibility requirements. "My initial efforts in practicing law included civil rights cases with the NAACP defense fund," said Judge McFarland. "I've now transitioned my practice into what I consider a new civil rights issue, being Black land loss and Black land ownership and creation of wealth through heirs' property."

"We are certainly in a stronger position because of the work of the Center," Judge McFarland went on. "It encourages and gives families a mechanism to hold on the property and then convert it to income-producing. Black folks have traditionally been land rich and cash poor. And so that's what a lot of families find themselves with plenty of land, valuable land, but access to capital is still a major problem."

Judge McFarland considers himself part of the Center, its bench strength, if you will. "We are here because the Center's reach is limited by its own set-up. It is through us that we broaden their reach into the parts of the community it cannot serve because of its own restrictions. I like to think of myself as an ancillary part of the Center. I know the value of its services firsthand."

He went on to describe the Center's service, impact, and income generated within the local private bar of for-profit attorneys helping underserved landowners. Judge McFarland lauded the Center's work not only in terms of its clients but in terms of the community knowledge and education on heirs' property. "The Center has already laid the groundwork through its educational programs," he said. "I regularly get calls, not because of advertising but because I'm on the list." The referral list consists of attorneys who have attended the Center's Continuing Legal Education classes. "It is so beneficial having the Center's recommendation. We are able to continue supporting the Center's work by becoming specialists and advisors in helping landowners preserve ownership. The Center has done so much in terms of educating the community, as well as a tremendous job of educating the bench and bar."

Judge Arthur C. McFarland

Translates into Reduced Legal Fees for Some Heirs' Property Owners

Landowner

Center landowner and Woodlands Community Advocate Joe Hamilton, who was just recently named to the NRCS State Technical Committee and who is also a former District Tree Farmer of the Year, was one of those individuals who did not meet the Center's eligibility criteria and retained a for-profit attorney in helping him and his family with heirs' property. "It was just prior to retirement," said Hamilton. "My wife said that it was the legacy and the history associated with the property and that we needed to get it resolved, but we did not meet the requirements."

Although Hamilton used a for-profit attorney, he credits the Center, and two individuals, in particular, were instrumental in his heirs' property journey. "Attorney Josh Walden was key in getting our family to the table," Hamilton said. "Whenever I do public speaking engagements, I always ask, do you have a relationship with your family, and can you get them to the table? That's critical." Former Director of Forestry Sam Cook was the other person Hamilton credited. "Seeing Sam Cook, another Black man, come out to my property and tell me about the Sustainable Forestry Program and how it made an impact. Sometimes trust is another hurdle we must overcome."

Thanks to his own paralegal work, and by using the Center's attorney referral list, Hamilton's family land legal issues were resolved, and his award-winning tree farm, fully operational. Hamilton reflected about his overall experience, "I was handed lemons and made lemonade. I built the lemonade stand, sold the lemonade and made a substantial profit while enjoying the lemonade myself!" He went on to credit the Center and his legal experiences in helping him prepare for his next phase in life. Joe Hamilton is currently studying for the LSAT. He wants to go to law school and, in his own words, "Pay it forward."

. [L to R] *Joe Hamilton, his dog Buddy, his grandson Emory Joseph, and his son, Joseph St. Michael*

The Cooper's Story

James and Mariscia Cooper

James and Mariscia Cooper live in Darlington, South Carolina. It's one of the counties the Center expanded into just last year. The Coopers live on land that has been in their family for more than a century! In the year 2018, they had harvested some timber on their land. In October 2019, when they were considering replanting for the future, a local official told them about the Center.

The Cooper's first spoke with Center Forester Mary Powers, who helped them with the EQIP [Environment Quality Incentives] Program program through the USDA Natural Resources Conservation Service and which soon helped them with funding to replant their land. Now the Coopers are spreading the word to their neighbors and the community in the Pee Dee Region about the Center and the Sustainable Forestry program.

"We've been trying to tell others, you've got property just sitting there, let the Center help you," said Mariscia Cooper. "You're already paying taxes on it; let the property work for you."

When James was asked how he felt having the Center's assistance with a planned, managed forest; he said, "It gives us confidence that our children have something to rely on for their future."

On a visit to the Cooper's family land earlier this year, Center foresters Kenneth Dunn and David Bourgeois surveyed some of their newly planted seedlings. Due to the extremely wet conditions, they couldn't access the entire parcel. A little too much rain didn't stop them. Kenneth Dunn piloted the latest technological tool of the Center, a video drone to help the foresters view how successful the newly planted areas of the Cooper's property that were inaccessible due to recent heavy rains.

Center Foresters Kenneth Dunn [L] and David Bourgeois

Kenneth Dunn with video drone

2021 Commitment to Justice Award

The Center for Heirs' Property Preservation™ is proud to announce that the recipient of this year's Commitment to Justice Award is Dr. Millicent Brown. Millicent is a native of Charleston and a lifelong participant in civil rights activism. In 1954, the U.S. Supreme Court ruled in Brown v. Board of Education that '*separate but equal*' segregation in schools was unconstitutional. Nearly a decade later, Charleston schools were still segregated, so an additional 'Brown' case was born - this one called '*Millicent Brown et al. v. School District No. 20, Charleston, SC*'.

This Brown case was brought by 13 Black children and their parents, with 12-year-old Millicent ultimately serving as the lead plaintiff. Millicent's father, J. Arthur Brown, was the president of the Charleston Chapter of the NAACP.

Because of her father's position, their house was known as Grand Central Station, and Millicent had a front-row seat as the movement for social equality gained new momentum. *"It was very important that our house be a safe place for conversations, and so that's where meetings were held... We had Roy Wilkins, Ralph Abernathy, Thurgood Marshall would stay with us."*

The Browns eventually won their case, and Millicent stepped into Rivers High School in September of 1963. Her presence was not exactly welcomed.

Having been one of many foot soldiers in the movement for social justice and spending a career sharing those experiences teaching that history and motivating a new generation, Millicent has watched as the inequity that marked her experience remains pervasive. *"Don't give me crumbs and call it a cake."*

The Center is indeed privileged to have this lifelong warrior and activist for civil rights, Dr. Millicent Brown, as the 2021 Commitment to Justice Award Honoree! Please circle your calendars for Thursday, September 9th, for this year's Commitment to Justice Award reception honoring Dr. Millicent Brown.

SAVE THE DATE

Commitment to Justice Award Reception
Sept. 9th

6th Annual South Carolina Rural & Limited Resource Landowner Symposium
Oct. 15th & 16th

Unique Lowcountry Outing and Feast
Nov. 20th

Commitment to Justice will be a hybrid event, both in-person and virtual. For ticket or sponsorship information contact Brett Wadford at 843-745-7055 or bwadford@heirsproperty.org

CENTER FOR HEIRS' PROPERTY PRESERVATION ™
1535 Sam Rittenberg Blvd.,Suite D
Charleston, SC 29407

phone (843) 745-7055
toll free (866)657-2676
www.heirsproperty.org

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Welcome!

Please welcome to the Center [Left to Right] Angel Gonzalez, Finance and Database Specialist; Menia D. Lee, Executive Administrator; and Dorlisa C. Adams, Outreach Liaison

Dr. Jennie L. Stephens and the Center were featured March 3rd on the BET network in the documentary series *Disrupt and Dismantle: The Battle for Black Land.* Veteran journalist Soledad O' Brien examined the experiences of the Gullah people on Hilton Head Island, SC, where obscure legal loopholes and soaring property taxes have resulted in a loss of land and culture. Watch this powerful program by using the link below:

https://www.bet.com/video/disrupt-and-dismantle/season-1/full-episodes/episode-103-the-battle-for-black-land.html