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SUMMER 2014**Website: <http://www.charlestonbar.com>**

FROM THE PRESIDENT

Dear Colleagues,

Fall is almost here, children are back in school, and except for the hot weather, summer is fast-becoming a memory.

The Charleston County Bar Association's Committees have been working overtime, though, and I'd like to personally thank the Committee Chairs who continue to make ours the most vibrant, active Bar in the State: Elonda Fair O'Neill, Diversity Chair, David Wolf, Technology Chair, Jill HaLevi, Community Outreach Chair, and Michele Forsythe and Lynn Murphy, CLE Committee Co-chairs. As many of you know, all have been busy planning programs, educating the public, presenting legal seminars, and creating social media updates designed to inform, teach, and inspire. Many thanks to these incredible volunteers, and their dedicated committees, for all of the work they continue to do!

If anyone is interested in joining a committee, please contact me or the appropriate Committee Chair for further information. All are welcome, and most committees can't have too many members!

We have also partnered this year with a number of other Bar organizations, most notably the Charleston County Federal Bar, for our Spring and Fall Cocktail parties. Both functions were well-attended by our usual members, but also by some members who do not always attend. It was great to see some new faces at both parties, and I hope we can continue to encourage every member of the Charleston County Bar Association to come to our social events. It's a great way to meet people you may not run into in daily practice, catch up with classmates and acquaintances, and to socialize with the local judiciary.

The Charleston School of Law is initiating its 2014-15 Student Mentoring program, wherein law students are paired with a practicing attorney to answer questions, walk them through the court system (sometimes literally), and give them some hands-on knowledge about the profession they are going to enter. Please contact Tori Spearman at vsspearman@charlestonlaw.edu for further information or to sign up.

There are lots of ways to become involved with the Bar, whether through Committees, speaking opportunities, or comments. We encourage everyone to find a way to contribute. We want to be the best County Bar Association in the State, and we cannot accomplish that without help from you, our members!

Best regards,

Natalie Parker Bluestein

ANNOUNCEMENTS

Clawson and Staubes, LLC is pleased to announce that **Michael L. Leech** has joined the firm as an Associate in the Construction Litigation Section of the Charleston Office located at 126 Seven Farms Drive, Suite 200, Charleston, SC 29492 (843-577-2026). He is a graduate of UNC Chapel Hill and Charleston School of Law (summa cum laude).

Clawson and Staubes, LLC is also pleased to announce that **Penn Wickenberg Ely** has joined the firm as an Associate of the Charleston Office located at 126 Seven Farms Drive, Suite 200, Charleston, SC 29492 (843-577-2026). His focus is in Insurance Defense and General Litigation. He is a graduate of UNC Chapel Hill and Charleston School of Law.

Carolyn Bone McNair is pleased to announce the opening of her family law practice, **McNair Family Law, LLC**, at 300 North Cedar Street, Suite A, Summerville SC 29483. Ms. McNair practices family law exclusively, and is an experienced Guardian *ad Litem*. She previously practiced with the Parise Law Firm, P.A. in Columbia, before returning to the Charleston area. Ms. McNair is also an adjunct professor at Charleston Southern University, teaching Business Law I & II, Healthcare Law, and Employment Law. Phone: 843-261-7025, Fax: 843-261-7035, website www.mcnairfamilylaw.com.

Segui Law Firm PC is pleased to announce that **Amanda M. Blundy** has joined the firm located at 864 Lowcountry Blvd, Suite A, Mt. Pleasant, 29464. (843) 884-1865. Her practice focuses on construction defect claims and general litigation.

Stevens & Lee is pleased to announce that **Stephen A. Spitz** has joined the firm in its Charleston, South Carolina, office. He is a former professor of law at Charleston School of Law, where he taught for ten years, and the University of South Carolina Law School, where he taught for 25 years.

Wilson & Heyward LLC is pleased to announce that **Brandon T. Reeser**, former law clerk for the Hon. G. Thomas Cooper, Jr., has joined the firm located at 924 Folly Road on James Island, and can be reached at breeser@wilsonheyward.com or 843-762-4567.

CLASSIFIEDS:

Two small offices in beautiful Mt. Pleasant building. Convenient location, very nice surrounding area, \$495 and \$595. Call Bea or Pat at (843) 881-1399.

CHARLESTON COUNTY BAR ASSOCIATION EXECUTIVE BOARD

2014-2015

President – Natalie Parker Bluestein

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SC Bar Foundation awards \$1.9 million in grants

The [South Carolina Bar Foundation](#) has awarded \$1.9 million in grant funds to support civil legal aid, law related education and other legal related projects. Since 1987, the Foundation has allocated approximately \$47.6 million to various legal related organizations that work on behalf of the justice community.

The grantees for fiscal year 2015 are:

Center for Heirs' Property Preservation: Protects and preserves heirs' property through legal services and education.

Charleston Pro Bono Legal Services: Connects the low income community with volunteer lawyers.

Citizens Opposed to Domestic Abuse: Provides comprehensive legal services to victims of domestic violence and their children in Beaufort, Colleton, Hampton and Jasper counties.

One-Eighty Place: Provides direct legal services to the homeless population through its on-site attorneys.

Lowcountry Legal Volunteers: Offers legal services to the low income community through the skills of retired volunteer attorneys.

Midlands Mediation Center: Provides affordable mediation services to Midlands residents and trains volunteer mediators in developing skills to resolve conflicts in civil and family courts and educate the community at large.

National Judicial College: Awards scholarships to SC judges so that they may increase their capacity to better serve their communities through training.

Richland County Court Appointed Special Advocates: Funds are used to promote Guardian diversity and support training efforts.

Sistercare: Offers legal services free of charge to battered women and their children.

SC Access to Justice Commission: Explores ways to expand legal services for low income South Carolinians.

SC Appleseed Legal Justice Center: Working on the complex issues of poverty, Appleseed fights to uphold individuals' rights to food, shelter, education and access to justice. Among other things, IOLTA funding supports Appleseed's goal to increase the number of lawyers who are able to handle cases affecting the low income community in South Carolina.

SC Bar Ask-A-Lawyer Program: Hosts legal education clinics, phone banks and legal lessons seminars to advance the public's understanding of the law.

SC Bar Law Related Education Division: Promotes civic education through programs for the state's youth.

SC Bar Pro Bono Program: Works to serve those in need by utilizing volunteer lawyers.

SC Center for Fathers & Families: Oversees and manages the operations of six fatherhood programs that connect low income fathers with a livable wage jobs. The Center also gives training and support to help the fathers become better dads.

SC Legal Services: Serves thousands each year as the only statewide, full-range civil legal services provider for low income citizens.

SC YMCA Youth in Government: Awards scholarships to students attending Title One schools.

University of South Carolina School of Law Pro Bono Program: Supports placement of law students as fellows in legal services organizations.

Upstate Mediation Center: Provides mediation services to low income individuals in family and probate court.

SAVE THE DATE

Friday, October 17, 2014

Worker's Comp cases from All Perspectives

8:45 AM until 1 PM
Jury Assembly Room
(More details at a later date)

Thursday, December 11, 2014

Holiday Party
South Carolina Aquarium

IMPORTANT REMINDER

Please remember to e-mail any changes in your contact information (address, telephone number, e-mail address, etc.) to the below e-mail address so that your mail will not be returned to us and you will receive all notifications sent out via e-blast. If you have not been receiving e-blasts it is probably due to the fact that we either do not have your e-mail address or the one that we have is incorrect. We are missing e-mails from many attorney; please check your e-mail address on our website and provide us with the correct information at the e-mail address below. The newsletter is now being sent out electronically so a correct e-mail address is very important. If you do not have e-mail please let us know so that your newsletter can be sent to you via U.S. Mail.

Julianne R. Holzel, Executive Secretary

E-Mail: secretary@charlestoncountybar.org

Mailing Address:

PO Box 21136

Charleston, SC 29413

ONLINE MEMBER DIRECTORY

(ESPECIALLY IMPORTANT FOR NEW MEMBERS)

Please help us have a more complete online member directory. If you go to the Lawyer Directory on <http://www.charlestonbar.com> and see that any of your contact information and/or headshot is missing, or outdated, **please e-mail the information and photo (in jpeg format) to secretary@charlestoncountybar.org.**

We would really like to have photos from all attorneys. This is especially important for new members.

PRO BONO MOMENTS

By: Marvin H. Feingold, Esquire
Director
(Charleston) Pro Bono Legal Services, Inc.

It is hard to believe that we are approaching nine years of service to our low-income neighbors who are in need of legal services in our priority areas including Family Law, Probate, public benefits, property, consumer and landlord/tenant.

Starting out in 2005 with a seed grant from the Federal government, we continue to cultivate a local base of funding, including: local governments, The South Carolina Bar Foundation, numerous private foundation and of course the donations of Charleston Bar members and the Charleston County Bar Association, itself. Our current model includes a Director/ Legal Counsel, Deputy Director/ Legal Counsel and Office Manager. Funding is a challenge which is ongoing. Our Board of Directors is currently planning a number of fundraising efforts including one in conjunction with the South Carolina Bar Foundation on September 24, 2014.

Mallary Scheer, is our new Deputy Director/Legal Counsel. Mallary is a graduate of the University of Georgia and the Charleston School of Law and has been with Charleston Pro Bono since August 2013.

We have received a \$10,000 increase in our funding from the South Carolina Bar Foundation for fiscal year, 2014-2015.

For the most part, all of our grants are unrestricted and can therefore be used to meet all personnel and non-personnel expenses. Only the County Block Grant, of which we are a grateful recipient, requires that each individual service be billed for after the service has been rendered. In requiring this of us, Charleston County is merely, itself, complying with Federal Regulations concerning the money it dispenses on behalf of HUD.

Several grants require that we report, in varying degrees of detail, on use of the money. The County Development Block Grant, of which we, again, are a grateful recipient, poses considerable challenges for our internal record keeping. Under the current regulations, only certain portions of Charleston County may be served by the CDBG grant. Our online case management is currently being redesigned to facilitate the administration of this grant.

We are proud of our Resident Volunteer Attorney Program. We currently host three attorneys (two new and one retired) who each serve in our offices for up to 22 hours per week. Our resident retired volunteer Mitch Sherr, who previously practiced in Indiana, has now been licensed in South Carolina as a retired legal aid volunteer. Mitch is experienced in Social Security Cases has developed quite a caseload and, as Mitch would say, "the price is right."

Our William Ackerman Summer Law Intern Program went off without a hitch. Our six interns churned out many pro se actions, wills and probate documents, while interviewing over a hundred clients to determine their eligibility for our services. The interns also interacted with attorneys and court personnel. They helped train pro se litigants to appear in family court hearings and had an opportunity to observe Court proceedings as well.

The highlight of the Summer always seems to be the "What Works" seminars, two of which, this year, featured local celebrity lawyers and judges. This year was no exception and marks the eight year that these seminars have enlightened and entertained the summer law interns of Charleston County.



CHARLESTON PRO BONO

LEGAL SERVICES, INC.

LAW FIRM: _____.

Contact: _____ Address: _____

Enclosed is our gift of \$_____. (Lead gift \$5,000 and above)

Please cut out and return to Charleston Pro Bono Legal Services, Inc., Post Office Box 1116, Charleston, SC 29402

CPB is a 501(c)3 organization; your donation is tax deductible as provided by law.

New Trend in Adopting Cases

By Ruth W. Cupp

Tom Lowndes and I think we have detected a new trend in adoption issues.

Recently, I won a case representing an adult Judge who had been adopted as an infant. He wanted to see his original birth certificate and the Family Court Judge said, "I'll sign the Order."

Lowndes says that he has talked to his lawyer-adoption friends, around the United States, and they agree that this seems to be a trend.

Actually, the New York Times printed a story on June 14th 2014, those fourteen states have already passed legislation providing that an adult adoptee can see their first birth certificates. These states include Connecticut, Illinois, and New Jersey. The legislature of state of New York was considering this legislation at the time of the newspaper story.

Dr. Elizabeth J. Sumuels, a law professor at University of Baltimore, spoke in favor of the bill. "She said she had studied dozens of adoptions from the 1930s to the 1990s, and none explicitly promised lifelong anonymity. Rather, they had relinquished."

"This is consistent with why these records were closed," she said, "to protect the adoptive families from possible interference or harassment, not to Protect the birth parents' privacy. Even if a lawyer or adoption agency guaranteed confidentiality, Ms. Samuels added, "they can't make any promise with what the state will do with its records.

Judicial Notice

S.C. Circuit Judge Roger M. Young, Sr.

By: Dustin J. Pitts, Charleston School of Law, class of 2015

Born: 1960, Cass City, Mich.

Appointed: July 1, 2003

Education: B.S., Baptist College at Charleston (now Charleston Southern University), 1980; J.D., University of South Carolina School of Law, 1983; M.J.S., University of Nevada, Reno, 2000

Career: Private Practice, 1983-96; Municipal Judge for the City of North Charleston, 1988-90; South Carolina House of Representatives 1990-94; Master-in-Equity for Charleston County, 1996-2003

Family: Wife, Tara; Daughter, Grace; Son, Hank

1. On your nightstand: “My iPad, a couple of books and a computer magazine. Before I can go to sleep I need something to clear my mind so I don’t dream about what I did all day. I love watching BBC spy thrillers and mysteries on Netflix. I like biographies and history, with an occasional fiction thrown in. When I’m in my car or walking or cooking I constantly listen to audio books and podcasts on my iPhone. I ‘read’ about 25 books a year using Audible that I’d never have the time for otherwise.”

2. What the bar would be surprised to learn: “I’m a computer geek and I love to cook. I like doing things on computers, and probably tinker far more than I ever do productive work.” Remembering his 28 lb. “portable” Compaq, Judge Young adds that “20-30 years ago I’d take them apart, but you really can’t do that much these days.” While computers are Judge Young’s hobby, he states, “Cooking is what I do for relaxation.”

3. Best part about being a judge: With a grin, “Everyone stands when I enter the courtroom.”

“Seriously, though, it’s the most intellectually stimulating job I can imagine that does not involve the ‘hard’ sciences. Every day is new; every day is different; and you don’t stop learning.” Judge Young is certain that “Charleston is the best place in the world to be a judge.”

4. Hardest part about being a judge: “Without a doubt it’s trying to decide on an appropriate sentence. We process so many cases that it’s easy to forget that there are human beings whose lives may never be the same depending on what you do.” Judge Young stated that sentencing is especially difficult when it comes to young people—those in their late teens, early twenties.

“Case management also takes up more and more time. S.C. state court judges have the highest caseload in the entire country. We are constantly trying to move cases. Everyone else in the system deals with a case for months and years, but truthfully if judges spend more than 15 minutes on a case (other than at trial), the whole system would grind to halt.”

5. Priceless moment in your courtroom: “A couple of years ago a guy who I just sentenced dropped to the floor and started having a seizure. The sheriff deputies were right on the spot and handled the whole thing so professionally that it really made me proud of them. Later, I commended them privately for a job well done, and one of the deputies said it was not a big deal . . . they had been tipped off by someone in the holding cell that he was going to fake a seizure. We had a good chuckle over that.”

6. In your courtroom, DO: “Keep in mind that the judge is the person who knows less about the case than anyone else in the courtroom. We often literally know nothing about a case before a hearing.” To that point, Judge Young offers this directive: “Educate the judge.” He adds, “I’m a better judge the more I learn about the case. Get right to the point, lead with your best shot, and try to break down the complexities of the case as simply as possible.”

7. In your courtroom, DON’T: “Bicker with opposing counsel. It doesn’t make you look good and certainly doesn’t help your case. If opposing counsel is a jackass, chances are I already know that. Do you really want me to think you are, too?”

8. Advice to young lawyers: “Don’t let problems fester! Sit down with an older lawyer and go over the file. Swallow your pride and ask for help. Older lawyers love to help young lawyers and are a vastly underutilized resource. Above all else,

don't let yourself become isolated. Chances are everyone else has had the same problem you think nobody else could possibly have."

"And if you think being a lawyer is a 9 to 5 job, you have made a huge mistake." Whether you're new to the bar or an experienced jurist, Judge Young is resolute in that "there's no substitute for doing the homework."

9. What experience best prepared you for the bench? "Being a father. Nothing changes your outlook on life like being a parent. You learn to listen, try to figure out what the problem *really* is, and then you have to figure out what to do so that everyone can move forward."

10. What would you change about the American judicial system? "It would certainly make things more efficient if they took away the right to appeal my decisions, but that's not going to happen."

CIRCUIT COURT SCHEDULE - NINTH JUDICIAL CIRCUIT

(Court schedules are changing constantly; please verify current information through S.C. Court Administration or by checking the South Carolina Judicial Department website at <http://www.judicial.state.sc.us/calendar/index.cfm>.)

October 6	October 13	October 20	October 27
Chas CPNJ - Harrington Chas CPNJ - Jefferson Chas GS - Hughston Chas GS - McMahon Chas GSNJ - Young	Chas CPNJ - Harrington 9 th CPNJ - Nicholson Berk CPNJ - Dennis Berk GS - Young	Chas CPNJ - Jefferson Chas CPNJ - Dennis 9 th CPNJ - Harrington Chas GS - Young Chas GS - Goldsmith	Chas CPNJ - Newman Chas CPNJ - Maddox Chas GS - Young Chas GS - Hill Berk GS - Welmaker AW - Dennis
November 3	November 10	November 17	November 24
9 th CP/NJ - Dennis GS CPNJ - Young	Chas CPNJ - Nicholson Chas CPNJ - Hill Chas GS - Dennis Chas GS - Young	Chas CPNJ - Jefferson Chas CPNJ - Mullen 9 th CPNJ - Nicholson Chas GS - Hughston Chas GS - Cooper Berk CPNJ - Harrington Berk GS - Young	
December 1	December 8	December 15	December 22
9 th CPNJ - Dennis Chas GS - Goldsmith Chas GS - Young Berk CPNJ - Harrington	Chas CPNJ - Jefferson Chas CPNJ - Maddox 9 th CPNJ/ - Nicholson PCR Chas GS - Hughston Chas GS - Young	9 th CPNJ - Harrington Chas CPNJ - Dennis Chas CPNJ - Jefferson Berk GS - Young	
December 29			

CIRCUIT COURT SCHEDULE - FIRST JUDICIAL CIRCUIT

October 6	October 13	October 20	October 27
1 st CPNJ - Murphy Dor CPNJ - Mullen	Dor GS - Goldstein	Dor GS - Brown	1 st CPNJ/ - Harrington PCR
November 3	November 10	November 17	November 24
Dor GS - Harrington	Dor GS - Murphy	1 st CPNJ - Goldstein Dor CPNJ - Murphy	
December 1	December 8	December 15	December 22
	Dor CPNJ - Goldstein Dor GS - Harrington	Dor GS - Murphy	
December 29			

FAMILY COURT SCHEDULE - NINTH JUDICIAL CIRCUIT

October 6	October 13	October 20	October 27
Chas - Creech Chas - Johnson Chas - McLin Chas - Cate Berk - Sprott Berk - Malphrus Berk - Landis	Chas - McMahon Chas - Cate Chas - Taylor Chas - Martin Chas - Khoury Berk - Creech Berk - Woods	Chas - McMahon Chas - Cate Chas - Jenkinson Chas - Martin Berk - Creech Berk - McGee	Chas - Cate Chas - Vinson Chas - Seigler Chas - McMahon Chas - Landis Berk - McGowan Berk - Martin-
November 3	November 10	November 17	November 24
Chas - McMahon Chas - Cate Chas - Jenkinson Chas - Fuge Berk - Creech Berk - Landis Berk - Martin	Chas - McMahon Chas - Smoak Chas - Cate Chas - Martin Chas - Vinson Berk - Creech Berk - Landis	Chas - Landis Chas - Cate Chas - Neese Chas - Malphrus Berk - Creech Berk - Taylor	
December 1	December 8	December 15	December 22
Chas - McMahon Chas - Johnson Chas - Cate Chas - Neese Chas - Smithdeal Berk - Martin Berk - Khoury	Chas - McMahon Chas - Landis Chas - Cate Chas - Vinson Chas - Martin Berk - Sprott Berk - Creech	Chas - McLin Chas - Cate Chas - Long Chas - Taylor Berk - Creech Berk - Landis	
December 29			

FAMILY COURT SCHEDULE - FIRST JUDICIAL CIRCUIT

October 6	October 13	October 20	October 27
Dor - Wylie Dor - McGee	Dor - McLin	Dor - McLin	Dor - McLin Dor - Wylie
November 3	November 10	November 17	November 24
Dor - Wylie Dor - Bromell Holmes	Dor - Seigler Dor - McLin	Dor - Wylie Dor - Jones	
December 1	December 8	December 15	December 22
Dor - McLin Dor - Wylie	Dor - McLin Dor - Wylie	Dor - Jones	
December 29			

Cause of Action: Motor Vehicle Accident
Verdict: For the Plaintiff in the amount of \$-0- after \$50,000.00 offset.

2013-CP-10-2073 Michael Anthony Garrett vs. Elizabeth Magarahan Ray

Attorneys: Plaintiff: Gary A. Ling
Defendant: Lee C. Weatherly

Cause of Action: Motor Vehicle Accident
Verdict: For the Plaintiff in the amount of \$8,247.50 actual damages.

2013-CP-10-2433 Jonathan Free vs. Snehalkumar Patel

Attorneys: Plaintiff: Robert Lee Gaillard
Defendant: Michael J. Ferri

Cause of Action: Personal Injury
Verdict: For the Plaintiff in the amount of \$1,037.65 actual damages.

2013-CP-10-2946 Tricia L. Digliodo vs. Kristal Mae Kuhlen

Attorneys: Plaintiff: Frederick W. Riesen, Jr.
Defendant: John L. McDonald, Jr.

Cause of Action: Motor Vehicle Accident
Verdict: For the Plaintiff in the amount of \$45,000.00 actual damages.

FEDERAL COURT JURY VERDICTS

(Information supplied by Clerk of Court's Office)

2:09-cv-03171-MBS PCS Nitrogen, Inc. vs. Ross Development Corporation, T. Heyward Carter, Jr.; Grayson G. Hanahan; William O. Hanahan, III; Katharyne H. Rike; Estate of G.L. Buist Rivers, Jr. and Mikell R. Scarborough

Attorneys: Plaintiff: Kirby D. Shealy, III, John Buchanan Williams, and Sandra Kaczmarczyk
Defendants: Daniel S. McQueeney, Jr., George Trenholm Walker and Kathleen Fowler Monoc

Cause of Action: Diversity – Breach of Fiduciary Duty
Verdict: For the Plaintiff in the amount of \$5,555,158.00

2:12-cv-00867-DCN Roger Gilliard vs. Great Lakes Reinsurance UK PLC

Attorneys: Plaintiff: Johnny F. Driggers
Defendant: Edward K. Pritchard, III and Elizabeth Fraysure Fulton

Cause of Action: Insurance Contract

Verdict: For the Plaintiff in the amount of \$80,000.00 compensatory damages

2:13-cv-00493-RMG Jamie Michael Gilbert vs. Sgt. Colton West

Attorneys: Plaintiff: Patrick Coleman Wooten
Defendant: David Cornwell Holler

Cause of Action: Prisoner – Civil Rights

Verdict: For the Defendant.