FROM THE PRESIDENT

It’s not all exactly free, but still….  

As most of you know, one of the benefits that the CCBA is most proud to offer its members are CLE’s at zero cost. Over the years, this tradition has grown in popularity, size, and quality of its programs. Our biggest CLE event, the “What Works for Me” series, is put on in February for all of the procrastinators who need to earn hours at the last minute. This year our CLE’s have grown in number as well. I noted in the last newsletter that we hoped to put together 4 or 5 free CLE’s for our members. However, Andrew Gowdown, who chairs the CLE committee, advised recently that over the course of the year, the CCBA will have put on eleven free CLE’s. Notices for these CLE’s will go out in the form of e-blasts throughout the year, so make sure to put them on your calendars as they come around.

Not unlike our state bar association, the CCBA has also begun to address public relations on behalf of our membership. We do a great deal of good in our community both individually as lawyers and as a whole through our association. For the first time we expect there to be ample media coverage for the recipient of the prestigious Petigru Award given out by the CCBA at the Mills House on September 19. The award is not necessarily given annually, but only when a particularly worthy recipient is identified. The CCBA’s public relations efforts also included a story in the Post and Courier recently about Pro Bono Legal Services in Charleston, and the good works being done by our members for the needy in the lowcountry.

Another fantastic benefit for our members that we will be rolling out over the next couple of months is membership reward cards. Each of our almost 2,000 members will soon have a CCBA membership card printed for them which may be used at area retailers to obtain price discounts. Nosizi Ralephata, who has been leading the effort to make these discount cards a reality, reports that we have approximately 12 vendors lined up who will honor various discounts, and the list is growing. The vendors include print shops, court reporting services, restaurants, and car washes. While I would love for these vendors to offer their services to CCBA members for free, Nosizi had a little trouble getting them to agree to that. However, as I understand it, she is still working on them.

Humbly submitted,

Lad Howell
ANNOUNCEMENTS

**Francie Daniel Austin** has been named Deputy City Attorney with the City of North Charleston. Ms. Austin has been with the City as a staff attorney since January, 2011.

**Barnwell Whaley Patterson & Helms, LLC** is pleased to announce the addition of **Jeffrey Bogdan** as an associate attorney, practicing in the areas of civil litigation including medical malpractice, products liability, construction, general negligence, commercial lending, business disputes, employment law, and insurance coverage. Prior to coming to Barnwell Whaley, Jeff worked with the Hood Law Firm and clerked for the South Carolina Supreme Court.

At its Annual Meeting held at the Grand Wailea Resort in Maui, Hawaii, the **International Association of Defense Counsel (IADC)** elected **Molly H. Craig** President for the 2013-2014 term. The IADC is an invitation-only professional association for corporate and insurance defense lawyers around the world. Mrs. Craig is the second woman to be elected President in the association’s 93 year history. Mrs. Craig is a partner of The Hood Law Firm, LLC, in Charleston, South Carolina. She focuses her practice on civil litigation and the defense of catastrophic product liability, professional liability, pharmaceutical and medical device, nursing home litigation, employment litigation and negligence matters throughout the United States. Mrs. Craig is ranked in the Chambers USA Guide and was recently invited to serve as a Fellow of the International Academy of Trial Lawyers. Additionally, she is listed in Best Lawyers in America and in South Carolina Super Lawyers.

**Joseph C. Good, III** and **Summer D. Eudy** announce the opening of the **Good Law Group LLC** located at 82 Church Street, Charleston, SC 29401, and that **Joseph C. Good, Jr.** has joined the firm of counsel.

**The Hood Law Firm, LLC** is pleased to announce the addition of three new Partners. **C. Tyson Nettles**, **William M. O'Neil** and **H. Cooper Wilson, III** have joined the firm’s roster of senior attorneys.

**McGee Law Firm, William H. Jordan**, and **Martin Law Firm** have merged our respective practices. The firm will practice in many different areas of law to include personal injury, family law, business litigation, business development, estate planning, criminal defense and real estate. The firm name will be **McGee Law Firm** and will be located at the former Martin Law Firm office of 113 Wappoo Creek Drive, Charleston, South Carolina 29412. Telephone: (843) 762-2121. Website: [www.McGee-LawFirm.com](http://www.McGee-LawFirm.com).

**John Price Law Firm** is pleased to announce the relocation of its North Charleston office to 3045 Ashley Phosphate Road, North Charleston 29418. The phone number remains (843) 552-6011. Also, **Attorney David Murrell**, formerly of The Murrell Law Firm, has joined the firm as an associate. Attorney Murrell will practice primarily in Workers Compensation, Personal Injury, Social Security, and Employment law.

**Shelbourne Law Firm** is pleased to announce that **E. Hope Lumpkin** has joined the firm as an Associate. The firm is located at 131 East Richardson Avenue in Summerville. Ms. Lumpkin practices in the areas of general litigation, probate, and real estate.

**Wilson & Heyward LLC**, located at 924 Folly Road, James Island, SC, is pleased to announce that **Andrew L. Dinkelacker** has joined the firm as an associate attorney.

**J. Wyatt Wimberly** announces the opening of his new law firm, **The Law Office of J. Wyatt Wimberly, LLC**. His practice will focus primarily in all areas of Family Law, and his contact information is as follows: Law Office of J. Wyatt Wimberly, LLC; 171 Church Street, Suite 160, Charleston, SC 29401, Tel. (843) 720-3722, Fax.: (843) 577-0460, Email: wyatt@wyattwimberlylaw.com
CHARLESTON COUNTY BAR ASSOCIATION EXECUTIVE BOARD
2013-2014

President – Lad Howell
President-Elect – Natalie Bluestein
Secretary/Treasurer- Jim Myrick
Immediate Past President – Robert Bernstein
Bernard Ferrara - Executive Committee Member
Michelle Forsythe – Executive Committee Member
Andrew Gowdown - Executive Committee Member
Sean Houseal – Executive Committee Member
The Hon. William Howard - Executive Committee Member
Nosizi Ralephata - Executive Committee Member
John Robinson – Executive Committee Member
Abby Edwards Saunders - Executive Committee Member
Peter Shahid - Executive Committee Member
Richard Unger – Executive Committee Member

UPCOMING CLE’S

October 4, 2013
How to Ease Your Stress About Medicare and Medicaid Lien Issues
Jury Assembly Room – 100 Broad Street
2:00 p.m. – 4:00 p.m. 2 CLE Hours
Register at dcroxton@rrhlawfirm.com

October 11, 2013
Technology to Win Cases and Streamline Your Practice
Charleston Museum Auditorium
10:00 a.m. – 1:00 p.m. 3 CLE Hours
Register at dcroxton@rrhlawfirm.com

October 18, 2013
Legal Ethics and Practice Program (LEAPP) Trust Account School
Charleston School of Law
9:00 a.m. – 12:15 p.m. 3 CLE Hours
Cost - $125
To register, visit: http://www.scbar.org/Events/vw/3/ItemID/1211/d/20131018.aspx
IMPORTANT REMINDER

Please remember to send 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 attorneys so checking your e-mail on our website is very important and providing us with the correct information via e-mail is appreciated. In addition, all newsletters and other mailouts sent out by the Bar Association are sent bulk mail and the post office will not forward bulk mail.

Julianne R. Holzel, Executive Secretary

Telephone number: (843) 881-6666

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 Director 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 will add the new information to the website as quickly as possible. This is especially important for new members.

2014 CHARLESTON COUNTY BAR DUES REMINDER

All Charleston County Bar members will be receiving a bill for their 2014 annual bar dues from the South Carolina State Bar. Please remember to check the space indicated for payment of your Charleston County Bar dues on the form. You will not receive a bill from the Charleston County Bar for your 2014 dues; therefore it is very important that you pay them along with your South Carolina Bar dues in order to remain on the active roster.
PRO BONO MOMENTS
By: Marvin H. Feingold, Esquire
Director/ Legal Counsel
(Charleston) Pro Bono Legal Services, Inc.

With all the uncertainty concerning the impending sale of Charleston School of Law, we can only hope that its motto, Pro Bono Populi, will forever remain intact.

In past installments of this article, the fortuitous, almost simultaneous birth of CSOL and Charleston Pro Bono has been celebrated for the benefits; the relationship between the two institutions has yielded for low-income clients. The cases, in turn, provide practical training to students working within a unique legal services delivery system.

A symbiotic relationship has existed between CSOL and Charleston Pro Bono over the past eight years. In Africa, the oxpecker, a bird, survives by eating ticks and lice from the hides of elephants; both benefit. In Charleston, law students hungry for practical experience feast on the never-ending supply of cases which arrive at the Charleston Pro Bono office.

Without the student volunteers during the school year and without paid Ackerman Fellows during the Summer, PBLS would have more cases than it could ever hope to handle with its small staff of two attorneys and a paralegal. Students gain their required Pro Bono hours for graduation while getting lots of experience interviewing potential clients, reading and writing pleadings, and attending outreach clinics. Students observe the application of practical skills such as case evaluation and negotiation to the theoretical law they have learned in the classroom.

Every indication we have had from Charleston School of Law points toward a continuation of its Pro Bono Populi mission, so proudly cited by the school over the past nine years. Concerns have been voiced that such purpose may be jettisoned in favor of an institution focused singly on preparing students for the Bar exam. What the future holds is clearly unknown with respect to the educational character of the school. What most local lawyers, legislators, law school professors and CSOL administration clearly hope for is a furtherance of the public service emphasis which has marked Charleston School of Law’s early years.

We are pleased to announce that we have added Mallary Scheer to our staff. A recent graduate of the Charleston School of Law, Mallary also has a Master of Public Administration from the University of Georgia as well as experience managing community and economic development projects. Mallary will be working alongside Director, Marvin H. Feingold in enhancing Charleston Pro Bono’s resource network and assisting in the oversight of pro bono cases. We are very excited to have her with us!

Charleston Pro Bono truly appreciates the support we receive from the Charleston County Bar Association and from our legal community. Without everyone’s dedication, we would not be able to provide essential services to those most in need. Due to the exceptionally high volume of cases we are receiving, we have a dire need of additional financial resources to continue providing quality legal services to low-income individuals and families. Please take a few moments to complete and return the form below and make a difference!
SC Bar Foundation awards $1.88 million in grants

The South Carolina Bar Foundation has awarded $1.88 million in grant funds to support civil legal aid, law related education and other legal related projects.

In the Lowcountry, Crisis Ministries was given $69,000 to provide direct legal services to the homeless population through its on-site attorney. Lowcountry Legal Volunteers received $62,000 to provide legal services to the low income community by utilizing the skills of retired volunteer attorneys. The Center for Heirs' Property Preservation was awarded $40,000 to protect and preserve heirs' property through legal services and education. Citizens Opposed to Domestic Abuse received $36,000 to provide comprehensive legal services to victims of domestic violence and their children in Beaufort, Colleton, Hampton and Jasper Counties. Charleston Pro Bono Legal Services received $20,000 to support its goal to connect the low income community with volunteer lawyers.

Statewide entities with a presence in the Lowcountry also received Foundation funding. South Carolina Legal Services ($1.04 million) is the only statewide, full range civil legal services provider for low income citizens that serves thousands each year. The SC Bar Law Related Education Division ($216,000) promotes civic education through programs for the state's youth. The SC Bar Pro Bono Program ($100,000) works to serve those in need by utilizing volunteer lawyers.

The SC Access to Justice Commission ($82,400) explores ways to expand legal services for low income South Carolinians. The SC Center for Fathers & Families ($65,000) 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. The SC Bar Ask-A-Lawyer Program ($40,000) hosts legal education clinics, phone banks and "legal lessons" seminars to advance the public's understanding of the law. SC Appleseed Legal Justice Center ($15,000) provides training for legal services lawyers, pro bono attorneys and the private bar on areas of law that affect the low income community.

The County Court House Records

By: Ruth W. Cupp

Every citizen of Charleston County has a vested interest in the county court house. We learned the necessity of a having a county court house from our English forbears.

When King Edward II took the oath as king of England on February 25, 1308, he consigned the administrative service of government to an oligarchy who divided England in areas called Shires. A Shire was what we now know as a county. In each Shire, there was a Shire-reef who served as the King’s representative in that area.

By the time those Shires were two or three hundred years old, the Shire-reef was known as the “sheriff.”

In the 1690s, there were enough immigrants in Charles Town to have communities but not enough to build a court house. On the 1680 Grand Modell it is noted “a Square of two acres of land upon which the four great streets of 60 foot wide doe center.”

This large Civic Square was intended to become the city’s most important public buildings but the implementation was slow to come about. It wasn’t until 1751 when the Commons House of Assembly authorized the building of a state house. Royal Governor James Glen laid the cornerstone for the statehouse. It was sufficiently complete for use, if not finished by 1756.
Those early colonists had a need to publicly record deeds to real estate and they required a place to settle disputes.

Those officials who had the power to record deeds of real estate kept the records in their own possession. Their councils met in private homes. Law suits were tried in public taverns. The colony prospered.

In 1751, the colony had grown sufficiently that the commons house officials decided to build a state house at the corner of Meeting and Broad Streets. Five years later it was complete enough for the building to occupied. Those court house officers filed records of their predecessors had been collecting since the 1600s.

A traveler described the court house, “…a State House where the members of the assembly meet to transact all the business of the province and the judges sits, hears and try cases, etc. It is a large handsome substantial building and looks well…building… are of brick inside and plastered over so well on the outside to imitate stone that I really took them all for stone buildings at first.”

In 1788, the new court house went up in flames and the state officials decided to build the new capital in Columbia and rebuild the Charleston Court House. Also, it ruled that all records should be shipped to Columbia, except those pertaining to Charleston, Beaufort and Georgetown. So, the state paid for rebuilding the Charleston Court House.

A remarkable event was that the officials saved all the court house written records, even those from the 1600s.

This information has been gathered for a book being written now on the history of Charleston’s Clerks of Court.

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**Judicial Notice**

**Charleston County Associate Chief Magistrate Judge James B. Gosnell, Jr.**

*By: Jonathan G. Lane, Charleston School of Law, class of 2014*

Born, raised, and educated in Charleston, Judge James B. Gosnell, Jr. is a true product of the community. “That is who I am,” he says, adding, “I never really left.” As Associate Chief Magistrate Judge for Charleston County, Gosnell is faced daily with the harsh realities of the criminal justice system, a system wherein he presided over hearings in four separate murder cases during a single week in August. He credits his strong family upbringing with giving him the strength to confront the devastation wrought on the community by crime and to always look for ways to help those caught up in the cycle. “My parents prepared me for the opportunity to become someone who helps others,” he says. “Having the opportunity to help people is the best part about being a judge.”

**Born:** Born and raised in Charleston, SC.

**Appointed:** December 1996 to the position of Magistrate Judge; 2008 to the position of Associate Chief Magistrate Judge.
Education: Trident Technical College; College of Charleston; University of South Carolina
Career: Worked in the Summary Court system prior to appointment.
Family: Two Jack Russell Terriers; Austin and Ashley.


2. On your nightstand: Books about history. “I am a history buff. I love reading anything pertaining to history.”

3. What the Bar would be surprised to learn about you: His laid back personality. “If I could wear flip-flops to court, and get away with it, I would,” he said.

4. Best part about being a judge: Having the opportunity to help people. “A judge does so much more than sit on the bench and rule,” he said. Gosnell gets phone calls every day from people trying to figure out whom in Charleston County can help them navigate the system. “I can advise them on the best route to take and who to call.”

5. Hardest part about being a judge: “Seeing the families of victims, defendants, and people in the community hurt because of crime.” He notes that crime has an impact on everyone in the community. “A victim could be a parent or anyone else dragged into the process. There are no winners, and that hurts.”

6. Priceless moment in your courtroom: During a hearing involving a DUI case in which a young man and woman were killed, Gosnell asked the mother of one of the victims if she had anything to say to the defendant. The woman responded that the defendant had never apologized to her for what he had done. After the defendant apologized, the mother said “I forgive you, you are now my son.” Gosnell was amazed by the woman’s ability to forgive. “That really stuck with me,” he said.

7. In your courtroom, DO: Always be courteous and respectful. “Treat me with respect and I guarantee that you will be respected,” he said, adding, “Your courtroom demeanor means everything to me. Judges are human and we have feelings like everyone else.”

8. In your courtroom, DON’T: Make assumptions based on a person’s race. “I work very hard to judge cases on the facts,” he said. “I treat everyone equally. Never judge a person based on the color of his or her skin.”

9. Is there a legal figure that you particularly admire?: “I have three: Sheriff Andy Taylor, the late Charleston public defender Martha Dicus, and Justice Costa Pleicones of the South Carolina Supreme Court,” he said. Regarding Taylor, he noted, “That character exemplified the best part of being a law enforcement officer and that is trying to help people.” Speaking about Dicus, he stated, “She was a smart lady. She knew when to hold them and knew when to fold them. I learned a lot from her.” As for Pleicones, he said, “Probably one of the smartest individuals that I have ever seen operate on the bench. He makes attorneys feel good that they are doing their jobs.”

10. Advice to young trial lawyers: “Find a small town, hang a shingle, and become part of the community.” For those seeking a career in criminal law, Gosnell suggests getting experience while providing community service at the Public Defender’s office. “Some of the finest attorneys I have encountered started at the PD’s office,” he noted. “Go put in two years; I guarantee that you will learn quickly.”
# 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 7 - October 28

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## November 4 - November 25

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## December 2 - December 23

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## December 30

No Court this Week

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# CIRCUIT COURT SCHEDULE - FIRST JUDICIAL CIRCUIT

## October 7 - October 28

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## December 30

No Court this Week
FAMILY COURT SCHEDULE - NINTH JUDICIAL CIRCUIT

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FAMILY COURT SCHEDULE - FIRST JUDICIAL CIRCUIT

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<tr>
<th>October 7</th>
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<th>October 28</th>
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<td>Dor - Wylie</td>
<td>Dor - Jenkinson</td>
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<td>Dor - Vinson</td>
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No Court this Week
2011-CP-10-1185  Shelly and Gerald Huckabee vs. Dr. William Dennis

Attorneys:  Plaintiffs:  Sandra Senn and Chris Dorsel
Defendant:  Molly H. Craig, Jennifer F. Nutter and Brian Johnson

Cause of Action:  Medical Malpractice

Verdict:  For the Defendant.

2011-CP-10-3094  Thomas A. Busser, Jr. vs. Michael Stephen Casteen

Attorneys:  Plaintiff:  John H. Price, Jr.
Defendant:  Henry E. Grimball

Cause of Action:  Motor Vehicle Accident

Verdict:  For the Defendant.

2011-CP-10-4160  Anastasia Zimmerman vs. Louis Burnett, in his individual capacity

Attorneys:  Plaintiff:  Nancy Bloodgood and Lucy C. Sanders
Defendant:  M. Dawes Cooke, Jr. and Alissa D. Fleming

Cause of Action:  Employment

Verdict:  For the Plaintiff in the amount of $10,000.00 actual damages and $50,000.00 punitive damages.

2011-CP-10-014962  Walter Bilbro, Jr. vs. Magnolia Park Horizontal Property Regime and Nelle Properties, LLC.

Attorneys:  Plaintiff:  Frank M. Cisa
Defendant:  Timothy A. Domin

Cause of Action:  Personal Injury

Verdict:  For the Defendant.

2011-CP-10-8363  Michael Vasser vs. John Doe and Shane Saxon

Attorneys:  Plaintiff:  Jody Vann McKnight
Defendants:  David C. Cleveland and E. Warren Moise

Cause of Action:  Motor Vehicle Accident

Verdict:  For the Plaintiff actual damages in the amount of $22,234.52 and punitive damages of $200,000.00 against Defendants Shane Saxon and John Doe, and apportioned liability 80 percent (Saxon), and 20 percent (Doe).

2012-CP-10-0504  Katie Jaclyn Story vs. Nicolas Santiago
Attorneys: Frederick W. Riesen, III
Defendant: John L. McDonald and Christopher W. Nickels

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff in the amount of $15,000.00 actual damages and $5,000.00 punitive damages.

2012-CP-10-1075 Natavia Roper vs. Melissa S. Benjamin and Ashley M. Wright

Attorneys: Julio A. Rossington
Defendants: James P. Sullivan and Elizabeth Freeman

Cause of Action: Motor Vehicle Accident

Verdict: For the Defendants:

2012-CP-10-2287 Thomas A. Williams vs. Lisa D. Warner

Attorneys: Keith Edward Robinson
Defendant: Benjamin R. Pogue, III and Adrian Wrae Broome

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff in the amount of $7,641.19 actual damages and $12,500.00 punitive damages.


Attorneys: Paul D. Ribeiro
Defendant: Joseph R. Weston

Cause of Action: Conversion

Verdict: For the Defendant.

2012-CP-10-3238 Leah Nichelle Johnson vs. Lauren Elise Parsley

Attorneys: Phillip Hammond
Defendant: Adrian Wrae Broome

Cause of Action: Motor Vehicle Accident

Verdict: For the Defendant

200-CP-10-3384 Nina J. West vs. Davaul W. Carter

Attorneys: Matthew A. Mason
Defendant: Julian K. Allen

Cause of Action: Motor Vehicle Accident

Verdict: For the Defendant.
2012-CP-10-3855  Lauren Chambers vs. Cory Riedmayer

Attorneys:  
Plaintiff: Roy T. Wiley, IV  
Defendant: James P. Sullivan

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff in the amount of $20,935.00 actual damages.

2012-CP-10-4207  Canatrian Middleton, individually and as Guardian ad Litem for Shavonna Middleton and Lana Nelson vs. Wal-Mart Stores East, L.P.

Attorneys:  
Plaintiffs: Gary A. Ling  
Defendant: Amy L. Gaffney

Cause of Action: Products Liability

Verdict: For the Plaintiff Canatrian Middleton in the amount of $10,000.00 as to the negligence cause of action. For the Defendant as to the negligence cause of action and products liability cause of action for Plaintiff Lana Nelson; for the Defendant as to Plaintiff Canatrian Middleton’s products liability claim.

FEDERAL COURT JURY VERDICTS
(There are no Federal Court Jury Verdicts for this period)