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WINTER, 2015**Website: <http://www.charlestonbar.com>**

FROM THE PRESIDENT

Dear Colleagues,

This is my last letter as President of the Charleston County Bar Association, and it has been a very great privilege to serve. I would like to take this opportunity to thank the many people who helped make this year a successful one for the Charleston County Bar and its members.

Over the past few years, the Charleston County Bar has updated its By-laws, made the website more accessible, and provided benefits to members, such as frequent CLE's and discounts at local businesses, in addition to providing opportunities to socialize and network with other members of the Bench and Bar. We could not have made progress like this without the efforts and hard work of many members of the Board, Committees, and the Bar at large, and I sincerely thank everyone who has helped.

There are lots of ways to become involved with the Bar, and more members than ever have stepped up this year. We have provided community discussions on a number of topics affecting average people within our community. We have provided monthly CLE's for members of the local Bar, and a more informative website for both Bar members and the public. We have also sponsored and/or participated in Bar basketball and softball leagues, the Waties Waring statue dedication, and Judge Bruce Howe Hendricks' appointment as a federal Judge.

I anticipate that our President-elect, James Myrick, will continue to promote strong, positive interaction with our local community while providing forward-thinking leadership. We encourage everyone to offer suggestions, volunteer to teach a CLE in your practice area, start a volunteer project, or find a meaningful way to contribute. This Bar is made up of intelligent, talented individuals – together, we do make a difference.

Best regards,

Natalie Parker Bluestein

ANNOUNCEMENTS

Lewis, Babcock & Griffin LLP announces the expansion of its law practice with the addition of partner **Badge Humphries** and the opening of an office in the Charleston area. Located at 2113 Middle Street on Sullivan's Island, the firm's new office is just a few miles from the location of a property-rights dispute on Isle of Palms that generated one of the firm's most notable wins – *Lucas v. South Carolina Coastal Council*, a seminal U.S. Supreme Court decision that reshaped federal constitutional law on regulatory takings for the benefit of landowners.

Kristen N. Nichols has joined the law firm of **Turner Padgett Graham & Laney, P.A.** and is based in the Charleston office. Ms. Nichols practices in the areas of Alternative Dispute Resolution, Real Estate and Lending Transactions, and Business and Commercial Litigation. She received her undergraduate degree from the University of South Carolina, *magna cum laude*, in 2002 and her juris doctor from Michigan State University in 2005. Ms. Nichols is a graduate of Leadership Charleston and recently named by *Super Lawyers* as a South Carolina Rising Star in the area of Bankruptcy and Debtor/Creditor 2013-2014.

Jennifer Selan announces the opening of the **Selan Law Firm, LLC**, located at 1110 Queensborough Blvd, Suite 103, Mt. Pleasant, S.C. 29464. (843) 906-3058.

Richardson Plowden & Robinson, P.A. is pleased to announce that **James M. Whalen** has joined the Firm as an associate attorney in the Charleston office. Mr. Whalen is a member of the Richardson Plowden General Litigation Practice Group.

Rosen Law Firm, LLC is pleased to announce that **Lauren E. Ellison** has joined the firm located at 18 Broad Street, Suite 201, Charleston, 29401. Tel. (843) 377-1700. Her practice focuses on civil litigation, medical malpractice, and family law.

Samuel C. Waters has joined **The Finkel Law Firm** as an attorney Of Counsel. He previously was a partner at Rogers Townsend & Thomas PC. Mr. Waters will be involved in the firm's Foreclosure and Default Services practice areas.

CLASSIFIEDS:

Professional Location! Desirable executive office space available in furnished suite. The Class A, West Ashley commercial building is convenient to the interstate and downtown. Lease bundles phone line, copier service, use of postage meter, janitorial service, security system, and landscaping for set monthly rate. Lease also includes access to break room and two (2) conference rooms. Several attorney and staff spaces available to suit your start up or downsize needs. Cross referral opportunity with family law practice. **Contact Stephanie Brinkley at sbrinkley@brinkleylawfirmllc.com or (843) 277-9009.**

1200 square feet office building available at 535 Stinson Drive, West Ashley near 526. Conference room with table and chairs provided, two large offices partially furnished, a smaller office, kitchen, bathroom, and large reception area. Hardwood floors in one office, lobby, and conference room. Perfect for a law office. Lawn maintenance is included. **For more information, call 763-5297.**

SAVE THE DATE

2015 Charleston Bar Annual Meeting & Reception
Thursday, February 26, 2015
Francis Marion Hotel - 5:30 p.m.

CHARLESTON COUNTY BAR ASSOCIATION EXECUTIVE BOARD

2014-2015

President – Natalie Parker Bluestein
President-Elect – James D. Myrick
Secretary/Treasurer – Brian Duffy
Immediate Past President – Ladson F. Howell

Rhett Dunaway – Executive Committee Member
Michelle Forsythe – Executive Committee Member
Robert Hawk – Executive Committee Member
Kevin Holmes – Executive Committee Member
Sean Houseal – Executive Committee Member
Theodore Manos – Executive Committee Member
Nosizi Ralephata – Executive Committee Member
Abby Edwards Saunders – Executive Committee Member
Peter Shahid – Executive Committee Member
Richard Unger – Executive Committee Member

2015 CHARLESTON COUNTY BAR DUES REMINDER

All Charleston County Bar members should have received a bill for their 2015 annual bar dues from the South Carolina State Bar. Please remember that if you did not check the space indicated for payment of your Charleston County Bar dues on the form these dues need to be paid directly to the Charleston County Bar. You will not receive a bill from the Charleston County Bar for your 2015 dues. They need to be paid no later than January 30 in order to remain on the active roster. Please check to be sure you included your \$100.00 dues payment with your State Bar dues payment; and if you did not please fill out the below form and return it promptly.



CHARLESTON COUNTY BAR ASSOCIATION

MEMBERSHIP APPLICATION

I am a new member of the Charleston County Bar

I am a previous member of the Charleston County Bar

*All fields required

NAME _____

EMAIL _____

TELEPHONE: _____ FAX: _____

MAILING ADDRESS:

FIRM NAME _____

STREET _____ P.O. BOX _____

CITY _____ STATE _____ ZIP _____

AREAS OF PRACTICE _____

PLEASE RETURN THIS FORM ALONG WITH YOUR CHECK IN THE AMOUNT OF \$100.00 PAYABLE TO THE CHARLESTON COUNTY BAR ASSOCIATION TO:

CHARLESTON COUNTY BAR ASSOCIATION
PO BOX 21136
CHARLESTON, SC 29413

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 attorneys; 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.


Charleston Pro Bono Legal Services is now in its tenth year of service to people who desperately need legal assistance in civil matters. People with means hire lawyers as a matter of course when things happen in their lives that require legal expertise. At such times we would not long consider entering the legal arena without such competent assistance. When the option to obtain such advice is not there, the consequences can be dire.

Throughout this past decade the Charleston County bar has been generous with the practitioner's dearest commodity, a lawyer's time. Hundreds of Charleston attorneys have volunteered legal assistance on behalf of eligible clients and by their service, saved many homes and families. The Charleston Bar and individual attorneys and firms have also shown their commitment to the Pro Bono cause through the monetary contributions which is the Program's lifeblood.

By the time this is published, we will have had a successful auction of fabulous items at the CCBA Holiday Bash. We, of course thank the high bidders who walked away with such wonderful items as a week-long stay at a Wild Dunes beach house, or a Paris apartment (that's France not Texas) or some great bling. The auction could not have been done without the help of

Rosen Litigation Technology Consulting who provided the audio-video support or without Cruz Chevrolet and their auctioneer in residence Ken French. Last but not least we are grateful to the donors of the items auctioned. To all of these individuals and organizations, we thank you for your support of Pro Bono Legal Services.

Our New Year's resolutions include, *inter alia*, sprucing up the office; there's been talk of a need for a more cheerful ambiance, painting the walls, etc. If you've not been to the Pro Bono office on Church Street, we are bare bones interiors inc., comprised of donated and hand-me-down, unmatched furniture. If your firm has office furniture to get rid of, please consider giving us an early pick of things. Same for selected office supplies.

	
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.	

ADOPTEES AND THEIR FIRST BIRTH CERTIFICATE

By Ruth W. Cupp

Family Court judges in this state recently have signed Orders permitting their adult adoptees to acquire a copy of their first birth certificate. The number of these requests appears to be increasing not only in this state but across the United States.

These states that have enacted legislation allowing adult adoptees to see their first birth certificate are: Maine, New Hampshire, Alabama, Oregon, Illinois, Tennessee, Georgia and Kansas.

Rhode Island enacted this legislation, but with the condition that the petitioner must be twenty-five years of age. Just this year, the state of Colorado passed an act that allows every adult citizen to see their first birth certificate.

The state of Washington legislators enacted this legislation, but added this caveat, "unless the birth parent has filed an affidavit prohibiting release."

New Jersey passed this new act, but it does not go into effect until 2017. The state gave biological parents until January 1, 2017 to redact their names if they choose.

In Indiana, an adoptee must wait until the birth mother is deceased. These states will allow access with a court order: Kentucky, California, and North Carolina.

Since the 1930s, New York state has denied all adoptees access to their original birth certificates. In June of 2014, its legislature again debated a bill to give all adoptees access to their original birth certificates but there were not enough votes for it to pass.

"My original birth certificate sits in a building in New York and I am not entitled to it," quoted Maureen Sheridan in the New York Times in June of this year. "Adoptees in New York can also seek their biological parents through the state's mutual consent registry – but critics say doing so rarely results in a match," added that newspaper.

In response to that N.Y. newspaper story, letters from adoptees were printed.

“This isn’t about balancing rights of parties. Adopted people have a right to their full identity, like every other American...This is about people who had no say and in their adoption simply having a right to know who they are, to know their genetic heritage.”

Another letter to the editor said, “New York’s out dated approach to adoption amounts to a violation of adoptees’ civil rights...It is highly unlikely that confidentiality was promised by the officials involved.”

“It is generally agreed that most jurisdictions would allow access via court order even though some standard must be met to obtain the order, such as a “compelling need,” said Thomas P. Lowndes, Charleston adoption attorney and former president of the U.S. Academy of Adoption.

That statement by Lowndes refers to the 1981 case of Bradey versus Children’s Bureau of South Carolina, S.C.21378. 274 S.E. 2nd. 418 in which the Court held that a “showing of “good cause” was required of the plaintiff to make a “demonstration of compelling need for identifying information.”

It appears that some Family Court judges in this state at this time are not requiring a stringent definition of a “good cause.”

Judicial Notice

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

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>.)

January 5	January 12	January 19	January 26
9th CPNJ - Jefferson Chas GS - Hughston Chas GS - Harrington Chas GS - Welmaker Berk CPNJ - Dennis Berk GS - R. Young	Chas CPNJ - Cothran 9 th CPNJ - Nicholson Chas GS - Hughston Chas GS - Harrington Chas GS - R. Young 9 th AW - Dennis	Chas CPNJ - Maddox Chas CPNJ - Nicholson Berk GS - Harrington Berk GS - Jefferson	Chas CPNJ - Dennis Chas CPNJ - Jefferson Chas CPNJ - McMahon Chas GSNJ - Harrington Berk CPMJ - R. Young
February 2	February 9	February 16	February 23
9th CPNJ - Young Chas CPNJ - Lee Chas GS - Hughston Chas GS - Harrington Chas GS - Nicholson Berk CPNJ - Jefferson	9th CPNJ - Nicholson 9 th GSNJ - Harrington Chas GS - Dennis Chas GS - Weimaker Chas GS - R. Young	9th CPNJ/ - Griffin PCR 9 th CPNJ - Jefferson Chas CPNJ - Dennis Chas CP - Hughston Berk GS - Harrington	Chas CPNJ - Jefferson 9th CPNJ - R. Young Chas CP - Hughston Berk CPNJ - Harrington Berk CPNJ - Dennis
March 2	March 9	March 16	March 23
9th CPNJ - Nicholson Chas GS - W. Young Chas GS - Dennis Chas GS - Harrington Berk GS - Jefferson		9th CPNJ - W. Young 9 th CPNJ - Nicholson Chas CPNJ - R. Young Chas GS - Jefferson Chas GS - Harrington Berk CPNJ - Dennis	Chas CPNJ - Early Chas CPNJ - Jefferson Chas GS - Harrington Berk CPNJ - R. Young Berk CPNJ - Maddox
March 30			
Chas CPNJ - Goodstein Chas CPNJ - Newman Chas CPNJ - R. Young 9 th CPNJ - Dennis Berk GS - Harrington			

CIRCUIT COURT SCHEDULE - FIRST JUDICIAL CIRCUIT

January 5	January 12	January 19	January 26
Dor GS - Mullen	Dor CPNJ - Dickson Dor GS - Murphy	Dor CPNJ - Dickson	Dor CPNJ - Dickson 1 st CPNJ - Goodstein
February 2	February 9	February 16	February 23
1st GSNJ - Murphy	Dor GS - Murphy	Dor GS - Dickson	
March 2	March 9	March 16	March 23
Dor CPNJ - McMahon		Dor GS - Goodstein	Dor CPNJ - Lee Dor GS - Goldsmith
March 30			
1st CPNJ - Mullen			

FAMILY COURT SCHEDULE - NINTH JUDICIAL CIRCUIT

January 5	January 12	January 19	January 26
Chas - McMahon Chas - Henderson Chas - Cate Chas - Martin Berk - Landis Berk - Jenkinson Berk - Khoury	Chas - McMahon Chas - Smoak Chas - Cate Chas - Vinson Chas - Martin Berk - Creech Berk - Landis	Chas - McMahon Chas - Cate Chas - Long Chas - Martin Chas - Ballenger Berk - Creech Berk - Landis	Chas - McMahon Chas - Morehead Chas - Wylie Chas - Fraley Chas - Emery Berk - Bromell Holmes Berk - Sprott
February 2	February 9	February 16	February 23
Chas - Morehead Chas - Cate Chas - Pogue Chas - Martin Chas - Malphrus Chas - McMahon Berk - Landis Berk - Creech		Chas - McMahon Chas - Henderson Chas - Cate Chas - Guyton Chas - Smoak Berk - McLin Berk - Creech	Chas - McMahon Chas - Landis Chas - Vinson Chas - Holt Chas - Martin Berk - Creech Berk - Landis
March 2	March 9	March 16	March 23
Chas - McMahon Chas - Cate Chas - Norton Chas - Martin Chas - Khoury Berk - Creech Berk - McLin Berk - Landis	Chas - McMahon Chas - Cate Chas - Malphrus Chas - Landis Chas - McGee Berk - Martin Berk - Creech	Chas - McMahon Chas - Cate Chas - Pogue Chas - Guyton Chas - Emery Berk - Creech Berk - Bromell Holmes	Chas - McMahon Chas - Wylie Chas - Cate Chas - Martin Chas - Vinson Berk - Morehead Berk - Khoury
March 30			
Chas - McMahon Chas - Cate Chas - Long Chas - Martin Berk - Creech Berk - Landis			

FAMILY COURT SCHEDULE - FIRST JUDICIAL CIRCUIT

January 5	January 12	January 19	January 26
Dor - Wylie Dor - McLin	Dor - McLin Dor - McGee	Dor - McLin Dor - Bromell Holmes	Dor - McLin Dor - McGee
February 2	February 9	February 16	February 23
Dor - Jones Dor - McGee		Dor - Wylie Dor - McGee	Dor - Wylie
March 2	March 9	March 16	March 23
Dor - McGee Dor - Jones	Dor - McLin Dor - Wylie	Dor - McLin Dor - Hurley	Dor - Wylie Dor - McGee
March 30			
Dor - Wylie			

CHARLESTON COUNTY COMMON PLEAS JURY VERDICTS

(Information supplied by Clerk of Court's Office)

2012-CP-10-2718 Brandy Joiner and James Joiner vs. Dr. Valerie M. Fantino and Wellness Plus, P.A.

Attorneys: Plaintiffs: Alex B. Cash
 Defendants: Jack G. Gresh and Shawn T. Pinkston

Cause of Action: Medical Malpractice

Verdict: For the Defendants.

2012-CP-10-4460 Marvella Brown vs. Paul Stephan Cody

Attorneys: Plaintiff: Renee Anderson and Roy Wiley
 Defendant: E. Warren Moise and Fred H. Oliver

Cause of Action: Motor Vehicle Accident

Verdict: For the Defendant.

2013-CP-10-1304 Cynthia D. Chaplin-Brossy vs. Christopher Hall

Attorneys: Plaintiff: Susan Rosen and David Altman Haselden
 Defendant: Benjamin B. Davis

Cause of Accident: Motor Vehicle Accident

Verdict: For the Defendant.

2013-CP-10-2500 Lisa Renee Ferguson vbs. Leander Robinson Waring

Attorneys: Plaintiff: Joshua T. Howle
 Defendant: Christopher W. Nickels

Cause of Action Motor Vehicle Accident

Verdict: Jury found that the Defendant was negligent, but that such negligence was not a proximate cause of Plaintiff's injuries.

2013-CP-10-2683 Christopher O'Brien vs. Natasha Bowens, as Guardian ad Litem for Tyla Simone Williams, a minor

Attorneys: Plaintiff: Bert G. Utsey
 Defendant: Margaret Fanning Horn

Cause of Action: Motor Vehicle Accident

Verdict: For the Defendant based upon the jury determinations that the Plaintiff's negligence was 75% while the Defendant's negligence was 25%.

