

CHARLESTON COUNTY BAR ASSOCIATION

ISSUE #15

Website: <http://www.charlestonbar.org>

FALL 2011

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FROM THE PRESIDENT



Dear Colleagues:

As summer draws to a close many of us begin planning for the remainder of the year and beyond. When making those plans, please consider the various service opportunities available at the local and state level. For example, Abby Saunders and Jim Myrick are leading a local initiative to recruit members of our Association to participate in the Lawyer Mentoring Pilot Program. Currently, all members of the South Carolina Bar admitted between March 1, 2009 and April 1, 2012 are required to participate in the program during their first year of practice. To qualify to be a mentor, all that is required is a willingness to serve and at least five (5) years of practice experience (litigation experience is not required). In addition to the satisfaction of a job well done, mentors receive CLE credit for their service in the program. I am currently serving as a mentor and I highly recommend it. A registration form is available on our website. We hope to offer additional volunteer opportunities on the website soon so please check it frequently for new information.

On the state level, the South Carolina Bar is actively seeking members of the Charleston County Bar Association to become engaged in leadership positions. Members of our Association met with our counterparts from the South Carolina Bar Board of Governors in August. During that meeting we learned that the South Carolina Bar offers many leadership and service opportunities and the Board of Governors is actively seeking to broaden and diversify the participation of lawyers across the State. The opportunities are varied and there appears to be something to fit nearly everyone's schedule and level of commitment. It was interesting to learn that volunteers can participate in many activities by conference call to minimize the impact on our already busy schedules. If you are interested you can find more information on the South Carolina Bar website or contact the Executive Director, Bob Wells.

Finally, mark your calendars now for the 2011 Holiday reception. This year it will be held on December 1, 2011 at the William Aiken House, 456 King Street. It promises to be a great event. I hope everyone will plan to attend. We will send invitations later this year with all of the details.

With best wishes,
John A. Massalon

JUDICIAL NOTICE

U.S. Magistrate Judge Bruce H. "Brucie" Hendricks

By: Wes Allison, Charleston School of Law, class of 2012

U.S. Magistrate Judge Bruce H. "Brucie" Hendricks was getting used to the idea of settling down in Greenville when she got the chance to move back home, to replace retired U.S. Magistrate Judge Robert S. Carr. The daughter of the late Arthur G. Howe, she is of local legal gentry. Her husband's real estate business is based here. She loves to surf. What could she say? "All my family is here — my mother, my cousins and so forth, and it was too hard to turn down." Judge Hendricks also had served as a federal prosecutor in Charleston, and Chief U.S. District Judge David C. Norton has asked her to develop a pilot drug court for the federal system that she hopes can go state-wide. "It's a combination of therapy, drug treatment and traditional court all

mashed up together," Judge Hendricks said. "Traditionally, you just lock people up. But it seems like we have to look at using the courts to deal with this cycle of addiction that fuels recidivism and that is so costly to our communities. It doesn't make sense not to use the tools we have to try something new."

Born: Oct. 3, 1957, in Charleston.

Appointed to the Bench: 2002, to the Greenville Division.
Education: J.D., University of South Carolina School of Law, 1990; B.A., Political Science, College of Charleston, 1983.

Career: 2002 to present, U.S. Magistrate Judge; 1991-2002, assistant U.S. attorney, Charleston Division.

Family: Husband, Theodore "Teddy" Hendricks; a daughter, Bruce Hendricks Smith, a student at the Charleston School of Law; and a son, Teddy Jr., a student at Clemson University.

ANNOUNCEMENTS

Carroll Law Firm, LLC is pleased to announce that **William King Kalivas** has joined the firm as an associate attorney. His areas of practice will include traffic tickets, DUI, and all areas of criminal defense. The firm is located at 44-C Markfield Drive, Charleston, SC 29407. Tel. (843) 628-2351; Fax (843) 737-4265.

Eric S. Durand announces the opening of **Eric S. Durand, Esq., LLC** located at 1455 Remount Road, Suite J, North Charleston, SC 29406. Tel. (843) 901-3531. Email: EricDurandLaw@gmail.com. The firm's area of practice will focus in the areas of Family Law (including DSS and Guardian Ad Litem), Probate, and minor criminal issues.

Clayton B. McCullough and **Jamie A. Khan**, formerly of Pratt-Thomas Walker, P.A., announce the formation of **McCullough Khan, LLC** located at 68 ½ Queen Street, Charleston, SC 29401. Tel. (843) 937-0400; Fax (843) 937-0706. Website: www.mklawsc.com.

Jason A. McGrath and **James M. Spielberg** have formed the law firm of **McGrath & Spielberg, PLLC**. The Firm practices in NC, SC, GA, FL and Federal Court. The South Carolina office is located in Charleston.

Laura W. Moore is pleased to announce the opening of her solo practice, **Law Office of Laura W. Moore, LLC**, located in the Franke Building at 171 Church Street, Suite 260, Charleston, SC. Tel. (843) 442-6058. Email: laura@trustandstatelaw.net. The firm's area of practice will be limited exclusively to trust, estate planning and probate matters.

Lauren Williams and **Abigail Walsh** of **Williams & Walsh, LLC** are very pleased to announce the addition of **Michael P. O'Connell**, former federal public defender and Chief Public Defender for the Ninth Judicial Circuit, as Of Counsel to the firm. The firm is located at 125-A Wappoo Creek Drive, Suite 202, Charleston, SC 29412. Tel. (843) 722-0157; Fax (843) 762-2198.

Shawn R. Willis of **Turner Padgett Graham & Laney, P.A.** has been appointed to the Charleston County Board of Assessment Appeals for a term ending June, 2015. The Board of Assessment Appeals is a fifteen-member board

appointed by the Charleston County Council which performs a quasi-judicial function by rendering impartial decisions on disputes between property owners and the Charleston County Tax Assessor concerning property valuation and assessment issues.

Mount Pleasant Office Space Available: Fully furnished and equipped office for solo practitioner and one assistant; includes use of conference room. Please contact **Nick Sottile** at **843-884-2022**.

Wall Templeton & Haldrup, P.A. is seeking an associate with 1 year of experience. If you want to be part of a growing and energetic firm, desire an opportunity to take and defend depositions, argue motions and try cases, please send your resume and cover letter to: Neil.Haldrup@WallTempleton.com.



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ONLINE MEMBER DIRECTORY

Please help us have a more complete online member directory. If you go to the Lawyer Directory at <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: jholzel2@comcast.net. We will add the new information to the website as quickly as possible. This is especially important for new admittees.

The Charleston County Bar newsletter is now accepting classified ads for just \$1 per word. For information on placing your ad in our next newsletter, please contact Julie Holzel at (843) 881-6666 or jholzel2@comcast.net

The **Charleston Law Review** has agreed to assist the Charleston County Bar Association in production of this and future Charleston County Bar Association newsletters. Yearly subscriptions to the Charleston Law Review (four issues) may be purchased for \$50.00. Checks should be sent to Charleston Law Review, Attention: Kristen Kelly, 81 Mary Street, Charleston, SC 29403. Your support is greatly appreciated.

COURT SCHEDULES

(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>)

CIRCUIT COURT - NINTH JUDICIAL CIRCUIT

October 3	October 10	October 17	October 24	October 31
Chas AW - Harrington Chas CP - Jefferson Chas CP - Young Chas GS - Nicholson Chas GS - McDonald Berk GS - Watson	Chas CP - Hughston Chas CP - McDonald 9th CPNJ - Young Chas GS - Dennis	Chas CP - Harrington Berk GS - Jefferson	9th CPNJ - Buckner 9th CPNJ - Nicholson Chas CP - Young Chas CP - McDonald Chas GS - Jefferson Chas GS - Hughston Berk CP - Harrington	Chas CP - Dennis Chas CP - Harrington Chas GS - McDonald Chas GS - Jefferson
November 7	November 14	November 21	November 28	
9th CPNJ - Nicholson Chas CP - Hughston Chas CP - Harrington Berk CP - Dennis Berk GS - Young	9th CPNJ - Young PCR Chas CP - Harrington Chas CP - Jefferson Chas GS - Nicholson Chas GS - McDonald Berk GS - Watson		Chas CP - Dennis Chas CP - Hughston Chas GS - Jefferson Chas GS - Young Berk GS - Harrington	
December 5	December 12	December 19	December 26	
9th CPNJ - Jefferson Chas CP - Dennis Chas CP - Young Chas GS - Hughston Chas GS - Nicholson Berk CP - Harrington	9th CPNJ - Nicholson Chas CP - Hughston Chas CP - Young Chas GS - Jefferson Chas GS - Harrington Berk GS - Dennis			

CIRCUIT COURT - FIRST JUDICIAL CIRCUIT

October 3	October 10	October 17	October 24	October 31
1st CPNJ - Goodstein	Dor GS - Goodstein	Dor GS - Goodstein	Dor CP - Goodstein	Dor CP - Dickson Dor CP - James
November 7	November 14	November 21	November 28	
Dor GS - Dickson	Dor GS - Cothran		1st CPNJ - Goodstein PCR Dor CP - Dickson	
December 5	December 12	December 19	December 26	
1st CPNJ - Goodstein Dor GS - Dickson	Dor GS - McDonald			

FAMILY COURT - NINTH JUDICIAL CIRCUIT

October 3	October 10	October 11	October 24	October 31
Chas - McMahon Chas - Garfinkel Chas - Cate Chas - Martin Berk - Kinlaw Berk - Creech	Chas - McMahon Chas - Cate Chas - Martin Chas - Malphrus Berk - Jenkinson Berk - Landis Berk - Creech	Chas - Garfinkel Chas - Cate Chas - Jenkinson Chas - Martin Berk - Creech Berk - Landis	Chas - McMahon Chas - Garfinkel Chas - Woods Berk - Creech Berk - Cate Berk - Jenkinson	Chas - Creech Chas - Cate Chas - Martin Berk - McMahon Berk - Landis
November 7	November 14	November 21	November 28	
Chas - McMahon Chas - Garfinkel Chas - Landis Chas - Cate Chas - Malphrus Berk - Jenkinson Berk - Creech Berk - Martin	Chas - McMahon Chas - Garfinkel Chas - Cate Chas - Martin Berk - Creech Berk - Landis		Chas - McMahon Chas - Morehead Chas - Garfinkel Chas - Cate Chas - Martin Berk - Creech Berk - Landis Berk - Jenkinson	

COURT SCHEDULES • Ninth Judicial Circuit continued from page 3

FAMILY COURT - NINTH JUDICIAL CIRCUIT

December 5	December 12	December 19	December 26
Chas - McMahon	Chas - McMahon		
Chas - Cate	Chas - Garfinkel		
Chas - Martin	Chas - Cate		
Berk - Creech	Chas - Martin		
Berk - Landis	Berk - Creech		
	Berk - Woods		

FAMILY COURT - FIRST JUDICIAL CIRCUIT

October 3	October 10	October 17	October 24	October 31
Dor - McLin	Dor - McLin		Dor - McLin	Dor - Wylie
Dor - Wylie	Dor - Wylie		Dor - Wylie	Dor - McLin
November 7	November 14	November 21	November 28	
Dor - Jones	Dor - McLin		Dor - McLin	
	Dor - Wylie			
December 5	December 12	December 19	December 26	
Dor - McLin	Dor - McLin	Dor - Wylie	Dor - McLin	
	Dor - Wylie			

Civil Appointment Funding is Back in FY 2012!

The SC Legislature found the funding this year to pay the statutory rates for the time of attorneys who have been appointed in state court civil matters. This funding will be applied to previously unpaid FY 2011 vouchers as well as new vouchers. Funding covers all civil appointments, including Family Court abuse and neglect cases, sexual predator commitment proceedings and PCR's in the Court of Common Pleas.

Payments will begin with those who have already submitted a voucher and have been waiting for funding. Court approved expenses will continue to be reimbursed as well.

I have served on the Commission, joining at the height of the Great Recession in December 2008. Times have been

tough. I appreciate the patience and the sacrifice of the Bar's members who have waited a year for payment. Please let your lawmakers know how much you appreciate them for including this funding in this year's budget so that the Courts may continue to operate and serve the citizens of Charleston.

D. Ashley Pennington
Ninth Circuit Public Defender
101 Meeting Street, 5th Floor
Charleston, SC 29401-2214
(843) 958-1870 (direct)
apennington@charlestoncounty.org

Webinar CLE Courses are Coming to Charleston!

The Charleston County Bar has some exciting news for members. Beginning in January, 2012, all CLE seminars sponsored by the Charleston County Bar Association will also be available by live streaming webcasts!

The first CLE utilizing this technology was held on August 12, 2011, and approximately 25 people participated by internet. For future CLE courses, up to 100 people may participate by internet for each seminar (there will be a \$.03 per minute cost for the webinars to those participating by internet).

The SC Bar allows up to six (6) hours of continuing legal education hours to be accrued by webinars each year. Webinar credit hours cannot be rolled over into the next year, however.

We hope that by offering webinars as an option, more members will be able to attend CLE courses held throughout the year without the inconvenience of travel time, parking expenses, and unavailability during emergency or time-sensitive cases.

Recovering From Hurricane Hugo

By: Ruth W. Cupp

Our Ben Goldberg was president of the Bar when Hurricane Hugo blew the roof off the courthouse. Despite the enormity of the task before him, Ben stepped to the mound and pitched a no-hitter.

It was September 22, 1989. The courthouse was condemned as unfit for human habitation. The civil trial docket, in session, was canceled. The October term of criminal court was called off. Without electricity, the Family Court could not process child-support checks. Six hundred window panes in the Family Court were broken and there was no water service!

At the jail, some ninety serious offenders were loaded into buses to be taken to other prisons. However, when the jail's emergency power went out, the buses could not get out through the electrically powered gates.

U.S. District Judge Sol Blatt, Jr. spent the night in the new nine million dollar courthouse and managed to catch some of the leaks with trash cans.

Bart Daniel cried when he saw the courthouse with no roof, bricks and wood spread about, and gaping holes in the walls.

The practice of law ceased and the court system came to a halt.

By September 25th, the emergency Legal Assistance Center was up and running. Ben called Bradish J. Waring, be-

cause he represented BellSouth and the mortgagee of the Francis Marion Hotel, and asked Brad to make arrangement whereby Bar members could answer emergency legal questions in the hotel ballroom and give instructions on how to apply for help from the Federal Emergency Management Agency.

Another emergency was to find a place for the courts to operate. Linda Lombard, attorney and Chairman of County Council, and the County Administrator located an old Navy facilities building on Melbourne Street in North Charleston. It would take more than ninety days to prepare it for court use. Three weeks after Hugo, Judge Ralph King Anderson began hearing attorney's motions in the Days Inn Motel at 155 Meeting Street. Then a room was cleaned out on the fourth floor of the O.T. Wallace building where Judge Anderson began to hear non-jury matters.

"Ben Goldberg and I went out to Melbourne Street, at least on three occasions, to review where the county was planning to provide courtrooms. We found that the construction team had built the witness stand fifty-feet from the jury box," said Anderson. "Even before Hugo the docket here was the second longest in the state," said Ben. "It was a novel judicial situation and we had to come up with novel solutions," said Ben. The ersatz Judge's benches were built out of plywood and painted to make them to look like mahogany.

"Ben Goldberg did a magnificent job working with the Bar," said Anderson. Goldberg's heroic effort was recognized by a Certificate of Merit from the American Bar Association.

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. 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: jholzel2@comcast.net
Mailing Address:
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Charleston, SC 29413

ADVERTISE WITH US!

The Charleston County Bar newsletter is a quarterly must-read for over 1700 of the area's legal professionals. Can you think of a better advertising venue for your business? For information on placing your ad in our next newsletter, please contact Julie Kemp at (843) 881-6666 / jholzel2@comcast.net

<u>2011-2012 Advertising Rate</u>	<u>SIZE</u>	<u>COST</u>
	Business Card	\$100 per issue
	1/4 Page	\$200 per issue
	1/2 Page	\$400 per issue

Please note that the Bar newsletter accepts ads from businesses serving the legal community but not from law firms or practicing attorneys.

JURY VERDICTS - STATE

CHARLESTON COUNTY COMMON PLEAS

(Information supplied by Clerk of Court's Office)

09-CP-10-5433 Laling Robinson, individually and as Parent and Natural Guardian of Bre'Ahna D. Heath, a minor, vs. Keith Ray Stidham, Individually and d/b/a Keith's Termite and Pest Control

Attorneys:

Plaintiffs: Anne Peterson-Hutto
Defendant: Michael J. Feri

Cause of Action: Motor Vehicle Accident

Verdict: For the Defendant.

2010-CP-10-0067 Teri Silky vs. King Charles Association, L.P. d/b/a Best Western King Charles Inn

Attorneys:

Plaintiff: Matthew Douglas and
David Wesley Whittington
Defendant: H. Clayton Walker

Cause of Action: Motor Vehicle Accident

Verdict: For the Defendant.

2010-CP-10-0481 Paul Myers vs. Jay D. Leigh

Attorneys:

Plaintiff: Clayton B. McCullough
Defendant: Frank M. Cisa

Cause of Action: Personal Injury

Verdict: For the Plaintiff in the amount of \$30,400.00.

2010-CP-10-0782 Doris M. Farrey vs. Jeanette C. Glover

Attorneys:

Plaintiff: Gary A. Ling
Defendant: Alan Ross Belcher, Jr.

Cause of Action: Personal Injury

Verdict: For the Defendant.

2010-CP-10-2400 Nancy Paluch vs. Virginia Corley

Attorneys:

Plaintiff: David L. Savage
Defendant: Joseph R. Weston

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff in the amount of 40,000.00 actual damages.

2010-CP-10-2742 Leslie Warner vs. Malcolm Cornelius Brown

Attorneys:

Plaintiff: Akim A. Anastopoulo
Defendant: James C. Cox, III and H. Thomas Morgan

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff in the amount of \$40,000.00 actual damages and \$20,000 punitive damages.

2010-CP-10-3732 Dana Anne Burrill vs. The Estate of Jack Smith

Attorneys:

Plaintiff: D. Scott Drescher
Defendants: Julian K. Allen

Cause of Action: Motor Vehicle Accident

Verdict: In favor of the Plaintiff in the amount of \$3,825.90 actual damages after offset by previous payment in the amount of \$50,000.00.

REMINDER

All Charleston County Bar members will be receiving a bill for their 2012 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 2012 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.

JURY VERDICTS - FEDERAL

(There were no federal jury verdicts last quarter)

By: Marvin H. Feingold

Director/Legal Counsel

Pro Bono Legal Services

Access to our Courts and to Due Process by everyone, without regard to economic status, is integral to our constitutional system of justice. In 2006, the American Bar Association founded the National Coalition for a Civil Right to Counsel. The organization calls for all levels of the justice system to "provide legal counsel as a matter of right at public expense" in cases where basic human needs are at stake involving shelter, sustenance, health, safety, and child custody. This has come to be known in legal circles as "Civil Gideon," referring to the Supreme Court case more than 40 years ago that required government-provided lawyers for criminal defendants.

Even as Court budgets shrink and IOLTA funds for indigent justice dwindle, decisions come forth from Courts and Court administration which seek to level the playing field for low income litigants. Two very different, important events affecting South Carolina's Court system have occurred recently.

This issue of economic availability to due process has surfaced close to home in a recent U. S. Supreme Court case from South Carolina. In *Turner v. Rogers*, where the petitioner had been incarcerated several times for civil contempt for not paying child support, the Supreme Court held that there is no automatic right to counsel. The Court acknowledged however that the "State must nonetheless have in place, alternative procedures that assure a fundamentally fair determination." One such procedure is the duty of a court to at least inform the party of the benefits of obtaining counsel. In addition, the Court recognized that defendants in child support contempt proceedings must be made aware that the "ability to pay" (disability, not unemployment, is recognized in the Family Courts of South Carolina as a defense) is a factor in the defendant's exposure to civil contempt.

In another development affecting access to the Courts by low-income litigants, the South Carolina Supreme Court has revised Rule 3(b)(2) of the Rules of Civil Procedure as follows:

"Where a party is represented in a civil action by an attorney working on behalf of or under the auspices of a legal aid society or a legal services or other nonprofit organization funded in whole or substantial part by funds appropriated by the United States Government or the General Assembly of the State of South Carolina, which has as its primary purpose the furnishing of legal services to indigent persons, or the South Carolina Bar Pro Bono Program, fees related to the filing of the action shall be waived without the necessity of a motion and court approval. Before the filing fees will be waived, the attorney representing the party must file with the clerk a written certification that representation is being provided on behalf of or under the auspices of the society, organization or program, and that the party is unable to pay the filing fees."

Rule 3(b)(2) is a step in the right direction but presents equal protection issues for clients who are represented under a program like the Charleston County Bar Association's Pro Bono Legal Services, Inc., which does not receive Federal or State funds, but applies the same income eligibility guidelines as such Federal and State programs covered by the Rule.

Where the Rule 3(b)(2) waiver of motion is not utilized, Judges have expressed a need for further guidance in deciding Motions to Proceed In Forma Pauperis. One issue is how the income guidelines are to be applied. Specifically, is household size and household income to be considered or only the income of the litigant? Another is the relevance of the litigant's monthly expenses. As a consequence of the lack of guidance, uniformity of procedure has been lacking in the Family Courts as they Rule on In Forma Pauperis motions.

The road to equal access should not be expected to be a smooth one. Even as our Courts digest and implement the new rules described above, now frontiers challenge us to improve our system until the credo "Equal Justice Under Law" becomes a reality.

CHARLESTON PRO BONO



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Title: _____

Enclosed is our gift of \$ _____ \$25.00 \$50.00 \$100.00 \$200.00 \$500.00 \$1000.00

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

Your donation is tax deductible as provided by law.

SAVE THE DATE

DECEMBER 1, 2011

Charleston County Bar Association Holiday Party
William Aiken House
(Invitations to be mailed in November)

FEBRUARY 29, 2012

Charleston County Bar Association Annual Meeting and
Reception
Francis Marion Hotel
5:30 p.m.
(More information in January, 2012)

FEBRUARY 8, 2012

Join the throng honoring **Judge Alex Sanders at the "Commitment to Justice" Award Reception** hosted by the Center for Heirs' Property Preservation on **Thursday, February 9, 2012** from 6:00-8:30 p.m. in the "Crystal Ballroom" at the Charleston Marriott Hotel, 170 Lockwood Boulevard. Enjoy tasty hors d'oeuvres, a full bar and a stellar program. Host Committee Chairs are: Edward J. Westbrook and Rev. Nelson Rivers, III. The Charleston School of Law has already stepped up as a generous "Presenting Sponsor". Consider becoming a sponsor and be listed in the event invitation and souvenir program. Individual tickets are \$100. Call Tish Lynn at (843) 745-7055 for all ticket and sponsorship details. Proceeds help low-income heirs' property owners with education and direct legal services to keep their family land and preserve their cultural heritage – a cause close to Judge Sanders' heart. For more information, go to: www.heirsproperty.org.

Mark Your Calendar!

May 17 and 18, 2012

On **May 17 and 18, 2012**, the **Tort Trial and Insurance Practice Section of the American Bar Association** will meet in Charleston, SC at The Charleston Place Hotel in conjunction with the General Practice and Solo Section.

Of particular interest to the Charleston Bar are 1) an express invitation to the Charleston Bar to participate; and 2) a nationally-acclaimed CLE program featuring "How Lawyers Can Plan for and Respond to Natural Disasters". We'll learn how to advise our clients and prepare our law firms for hurricanes that inevitably head our way. CLE topics will also address the latest developments in coverage (wind versus flood), business interruption, bad faith, and related litigation.

More information to follow. In the meantime, if you have questions, please contact **Jim Myrick** at jmyrick@wcsr.com or (843) 720-4643.

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Hobbies: Surfing on Isle of Palms; playing tennis; and watching college basketball.

On your nightstand: The Medici Effect: Breakthrough Insights at the Intersection of Ideas, Concepts, and Cultures, by Frans Johansson.

Best part about being a judge: "The role of making the decision — and hopefully resolving the dispute so that the human beings involved can go forward with their lives. Sometimes you just need to make the call. I enjoy doing that, so people can move on, for better or worse."

Toughest part about being a judge: The same thing. "You want to please everybody, and you want everybody to come out satisfied with the process. You realize you can't satisfy everybody, but you just try to do it. That's your role."

What the Bar might be surprised to learn about you: Judge Hendricks played college basketball at Sweetbriar College in Virginia before transferring to College of Charleston, and she still loves to shoot hoops. She also is a self-professed C of C basketball nut. "The basketball court is kind of like my way of releasing tensions from the other court."

In your courtroom, Do: Arrive early to settle in, and write well. "In terms of written work, it is so important to combine the facts and relevant legal points. And this will seem very remedial, but the cites to the record are critical. . . Cite to the depositions, to the affidavits — it really helps for us to be able to find it. You make a more powerful case when you support it with frequent cites to the record."

In your courtroom, Don't: "Everything's going so well, I can't think of any general admonition," she says. But, she adds, "Obviously it's discouraging if the lawyers aren't working with each other. If they are being hostile for no good reason, that is my main pet peeve. We're all professionals, we're all lawyers, and we should be collegial even if we are on opposite sides."

What experience best prepared you for the bench? Serving as a federal prosecutor. "Handling and prosecuting cases as an assistant United States attorney was invaluable to learning how to handle power in a fair, compassionate way, and responsible way." Growing up in a family of lawyers didn't hurt either, she adds.

Is there a legal figure you particularly admire? Judge Hendricks cites two: The late U.S. District Judge Matthew J. Perry, Jr. and Senior U.S. District Judge Solomon Blatt, Jr. "A brilliant legal mind and gentle temperament is conducive to doing justice, to helping a judge make decisions — to make them firmly, but to be compassionate. Judge Blatt can do that. Judge Perry was similar."

What advice would you offer trial attorneys practicing today? "Leave no stone unturned. It's not a 9 to 5 job. You need to put it down and hit the 'refresh' button, but the law is a jealous mistress in a way. It sucks up a lot of your energy."

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What Attorneys Need to Know Before Working From Home

by Mike Moore

This article is part four of a multi-part series on office space considerations for attorneys. For more information, please navigate to <http://rocketmatter.com/officespace>.

Call it a "virtual office" or merely "working from home" - no matter what your term is, working in a location other than a traditional office is increasingly viable for attorneys. Gas costs a fortune and technology makes working from a home office cheap, attractive, and feasible. But aside from the obvious cost savings (and potential tax benefit), there are several practical issues to consider before abandoning your Class A office space for your house.

In any decision making process, it helps to go back to the pros & cons. In the case of working where you sleep, let's examine the "pro" side:

No office roomies. In other words, barring client visits, you're free to dress casually, listen to music at whatever volume you'd like, eat at your desk, use your speakerphone, burn candles, and otherwise create a work environment that is tailored solely and exclusively to Numero Uno.

No commute. Depending upon where you live, working at home can easily add several minutes up to a few hours of productivity a day. Similarly, you may actually live closer to the places you need to periodically be (court, county clerk's office, client offices, etc.) and thus, could be significantly cutting your out-of-pocket commuting costs.

On the other side of the ledger, you'll need to address:

Interruptions. When working at home, spouses, significant others and/or kids need to respect the home/office distinction. Realistically, the adults in the picture either inherently have the ability to respect this or they don't - and you probably know whether they do already. If they don't, contending with that can be very difficult, and end up affecting both your professional and personal life.

Self-Discipline. For your part, you need to respect that you can't be "on the clock" 24/7. In some ways, working from home can be a big enabler for workaholics because the work is always right there, staring right at you. As lawyers know, setting bright-line rules is usually not a successful approach. However, barring the occasional real client emergency, it is generally possible to set down some general parameters and try to keep business to business hours.

Perception issues. Some clients will not necessarily look favorably upon a lawyer working out of her home, but that perception is changing fast as technology continues to evolve. (The huge, opulent "traditional" office also has its own, sometimes worse, set of perception problems.) In addition, for certain projects like discovery production, due

diligence, deal closings, board meetings, etc., it's possible - and even preferable - to work with the client right at the client's office.

Zoning Or Use Restrictions. That cranky neighbor, or the self-proclaimed King of your Condo Association, will undoubtedly get all bent out of shape if he sees clients periodically coming and going from your home. Be aware that if your property isn't in an area zoned for your practice, you could end up spending a lot of time you didn't plan for doing a bunch of extra favors or seeking variances.

Networking. When working at home, it's easy to get pigeonholed. While social media certainly makes this less of an issue than it once was, "old school" networking is something that can require some additional conscious effort when you're at home. It's important to do all the networking activities (lunches, lectures, schmoozing, etc.) that you'd otherwise be doing if you were working out of a "traditional" office.

However, let's say you've made your decision. Good luck to you! Use the following checklist to make sure you have the critical components necessary to make your working from home experience a success:

- A reliable laptop and scanner (Macs, Lenovos, and Fujitsu ScanSnaps are our recommendation).
- A comfortable office-type chair and desk.
- Web-based practice management software for billing, calendar, contacts, document management and trust accounting.
- A phone system, which can be configured inexpensively with the use of Skype or other options. (Virtual receptionists are also available to help with client service and efficiency at reasonable rates.)

Mike Moore is the CFO and VP of Business Affairs for Rocket Matter (rocketmatter.com), an online legal software product. He is a graduate of SUNY-Buffalo's JD/MBA program, and a frequent contributor to the Legal Productivity blog (legalproductivity.com.)



Please visit www.sclawreview.org/symposium for registration and for more information.

Carolina Clerks is a Pro-Bono Bonus

A new program at the University of South Carolina's School of Law pairs law students with attorneys working on pro bono cases, reinforcing the school's culture of service and professionalism.

Called "Carolina Clerks: Pro Bono Clerks for Pro Bono Lawyers," the program provides second- and third-year law students valuable legal experience and also lends support to attorneys who volunteer their services to help clients unable to pay for services.

Law School Dean Robert Wilcox said Carolina Clerks brings an important dimension to students' legal education.

"When members of the public cannot afford the legal services they need, lawyers often step forward and offer their time for free," Wilcox said. "Carolina Clerks not only helps those lawyers help their clients, but it instills in our students an understanding of the importance of including voluntary service as a part of their professional lives."

Carolina Clerks will assist on research and in drafting documents. Students will not receive payment or course credit for their work and can do research only on pro bono cases.

"Public confidence in the legal system depends upon our having a system to which everyone has access, regardless of their ability to pay," Wilcox said. "Although our students are not yet licensed to provide legal services directly, they gain valuable insight into the practice of law while serving as clerks, and they provide an important service to the state."

Carolina Clerks is part of USC law's highly respected Pro Bono Program which, in addition to providing legal support services for numerous organizations, also includes general volunteer activities, such as sorting food at Harvest Hope Food Bank and tutoring students at Logan Elementary School.

Pamela Robinson, director of the school's Pro Bono Program, which celebrated 20 years earlier this year, says Carolina Clerks expands the program's offerings and deepens its commitment to making a difference.

"Carolina Clerks meshes nicely with existing goals of the Pro Bono Program and builds on a service we have offered for more than 20 years," Robinson said. "Our law students are already signing up and are excited about the opportunity to serve our community and gain first-hand experiences. In no time at all, the volunteer law clerks of today will be the next generation of pro bono lawyers."

South Carolina lawyers interested in working with law students in the Carolina Clerks program should contact Robinson at 803-777-3405 or via email at robinspd@law.sc.edu. For more information about Carolina Clerks and the School of Law Pro Bono Program visit the website: http://law.sc.edu/pro_bono/



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