

Charleston County Bar Association
P.O. Box 21136
Charleston, SC 29413

RETURN SERVICE REQUESTED

PRE SORTED
STANDARD
US POSTAGE PAID
PERMIT NO.536
CHARLESTON, SC

CHARLESTON COUNTY BAR ASSOCIATION

ISSUE #11

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

FALL 2010

PRESIDENT
Randell C. Stoney, Jr.
P.O. Drawer H
Charleston, SC 29402
577-7700

PRESIDENT-ELECT
John A. Massalon
P.O. Box 859
Charleston, SC 29401
727-1144

EDITOR
Mia Lauren Maness
241-243 East Bay Street
Charleston, SC 29401
577-5100

FROM THE PRESIDENT



Dear Fellow Bar Members:

"A lawyer's time and advice are his stock in trade."

- Abraham Lincoln

The axiom is as true at the beginning of the 21st century as when written in the mid 19th century. Lawyers practicing on the defense side of the civil court are acutely aware of accounting for time as a billing necessity, and although the Plaintiff's bar may not have that requirement, its lawyers' time investment is equal if not greater as it usually begins long before a case is filed. It is likewise with all counsel in criminal practice. As lawyers, our time is our "stock in trade." The recent budgetary crisis in our state has significantly impacted our judicial system, and funds formerly available for indigent legal services have been drastically reduced, putting additional pressure on the South Carolina Commission on Indigent Defense and our own Pro Bono Legal Services, Inc.

Pro bono needs are increasing, adding to non-billable time that lawyers routinely donate, and reimbursement funds are depleted. Few, if any, professions are as requiring of its members as ours. The purpose here is to recognize the issue and bring it to our members' attention. Our collective awareness will hopefully assist our collective effort toward a solution, as we balance our obligations to our clients and practices, our personal needs, and the judicial system we serve.

On other matters, your Executive Committee is continuing to develop a partnership with the state mentoring program to facilitate its implementation locally, as evidenced by Jim Myrick's work and contribution in this newsletter. We're also looking forward to an event in late summer or early fall to welcome our new U.S. District Judge Richard M. Gergel and to welcome back our own U.S. Magistrate Judge Bruce H. Hendricks. More on that event will follow. In the meantime stay hydrated.

Sincerely,
Randell C. Stoney, Jr.

JUDICIAL NOTICE

Senior U.S. District Judge Solomon Blatt Jr.

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

After nearly 40 years on the bench, the Honorable Sol Blatt Jr. is the longest-serving judge in the 200-year history of the U.S. District Court, District of South Carolina - and has been since 2006. Like most judges on senior status, Judge Blatt handles a lighter caseload, but it's enough to keep him at the courthouse most days of most weeks. When the bar newsletter caught up with him in August, Judge Blatt was about to celebrate his 89th birthday and was still buoyant about the local Bar, bullish on the state of American jurisprudence, and looking forward to keeping a long-standing date: except for the four years he served in the U.S. Navy during World War II, he's made every Clemson-Carolina football game since 1927. "Seventy nine years," Judge Blatt said. "And Lord willing, I'm going to Clemson this year."

Born: August 20, 1921, Sumter, S.C. (though was raised in Barnwell).

Appointed: May 1971 by President Richard M. Nixon.

Education: A.B., University of South Carolina, 1941; J.D., University of South Carolina, 1946.

Career: U.S. Navy, 1942-46, during which he served in the Atlantic and Pacific theaters on the U.S.S. Fessenden, a destroyer escort; private practice, Barnwell, 1946-71; Judge, U.S. District Court, District of South Carolina, 1971 to present (Chief Judge, 1986-90; Senior Judge, 1990 to present).

Family: Married for 62 years to Carolyn Gayden Blatt until her death in August 2004; three children: Greg Blatt (Greenville), Sara Hooper (Greenville) and Brian Blatt (Columbia); five grandchildren.

1. Hobbies: Fishing, golf and following college athletics.

2. What the Bar would be surprised to learn: As a student at

- DOCUMENT SCANNING
COLOR/BLACK & WHITE
- OCR/PDF CONVERSION
- LOAD FILE CREATION
- DIGITAL PRINTING/BLOWBACKS
COLOR & BLACK AND WHITE
- LARGE FORMAT SCANNING/
PRINTING COLOR/BLACK & WHITE
- PRESENTATION GRAPHICS/CHARTS
MOUNTING ON FOAM BOARD
- CUSTOM TIMELINE CREATION
- MULTIMEDIA SERVICES AUDIO/
VIDEO/DVD/VHS CONVERSION
- LITIGATION FILE COPYING
- COLOR COPYING
- BATES LABELING
- TABS-ALPHANUMERIC
& CUSTOM
- COMPLETE BINDERY SERVICE
- 24/7 SERVICE
- FREE PICK UP AND DELIVERY

PLC
PROLEGAL COPIES
"The One Source for all your Corporate and Legal Copies"


Charleston, SC
843-853-2888


Lafayette, LA
337-233-1646


Mobile, AL
251-433-8777


Pensacola, FL
850-470-9779


Savannah, GA
912-232-9732

ANNOUNCEMENTS

Green & Ford LLC announce the addition of a new partner, **Jon Wallace**. The firm's name has changed to **Green Ford & Wallace LLC**. www.greenfordwallace.com.

Grimball & Cabaniss, LLC is pleased to announce that **F. Truett Nettles, II** has joined the firm Of Counsel. Mr. Nettles will continue his well established practice in bankruptcy, construction, commercial transactions, litigation and commercial real estate. His office is located at 473 Savannah Highway, Charleston, SC 29407.

Jenny R. Moser announces the opening of her practice, **The Moser Law Firm, LLC**, focusing on family law issues, private guardian ad litem work and simple estate planning. The office is located in West Ashley at 1816 Belgrade Avenue, Suite 101, Charleston, SC 29407. Tel. (843) 793-2361; Fax (843) 377-1344; Email: jenny@jennymoserlaw.com.

Reid Green announces the opening of her practice, **E. Reid Green, Attorney at Law, LLC**, focusing on issues related to real property, wills, trusts, probate and family law. Her office is located at 496 Bramson Court, Suite 100, Mount Pleasant, SC 29464. Tel. (843) 654-7574; Email: ereidgreen@me.com.

Office sharing West Ashley: 1327 Ashley River Road. Convenient location ten minutes from downtown. Phones, high speed internet, wi/fi, copier/fax, 2-3 conference rooms, break area, and lots of free parking included. Flexible space starting at \$800.00/month. Good restaurants within walking distance - next to Muddy Waters Coffee Bar. Contact **Cindy** or **Michele** (843) 820-5356, cmfloyd@aol.com.

For Rent: Class A office suites available on Meeting Street Road, Charleston. Located minutes from Court House, Mt. Pleasant, West Ashley and airport. Includes parking, telephone, high-speed Internet, utilities, facsimile, shared receptionist, janitorial, shared conference room and copy service. Contact Amy Rich 843.534.2628 or akr@tecklaw.net. \$850.00/month

Duncan Construction Services

Providing litigation support for Plaintiff & Defense cases.
All matters of construction including -
Scope issues, performance, compliance, contract changes,
safety, and justification for termination
Expert witness
Find us at duncanconstructionservices.com

843-514-4257 • duncantom@bellsouth.net

DSS APPOINTMENTS

Brian T. Warden

will handle your DSS Appointments for a
one-time fee \$250.00 per case.

Call 843-388-1188.

SAVE THE DATE

The Charleston Law Review of the Charleston School of Law and the Riley Institute at Furman University will host their third annual Law & Society Symposium/CLE on February 17-18, 2011. This year's program will explore issues related to the First Amendment, with a focus on freedom of speech. For more information, contact **Professor Will Cook** at wcook@charlestonlaw.edu.

WANTED

If you are a new member of the Charleston County Bar Association and have not submitted a picture for the Lawyer Directory on our website, please do so by e-mailing a picture to:

jholzel@ycrlaw.com

Please check the contact information listed on our website to ensure all information is correct.

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 843.724.6669 /jholzel@ycrlaw.com

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: Mary Christine Chapman Ormand, 81 Mary Street, Charleston, SC 29403. Your support is greatly appreciated.

HURRICANE HUGO

By: Ruth W. Cupp

Hurricane Hugo in September of 1989 was the biggest disaster faced by the local Bar since the Civil War. It blew into the city on the night of September 21, 1989.

The rains began about sundown. The winds blew harder and harder, and by 7:30 pm, the area was without electricity. The storm escalated to the degree that the wooden parts of the old court house began to sway in the wind. At midnight the winds and the rain stopped because Charleston was then in the eye of Hurricane Hugo. Less than half an hour later, the hurricane's fury returned, bringing rain and wind at 145 miles per hour.

On the morning of the 22nd the sun rose on a beautiful day but there was no running water, no telephone, and no electricity. Attorney Bart Daniel recalled, "I came upon other lawyers also headed to the 'Four Corners of Law' to check on their beloved buildings. I teared up when I saw the county courthouse with its roof gone, bricks and wood scattered about, and gaping holes in the walls."

JUDICIAL NOTICE • continued from page 1

USC, Blatt was the Southern Conference champion boxer in the 135-pound weight class. When the Gamecocks' 145-pounder was unable to compete at a match at Presbyterian College, Blatt volunteered to fight in the higher weight class. He remembers how the PC crowd "brought the roof down" for his opponent, who had 88 straight knock-outs. "I remember thinking, I'm going to knock this fellow out and show these people," he recalled. "I went out there swinging, and of course he caught them all. I never touched him. . . I became number 89 in 50 seconds of the first round."

3. Hardest part about being a judge: Sentencing people. "Occasionally, I'll see somebody whom it doesn't bother me to sentence, but 99 times out of a 100, it's hard.... I don't think I'll ever get used to it. They may deserve it, but to deprive someone of their liberty for 20, 30 years, or even 10 years, it's hard."

4. Priceless moments in your courtroom: Years ago, while charging the jury, the foreman suffered a seizure and collapsed. "The defendant was a doctor, and of course he had been told not to have anything to do with the jury, and I had a hard time getting him to go and help the poor lady lying on the floor. He kept saying, 'My lawyer told me not to have anything to do with them.' I didn't know my instructions were that bad."

5. In your courtroom, Do: Know the rules of evidence. "A lawyer who knows the rules of evidence will be far more successful than one who doesn't, or who doesn't know them well."

6. In your courtroom, Don't: Be disrespectful to opposing counsel. "One of the things that hurts the lawyer when

The O.T. Wallace County Office building fared better than the courthouse, but it had six hundred windows blown out. With no electricity, the family court could not process child support checks.

That day Chairman of County Council, attorney Linda Lombard, declared the courthouse unfit for human habitation, thereby canceling the civil trial docket in session and the term of criminal court which was scheduled to begin on October 2.

The county jail suffered no structural damage during Hugo, but there had been a crisis when the jail's emergency power went out. "More than 90 serious offenders had been loaded onto buses to be taken to other prisons. We had another thirty inmates in a hallway when the power went out. That left little room in the jail for suspected looters and curfew violators," said Sheriff Al Cannon.

The next emergency that faced the Bar was to get the courts up and running. The Charleston Bar's heroic efforts were recognized by a Certificate of Merit from the American Bar Association.

he's trying the case - hurts him with the judge or hurts him with the jury - is when the lawyer comes in and isn't courteous. Being courteous, you know, it doesn't cost anything . . . and not trying to belittle your opponent pays off."

7. Most valuable experience: As a practicing attorney, learning the value of preparation. "The thing I learned that helped me most . . . was that I tried to be the best prepared person in the courtroom. That preparation made a lawyer successful 60 years ago when I started, and I think it makes lawyers successful today."

8. What advice would you offer trial attorneys today? "My father used to say that 'hogs get et and pigs get fed.' It's always best if you can settle your case so you don't get et, and you don't get anything. A good settlement, most of the time, is the best procedure to follow because there are very few perfect cases out there. Some, now, but very few."

9. What would you change about the American judicial system? "There are probably a lot of little things, but the judicial system is one of the foundations of this country, and I think it works well. Juries try to do the right thing. Judges try to do the right thing. I think it's a great system."

10. What's your secret for staying sharp and active for so many years? "Staying engaged," he says. "As long as you're enjoying what you're doing, hopefully you'll do it reasonably well. I still like the give-and-take with lawyers. I work with great people. I like to do other things - I like to fish, I like to go athletic events, I like people - but I don't know what I'd do if I didn't have an office, and something to challenge me."

2:08-cv-02546-PMD Joseph R. Barnthouse, M.D. and Dorothy Barnthouse vs. Wild Dunes Resort, L.L.C., Destination Hotels and Resort, Inc., and Lowe Enterprises, Inc.

Attorneys:
 Plaintiffs: M. Dawes Cooke, Jr., Jay Jones and Randell C. Stoney, Jr.
 Defendants: Duke R. Highfield, Brandt R. Horton and Benjamin A. Traywick

Cause of Action: Personal Injury

Verdict: For the Plaintiff Joseph R. Barnthouse, M.D. in the amount of \$115,000.00 actual damages; for the Plaintiff Dorothy Barnthouse in the amount of \$3,000.00 actual damages.

2:08-cv-02555-DCN Robert J. Nagy vs. United States of America

Attorneys:
 Plaintiff: Lindsey W. Cooper, Jr.
 Defendant: Nathan E. Clukey, John H. Douglas, Daniel J. Healy, Gregory S. Seador and Ellen K. Weis

Cause of Action: IRS: Refund of Tax Penalty

Verdict: For the Defendant in the amount of \$2,636,000.00 for penalties imposed under 26 U.S.C. § 6700.

SAVE THE DATE

Charleston County Bar Association
 Annual Meeting and Reception
 February 23, 2010
 Francis Marion Hotel
 5:30 p.m.
 (More information in January 2011)

ASSURANCE PROCESS SERVERS OF SC

Process Service Rates

Peninsula \$40 - Charleston County \$50
 Dorchester County \$55 - Berkeley County \$55
 Fees are flat rate and include 3 service attempts.
 First attempt will be within 3 days of your call.

Additional Fees

Additional Address \$20 (inside delivery areas)
 Local Rush \$30 (First attempt within 12 hours of receipt)

843-278-5588

www.assuranceprocessserversofsc.com
 email us at info@assuranceprocessserversofsc.com

ATTORNEY OFFICE OPTIONS



- Law firm suites
- Single offices
- Listings in Historic District, Mount Pleasant, James Island, and Daniel Island

Featured Listing:
 1040 eWall Street



Chris Cunniffe, JD, CCIM
 (843) 805-8011
 Broker-in-Charge
 Former attorney

- Class A Mount Pleasant office park
- 2 adjacent offices ~ \$1800 per month
- Suite shared with other attorneys

Visit us online: www.harborcityadvisors.com

(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

<p>October 4 9th CPNJ - Harrington Chas CP - Hughston Chas CP - Jefferson Chas GS - Nicholson Chas GS - Young</p>	<p>October 11 Chas CP - Hughston Chas CP - Jefferson Chas CP - Young 9th CPNJ - Nicholson 9th AW - Dennis Berk GS - Harrington</p>	<p>October 18 9th CPNJ/ - Jefferson Chas CP - Dennis Chas CP - Young Chas GS - Harrington Chas GS - Hughston Berk GS - Watson</p>	<p>October 25 Chas GS - Harrington Chas GS - Young Berk CP - Dennis</p>
<p>November 1 9th CPNJ - Young Chas CP - Dennis Chas CP - Jefferson Chas GS - Harrington</p>	<p>November 8 9th CPNJ - Jefferson 9th CPNJ - Nicholson Chas CP - Baxley Chas CP - Dennis Chas GS - Harrington Chas GS - Young</p>	<p>November 15 9th CPNJ.- Harrington PCR Chas CP - Hughston Chas CP - Jefferson Chas GS - Nicholson Chas GS - Young Berk CP - Dennis Berk GS - Watson</p>	<p>November 22</p> <p>November 29 Chas CP - Dennis Chas GS - Jefferson Chas GS - Young Berk GS - Harrington</p>
<p>December 6 9th CPNJ - Young 9th CPNJ - Nicholson Chas CP - Hughston Chas GS - Jefferson Chas GS - Harrington Berk CP - Dennis Berk GS - Watson</p>	<p>December 13 9th CPNJ - Nicholson Chas CP - Dennis Chas CP - Young Chas GS - Hughston Chas GS - Jefferson Berk GS - Harrington</p>	<p>December 20</p>	<p>December 27</p>

CIRCUIT COURT - FIRST JUDICIAL CIRCUIT

<p>October 4 1st CPNJ - Goodstein</p>	<p>October 11 Dor GS - Goodstein</p>	<p>October 18 Dor GS - Goodstein</p>	<p>October 25 Dor CP - Goodstein</p>
<p>November 1 1st CPNJ - Dickson Dor CP - Goodstein</p>	<p>November 8 Dor GS - Goodstein</p>	<p>November 15 Dor GS - Goodstein</p>	<p>November 22</p> <p>November 29</p>
<p>December 6 1st CPNJ/ - Dickson PCR Dor GS - Goodstein 1st CPCR - Earl</p>	<p>December 13 Dor GS - Goodstein</p>	<p>December 20</p>	<p>December 27</p>

FAMILY COURT - NINTH JUDICIAL CIRCUIT

<p>October 4 Chas - McMahon Chas - Garfinkel Chas - Cate Berk - Creech Berk - Landis</p>	<p>October 11 Chas - McMahon Chas - Smoak Chas - Cate Berk - Landis</p>	<p>October 18 Chas - McMahon Chas - Cate Chas - Garfinkel Berk - Landis</p>	<p>October 25 Chas - McMahon Chas - Garfinkel Chas - Cate Berk - Landis</p>
<p>November 1 Chas - McMahon Chas - Garfinkel Chas - Woods Chas - Cate Berk - Jenkinson Berk - Creech Berk - Landis</p>	<p>November 8 Chas - McMahon Chas - Murdock Chas - Garfinkel Chas - Cate Berk - Creech Berk - Landis</p>	<p>November 15 Chas - McMahon Chas - Garfinkel Chas - Woods Chas - Cate Berk - Creech Berk - Landis</p>	<p>November 22</p> <p>November 29 Chas - McMahon Chas - Garfinkel Chas - Cate Chas - Vinson Berk - Landis Berk - Creech Berk - Smoak</p>

FAMILY COURT - NINTH JUDICIAL CIRCUIT

December 6 Chas - McMahon Chas - Garfinkel Chas - Cate Chas - Long Berk - Creech Berk - Landis	December 13 Chas - McMahon Chas - Cate Chas - Garfinkel Berk - Landis Berk - Creech	December 20	December 27
---	---	--------------------	--------------------

FAMILY COURT - FIRST JUDICIAL CIRCUIT

October 4 Dor - McLin Dor - Wylie	October 11 Dor - Wylie	October 18 Dor - Wylie Dor - McLin	October 25 Dor - McLin Dor - Wylie	November 1 Dor - Wylie Dor - McLin	November 8 Dor - McLin	November 15 Dor - McLin Dor - Wylie	November 22	November 29 Dor - Wylie Dor - McLin
December 6 Dor - Wylie	December 13 Dor - Wylie Dor - McLin	December 20 Dor - Wylie	December 27					

CHARLESTON COUNTY BAR SEEKS MENTORS

The Charleston County Bar is partnering with the South Carolina Commission on Continuing Legal Education and Specialization (Commission) to help provide mentors in Charleston County. These mentors will be instrumental in perpetuating the quality of practice and civility for which Charleston is famous. Please consider whether you could be "part of the solution" by guiding a young attorney along his or her way.

First, some background.

In December of 2008, the Supreme Court issued an Order establishing the Lawyer Mentoring Second Pilot Program. This program is mandatory for all new lawyers in South Carolina admitted between March 1, 2009 and December 31, 2010.

The program pairs new lawyers with more experienced lawyers to help with the transition from the academic world to the practice of law. In its design, the program is meant to help new lawyers learn the practical aspects of the profession, develop professional relationships within the legal community, and develop practical skills to be successful in the profession.

The Commission administers the mentoring program. While the new lawyer has the ability to ask a qualifying lawyer to serve as his or her mentor, the Commission has become aware that many new lawyers do not have mentors. **Donette Welch**, Assistant Director for the Commission, has been designated as the Mentoring Coordinator and is available to answer questions about the program. She is also available to assist in making the arrangements establishing the mentor relationship with the new lawyer. She can be contacted at **(803) 799-5578** or by email at **commcle@bellsouth.net**. Additional information regarding the mentoring program can be found on the Commission's website at **www.commcle.org**

The need for mentors is critical and through your participation in the mentoring program you will be providing a great service to the court, the legal community and the public. Not only will a lawyer's participation as a mentor serve as a mechanism to improve the quality of our profession, but it will also automatically qualify the mentoring lawyer to receive four (4) hours of CLE credit to include two (2) hours of legal ethics once the mentoring period is complete.

Thank you in advance for your consideration of this exciting project.

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 843-724-6669 /jkemp@yclaw.com

2007-2008 Advertising Rates	SIZE	COST
	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)

08-CP-10-0069 Dudley N. Carpenter and Jane G. Carpenter vs. Charles L. Measter and Barbara P. Measter

Attorneys:
Plaintiffs: Thomas C. Hildebrand, Jr.
Defendants: James A. Stuckey, Jr.

Cause of Action: Contract - Other

Verdict: For the Plaintiffs in the amount of \$65,000.00 actual damages.

08-CP-10-2025 Kenneth Glasson vs. Robert Miller

Attorneys:
Plaintiff: John E. Parker and Barrett Brewer
Defendant: Mark A. Mason and Eugene P. Corrigan, III

Cause of Action: Assault/Slander/Libel

Verdict: For the Plaintiff on the cause of action for defamation in the amount of \$600,000.00 actual damages and \$250,000.00 punitive damages; for the Plaintiff on Defendant's counterclaims.

08-CP-10-3461 Alice Denise Benjamin, Alice Denise Benjamin, as Parent and Guardian Ad Litem of Ezdies Benjamin, a minor under the age of 18 years vs. The Estate of Myra Jenkins Reed

Attorneys:
Plaintiffs: Glen Walters
Defendant: Julian K. Allen

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff Alice Denise Benjamin in the amount of \$17,500.00 actual damages; for the Plaintiff Ezdies Benjamin in the amount of \$3,000.00 actual damages.

08-CP-10-4134 Arline Derricotte vs. Brenda G. Scott

Attorneys:
Plaintiff: Jackson S. Whipper
Defendant: Natalie Byars Fisher

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff in the amount of \$49,159.00 actual damages.

09-CP-10-1890 Gene F. Schwartz vs. Michael B. Frazier

Attorneys:
Plaintiff: Pro Se
Defendant: James D. Smith, Jr.

Cause of Action: Motor Vehicle Accident

Verdict: For the Defendant.

09-CP-10-2635 Tressa Denise Page vs. Monique Terri Simons

Attorneys:
Plaintiff: James B. Brauchle
Defendant: Max G. Mahaffee

Cause of Action: Motor Vehicle Accident

Verdict: For the Defendant.

09-CP-10-3413 Adrienne K. Kalenak vs. Hayley Tindall

Attorneys:
Plaintiff: Gary A. Ling
Defendant: Benjamin B. Davis

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff in the amount of \$14,738.00 actual damages.

JURY VERDICTS - FEDERAL

(Information supplied by Clerk of Court's Office)

2:07-cv-02694-CWH Lori Washington vs. Hilton Hotels Corporation, d/b/a Hampton Inn

Attorneys:
Plaintiff: Brian D. Phelan and Sallie P. Phelan
Defendant: Paul H. Derrick and Stephanie E. Lewis

Cause of Action: Job Discrimination (Employment)

Verdict: For the Plaintiff in the amount of \$10,000.00 past pecuniary losses and \$10,000.00 other compensatory damages.

PRO BONO MOMENTS

By: **Marvin H. Feingold**

Director/Legal Counsel
Pro Bono Legal Services

It has been a personal honor to be involved in the start-up in November of 2005 of the Charleston Bar's foray into the business of actively facilitating and supporting *pro bono* service among its members. Most satisfying for me, personally, has been working with the more than three hundred volunteer attorneys who have served *pro bono* in cases, large and small, all of immeasurable value to the clients whose lives have been impacted by the legal system.

Today Pro Bono Legal Services, Inc. (PBLs) is at a crossroad in funding. While we have enjoyed the steadfast support of the Charleston County Bar Association and Charleston city and county governments, our one-time federal funding is about to expire. To sustain this office into the future will require the commitment of the Charleston legal community.

The Charleston model represented by PBLs was designed locally and is unique in its approach to the delivery of "legal aid" in civil cases. Combining a "brokerage" of appropriate and worthy legal cases among low-income clients and private bar volunteers, along with an in-house delivery system of direct brief service and advice, has resulted in the provision of over 3,000 units of service since the program's inception.

PBLs has become a relied-upon institution, a fixture in the Charleston justice system. Each day clients are referred to PBLs's office by: clerks of court, police agencies, the Social Security Administration, the Department of Social Services, and many others. A "justice gap" continues to exist in Charleston, as elsewhere in the country, but the gap has been significantly ameliorated by PBLs's activities.

PBLs has also worked actively with the Charleston School of Law to promote clinical opportunities for law students to hone their practice skills while contributing their time to the *pro bono* mission. The production of two seminars for summer law interns each summer over the past four years has been very well received. We have also administered the Ackerman Summer Law Fellowships program, which is funded by the Ackerman and Yaschik Foundations and employs six law students recruited regionally.

One idea from this past summer's Ackerman program has emerged from the enormous value derived by these interns from in-court observation. The idea involves installing cameras and sound systems in courtrooms which can be "piped" into a classroom at the Charleston School of Law. These telecasts can be broadcast at all times while courts (family court, circuit court, small claims, etc.) are in session unless the judge chooses to exclude the proceedings. Such an arrangement would require the approval of the Supreme Court and the cooperation of the clerk's office, the local judiciary, and the Charleston School of Law. Considering the deficit in practical knowledge of new attorneys, such an idea is worthy of consideration.

PBLs's federal funding ends on December 31, 2010. We have a plan for sustaining the program which includes seeking continued governmental and private foundation funding (Charleston County Bar Association and local governments have generously supported PBLs throughout), along with substantial contributions from private firms and individual lawyers. We hope you will consider us in your end-of-year contributions and otherwise actively support this program.

CHARLESTON PRO BONO  LEGAL SERVICES, INC.

2010 GIFT

LAWYER or Firm Name:

Contact: _____ Address: _____

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.

IN THE MASTER IN EQUITY COURT

SOUTH CAROLINA
CHARLESTON COUNTY

Administrative Order Regarding Charleston County Master in Equity Actions

WHEREAS this court has seen a significant increase in the number of cases referred to this office and, after consultation with the Master in Equity Bench/Bar Committee, in an effort to manage an ever-increasing docket of foreclosure and non-jury matters,

I FIND that the fair and efficient administration of justice requires this court to implement a case flow management system to track the status of cases referred which requires the use of new Administrative Forms and Pre-Trial Orders, and

IT IS THEREFORE ORDERED:

1. Upon referral of a case to this court, Plaintiff's counsel shall submit a Charleston County Master in Equity **Referral Form** to this court for determination as to whether the matter can be concluded within a period of 90 days.
2. Any subsequent party to the action shall file the **Referral Form** with the court upon appearance therein.
3. A status conference shall be set by the court, within 90 days of receipt of the referral form, for any case which will take longer than 90 days to complete.

4. At the status conference, the parties shall appear through their counsel with a proposed **Scheduling Order** in hand. The court will issue its **Scheduling Order** at the status conference. All deadlines in the **Scheduling Order** shall be met, and attendance at a **Pre-Trial Conference** required, before the matter will be set for trial.

5. At the **Pre-Trial Conference**, upon determination by the court that all Pre-Trial deadlines have been met, an **Order for Trial** shall issue which sets a date certain trial within 30 to 60 days of the conference.

IT IS FURTHER ORDERED:

In an effort to fulfill this court's directive, the following **Form Orders** will be made available online at www.charlestoncounty.org for download and submission to the court:

1. **Charleston County Master in Equity Referral Form**
2. **Scheduling Order**
3. **Order for Trial**

This order shall take effect on July 1, 2010.

IT IS SO ORDERED!

MIKELL R. SCARBOROUGH
Charleston County Master in Equity

June 30, 2010
Charleston, SC

RIDE IT OUT

**Reliable, Affordable & Confidential
Transportation Services**

Do you have Clients who have lost their privilege or ability to drive?



Specialized Transportation For Attorneys' Clients:

*Individuals Accused of DUI
ADSAP Classes
AA Meetings
Individuals Unable to Drive*

- Remove the stress & inconvenience your client's experience while recovering their driving privileges
- Provide transportation to and from work for your clients until a provisional or route restricted license is approved
- Provide transportation to your clients while they seek medical attention or therapy and are unable to drive
- Provide your clients transportation to and from your office and court appearances



843-849-RIDE (7433)

www.JustRideItOut.com