

University of South Carolina School of Law

and

Richland County Bar Association

Present

**The Annual Free CLE Ethics  
Seminar**

Friday, October 27, 2017

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## AGENDA

- 8:00 - 8:30 am Registration: Check-in
- 8:30 - 8:45 am Introduction  
The Honorable Jocelyn Newman  
Judicial Circuit Court, At-Large Seat #10
- 8:45 - 9:30 am Ethical Issues in Criminal Law Panel  
Jason P. Peavy, Esq.  
S. Harrison Saunders, VI, Esq.  
J.D. Rowell, Assistant U.S. Attorney  
James H. May, Assistant U.S. Attorney
- 9:30 - 10:15 am Lawyers as Employers & Supervisors  
Malissa Burnette, Esq.
- 10:15 - 10:45 am 2017 Year in Review: An Update on Ethics  
Advisory Opinions in South Carolina  
Michael J. Virzi, Esq.
- 10:45 - 10:50 am South Carolina Bar Foundation  
Megan S. Seiner, Executive Director
- 10:50 - 11:00 am Break
- 11:00 - 12:00 pm Emotional Intelligence for Lawyers  
Henry Deneen, Esq.

## SPEAKER BIOGRAPHIES

**Judge Jocelyn Newman** was born in Cleveland, Ohio in 1977 to fellow Circuit Court Judge, the Honorable Clifton Newman and Patricia Blanton Newman.

She attended public school in Columbia, where she graduated from Spring Valley High School. After beginning her college career at Duke University, she ultimately earned a Bachelor of Science in mathematics from the University of South Carolina.

Judge Newman attended law school at Howard University in Washington, D.C., where she was a Merit Scholar. While in law school, she completed a judicial internship for the Honorable Reggie B. Walton of the United States District Court for the District of Columbia. Judge Newman received her Juris Doctor in 2004 and was admitted to the South Carolina Bar the same year. She is also admitted to practice in the United States District Court for the District of South Carolina and the Fourth Circuit Court of Appeals.

Judge Newman began her legal career as a judicial law clerk for now-retired Circuit Court Judge, the Honorable G. Thomas Cooper, Jr. She also served as an Assistant Solicitor for the Fifth Judicial Circuit before entering private practice with the law firm of Richardson Plowden & Robinson, P.A. in Columbia. Judge Newman left Richardson Plowden in late 2015 and was subsequently elected to the Circuit Court bench on February 3, 2016.

Judge Newman has been very active in the legal community. She has served on the Board of Directors of the South Carolina Bar Foundation, as a Member of the Friends Advisory Board of the Ronald McDonald House, as an Associate Member of the South Carolina Board of Law Examiners, and as a member and treasurer for the John Belton O'Neall Inn of Court. She is a member of the Richland County Bar Association, S.C. Black Lawyers Association, S.C. Women Lawyers Association.

Judge Newman is also a member of Alpha Kappa Alpha Sorority, Inc. and American Mensa. She attends I. DeQuincey Newman United Methodist Church in Columbia.

**Jason Peavy** received his B.S. in Business Administration from the Citadel in 1998 and his J.D. from the University of South Carolina in 2001. Mr. Peavy worked in private practice in Beaufort, South Carolina until joining the South Carolina Attorney General's Office in 2003. He began his work at the Attorney General's Office prosecuting fraud cases involving the insurance industry and thereafter was selected for the State Grand Jury Division where he handled multi-county drug conspiracies, public corruption matters and securities fraud cases. Mr. Peavy entered private practice in 2008 and concentrates his practice on representation of criminal defendants in both state and federal courts. Mr. Peavy is a member of the South Carolina Bar House of Delegates and also serves as the Mentor Coordinator for the United States District Court Drug Court (Columbia Division).

**S. Harrison Saunders, VI** is a sole practitioner in Columbia, South Carolina practicing in the areas of criminal defense and personal injury. He earned a Bachelor of Arts degree in Theatre from the University of South Carolina in 1996. After living in New York, pursuing a career as an actor, he returned to the University of South Carolina School of Law. He earned a Juris Doctorate in 2002. After beginning his career at the Law Offices of Jack B. Swerling, then with Reeves and Saunders, he opened the Law Office of S. Harrison Saunders, VI in 2009. Some of his memberships and affiliations include the Richland County Bar Association, the South Carolina Association of Criminal Defense Lawyers, and the South Carolina Association for Justice. Harrison is the co-creator of the SC Bar "Sidebar SC" series and has participated in several continuing legal education programs.

**Assistant U.S. Attorney J. D. Rowell** graduated from Wofford College in 1999. He received his Juris Doctor Degree from the University of South Carolina in 2002. Prior to joining the U.S. Attorney's Office in September 2006, he served as an Assistant Solicitor in the 13<sup>th</sup> Circuit Solicitor's Office from 2002-2006.

Since joining the US Attorney's Office in 2006, Mr. Rowell has been assigned to the Organized Crime and Drug Enforcement Task Force (OCDETF) and has primarily focused his practice in the area of complex drug trafficking investigations and prosecutions. In addition to drug trafficking prosecutions, Mr. Rowell has also prosecuted several cases using the Racketeering Influenced and Corrupt Organizations (RICO) statute, including the prosecution of former Lee County Sheriff E.J. Melvin and a large multi-defendant Bloods Street Gang prosecution involving over 39 members and associates of that gang. In October 2013, United States Attorney Bill Nettles appointed Mr. Rowell to the position of Lead OCDETF Attorney. In that role, Mr. Rowell coordinated the approval of OCDETF investigations for the District of South Carolina, reviewed all OCDETF Title III wiretap affidavits prior to their submission to the Office of Enforcement Operations, and he coordinated the scheduling of Quarterly OCDETF District Coordinating Committee meetings.

In September of 2016, Acting U.S. Attorney Beth Drake appointed Mr. Rowell as Deputy Chief-Violent Crimes Section of the Criminal Division. In this capacity he supervises the 7 AUSAs and numerous Assistant Solicitor/SAUSAs who are primarily responsible for the prosecution of violent crimes in the District.

**Assistant U.S. Attorney Jim May** graduated from Vanderbilt University with a B.S. in 2002 and a M.Ed. In 2004. He received his Juris Doctor Degree from the University of South Carolina in 2007. Prior to joining the U.S. Attorney's Office in May 2012, he served as an Assistant Public Defender in the Richland County Public Defender's Office from 2007-2012 where he represented over 2,500 defendants.

Since joining the US Attorney's Office in 2012, Mr. May has enjoyed a wide range of investigations and prosecutions from complex white-collar investigations to public corruption to the targeted enforcement of drug trafficking organizations. Of note, Mr. May has been involved in prosecutions under Racketeering Influenced and Corrupt Organizations (RICO) of a criminal enterprise operating out of North Augusta known as the Travelers of Murphy Village and the Nomad Hells Angels Chapter of South Carolina. Mr. May has also been involved in the prosecutions of former Lexington County Sheriff Jimmy Metts, of a local police chief, numerous multi-million-dollar fraud cases, sovereign citizen groups, as well as he tried the first human trafficking case in South Carolina to jury verdict.



**M. Malissa Burnette** is a partner in the Burnette Shutt & McDaniel law firm in Columbia. She graduated from the University of South Carolina 1971, and the USC School of Law in 1977. She was admitted to the South Carolina Bar in 1977, the U.S. District Court for the District of South Carolina in 1978, the U.S. Court of Appeals for the Fourth Circuit in 1978, and the United States Supreme Court in 1998. Ms. Burnette is a member of the Richland County Bar Association, the South Carolina Association for Justice, and the Federal Bar Association.

Ms. Burnette has been a Certified Specialist in Employment and Labor Law since 1993. She practices in the state and federal courts, primarily representing individuals in complex employment cases involving discrimination, civil and constitutional rights, breach of contract, restrictive covenants, employment-related torts, wage payment claims, and academic tenure and promotion matters. She also represents small businesses and non-profit organizations, and practices family law. Ms. Burnette is a Certified Federal Court Mediator and an arbitrator.

Ms. Burnette is the co-author and -editor of all four editions of Labor and Employment Law for South Carolina Lawyers, published by the South Carolina Bar in 1999, 2004, 2007 and 2011.

In October 2016, Ms. Burnette received the SC Women Lawyers Association's top honor, the Jean Galloway Bissell award. Ms. Burnette has been recognized by her peers for excellence in the fields of employment law, civil rights law, and alternative dispute resolution by being named one of The Best Lawyers in America, 2005-2017. She has been recognized in *South Carolina Super Lawyers* in the category of Plaintiff's Employment Litigation, 2008-2017, with the publication featuring her career as its cover story, entitled "Undaunted", in its 2015 edition. In 2011, the SC Bar's Employment and Labor Law Section tapped Ms. Burnette to receive the organization's first Distinguished Lawyer Award. She has served as President of the S.C. Women Lawyers Association (2001), Chair of the S.C. Bar's Judicial Qualifications Committee (1999-2000 and 2000-2001), Chair of the S.C. Association for Justice's Employment Law Section (1990-1995 and 2001-2004), and President of the Senior Lawyers Division of the SC Bar (2015-2016). Ms. Burnette has presented over 60 continuing legal education programs.

Lt. Gov. Nancy Stevenson, the first woman elected to hold statewide office in South Carolina, selected Ms. Burnette to serve as her Chief of Staff, 1978 - June 1982. Ms. Burnette managed Travis Medlock's campaign for Attorney General in the 1982 general election, then established her first private law practice. Ms. Burnette has continued in private practice since 1982.

Ms. Burnette has been involved in several ground-breaking cases, including *Mellette v. Jones*, which opened the doors of The Citadel to female students, and *Tara Bailey v. SC High School League*, which allowed girls in South Carolina public schools to play contact sports. In 2014, she represented Police Chief Crystal Moore of Latta, SC, and achieved her reinstatement. Chief Moore had been fired by the Mayor, who was caught on tape in a homophobic tirade. In 2014, Ms. Burnette was one of the lead attorneys in *Condon and Bleckley v. SC Attorney General Alan Wilson*, South Carolina's marriage equality lawsuit that was upheld by the United States Supreme Court in June 2015.

The University of South Carolina featured Ms. Burnette's life and career in its 2013 "No Limits" series for Caroliniana Magazine to encourage USC graduates to "step in and speak up" as advocates against discrimination and unfairness. In 2015, *The Columbia Free Times* named Ms. Burnette one of "Fifty People Who Get Things Done in the Capital City." In January 2016, *Columbia Business Monthly* listed her among "50 Most Influential People." Her account of a disturbing encounter with the KKK as a teenager was aired by SC Public Radio in November 2016 as part of the StoryCorps project.

Ms. Burnette has long been active in community and national organizations, including service on the Board of SC Equality, and volunteer work with Sexual Trauma Services of the Midlands, WREN, and Planned Parenthood. She is a founding member of Emerge. Ms. Burnette is married to Michael G. LeFever. Their daughter, Grant Burnette LeFever, is a third-year student at the USC School of Law.

**Michael J. Virzi** Has been a Legal Writing Instructor at the University of South Carolina School of Law for the past eight years, and he also teaches courses in Professional Responsibility and Law Practice & Professionalism. A former Assistant Disciplinary Counsel for the South Carolina Supreme Court, Michael's professional background is in lawyer discipline, ethics, and malpractice, and he currently represents attorneys in disciplinary proceedings and matters of lawyer ethics. Michael serves on the South Carolina Bar's Professional Responsibility and Ethics Advisory Committees, the latter of which he chaired from 2007-2010. Michael is also an instructor for the Supreme Court's Legal Ethics and Practice Program and is a frequent CLE speaker and guest lecturer on matters of the ABA Center for Professional Responsibility, the Association of Professional Responsibility Lawyers, and the South Carolina Association of Ethics Counsel. Michael graduated *cum laude* from the University of South Carolina School of Law in 2000.

**Henry L. Deneen** joined Murphy & Grantland in July 2016 and serves in an Of Counsel capacity.

He began his legal career as a litigator in private practice, later being appointed a municipal judge for the city of West Columbia, SC. He served as Chief Legal Counsel for then South Carolina Governor, David M. Beasley from 1995 through 1997. Beasley and Deneen co-founded The Center for Global Strategies, Ltd. (CGS), a non-profit organization connecting businesspeople to international initiatives. He currently serves as the Executive Director of CGS. Deneen most recently served as President of Greater Europe Mission, during which time he earned a Doctorate in Executive Leadership, with a focus on Emotional Intelligence.

A South Carolina native, he serves clients in matters involving the defense of South Carolina businesses and through mediation primarily in the upstate from his home in the Greenville area.

Deneen is certified as a Mediator in South Carolina Circuit, Family, and Probate Courts. He received his Juris Doctor from the University of South Carolina School of Law. He and his wife, Celia, have been married for over 30 years and have four children: Laura, Lee, Leslie and Layna.