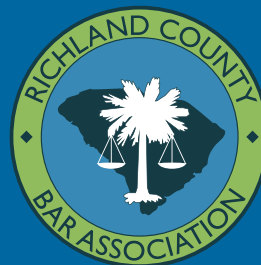


# RICHBARNEWS

Newsletter of the Richland County Bar Association



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## UPCOMING EVENTS

### Judicial Reception

Columbia Museum of Art

Thursday, August 22

5:30 PM

Register online at

<http://rcba.eventbrite.com>

### SAVE THE DATE 2013

#### Free Ethics CLE

Friday, November 1

#### Annual Meeting &

#### Holiday Party

Columbia Museum of Art

Thursday, December 12



## From the President, Ian McVey

I must confess that I was a little late submitting my article for this edition of the newsletter. I was in fact two weeks over the deadline. My apologies to all of you who are waiting with bated breath for the newsletter. To say that things have been a little crazy lately would be an understatement; however, that is a flimsy excuse.

Something happened to me recently that made me give some thought to our obligations under the Lawyer's Oath. In particular, I began to think about our obligations related to civility as well as our obligation to maintain the dignity of the legal system.



As all of you know, our oath contains this pledge: *to opposing parties and their counsel, I pledge fairness, integrity, and civility, not only in court, but also in all written and oral communications.* It further provides: *I will maintain the dignity of the legal system and advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which I am charged.* You will note that both of portions of the oath seem to limit our obligations merely to our practice. However, I question whether that is a good idea, or even the intent of the oath. Do we owe an obligation of civility and dignity in our everyday lives to others around us? I would submit that we do.

Here comes the part where I call myself out. Recently, I was driving south on US 17 from McClellanville to Charleston to pick up my wife and younger child before we headed back to Columbia. Well, as I was driving south past Bulls Bay Golf Club, a guy in a four-door Porsche pulled right out in front of me as I was moving along at about 60 miles per hour. There was no one behind me, and he could have waited. But he didn't. Apparently, he was unconcerned as to what my Suburban would do his Porsche. As I am embarrassingly prone to do, I laid on the horn. This resulted in the gentleman in the Porsche engaging me in some sign language with which you probably are familiar. I hate to tell you this, but I may have engaged him back as well...

As I continued to drive on down the road fuming that someone would have the audacity to pull in front of someone traveling down the road at 60 miles per hour, I realized that there was no need for me to lay on the horn. I was not laying on the horn so as to avoid a crash. Nor was I trying to protect myself or any of my passengers. In fact, my only passengers were two yellow labs. I was merely trying to express my displeasure at somebody for doing something that I found to be objectionable. Likewise, engaging the gentleman in our little game of sign language was also ridiculous behavior on my part. In short, it was unacceptable, and my mother raised me to know better.

continued on page 3...

- PAGE 1 -

## From the Editor, Dave Maxfield



A 2007 Honda Pilot has a total cargo capacity of 87 cubic feet. That didn't stop my wife and me from loading it with 115 cubic feet of beach toys (plus three kids). You can load lots of equipment in a car when you don't care about breaking it (which you don't when you're running three hours behind schedule and you're furious at everyone). Jumping off a ladder makes closing the tailgate easier, too.

My kids don't know how easy they have it with their DVD's, iPads, and iPods. God knows what else they have way back in the car. For all I know, they might be grilling paninis back there.

Back in the old days, when my younger sister and I were crammed into the back of my parents' Audi Fox, our main form of entertainment was patrolling the DMZ/Line of Death demarcating our seats and punishing each other's incursions. But we did have one thing that my kids don't -- Archie Comics Super Special Digests.

Archie Comics were great - and the Super Special Digests were even better because they were way longer. Like a whole Reader's Digest full of comics. There was only one problem with Archie Comics. The author/illustrator was extremely religious. Nothing wrong with that, of course, except when juxtaposed with his incredibly curvaceous renderings of Betty and Veronica. So outrageous were they that my sister's envious Barbie dolls eventually were forced to seek treatment for Body Dysmorphic Disorder.

The result of this dichotomy was that there were two kinds of Archie Comics - the "normal" ones (where Archie invites Veronica to the malt shop) and the "other" ones where Archie invites Veronica to a full immersion baptism. Problem was, the covers of the two comics looked IDENTICAL, and we never knew which kind mom had given us until we were halfway down the road, halfway through the comic, and it was too late.

Sometimes you don't get what you're expecting. Kind of like this article. It started light, but you're halfway through now and it's suddenly about to turn serious.

Those iPads and cell phones that the kids in the back of the car are clicking and chatting away upon (the same things we do in our work every-day) make a LOT of data. I've talked before about the NSA's data center

in Utah, and what it might be used for. Well, now we know, don't we? Our data is being stored and indexed for some possible later use by our government.

Used how? We don't know the answer to that yet. But we all know how discovery works in litigation: cast as broad a net as possible, find the good stuff, and use it to argue a position. That's our job, and the process is fair because courts limit the size of our nets and because we are actively opposed by an advocate for the other side on a generally level, public playing field. But how fair would that process be if one side's "net" was all-encompassing? And what if the playing field was not level? And if the proceedings themselves took place in a "secret" court? Like the one that reportedly ordered Yahoo to cooperate with the NSA's PRISM program in 2008. (Yahoo argued that it was an unconstitutional search and seizure and lost).

Speaking of losing things, let me tell you a brief story to lighten things up just a bit. A couple of months ago I was in Chicago, in a cab heading towards O'Hare to catch my plane home. It was already going to be tight, when I realized halfway there that I'd lost my wallet in the hotel. Cab driver gets me back to the hotel. I find my wallet, jump in, and off we speed.

Right through a stop sign. Right past a Chicago Police Officer. Blue lights come on. We pull to a stop at the curb, all thoughts of getting home evaporating like the steam off my hotel coffee. Then something miraculous happens - the officer, who clearly has the cabbie dead to rights and who holds absolute power in this situation - lets the cabbie off with the briefest of warnings. I make my plane and get home to my family.

That's a wonderful reminder that people with absolute power can be awfully restrained and decent in its exercise. It actually happens every day. Governments, on the other hand, have a lousy track record with absolute power. Which brings me back to the NSA scandal. What we've seen is key pillars of a Constitution that have stood for 225 years erode in a span of less than 12 (and "erode" is too generous a term here because it implies a visible disintegration; "ignored" is more accurate). We are getting to the point where all we can hope for is that a government, approaching the limits of absolute power, will stay "nice" and not use our data against us if it decides to move the line dividing free-speech dissent from "security threat."

Whether we choose to accept a continued hope for "nice" as good enough will determine what kind of country those kids in the back of the car inherit. We are supposed to be the ones driving, after all. Well, sorry for pulling an "Archie" on you. Blame my mom.

- PAGE 2 -

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## From the President

(...continued from page 1)

I have been lucky enough to attend schools that always made an honor code a big deal. From middle school on, I have been taught not to lie, cheat, steal or tolerate those who do. I further learned that my obligations under the honor code did not end when I walked off the campus for the evening, weekend or after graduation. It continued on in your dealings in everyday life as they do so today. We have a similar code of ethics that we live by in our practice.

Why, then, is it that the obligations of civility and dignity don't carry on in our everyday lives? I would submit to you that they do. Our obligations, not just as lawyers, but as professionals, extend to all of those in the community around us regardless of whether they are a client or the opposing party. Our obligation to conduct ourselves with dignity is not just limited to our professional lives. After all, your professional life is only one part of you. We are all husbands, fathers, wives, mothers, children and, more importantly, members of this society. We owe it to ourselves and all those around us a duty of civility and dignity.

So to the gentleman in the Porsche that I so mightily offended this past weekend, I apologize. That was very unbecoming of me and poor behavior. That being said, please look both ways before you pull out in front of me the next time. You scared the heck out of my dogs.

*Ian McVey can be reached at [ianmcvey@callisontighe.com](mailto:ianmcvey@callisontighe.com).*



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## ONLINE MEMBER DIRECTORY

Please help us have a more complete online member directory! If you go to the Member Directory on [www.richbar.org](http://www.richbar.org) 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 [rcba@scbar.org](mailto:rcba@scbar.org). We will add the new information to the website as quickly as possible.

# Richland County Probate Court Announcements

by Michael J. Polk, Esquire

The Richland County Probate Court would like to make the following announcements:

The Probate Code revision bill (S.143) was signed into law on June 7, 2013. It becomes effective on January 1, 2014.

Judge McCulloch will be conducting seminars specifically tailored to address the changes to the Probate Code beginning in August 2013. The dates of these seminars have not yet been scheduled, but when they are scheduled, the dates will be sent to everyone via e-blast, and will also be published in the Court's next newsletter and advertised on our website - <http://www.richlandonline.com/Government/Courts/ProbateCourt.aspx>.

In the meantime, please remember that Judge McCulloch conducts quarterly workshops in which she discusses the entire probate process to include estate administration, estate planning documents, trusts, guardianships and conservatorships. There is a \$30.00 registration fee for attorneys who attend and want to receive 2.75 hours of approved CLE credit. There is no registration fee for your staff or the public. The workshops for the remainder of 2013 are scheduled for September 20,

2013, and December 13th, 2013. If you are interested in attending or are interested in sending your staff to a workshop, please email Debbie Byers at [byersd@rcgov.us](mailto:byersd@rcgov.us) to register.

Although not directly probate related, it is worth looking at the SC Supreme Court's Order dated February 11, 2013, related to succession planning for lawyers, and at new Rule 1.19, RPC, Rule 407, SCACR. The rule provides:

## **Rule 1.19: Succession Planning**

(a) Lawyers should prepare written, detailed succession plans specifying what steps must be taken in the event of their death or disability from practicing law.

(b) As part of any succession plan, a lawyer may arrange for one or more successor lawyers or law firms to assume responsibility for the interests of the lawyer's clients in the event of death or disability from practicing law.

continued on page 5...



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## Richland County Probate Court (...cont'd from pg. 4)

Such designation may set out a fee-sharing arrangement with the successor. Nothing in this rule or the lawyer's designation shall prevent the client from seeking and retaining a different lawyer or law firm than the successor. The lawyer to be designated must consent to the designation.

(c) A registry shall be maintained by the South Carolina Bar. The successor lawyer(s) shall be identified on the lawyer's annual license fee statement.

The amendments in the Order are effective July 1, 2013. Check out [www.scbar.org/pmap](http://www.scbar.org/pmap) for additional forms and information regarding succession

planning. The purpose of the rule is explained in the order: "This rule, which was based on a rule originally proposed by the South Carolina Bar, encourages lawyers to prepare written, detailed succession plans, which include the selection of a successor attorney to assume responsibility for the interests of the lawyer's clients in the event of the lawyer's death or disability from the practice of law. A list of successor attorneys will be kept by the Bar." It will be a great tool for attorneys to protect themselves, their clients, their law firms, and their estates.

*Mike Polk can be reached at [mike@belserpa.com](mailto:mike@belserpa.com).*



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## Richland County Common Pleas Jury Verdicts

### 12-CP-40-1787

LaSha S. McClain vs. Stephanie Zimmerman  
Attorneys:  
Plaintiff: Sherod H. Eadon III  
Defendant: Ronald E. Alexander  
Cause of Action: Auto/Personal injury  
Verdict: For Plaintiff  
Actual Damages: \$100,000.00

### 12-CP-40-1495

Sandra L. Myers vs. Stephanie Zimmerman  
Attorneys:  
Plaintiff: Sherod H. Eadon III  
Defendant: Ronald E. Alexander  
Cause of Action: Auto/Personal injury  
Verdict: Plaintiff  
Actual Damages: \$10,000.00

### 12-CP-40-3786

Alicia Thomas vs. Tina Hendrix  
Attorneys:  
Plaintiff: James W. Gilchrist, Jr.  
Defendant: Karl S. Brehmer  
Cause of Action: Auto  
Verdict: For Defendant

### 12-CP-40-1903

Felisha Brown vs. Steven Baker  
Attorneys:

Plaintiff: Barry George  
Defendant: A. J. Neal  
Cause of Action: Auto/Personal Injury  
Verdict: For Plaintiff  
Actual Damages: \$4,000.00

### 12-CP-40-2988

Gabrielle Burt, et. al vs. Tammy Brown, et.al  
Attorneys:  
Plaintiff: Barry George  
Defendant: Anthony Livotti, W. Woods  
Cause of Action: Auto/Personal Injury  
Verdict: For Plaintiff  
Actual Damages: \$1,595.00

### 12-CP-40-3495

Thomasina Patterson, et.al vs. Terra Daughtry  
Attorneys:  
Plaintiff: Garry Wooten  
Defendant: James Brogdon III  
Cause of Action: Auto/ Personal Injury  
Verdict: For Plaintiff  
Actual Damages: T. Patterson \$8933.10, J. Patterson \$650.00, M. O'Neal \$9230.26, G. O'Neal \$9230.26.

### 11-CP-40-8306

Stephen Bienkoski vs. Cornell Mosley  
Attorneys:

Plaintiff: Kirby Shealy III  
Defendant: Martin K. Thompson  
Cause of Action: Auto/Personal Injury  
Verdict: For Defendant

### 12-CP- 40-4460

State of South Carolina vs. Timothy Geter  
Attorneys:  
Plaintiff: Jim Bogle  
Defendant: David E. Belding  
Cause of Action: Sexual Predator  
Verdict: For Plaintiff

### 11-CP-40-1980

Robert Jones vs. Builders Investment Group, et.al  
Attorneys:  
Plaintiff: Reece Williams  
Defendant: Thornwell Sowell, David Dick  
Cause of Action: Breach of Contract  
Verdict: For Plaintiff



# HEALTH & FITNESS

by John Hearn



## Beech Week

No, it's not a misprint. (I'm an editor, for heaven's sayk.) Instead, I'm going back to the well, ladies and gentlelawyers, purt' near the ski lift what brung me. Join me now as I return to the burg that boasts the highest elevation of any United States municipality east of the Mississippi River. Yep, it's Beech Mountain redux, summer-style. The town of Beech Mountain officially clocks out at 5506 feet above sea level. (That's nearly 40,000 feet in dog years. Do the math.) We go in August, when temperatures here in Colatown sit for days at 95 degrees-plus. There? It's 76 degrees and partly sunny--every day between June 1 and August 31, by statute. After dark? Crack the windows and pull out the blanket. For those of us who get to sleep in only seven days a year, it doesn't get much better than that.

Imagine for a moment a week at the beach with no sand in your whatchamathingie, no beachwater showers that feel like hosing yourself down with baby oil, no 45-minute wait in line for a shot at the early-bird buffet all-you-can-eat fake shrimp smorgasbord. (New and improved! Tastes like chicken! Arrive between 3:30 and 4:00 pm and get five dollars off the \$28.95 tab per flip-flopping fop, perhaps your brother's new girlfriend, whom you are stuck with this year.)

Not us. We are heading north by northeast. This will be our third Beech trip in four years. The initial trip in 2010 was my first (and if my paralegal has any say, my last) two-week vacation of my adult life. (I will forever hate little kids in the summer.) That year our home backed up to the golf course. We did not play, mind you - but we got tons of entertainment watching folks hack away from the back deck. And there is a reason there was a ball net obstructing our view.

The course grass-cutting guys up there have the best job in the world, save having to wear jackets some mornings to avoid a summer chill. They pilot their impossibly-complicated short-grass harvesters across the pedicured (avoiding cliché there) fairways, and squeegee off the bent-grass greens. (Whatever bent-grass means. I just riff on Bob Costas-speak hoping that I never get caught.)

Our mornings are spent on the town-maintained trails, which range from easy walks to strenuous and sometimes slippery (if only from the torrents of sweat running down my legs) clambering madness. Last year we took the dogs, who strained at their leashes, eager to chase the massive long-legged, cloven-hoofed squirrels. Some of them had antlers.

Afternoons? Well, the dogs collapse immediately on our beds. We have a tomato sammich and maybe some cantaloupe or peaches. Or a huge cookie. After all, it is vacation. Then we join the dogs. We snooze. We read. We take another late day hike and inadvertently drop our Samsung Ills into a mountain stream. The wise old trout flees. He knows nothing good can come of that mini-golf app.

And then there's the moon. And the stars. And the blanket. And maybe another cookie, although not in bed. The crumbs clog up my CPAP filter.

John Hearn can be reached at [john.hearn@rtt-law.com](mailto:john.hearn@rtt-law.com)



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Members who wish to offer assistance or ideas are welcome to call the committee chair. The committees welcome your input.

## Judicial Reception

Register Online Now!

The Annual Judicial Reception will take place on August 22 at The Columbia Museum of Art at 5:30 PM. The RCBA entertains the statewide judiciary every year when they come to Columbia for their Annual Conference sponsored by the Court Administration.

Catering will be provided by Aberdeen, and valet parking will be available. Tickets are \$20 per head.

It is now possible to register and pay online for tickets. To register online for this event, visit <http://rcba.eventbrite.com>.

If you would like to register by mail, please mail your check(s) to Coleman Chambliss, RCBA, Post Office Box 7632, Columbia, South Carolina 29202.

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# Lawyers and Technology - South Carolina's Data Breach Notification Law

by Bill Latham



Your client comes to you in a panic-- an employee's laptop has been stolen. The computer contained the names, addresses and social security numbers for 2000 of the client's best South Carolina customers. The theft is been reported to police, but as of now they have no leads. The client wants to know if he has any legal obligation under South Carolina law to notify the customers the computer containing their data has been stolen.

South Carolina is one of 46 states that have enacted a data breach notification law. S.C. Code Ann. § 39-1-90 requires that in certain circumstances an entity suffering a data breach involving "personal identifying data" ("PID") of South Carolinians, notify the persons whose data has been compromised. Some of the information qualifying as PID are: social security numbers; driver's license or state identification card numbers; bank account numbers; credit card numbers; checking account numbers; and, dates of birth [the statute references the definition of PID under S.C. Code § 16-13-510(D)].

In the case of unintentional data breach, the notification to affected persons must occur quickly: "[t]he disclosure must be made in the most expedient time possible without unreasonable delay...." S.C. Code Ann. § 39-1-90(A). In the case of a data theft, e.g., access to PID data by "unauthorized persons," the notification must occur "immediately." *Id.* at (B). However, there are many caveats and exceptions in the statute that must be carefully considered by the attorney. Most notably, if the compromised data was "rendered unusable through encryption, redaction, or other methods," no notification is required. *Id.* Similar safe harbors are also found in many of the data breach notification statutes of the other states. The lesson here is to encourage your clients to use readily available encryption technology as a standard practice.

If the data was not encrypted or otherwise protected, the statute specifies the methods for notification. If the company's primary means of communicating with the customer is by electronic means in the normal course of business, they can use this method for the notification. *Id.* at (E). Otherwise the company must provide written notice or telephonic notice. There is also a provision for "substitute" notice "if the person demonstrates that the cost of providing notice exceeds two hundred fifty thousand dollars, or that the affected class of subject persons to be notified exceeds five hundred thousand or the person has insufficient contact information. Substitute notice comprises:

- e-mail notice when the person has an e-mail address for the subject persons;
- conspicuous posting of the notice on the web site page of the person, if the person maintains one; or
- notification to major statewide media. *Id.*

There are serious consequences for failure to comply with the statute, including the provision for a private cause of action for persons suffering actual damage because of a negligent or willful violation. There is also a provision for administrative fines of up to one thousand dollars for each resident whose information was accessible by reason of the breach, the amount to be decided by the Department of Consumer Affairs. *Id.*

This has been only an overview of some of the highlights of the South Carolina data breach notification statute. There are several other requirements and exceptions that should also be considered by the lawyer when counseling a client that has experienced a data breach. One last observation -- a data breach requires immediate attention and evaluation. Quick action is the key to minimizing the potential damage to both the client and those persons whose data may have been compromised.

Bill Latham can be reached at [bill.latham@nelsonmullins.com](mailto:bill.latham@nelsonmullins.com)

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## TEXT PARTE

by Eleanor Duffy Cleary



"People notice when you do good." That's one of the many messages that Court of Appeals Judge H. Bruce Williams tries to get across to young people he sees in his volunteer role as a Juvenile Drug Court judge in Richland County.

Judge Williams has had a passion for inspiring young people since his days growing up in Columbia where he at-

tended old Columbia High School. As a member of the Key Club, the Kiwanis high school organization, he tutored young people in impoverished areas of town. He knew then that he wanted to contribute to society in a meaningful way. It was going to be either law school or seminary.

After receiving his bachelor's degree in English from Wofford, where he served as student body president, he went to the USC School of Law, graduating in 1982. Judge Williams was in private practice in Columbia until 1995.

He served as President of the Columbia Kiwanis Club and volunteered as advisor to the Columbia High School Key Club from 1983 until 1995. He served as a Family Court Judge for the 5th Judicial Circuit from 1995 until he was elected to the Court of Appeals in 2004. He has received many honors and recently, the Richland County Bar Association presented him with the prestigious Matthew J. Perry, Jr. Civility Award.

A thoughtful and independent appellate court judge, he does not bombard the lawyers arguing before him with questions. Instead, he tends to ask only a few pointed questions that force the lawyer to think about the issue in a new and profound way.

Where Judge Williams really shines is in his role as a volunteer judge for the Juvenile Drug Court judge in Richland County, a program he helped start in 1997. Here, Judge Williams is much more relaxed and extroverted. His enthusiasm for helping young people find a better way is contagious.


On a stormy June night at the Richland County Judicial Center, water drips down into the seats where parents (mostly mothers) sit with their teenage children for over two hours. Adolescent knuckles crack and mother's faces show weariness from the troubles of parenthood hitting them head on at the end of the workday. If their child (or in some cases, children) can make it through the rigorous program requirements, then the criminal charges will be dropped and, more importantly, he or she will have learned something in the process.

Cheerful, even after his long work day, Judge Williams comes in with a loud "How you doing?" to the three dozen participants and their parents. Each one comes up to the bench and talks to the judge. "We don't give up on you easy here," he reminds them. He tells them of good reports from the dedicated staff, which includes LRADAC counselors, probation agents, public defenders, assistant solicitors, and DJJ staff. "You should be proud," he tells a reserved teen. "You've shown you can do the right thing," he tells another participant, noting that there will be no excuse for not doing the right thing in the future. Most participants attend six to 15 months of counseling and court sessions before they graduate.

When a juvenile progresses to Phase II of the program, Judge Williams is free with his praise and leads the entire courtroom in applause. Many of the young people aren't used to such positive reinforcement, particularly from authorities.

When a juvenile does not comply with the rules, he orders the deputy

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# Noteworthy News & Announcements



**Heather M. Cairns** announces the opening of Cairns Law Firm LLC located at 2537 Gervais St. Columbia 29201. Phone: 771-6979.

The S.C. Association of Women Lawyers announces the following officers for 2013: **Cynthia Hall Ouzts**, president; **Tara D. Shurling**, president-elect; **Kelly M. Jolley**, secretary; **Marguerite S. Willis**, treasurer.

Lester & Hendrix announces that **Rebecca Poston Creel** has joined the firm located at 1901 Gadsden St. Suite A, 29201. Phone: 252-4700.

Pennington Law Firm announces that **Rebecca C. Hill** and **Kelli H. Graham** have become members of the firm.

Compleat Lawyers Awards for 2013: Congratulations to Platinum Level, **Steve Hamm**; Gold Level, **Cynthia Durham Blair**; Silver Level, **Amy L.B. Hill**.

**Shannon K. Burnett** announces the opening of her office at 109 N. Main St. to be known as The Law Office of Shannon K. Burnett, Inc. located at 109 N. Main St. Blythewood 29016. Phone: 786-1758.

**Joey McCue** has been named to the Cross-over Communications International Board of Directors.

**Bob Horner**, associate attorney with Sowell Gray Stepp & Laffitte is now licensed to practice in North Carolina

**Gary A. Pickren** has been named 2013 Closing Attorney of the Year by the Sales and Marketing Council of the Home Builders Association of Greater Columbia.

**John E. Cuttino** has been appointed to the

Medical University of South Carolina's Board of Visitors.

**Stan Lacy** of Collins & Lacy has received a high honor from the Boy Scouts of America as a 2013 recipient of the Whitney M. Young Jr. Service Award for outstanding service to scouting and the community.

**Adams and Reese LLP** announces its merger with Ellis Lawhorne & Sims located at 1501 Main St. 5<sup>th</sup> floor, Columbia 29201.

**C. Pinckney Roberts** announces the opening of **Roberts Mediation Service** to concentrate on the practice of Circuit Court Mediation located at 201 Chimney Hill Rd. Columbia, 29209. Phone: 695-6905.

**Moore Taylor and Thomas** announces that the firm raised \$4225.00 for the March of Dimes 2013 drive.

**The Honorable Joseph F. Anderson Jr.**, US District Court for the District of South Carolina has been selected to receive the 2013 American Inns of Court Professionalism Award for the Fourth Circuit.

**Nexsen Pruet and Nelson Mullins** were both recognized by *The National Law Journal* as two of Americas largest 350 law firms.

**Cal Watson** of Sowell Gray Stepp & Laffitte was sworn in as president-elect of the South Carolina Bar.

Bluestein Nichols Thompson and Delgado announces **J. Clarke Newton** has become an associate of the firm located at 1614 Taylor St. 29201. Phone: 779-7599.

*SC Lawyers Weekly* has named **John S. Nichols**, of Bluestein Nichols the 2013 "Lawyer of the Year." He is the first-ever recipient or this esteemed honor.

**The Panilla Law Firm** announces its relocation to 111 Executive Pointe Blvd. Suite B, 29210. Phone: 728-0045.

Rogers Townsend & Thomas announces that **Lisa M. Hostetler** has been elected a shareholder in the firm and **John F. McLeod, IV** and **Andrew Powell** have joined the Columbia office located at 220 Executive Center Dr., 29210. Phone 771-7900.

Childs & Halligan announces that **Jasmine Rogers Drain** and **Dwayne T. Mazyck** have become shareholders in the firm.

Dean Rob Wilcox announces that **Elizabeth Chambliss** is joining the law school faculty this summer to become the next director of the Nelson Mullins Center on Professionalism. Elizabeth is the daughter of Coleman Chambliss, Executive Director of RCBA.

Collins & Lacy announces that **Jon Ozmint** has been appointed a voting shareholder and **Aisha Taylor** has been elected a shareholder in the firm.

**Margaret Pope**, a public finance partner with Pope Zeigler, has received a Leadership in Law award from *SC Lawyers Weekly*.

Davidson & Lindemann announces that **Joel S. Hughes** and **Daniel C. Plyler** have been named partners in the firm.

Gallivan White & Boyd announces that **Breon C. Walker** has been chosen to receive the prestigious Nations Best Advocates: 40 Lawyers under 40 Award presented by the National Bar Association.

Haynesworth Sinkler Boyd announces that **John P. Boyd**, **Emily H. Farr**, **John M. Florence Jr.**, **Louise M. Johnson** and **William R. Johnson** have become shareholders in the Columbia office.

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## Noteworthy News & Announcements (...continued from page 10)

**Nexsen Pruet** announces the formation **NP Strategy**—a wholly owned communications subsidiary comprised of a veteran group of professionals from media, public policy, public relations and business. Director **Leighton Lord** says “clients often need strategic guidance and direction from professionals with diverse backgrounds and deep real world experience.”

**Jonathan Waller** announces the opening of **The Law Office of Jonathan Waller** located at 1720 Main St. #104, 29201. Phone: 256-0011.

**Parise Law Firm** announces that **Kristina Parise** has become an associate of the firm located at 1722 Main St. #300, 29201. Phone: 252-8722.

**Collins and Lacy** announces that they have opened a new location in downtown Greenville on 110 West North St. #600, 29601.

**Christian L. Rogers, Robert B. Lewis, Phillip W. Jackson II, Jenkins M. Mann and Michael H. Quinn Jr.** announce the formation of **Rogers Lewis Jackson Mann & Quinn LLC** located at 1330 Lady St. #400, 29201. Phone: 256-1268. Fax: 252-3653. **John L. McCants** has joined the firm as a member. **Stephen D. Porter** has been names of counsel to the firm and **Christopher L. Boguski** has become an associate.

**Nelson Mullins** announces that **David E. Dukes** and **James S. Rogers** are listed in the 2013 edition of the *International Who's Who of Life Sciences Lawyers* for their product liability practices. The two are the only SC based attorneys listed. Mr. Dukes is listed among the top five most highly regarded individuals in product liability defense.

**Marion O. Hanna** announces her retirement from the Columbia Municipal Court located at 215 Shandon St. 29205.

**The SC Bar Foundation's** seventh annual gala held in March raised \$61,000.00, the highest-grossing gala in the Foundations' history. The gala is held to generate additional support for the Foundation's grantee programs that advance justice by improving access, education and accountability.

**Parker Poe Adams & Bernstein** has named **William R. Thomas** as the new Managing Partner of the firm's Columbia office. The firm also announces that **Pamela Baker** has joined the firm's Environmental Group as counsel.

**Tina Cundari** of **Sowell Gray Stepp & Laffitte** has been elected president-elect of the John Belton O'Neill American Inn of Court.

**Adam Landy**, a tax attorney at **McNair Law firm**, is in this third year organizing law students from **USC Law School**, members of the **SC YLD**, Cooperative Ministry and United Ways of the Midlands to provide free tax preparation services. In a single day in March Volunteer Income Tax Assistance helped more than 90 people find \$55,000.00 in refunds.

**Paul deHolczer** announces the opening of **deHolczer Law PC** located at 1911 Barnwell St. suite C, 29201. Phone: 708-3242.

**Barnes Alford stork & Johnson** announces that **Matthew G. Gerrald** has become a partner in the firm.

**Tina L. Brown** announces the opening of **The Brown Law Office LLC** located at 1201 Main St. #1980, 29201. Phone: 748-1344.

**Baker Ravenel & Bender** announces that **Robert L. Brown** has been elected a partner in the firm.

**A.J.Z. Law Firm** announces that **M. Wade Downtin** has joined the firm. The firm has relocated to 1330 Lady St. #400, 29201. Phone: 400-1918.

**Willson Jones Carter & Baxley** announces that **Timothy B. Killen** has joined the Columbia office located at 4500 Ft. Jackson Blvd., 29209. Phone: 782-2520

**Howser Newman & Besley** announces that **Blakely Molitor** has become an associate of the firm located at 1508 Washington St. 29201. Phone: 758-4445.

**Ogletree Deakins Nash Smoak & Stewart** announces that **Lee Gibbs Depret-Bixio** has been elected a shareholder in the Columbia office.

**Nexsen Pruet** announces that **Amy Clayton** and **Jennifer Hollingsworth** have been named members in the Columbia Office.

**Nelson Mullins** announces that **James Burns, Paul Collins, Sarah Eibling and Erik Norton** have been names partners in the Columbia office.

**Bob Coble** has been reelected chair of the Columbia World Affairs Council.

**Davidson & Lindemann** announces that **Joel S. Hughes** and **Daniel C. Plyer** have been names partners in the firm.

**Santee Cooper** announces that **Jennifer Robinson** has joined the agency located at 1201 Main St. #1710, 29201. Phone: 771-8939.

**Richardson Plowden** announces that **Sheila Bias** has become an associate of the firm located at 1900 Barnwell St. 29201. Phone: 771-4400. Sheila has also been named Vice Chair of the Columbia Cinderella Project by the SC Young Lawyers Division. The firm also welcomes **William B. Woods** as Special Counsel.

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## Noteworthy News & Announcements (...continued from page 11)

Parker Poe announces that **Pamela Baker** has joined the firm located at 1201 Main St. #1450 29201. Phone: 255-8000.

**McAngus Goudelock** donated \$10,000.00 to Special Operations Warrior Foundation, an organization dedicated to supporting the military's special operations forces and their families.

**RCBA attorneys selected for inclusion in South Carolina Super Lawyer®:**

Lewis Babcock & Griffin: **A. Camden Lewis and Keith M. Babcock**

Sowell Gray: **Betsy Gray, Biff Sowell, Bobby Stepp, Becky Laffitte, Cal Watson and Monty Todd. Rising Stars: Amy L.B. Hill and Tina Cundrai.**

Callison Tighe: **Michael Tighe and Malissa Burnette. Rising Star: Kathleen McDaniel.**

Gaffney Lewis & Edwards: **Amy L. Gaffney. Rising Star: Mary D. LaFave.**

Collins & Lacy: **Joel Collins, Pete Dworjanyn, Stan Lacy. Rising Stars: Charles Appleby, Christian Boesl and Andy Cole**

McAngus Goudelock & Courie: **Rusty Goudelock, Thomas Lydon, Hugh McAngus. Rising Stars: Andrew Delaney, Landon "Rock" Hughey, David Ross and Joseph Sandefur.**

Nelson Mullins: **Stuart M. Andrews, Jr., George S Bailey, A. Mattison Bogan, C. Mitchel Brown, George B. Cauthen, Karen A. Crawford, Clarence Davis, David E. Dukes, Carl B. Epps III, Robert W. Foster Jr., James C. Gray, Jr., Sue Erwin Harper, William C. Hubbard, S. Keith Hutto, Frank B.B. Knowlton, John F. Cuppens, Steve A. McKelvey, John T. Moore, Stephen G. Morrison, Edward W. Mullins, Jr., James F. Rogers, R. Bruce Shaw, Carmen H. Thomas, Daniel J. Westbrook.**

Law Office of Kenneth E. Berger: **Rising Star: Kenneth E. Berger**

Robinson McFadden: **Daniel T. Brailsford and R. William Metzger Jr. Rising Star: Rebecca A. Roser.**

Moses & Bracket: **William Bert Brannon**

Turner Padgett: **Reginald W. Belcher, John E. Cuttino, Catherine H. Kennedy, Lanneau W. Lambert Jr., Edward W. Laney IV, Thomas C. Salane and Franklin G. Shuler. Rising Stars: Shannon E. Bobertz, Matthew Cook and Nicholas Gladd.**

Gallivan White & Boyd: **Gray T. Culbreath, John T. Lay, Curtis L. Ott. Rising Star: Breon C.M. Walker**

Barnes Alford: **Weldon R. Johnson and Robert T. Strickland**

Bluestein Nichols: **Marti Bluestein and John Nichols. Rising Stars: Allison Sullivan**

Fisher & Phillips: **Cheryl L. Behymer, Michael D. Carrouth, G. Daniel Ellzey, Stephen C. Mitchell, Jonathan R. Pearson and J. Hagood Tighe. Rising Stars: Karen L. Luchka and Edward Rawl.**

Haynsworth Sinkler Boyd: **Frank W. Cureton, J. Donald Dial. Jr., Randolph B. Epting, Thomas R. Gottshall, Manton M. Grier, John B. McArthur, Stanley H. McGuffin, Stephen F. McKinney, Hamilton Osborne Jr., William H. Short Jr., and Benton D. Williamson. Rising Stars: William R. Johnson, Lindsay C. Livingston and Tigerron A. Wells.**

Richardson Plowden: **George C. Beighley, Eugene H. Matthews, William C. McDow, Anthony E. Rebollo, Franklin J. Smith. Rising Stars: Drew H. Butler, Emily Gifford, Michelle P. Kelley, Samia H. Nettles, Jocelyn T. Newman and Joseph E. Thoensen.**



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*References from leading members of the bar available upon request.*

## TEXT PARTE (...continued from page 9)

to take them away in handcuffs. "How'd you like Alvin S. Glenn?" he asks a young person who failed a drug test the week before and had to spend twenty-four hours in the juvenile section of the county jail as a result. He points out to one with a burglary charge that he will go to DJJ until his 21st birthday if he doesn't get through this program. "What's it going to take to get your attention?" he asks him.

Disrespectful behavior is absolutely forbidden and responses better end with "sir." Judge Williams explains to them that politeness is required to keep and maintain a job in the real world. Just as the counselors report good progress, they tell the judge if a juvenile is being disrespectful or noncompliant in counseling. Everyone has to follow the rules, he tells them. Even the judge, he adds.

Judge Williams asks each parent how the child is behaving at home. They are on house arrest until they prove they can comply, at which time they are put on a curfew. Mothers don't mind ratting out their child, but Judge Williams, a father of two adult children, knows the difference between healthy rebelliousness and dangerous defiance in adolescents. Teenagers are tough, he reminds the parents while admonishing the child to step up and help out at home. "You need to give back to your family and your community. The world doesn't owe you anything."

Judge Williams and his wife, Sharon, former assistant dean, and now assistant director of the Center for Professionalism at the USC School of Law, have two daughters in their early twenties. He enthusiastically tells of the differing strengths of each of his daughters. His love for them is obvious and it appears they did not lack the encouragement he laments is missing from many of the drug court participant's lives. Judge Williams notes that he was blessed with an encouraging mother, father, and stepfather when he was growing up.

The drug court program thrives because of a community of people who care deeply about affecting positive change in the lives of young people, most of whom have underlying psychological problems, as well as chemical dependency. Judge Williams boasts about the deputies who volunteer to help out with the program on their own time. The feeling of community is palpable in the courtroom, where fist bumps freely pass between staff and participants.

The program also survives because of public and private funding, and particularly because of the strong support of the Chief Justice of the South Carolina Supreme Court Jean H. Toal, notes Judge Williams. There are 29 solicitor-run drug courts in South Carolina and 2,700 nationwide, according to the National Association of Drug Court Professionals. (Go to [www.nadcp.org](http://www.nadcp.org) for more information.) Adult drug courts have been around for 20 years and, more recently, courts have been developed

specifically for those with mental illnesses and military veterans. Empirical evidence shows that drug courts decrease recidivism and save the taxpayers' money; but regardless of statistics, it is obvious that Judge Williams' encouragement of the young participants in Richland County makes a profound difference in their lives. People do notice when you do good, Judge Williams.

*Eleanor Duffy Cleary (Ellen) can be reached at [edcleary@att.net](mailto:edcleary@att.net).*

### EMPLOYMENT OPPORTUNITIES

The RCBA posts legal-related employment opportunities on our website, [www.richbar.org](http://www.richbar.org). Additionally, we post the listings on the RCBA Facebook page. To submit a listing, please email it to [rcba@richbar.org](mailto:rcba@richbar.org).



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## "Buildable Hours" Project

The RCBA, in conjunction with the Central South Carolina Habitat for Humanity, sponsored a "Buildable Hours" project that was held May 20-24 in a downtown Columbia parking lot located at 1010 Lady Street. The



project entailed the construction of a home for a deserving family in need in the

Midlands. Attorneys and law firms sponsored build days and time through financial contributions and on-site labor. Because of the generous donations given, we were able to raise over \$45,000. To see a full list of donors, visit <http://www.habitatcsc.org/component/content/article/9-frontpage/201-buildable.html>.

Volunteers from various legal organizations worked on the house until it was transported to its permanent location. Many local attorneys volunteered, including Major Steve Benjamin and Attorney General Alan Wilson. We enjoyed significant exposure by the media in newspapers, on television, and in radio interviews.

The sponsor family was Corrie and Santana Williams, who applied to the Habitat program in 2009 because they wanted a chance to own their first home without struggling to make high mortgage payments. Corrie and Santana are young parents of three children ages nine, three and two. Before moving into their new home, they lived in an overcrowded apartment with no yard or safe place for the children to play. Corrie and Santana are both college students studying to become social workers. They both want to serve those in need much like the help they have received from Habitat for Humanity.

We are still trying to reach our \$65,000 goal, so if you would like to make a donation, please make your check payable to Central South Carolina Habitat for Humanity and send to Attn: Buildable Hours Project, 209 S. Sumter St., Columbia, SC 29201-4558.

For more information about this project, please visit <http://www.habitatcsc.org/component/content/article/9-frontpage/201-buildable.html>.

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**WEST COLUMBIA OFFICE FOR SALE:** 3117 Herbon Dr. close to Lexington Hospital. Built in 2001. 3 private offices; conference rm; kitchen; 2 baths; almost 1 acre. Video on You Tube. Burton Fowles (803) 600-6479 or burtonfowles@gmail.com

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**ASSOCIATE ATTORNEY:** The firm of McKay Cauthen Settana & Stubley P.A. is accepting applications for an associate practicing in the area of workers compensation defense. Position requires at least two year's experience trying cases before the Workers' Compensation Commission, preferably in defense work. Applicant must already be a licensed South Carolina attorney in good standing with the South Carolina Bar. Contact: Lee Knight, PO Box 7217, Columbia SC 29202.

**OFFICE SPACE FOR RENT:** 1001 Washington St. Second Floor Offices with Shared conference Room. Four Offices Available. \$450.00 to \$525.00 per office. Utilities included. Contact Robert Lewis: Office: 803-978-2838. Mobile: 803-606-1545.

The editors welcome your inquiries, comments and contributions: Email feedback to [rcba@scbar.org](mailto:rcba@scbar.org).

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