

# RICHBARNEWS

## Newsletter of the Richland County Bar Association

ROY LANEY  
President

WILLIAM R. THOMAS  
Treasurer

BETH BERNSTEIN  
President-Elect

### UPCOMING EVENTS

#### Annual Meeting/ Holiday Party

December 11, 2008 -  
5:30 pm  
Columbia Museum of Art

#### Legal Staff Professionals/ Midlands Meeting: 2nd Tuesday 1:00

Call Laura Foster at  
803-799-9800 ext 338 or  
e-mail lfoster@mcnair.net

#### Palmetto Paralegal Association

Call Adrith D. Schrauger at  
803-217-7557

#### S.C. Women Lawyers Association

Contact Angel Warren at  
803-788-4114

#### SAVE THE DATE 2009

Oyster Roast - Feb. 19  
Judicial BBQ - May 14  
Memorial Service - June 11  
Judicial Reception - Aug. 20  
CLE - Nov. 6  
Annual Meeting - Dec. 10



## FROM THE PRESIDENT

I thank all of my colleagues in the Richland County Bar Association for allowing me to serve as your President this year. As President, I have been a member of a team which consists of the Executive Committee, our Executive Director and our Committee Chairs. Thanks to the talent and efforts of our whole RCBA team, we have had a very successful year.

During this year we have been focused on two primary objectives. First, because this organization exists primarily to serve its members, we have looked to ways to enhance the services that the Bar Association provides to you. We hope you have noticed the improvements to this newsletter, our social events and continuing legal education programs. In addition to providing services to our members, we believe that the Richland County Bar Association should be an active participant in improving our community. We have over 1,700 lawyers in our Bar Association who can bring considerable talent and assistance to citizens of our community. An example of this effort is the establishment of Project H.E.L.P. It is my hope that the Richland County Bar Association will continue to move forward in new and creative ways so as to channel the talents of our attorneys for use in our community.

Although we have been pleased with what we have accomplished this year, to keep our Association strong, we must continuously review and analyze our performance and look for innovative ways to meet our objectives. To this end, I encourage all interested Bar Association members to volunteer for an active role in our organization. It is very important that we have representation in the leadership of our organization from all practice areas, ages and backgrounds. Taking a leadership role in the Bar Association will take a firm commitment of time. However, I guarantee you that your investment of time with the Richland County Bar Association will be a fulfilling aspect of your career.



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# FROM THE EDITOR

## Have Yourself a Merry Little TRO

Behold, the temporary restraining order, or TRO—one of my favorite legal oxymorons. How so? Well, while the conduct proscribed by a TRO is sometimes reigned in once an ex parte order is signed and served, the flapdoodle that ensues is neither restrained nor temporary. My last full-blown TRO matter came down during the holiday season several years ago. We ran to the courthouse for our ex parte order. We slaved late into the night to hone our arguments for the subsequent hearing to convert the TRO to a temporary injunction. We argued before the judge during one of those late December weeks when the law world usually slows down a bit. We lost.

Worst. Present. Ever.

That experience aside, this particular legal fiction—the TRO—holds a certain personal appeal as the year draws to a close. After paring down my wish list, I have decided all I want in my stocking this year is a TRO, and a self-executing one to boot. As I envision it, my holiday TRO would keep my feet on the ground, instead of in my mouth. I haven't quite pinned down the finer details, but once in place, the TRO would effectively serve as a "count to ten" order. Whenever agitated or upset, I would be prohibited from making that call, or pressing the "send" button for that email, for a period of ten seconds.

A favorite author of mine, Dr. Dean Ornish, once recounted a question he posed to Dr. Jonas Salk, the renowned scientist: "Do you exercise?"

"I exercise restraint," Salk replied.

Salk's pat and pithy response sounds easy, in the same way holiday dieting advice does. (Forget the tenderloin—just stick to the crudités at the RCBA holiday party. Sure.) The reality of restraint, however, is much more daunting for our kind. Words are our stock in trade, our currency. Filing motions is good exercise, keeps us sharp. Restraint be darned! Bring on the font squeezer and let's shoehorn one last argument in that memo in opposition to defendant's third motion to compel plaintiff's responses to defendant's fourth set of interrogatories.

No, for too many of us, restraint is anathema. We are advocates. We have a responsibility to get in as many words as we can, to respond as quickly as possible, to make sure that our position is on the record.

But we can learn. There is more than one type of restraint. For example, we can restrain our tendency to rush to judgment, or to embrace of our limited view of the facts of a particular case. We can exercise restraint when forming our opinion of opposing counsel, our interpretation of the applicable law, and our presuppositions about the judge.

Restraint of tongue and pen. It's a powerful present, even if not reduced to an order.

## Nota Barbara

My first job as a young lawyer (or almost--I was still sweating Bar exam results) was a judicial clerkship here in the Fifth Circuit. I spent much of that year at 1701 Main Street. My boss was serving as chief administrative judge on the civil side, a significant task he has been charged with many times since. My first week was filled with stacks--orders, motions, letters from inmates demanding French toast on Sunday--and none of my law school training seemed to apply. (I never understood stacking, anyway.)

Cue Barbara Scott, our clerk of court, and her fantastic staff. In a matter of days (although just how many days will remain my secret), Barbara and her team saved me from myself innumerable times, patiently guiding me to the right desk or counter or filing bin as I did my little part to keep the wheels of justice moving.

In the years since, Barbara has continued as a mentor and friend to me, to countless members of the local and state Bar, and especially to the Richland County Bar Association. Ellen Cleary profiles Barbara in this issue, and I use my editor's privilege to dedicate this issue to her. Godspeed and go Gamecocks, my dear.



# NOTEWORTHY NEWS & ANNOUNCEMENTS

**Rogers Townsend & Thomas** and **Sherwood Cleveland** announce the merger of their law firms. The firm will continue to be known as Rogers Townsend & Thomas PC.

Hopkins & Campbell announce that **Thomas E. McCutchen** and **Hoover C. Blanton** have joined the firm as Of Counsel. They will remain in their current offices at 1414 Lady St. Columbia, 29201.

At the ABA Annual Meeting **Pamela Roberts** was elected a Delegate At Large, joining I.S. Leevy Johnson, Hon. Michelle Childs and Lana Sims as State Delegates elected in the spring.

**Richardson Plowden & Robinson** has been recognized by the American Heart Association with the "Littlest Company, Biggest Heart" award, given to the organization that has shown the most enthusiasm for raising funds to the fight against heart disease and participating in the Start! Midlands Heart Walk. The firm also won first place for the highest monetary donation by a company of its size, raising \$4,250.

Nexsen Pruet announces that **Rick Reames** has been selected as chairman of the SC Bar's Tax Section for 2008-2009.

Pope Zeigler announces that **Margaret C. Pope** has been elected President of the American College of Bond Counsel at the annual meeting in

September.

Ellis Lawhorne announces that for the second year running more than half of the shareholders have been included in *The Best Lawyers in America*®: **Rita Cullum, Earl F. Ellis Jr., William R. Harbison, William O. Higgins, Ernest G. Lawhorne, John T. Lay Jr., Mary S. League, William P. McElveen Jr., Lana H. Sims Jr., David C. Sojourner, Jr.** and **Karen H. Thomas.**

Columbia City Attorney Ken Gaines announces that **Constance D. Hollo-way** has joined the office as an Assistant City Attorney. Phone: 737-4242. Fax: 737-4250.

Sowell Gray Stepp & Laffitte announces that **Betsy Gray, Bobby Stepp, Cal Watson, Biff Sowell, Becky Laffitte** and **Monty Todd** have been selected by their peers as South Carolina 2008 Super Lawyers.

Murphy Grantland announces that **Bill Connor** of their firm as written a book, *Articles from War*, giving an account of an American officer who served with Prince Harry in combat. The book is written from the perspective of a civilian lawyer. He is one of only a few Americans in history to serve with British Royalty in combat. Many of his articles have been published in *The Times and Democrat* in Orangeburg.

Pennington Law firm announces that

**Marshall R. Hart** and **Tiffany M. Melchers** have become an associates of the firm located at 1501 Main St., 29202. Phone: 929-1070.

**Pope D. Johnson III** and **Evans Taylor Barnette** announce the formation of Johnson & Barnette LLP located at 1320 Main St. #650, Columbia, 29201. Phone: 799-9791.

Turner Padgett announces that **Lanny Lambert** has been appointed to the National Conference of Bar Presidents as a member-at-large of the Executive Council. He has also been appointed to the Board of Directors of Junior Achievement of Central South Carolina, Inc.

Collins & Lacy announces that **Stanford E. Lacy** and **Jack D. Griffeth** have been selected for inclusion in the latest edition of *The Best Lawyers in America*®.

**D. Reece Williams** has been honored and featured as "Star of the South" by *Irish-American Magazine* in its latest issue.

Riley Pope & Laney announces that **Heidi B. Carey** has joined the firm located at 2828 Devine St., 29205. Phone: 799-9993.

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The Legislative Update, published annually by the SC Bar, provides a brief synopsis of all legislation enacted by the General Assembly during the 2008 session. The publication is available for your review at [www.scbars.org/legislative\\_update](http://www.scbars.org/legislative_update). Kali Campbell Turner, a member of RCBA, is the Government Affairs Director for the SC Bar.

## ACCESS TO JUSTICE

Robin Wheeler, the Executive Director of Access to Justice and member of the RCBA, would like the bar to have the following information. The South Carolina Access to Justice (SCATJ) Commission was established by the Chief Justice's Administrative Order on January 31, 2007. The mission of the SCATJ is to expand and enhance access to justice for South Carolinians with low income or of modest means. Throughout the spring, SCATJ held seven regional public hearings throughout the state. Members of the Bench, Bar and General Public spoke up about barriers they had witnessed or experienced.



SCATJ has taken the information from these hearings and has developed three work groups: Enhance Services for Self-Represented Litigants (SRL); Expand Staffed Programs; and Increase Pro Bono Participation. Each of these committees will feature strong education components. For example, SRL work has already included ethics training for judges and clerks of court. Initiatives for Staffed Programs and Pro Bono are also in progress and SCATJ is looking forward to increasing resources (including attorneys) for South Carolina Legal Services and collaborating with other entities to increase representation and resources to South Carolinians with low income.

To read more about SCATJ, please visit our blog at <http://scaccesstojustice.wordpress.com>.

### Be on the Cutting Edge

The South Carolina Bar and Lawriter corporation are pleased and excited to announce that the beta version of the new, improved Casemaker 2.1 is now available to members of the South Carolina Bar. Casemaker 2.1 features improved high-definition search functions and better content. While the old Casemaker 2.0 is still up and running, volunteer "beta-testers" can choose to use Casemaker 2.1, with all the enhancements and improvements. Just log in to the secure area of the SC Bar website at [www.scbars.org](http://www.scbars.org) and login and choose between version 2.0 or 2.1. Please keep in mind that you will be a pioneer in 2.1. Therefore, the SC Bar requests that you send your comments or suggestions by email to [casemaker@scbar.org](mailto:casemaker@scbar.org). The Bar will take your comments and pass them along to Lawriter. The end product will benefit from the input of South Carolina lawyers!

### Some of the new features include:

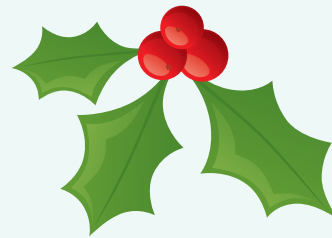
- "Multi-book" searching within a state library is being introduced. So, if you want to search South Carolina case law and the SC Code simultaneously, you can do so.
- "CASEknowledge." CASEknowledge identifies the most relevant publications associated with your case law search and offers you instant links to state Bar publications, ABA publications, ALI-ABA publications and HeinOnline Journal. An abstract appears in a column to the right of your search results. To purchase a publication, just follow the links.
- CASEcheck now includes cases from other states that cite your current case, as well as the original state. The results appear with the current library state first, then all others in alpha order.
- Searching will be even easier and users will be able use shortcuts for proximity searches, such as "w/sent" for terms within a sentence.
- Print and save your results in PDF format is now standard.

# ANNUAL MEETING/HOLIDAY PARTY

On December 11, your association will host its Annual Meeting at the Columbia Museum of Art. At this meeting, the new officers will be elected, announced and recognized. The RCBA will also present the John W. Williams Award, the Civic Star Award and the Matthew Perry Civility awards. It is one of the highlights of our bar year to celebrate with the persons receiving these honors.

Immediately following the meeting, the bar will entertain the association members with a favorite party to celebrate the season. Each year you are invited to gather at the museum

for wonderful food and good “cheer” catered by Aberdeen Cattery of Camden. The event is free to our members (and spouses). The action begins with the meeting in the atrium at 5:30 with the party following in the Garden Room from 6:00-8:00. Please remember to put this important date on your calendar. Postcards will be sent prior to the function and you will need to RSVP at [rcba@scbar.org](mailto:rcba@scbar.org). (If you forget to respond we may not have enough food!)



## YOUNG LAWYERS DIVISION PEP RALLY/FUND RAISER

Members of the S.C. Bar Young Lawyers Division (YLD), law students and their guests are invited to join YLD on Saturday, November 29, at Clemson’s Littlejohn Coliseum for a Carolina/Clemson Pep Rally Fundraiser. Enjoy appetizers and beverages while mingling with your team rivals!

Tickets are on sale now for \$15 each in advance and \$20 each at the door. To purchase tickets or obtain more information, contact Tara Smith at (803) 799-6653/(877) 797-2227, ext. 146 or [tsmith@scbar.org](mailto:tsmith@scbar.org).

The event will include a silent auction. Items will include autographed footballs, t-shirts and other gear from both teams! The event will begin 3 hours prior to kickoff. Proceeds from this event will benefit Children’s Chance, a non-profit organization that raises money to fund a variety of programs designed to meet the financial, emotional and psychological needs of children with cancer and their families. Support your team and Children’s Chance! Visit [www.scbar.org/yld](http://www.scbar.org/yld).

## THANKS FOR RESPONDING TO OUR CRY FOR H.E.L.P.

What a fantastic response to support the Columbia HELP Homeless Legal Clinic. Fifty-six volunteers consisting of lawyers, paralegals and USC law students attended the continuing legal education training seminar on October 3, 2008. Legal issues affecting the homeless were covered by Jeff Yungman (Crisis Ministries); Sue Berkowitz (SC App- leased Legal Justice Center); Rita Roache (SC Legal Services) and Stacy Thompson (Bluestein, Nichols). The clinic will start on November 20, 2008, at St. Lawrence Place and volunteers

have signed-up through June 2008. If you would like the training materials and tape, please contact Norah C. Rogers at [norah.rogers@nelsonmullins.com](mailto:norah.rogers@nelsonmullins.com).



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# TEXT PARTE

## The End of an Era - Barbara Scott Retires

It will be the end of an era for Richland County when Clerk of Court Barbara Scott retires this year after twenty-four years of service. However, for Ms. Scott, it will be the beginning of a new chapter. "I'm not going anywhere," she quips in her trademark husky voice (think Lauren Bacall if she had been Southern).



Columbia is home to Ms. Scott, who graduated from University High School where the USC School of Education is located now. She grew up watching Gamecock football, a passion she still enjoys. "Warren Giese -- Barney's daddy -- was upfront and disciplined," she observes when

asked which coach is her favorite. Former Richland County Senator Giese coached USC from 1956 to 1960.

Ms. Scott is friendly and has an entertaining, dry sense of humor. But she's tough and direct in that genteel sort of way, reminiscent of the late Texas Governor Ann Richards. Ms. Scott, who has always had a "hands on" management style, will not be sitting idly by in retirement. Sharp, quick-witted and feisty, she's definitely not the retiring type. She plans to continue working with the legislature on matters relating to the state's clerks of court. She also has an intense interest in improving Richland District One public schools -- she and her veteran musician husband Paul Pickens have grandchildren in seven different schools in the district.

It goes without saying a lot has changed in the Richland County Clerk of Court's office since she was first elected in 1984. Ms. Scott played a vital role in bringing the clerk's  
**continued on page 11...**

## 2008 JUDICIAL RECEPTION



# HEALTH & FITNESS

Greetings fellow members of the Richland County Bar! I have been provided the opportunity to assume the position (where have I heard that before?) of the Health and Fitness columnist. Although I cannot pretend to approximate the wit and charm that our esteemed editor has exuded in this column over the years, I do aspire to share some ideas on health and fitness specific to Richland County.

Like many of you, I spend the majority of my day perched at a desk. Further, I find that balancing the time required for a family, a legal career, marketing, community events, friends and any other extracurricular activities leaves little time to dedicate to a formal work out regimen. However, by blending family and friends with an enjoyable activity that involves exercise, you can accomplish multiple goals at once.

In keeping with the aphorism that a journey of a thousand miles begins with a single step, this first column is dedicated to walking. Although not everyone is an athlete, most everyone spends a portion of their day engaged in this activity. Unfortunately modern society has eliminated much of the need we once had for this simplest form of locomotion and exercise. Simple steps can be taken to restore walking to the daily regimen such as parking further from your destination than necessary so that you can walk a portion of the way there and back, taking the stairs instead of the escalator or elevator, and walking to lunch.

Most folks are familiar with the physical benefits that walking for fitness offers, such as burning calories, reducing the risk of stroke or heart attack, increasing good cholesterol, lowering bad cholesterol (LDL), and controlling or reducing high blood pressure. However, recent research indicates that walking is also good for your mind. Steady exercise incident to walking can give you a mental boost, which can improve one's ability to make decisions, solve problems, and focus. Even a 15-minute walk can increase your alertness, and the mental perks continue even after your body has cooled down. See <http://www.aarp.org/health/fitness/walking/a2004-06-04-walking-brain.html>. Consider a walk to the Supreme Court or Law School libraries the next time you have

a legal issue to contemplate.

Richland County offers many excellent free venues for fitness walking. As the weather cools and mosquitoes go into remission, much of Richland County and the surrounding environs open back up to us. Walking, hiking, jogging, or trail running outdoors with family and friends in areas that are fun to explore and enjoy nature presents a great way to both spend quality time with family and friends, as well as to exercise. For me, often the best results occur when the exercise is entirely incidental to the activity itself. There are several spots that everyone who lives in and around Richland County should know and appreciate.

One of my favorites is the alleged home to the supposedly extinct Ivory Billed Woodpecker, also known as the Lawd God bird, so named after the exclamation of those who have encountered it (my wife swears she was startled by one last year). I'm speaking, of course, of our very own Congaree National Park. Very few cities can boast a National Park just minutes away, yet remarkably few people actually take advantage of this fantastic outdoor recreation resource. The trails at this park are great for bird watching, photography, and simply getting outdoors and enjoying nature. You can participate in the renewed search for the Ivory Billed Woodpecker and catapult yourself to national acclaim should you verifiably capture it on film.

According to the National Park Service, the Park preserves the largest remnant of old-growth floodplain forest remaining on the continent, with some specimen of record size. The lush trees growing in this floodplain forest form one of the highest natural canopies remaining in the world. The Park has one of the tallest temperate deciduous forests in the world, and is taller than the old-growth forests found in Japan, the Himalayas, Southern South America and all of Eastern Europe. The average canopy height is over 100ft tall. The National Champion Loblolly Pine is 167 feet tall and almost 15 feet in circumference.

**continued on page 11...**

# RICHLAND COUNTY COMMON PLEAS JURY VERDICTS

## 07-CP-40-5986

Gerry Adamsi vs. Harvey F. Blanchard III

### Attorneys:

**Plaintiff:** Thomas E. Lydon

**Defendant:** Richard Gleissner

**Cause of Action:** Breach of Contract

**Verdict:** For Plaintiff

**Actual Damages:** \$45,500

## 06-CP-40-5810

Flossie Knight, Harvey Knight vs. Health South Corp., et al  
Tom Norris, Randal Westerkam

### Attorneys:

**Plaintiff:** Kenneth Suggs, Gerald D. Jowers, Jr.

**Defendant:** Robert G. Chambers, Jr., William H. Davidson

**Cause of Action:** Personal Injury/Medical Malpractice

**Verdict:** For Defendant

## 07-CP-40-4199

N.L. Pewu vs. W. Clark

### Attorneys:

**Plaintiff:** W. H. McAngus, Jr.

**Defendant:** J. B. Lybrand Jr.

**Cause of Action:** Personal Injury/Auto

**Verdict:** For Plaintiff

**Actual Damages:** \$1,850.00

## 07-CP-40-5804

Deborah Ann Collins vs. Richard Suggs

### Attorneys:

**Plaintiff:** Barry George

**Defendant:** John Andrew Delaney

**Cause of Action:** Auto/Personal Injury

**Verdict:** Plaintiff

**Actual Damages:** \$10,000.00

## 07-CP-40 5783

Latrechia Chappelle vs. Ruth Outzs

### Attorneys:

**Plaintiff:** Barry George

**Defendant:** Mark B. Goddard

**Cause of Action:** Personal Injury/Auto

**Verdict:** For plaintiff

**Actual Damages:** \$7000.00

## 07-CP-40-4187

Valencia King vs. Melvin Abel

### Attorneys:

**Plaintiff:** William J. Jones

**Defendant:** Ronald E. Alexander

**Cause of Action:** Auto/Personal Injury

**Verdict:** For Plaintiff

**Actual Damages:** \$6000.00

## 07-CP-40-1842

K. Luchok vs. R.A. Vena

### Attorneys:

**Plaintiff:** A. G. Steinmeyer

**Defnedant:** Shannon F. Bobertz

**Cause of Action:** Auto/Personal Injury

**Verdict:** For Plaintiff

**Actual Damages:** \$3,023. 08

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# UNIVERSITY OF SOUTH CAROLINA SCHOOL OF LAW IS ON A ROLL!

by Mike Kelly, Esquire, Co-Chair of Law School Building Campaign

I have never been as proud of my alma mater in thirty-one years of practicing law than I am right now. Under the dynamic leadership of Dean Jack Pratt, the Law School has achieved unprecedented heights in a number of areas. Although our Law School has long been known for quality professors, Dean Pratt has taken the faculty to a new level of excellence. He recently hired three faculty members. Cinnamon Carlarne, hailing from the University of Oxford, comes with the necessary background to enable her to further develop an already strong Environmental Law program. Also joining the law school is Jaclyn Cherry from Duquesne University Law School. Jaclyn, among other things, will teach Non-Profit Law. Ben Means joins us from a New York City law firm. As an experienced litigator, Ben brings a wealth of knowledge about the practice of law. Dean Pratt has also added a senior administrator, Susan Palmer. Susan was the former Associate Dean for Admissions at the University of Virginia School of Law and joins us as Associate Dean of Student Affairs.

The University of South Carolina Law School's 2008 class is the strongest academically in the school's history. Along with many other alumni from across the state, I had the pleasure of participating in the orientation program. It featured the administration of an Oath of Professionalism from Chief Justice Jean Toal followed by a mentoring session with experienced South Carolina lawyers.

Finally, under Jack's guidance the law school is engaging in a revitalized alumni relations program. During his brief tenure, he has personally met with 791 alumni. The development alumni relations team includes Rachelle Bussell and Alicia Smith, who have fanned out across the country to update alumni on current events at the law school. I have been working with Jack, Rachelle, Alicia and my co-chair, Steve Hamm, Esquire of the Richland County Bar to get the message out about the law school and to generate a philanthropic spirit. We are requesting alumni make donations to the law school for scholarships as well as for the building fund.

The building campaign, where I concentrate the majority of my efforts, is currently on track. I see the dream of a new law school building coming closer to reality and fully expect it to be a finished product in forty-eight to sixty months. Overall fundraising for the law school building is now at \$28,000,000.00, of which \$3,708,752.00 Dean Pratt has raised during his tenure. We also have outstanding proposals and requests for donations by dedicated alumni under consideration totaling \$13,326,000.00.

In summary, the law school continues to be THE shining star of the University of South Carolina, and is an invaluable resource for the betterment of the justice system of our beloved state of South Carolina.

## HELP MAKE MOCK TRIAL ROCK!

It is that time of year again! The Law Related Education (LRE) Division is seeking volunteers for its growing mock trial programs, which teach middle and high school students about the legal system through trial role play. Mock trial volunteers enjoy the thrill of competition while scoring and presiding over trials. LRE not only needs volunteers to score the competitions, but attorney coaches to help prepare the teams. The Mock Trial schedule is as follows: Middle School Regional Competitions, November 22, 2008 (Columbia, Conway, Beaufort, Florence and Greenville); Middle School

State Competition, December 6, 2008 (Lexington); High School Regional Competitions, February 28, 2009 (Charleston, Columbia, Conway and Greenville); High School State Competition, March 13-14, 2008 (Columbia). The competition would not be possible without the volunteer efforts of Bar members. To learn more or volunteer, contact Nic Beza at [nbeza@scbar.org](mailto:nbeza@scbar.org).





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## HEALTH & FITNESS (...continued from page 5)

The Park ranks among the most diverse forest communities in North America, containing more than 75 species of trees as well as a wide variety of wildlife, including bobcats, wild boar and flying squirrels, in addition to the more common white-tailed deer, opossum, raccoons and the like. Legions of avian species live in and migrate through the Park, while many reptile and amphibian species call the Park home.

For the novice hiker, or for families with young children, the perennial favorite is the 2.4 mile boardwalk loop that starts and ends at the Visitor's Center. There are numerous other trails that allow you better opportunity to explore the Park, including the River Trail, which takes you across the park to the Congaree River and back again. For more information, check out: <http://www.nps.gov/cong/planyourvisit/hiking.htm>.

Another jewel lies in our very midst in the form of a network of city parks along the banks of the Broad, Saluda and Congaree Rivers. A trail from I-26 down the Saluda River to the Zoo is planned, but as yet unfinished. Columbia's Riverfront Park is also planned to extend downriver

from the Gervais Street bridge, where it now connects across the river to the West Columbia Riverwalk, which links seamlessly to the Cayce Riverwalk. These three connected parks offer paved trails perfect for walking, jogging, biking, rollerblading, skateboarding or even testing out your new ripstick. There are beautiful views of the rivers with numerous overlooks, picnic areas, as well as river access for fishing, canoeing or kayaking. The distance from the diversion dam located at the top of Columbia's Riverfront Park on the Broad River (parking available off of Broad River Road) all the way down to Brookcliff Road on the Cayce side at the base of the Riverland Park Connection is a bit over six miles (around ten kilometers). Shorter loops can be designed according to your own preferences. For more information, check out: <http://www.riveralliance.org>. To have a greenway of this size, sporting such magnificent scenery all along the way, and located in the heart of an urban area is an incredible natural resource--get out and enjoy it with a weekend or afternoon walk!

*"Health & Fitness" is written by Drayton Hastie, who can be reached at [dhastie@rtt-lam.com](mailto:dhastie@rtt-lam.com).*

## TEXT PARTE (...continued from page 6)

office into the computer age. She has embraced modernization and the results are obvious.

She "and her staff do an excellent job of running the courthouse," wrote former Chief Appellate Defender Dan Stacey in a recent letter to *The State* newspaper.

Ms. Scott regrets that she won't get to see a new courthouse for Richland County during her tenure. The county has outgrown the current angular structure on Main Street. It has inadequate space and falls short of contemporary building requirements. She would enjoy consulting the architects of a new courthouse because after years of experience she knows what's needed. Understandably, forty-five degree angles are not part of her vision.

When she first started in 1985, there were four resident

judges and now there are ten. There were much fewer lawyers and much less litigation. "Back then two thousand lawsuits filed in one year was a lot." Recently, 125 lawsuits were filed in one day in Richland County.

Richland County also bears the brunt of much of the inmate litigation. It's a "nightmare" and the result of "idle hands" but some have legitimate complaints, she notes. Others she is dubious about. One inmate wrote his complaint on toilet paper. She smiled and said she enjoys the holiday cards she gets from inmates thanking her for her help.

**continued on page 15 ...**

**FROM THE EPA:** More than 100 million cell phones (and PDAs) are no longer used annually. If we recycled all of them, we would save enough energy to power 194,000 U.S. homes for a year. Most local office supply and electronics sites will take your cast offs.

# ADVISORY COMMITTEE

Committee	Chair(s)	Telephone
Bigg Doggs	William Witherspoon Xavier Starkes	929-3026 758-2882
Circuit Court Liaison	George Johnson Daryl Hawkins Manton Grier, Jr. Jack McKenzie Matthew Richardson Reece Williams William Witherspoon Xavier Starkes	252-9700 733-3531 799-3080 252-0500 254-6542 256-2371 929-3026 758-2882
CLE Seminars	Steedley Bogan	256-6747
Health & Fitness	Drayton Hastie	771-7900
Family Court Liaison	Ashlin Potterfield	376-2001
Master in Equity Liaison	Sam Waters	771-7900
Memorials	Beth Bernstein	799-7900
Probate Court Liaison	Mike Polk	929-0096
Newsletter	John Hearn Jody Bedenbaugh Trippett Boineau Brady Thomas	744-1305 256-7500 933-9801 733-3534
Program	Betsy H. Bradley	296-3140
Public Service	Kristen Horne Amy Geddes Dan Leonardi Billy McGee	799-2000 253-8277 253-8277 256-7500
Recognition	Lester Bates	779-4238
Young Lawyers	Ian McVey Michelle Clayton	256-2371 227-4249

Members who wish to offer assistance or ideas are welcome to call the committee chair. Many things are being planned by your association and the RCBA welcomes your input.

## JUDGE JAMES W. JOHNSON, JR. PORTRAIT FUND

The county bar associations of the Eighth Judicial Circuit have organized a portrait fund for Judge James W. Johnson Jr. The oil portrait will hang in the Laurens County Courthouse. There will be an unveiling of the portrait at the Laurens County Courthouse after it has been completed. Individual, non-deductible contributions of \$100 for each member are suggested. Names of contributors will not be circulated. Portions of the fund will be used for costs and expenses associated with the portrait, along with the unveiling ceremony. Remaining funds will be contributed to scholarship funds at the University of South Carolina School of Law and the Charleston School of Law in honor of Judge Johnson. Checks can be made payable to the Laurens County Bar - Johnson Portrait Fund and mailed to P.O. Box 11208, Columbia, SC 29211. For more information, contact Matthew P. Turner at (864) 984-6565.



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- *Kahlil Gibran*

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## DUES NOTICE

The South Carolina Bar Fee Statements will be mailed out this month to all attorneys in the state. The SC Bar collects dues for most of the county bars. Please look at your Fee Statement and check Richland County in the proper box and add \$100 to the total. This is the simplest way to pay your state and local bar dues and save the RCBA from billing you separately.

## NOTEWORTHY (...continued from page 3)

Nexsen Pruet announces that **William Floyd III** will serve on the 2008-2009 Board of Directors of the South Carolina Chamber of Commerce.

The Law Office of Daryl G. Hawkins announces that **Charles E. Usry** and **Kristin J. McArthur** have become associates with the firm located at 1634 Main St. #201-A., 29201. Phone: 733-3531.

Harris & Graves announces that **S. Hampton Eadon III** has joined the firm located at 1518 Richland St., 29201. Phone: 799-2911.

Rogers Townsend Thomas announces that **J. Drayton Hastie, III** has become an associate of the firm located at 220 Executive Center Dr., 29210. Phone: 771-7900.

Sowell Gray Stepp & Laffitte announces that **Grady L. Beard, Marcy J. Lamar** and **Daniel W. Hayes** have co-authored the new Fifth Edition

of *The Law of Workers' Compensation Insurance in SC.*

David E. Massey announces that **Sumner C. Tompkins** has become an associate of the firm located at 3813 N. Main St., 29203. Phone: 799-9022.

Nexsen Pruet announces that **Ronald B. Cox** has joined the Columbia office located at 1230 Main St., Suite 700, 29201. Phone: 771-8900.

Davidson Morrison & Lindemann announces that **David L. Morrison** has withdrawn from the firm and the firm will now be known as Davidson & Lindemann PA. The firm also announces that **Kristy M. Grafton** has become an associate of the firm located at 1611 Devonshire Dr., 29204. Phone: 806-8222.

**Aun & McKay Law Firm** announces that it has opened its third office located at 9367 Two Notch Rd., 29223.

Phone: 744-0824.

Robinson McFadden & Moore announces that **Wilson W. McDonald** has become of counsel to the firm located at 1901 Main St. #1200, Columbia, 29201. Phone: 779-8900.

**Karla McLawhorn Hawkins** has become Deputy General Counsel to the SC Department of Education located at 1429 Senate St., 29201. Phone: 734-8783.

Ellis Lawhorne announces that **Earl Ellis** was presented with the *Worthy Adversary Award* by the South Carolina Trial Lawyers Association at its annual convention in August. This award is given to an attorney who is honest, well respected among his peers, loyal and dependable to his clients and above all, ethical. This award has only been given twice before in the last 10 years. The other recipient was the late **Doug McKay**.

continued on page 14...

## NOTEWORTHY (...continued from page 13)



Willson Jones Carter & Baxley announces that **Shannon Till Poteat** has joined the firm located at 4500 Fort Jackson Blvd. 29209. Phone: 227-2883.

Sowell Gray Stepp & Laffitte announces that seven attorneys in their office have been selected for the 2009 edition of *The Best Lawyers in America*®: **Grady L. Beard, Elizabeth Van Doren Gray, Rebecca Laffitte, Thornwell F. Sowell, Robert E. Stepp, Monteith P. Todd** and **J. Calhoun Watson**.

Rogers Townsend & Thomas announces that **Amy Landers May** has been appointed to the Palmetto Health Foundation Hospice and Palliative Care Board.

**Steve Samuels** announces the opening of the Samuels Law Firm LLC located at 1916 Henderson St., PO Box 50349, Columbia, 29250. Phone: 779-4000.

Sowell Gray Stepp & Laffitte announces that **Michael Montgomery** has become an associate of the firm located at 310 Gadsden St. Columbia, 29201. Phone: 929-1400.

**Lisa C. Glover** announces that she has become Deputy General Counsel with the South Carolina Second Injury Fund and Workers' Compensation Uninsured Employers' Fund located at 220 Executive Center Dr. #119. Phone:

798-2722 ext. 124.

Haynsworth Sinkler Boyd announces that **B. Eric Shytle** has rejoined the firm located at 1201 Main St. 29201. Phone: 779-3080.

Pope Zeigler announces that **Margaret Campbell McGee** has joined the firm located at 1411 Gervais St., Columbia 29201., Phone: 779-4000.

Sowell Gray Stepp & Laffitte announces that **Daniel W. Hayes** has been certified as a Circuit Court Mediator by the SC Board of Arbitrator and Mediator Certification.

**Collins & Lacy** announces that it opened a new office in September located at 1500 Highway 17 N. Suite 204, Surfside Beach SC, 29575. **William A. Bryan, Jr.** from the Columbia office will serve as the resident shareholder.

Tribuddies, is a program developed by **Leighton Lord** of Nexsen Pruet to assist SC children build character, confidence and spirit. "Bigs" and "Littles" from Big Brothers Big Sisters of Greater Columbia are paired with coaches to train for triathlons.

Turner Padgett Graham & Laney announces that **Sam Sammataro** has been elected to serve as Secretary of the SC Chapter of the Federal Bar association for the 2008-2009 term.

Nexsen Pruet announces that 45 of their attorneys have been chosen to

be included in the 2009 edition of *The Best Lawyers in America*®. Those in the Columbia office are **Michael Brittingham, Henry W. Brown, Russell T. Burke, David E. Dubberly, Victoria L. Eslinger, William H. Floyd III, Jay Hennig III, Timothy L. Hewson, Fred L. Kingsmore Jr., William Y. Klett III, Mark Knight, W. Thomas Lavender Jr., Alan M. Lipsitz, W. Leighton Lord III, Susan P. McWilliams, Rick Mendoza Jr., Edward G. Menzie, William G. Newsome III, Julian J. Nexsen, Samuel F. Painter, R. Kent Porth** and **Matthew B. Roberts**.

**Richardson Plowden & Robinson** announces it was named #1 in SC for Construction Law in *The Best Lawyers in America*®. The publication also recognized four members of the firm for inclusion: **Frederick A. Crawford, Francis M. Mack, Frank E. Robinson** and **Franklin J. Smith, Jr.**

Collins & Lacy announces that **Joel W. Collins, Gray T. Culbreath** and **Ellen M. Adams** have been selected for inclusion in the 2009 edition of *The Best Lawyers in America*®.

**Walker & Reibold** announces the opening of its upstate office located at 106 Commons Blvd., Piedmont, SC, 29673.



## CLASSIFIEDS

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**OFFICE SPACE FOR RENT:** 1720 Main Suites 303 and 304 in Columbia. Office space available for an attorney and secretary or other support staff. Waiting room, copier, conference room, and parking. Office has just been refurbished and is fully furnished except for lawyer's offices. Great opportunity to be in a great building with other lawyers. Call Linda at 803-765-2626.

**FOR SALE:** ±2700 SF office space at 23 Surrey Ct. in St. Andrews area. Great layout for law firm. \$310,000. Contact Robert King/NAI Avant @ 803-744-9845

**POSITION AVAILABLE:** Merritt Flebotte Wilson Webb & Caruso PLLC is seeking a general litigation attorney for its Columbia office with at least 2 years experience. Candidates must be licensed in SC. This full-service law firm offers a friendly and dynamic environment with excellent opportunities for career growth. Position immediately available. Salary commensurate with experience and includes a comprehensive benefits package. E-mail resume to [jwebb@carotennlaw.com](mailto:jwebb@carotennlaw.com).

**OFFICE SPACE FOR LEASE:** 1226 Pickens Street, individual offices for firms or sole practitioner, 500 to 5000 sq. ft. Ample parking. Call: 803-256-4500.

### OFFICE BUILDING FOR SALE:

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## TEXT PARTE (...continued from page 11)

Ms. Scott has seen many good lawyers come and go. She participates in the annual Richland County Bar Memorial Exercises at which members of the bar who passed away the prior year are remembered. It is a “wonderful thing we do” because we can remember and reflect on the lives of “such good lawyers.” She remembers the most difficult memorial was the year her former boss of thirty years, Henry Kirkland, died. At his request, she gave the memorial tribute for him.

Over the years, she has been able to observe some “master trial lawyers” like John Gregg McMaster and Thomas E. McCutchen, Jr. Ms. Scott comments that when you watch one of them try a case, it is “indescribable.” They were always so prepared and in command and many lawyers liti-

gating today are “the same way.”

Ms. Scott is going to miss the people she meets every day. She declares she has never “found a judge she could not work with.” She loves talking to the jurors and feels very strongly they are “guests of the court” who must be treated as such. Meeting so many different people has given her the cherished opportunity to observe human nature. Not long ago, a juror actually claimed that the “dog ate my summons.”

She’s going to miss being the Clerk of Court but she’s “not gonna go far away.” That’s most fortunate for the people of Richland County.

*“Text Parte” is written by Eleanor Duffy Cleary, a sole practitioner in Columbia. You can reach Ellen at [edcleary@att.net](mailto:edcleary@att.net).*



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## FROM THE PRESIDENT

(...continued from page 1)

We are fortunate to have outstanding leaders who are stepping forward for the future of our organization. Next year's president, Beth Bernstein, has dedicated many years of service to the Richland County Bar Association and I know she will be an outstanding president. Again, thank you for the opportunity to serve as your president, and I look forward to seeing you at the next Richland County Bar Association event.

*Anyone who takes himself too seriously always runs the risk of looking ridiculous; anyone who can consistently laugh at himself does not.*  
- Vaclav Havel

The editors welcome your inquiries, comments and contributions: RCBA, P.O. Box 7632, Columbia 29202 or rcba@scbar.org.

# RICHBARNEWS

Newsletter of the Richland County Bar Association

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