

Volume 20, Number 1

RICHBARNEWS

Newsletter of the Richland County Bar Association



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Executive Committee

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Ashley C. Story - President-Elect

Kristen Horne - Immediate Past President

Walt Cartin - Member

Mike Polk - Member

Harrison Saunders - Member

Derrick Williams - Treasurer

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From the Editors

by Van Horger and Mike Polk

As this edition of the newsletter gets closer to print, one thing is certain—a lot has changed since most of these articles were written. The Richland County Bar Association, like all of you, has been adjusting to a new normal amid the COVID-19 pandemic. During this time, the RCBA is finding new ways to serve its members. While we have been forced to suspend our in-person events and practice social distancing, we are still working to meet your needs. As Executive Director, Mandy Wren has done (and continues to do) an outstanding job communicating any information that may be helpful to our members.



While this is undoubtedly an unprecedented time for our country, and most of the world, the importance of our community is highlighted during times of crisis. I am reminded of how our community pulls together during hard times. We can all recall how both neighbors and strangers lent a hand to those damaged by the historic flooding in 2015. Just as we helped each other in 2015, we've seen the community develop creative ways to help neighbors during this time. Facebook is now filled with strategies for ensuring the most vulnerable neighbors are safe without having to leave their homes. While birthday parties may be gone for the time-being, birthday parades are now frequent. Making a grocery run may have become an exercise of what, a couple of months ago, we would have been considered extreme sanitation practices. But while shopping, there is an unspoken pact that we are all going to be a bit kinder, a bit more courteous. And we thank the store employees for being there.



While we know that the threat of COVID-19 won't last forever, it is still unclear how long we will be living this way and what will have changed when this has passed. But we can feel confident that our community will support each other. The RCBA is proud to serve this community. As always, please let us know if you have any suggestions of how the organization can better serve you.

Van Horger can be reached at Van_Horger@scd.uscourts.gov. The other editor, Mike Polk, can be reached at Mike@belserpa.com.



From the President

Making the Best of it During Strange Times

by Charlie Moore



I think that I can safely say that these are the strangest times that any of us have ever faced. It has been a change for everyone, and it has certainly been one for the practice of law. Members of the bar are having to deal with issues in this age of social distancing that were unfathomable just two months ago. Large and small offices alike are reckoning with potential and real office closings and re-openings, staff downsizing, unpaid bills, and innumerable other concerns. According to the pundits, is entirely likely to continue to get worse before we see any improvement.

As I write this, however, I look out of my dining room windows (my new office), and I see more people out exercising and enjoying the spring weather than I have ever seen before, and hardly any cars. It is refreshing to see people taking advantage of the additional time away from the office in such a positive way. In the face of a global pandemic, it appears that the residents of Richland County are making every effort to become healthier in mind, body, and spirit. It is also good to see so many parents and their children being together and getting out in the fresh air at times of the day when parents are typically away at work. If there is a silver lining to this, then that is it.

As we move forward with the changes we are all being forced to face, the Richland County Bar is committed doing everything it can to help assist its members in any way possible. If you have any ideas about how we may accomplish that, please email Mandy Wren at mandy.wren@scbar.org or me at cmoore@turnerpadget.com.

Be safe, be healthy, and let's all look forward to being together here soon.

Charlie Moore is a shareholder at Turner Padget. He can be reached at cmoore@turnerpadget.com.





Update on Supreme Court Beautification

Finalizing Plans

by Jack McKenzie

I am happy to announce that we have met with the Department of Administration and have begun finalizing the plans for the Supreme Court parking area. We will know more details in the coming months, and we will share them with you as we receive them, but it looks like this project should become a reality in 2021. If you have contributed toward the project, then we thank you. If you or your firm have yet to donate, then please consider doing so. All donations are tax deductible and every penny goes toward bricks and mortar.



This is going to happen. Permeable pavers, six shade trees where before there were none – a project that creates beauty in our community while promoting the health and safety of our judiciary. Please join in and be a part of it.

Jack McKenzie is a past president of the RCBA and practices at McDonald, McKenzie, Rubin, Miller & Lybrand. He can be reached at jackm@mmrml.com.

My Time as South Carolina Bar President

Reminders of How the SC Bar Can Help Your Practice

By Bev Carroll



The highlight of my time serving as South Carolina Bar President has been getting the chance to meet and talk with so many of our members across the state. It's been a delight attending local bar meetings as well visiting with other groups like the SC Association for Justice, South Carolina Association of Criminal Defense Lawyers, South Carolina Defense Trial Attorneys' Association, South Carolina Women Lawyers Association, and South Carolina Legal Services Corporation. The key part of all these meetings and events for me has been listening to lawyers talk about how they work, what challenges they face, how the profession is evolving and how the Bar can serve as a resource and best help our members in their work and lives.

I often hear that members are unaware of the programs and benefits the SC Bar provides. I know time is a precious commodity these days so with that in mind I wanted to offer four quick ways the Bar can help you with your practice. And the best news is they won't cost you extra money!

Fastcase

All SC Bar members have free access to this great legal research tool through the Bar's agreement with Fastcase. Fastcase also offers free training webinars as well as a support team available 8 a.m. to 9 p.m. weekdays to help with research questions. Visit www.scbar.org/fastcase.

One-on-one practice management help

The Bar's Practice Management Assistance Program (PMAP) provides a free phone and email hotline for Bar members who have questions about law office technology, managing their practice, starting or closing a law practice, retirement, succession planning, and more. Many resources are available online. Visit www.scbar.org/pmap. The PMAP team also runs the Bar's Lending Library (www.scbar.org/lendinglibrary), which gives you the opportunity to borrow a range of books (for free!) on law practice management and technology issues.

Ethics Hotline

A trained Bar lawyer is available to answer our members' ethics questions, provide analysis of the South Carolina Rules of Professional Conduct as applied to certain facts and make recommendations regarding risk management, while leaving final decisions up to the Bar member. Call (803) 799-6653, ext. 178 or email ndavis@scbar.org. Learn more at www.scbar.org/ethicshotline.

Counseling Sessions

We all know practicing law is stressful, and research has shown our profession has higher rates of substance abuse and depression than that of the general population. That is why the SC Bar has emphasized the need to provide resources to all Bar members. The Lawyers Helping Lawyers Committee provides assistance to our members who are having problems with alcohol, drugs, or depression. All Bar members can get up to five free hours of counseling each year for any emotional or stress-related issue. Lawyers using the service remain completely anonymous. You may call CorpCare toll-free at (855) 321-4384 to be referred to a counselor in your area 24 hours a day. The Bar also has a Wellness Committee that provides useful resources through the website www.livingabovethebar.org. SOLACE is a bar committee, which provides support to members with the challenge of illness.

In addition to the above programs, the SC Bar offers a variety of ways for you to connect with colleagues and hone your skills. From CLEs to getting involved with one of the 18 sections, 30 committees, and two divisions, you have ample opportunity to stay on top of changes in practice areas and network with other lawyers across the state.

I wish all of you a successful, productive year. Remember, the SC Bar is here for you and because of you. Thank you to all of the attorneys who give their time and talents to our organization and the profession each year.

Bev Carroll of Morton and Gettys can be reached at bev.carroll@mortongettys.com.



Swearing In of Luther J. Battiste III

New National President of the American Board of Trial Advocates

Luther J. Battiste III was installed as National President of the American Board of Trial Advocates at the organization's National Board Meeting in Charleston at the Hotel Bennett on January 18, 2020. Mr. Battiste, a founding shareholder of Johnson, Toal & Battiste, P.A., took the oath of office from retired Chief Justice Jean Hoefer Toal of the Supreme Court of South Carolina.

Mr. Battiste is the first African-American to serve as National President. He also made history in 1983 by becoming one of the first two African-Americans elected to Columbia City Council since Reconstruction. He served 15 years as a member of the Columbia City Council, including two terms as Mayor Pro Tempore. In 1998, the City of Columbia dedicated to Luther J. Battiste III the Monument and Plaza in honor of his dedicated service as a public servant.

Mr. Battiste was admitted to ABOTA in on January 29, 2000, and has served as a National Board Member since 2005. He served two terms as

National Treasurer and has served as a chair or member on a number of committees and task forces. In 2011, he served as the President of the Southeastern Chapters of ABOTA, a regional organization representing 11 ABOTA chapters. He is active with the ABOTA Foundation and has long recognized that civics education has been neglected in this country and that failure has resulted in a serious diminution of citizens' understanding of the key role of an impartial judiciary and the jury system in our constitutional democracy.

Mr. Battiste and his wife, Judy, are spearheading the Foundation's newest effort launching this year, the Civics Education Literacy Program, which provides free books related to the U.S. Constitution to elementary schools. ABOTA members are financially supporting the program and are serving as volunteers to read to the students.

Mr. Battiste recognized his mentor, the Hon. Matthew J. Perry, Jr., who served as the first African-American United States District Judge in South Carolina. "Judge Perry demonstrated under difficult circumstances



American Board of Trial Advocates



that lawyers who practice with skill, civility, and integrity are respected,” Mr. Battiste said. “We should continue, as an organization, to stress that in an increasingly intemperate world civility and integrity matter. We must continue the efforts of the ABOTA Foundation to communicate the need for civility among lawyers and to educate our youth through civics education.”

As a board member for the National Center for State Courts, Mr. Battiste said that working closely with judges nationwide provided a perspective into the challenges faced by the Third Branch.

“We must continue to support making the judicial system accessible to all and responsive to the changing needs of technology. Advocating for an independent judiciary is essential,” Mr. Battiste said. “Understanding the past and preparing for the future to protect our valued legal system should be our greatest pursuit.”

May it Please the Court?

Musings of a Mock Trial Judge and Coach

By Peg Fox



A cup of hot coffee. A drive-through window. A bumpy parking lot. The plaintiff, front-seat passenger Drew Mosley, was severely burned. Did Rockie's Restaurant serve the coffee at an unreasonably hot temperature? Was there a design flaw in the flimsy cup? Did Rockie's adequately warn customers of the potential danger? Did Drew remove the lid in an attempt to add cream and sugar to hot coffee in a moving car? Or, as one aspiring young attorney argued, was all of this the driver's fault for passing the cup to Drew instead of placing it in the available cupholder? These are just some of the questions that middle-school students throughout the state pondered and argued during the Middle School Mock Trial Competition last fall.

You might think that the elements of a cause of action for strict liability, or the defense of contributory negligence, or the nuances of the hearsay rule of evidence are beyond the grasp of twelve-to fourteen-year-old minds, but you would be surprised.

The South Carolina Bar, through its Law Related Education ("LRE") Division, sponsors middle school and high school Mock Trial competitions each year—middle school in November and high school in February. Teams from different schools compete in three rounds. Each team is prepared to present either a plaintiff/prosecution case or a defense case, depending on the draw for that round. Each round represents a trial in which the teams present opening statements, conduct direct examination of their side's three witnesses (with team members playing the roles of the witnesses), conduct cross-examination of the other side's three witnesses, and present closing arguments. Students also learn "mock" rules of evidence, based on actual rules of evidence, and make and respond to objections throughout each trial round. A presiding "judge" oversees the trial and rules on objections, and a "jury" of three attorney volunteers scores each student's performance.

Last year, 45 high school teams and 41 middle school teams competed in the Mock Trial regional competitions. A total of 1,558 students participated, and 183 teacher coaches, 113 attorney coaches, and 277 additional attorneys volunteered their time to make the competitions successful. The top 12 teams in the state from each level (middle and high) advance to their respective state championship competitions each year where a state champion is determined. The high school state champion advances to the National High School Mock Trial Competition held each year in May. Last year, our State High School Mock Trial Championship team, Strom Thurmond High School, placed fifth in the nation.

The Mock Trial program has had a tremendous impact on students throughout the state over the years.



The first team I had the pleasure of coaching was Blythewood Middle School in 2005. The now-grown former members of that team include two attorneys (graduates of Stanford and Georgetown Law Schools), a doctor, a news anchor for WIS-TV, an engineer, an accountant, and an NCAA compliance officer. I like to think their participation in Mock Trial in eighth grade had something to do with their successes. I do know that Mock Trial is an incredible experience that makes a difference in the lives of many students. Participants learn about the American system of justice and the importance of the rule of law. At a time when civil discourse is declining, Mock Trial helps our youth develop important life skills and civic values.

The South Carolina Bar's LRE Division offers Mock Trial scholarships to deserving high school seniors each year. In essays submitted for 2019 scholarships, applicants wrote about the things they learned by participating in Mock Trial, including such life skills as confidence, time management, perseverance, determination, effective communication, critical thinking, listening, leadership, teamwork, professionalism, compassion, patience, helping and motivating others, the ability to think quickly and to adapt, and the ability to form rational arguments. Many mentioned values such as civility, gratefulness, respect, character, courage, and civic responsibility. Some of last year's applicants said of their Mock Trial experience:

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May it Please the Court (...continued from page 10)

"Mock Trial...has helped me with real world skills more than anything else I have done throughout my high school career."

"With [the] values instilled in me by our coaches, I will be able to accomplish more in other aspects of my life."

"Something that I've learned from Mock Trial...is respect. Respect for yourself, respect for those helping you, and respect for your competitors."

"Mock Trial has given me the confidence to engage in civil disagreements. This allows me to expand my worldview and become more well-informed."

"I developed rhetorical skills that help me to explain difficult concepts in constructive ways."

"Mock Trial [is] about preparing for the unexpected and having the mental agility to adapt to the various problems that get thrown your way."

"Mock Trial...has allowed me to develop the ability to withstand [my] ideas being challenged."

"[I learned] that most things are more complicated than they seem; there are more sides to each story than just one."

"I learned...how to cooperate with others and to always double check my math." [This from a student who served as the team timekeeper.]

"How sensational is it to stand before a judge and demonstrate your intellectual abilities and command of legalese?...I loved every minute of it."

People hesitate to volunteer for various reasons. They may be concerned about the time commitment. They may feel they are unqualified, or that they will not know what to do when they get there. They may think they are not needed and will be left standing around. Allow me to allay these concerns.

Participating as a Mock Trial volunteer is rewarding and fun. The time commitment is finite, whether you choose to score one round of competition (approximately 2 hours), coach a team, or anything in between or beyond. The SC Bar needs you, and will put you to good use. You will know exactly what is expected of you. Training videos, manuals, and other materials are available prior to the competition. Presiding

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and scoring judges also receive on-the-job training on competition day. New volunteers are paired with experienced judges for guidance. And, it is a great way to network while making a difference in your community. The SC Bar's LRE Staff is amazing. Cynthia H. Cothran (LRE Director), Donald Lanier (LRE Manager), and Marian Kirk (LRE Coordinator) are dedicated professionals. They are passionate about LRE programs, and can answer questions and provide whatever support you need.

The students who participate in Mock Trial are smart, engaging, and often hilarious. They deeply appreciate the opportunity to interact with "real life" attorneys. The teacher coaches who lead these teams (outside of school hours, after teaching all day) are my personal heroes. It takes many volunteers to keep Mock Trial and other LRE programs going. Please consider getting involved. I promise you will not regret it.

Peg is a regulatory attorney with Burr Forman McNair. She has been involved in Mock Trial for over 15 years as a coach, parent, presiding judge, and scoring judge. She is the current Chair of the SC Bar's LRE Committee. If you are interested in volunteering or learning more about Mock Trial or other LRE programs, please contact Peg at pfox@burr.com, or Cynthia H. Cothran (SC Bar LRE Director) at ccothran@scbar.org.

Richland County Common Please Jury Verdicts

2018CP4003041

Charles L. Adams v. Ayana Deajah Chiles

Attorneys:

Plaintiff: Alexis McCumber and Matthew Foss

Defendant: Cheslyne S. Brighthop

Cause of Action: Automobile, Personal Injury

Verdict: For Plaintiff

Actual Damages: \$303,000

2018CP4004541

Marvin Wise v. Joshua Carter

Attorneys:

Plaintiff: Jamie Best III

Defendant: William Buyck III

Cause of Action: Automobile, Personal Injury and
Property Damage

Verdict: For Defendant

2018CP4004174

Lachon Jones v. Jasmine Taylor

Attorneys:

Plaintiff: Karlen Senn

Defendant: J. Austin Hood

Cause of Action: Automobile

Verdict: For Plaintiff

Actual Damages: \$125,000

Punitive Damages: \$25,000

2014CP4004661

Porthemos Curry v. Maurice Derrick, Carolina
Insurance Group of SC, Inc.

Attorneys:

Plaintiff: T. Jefferson Goodwyn, Jr. & Rachel Peavy

Defendant: Wesley Peel

Cause of Action: Contract, Breach of Contract

Verdict: For Defendant

2017CP4005734

Melanie Jean Jones v. Midlands Neurology & Pain
Associates P.A.

Attorneys:

Plaintiff: Nekki Shutt

Defendant: Dwayne Marvin Green

Cause of Action: Other, Employment

Verdict: For Plaintiff

Actual Damages: \$13,000

2018CP4006258

Franzell Johnson v. Irwin Wilson

Attorneys:

Plaintiff: Trevor Eddy

Defendant: Pro Se

Cause of Action: Other, Fraud/Bad Faith

Verdict: For Plaintiff

Actual Damages: \$5,000

2018CP4003233

Brinklea Raines v. Cary Dean Pack

Attorneys:

Plaintiff: Adrian Falgione

Defendant: Michael Trask

Cause of Action: Automobile, Personal Injury

Verdict: For Plaintiff

Actual Damages: \$13,500

2018CP4001954

April Hunter v. Angel Flannery

Attorneys:

Plaintiff: Brad Hewett and Karlen Senn

Defendant: Karl Brehmer

Cause of Action: Automobile, Personal Injury

Verdict: For Plaintiff

Actual Damages: \$30,000

2018CP4004251

Sara Phifer Burnside and Robert Burnside v.
Appallonia Michelle Hill
Attorneys:
Plaintiff: Jay Elliott and David Fedor
Defendant: Phillip Florence, Jr.
Cause of Action: Automobile, Personal Injury
Verdict: For Defendant

2018CP403007

Julius Hoffman v. Andre Smith
Attorneys:
Plaintiff: Stephen C. Burn, Jr. and William James
Jones
Defendant: Monica Towle
Cause of Action: Automobile
Verdict: For Plaintiff
Actual Damages: \$18,290.20

2019CP4000328

Quatavious Catoe v. John Doe
Attorneys:
Plaintiff: Garry L. Wooten
Defendant: Bruce H. Greenberg, Jr.
Cause of Action: Automobile, Personal Injury
Verdict: For Plaintiff
Actual Damages: \$4,797.50
Punitive Damages: \$4,797.50

2018CP4004340

Cassandra Sims v. Robert Rucker
Attorneys:
Plaintiff: Pamela R. Mullis
Defendant: Robert L. Brown
Cause of Action: Automobile, Personal Injury
Verdict: For Plaintiff
Actual Damages: \$11,642.20

2017CP4005803

Lamyah Tompkins v. Nathan Dannels
Attorneys:
Plaintiff: Barry B. George and Paige George
Defendant: Samuel Mokeba
Cause of Action: Automobile, Personal Injury
Verdict: For Plaintiff
Actual Damages: \$5,697.27

2018CP4005110

Rodney Richardson, Jr. v. Porsha Nicole Copeland
Attorneys:
Plaintiff: Page Kalish
Defendant: James Newman, Jr.
Cause of Action: Automobile, Personal Injury
Verdict: For Plaintiff
Actual Damages: \$27, 500

2018CP4003840

Avery Romano v. Nicholas Ellenberg
Attorneys:
Plaintiff: Thomas Taylor
Defendant: Samuel Mokeba, Kyle Watson
Cause of Action: Automobile, Personal Injury
Verdict: For Plaintiff
Actual Damages: \$15,000

2018CP4002011

Anthony McDow v. Leon Lott and Richland County
Sheriff's Department
Attorneys:
Plaintiff: Alexis W. McCumber, Roy T. Wiley IV
Defendant: Robert Garfield
Cause of Action: Automobile, Personal Injury
Verdict: For Plaintiff
Actual Damages: \$812,500

continued on page 22...

Probate Court Guardian ad Litem Program

The Richland County Probate Court celebrated the fifth year anniversary of The University of South Carolina School of Law Pro Bono Program's "Probate Court Guardian ad Litem Program" at the Court's annual Guardian ad Litem training session. Pam Robinson, Esquire, Director of the Pro Bono Program, recruits, trains, oversees and assists the student volunteers with reviewing court files, creating Guardian ad Litem reports, and representing vulnerable individuals' interests in Guardianship and Conservatorship proceedings. The students who participate in this program work tirelessly to ensure that individuals who are unable to advocate on their own behalf have their interests protected in Court proceedings.

The Richland County Probate Court is extremely grateful for the hard work Pam Robinson and the Probate Court Guardian ad Litem Program provides to the community of Richland County.

If you would like more information regarding the Probate Court Guardian ad Litem Program, please contact Pam Robinson at robinspd@law.sc.edu.

The Richland County Probate Court offers Guardian ad Litem training sessions annually. The next training session is February 2021. If you would like more information on this session, please send inquires to Kim Lewis at Lewis.Kim@RichlandCountySC.gov.

Pictured left to right: The Honorable Jaqueline D. Belton, Associate Probate Judge; Pam Robinson, Esquire, Director of the Pro Bono Program at the University of South Carolina School of Law; The Honorable Amy W. McCulloch, Probate Judge; and Kim Lewis, Director of Guardianship and Conservatorship in Richland County.



Annual Oyster Roast

The Annual Oyster Roast celebrating Mardi Gras was held on Thursday, February 25th at the Woodrow Wilson Home.



Homebrewing

Somewhere Between a Science Experiment and Cooking

by Sam Wellborn

Homebrewing is like a good legal case: it starts with a strategic vision, is executed with a combination of acumen and creative flair, and ends with a gratifying finish.

Maybe homebrewing is old hat to you. If so, forgive my missteps in this article and please reach out to me with your insights. If you're like me, however, and are still relatively new to homebrewing, take heart: since hobby homebrewing has exploded in popularity, there are innumerable resources (and second-hand equipment) at your disposal. To get you started, following are some notes from this novice homebrewer:

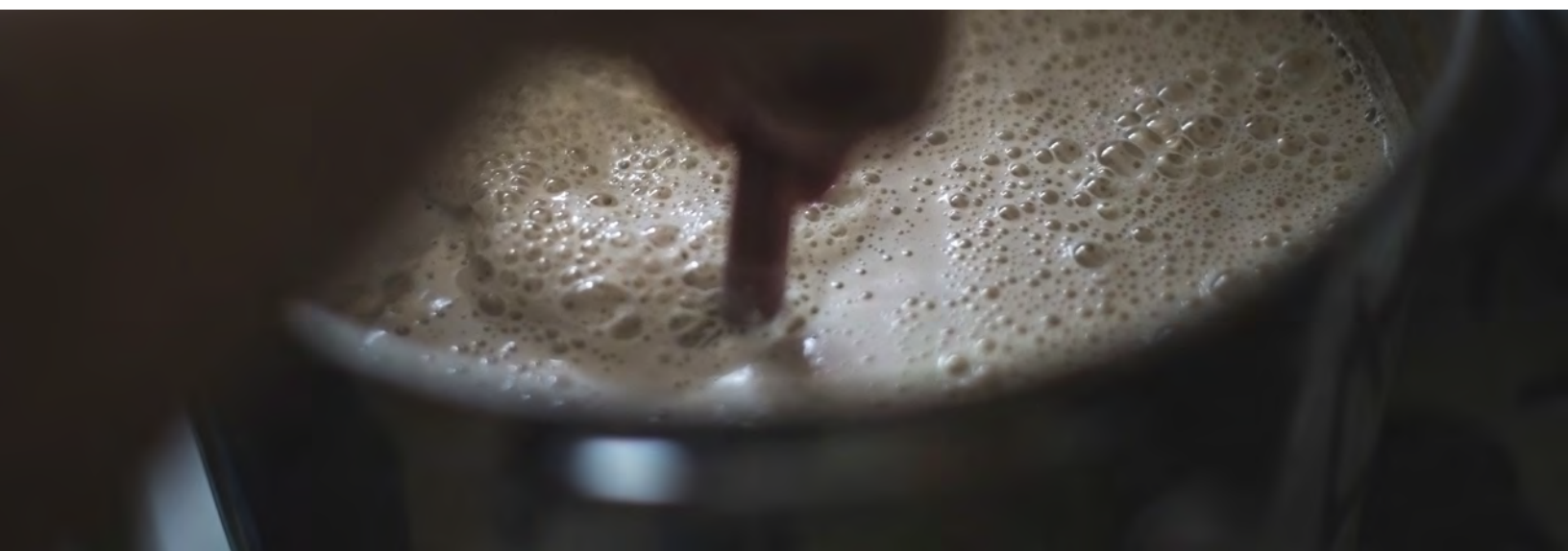


Water

A case is currently pending before the U.S. Supreme Court concerning a change in the Environmental Protection Agency's enforcement of the Clean Water Act that may impact water quality (*County of Maui v. Hawaii Wildlife Fund*, Case No. 18-260). As confessed in an *amicus* brief filed in that case by a coalition of 60 craft breweries, "[b]eer is mostly water." For that reason, the quality of the water used is critically important. Too many sulfates and the beer will taste acidic. Too much chlorine and the beer will taste like medicine. Because the typical homebrew is only 5 gallons, if you are suspicious of your home water supply, picking up a few gallons of spring water from your local grocer is cheap insurance against a bad homebrew.

Yeast

Beer is the product of the metabolism of a collection of single-celled organisms called yeast. Yeast consume sugar-rich wort, generating alcohol and carbon dioxide. There are scores of species of yeast, and



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each has its own characteristics, including tolerance to alcohol (and therefore the ultimate potential gravity), optimum fermentation temperature, and varieties of resulting alcohols and flavor profiles. For reference, peruse the yeast catalog available online from White Labs.

Homebrewing is somewhere between a science experiment and executing a recipe (think the “science of cooking” à la Alton Brown). There is a set of ingredients that can be adjusted based on preference, a controlled chemical process, and a (hopefully) delicious outcome. While there are certain axioms that should be followed when homebrewing, at the end of the day, it’s just plain fun to brew and gratifying to drink and share the fruits of your labor. As Ben Franklin once said, “beer is proof that God loves us and wants us to be happy.”

If you have your own homebrewing tips, a recommended brewery or biergarten, or a completely unrelated business litigation need, please send me a note.

In the meantime, check out what your colleagues are up to in the *Bar Bites* on page 21, and if you’ve got any recommendations for your fellow Bar members, please send them to Jamie Smith at jsmith@mklaw-group.com.

Sam Wellborn can be reached at swellborn@robinsongray.com.

Profiles of RCBA Committee Leadership

Jonathan E. Spitz, Partner at Todd & Johnson and current RCBA Probate Court Liaison



What are you up to these days? My wife and I had planned a trip to celebrate our five year wedding anniversary, ideally in New Orleans watching the South Carolina Women's Basketball team play in the Final Four but unfortunately that trip didn't happen. These days my wife and I have been passing the time with online cooking classes and zoom happy hours. We also have spent way too much time catching up on Netflix and Amazon Prime shows. We can't wait to be able to get out safely to see friends and travel again.

What hobbies do you enjoy, or more generally what interests do you have outside of law? My wife and I have Cavalier King Charles Spaniels and we love spending time with them. We are also big South Carolina Women's Basketball fans and enjoy watching them play. And I am always ready to talk about Wofford College.

What is the best piece of advice you have ever received? Make sure to take time for yourself. Work will still be there tomorrow. (Although this is something that I am constantly struggling with.)

What is your favorite show, book, movie, or music and why? I have recently been spending time going back and re-watching *Parks and Recreation* and *The Office*. They both help me relax at the end of day as they typically aren't too serious and you don't have to follow them too closely to still enjoy them.

Why did you choose to get involved in the Richland County Bar? What benefits do you see to your involvement? I am passionate about the probate and estate administration field and wanted to make sure I could help alleviate confusion with the relationship between the Probate Court and the attorneys who may interact with them. I have found through getting involved I have met numerous other attorneys I may not have met otherwise.

Why should someone join your committee or get involved in a leadership capacity with the RCBA? The RCBA

does so much to help attorneys who live and practice in Richland County. Getting involved ensures that the RCBA can continue to do so. Fresh faces bring new ideas and new ideas are always welcome.

Taylor Gilliam, Appellate Defender, South Carolina Commission on Indigent Defense & Chair of the Public Service Committee

What are you up to these days? My wife Caitlin and I just celebrated our sixth wedding anniversary. We have two sons, and most of my time outside of work is spent building LEGO's, kicking a soccer ball, or napping during an episode of Paw Patrol.

What hobbies do you enjoy, or more generally what interests do you have outside of law? Because I went to The Citadel, I'm one of those rare South Carolinians who can cheer for both Clemson and the University of South Carolina. I enjoy watching football, basketball, and baseball with my family; we try to attend a few games each year. I enjoy a good board or card game as well as bar trivia when possible. I've done a few escape rooms and hope to participate in axe throwing sometime soon.



What is the best piece of advice you have ever received? My wife and I read four books to our older son every night at bedtime, and I've found a surprising amount of wisdom in children's books. For example, this portion of *You're Here for a Reason* by Nancy Tillman: "Life can be tricky, there isn't a doubt. You'll skin your knees trying to figure it out. But life works together, the good and the bad, the silly and awful, and happy and sad, to paint a picture we can't always see...a picture that needs you, most definitely. Remember that next time a day goes all wrong, to somebody else, you will always be strong."

What is your favorite book/movie or lunch/dinner spot? It feels like all of my favorite legal shows (*Trial and*

continued on page 22...

Bar Bites



One of my favorite parts of Columbia is the Riverfront Park. It's a really beautiful walk along the river, and they often host events there, like the Bierkeller they've hosted in the fall and spring in years past. There is a section with outdoor exercise equipment that's like a playground for adults (and is handicap accessible!), and they also have the blue bicycles that you can rent and ride. It's well maintained, very dog-friendly, and a great place to exercise outdoors! - *Jennie Rischbieter, Richland County Public Defender's Office*



I got hooked on the theatre back in the 90's when my son became active in Heathwood Hall's theatre program and became an apprentice with Trustus Theatre. As a single parent during that time, I can honestly say that Trustus Theatre helped raise Patrick Michael Kelly to be the young man he is today! Even though Patrick's day job is the manager of the Richland County Public Defender's Office, he is still active in local theatre and Trustus, where he recently directed a production of the Tennessee Williams classic, *A Streetcar Named Desire*. While there are several fine theatre companies in the Midlands, I am partial to Trustus because of this personal connection and because of their willingness to take on shows like Streetcar that other local theatres shy away from. If you haven't been, it's a great venue with comfortable seating, and you can relax during the show with a beer or glass of wine from concessions. This season, Trustus is celebrating its 35th anniversary with an especially exciting schedule, so there's no better time to check it out! - *Mike Kelly, Mike Kelly Law Group*



One of my favorite places in Columbia is Yappy Hour at Jake's on Devine. As a dog owner, it's a great chance to get some socialization in for the furry friends, as well as enjoy a drink or two. Tuesdays and Thursdays are the dedicated Yappy Hour evenings, although the location is dog friendly any time before 10 most nights. Finally, the Sunday brunch has a less dense dog population than Yappy, which is good, because it makes it easier to nom on the chicken and waffles or other brunch fare on offer. - *R. Alexander Pate II, Staff Counsel, South Carolina Human Affairs Commission*



There is really nothing like the experience of being in a darkened theater, staring up at 30 feet of earnest, emotional acting from a professional thespian who is supposed to look like a cat but doesn't. *Cats* delivers. I'm just not sure what. - *Sarah Cox, Burnette Shutt & McDaniel, PA*

2020 RCBA Leadership (...continued from page 20)

Error, For the People, Conviction, and Proven Innocent) are only around for a season or two before getting cancelled. When it comes to lunch spots, it's hard to beat the Devine Cinnamon Roll Deli. Jody, the owner, is legitimately one of the nicest people I've ever met.

Why did you choose to get involved in the Richland County Bar? What benefits do you see to your involvement? One of my good friends, Emily McMillan, was on the Public Service Committee but was moving out of state. She recommended that I consider joining the committee back in 2016, and that was my first experience with the RCBA. To date, I've been to the summertime zoo event, numerous lunch-and-learns, a few CLE's, the oyster roast, and the annual meeting. There are countless opportunities to reconnect with people, network, and attend family friendly functions. The officers and executive director do an excellent job of taking suggestions and turning them into reality.

Why should someone join your committee or get involved in a leadership capacity with the RCBA? This is my second year chairing the committee. We are in charge of the twice-a-month legal clinic at Transitions, the homeless shelter in Columbia. In fact, we recently completed our fourth annual Practical Knowledge for ANY Attorney and received the following feedback: "The information presented was among the most user-friendly and informative information I've gotten out of a CLE since becoming a member of the Bar." We trained attorneys on how to respond to questions regarding expungements, social security disability insurance, family law, and landlord-tenant law. Many of those concepts are the subject of inquiries at the clinic, and we asked that attendees of the free CLE volunteer once at the clinic.

In law school, I was always a fan of practical courses. I like to think of our committee as a practical one, hence the CLE title. We meet once a month at a restaurant around town and discuss how to use our law degrees to help people. To me, it doesn't get any better than that.

Verdicts (...continued from page 14)

2018CP4002011

Anthony McDow v. Leon Lott and Richland County Sheriff's Department

Attorneys:

Plaintiff: Alexis W. McCumber, Roy T. Wiley IV

Defendant: Robert Garfield

Cause of Action: Automobile, Personal Injury

Verdict: For Plaintiff

Actual Damages: \$812,500

2017CP4004757

Willie J. Pinson v. Bartholomew S. Hagerman Attorneys:

Plaintiff: Max Capper Sparwasser

Defendant: Robert Lesley Brown

Cause of Action: Automobile

Verdict: For Plaintiff

Actual Damages: \$38,000

Noteworthy News & Announcements

Brett Bayne, attorney at **McAngus Goudelock & Courie**, has joined the American Board of Trial Advocates' South Carolina chapter. Bayne received a Juris Doctor from the University of South Carolina and a Bachelor of Arts from Baylor University. Outside of MGC, Bayne teaches Trial Advocacy at the University of South Carolina School of Law, and has served as the Faculty Advisor and Head Coach of the school's Mock Trial Bar since 2013. ABOTA is a national association of experienced trial lawyers and judges. Its members are dedicated to the preservation and promotion of the civil jury trial right provided by the Seventh Amendment to the U.S. Constitution.

Grady Beard, a member with **Robinson Gray** law firm, has been named vice president of the South Carolina Workers' Compensation Educational Association. Grady was previously the organization's treasurer and in 2018, was the recipient of SCWCEA's Lifetime Achievement Award. He is a graduate of the Emory School of Law and a co-author of the recent seventh edition of The Law of Workers' Compensation Insurance in South Carolina. He is a fellow in The College of Workers' Compensation Lawyers, a member of the National Workers' Compensation Defense Network and is active in the South Carolina Defense Trial Attorneys' Association.

Michael R. Burchstead has been elected as a shareholder of the **Collins & Lacy** law firm. Through his Government, Ethics, and Compliance Practice, Burchstead represents public officials, governmental entities, political campaigns, lobbyists and lobbyist principals, and others who have issues with or seek advice on compliance

with South Carolina or federal law. He also defends businesses and professionals in matters before state and federal courts.

Cavanaugh & Thickens, LLC announces that **Nicholas J. Skorzewski** has joined the firm located at 1324 Gadsden Street.

Collins & Lacy shareholder **Andrew N. Cole** became an Associate Director on the Board of Directors for the Building Industry Association of Central South Carolina (BIA). Cole is a litigation defense attorney and certified circuit court mediator who focuses his law and appellate practice on the construction industry. Formerly known as the Home Builders Association of Greater Columbia, the non-profit professional association was founded in 1957 and brings together people from all phases of the building industry to promote and advocate for programs and policies that help create affordable housing.

Crawford & von Keller, LLC is pleased to announce that **B. Lindsay Crawford IV** has accepted membership in the law firm, **Christopher Brian Lusk** has accepted a position as an Associate and **Lawrence W. Johnson, Jr.** has joined the firm as Special Counsel.

Crowe LaFave, LLC is pleased to announce that **Mary D. LaFave** and **Robert D. Garfield** have become owners in the firm located at 500 Taylor St., Suite 202.

Finkel Law Firm announces that **Elizabeth von Keller** and **Ashleigh Anne McKinney** have joined the firm's Columbia office located at 1201 Main Street, Suite 1800.

Gallivan White Boyd is pleased to announce that **Jessica W. Laffitte** has been promoted to partner. Laffitte focuses her practice on a range of litigation matters primarily related to professional negligence, insurance coverage, transportation, and business and commercial litigation. Although she represents matters in both state and federal trial courts, having served as a law clerk to the Honorable John W. Kittredge, Laffitte devotes a portion of her practice to handling appellate matters.

Gallivan White Boyd congratulates partner **Janice Holmes** on her selection to become a Riley Fellow. She joins other leaders selected from across the state to participate in the Riley Institute's Diversity Leaders Initiative (DLI). DLI graduates become Riley Fellows, members of a powerful, cross-sector, statewide leadership network that extends the reach and impact of leaders working together to make South Carolina a better place to live and work.

Gallivan White Boyd is pleased to announce partner **Breon Walker** was recognized as a 2020 Honoree of the South Carolina Leadership in Law award hosted by *South Carolina Lawyers Weekly*. Walker has a diverse legal practice which includes the defense of personal injury claims, products liability defense, commercial litigation and government relations. Walker was appointed by the City of Columbia to serve as a Commissioner for the Richland-Lexington Airport Commission. She serves the profession through her involvement on the South Carolina Defense Trial Attorneys Association's Board of Directors, and as Vice-President of the South Carolina Black Lawyers' Association. Honorees have achieved success in their law prac-

tice, made contributions to society and had an impact on the legal profession.

Gaffney Lewis LLC announces that **Sara Brakmann** has joined the firm in the Columbia office located at 3700 Forest Drive, Suite 400.

Haynsworth Sinkler Boyd is pleased to announce that **Parker Barnes** has been selected as one of the 2020 South Carolina Lawyers Weekly Leadership in Law honorees. Honorees are nominated by peers and selected by *South Carolina Lawyers Weekly*. Parker is the administrative shareholder for the firm's Columbia office and focuses his practice on real property and business litigation. He primarily handles matters involving tax sales, real estate related disputes, consumer financial services and commercial lending disputes. Parker also served in the SC Bar House of Delegates for four years. Honorees have achieved success in their practice and have made a positive impact on the legal community as well as the community at large.

Haynsworth Sinkler Boyd announces that **Joseph Spate** has joined the Columbia office located at 1201 Main Street.

Matthew L. Jepertinger, a graduate of the University of South Carolina School of Law, has joined **Callison Tighe & Robinson** as an associate. His practice will focus on civil litigation. Mr. Jepertinger came to the firm more than a year ago, working as a law clerk as he completed his JD. A graduate of Frances Marion University with a bachelor's degree in nursing, Mr. Jepertinger worked for two years as a registered nurse in the cardiovascular intensive care unit at a Florence hospital. He'll turn to his

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Noteworthy News & Announcements (...continued from page 24)

medical experience and training in helping clients in malpractice, workers' comp and other healthcare-related cases.

I.S. Leevy Johnson was the speaker at the University of South Carolina's winter commencement ceremony in December. Johnson earned his law degree in 1968, and was the first African American to complete the School of Law's entire law curriculum.

Joe Lucas, an attorney at **Pope Flynn** in Charlotte, NC, has been elected to serve as a trustee of the Mary Duke Biddle Foundation. Lucas also serves as the managing member of Pope Flynn. He is a Fellow of the American College of Bond Counsel in the College's class of 2016, one of thirteen bond attorneys around the country who were selected for induction in the class. A member of the North Carolina and South Carolina bars, he graduated from the University of North Carolina at Chapel Hill with a BA in history, then went on to receive his JD from Duke University School of Law.

The McKay Firm is pleased to announce the addition of **Alexander Zurauff** as the newest attorney at the firm. Mr. Zurauff practices in the areas of general civil defense and government defense. He graduated from North Carolina State University with a degree in Political Science and went on to earn his Juris Doctorate from the University of South Carolina School of Law where he was also a member of the Moot Court Bar and Order of the Barristers. While in law school, Alex competed in competitions as an advocate on the Moot Court National Competition Team.

Mark C. McLawhorn announces the opening of **McLawhorn Legal, LLC**, located at 1201 Main

Street, Suite 1100.

Kelly Morrow, a member at **Robinson Gray** law firm, has joined the board of directors of Kids' Chance of South Carolina. The nonprofit organization provides scholarships for college and vocational school to children of South Carolina workers who have been killed or seriously injured in a work-related accident resulting in financial need. The nonprofit has awarded more than \$1 million in scholarships funds in South Carolina since 1993. Kelly focuses her practice on workers' compensation and workers' compensation mediation. She is a graduate of both Clemson University and Loyola University New Orleans School of Law.

Amanda S. Mueller has joined **Burnette Shutt & McDaniel**. She brings a multi-faceted practice to the firm's family law team that represents clients in a wide range of legal issues, including divorce, custody, assisted reproduction, name and gender changes, domestic partnerships, and grandparents' rights. Previously Mueller worked at the Columbia office of a national law family firm primarily focused on representing fathers and men. She's also a former attorney for the SC Department of Social Services who represented the state in over 1,000 hearings. A graduate of the University of South Carolina School of Law, Mueller has advanced training in family law through the National Family Law Trial Institute in Houston. She serves on the SC Bar Children's Law and Law Related Education committees, and she was an instructor at the Bar's Law School for Non-Lawyers.

Nelson Mullins Managing Partner **Jim Lehman** was selected by *South Carolina Lawyers Weekly* for a 2020

Leadership in the Law award, which recognizes attorneys from across the Palmetto State who have achieved success in their law practice, made contributions to society, and had an impact on the legal profession. Lehman has served as managing partner of the firm since 2011. Lehman also uses his legal skills to serve organizations, including currently serving as Claflin University's Board of Trustees chair. Lehman also has served in various community leadership positions, including his current service on the Columbia Urban League's Board.

Clarke Newton has been named a partner with **Bluestein Attorneys**. Clarke's practice with Bluestein Attorneys concentrates on criminal defense, medical malpractice, wrongful death, motorcycle wrecks, tractor-trailer wrecks, and personal injury. He received his bachelor's degree from the University of Florida, majoring in political science, and graduated from the University of South Carolina School of Law. Clarke is a member of the Leadership Columbia Class of 2020.

Mariel D. Norton, formerly an associate at **Baker Ravenel & Bender**, has been named Special Counsel for the firm. Mariel practices in the areas of insurance coverage, bad faith litigation and appellate advocacy at the firm. Being from a military family, she lived in several states before choosing to attend Wofford College, where she earned a *summa cum laude* in history in 2008. Since then, she has made South Carolina her home. She obtained her Juris Doctor degree from the University of South Carolina School of Law in 2011.

Rikard & Protopapas, LLC announces that **George M. Pappas** has joined the firm as an associate and

that **Charles E. Usry** has been named partner at the firm located at 1329 Blanding Street.

Several RCBA attorneys were recognized with awards at this year's SC Bar Annual Convention. The Trial and Appellate Advocacy Section Award was presented to **Whitney Harrison**, a Columbia native at **McGowan Hood & Felder, LLC** for her outstanding commitment to trial and appellate advocacy in the legal profession. **George Cauthen** was recognized by the Pro Bono Board for outstanding service to the South Carolina Bar Pro Bono Program. Cauthen, partner at **Nelson Mullins Riley & Scarborough**, was instrumental in the initial design of the 1985 Pro Bono Program as well as sustaining it through serving on the Pro Bono Board until stepping down in 2019. Senior Lawyers Division members **Pamela Robinson** and **Malissa Burnette** were awarded the 2019 SLD Pro Bono Lawyer of the Year award. Robinson has been the director of the University of South Carolina School of Law Pro Bono Program for 29 years and is a past recipient of the SC bar Pro Bono Program Service Award. Partner at **Burnette Shutt & McDaniel, PA**, and past president of the Senior Lawyers Division, Burnette has a strong resume of pro bono work. She was a founding member of the South Carolina Women Lawyers Association and has served the public through a variety of positions throughout her career. University of South Carolina School of Law **Dean Robert Wilcox** was awarded the DuRant Award, the most prestigious award given by the South Carolina Bar Foundation. Dean Wilcox joined the University faculty in 1986 and has been a prominent member of the legal community throughout his career.

Pope Flynn announces that **Sara Weathers** has

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Noteworthy News & Announcements (...continued from page 26)

joined the firm's Columbia office located at 1411 Gervais St., Suite 300.

C.D. Rhodes has been named a new member at **Pope Flynn**. Rhodes will continue his practice in the field of public finance and governmental law, serving as bond counsel and providing advice and counsel to counties, municipalities, and special purpose districts. Rhodes serves as chair of the Advisory Council of the Historic Columbia Foundation and is a 2014 graduate of The South Carolina Economic Development Institute and a 2017 graduate of Leadership Columbia. Rhodes received his JD from the University of South Carolina School of Law. He also holds a Master's degree in Public Administration from the University of South Carolina and a BA in Historic Preservation and Community Planning from the College of Charleston.

Janet Rhodes, an employment lawyer and partner at **Burnette Shutt & McDaniel**, was recognized with a Leadership in Law Award from *South Carolina Lawyers Weekly*. Rhodes represents clients in a range of employment law cases in SC and federal courts. This includes discrimination, equal pay, wrongful termination, wage disputes, contract disputes, and non-compete agreements. She shares her legal knowledge with others through teaching continuing legal education seminars and also updated a chapter in the recent update of "*Labor and Employment Law for South Carolina Lawyers*," a publication of the SC Bar. She serves on the Council for SC Bar's Employment and Labor Law Section as the newsletter coordinator and is deeply involved in the community, currently serving on the Board of Directors for the

Trustus Theatre. She was a member of the planning committee for the Midlands Arts Conservatory.

Rogers Lewis Jackson Mann & Quinn, LLC announces that **Kevin Maroney** has joined the firm located at 1901 Main St., Suite 1200.

The Samuels Law Firm announces that **Jason Reynolds** has been named partner and the firm name has changed to **Samuels Reynolds Law Firm**, located at 1320 Richland Street.

The SC Bar Leadership Academy recently announced its 2020 class. Congratulations to the following RCBA members selected: **Joseph Berry** of Lewis Babcock L.L.P.; **Cherlyn Borjes** of the City of Columbia; **Chelsea Clark** of Bruner Powell Wall & Mullins, LLC; **Elizabeth Leverette** of the S.C. Supreme Court; **Lonnese Mitchell** of White & Story, LLC; and **Jennifer Rainville** of S.C. Legal Services. This program, open to members in practice from three to 15 years, is designed to train the next generation Bar and community leaders. Class members take part in networking opportunities, professionalism training and community awareness exercises. Over the course of five months, members get the chance to hone a variety of skills necessary to give back to the profession and position themselves as leaders in their communities.

Scott & Corley, P.A. announced that its Firm Chairman **Ronald "Ron" C. Scott** has been chosen by *South Carolina Lawyers Weekly* to receive the Diversity & Inclusion Award for 2019. Mr. Scott was one of 20 people to receive the award last year. He is being recognized for his contribution to the legal commu-

nity in the areas of diversity and inclusion. Mr. Scott was part of the 2018 Inaugural Class of the South Carolina Lawyers Hall of Fame, presented by *South Carolina Lawyers Weekly* and a recipient of the 2019 Columbia Regional Business Report's Icons & Phenoms Award. In addition, Mr. Scott is a 2017 Recipient of the Order of the Palmetto, South Carolina's highest civilian award for extraordinary service to the state.

The South Carolina Office of the Attorney General announces that **Jonathan Comish** has joined the agency located at 1000 Assembly Street.

Congratulations to the following Richland County Bar members who were elected to serve in the South Carolina Bar House of Delegates: 1st Circuit—**Catherine E. Mubarak** and 5th Circuit—**Jennifer Ellis Aplin, Joseph P. Bias, Robert Lesley Brown, George B. Cauthen, Aleksandra B. Chauhan, Amie L. Clifford, Leslie A. Cotter, Jr, Elnora J. Dean, Scott A. Elliott, Harry L. Goldberg, Daryl G. Hawkins, Amy L.B. Hill, Catherine Kennedy, Charles A. Kinney Jr., Frank B.B. Knowlton, Chris R. Koon, John L. McCants, Robert L. Reibold, Pamela J. Roberts, Sam Sammataro, Stephen T. Savitz, Jane O. Shuler, Jasmine D. Smith, William R. Thomas, Robert Tyson; Michael J. Virzi, Mitchell Willoughby, and Clinton J. Yarborough.**

Sojourner, Caughman & Thomas, LLC announces that **Jennifer R. MacLeod** has been named a shareholder at the firm located at 1301 Gervais St., Suite 1920.

Kerk Spong, a member of **Robinson Gray** law firm, has been appointed as one of two new Small Business Bankruptcy Trustees in the U.S. Bankruptcy Court for the District of South Carolina. Recent

amendments to the federal bankruptcy code created a new subchapter 5 under Chapter 11 (Business Reorganization) designed to help small businesses. Kerk was already serving as the Chapter 12 Bankruptcy Trustee for the District of South Carolina. He is also a member of the District of South Carolina's Advisory Committee on Local Rules and Practice, which is charged with studying local rules and procedures and submitting its suggestions to the court. He has a statewide practice in the Equity Courts of South Carolina, and often serves as a court-appointed Special Referee in real estate matters and disputes.

J. Gregory Studemeyer and **Ryan G. Studemeyer** are pleased to announce the opening of **Studemeyer Law Firm** and the relocation of their offices from 1701 Richland Street, Columbia, South Carolina 29201 to 7478 Carlisle Street, Irmo, South Carolina 29063 effective March 2, 2020.

Sweeny, Wingate & Barrow, P.A. announces that **Griff Doolittle** and **William A. Neinast** have joined the firm's Columbia office as associates.

Lauren Trask has joined the Workers' Compensation Defense Practice at **Collins & Lacy**. Trask is experienced in defending insurance carriers and employers in civil litigation. She earned undergraduate degrees in English and History from the Tulane University Honors College and her Juris Doctorate from the University of South Carolina School of Law.

Williams & Williams announces that **J. Andrew Delaney** has joined the firm located in Orangeburg and will be opening a Columbia office located at 1201 Main Street, Suite 910.

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Two offices, including space for admin, are available in Jack Swerling's office suite. The offices are conveniently located directly across from the Richland County Courthouse. Rent includes parking, and use of copier and fax. Please call 803-765-2626 for more information.

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