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G-Bar News

THE END OF SEGREGATION

by Debra J. Gammons, Assistant City Attorney

On May 17, 1954, the United States Supreme Court made a decision that shocked the country - particularly the Southern States; that decision overturned the erroneous decision of Plessy v. Ferguson, 163 U.S. 537 (1896). Brown v. Board of Education of Topeka, Kansas, 347 U.S. 483 (1954) combined cases from South Carolina, Virginia, Delaware, District of Columbia, and Kansas. The Plaintiffs in this case argued that the Equal Protection Clause of the United States Constitution prohibited separate public schools for black children. Brown expired the "separate but equal" doctrine set forth in Plessy.

Law Week 2004 celebrates the 50th anniversary of Brown v. Board of Education. The theme is "To Win Equality by Law: Brown v. Board of Education at 50." Brave parents and students were the catalyst for this landmark decision. Attorneys were the necessary component for bringing and

winning this case. Attorneys are responsible for bringing about this significant change that guaranteed a group of American citizens their rights already established under the United States Constitution. Attorneys sought to right a wrong; to use our judicial system to end segregation; to use our laws to fight for equality. Attorneys at the helm doing the right thing.

Law Week is the celebration of our legal heritage. President Dwight D. Eisenhower established Law Day U.S.A. in 1958 to strengthen our great heritage of liberty, justice, and equality under the law. Law Week is an opportunity for communities to come together in this important celebration. Reflecting on the impact of Brown v. Board of Education allows for us to see how far we have come (separate water fountains, separate waiting rooms, sitting at the back of the bus, not being able to eat a meal in a restaurant) and reminds us

that we still have a ways to go. Brown v. Board of Education illustrates to adults and students the importance of our Constitution, the necessity for quality education, and the obligation for citizens to be treated equally.

The dissent in Plessy stated that "the Constitution is colorblind." Frederick Douglass wrote, "Before the Law, no rich, no poor, no high, no low, no black, no white . . . equal rights for all." Law Week is the time to reaffirm the treasure of our Constitution and to work to ensure that the rights of all remain protected.

169th edition

April 2004

- April 30—Bench/Bar meeting with Judge Patterson
May 6—Law Week Luncheon
(See page 7 for other Law Week Events)
May 10—Legal Auxiliary's Annual Spring Luncheon

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Verdicts

Caption: Corine D. Smith, et al v. Greenville County Disabilities and Special Needs Board

Case No.: 02-CP-23-7947

Attorney for Plaintiff(s): Robert Foster, Allen Clardy

Attorney for Defendant(s): Brown Parkinson

Cause of Action: Negligence

Verdict: Defendant

Caption: Robert Hargraves, as parent and guardian for Forest Lee Hargraves v. Susan Sanchez and Timothy Bruce Boswinkle

Case No.: 02-CP-23-8041

Attorney for Plaintiff(s): Stephen Haigler

Attorney for Defendant(s): David Allison, Ed Cole

Verdict: Plaintiff—\$50,000 minor child, \$160,000 parent against defendant Susan Sanchez only.

Caption: George Kontsoyannis v. Branch Banking & Trust

Case No.: 00-CP-23-2613

Attorney for Plaintiff(s): B. Wilson

Attorney for Defendant(s): Charles Groves

Verdict: Plaintiff, \$98,000 actual damages

Caption: Anjanette Gooding v. Critical Care Specialist, Inc.

Case No.: 02-CP-23-5766

Attorney for Plaintiff(s): John Rickenbirt

Attorney for Defendant(s): Charles Clark

Cause of Action: Breach of contract

Verdict: Defendant

Family Court Liaison Report

Present: Judge Stephen S. Bartlett, Judge R. Kinard Johnson, Jr., Judge Timothy L. Bruce, Shirley Bruce, Terry Reid, Saralyn Evans, Katherine Tiffany, Jim Sarratt, David Rutledge, Jennifer Roberts, Catherine Christophillis, and Paul Wickensimer.

The Upstate Community Mediation Center wanted to remind members of the bar that their fees are based on a sliding scale according to the parties' incomes. They would appreciate members of the bar volunteering to serve as mediators for the Center. Monetary donations would also be appreciated.

The ADR Rules are in the process of being revised, essentially adopting the rules already in practice in Greenville, Pickens, and Anderson. One potential change, if adopted, would be that cases identified as having contested custody or visitation issues will require the appointment of a mediator in the Temporary Order to address those issues. Mediation of those issues must be completed within forty-five (45) days of the mediator's appointment. This is done in an effort to bifurcate custody issues from property issues.

Discussions are underway to designate a room on the courthouse grounds for attorneys to have consultations with clients in custody awaiting hearings.

The next Family Court Liaison meeting will be **April 16, 2004 at 2:00 p.m. in the Conference Room in the Judge's Hallway**. Anyone who is unable to attend these meetings but has issues they would like addressed may contact the following lawyers: **Christine M. Howard (282-8575); Wallace A. Mullnax (233-4351); Robert M. Rosenfeld (235-9613); or Thomas W. Traxler (242-3566)**.

Bench/Bar Liaison Meeting

Judge Patterson has expressed interest in re-instituting the Bench/Bar Committee meetings. The first meeting will take place on April 30, 2004, at 2:00 p.m. in Courtroom 7 at the Greenville County Courthouse. If you are interested in attending these meetings, or if you have questions or concerns, please contact the Greenville County Bar Association Judicial Liaison, Matt Johnson, at (864) 271-5348.

Terms of Court

CIRCUIT COURT

April 5: Greenville GS—Judge Few, Judge Miller; Administrative Week—Judge Patterson

April 12: CPNJ—Judge Baxley; Greenville GS—Judge Miller, Judge Patterson

April 19: CPNJ/PCR—Judge Miller; Greenville CP—Judge Patterson; Pickens GS—Judge Baxley

April 26: Greenville CP—Judge Few, Judge Miller; CPNJ—Judge Patterson, Judge Simmons (26, 27,28); Greenville GS—Judge Simmons

May 3: Greenville GS—Judge Miller (3), Judge Simmons (7)

May 10: Greenville GS—Judge Few, Judge Patterson; CPNJ—Judge Simmons (13, 14)

May 17: Greenville GS—Judge Few, Judge Miller; Pickens CP—Judge Patterson

May 24: Greenville GS—Judge Baxley; Greenville CP—Judge Few, Judge Patterson; CPNJ—Judge Miller; Greenville GS—Judge Simmons

May 31: CPNJ—Judge Few; Greenville CP—Judge Miller, Judge Patterson

FAMILY COURT

April 5: Judge McGowan, Judge Jenkins; Pickens—Judge Konduros

April 12: Judge Brown, Judge Jenkins, Judge R. Kinard Johnson, Judge Konduros; Pickens—Judge A. Johnson

April 19: Judge Bartlett, Judge Brown, Judge Jenkins, Judge A. Johnson; Pickens—Judge R. Kinard Johnson

May 3: Judge Bartlett (3, 4, 5), Judge Jenkins, Judge A. Johnson, Judge Konduros; Pickens—Judge Brown

May 10: Judge Bartlett, Judge Jenkins, Judge K. Johnson, Judge Konduros. Pickens—Judge A. Johnson

May 17: Judge Bartlett, Judge Brown, Judge Jenkins, Judge K. Johnson, Judge Konduros. Pickens—Judge A. Johnson

May 24: Judge Bartlett, Judge Brown, Judge Jenkins, Judge Konduros. Pickens—Judge A. Johnson

Office of the Sheriff

Judicial Services Division Mike Robertson (Master Deputy) 301 University Ridge

Greenville S. C. 29602-0757

(864) 467-5921 FAX (864) 467-4605

Dear Greenville County Bar Members,

We have been encountering some problems at Family Court when it comes to transporting inmates from the Greenville County Detention Center for private attorneys. These are the proper steps you need to follow when you need an inmate for a court hearing.

If the inmate is in the Greenville County Detention Center:

Complete a transportation order and have it signed by a Judge; File it with the Greenville County Clerk of Court's office at Family Court; Bring two (2) copies of the transportation order to one of the Court Security Deputies located in the front lobby of the Family Court. The deputy will sign and date one copy and you will retain this copy for your records as a receipt. The deputy will retain the other copy for our records.

*** Please allow 24 hours notice due to man power and time constraints. ***

If the inmate is in the custody of the South Carolina Department of Corrections:

Complete a transportation order and have it signed by a Judge; File it with the Greenville County Clerk of Court's office at Family Court; Then you will need to contact Lynn Turbeyville (803) 896- 2077 and advise her what you have and she will instruct you on what to do.

*** Please allow some time for this because of dealing with personnel in Columbia.***

If you have any questions on this matter please do not hesitate to call and speak to me or to Sgt. J. Morgan

Sincerely, Mike Robertson (Master Deputy)

Announcements

Please submit nominations for the Liberty Bell Award to Debra Gammons at gammond@greatergreenville.com or by regular mail to City Attorney's Office, P. O. Box 2207, Greenville, SC 29602. The Liberty Bell Award is given to a non-lawyer who has contributed to the community in one of the following broad areas: stimulated a sense of civic responsibility; contributed to the effective functioning of government in our community; encouraged greater respect and understanding of law and the courts; promoted a better understanding of our Constitution and the Rule of Law. Deadline for nominations is April 21 2004. This award will be presented at the Law Week Luncheon.

The South Carolina Women Lawyers will hold its luncheon meeting on Thursday, April 15 (note change of date). The speaker will be Chief Justice Toal. Lunch will be held at The Commerce Club at noon. Contact Andrea Hawkins at 271-5397 for more details.

Kenison & Dudley, LLC is pleased to announce that Chet Chea has joined the firm. Mr. Chea will concentrate his practice in commercial and construction litigation, general business transactions and litigation, white-collar criminal defense, and estate planning.

Wyche Burgess Freeman & Parham is pleased to announce that Wallace K. Lightsey has become a Fellow of the American College of Trial Lawyers. Henry L. Parr, Jr. has been appointed by Governor Mark Sanford to serve on the S. C. First Steps to School Readiness Board of Trustees. C. Thomas "Tommy" Wyche has been honored with the national Conservation Achievement Award for exemplary leadership in protecting the environment and natural resources.

Gallivan, White & Boyd, P.A. is pleased to announce that C. Stuart Mauney has been elected to serve as a 13th Judicial Circuit Delegate in the S. C. Bar House of Delegates. Also, the firm is pleased to announce that six attorneys have been added to the firm: Elizabeth J. Smith, Jason T. Kellett, J. Nicole Judd, Richard S. Stewart, J. Timothy Wooten and Laura T. McDonald.

The S. C. Centers for Equal Justice (formerly Legal Services) announces that it has not moved; however, its mailing address has been changed from One Pendleton Street to 701 S. Main Street. The phone number and fax number remain the same.

Greenville Association of Legal Assistants (GALA) meets the second Thursday of each month at the Poinsett Club from 12:30 p.m. until 1:30 p.m. You do not have to be a member to attend. For reservations, please e-mail Phyllis

Mitchell at pmitchell@dobsonlaw.com or call her at 271-8171.

Legal Staff Professionals of Greenville meets on the third Wednesday of each month at the Greenville City Club from 12:30 to 1:30 p.m. Membership is open to all legal support staff—you need not be a member to attend. The next meeting will be on April 28, 2004. For reservations, contact Fran C. Powell, PLS at 250-2288 or by email at fpowell@nmrs.com.

Mark your calendar:

- April 23-25, 2004—State Annual Membership Meeting/CLE, Hilton Head Island, SC
 - July 23-25, 2004—Region 4 Meeting/CLE, Atlanta, GA
 - November 4-7, 2004—NALS 53rd Annual Educational Conference & National Forum, Biloxi, MS
- Visit our LSPG website at www.lspg.org or the NALS website at www.nals.org.

You and your spouse are invited to Lunch with the Federal Bench at The Greenville County Legal Auxillary's Annual Spring Luncheon. Monday, May 10th at 11:30 a.m. at The Poinsett Club. Guest Speaker will be The Honorable Michael Patrick Duffy. Special Guests include The Honorable William B. Traxler,, Jr., The Honorable G. Ross Anderson, Jr., The Honorable Henry M. Herlong, Jr., The Honorable Henry F. Floyd, The Honorable William M. Catoe, Jr., The Honorable Bruce H. Hendricks.

Cost per person \$25.00 Please RSVP by checks payable to GCLA Monday, May 3, 2004. Send to: Mrs. Fred W. Suggs, 60 Forest Lane, Greenville, S.C. 29605.

Advertisements

Offices for rent—3 downstairs and 2 upstairs. Conference room, copier, fax and postage machines available. Ready by April 2, 2004. Rent negotiable. Contact 467-0100/230-8540.

Office Suite available—downtown Greenville. Contact Jeff Merriam or Tom Traxler at 242-3566.

Near Courthouse—408 N. Church Street. Call Stephen Yacobi @ 242-3271.

For Lease: 119 Manly Street, one-half block from Bilo Center. Call John M. Dillard at (864) 834-0301.

For Lease: 100 Williams St. at Pettigru. Call 242-5133.

Office building available for rent at 10 Brookside Circle. Call Jim Sarratt or Bill Clarke at 271-4100.

Office space available; 202 West Stone Avenue. For details call 282-8575.

Office space for rent—Contact Kimberly Dunham or Stacy Greene at (864) 282-8686.

Office space available at 101 E. Camperdown Way. Call Rebecca or Tammy at 864-370-9771.

Office space available: 33 Wade Hampton Blvd., Greenville. \$650 per month. Call Cindy at 271-6371.

Office for rent at 114 Williams Street, near Bi-Lo Center. Call for details. 864-268-6331.

Condo for rent—downtown by Cleveland Park., \$975 per month. Contact Stephen Yacobi 242-3271.

Employment Opportunities:

Tenth Circuit Solicitor's Office is seeking Assistant Solicitors. Pay grade \$38,000—\$42,000. Perform duties of entry-level prosecutor. Prosecuting felonies and misdemeanor cases in general sessions court. Requirements: Prefer 1 yr. experience but will consider training. Must be enthusiastic about trial appearance and must be a member of the SC Bar. To apply, send fax to (864) 260-4187, or contact Mr. Charles Huggins.

Greenville County is soliciting applications/resumes for the Contract Indigent Criminal Defense program. The contract is effective from July 1, 2004 to June 30, 2005. The current contract is \$33,182 per annum and is paid in equal monthly installments.

Applications/resumes should be submitted no later than 12:00 noon Monday, May 3, 2004. Applications should be sent to Zach Klebe, Criminal Justice Coordinator, Greenville County Courthouse, Room 122, Greenville, SC 29601.

Small litigation firm seeking associate. Send resume to Devlin & Parkinson, P. O. Box 10387, Greenville, SC 29603.

Legal secretary/paralegal needed for 3 person firm specializing in family law and adoption. Experience in family law matters a plus. Salary commiserate with experience and qualifications. Contact 242-10

CLE Seminars

Friday, May 7, 2004—Worker’s Comp. 6 MCLE credit hours, USC School of Law and 5 sites including Greenville.

Tuesday, May 11, 2004—Labor Law Seminar. 3 MCLE credit hours, including Labor & Emp. Specialty credits. The Hyatt, Greenville

Mon.—Wed. May 17-19, 2004— Bridge The Gap. USC Law School. 19.25 MCLE hours including 2.0 ethics

Friday, May 14, 2004—Advanced Cross Examinations. 6.0 MCLE credit hours including 1.0 LEPR. USC School of Law and 3 sites including Greenville.

Friday, May 21, 2004—Damages. 6.0 MCLE credit hours. American Theater, Charleston.

Fri.—Sun. May 28-30, 2004—N. C./S. C. Tax Workshops. 9.0 NCLE credit hours, including up to 1.5 LEPR. Kiawah Island, SC

For more information, contact the Bar’s Continuing Legal Education Division at scbar-cle@scbar.org or 1-800-768-7787.

Other CLE Opportunities:

Compass of Carolina presents “Children Cope with Divorce” A Seminar for Professionals: An Approved Training for Guardians ad litem. 4.0 CLE units. Cost: \$60, includes all materials. Registration deadline: April 16. Call 467-3434 ext. 3328 to register or for more information.

Announcements—continued

The Law in Action Trial Court completed its third successful year at the Greenville Municipal Court. Thirty Upstate high school students were prosecutors and defense counsel in the mock trial program. Seven trials were held in open court. The award winners and their schools are as follows:

Judges’ Choice Awards

**Dustin Aikens, Liberty High School
Joshua Cooley, Mauldin High School
Megan Early, St. Joseph’s High School
Kristina Gondova, Wren High School
Anastasia Greene, Travelers Rest High School
Stephanie McKinney, Greenville High School**

The Best Lawyer Award

Alison Strother, Southside Christian High School

Many thanks to all the members of the Bar who participated in this event. If you would like to be involved next year, visit the website at 222.sclia.org.

The Greenville County Bar is pleased to have its website available for your use. Please visit it to view notices of upcoming events, past and current editions of the G-Bar News, and links to other helpful sites.

www.greenvillecountybar.org

LAW WEEK 2004
To Win Equality by Law: *Brown v. Board of Education* at 50

SCHEDULE

April 29, Thursday
9 a.m. - 1 p.m.

Wills Clinic
Senior Action Center
Contact person: Jack Riordan (240-2438)

May 1, Saturday
8:30 a.m.

6th Annual Run for Freedom - Race Judicata
5k run in Cleveland Park; \$100 sponsorships
(email Gbarnews@aol.com for the signup form)
Proceeds benefit a local, charitable organization
Contact person: Debra J. Gammons (467-5758)

May 6, Thursday
12:30 p.m.

Law Week Luncheon
Westin Poinsett
Speaker - The Honorable Matthew J. Perry, Senior United States District
Court Judge
Lunch: \$25
Recognition of attorneys practicing 50 years
Photography and Essay/Interview Contest Winners
Presentation of Liberty Bell Award
Contact person: Debra J. Gammons

High School Photography and Essay/Interview Contests
Contact person: Katie Fayssoux (467-5931)

Public Forum/Debate
Topic: Are we still a segregated society after *Brown*?
Date and Location - to be announced
Contact people: Jimmy Brehm (370-9777), Debra J. Gammons

May 3 - 7

Law Suits Project—SC Young Lawyers Division is collecting gently worn women's business suits and other professional clothing for Safe Harbor Women's Shelter. These suits will be given to women for job interviews and to wear for their new employment.
Drop-off stations: Solicitor's Office at Greenville County Courthouse;
Solicitor's Office at Greenville County
Contact people: Katie Fayssoux (467-5931), Leigh Booth Paoletti (467-8410)

May 7, Friday
12 noon - Lunch
1 p.m. - Shotgun Start

Judge Frank Eppes Memorial Golf Tournament
Millstone Golf Village, New Easley Highway, Greenville
\$100 sponsorships
Fee: \$240/team (4-person teams)
\$10,000 hole! More Prizes, adult beverages
Proceeds benefit Shepherd's Gate Women's and Children's Shelter
Contact person: Jimmy Brehm (370-9777)

Greenville County Bar Association and South Carolina Bar Young Lawyers Division present the
6th Annual Community Law Week
RUN FOR FREEDOM
Race Judicata
May 1, 2004
Greenville, South Carolina

8:30 a.m.: 5k Run Rain or Shine

Course: 5 kilometer (3.1 miles) Run
 Start at Greenville Zoo parking lot, Cleveland Park Drive;
 run along Cleveland Park trail and return to Start.

Run Awards: Divisions: (1) 15 years old & older, Female/Male (3 deep);
 (2) 14 years old & younger (3 deep); (3) First Lawyer, Female/Male;
 (4) Largest Team*

INFORMATION: 864-467-5758, 864-370-9777, 864-386-0005
 Contact Debra J. Gammons, Attorney, or James F. Brehm, Attorney

RUN FOR FREEDOM ENTRY FORM (1 per person)

<input type="text"/>	<input type="text"/>	<input type="text"/>
LAST NAME	FIRST NAME	MIDDLE INITIAL
<input type="text"/>		
MAILING ADDRESS (INCLUDE APARTMENT NUMBER)		
<input type="text"/>	<input type="text"/>	<input type="text"/>
CITY	STATE	ZIP CODE
<input type="text"/>	<input type="text"/>	<input type="text"/>
DAY TELEPHONE	AGE on 5/1/04	FEMALE/MALE
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>		<u>CIRCLE TEE SHIRT SIZE:</u>
		Adult Size: M L XL XXL
		(XXL: \$2 extra)

CHECK IF LAWYER: *TEAM NAME _____

<input type="checkbox"/> RUN/WALK	\$12.00 (Early Discount) \$17.00 (after April 23rd) \$ _____	Make checks payable to: Community Law Week Mail Entry Form & Fee to: Debra J. Gammons, Race Director c/o Community Law Week Committee 402 Idlewild Avenue Greenville, South Carolina 29605
<input type="checkbox"/> RUN/WALK (14 years old & younger)	\$5.00 (Early Discount) \$10.00 (after April 23rd) \$ _____	
<input type="checkbox"/> XXL Tee Shirt <u>add</u> \$2	\$ _____	
TOTAL DUE		\$ _____

LIABILITY WAIVER & RELEASE

Upon acceptance of my entry, I for myself, my heirs and assigns, hereby release the sponsors, officials, and volunteers of the Community Law Week 2004 The Run for Freedom - Race Judicata from any and all liability arising from illness, injury, or death I may suffer as a result of my participation in these events. I attest that I am physically fit and have sufficiently trained for these events and I am aware that my participation could, in some circumstances, result in physical injury. I give permission for free use of my name and picture in any broadcast, telecast, or written account of these events. I also understand that the entry fee is NON-REFUNDABLE.

Date _____ Signature of RUNNER/WALKER _____ Signature of PARENT or GUARDIAN (if under 18 years old) _____

PROCEEDS BENEFIT A LOCAL CHARITABLE AGENCY