



G-Bar News

A Publication of the Greenville County Bar

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Our Country by Debra J. Gammons

On July 4th we celebrate the birth of our country - the beginning of a new way of life; separation from our "Mother" country. The Declaration of Independence contains powerful words. It was adopted by the Continental Congress in Philadelphia on July 2, 1776. "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed." This document and the United States Constitution were written by males; that is perhaps the reasoning the term "men" is used and not "people." We know that females share in the great words of the Declaration of Independence and the United States Constitution. The Declaration of Independence was critiqued by Congress and accepted after amendments on July 4, 1776.

The United States Constitution forms the foundation of our country; it is the "supreme law of the land." This creation of a republic was to preserve our liberty. Yet, the Constitution was not easily drafted. The writers and the members of the Federal Convention did not unanimously agree on its contents. Despite the disagreements and the fact that the ratification by the States came slowly, we have a grand document. A relatively short document full of those ideals and concepts we hold dear. As I watched the fireworks this past Fourth of July, I felt a sense a pride and thanksgiving. I am proud and thankful to be a citizen of the United States of America.

I ran on the beach the morning of the Fourth then went to a family cookout (my family has always celebrated the Fourth of July and also my Grandmother's birthday since her birth on July 4, 1904). Hearing the roar of the ocean and the songs of the birds was uplifting. Being able to run freely on the beach without the fear of bombs or riots increased my gratitude. I remembered soldiers and civilians living in war in Iraq; adults and parentless children dying of AIDS in countries in Africa. And here I was running on the beach in Charleston in the United States of America. Remembering our troubled past and the accomplishments since 1776.

I also reflected on one of the books I am reading, *Night* by Elie Wiesel. Mr. Wiesel describes his time as a teenager and a prisoner in the concentration camps under Adolf Hitler's regime. The experiences he and the others endured were horrendous - almost unspeakable. How many of us would be able to live through the hunger; the pain of seeing our Mother or brother "selected" to be killed in the crematorium; seeing people next to us die from exhaustion; having to toss out the dead from the train be-

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UPCOMING EVENTS

- December 6:
Christmas
Party & Annual
Meeting

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cause we were ordered to do so; to be stripped naked and made to run from one building to the other? The horrors chill me as I read them but I must read them. As must we all. If we refrain from studying the dark side of history what assurances do we have of not making the same mistakes again?

As lawyers we have the duty and the means to assure that our country remains a strong republic; that our citizens share in the equality and the liberty guaranteed by our Constitution. The Fourth of July - a celebration of our country's birthday. A time to reaffirm our duty to uphold the Constitution of the United States of America. "We the People of United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."



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Announcements

Merline & Meacham, P.A. is pleased to announce that **W. Verne McGough, Jr.** has become an associate with the firm. He holds an LL.M. in Taxation from Boston University. His areas of practice are tax and business planning, corporations and partnerships.

LeGrand Law Firm, LLC announces that **Paige B. Phillips** has become an associate of the firm. LeGrand Law Firm, LLC is located at 310 Mills Avenue, Suite 103, Greenville, SC 29605. Paige will practice in the areas of residential and commercial real estate, wills and probate matters.

Harold Christian, a partner with **Christian & Davis Attorneys at Law**, was recently elected to the Board of Governors for the South Carolina Trial Lawyers Association. He is scheduled to take office in August 2007 and will serve a three-year term representing the 13th judicial circuit for Greenville and Pickens counties.

Kirsten E. Small, who served as senior law clerk for the Honorable William W. Wilkins, Chief Judge of the U.S. Fourth Circuit Court of Appeals, has joined **Nexsen Pruet's** Greenville office and will help to expand the firm's appellate practice in state and federal courts.

W. Leighton Lord III, Chairman of the Board of **Nexsen Pruet**, has been elected Chair of the Midlands section of the Urban Land Institute (ULI) and will serve on the organization's

statewide executive committee.

We are pleased to announce that **E. Grantland ("Grant") Burns** has been elected to the national position of president of Clemson University's Alumni Association, effective July 1, 2007. Burns is a member (partner) in **Nexsen Pruet's** Greenville, S.C. office. He focuses his practice in the areas of litigation and employment law.

Neil C. Robinson, Jr., a Member (partner) in **Nexsen Pruet's** Charleston office, has been elected to the Board of Trustees of the Clemson University Foundation.

Leatherwood Walker Todd & Mann, P.C. is pleased to announce that **Jason Maertens** has joined the firm as an associate attorney practicing in the area of Corporate Law. Mr. Maertens is a graduate of Clemson University with a B.A. in Political Science and the University of Kentucky with an M.A. in English. After graduating from the University of South Carolina School of Law in 2005, he became a staff attorney with the South Carolina Court of Appeals and then spent a year as the Law Clerk to the Honorable John W. Kittredge in the South Carolina Court of Appeals.

Leatherwood Walker Todd & Mann, P.C. is pleased to announce that litigation shareholder **Steven E. Farrar** was elected Vice President of the Federation of Defense and Corporate Counsel (FDCC) at its recent meeting in Idaho.

Tommy Thomason Award Nominations Requested

The Tommy Thomason Award was established by the Greenville County Bar Association in 1993 to honor a Greenville lawyer whom best exemplifies the wonderful qualities of Tommy Thomason:

- compassionate and sensitive to all people regardless of their station in life;
- friendly, unassuming, humble with a warm, genuine and abiding faith in all people;
- strong personal values, optimism and faith;
- positive diplomacy that works to minimize conflict and resolve disputes in the least hostile manner;
- unshakable integrity, coupled with an instinct for fairness;
- dedicated to community interest, public service and improvement of the community;
- loves the practice of law and pursues the practice as a service to people;
- dedicated to the improvement of the legal system and justice for all people;
- widely respected and admired by peers for personal and professional achievement.

There is no requirement that a recipient be selected each year; however, if you have someone to nominate please send a written nomination by Friday, August 31, to GCBA, PO Box 10145, Greenville, SC 29603 or gbarnews@charter.net. The Tommy Thomason Award, if awarded this year, will be presented at a luncheon in November.

**We have several new features this year.
Please submit your favorite quotes and memories to
gbarnews@charter.net**

Job Opportunities

McAngus Goudelock & Courie, LLC, a regional law firm with five locations across the Carolinas, seeks full-time Workers' Compensation Associates with 2-5 years of workers' compensation or similar litigation experience for our Columbia, Greenville and Charleston, SC offices. Our firm offers a dynamic work environment, competitive compensation, 100% paid family health and other lucrative fringe benefits. Potential signing bonus and allowances for moving expenses. Salary considerations consistent with experience. Contact Mundi George at PO Box 12519, Columbia, SC 29211 or email her at mgeorge@mgclaw.com.

Bradford Neal Martin & Associates, PA in Greenville, SC is seeking a full-time litigation associate with 3 - 5 years of experience. The firm has a diverse litigation practice including business litigation, construction litigation, employment law and commercial insurance defense. Strong courtroom skills are required and applicants must have excellent academic credentials. Salary and benefits will be based on experience. All inquiries will be kept confidential. Please send resume and cover letter to Bradford N. Martin at bmartin@bnmlaw.com.

LIFE IN THE LAW

"BEOWULF AND THE PRACTICE OF LAW AND LIFE"

At the July luncheon honoring summer clerks, Debra Gammons asked me to write a story from one of my trials. Something short, perhaps with a lesson, she added.

Some time ago, as I neared the trial of a daunting case, involving grievous bodily injuries to my client, there came to me Beowulf, on the river that brings many things to one in that circumstance. Laying aside depositions and documents, I read it again. It is a marvel how life changes one's eyes. What I saw this time was not what I saw 40 years ago during a forced read in 10th grade English. This was not just a tale of the combat between Beowulf and the deadly beast Grendel in Heorot, great hall of the Danes. It was the story of Beowulf throughout his life, of risk freely taken and sacrifice endured to come to the aid of others in peril, often strangers, so that they might live, and prosper and find happiness.

You may have noticed that I have sidestepped Debra's request. That was deliberate because what is important is not my story. Instead it is your story. It is your story, not mine, that will carry the lesson for you. Somewhere in Beowulf its ancient author writes that when one dies all that is left is his story. It is there also while he lives, for him and for those whose lives he has affected.

Write your story. Write it with your deeds, whether young like Beowulf when he wrestled Grendel, or old as he was when he faced the dragon alone. Write it now. Then when your ghost has departed, souls not yet born will know you for the hero that you were in life.

We won the case.

Submitted by Carl Muller, attorney at law.



12TH ANNUAL SEMINAR FOR LEGAL PROFESSIONALS

Friday, September 21, 2007
Embassy Suites Hotel
670 Verdae Boulevard
Greenville, South Carolina

The South Carolina Upstate Paralegal Association (SCUPA) will hold its 12th Annual Seminar for Legal Professionals on Friday, September 21, 2007, at the Embassy Suites located at 670 Verdae Boulevard in Greenville. In addition to an Ethics presentation, a series of workshops will include the topics of Process Service/Private Investigation, Criminal Law Primer, Litigation File Management, Arson & Insurance Fraud, E-Discovery, Medical Malpractice, and Entertainment Basics in the Recording Industry. SCUPA is honored to present both Mayor Knox White for a special presentation during the luncheon, followed by Chief of Police Terri Wilfong who will deliver the keynote speech on "Women in Law Enforcement." Applications are pending with the National Association of Legal Assistants (NALA) for CLAE credit, and with the Commission on Continuing Legal Education and Specialization of the South Carolina Supreme Court for CLE credit. SCUPA's seminars have previously met requirements for accreditation. SCUPA is a non-profit organization dedicated to promoting the paralegal profession in the upstate, including the provision of educational seminars. Additional seminar and registration information is available from Barbara Galerno, 2007 Seminar Committee Chair, 864-298-2714 or bgalerno@ltatlaw.com.

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Thank you for participating in the
June 2007 "Views from the Bench" CLE.
Your support helped to make the event a success.

AN OFFER YOU CAN'T REFUSE

Made by Some Friends of Preston Reid

The Premise: Detected early, colon cancer is almost always curable. Detected late, it is not. Earlier this year that point was made personally to many of us when we lost our friend and colleague Preston Reid. In all likelihood Preston would still be with us if he had gotten a colonoscopy. As a tribute to Preston, and in hopes of encouraging members of the Greenville County Bar to get colonoscopies when they should, some friends of Preston are making members of the Greenville Bar an offer that cannot be refused.

The Offer: The first twenty-five Greenville County lawyers who gets his or her first colonoscopy this year will receive a \$75 dinner certificate for dinner at one of Greenville's finest restaurants.

The Details: The dinner certificates have been delivered to the Greenville County Bar office. Email the Bar at GBarNews@charter.net and confirm you have gotten your first colonoscopy and the Executive Secretary will send you your certificate.

CLE Credit: This program qualifies for 0 hours of CLE credit, however, it will improve your chances of reaching age 60 when you become exempt from the mandatory CLE requirement.

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DID YOU KNOW??

During the more than one hundred years before the Revolutionary War, South Carolina, more than any other colony, was governed strictly by the laws of England. Unlike many of the other colonies, the Carolinas were originally granted to seven English Lords Proprietor. These Lords Proprietor had the authority to govern the territory with the advice and consent of the free males. Since 1679, English law provided that convicted felons could ask for transportation to the colonies. People who were convicted of certain crimes (including arson, rape, and murder) could be sent to America for a certain number of years or life. Australia was also a "reprieve" for felons.

- *Guide to South Carolina Criminal Law and Procedure* by Patricia Seets Watson and William Shepard McAninch

Available Office Space

4,100 square feet. Available on Cleveland Street across from the Chamber of Commerce. Will consider subdividing. Call John Devlin at 242-4050 or Lora Johnstone at 236-8670.

Office space available for rent. 406 Pettigru Steet. Good location. Off street parking available. Basement file storage. Utilities included. Good spot for sole practitioner. Call 232-9700 for more information.

WALK TO COURTHOUSE. 2 OFFICES FOR RENT. Approx. 200 sq. ft each. Access to reception area, conf. room/library, kitchen, etc. Other amenities including ample park-

ing. 408 N. Church St. Call 242-3271.

OFFICE SPACE FOR LEASE, 512 East North Street, Greenville, South Carolina 29601, Across from Bi-Lo Center, \$600.00 per month, All utilities paid, Copier and Fax available, Attractive for sole practitioner and secretary, Call 233-6224 or 233-0663.

For rent- Office space in the historic Davenport Apartments, corner of Church and Washington Streets and across from Federal Courthouse. This space is ideal for attorneys and is the only office space allowed within the Davenport. Convenient parking is available. Contact Bud Babb at 242-6360 to discuss your space needs, rate, to view the office space, etc.

QUOTATIONS THAT INSPIRE

One can never consent to creep, when one feels an impulse to soar.

- Helen Keller

Submitted by Debra J. Gammons, Attorney at Law



Verdicts

**Caption: James Everette Ford vs. Sara Currie Mansbach
Case No. 2006-CP-23-0775**

Attorney for the Plaintiff: Donald Allen

Attorney for the Defendant: Michael Coultier

Cause of Action: Personal Injury

Verdict for the Plaintiff: \$50,000

Caption: The State vs. Clifton Lee Bridges

Case No. 2006-CP-23-4182

Attorney for the Plaintiff: Brady Duncan

Attorney for the Defendant: Larry Crane

Cause of Action: Sexually Violent Predator

**Verdict for the Defendant- Clifton Lee Bridges is NOT a
sexually violent predator**

**Verdicts provided by the office of
Paul Wickensimer, Clerk of Court**

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RUMINATIONS

by Debra J. Gammons

ROBERT N. JENKINS, Sr. Family Court Judge



Judge Jenkins, what did you want to be when you were a little boy?

My first ambition was to be a teacher. I recall the admiration and awe I had for my teachers beginning with my first grade teacher. I started school about two years before *Brown v. Board of Education*. I had great teachers and still remember

them.

What did you admire about your teachers?

My first grade teacher set in my mind, and the mind of my classmates, that we were special; I still believe her. Never underestimate the impact of teachers in the formative years of a child's life.

What else made this teacher exceptional?

She held me accountable. She set high standards for me. I was scared of her but it was more out of a sense of reverence for her. Her name was Ms. Corrine B. Nesbitt. She died two years ago at the ripe age of 99.

Were most of your teachers as influential as your first grade teacher?

Yes, especially in elementary school. My teachers opened up the world to me and talked about possibilities of what one could do and that we could do anything we set our minds to do. We were taught that we could overcome the limitations society imposed on our race by getting a good education and competing, not as a victim, but as an "overcomer." This has remained a part of my character throughout my lifetime.

Did you have any lawyers in your family?

No; I did not have much exposure to profes-

sionals, such as lawyers or doctors, just teachers and preachers.

What did you do after High School?

I migrated to New York like many Black people did then. I knew fair employment opportunities did not exist in sufficient numbers in the South.

Why did you leave South Carolina?

To get a good paying job while furthering my education. I left in 1964. I had brothers in New York. But in 1966 I was drafted into the Vietnam era.

Did you go to Vietnam?

No, the draft letter went to my home in Charleston and I was in New York. I voluntarily enlisted in the Air Force and served as an enlisted airman in the Strategic Air Command, SAC, on the Pacific Island of Guam. We maintained the B-52 Bombers mission in Vietnam from that location.

What did you do while in New York?

I went part-time to Bronx Community College and I worked part-time at Chock-Full-O-Nuts in Harlem, New York.

What was Chock-Full-O-Nuts?

It was a popular restaurant and coffee shop. Baseball great, Jackie Robinson, was its Vice President. It was located at the famous old Theresa Hotel where all the famous Black entertainers stayed when performing across the street at the famous Apollo Theatre.

How long did you stay in the Air Force?

Four years. I was encouraged to reenlist. They wanted me to enter Officers' Training School. That was the route for enlisted men and women to become an officers outside of attending the military academy.

Why did you not take that route?

I did not see myself as a career military person. I wanted a less regimented but strict academic environment.

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Where did you go to college?

I benefited from the training and the discipline from the Air Force and I matriculated at the Citadel in 1970 as a sophomore Veteran student.

Did you think that your race would make a difference when you applied to the Citadel?

No, I did not think about it when I applied. All I knew was that I had served my country, and at that time, I felt my future was in the South and I wanted to get back home and finish getting my education. I was not comfortable with the permissive culture that prevailed on civilian college campuses elsewhere during the 60s and early 70s. I was basically a country boy from the Low Country of South Carolina.

How did you enjoy the Citadel?

I had to get used to it and the Citadel had to get used to me and others like me. "Dixie" was still being played at sporting events and the Confederate flag was being displayed. I was on the front end of racial integration- the first group that integrated the Citadel. Institutions, such as the Citadel, were not going to change overnight simply because Black people showed up.

How were your professors?

They were excellent. They had high expectations. There was a no non-sense mindset. I could not have made a better choice for college. It was a good match for me.

Did you participate in any extra-curricular activities at the Citadel?

I and a few others started the Afro-American Association. We began Citadel-sponsored activities that took us off campus and into the Black community. We tutored elementary school children that lived in the poor neighborhoods on the Eastside of Charleston and we partnered with female students at the College of Charleston to be Big Brothers and Big Sisters to orphans at the Jenkins Orphanage. I played intramural sports.

Did you also work?

Yes, I worked at night at Sam Solomon Store and Pick-n-Pay Shoe Store in North Charleston. I worked as the Assistant Manager at Pick-n-Pay.

Being a Citadel graduate can be advantages.

That's true. The Citadel has a strong alumni

network. That institution is a valuable asset to the citizens of this State. I am proud of that school and what it has become. Go Dogs!

Why did you decide to go to Law School when you were planning to be a teacher?

I enjoyed my college experience and I saw how changes are made and the best way to make progressive changes that affected institutions was through the profession of law. In order to be a change agent, you must be able to mobilize people beyond their comfort zones and develop relationships and coalitions around common interests with others.

How was Law School for you?

The experience opened my eyes to how government works and how laws impact the lives of everyday people. I found that the legal profession is the most necessary profession in a democratic society.

Did you work while in Law School?

I worked with Governor West's administration. Governor West was a Citadel graduate. Jim Clyburn, who was then Executive Assistant to the Governor before he became the South Carolina Human Affairs Commissioner, was instrumental in getting me that job.

When did you meet your wife?

My wife's name is Margaret Helen Rivers. We knew each other from grade school in McClellanville, South Carolina. We got married the same year I began Law School in 1972 and we had our first child the next year.

What was your first job after graduation?

I worked for Neighborhood Legal Aid - Legal Services as a Staff Attorney. I began working in Charleston, then moved to Greenville.

Why did you choose Legal Services?

The drawn was public service through my experience in legal clinics while in Law School. I had this idealism as a young person and thought that this was the best way to help people function in what should be a progressive society. I thought, "What better way to use my law credentials?" I knew that empowering people would lead to a better and healthier community.

How did your past shape your ideals?

I came from a background of few economic

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resources. I saw people with a lot of ambitions but who did not have a lot of opportunities. My work with Legal Services ties in with my desire to give a voice to others who were left out of the system and were voiceless in our society.

Why did you leave home to go to Greenville?

I left in 1979. I had the opportunity to work in a leadership role and develop a program that was in its infancy stage of development in the Upstate of South Carolina. Greenville and the Upstate is home for me and my immediate family.

What did your job entail?

I was able to practice as a lawyer and to serve the community as a leader in my community for seventeen years. Legal Aid of Greenville grew into Legal Services of Western Carolina, Incorporated. We went from serving just Greenville County to eight counties, including Pickens, Anderson, Oconee, Abbeville, Edgefield, Greenwood, and McCormick. I was instrumental in purchasing, renovating, and relocating the headquarters from the SCN Bank Building on Main Street to the more visible location in the historical Old American Bank Building at 1 Pendleton Street.

Did you enjoy your work as Director?

I loved being Director. I lived and breathed my job. I found no better opportunity to test my skills and lead people around a shared vision. That vision was to help people without means to solve their civil legal problems. I worked in partnership with local community organizations, Greenville Bar Association, and the South Carolina Bar Association to develop better access to the civil legal system for people without means in our community. With leadership of the Greenville Bar, we established the LIBRA SOCIETY to promote service if of private lawyers.

How long did you work for Legal Services?

From 1979 until 1996.

When did you first seek a judgeship?

In 1992. I sought a Family Court seat. It was a natural progression for me with my public service background. Judge Willie T. Smith retired. Judge Smith was one of the initial

Family Court Judges. He began in 1977.

You began as a Judge in 1992?

No, Amy Sutherland received that seat. I became a Family Court Judge in 1996 after the South Carolina Legislature established a new Seat Five in 1995. I am going into my third six-year term in this position.

Is being a Judge what you thought it would be?

This service has been what I thought it would be and more. I have had a great opportunity to serve South Carolina in an important area. I thought I knew all there was to know about what was going on in the lives of people in this community and other communities in South Carolina. But through this position, my eyes have been opened even more. There are many conflicts confronting families and children living in impoverished conditions. You come into Family Court on any given day and you can get a good sense of the unfortunate situations affecting the lives of people in our community.

How do you stay positive as a Family Court Judge when most of cases are not happy ones?

I need to be grounded in my sense of who I am and feel secure in the values that I have, under-girded by my faith, to keep my balance. I have to engage in physical exercise every day. I need to have a forum to exchange ideas and professional development with my colleagues on the Bench. and members of the Bar.

How do you keep from thinking of the worst cases?

I have to balance the seriousness that this work entails with other positive community activities. You just have to have another life - my family, my church activities, reading books, and contributing to projects that will improve the community help me balance my life. Participating in Mock Trial, speaking to young students at schools, and accepting speaking engagements are ways that I try to improve the community.

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