



G-Bar News

A Publication of the Greenville County Bar

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PRESIDENT'S ARTICLE

By Jim Warren



Bluegrass, Cowbells and the Law

It's funny how childhood memories affect one's tastes as an adult; the child is indeed "the father of the man." I grew up in Nashville, Tennessee, where I worked at the Country Music Hall of Fame one summer as a tour guide, and some of my fondest memories have to do with music – specifically country and bluegrass music. It's no wonder that I love the music today.

I got to know folks in the music industry because Nashville was a small town in the 60s and 70s. Many of my school mates had parents who were performers, songwriters or producers. Every other week, my mother played tennis in our back yard with one Sarah Ophelia Colley Canon –

Minnie Pearl was her stage name, though we kids called her Mrs. Canon. I also recall attending a small youth church program one night at my friend Watt Crockett's house where a teenager by the name of Amy Grant sang and played her guitar in his living room for us.

One of my favorite Nashville hangouts was the Station Inn - a true bluegrass joint - warm and friendly with lots of clogging. Its exterior white limestone and red door made it look as unassuming as an old garage. The neon sign, advertising pizza, beer, and snacks, with "live acoustic music," was never modernized. And the inside was alive with red and blue neon, many posters and pictures on the walls of famous bluegrass bands, people leaning against walls in trucker caps and cowboy hats, and that big cowbell that was rung only when something magical had happened with the music. Grandpa Jones would often show up, along with other music luminaries – and the place still draws the famous of today as well.

People liked it then, and like it still, because it didn't pretend to be something it wasn't, and at the same time produced live powerful performances in an intimate community of avid music lovers, both little-known and the famous. It's an *authentic* place that offers excellence in music. The leader of the house band at the Station Inn always had a regular saying: "If you like our show, tell all your friends. If you don't, keep your mouth shut and tell me."

As lawyers, we're usually in suits, not trucker caps – and there isn't a whole lot of leaning against the wall. The likes of Grandpa Jones and Minnie Pearl aren't at our CLEs or luncheons. But our group is warm and friendly – and despite our lack of a big cowbell, there are even some occasional magical moments of laughter and insight too, in a community of people who love the law and love excellence.

Thanks to the leadership of Adam Fisher, we've got a great "show" for you. On Friday, February 13 at the Carolina First Center (I still think of it as the Palmetto Expo Center), the G-Bar will be putting on its annual CLE complete with breakfast, lunch, great speakers and some fun surprises. You'll learn, laugh, make new friends, spend time with old friends and get up to 7 hours (including up to 3 hours of ethics) of CLE credit – all for less than \$100. I hope you'll be there – and tell all of your friends to be there as well! The "show" starts at 8:45 in the morning. As usual, my email box is open – or you can give me a ring at 242-8320 with any suggestions for improvement or new activities.

See you around Greenville!

214th edition
February 2009

UPCOMING EVENTS

- February 13: CLE
- March 6: Bar Luncheon
- April 24: Family Court Liaison Meeting

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Announcements

Nexsen Pruet is please to announce that **James A. (Jim) Blair, III** and **Jamie Hedgepath** have been elected Members (partners) of the firm. Blair practices in the areas of real estate development, real property transactions, real estate litigation, corporate law and utilities. Hedgepath's practice focuses on employment issues, including employment discrimination, FMLA, wage payment and employee handbook matters.

Ogletree, Deakins, Nash, Smoak & Stewart, PC announced that **Charles E. McDonald** has been elected Chair of the South Carolina Bar's Employment and Labor Law Section.

Turner Padgett Graham & Laney, P.A., a leading South Carolina business law firm, has named **Jonathan D. Hammond** as a member of the Litigation Team. Mr. Hammond's experience includes matters involving personal injury, premises liability, construction defects and general civil litigation.

John B. Hardaway, III, a member in **Nexsen Pruet's** Greenville office, led presentations to attorneys from around the world at two Federation Internationale Des Conseils En Propriete Industrielle symposiums. Hardaway is the President-Elect of the US Section of FICPI.

The law firm of **Gallivan, White & Boyd, P.A.** announces the election of **Thomas E. Vanderbloemen** as a Partner. Vanderbloemen represents clients in intellectual property litigation involving patents, trademarks and copyrights. A regis-

tered patent attorney, he serves on the Board of Directors for the Carolina Patent, Trademark & Copyright Law Association and has written and lectured on intellectual property issues for various groups of attorneys and entrepreneurs.

The **Upstate Community Mediation Center (UCMC)** is still accepting mediations for low income and poverty level clients. Mediations of many types are accepted including family court, circuit court, and probate court. The Center's number is 370-9771.

In 2008, Upstate Community Mediation Center:

- ★ Settled 262 Mediations
 - ★ Helped 322 Children
 - ★ Helped 141 people with an Income of Less than 10,000/yr
 - ★ Helped 247 people with a High School Degree or Lower
- Thank you to everyone who helped make 2008 such a success!

The law firm of **Gallivan, White & Boyd, P.A.** announces the election of **Gregory P. Sloan** as a Shareholder. Sloan joined the firm in 2005 and previously served as a chief municipal judge and county magistrate. He practices in the areas of class action litigation, toxic and mass tort litigation and commercial transportation litigation.

Greenville County Bar Association MARCH LUNCHEON

March 6, 2009
Poinsett Club
12 noon
\$22

Speaking:
U.S. District Court Judge Margaret Seymour
on
Diversity in the Legal Profession

Make reservations by March 3 to gbarnews@charter.net or 297-1599

2009 "Year-End" CLE

February 13, 2009– Carolina First Center

PROPOSED AGENDA- Revised January 22, 2009

We have been approved by the Commission on CLE for 7.17 hours credit of which 3 are ethics
(this includes the bumper hour)

\$60 early registration (on or before February 5), \$85 after February 5 or at the door

Includes breakfast, lunch and a snack

Register at gbarnews@charter.net or 297-1599

8:15-- 8:45 am	Registration, Breakfast
8:45 -8:50 am	Welcome/Opening Remarks, Jim Warren, Esquire, President, Greenville County Bar Association
8:50- 9:50 am	Session One: "Ethics and Mediation, From Band-Aid to Rehabilitation", Adam Fisher, Jr., Esquire, David Rutledge, Esquire, and Paul B. Wickensimer, Clerk of Court, Greenville County, plus planned Short Video
9:50 -10:00 am	Break
10:00- 10:50 am	Session Two: "A view from the bench", The Honorable John W. Kittredge, Justice, South Carolina Supreme Court
10:50 – 11:00am	Break
11:00 - Noon	Session Three: "Ethics", The Honorable Jean H. Toal, Chief Justice, South Carolina Supreme Court
Noon - 12:20 pm	Break, Buffet Lunch Line
12: 20 - 1:00pm	Lunch and Session Four: Panel Discussion. "How to give a better speaking presentation of your Appellant Court position and tips in Legal Oral Presentation" The Honorable Aphrodite K. Konduros, Judge, Court of Appeals, includes comments from special guest speakers as well.
1:00 - 1:10 pm	Break
1:10 - 2:00 pm	Session Five: Mediation Techniques and Best Practice (Sample Mediation Session involving breakup of a small family business.) Participants: Bruce Bannister, Esquire, John B. Rucker, Esquire, Judge Merl F. Code and Adam Fisher, Jr., Esquire and Audience Participation.
2:00 - 2:10 pm	Break
2:10 - 3:00 pm	Session Six: "Family and Circuit Court, Forensic Accounting Techniques", used to uncover fraud and accounting irregularities, Mike Meilinger, CPA
3:00 - 3:20 pm	Break, Afternoon Snack Break
3:20 - 3:50 pm	Session Seven: "E-Recording, Website and other RMC Advances": Timothy L. Nanney, Register of Deeds
3:50 - 4:20 pm	Session Eight: "Probate in South Carolina: Preparing for the future": The Honorable Debora Faulkner, Probate Court Judge,
4:20 - 4:30 pm	Wrap/Closing Remarks Jim Warren, Esquire
Bonus Bumper	
4:30 - 5:45 pm	Optional Session for extra one hour CLE credit for those who desire. "Law Firm Staff Ethical Issues and Team Building" Dennis McIntee

**Case Lode Ad
(Morning star)**

AgSouth Farm ad

FAMILY COURT LIAISON COMMITTEE REPORT

January 16, 2009

Attention Attorneys:

1. **Judge Jenkins is now the Chief Administrative Judge. His secretary is Linda Sullivan. Judge Jenkins' phone number is 467-5854 and his fax number is 467-5966. Please send all appropriate administrative matters to him. However, Judge Jenkins' assistant, Linda, would like to remind attorneys they do not need to send general orders to Judge Jenkins only. Submit those orders to the clerk's office. Also, if attorneys fax a letter to Judge Jenkins they do not need to follow up with an original letter. The matter will be handled with the fax.**
2. **When attorneys receive the 365 day notice, please do not wait until the last day to schedule hearings, pre-trial motions, etc. Some attorneys are waiting until the last minute after the order to strike has been entered to do anything.**
3. **The clerk's office is receiving a lot of orders with the child support direction sheet that has the direction of payment blank. Please make sure to fill out the form before submitting order. Specifically, if payment is not through the court then choose that option.**
4. **Remember not to include any social security numbers, bank account numbers, etc. in anything filed with the clerk.**
5. **The judges have asked that attorneys not include testimony in their orders. Orders only need to include findings of fact and conclusions of law. Some attorneys are submitting orders with too much information.**

The next Family Court Liaison meeting will be April 24, 2009 at 1:00 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: Christine M. Howard (282-8575).

Available Office Space

27 Cleveland Street. 1,600-1,700 sq. feet available. Perfect for a small law office. Contact Lora at 232-8670.

Office space for lease. 1306 South Church Street, Greenville, SC. Ideal for small firm or business. 5,000 sq. ft. available; will subdivide. Large furnished Conference room available. Ample on-site parking; 2 restrooms, large break room. One mile from downtown, approximately ½ mile from County Square. \$7.50 per sq. ft. plus share of utilities Call 271-8171 ext 206.

For Lease. 119 Manly Street across from Bilo Center, in Pettigru Historic District. 3198 square feet, 9 rooms, library conference room on totally renovated 1925 traditional residence ideal for a law office. Careful historic restoration. In excellent condition and up to date. Adjoining parking for nine cars. Kitchen area. Contact owner John M. Dillard 834-4415.

Office Space for Rent at 310 The Parkway, Greer, SC. Three Administrative offices approximately 8 x 10 feet furnished and 2 executive corner offices approximately 13 x 18 feet furnished. Use of conference room. Call 848-9370.

Office Space for Rent at 1527 Wade Hampton Blvd, Greenville, SC. Corner office approximately 12 x 14, furnished with secretarial space. \$750 monthly rent includes utilities, use of conference room, kitchen. Contact

Becky at 241-2883.

For Rent: 522 N. Church St., DOWNTOWN GREENVILLE.

One story building with ample office space and parking conveniently located behind Bi-Lo Center. \$1300 /month. Includes cleaning, utilities, telephone system with receptionist and conference rooms. Frontage on Church Street. Contact John Abdalla at 864-232-5444 or abdalla-law@yahoo.com for additional information.

For Rent: New suites \$1,000-1,200 monthly or singles \$450/225 ft up. Reception, kitchenette, bath, covered and front porch, parking, ground level or main. Location: W. Stone Avenue at Wilton Street near to Downtown Greenville. 864-303-4378 or 864-906-8366.



Verdicts

Caption: Martha Knecht vs. Linda Long
Case No. 2005-CP-23-4921
Cause of Action: Assault/Sldr/Lib.
Attorney for the Plaintiff: Eddie Harbin
Attorney for the Defendant: Eric Englehardt
Verdict for the Defendant

Caption: Nancy M. McJunkin vs. Casey Parlier
Case No. 2007-CP-23-5791
Cause of Action: Wreck
Attorneys for the Plaintiff: Tom Ervin and Chad Bacon
Attorney for the Defendant: Marc McGarr
Verdict for the Defendant

Caption: Jennifer Nurnberger vs. GMAC
Case No. 2007-CP-23-5234
Cause of Action: Conversion
Attorney for the Plaintiff: David Alford
Attorney for the Defendant: Brooke Hammond
Verdict for the Defendant: \$9,889.86 actual damages

Caption: Cathy Hazzard vs. Margaret Irene Schwarz
Case No. 2007-CP-6456
Cause of Action: Wreck
Attorney for the Plaintiff: Edwin Turnage
Attorney for the Defendant: Marc McGarr, Brent Fortson
Verdict for the Defendant

Caption: Romella Jean Moore vs. Charles Reece and Melissa Ann Reece
Case No. 2007-CP-23-6463
Cause of Action: Breach of Contract
Attorney for the Plaintiff: Randy Hiller
Attorney for Defendant: Robbie Childs
Verdict for Breach of Fiduciary Duty for the Plaintiff: \$30,000
Verdict for Conversion for the Defendant

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

Guest Article

By: Jack D. Griffeth

The South Carolina Bar Foundation has a mission to fund the advancement of justice by improving access, education and accountability. We are the **only statewide entity** that supports legal aid and educates the public about the civil justice system. Support for our grantees is generated through the Interest on Lawyer Trust Account (IOLTA) program as well as through individual and firm support.

In our most recent annual report, we applauded the fact that the Foundation was able to allocate \$5.2 million in funding from the Interest on Lawyer Trust Account (IOLTA) program. Yet, today's economic situation forced a reduction to \$4.0 million. Unfortunately, that is not the end of the decline. Next year, we predict at least a 50% shortfall in IOLTA. Less than \$2.0 million in IOLTA funding will be available for legal services, law related education and administration of justice programs.

At SC's highest IOLTA funding capacity, 8,500 of the state's poor received legal services and 4,700 of our youth benefited from a law related education program. These people were fortunate. The capacity of our grantees with half as much in resources will be devastating.

In our own backyard, IOLTA supports the Greenville office of our statewide legal services law firm, South Carolina Legal Services. IOLTA has been a long-time funder of the Upstate Community Mediation Center which strives to answer the call for mandatory mediation in family and circuit courts in Greenville County. Law in Action, a program that relieves the burden on the Greenville County Detention Center from overcrowding through its Jail Project, has also benefited from Foundation dollars. IOLTA has provided critical support to the YMCA's Youth in Government Program which offers civil education and leadership development opportunities to middle and high school stu-

dents. Furman University's hosting of the nation's largest regional mock trial tournament also has benefited from Foundation support.

We have the potential to help cushion some of the effects caused by the decline in IOLTA through increasing individual and firm giving to the Bar Foundation. We need your help. The legal profession has been good to us. Let's ensure that we can continue to be good to others through our profession's charitable arm. Please GIVE to the South Carolina Bar Foundation. Your gift will be put to use in a time when people are in need more than ever.

Visit www.sctbarfoundation.org and click DONATE NOW or send your contribution to the Bar Foundation at PO Box 608, Columbia, SC 29202

JUDGES NEEDED!!!!

On March 27 & 28, 2009, Furman University will host the 2009 National Mock Trial Championship Series-Southeast Tournament. Attorneys are needed to serve as judges and non-attorneys are needed to serve as jurors. To register for this event please visit www.furmanmocktrial.org

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***Deadline for articles or
advertisements is the 15th of
each month for the next
publication.***