



G-Bar News

A Publication of the Greenville County Bar

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PRESIDENT'S ARTICLE

By **Jim Warren**

BASEBALL AND CIVILITY

Lately my thoughts have turned to baseball. I'm in general agreement with Gaylord Perry that the trouble with baseball is that it is not played year around. The thing about baseball, and sports in general, that I appreciate so much – maybe more the older I get – is that there are actual rules, with objective observers enforcing the rules. As Bill Veeck said “Baseball is almost the only orderly thing in a very unordered world. If you get three strikes, even the best lawyer in the world can't get you off.”

Because of the context and boundaries of those rules, the sports field is one of the last places on earth where human beings may do whatever else they like, in service of a common goal. I'm fascinated by that concept of freedom – play, even – within the bounded and green fields of order and structure. I believe it highlights and reveals what is best in people.

Chief Justice Warren agreed with me. “I always turn to the sports pages first,” he said, “which record people's accomplishments. The front page has nothing but man's failures.”

Beyond the written rules of sport, there are also the unwritten rules of civility, courtesy and teamwork. Golf and tennis, two other sports I enjoy, are full of a thousand little rituals – some of them arcane and historic, but most of them still scrupulously followed by even the most successful and hard-bitten pro, more than a hundred years after their development.

Writers, journalists, and politicians make much of the loss of “civility” in our culture. And it is a truism that the more civility declines, the more bureaucracy grows and human freedom declines. As Yeats said “Things fall apart; the centre cannot hold.” To put it another way, the less a culture honors and submits to the unwritten social codes of human interaction, the more that culture depends on written, bureaucratic and enforced public regulation. Sometimes I think that each of us might receive fresh inspiration by simply taking a tour of the thousands of tennis courts, golf greens, and baseball diamonds around the world, whether public, club or professional, and observing the amateurs and professionals enacting the small but important rituals of respect for the game and the opponent.

That brings me to the law, and my topic, which is the collegiality and civility that we are fortunate to enjoy here in Greenville. In Atlanta, they have established a program in which opposing attorneys who do not know each other are encouraged to eat lunch together shortly after initial pleadings are filed. The thinking behind the program is that if lawyers on opposing sides get to know one another, a sense of civility and collegiality will eventually develop.

Collegiality is defined as “cooperative interaction among colleagues” or, according to Wikipedia, “respect for another's commitment to the common purpose and ability to work toward it.”

To carry forward the sports metaphor, opposing counsel are not on the same team, but we are all playing and respecting the same beautiful and honorable game, which is the rule of law. We have our written rules of civil procedure, and we also have unwritten rules of conduct such as saying “May it please the Court” or “Your Honor” in addressing a presiding judge, wearing appropriate attire in court or making evidentiary objections in a professional manner. As

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May 2009

UPCOMING EVENTS

- **April 29: Law Week Luncheon**
- **April 30: Golf Tournament**
- **April 30: Cook-out**
- **June 11: Summer Associate Luncheon**
- **August 13: BBQ**
- **December 11: Christmas Party**
- **February 12, 2010: “Year-End” CLE**

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with athletes, all of us must submit ourselves to the rigors, discipline, joys and sorrows of our profession.

With that in mind, I'd like to highlight two upcoming events that are local opportunities to engage in collegiality and civility. One is the upcoming summer luncheon to recognize new colleagues coming to Greenville, as well as law students and clerks working here over summer. And the other is Opening Day for our softball law league!

We don't need a required lunch program to foster collegiality. We have something – completely unaffiliated with the G-Bar I might add – that allows good competition, encourages teamwork, and helps us stay healthy, all within the green and ordered fields of a softball diamond. Believe me, you'll find all the collegiality you need among The River Rats, Rough Draft, Hardballers, Solicitors, and Aerial Attackers.

Batter up! And see you around Greenville.

Announcements

Best Lawyers, the country's original and most respected lawyer-rating directory, is pleased to announce that it will honor the extraordinary accomplishments of **Knox L. Haynsworth, Jr.**, of **Ogletree Deakins'** Greenville office, during its 25th Anniversary Event in Atlanta, Georgia, in April 2009. The Event will be celebrating the distinguished careers of the 1,397 lawyers who have been listed in the publication since it began rating lawyers in 1983.

Ogletree, Deakins, Nash, Smoak & Stewart, P.C. announced today that **Ellen K. Foody** who is of counsel in the firm's Greenville office, has graduated from The Riley Institute Diversity Leaders Initiative at Furman University. Offered by the Institute each year to a highly select group of just 40 community leaders, the acclaimed program enables participants to gain leadership skills that are vital for addressing diversity efforts in the workplace and greater community. As an attorney, Ms. Foody focuses her practice primarily in the fields of ERISA and benefits law.

The law firm of **McAngus Goudelock & Courie, LLC** is pleased to announce that attorney **Erroll Anne Hodges** has been named by *South Carolina Super Lawyers* magazine as one of the top attorneys in South Carolina for 2009. Hodges received her undergraduate degree from the University of Virginia and her law degree from the University of South Carolina. Her practice focuses on workers' compensation law.

Ogletree, Deakins, Nash, Smoak & Stewart, P.C. is pleased to announce the following attorneys have been named in the 2009 edition of *South Carolina Super Lawyers*. Nominated by their peers, these attorneys were selected as *Super Lawyers* because of their outstanding professional achievement. Attorneys selected under Labor and Employment Law include Thomas A. Bright, John G. Creech, J. Howard Daniel, Robert O. King, Charles E. McDonald, III, R. Allison Phinney, Lewis T. Smoak, J. Hamilton Stewart, III, Fred W. Suggs, Jr., and M. Baker Wyche, III. Attorneys selected under Employment Litigation: Defense include L. Gray Geddie, Jr. and Phillip A. Kilgore. Joel A. Daniel was selected under Employee Benefits/ERISA.

Nexsen Pruet is pleased to announce that **Grant Burns, Mike Pitts, Tom Stephenson** and **Joel Stoudenmire** have been named to the 2009 list of South Carolina Super Lawyers.

Love, Thornton, Arnold & Thomason is pleased to announce that **Carole Spainhour** has become of Counsel to the firm. Her area of practice includes Elder Law, Planning for Disability and Long Term Care, Medicaid, Special Needs Trusts, and "value added" Estate Planning incorporating planning for these potential needs, Trust Administration and Probate. Carole has been practicing Estate Planning and Elder Law in North Carolina for fifteen years, and was admitted to the bar in South Carolina in 2008.

McNair Law Firm announces that **Rita M. McKinney** and **James K. Price** have been selected for inclusion in South Carolina Super Lawyers 2009.

You and a guest are invited to A Cookout at Furman

Thursday – April 30, 2009, 6 pm
Ellison Pavillion – Furman Golf Course

Co-sponsored by
the Greenville Young Lawyers and the South
Carolina Bar Young Lawyers Division

\$15 per person and
a suggestion donation of two canned goods

Come enjoy a wonderful dinner with beer, wine and
friends.

RSVP to gbarnews@charter.net by April 24

LAW WEEK Schedule of Events April 29 and April 30

April 29: Law Week Luncheon. 12 noon. Poinsett Club. \$24. Luncheon will honor attorneys who have been practicing for 45 years and the Liberty Bell Award recipient Glen Halva-Neubauer. Reservations to gbarnews@charter.net or 297-1599 by April 24.

April 30: Judge Eppes Golf Tournament at Furman University. Boxed lunch at 12. Shot-gun start at 1:00. Registration form is on page 7 of this newsletter. Call Seth Swan with questions or if you want to sponsor a hole (\$100). Seth can be reached at 240-3200.

April 30: Cookout at Furman. NEW EVENT. 6pm. Ellison Pavilion at Furman University. Cosponsored by the Greenville Young Lawyers and the South Carolina Young Lawyer Division. \$15 per person and a suggested donation of two canned goods. Reservations to 297-1599 or gbarnews@charter.net by April 24.

LAW WEEK 2009 LUNCHEON

Wednesday – April 29, 2009

Poinsett Club, 12:00 noon

\$24

Honoring the Liberty Bell Award Winner Glen Halva-Neubauer

and Senior Attorneys:

C. Vincent Brown

John G. Cheros

William R. James

I. Henry Philpot, Jr.

Donald R. McAlister

Make Reservations by April 24 to
gbarnews@charter.net or 297-1599

Available Office Space

Office Space Available in Fully Renovated House at 114 Whitsett Street. Large Office and Secretarial Office with use of two conference rooms. Also included: Waiting and reception services, Avaya Phone System, Networked High Speed Copier/Fax/Scanner, Networked Encrypted Server, High Speed Internet, Stocked Refrigerator and parking. Please call 467-9595 for more details.

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 S. Church Street 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. \$7.00 per sq. ft. plus share of utilities for upstairs space; \$6.00 per sq. ft. plus share of utilities for downstairs space. Call 864-271-8171 ext. 206.

For Lease. 119 Manly Street across from Bilo Center, in Pettigru Historic District. 3198 square feet, 9 rooms, library conference room in carefully historic restored 1925 residence ideal for a law office. 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 1527 Wade Hampton Blvd. 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. Contact John Abdalla at 864-232-5444 or abdallalaw@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.

Second Floor Suite located at 204 Lavina Ave. Space includes 4 rooms and a bathroom. \$900 a month. Call 787-2824 for more information.



Verdicts

Caption: Calli Reed vs. Thomas Paul Engelking

Case No. 2008-CP-23-1494

Cause of Action: Wreck

Attorney for the Plaintiff: Dallas Ball

Attorney for the Defendant: Kyle Thompson

Verdict for the plaintiff: \$5,052.22 actual damages

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

SECOND PILOT MENTORING PROGRAM

A Guest Article by Cindy Coker

Do you remember when you were fresh out of law school, degree in hand, bar exam behind you and your certificate of admission framed and ready to hang on your wall? Armed with all that wonderful education, you were ready to take on the world – dazzle clients and opposing counsel with your brilliance – and generally make Atticus Finch, Perry Mason, and Matlock all look like pretenders compared to you. That is, until you actually had to deal with your first client, the first lawsuit and that more experienced opposing counsel who knew a just a few more things than you did. Sitting through a class on domestic relations didn't begin to prepare us for the emotional trauma sitting across the desk when the new client was explaining that their 30 year marriage was ending. How did we ever learn to translate the academic to the reality??? For most of us, there was another “older, more experienced” lawyer who helped teach us how the law was really practiced; how to communicate with our clients, who the right person was to talk to in the clerk's office and how to deal with opposing counsel. And many of us promised that we'd return the favor someday.

Well, now's your chance. The Supreme Court has established a Second Pilot Mentoring Program which affects all lawyers admitted to the S.C. Bar between March 1, 2009 and January 1, 2011 who fit the definition of a qualifying lawyer. Basically, if they live in SC or practice in an office in SC on more than a temporary basis and they have not been admitted and practiced in another jurisdiction for at least two years, then they participate in the program.

Mentoring provides an opportunity for “older, more experienced” lawyers to help the “new kids” with the learning curve that exists when moving from the classroom to the practical application of the education and

the real life practice of law; to help them understand the reality of the practice as a profession and as a business. I know from personal experience the value of having that person in the office that you could go to with the “how do I do” question and over 20 years later there are still those people that I count on for the “how do I do” question when it's an area of law that I don't practice. And frankly, most of us have that network of people that we bounce around ideas, discuss approaches to problems or just vent when we find ourselves frustrated with the day to day issues of our practice.

Mentoring is a way to help new lawyers develop those networks. It's an opportunity to teach them the practice and the pride that comes with this profession. And it's a chance to make their transition into the profession smoother and more successful. For firms, it's a chance to make sure that your investment in the new lawyer pays off; that the new lawyer understands your firm's culture and becomes more productive.

If you want a chance to return the favor that someone did for you 10, 20, 30 or more years ago, volunteer to be a mentor. You'll be glad you did.

For information about the Second Pilot Mentor Program or to volunteer, visit the S.C. Bar website at www.scbars.org/member_resources/mentoring/ or contact Cindy Coker, Mentor Counsel at cindy.coker@acbar.org or 803-799-6653 Ext. 142.

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