



# G-Bar News

A Publication of the Greenville County Bar

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## PRESIDENT'S ARTICLE By Jim Warren

I don't know if kids these days are taught about Helen Keller, the girl who became blind and deaf after a very early childhood illness and who is taught to speak, sign, and most importantly, *learn and live* by her beloved teacher, Anne Sullivan. The dramatic depiction of the recognition and gift of language in the movie *The Miracle Worker* – when Keller recognizes the word “water” spelled out in her hand – is one of the most famous movie scenes of the 20<sup>th</sup> century.

Keller went on to become an activist and inspirational speaker, as well as the first blind, deaf person to graduate from college – Radcliffe College – in 1904. She also introduced a certain much-beloved breed of dog into the US [see my challenge question at the end of this article.]

One of the things she said that I think most applicable to this tumultuous year is this:

*Security is mostly a superstition. It does not exist in nature, nor do the children of men as a whole experience it. Avoiding danger is no safer in the long run than outright exposure. Life is either a daring adventure, or nothing.*

I think it's easy, as a lawyer, to see just how insecure these times are. What is touted as a worldwide pandemic with the unseemly name of “swine flu” seems to come and go, declining and then rebounding in the headlines, as more cases are discovered. Periodically, another financial institution folds, or is merged, or declares bankruptcy. We are witnessing the transformation of the American car industry before our eyes. Law firms – seemingly hundreds of them around the country – are laying off lawyers, and pulling back on hiring law students from the class of 09.

There is no question that times aren't great right now – if, that is, one compares them to our recent more heady and ebullient economic times of a decade ago. *But the truth is, we've merely had revealed to us this year, more clearly and strikingly than most years, the constant and basic insecurity of human existence.* Very little in life is ever certain – our health, our clients, our work peers, our children. At any moment, something can be taken away from us, and we are forced to compensate, adjust, scramble, and become more flexible as we absorb a loss – just as, with Helen Keller, a sudden childhood illness took away her sight and hearing in a short week or so. In fact, there is no way that we can avoid danger. So we must at least embrace its existence as a part of living.

In my own practice of real estate law, I've certainly seen changes over the past year. There are fewer construction loan closings, and commercial real estate development activity has slowed. But – as I'm guessing has happened with most of my peers in this community – I've absorbed and accepted the losses, adjusted, and other good things have happened. For example, the slow-down in new real estate development has allowed for more planning and the implementation of growth policies that are economically sound, respectful of private property rights and good for the environment, all with a focus on preserving and enhancing South Carolina's quality of life.

I'll throw three principles out on this page for you, in case you're dealing with some of the same things in your practices as I am. First, I've acknowledged that my expectations for security and stability are essentially not reasonable. Life is a daring adventure, and with that comes insecurity, but also freedom. Second, I've worked to become more grateful for the things I've been given. Our children, our spouses, our peers, our work, this community – they're precious. And they can't be taken

*(Continued on page 2)*

218th edition  
June/July 2009

### UPCOMING EVENTS

- **August 13:**  
**BBQ**
- **September 24:**  
**Judges Reception**
- **December 11:**  
**Christmas Party**
- **February 12, 2010:** “Year-End” CLE

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for granted, because they're gifts. Finally, I've relied on my communities for support: the team of lawyers I work with at Wyche, the larger community of lawyers in the Upstate, my church, my family, and my friends.

Summer is coming soon, friends. And with that comes sunshine, hot days, concerts by the Furman lake, barbecue, yard work, golf, a good movie. It's the time of year where things relax a little, and professional peers can invite one another out for lunch on a restaurant deck or patio, maybe a get together after work. If you're interested in comparing notes about the changes in your practice over the past year, I hope that you'll consider reaching out to a peer or colleague, maybe picking his or her brain for ideas and new perspectives over lunch or coffee. After all, much of the reason that the Greenville County Bar exists is in order to establish a community that is both professional and caring enough to learn from one another. Send an email or make a call to a lawyer in another practice – it could be the start of another business alliance, or at least a closer acquaintance.

See you around Greenville!

**(And PS: I'll buy lunch for the first lawyer who emails me the name of the dog breed that Helen Keller introduced to the US – and about which she said "If ever there was an angel in fur, it was Kamikaze.")**

## Announcements

**Thomas & Fisher, P.A.** announces that **John R. Thomas** and **Randy E. Fisher** have been selected for inclusion in 2009 South Carolina Super Lawyers. John R. Thomas is listed in the practice areas of Tax Law, Estate Planning & Probate, and Employee Benefits/ERISA. Randy E. Fisher is listed in the practice areas of Tax Law, Estate Planning & Probate, and Closely Held Business.

**John Perkins** has joined **Nexsen Pruet's** Intellectual Property Group as Special Counsel. Perkins focuses his practice on all aspects of intellectual property law, with particular emphasis on complex litigation. He handles disputes regarding patents, trademarks, copyrights, trade secrets, and antitrust violations. In addition to his litigation experience, he also handles transactional matters, including the acquisition of patent rights and opinion work relating to patent validity, enforceability and infringement.

**Wyche Burgess Freeman & Parham, P.A.** has announced that **Alice W. W. (Tally) Parham** has been invited to be a shareholder in the firm, and **Rita Bolt Barker** and **Meliah Bowers Jefferson** have joined the firm as associates. In addition, **Professor John L. S. Simpkins** has become of counsel with the firm. Parham concentrates her law practice in architectural works, copyright infringement litigation, intellectual property, voting rights litigation, whistleblower lawsuits, contract disputes and product liability.

The **South Carolina Bar** and **Ogletree, Deakins, Nash, Smoak & Stewart, P.C.** are pleased to announce that **Fred Suggs** began his term as president of the South Carolina Bar on Thursday, May 14, 2009.

The **Greene Law Firm, P.A.** congratulates our paralegal **Tara Prevatte** on attaining the designations of Professional Paralegal and Professional Legal Secretary.

The law firm of **Gallivan, White & Boyd, P.A.** announces that six attorneys have been selected for inclusion in *South Carolina Super Lawyers 2009* and three attorneys have been selected for the *Corporate Counsel Edition of Super Lawyers 2009*. Gallivan, White & Boyd, P.A. attorneys appearing in the 2009 *South Carolina Super Lawyers* list include: **W. Howard Boyd, Jr.**, Business Litigation; **Deborah C. Brown**, Workers' Compensation; **H. Mills Gallivan**, Alternative Dispute Resolution; **Phillip E. Reeves**, Insurance Coverage; **Daniel B. White**, Personal Injury Defense: Products; and **Ronald K. Wray**, Business Litigation. In addition three Gallivan, White & Boyd, P.A. attorneys are ranked in *Corporate Counsel Super Lawyers 2009*: **H. Mills Gallivan**, Alternative Dispute Resolution; **C. Stuart Mauney**, Alternative Dispute Resolution; and **Daniel B. White**, Personal Injury Defense: Products.



**Greenville County Bar  
NEW Phone Number:**

**757-1550**

**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 thirty 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:** Email the Bar at [GBarNews@charter.net](mailto:GBarNews@charter.net) and confirm you have gotten your first colonoscopy and the Executive Secretary will send you your certificate.

**ONLY 3 GIFT CERTIFICATES REMAINING!!!!**

**Greenville Bar Association  
BBQ**

**Thursday, August 13**

**5:30-8:30pm**

**Blind Horse Saloon**

**\$18 per person**

**Spouses/guests welcome**

**RSVP to [gbarnews@charter.net](mailto:gbarnews@charter.net) or 757-1550 by Monday, August 10**

**TOMMY THOMASON AWARD NOMINATIONS**

Tommy Thomason was an amazing lawyer. During his lifetime, he inspired many people. And after his death, the Greenville Bar Association commemorates his life with the Award in his name. The qualities emulated by Tommy Thomason are the qualities sought by the Award Committee.

If you know a lawyer who is

- ★ compassionate and sensitive to all people regardless of their station in life
- ★ friendly, unassuming, humble with a warm, genuine, and abiding faith in people
- ★ dedicated to community interest, public service, and improvement of the community
- ★ dedicated to the improvement of the legal system and justice for all people
- ★ widely respected and admired by peers for personal and professional achievement

If you know a lawyer who has

- ★ strong personal values, optimism, and faith
- ★ positive diplomacy that works to minimize conflict and to resolve disputes in the least hostile manner
- ★ unshakeable integrity, coupled with an instinct for fairness

If you know a lawyer who

- ★ loves the practice of law and pursues the practice as a service to people

Please submit your nominations with a description of ways your nominee exemplifies these ideals of the late Tommy Thomason. Please submit your information to [gbarnews@charter.net](mailto:gbarnews@charter.net) or Greenville County Bar Association, Post Office Box 10145, Greenville, South Carolina 29603.

**Deadline for submissions: September 1, 2009.**



**GUEST ARTICLE:****THE LAWYERS' EPIDEMIC:  
DEPRESSION, SUICIDE, AND SUBSTANCE ABUSE****C. Stuart Mauney  
Gallivan, White & Boyd, P.A.**

In a period of 18 months, six lawyers committed suicide in South Carolina. In late 2008, a student at the Charleston (SC) School of Law committed suicide. Around that same time, a student at the USC School of Law died of alcohol poisoning. Recent studies show that lawyers are three times as likely to suffer from depression as other professions. The rate of substance abuse among lawyers is twice that of the general population.

The South Carolina Bar formed the HELP Task Force to shine a bright light on these problems. It is my privilege to serve as Chair of HELP, whose mission is to raise awareness and promote prevention of substance abuse, mental illness, and suicide within the legal profession. The Bar's Lawyers Helping Lawyers program provides confidential services for lawyers who suffer from substance abuse and mental illness. HELP complements the work of LHL by educating lawyers, law firms, law students, and judges about the services available through LHL. HELP also promotes a better understanding of mental health issues in the legal profession.

A study by Johns Hopkins University found that among more than 100 occupations studied, lawyers were most likely to suffer from depression and were 3.6 times more likely than average to do so. A quality of life survey by the North Carolina Bar revealed that almost 26% of respondents exhibited symptoms of clinical depression, and almost 12% said they contemplated suicide at least once a month. The North Carolina study was prompted in part by the suicides of 8 Mecklenburg County lawyers in a seven-year period.

10% of Americans, more than 19 million people, suffer from depression every year. More Americans suffer from clinical depression than heart disease and cancer. Effective treatment is available for 90% of those with a depressive illness.

Suicide is the third leading cause of death among attorneys, after cancer and heart disease. The rate of death by suicide for lawyers is nearly six times the suicide rate for the general population. Suicide can be prevented. While some suicides occur without any outward warning, most do not. We can prevent

suicide among lawyers by learning to recognize the signs of someone at risk, taking those signs seriously, and knowing how to respond to them.

The National Institute on Alcohol and Alcohol Abuse estimates that 10% of the U.S. population is alcoholic or chemically dependent. In the legal profession, the abuse may be as high as 20%. Alcoholism is a factor in 30% of all completed suicides. Reports from lawyer assistance programs indicate that 50%-75% of lawyer discipline cases nationwide involve chemical dependency.

Whether you are the husband, wife, employee, judge, law student, law partner, law firm associate, friend, or colleague of a person challenged by depression or substance abuse, your understanding of the nature of the problem can play a vital part in helping that individual to achieve and maintain recovery. Please remember that there is hope, and there is help. You are not alone.

Call the Lawyers Helping Lawyers toll-free helpline at 866-545-9590 or LifeFocus Counseling Services toll-free at 866-726-5252 to be referred to a counselor in your area.

The Upstate Community Mediation Center seeks a mediation coordinator beginning in late June. Two years of college, paralegal certificate, or comparable training and work experience required. Position entails office duties associated with an entry-level administrative position. Salary range is \$18-\$24K. Send resume and letter of interest to: Personnel Committee, Upstate Community Mediation Center, 27 Cleveland Street, Suite 204, Greenville, SC 29601



## Verdicts

**Caption: Joan C. Beaumont and Gerald P. Beaumont vs. Jay A. Crockett, M.D., Greenville Colon & Rectal Associates, P.A.**

**Case No. 2007-CP-23-5896**

**Cause of Action: Medical Malpractice**

**Attorney for Plaintiff: Bob Wilson**

**Attorney for Defendant: Jamie Hood**

**Verdict for the Defendant**

**Caption: Mike Clark vs. Daniel Lee M.D., Foorhills Orthopedic and Sports Medicine Center, St. Francis Physician Services, Inc., Bon Secours Saint Francis Health System, Inc.**

**Case No. 2008-CP-23-1580**

**Cause of Action: Medical Malpractice**

**Attorneys for Plaintiff: Mike Parham, Jamie DeMint**

**Attorneys for Defendant: Steve Snyder, Trip Lehn**

**Verdict for the Plaintiff in the amount of \$47,500 against all defendants EXCEPT Daniel Lee M.D.**

## FAMILY COURT LIAISON COMMITTEE REPORT

### April 17, 2009

#### Attention Attorneys:

**1. Judge Verdin is in the process of hiring a permanent assistant. In the interim, please contact Angie Hyder, Judge Kinard Johnson's secretary who is helping Judge Verdin out temporarily.**

**2. Please contact the Upstate Community Mediation Center if you are interested in attending a 40 hour mediation training workshop to be scheduled in the Upstate or if you would like to volunteer to mediate a case for them.**

**3. The Clerk of Court reminded lawyers at the meeting that all child support orders must be personally served before the court will enforce it.**

**4. The clerk's office is receiving a lot of orders without the child support direction form or an incorrectly filled out form. Please make sure to fill out the form completely and correctly before submitting an order.**

**The next Family Court Liaison meeting will be June 12, 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

**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.

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