



G-Bar News

A Publication of the Greenville County Bar

James I. Warren III
President

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President-Elect

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Editor

PRESIDENT'S ARTICLE

By Jim Warren

Okay, I admit it.

One of my favorite movies is *It's A Wonderful Life* – and right about the time you receive this newsletter will be “that time of the year” for viewing it. A far more sophisticated person than I – a New York Times reviewer – wrote these words at the time of the movie’s premier: “the weakness of this picture, from this reviewer’s point of view, is the sentimentality of it—its illusory concept of life. Mr. Capra’s nice people are charming, his small town is a quite beguiling place and his pattern for solving problems is most optimistic and facile. But somehow they all resemble theatrical attitudes rather than average realities.” And indeed the movie was a disappointment financially, not achieving its break-even point on its initial release, and demonstrating that Frank Capra had “lost his touch” as a director.

But history has a way of proving critics and gurus wrong sometimes; the movie is recognized by the American Film Institute as one of the 100 best American movies of all time.

As all of us know, the film covers the life of George Bailey, who spends much of his life wanting to leave Bedford Falls to make his mark on the world. But at every turn, he is thwarted by his own sacrificial nature and the needs of others. The film begins with George’s “crisis of faith” – his belief that his life has been a wasted sacrifice, and meaningless to boot.

On the surface of things, as we chronicle George’s life, we might even agree. What has George Bailey actually done with himself

– his dreams and his ambition and his love of architectural design – after all? He’s stuck in a house that needs a lot of repairs. He’s slaving away at a job where he’s underappreciated and which wasn’t even his original plan anyway, not to mention that the business is in dire financial straits. His car is wrecked. And he’s “saddled” with a spouse and all these loud, clattery children.

Of course . . . some of this can sound familiar, can’t it? But in our better moments, we recognize that it’s a privilege to have a house. To have a job. To have a car. And especially to have a family. Gratefulness is being thankful for what we have *before* we lose it, not afterwards. All of these things are gifts, whether we’re wise enough to appreciate them at the time or not. And as Clarence the guardian angel takes George – and us – on a tour of what might have been had life not held George, we recognize that without knowing it George has impacted an entire city and beyond. Without George, many people might never have lived, or worked, or loved well. He had, without meaning to, formed a community of friends and allies who, when George is at his lowest, pitch in and save the day for him.

I guess my fondness for the film says something about me. But in my defense, since it’s one of the most popular movies of all time, something about it appeals to many others as well. I think that in part it’s because of *the appeal of community in a sometimes troubling world*. Having gone through the past 18 months, we all have some better inkling now, for instance, of

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UPCOMING EVENTS

- **December 11: Annual Meeting**
- **December 11: Christmas Party**
- **December 17: Memorial Service**
- **February 12, 2010: “Year-End” CLE**

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how George feels when there's a run on the bank! And we can certainly sympathize with Bedford Falls' housing woes. And the credit crunch as well. But in the end, the community pulls together.

We have quite a blessing here in our own community of the Greenville County Bar. We have achieved something special over the years of working and socializing together, and at least this time, I'm wise enough to be grateful for it.

Twelve months ago I announced in my first article for this newsletter that my primary goal for the year was not to mess anything up that was already so good! Thank you for giving me the privilege of leading the Greenville County Bar's Executive Committee this past year. It has been an honor to be a small part of preserving this association's heritage of community and professionalism and to serve my peers in the law. I appreciate all of the note cards, e-mails and phone calls of support from so many of you this year.

The dedication of our Executive Committee members this year has been extraordinary, with countless hours spent planning CLEs, programs, social events, Law Week as well as chairing and doing the work of our committees. Each of our Executive Committee members has played an active and vital role in serving our community, and this legacy will continue as we are fortunate to have Chris Gantt-Sorenson serving as the next President of the Greenville County Bar.

In particular, I have a number of people to thank, too, for helping me this past year. Adam Fisher and Zandra Johnson lead our CLE Committee, which put on one of the best CLE Programs in the state this year. Rosalyn Mattingly and Kris Strasser did a great job heading up our Programs Committee highlighted by luncheons in which Judge Seymour and Judge Patterson spoke to us. Chris Roberts chaired the Social Committee with great events including the Summer Social at the Blind Horse Saloon, the Judges Reception at the Greenville Country Club and our upcoming Christmas party. Frank Eppes and Leigh Booth Paoletti brought dedication and compassion as chairs of our caring committee. Courtney Atkinson and her team of Law Week Committee members put together another great week of events. Chip Price once again took on the thankless but important task of being the one-person Client Relations Committee. Matt Johnson continued with his steady hand in leading the Judicial Relations Committee, and Katie Walter

brought lots of energy and fresh ideas in her role as the young lawyer representative on the Executive Committee. Thanks to Jason Elliott for editing the G-Bar News and handling public relations matters for the G-Bar. Our officers, Chris-Gantt Sorenson, Jack Griffith and Clark Price provided strong leadership, and Paul Wickensimer continued in his excellent service to the Greenville County Bar Association as an active ex-officio member and great liaison between the bench and the bar. I cannot thank Dave Edwards enough for his service to the G-Bar this year and past years. Most past-presidents get a break; however, Dave worked tirelessly this year on many projects, including heading up a committee to review and recommend changes to our By-Laws, chairing the Nominating Committee and leading the Tommy Thomason Award Committee. I am most appreciative of the day-to-day work performed by Melinda Davidson, our Executive Secretary. Thanks also to Jackie Ballard at our firm for helping to keep me organized and focused. Finally, I appreciate the love, support, patience and guidance of my wife, Allison, and the enthusiasm of my children, Jim, Sarah and Russell.

I won't be going too far, as a past-president . . . I'll be seeing you around Greenville, as always, and at all of the great events with which we're familiar. My email box is "always open" - jwarren@wyche.com - [you can let me know what your favorite movie is for this time of the year, since you know mine now].

But in the meantime . . . a nod of the head and a raised glass to each of you, my friends, and many happy returns of the season.

Please be advised this is the last hardcopy you will receive of the Greenville Bar Newsletter. As of January 2010, the Greenville Bar Newsletter will be emailed. Please contact Chris Gantt-Sorenson with any questions or concerns at 864.240.3282 or csorenson@hsblawfirm.com

GREENVILLE COUNTY BAR ASSOCIATION **CHRISTMAS PARTY**

Friday, December 11
6:30 pm
Greenville Country Club

\$45 per person prior to December 7
\$65 per person after this deadline

Please make reservations to Melinda at gbarnews@charter.net or 757-1550
and mail payment to GCBA, PO Box 10145, Greenville, SC 29603

Memorial Service

You are invited to join the Greenville Bar Association for the Memorial Service to be held in Courtroom # 8 at the Greenville County Courthouse at 4 pm on December 17, 2009. The Honorable Edward W. Miller will preside and will be joined at the bench by the Honorable Helen E. "Beth" Burris and the Honorable Letitia H. Verdin. Cameron Treece will be serving as our minister as we honor the memory of:

Orville Gilbert "Tuck" Calhoun eulogized by W. Francis Marion, Jr.
Fran E. Duarte eulogized by Douglas Churdar
Grover S. (Buddy) Parnell, Jr. eulogized by H. Pete Partee
Robert P. Stirm eulogized by Bryan Hickey

Proposed Revisions to the Greenville County Bar Association's By-Laws

At the 2009 Annual Meeting of the Greenville County Bar Association on December 11 at 6 p.m. at the Greenville Country Club, the Association will vote on revisions to the By-Laws as recommended by the By-Laws Committee. To read a draft of the revised By-Laws, please visit our website at www.greenvillecountybar.org

**FAMILY COURT LIAISON COMMITTEE REPORT
November 6, 2009**

Attention Attorneys:

- 1. For a variety of reasons, the new court schedule as of January 1, 2010 will be from 9:30 AM to 12:30 PM and then from 2:00 PM until 5:00 PM.**
- 2. If you need more than 15 minutes for any temporary hearing or you need to submit more than 8 pages of affidavits, please state with specificity in a letter why you need more time etc...**
- 3. The Clerk of Court reminded lawyers to double check any documents filed with the court to ensure it has the correct docket number. There have been many documents submitted with the wrong docket number.**

The next Family Court Liaison meeting will be January 29, 2010 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).

Announcements

In its Winter 2009 edition *Southern Business & Development*® magazine named **McNair Law Firm, P.A.** first among ten law firms based in the South that specialize in helping companies find the best locations, identify the best tax structures and maximize incentives, among other activities.

Martin & Brasington, P.A. has relocated its office to **1415 Augusta Street, 29605**. The telephone, fax and post office box remain the same.

The law firm of **Gallivan, White & Boyd, P.A.** is pleased to announce that three new associates have joined the firm. **Brittany F. Boykin** is a native of Anderson, South Carolina who received her JD from the Charleston School of Law in 2009 and currently practices in the areas of Railroad Litigation, Toxic Torts, and Drug and Medical Device Litigation. **A. Brooks Haselden** received JD and International Master of Business Administration from the University of South Carolina School of Law and the Moore School of Business in 2009 and currently practices in the areas of Business and Commercial Litigation, Banking, Bankruptcy and Creditors Rights, and Corporate and Business Planning, and Real Estate. **Kyle A. Hougham** received his JD from the Campbell University Norman Adrian Wiggins School of Law in 2009 and currently practices in the firm's Workplace Practices group.

Nexsen Pruet attorney **Tom Stephenson** has been named "Greenville Alternative Dispute Resolution Lawyer of the Year" for 2010 by *Best Lawyers*®. Stephenson practices primarily in the areas of labor law, employment law, and employment-related litigation and has written several books and articles dealing with employment law.

Elmore & Wall is pleased to announce that co-founding shareholder **L. Franklin "Frank" Elmore** of the firm's Greenville office has been invited to become a Fellow in The American College of Construction Lawyers. Upon induction at The College's Annual Meeting in San Diego in February 2010, Elmore will become one of only two Fellows of the College in South Carolina.

South Carolina Supreme Court Amends Rule 608

The South Carolina Bar's Rule 608 Task Force has requested the Court amend Rule 608, SCACR, to end the practice of appointing attorneys as guardians *ad litem* (GALs) in the Family Court. The Bar's Task Force asserts other organizations, such as the South Carolina Guardian *ad Litem* Program, which is funded by the General Assembly and administered by the Office of Executive Policy and Programs, and Richland County CASA, which is privately funded and organized, are responsible for providing volunteer GALs in abuse and neglect and termination of parental rights cases. Both programs recruit, train, and supervise volunteers to act as GALs in such matters in all forty-six counties of South Carolina.

In reviewing the practice of appointing GALs in the family court, we believe programs such as the South Carolina Guardian *ad Litem* Program and Richland County CASA have the requisite expertise and resources to best serve the needs of children and the general public in providing GALs in matters in which they are required. The vast majority of attorneys who are appointed have no training or experience as GALs, and there is no appropriate supervision of those attorneys. The Court believes the participants are better served when attorneys who are appointed are appointed as advocates. Furthermore, the South Carolina Guardian *ad Litem* Program has made significant strides in the past several years in recruiting and training sufficient numbers of volunteers.

Accordingly, we grant the request of the Bar's Task Force to amend Rule 608. Effective July 1, 2010, Rule 608 is amended, as reflected in the attachment, to eliminate the appointment of attorneys as GALs pursuant to Rule 608. Attorneys appointed as GALs prior to the amendment shall continue to serve until appropriately relieved under the rules or until the matters have been properly concluded.



Verdicts

Caption: Joel D. Armstrong and Kathleen S. Armstrong vs. DP Holdings, LLC
Case No. 2008-CP-23-7379
Cause of Action: Breach of Contract
Attorney for Plaintiff: Wendall Hawkins
Attorney for Defendant: Gene Covington
Verdict for the defendant in the amount of \$1,000

GREENVILLE COUNTY BAR PICTORIAL DIRECTORIES ARE HERE!!!!

If you did not pick up your pictorial directory at the Judicial Reception, you may pick up a copy at one of three convenient locations:

- 1. The Clerk of Court's Office located in the Greenville County Courthouse**
- 2. Wyche, Burgess, Freeman & Parham, P.A. located at 44 E. Camperdown Way**
- 3. Roe Cassidy Coates & Price, P.A. located at 1052 N. Church Street**

Available Office Space

1619 East North Street: Large office space with private bathroom. All other amenities are shared, i.e., furnished conference room, waiting area, kitchen, public bathroom, parking. Other amenities may include shared phone system and high speed internet if leasee so chooses. Rent is negotiable. This space is perfect for a solo practitioner. For more information please contact Tesa at 242.0282.

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.

Office space for lease. 1306 S. Church Street 5,000 sq. ft. available; will subdivide. Large furnished conference room available. On-site parking; 2 restrooms, large break room. One mile from downtown, approx. ½ mile from County Square. \$7/SF plus share of utilities for upstairs space; \$6/SF 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.

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. Call 787-2824 for more information.

Office Space for Rent at 1425 Augusta Street. First floor. Approximately 2,000-sq. ft. Space includes 5 rooms, 2 bathrooms, kitchen area and use of conference room. Ample parking. Contact Gina at 235-0019.

3 administrative offices (8 x 12) for \$300 each and 2 executive offices (13 x 20) for \$500 each. Monthly rent includes utilities, use of conference room, kitchen/break

room, internet and ample parking.

707 East North Street (between LEC and the Bi-Lo Center) - several size offices available with option to access conference rooms, break room and work room. Contact Manning Culbertson for additional information 233-8282.

SAVE THE DATE

GREENVILLE COUNTY BAR'S

“YEAR-END” CLE

FEBRUARY 12

CAROLINA FIRST CENTER

**A Publication of the Greenville
County Bar Association**

P. O. Box 10145
Greenville, SC 29603

Phone: 864-757-1550
Fax: 864-757-1550
Email: gbarnews@charter.net
Website: www.greenvillecountybar.org

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