



A REPORT TO MEMBERS OF
THE SOUTH CAROLINA BAR
YOUNG LAWYERS DIVISION

Ways to Gift this Holiday Season

“The least complex movement of gifting is between two people, back and forth; but the most creative movement is circular, among many. In circular gifting the gift moves, not back and forth, but always to a third person, so that gifting creates community.”

This lovely quote by Christin Lore Weber highlights the beauty of a donation made in honor of someone else. Below are several options where a donation or a gift of your time during this giving season—either for yourself or in honor of someone else—can help a third person and our community. This list is in no way comprehensive, but it does attempt to highlight some organizations that provide services statewide and to our most vulnerable. There are a lot of ways to donate: you can give your time, you can donate money through these websites, or, in some cases, you can either purchase items and deliver them or order items directly from the organization’s Amazon.com Wish List.

Regardless of whether you choose to donate to these or other organizations this season, we, at the Young Lawyers Division, wish you and yours a very happy holiday season and well wishes for an adventurous 2018.

Giving Tree for Children

If you’re interested in purchasing a gift for a child or family in need, the Department of Social Services has an ongoing wish list for children in its care organized by geographic region. The website includes a list of wish list items and contact information should you want to give to these children. (www.dss.sc.gov/foster-care/wish-list/)



Students and Law Schools

If you’re interested in supporting a scholarship or your former universities:

- For USC School of Law, visit www.sc.edu/giving/givenow/education/174 to make a one-time or monthly financial contribution to the law school’s Scholarship Fund.
- For Charleston School of Law, visit www.charlestonlaw.edu/about/Charleston-school-of-law-foundation/ to make a financial contribution to the general scholarship fund.
- If you hail from a different law school, try Googling your school’s name and “scholarship donation” to find the various ways you can support a student at your former law school.

Legal Community

If you’re interested in supporting legal aid and law related education:

- The South Carolina Bar Foundation

ALSO IN THIS ISSUE

Member Spotlight: Jill Dawson2
What’s Been Happening3

Letter From the President.....4
Judicial Spotlight: Hon. Martin R. Banks,
Master-in-EquityBC

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supports various grantees in the “administration of justice, civil legal aid, and law related education” categories. Through its website, you can choose to apply your donation to the Bar Foundation, the Disabled Lawyers Fund, The Children’s Fund or Wilburn Brewer Jr. Professionalism Fund. You can also choose to make your donation in honor or remembrance of someone with your gift. Visit www.sctbarfoundation.org/support-2 to give.

- The South Carolina Appleseed Legal Justice Center provides service to low-income South Carolinians on various issues including immigration, housing and domestic violence. Through its website, you can make a monthly donation or a one-time donation, and you also have the option of making your donation in honor of or in memory of someone. Visit www.scjustice.org to give.

Food and Housing

If you’re interested in providing food or housing to those most vulnerable:

- Harvest Hope provides food for the hungry across 20 counties in our state and accepts donations on its

website (www.harvesthope.org/money) or mailed to P.O. Box 451 Columbia, SC 29202.

- If you hope to serve or donate to those struggling with homelessness, you can choose from many providers and non-profits in our state. To name a few that accept financial donations or your volunteer time: SC Interagency Council on Homelessness (www.schomeless.org), Midlands Area Consortium for the Homeless (MACH at www.midlandshomeless.com) and One 80 Place (www.one80place.org/wish-list), which also has an Amazon Wish List.

Survivors

If you’re interested in supporting survivors of domestic violence:

- Safe Harbor, which helps survivors of domestic violence in the upstate, has an Amazon Wish List on its website and options to donate time or money (www.safeharborsc.org/wish-list).
- Sistercare, which helps domestic violence survivors and their children in the Midlands, has a website with wish list items that can be dropped off at its public drop-off site at 1820 Morlaine Dr., Cayce, SC 29033 or ac-

cepts donations through its website (www.sistercare.org/get-involved/donate).

- My Sister’s House, which helps domestic violence survivors in the Charleston area, has a website that lists volunteer opportunities and allows you to donate online (www.mysistershouse.org).

Animals

If you’re interested in helping care for and find forever homes for animals:

- The Greenville Humane Society is a no-kill facility that offers pet adoptions and low-cost spay and neuter clinics. Its website offers volunteer opportunities and connects to its Amazon Wish List, along with accepting monetary and stock donations (www.greenvillehumane.com/wish-list).
- Pet Helpers offers a pet food bank to help supply families in need with pet food, helps raise awareness about chained dogs and build fences in the Lowcountry, and offers pet and cat adoptions in the Charleston area. You can donate through the website or by purchasing something from its Amazon Wish List or volunteer (www.pethelpers.org).

Member Spotlight: Jill Dawson



Jill is a proud graduate of Ohio University where she received her degree in Management and Business Law. Jill received her Juris Doctorate from Capital University Law School. She most recently worked as an attorney for Jones, Simpson and Newton,

P.A, but has transitioned her career into education and public service. Jill is active in the Hilton Head Island-Bluffton Chamber of Commerce Young Professionals Group, and a graduate of its Leadership Program.

She is also an active participant in various breast cancer awareness events. Jill’s recent diagnosis and fight against cancer has been an inspiration to anyone who meets her. Jill would like to see an emphasis on education and health care improvements for the less fortunate and underserved. She has had unique life experiences like attending a running with the bulls and she is well known for her fantasy football league wins.

Jill lives in Bluffton, South Carolina. The 14th Circuit is proud to have Jill as a member of its circuit and believes the community is better because of her.



Stars of the Quarter

Lamar Fyall
Daina Riley
Leslie Simpson
Molly Stanton

What's Been Happening

Coffee and Conversations

The Diversity Committee recently held an event entitled Coffee and Conversations that focused solely on what diversity and inclusion really mean and what they look like in the legal profession. The Coffee and Conversations meeting took place in October at Gallivan White & Boyd in Columbia, and over a dozen members of the Bar were present. The event was birthed out of a real need for healthy conversations about diversity within the legal profession and more importantly within the South Carolina Bar. The committee focused on diversity and inclusion because a large section of the Bar often hears about diversity, but the term's practical application—inclusion—is not often apparent in the legal profession.

This informal breakfast allowed experienced practitioners in our community to discuss inclusion efforts and address the real concern about the insufficient amount of inclusion efforts in the state within the legal profession. The event was a great start, change will be gradual, but continuing the conversations are important. It is vital that members of this profession learn what the difference is between diversity and inclusion. The legal profession needs not only diversity, but a true acceptance of diverse perspectives. The YLD Diversity Committee has started the conversation; hopefully members of this great profession keep them going.

"Diversity is being invited to the party; inclusion is actually being asked to dance." — Verna Myers

Diversity Town Hall

On September 28 the Diversity Committee hosted a Town Hall on the Legacy of the Confederacy at the new USC School of Law, where notable panelists discussed the past, present and future and the impact of confederate relics in South Carolina. The uniquely qualified and diverse panel included Rep. Cezar McKnight, Prof. Bobby Donaldson of the USC Center for Civil Rights History and Research, James Bessenger of the SC Secessionist Party, Leland Summers

of the SC Sons of Confederate Veterans and Prof. Prof. Meeghan Kane of *Auntie Bellum Magazine* and Benedict College.

The panelists answered a series of questions regarding the ever-growing tensions surrounding the presence of confederate monuments and how we as a society should handle them moving forward. The panelists also discussed what the Confederacy stands for, from their perspectives, and how they believe history should be preserved. After providing a depth of knowledge and diverse outlooks on these tense matters, the panelists responded to several questions from the audience. Overall, the audience and the Young Lawyers Division learned that, while we have come a long way, we still have room to continue to learn and move forward together.



Color of Justice

The Color of Justice Committee seeks to expose students of color and diverse backgrounds to the legal profession and demonstrate that the legal profession is a diverse one. The committee hosted a mock trial demonstration for a group of 82 5th, 6th and 7th grade students, who served as the jury. The attorneys who participated in the mock trial were a great and diverse group. The presiding judge, an African American woman, came to us with 21 years experience.

After the demonstration, each attorney volunteer led a group of students through their worksheets and discussed their verdict and reasons. The presiding judge then allowed each group spokesperson to present his/her verdict and rationale. Finally, the highlight came at the end when Judge Deadra Jefferson took questions from the audience, an engaging experience for the students.



Constitution Day

Constitution Day is observed each year in September to commemorate the signing of the Constitution on September 17, 1787, and to "recognize all who, by coming of age or by naturalization, have become citizens." The iCivics Committee is dedicated to teaching students about this important piece of history through classroom presentations that focus on Constitution-related topics and through the distribution of pocket Constitutions to encourage reading and activism as leaders in our democracy. On September 18, 2017, YLD members took part in the celebration of Constitution Day by volunteering in classrooms across the state. This year's presentation focused on the vital role of separation of powers in our government.



Protecting Our Youth

The Protecting Our Youth Committee hosted a panel discussion in front of approximately 100 students at James F. Byrnes High in Spartanburg. YLD member Chelsea Rikard moderated the panel, which consisted of Circuit Court Judge R. Keith Kelly, Assistant Solicitor Christopher Bain, Assistant Public Defender James Cheek and Sheriff's Deputy Ben Cox. The panel discussed the laws, rules and scenarios that are bringing students into contact with our criminal justice system and advised them about common pitfalls to which teens are vulnerable, such as posting content on social media that will get them in trouble.

Letter from the President

I hope this issue of *SC Young Lawyer* finds you doing well, finding time from busy year-end business obligations to enjoy the holiday season with family and friends. Congratulations and welcome to all of our newly-admitted members! We have all had that feeling in the pit of our stomach leading up to seeing our name on the passing list, so we know what an exciting yet overwhelming time this has been in your life. This is my eighth year of practice, and it was the first year I did not get that feeling in my stomach the last week of October.

Whether you are a newly-admitted member or have been a member for a decade, I encourage you to join one of our 24 committees (eight that are directed to Service to the Bar and 16 that are directed to Service to the Community). To learn more, email me or check out our page on the Bar website. Additionally, our blog (scbaryld.blogspot.com/) and social media platforms (@scbaryld on Twitter and Instagram; South Carolina Bar Young Lawyers Division on Facebook) are a good source to check to find ways to plug into the YLD. So, if you have not already, please follow us, help us grow our social media presence and join in the conversation!

Fall is always a busy time, but that has not stopped our committees from getting to work. As I sat down to write this letter, I realized there is not enough space in the *SC Young Lawyer* for me to highlight everything you've accomplished in the last quarter. It's truly impressive!

In service to the Bar, the Professional Development Committee held numerous events across the state, including: the new Brews and News young professional event in Columbia; monthly federal court mentoring lunches in Columbia and Greenville; monthly Bridging Broad Street federal court mentoring lunches in Charleston; a free, one-hour mental health and wellness CLE in Charleston; a happy hour event in conjunction with GVL Connect to help small businesses connect with each other; and a happy hour event with the SC Young Bankers Association to hear from USC Men's Basketball Coach

Frank Martin. The committee is actively working to bring accountants from Elliott Davis to various cities around the state to teach young lawyers how to read financial statements. If you live in a smaller city and would like to host a professional development event, please do not hesitate to contact the committee chairs, your circuit representative, or me directly.

The Diversity Committee has been finding really innovative ways to discuss diversity and inclusion issues that go well beyond gender and skin color. In September, the committee hosted a town hall meeting that was open to the public to discuss the legacy of the Confederacy. More than 50 people came to USC's new law school for a thought-provoking and honest discussion about Confederate legacy and relics and their impact on our society today. And in December, the Committee invited lawyers to meet for lunch to discuss "Parenthood and the Practice of Law" to expose members to the complexities experienced by parent-practitioners and learn ways to maintain a healthy work-life balance.

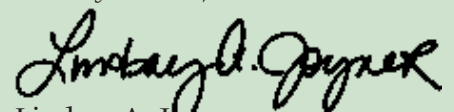
The Military Support Committee partnered with the Military & Veteran's Law Section to host a seven-hour CLE dealing with Veterans' Affairs issues.

In service to the public, the iCivics Committee made presentations for Constitution Day around the state. The Special Olympics Committee provided volunteers for the Fall Games in Greenville and the Bowling Buddies fundraiser in Charleston. The Make-A-Wish Committee started planning for the Second Annual Birdies for Belief tournament and other fundraising opportunities. The Color of Justice Committee held a mock trial (*Bear, et al. v. Gold E. Locks*) at Deer Park Middle School in North Charleston, which was presided over by Hon. Judge Deadra Jefferson, and the students loved the hands on learning about the law they received. The spring is always a very busy time for public service in the YLD, so please be on the lookout for ways to volunteer in your communities!

Finally, I would love for you to register for the SC Bar Convention

that will be held from January 18-21, 2018 in Kiawah. There is no way around it—Kiawah is always a good idea! The YLD Bar Convention Committee (led by Lyndey Zwing, Adam Landy, Emily Bridges and Tommy Preston) has worked tirelessly since we left Greenville last year to make this year's YLD experience at the Bar Convention a memorable one. As in years past, Friday, January 19 will be "YLD Day." We will begin the day with a public service project, implementing the ABA YLD's Home Safe Home project, the purpose of which is to bring awareness to and education of how to eradicate home violence, whether it be intimate partner abuse, child abuse, elder abuse or animal abuse. In the afternoon, we will host a lively CLE with the TIPS Committee, including a panel discussion with both practitioners and vendors devoted to issues in electronic discovery, which affects even the smallest cases these days. On Friday evening, we will have a free Oyster Roast at Mingo Point for all young lawyers (and one guest), but you do need to RSVP (it only takes a few clicks). We also invite past presidents of the YLD and the judiciary to that event, so we certainly hope that you can attend! Throughout the Convention, we encourage you to continue #living-abovethebar by taking a walk or run on the beach or renting bicycles from the Sanctuary to enjoy all that Kiawah has to offer. If you need a partner to encourage you to keep your exercise routine, let me know! Even if you are unable to attend the entire Convention, we hope that you will join us for the public service project and Oyster Roast, both of which are free, because these events will not only warm your heart but will help you grow your professional network and give you an opportunity to spend time with your YLD friends! Please look for more information on these events in the YLD Announcements.

Wishing you and yours a safe, fun holiday season,



Lindsay A. Joyner
Gallivan, White & Boyd, P.A.

Spotlight on Judge Banks

(continued from Back Cover)

should have skipped—she had never met the deceased and I only knew his brother.

What is something the bar would be surprised to learn about you?

I should have never gotten into law school! In my final semester of attaining my Master's degree I decided to call the USC School of Law to see about being admitted. I was connected to Colonel Berry, and his first question to me was: "Do you realize that it's April and all of our acceptance letters have already been sent out?" I told him that I suspected that was the case. He was clearly taken aback, but also slightly intrigued by my call.

Before he could hang up on me, I quickly interjected that I had been accepted by his law school twice before. Then something compelled him to ask me a few follow-up questions:

"What did you make on the LSAT?"

"52, but that score has long since expired. And, it really doesn't even apply because, as I remember, it was an experimental LSAT exam."

He laughed at the memory of that crazy exam and agreed that a 52 on the current exam would be better than a perfect score. So he asked me:

"What kind of score would your 52 amount to?"

"Slightly better than average."

"Well what have you been doing in the six years since you graduated?"

"Traveling the world, working in various jobs, getting my master's degree."

I told him that I had pretty good grades in undergrad and majored in accounting as part of my plan to go to law school. I told him my first job was in a courtroom at the age of five picking juries by drawing slips of paper out of a wooden cigar box. He then got serious and asked:

"When you got your acceptance packet each time you were accepted, did you return the postcard declining to attend so that your slot could be given to someone else?"

"Yes, I certainly did."

Now, so many years after the fact, there was no way for him to confirm

what I had said, but it was the truth. His response was immediate, "You are accepted." I was stunned. "Just send in an application and write my name on the top of the first page. And, I'll see you in August."

Through a fog of disbelief, I thanked him profusely and hung up the phone. If I had been talking to anyone else, I would have never gotten into law school. Colonel Berry was the only person who had the authority to do something so incredible. If he had not granted me this opportunity, I would not have taken the time and effort to sign up for a new LSAT, and do all the subsequent things necessary to gain admittance into law school.

What do you do in your personal time?

I like to travel, play soccer, work out, read, spend time with family, watch some sports (in person or on TV), check my Twitter feed, and slog through FB occasionally. We try to take an extended vacation, at least 17 days, every summer as a family along with another couple with a daughter the same age as Emma.

What was your favorite vacation you have taken with your family?

We love to travel and have had five or six long trips over the years that really were outstanding. But, our trip that featured Iceland probably was my favorite because I found Iceland to be a combination of Hawaii, Alaska and the Moon. That is one of the three places I have been that I would love to revisit.

What is the greatest sporting event or live performance you ever witnessed?

Clemson University's second national football championship game.

What is the best advice you were given as a young lawyer?

Due to the circumstances regarding my career detailed above, I actually was never actually given any *good* advice. However, I received plenty of bad advice such as "Always take much more time than necessary, so the client thinks you worked long and hard on it, and you can charge

them more." (This came right after the grandiose promises, above.) I would offer this: Find a good mentor, and if you can't find that then prepare yourself.

What is the most rewarding aspect of being a judge, and the hardest part about being a judge?

I find being a judge is much more challenging than it is rewarding. It is difficult knowing that my decisions affect lives, not just pocketbooks. The rewards are that everyday people think that all judges have essentially mastered all statutory and case law.

What experience(s) best prepared you for the bench?

The way I was brought up—in a family of eight, wonderful parents, lower middle class, in a small town. My master's degree has also been very beneficial. But most of all, just practicing law, trying the hard cases and doing the hard work necessary to really help your clients.

You are hosting a dinner party for three guests. You can invite one legal scholar, one historic figure and one pop culture icon. Who are your three guests?

I am tempted to say Chemerinsky for a legal scholar, but, frankly, I am not sure I could carry on a cogent conversation with him. So, I will go with Posner, especially considering the recent events surrounding him. And, who wouldn't want to have a sit down with the historical figure, Jesus? I literally had to Google current pop icons because I don't really get caught up in all that. Those people are a dime a dozen. I think I'll go with Bill Murray, though, because he would be fun, interesting and he could also use a sit-down with Jesus.

What do you see as the biggest challenge facing the South Carolina legal system?

I think indigent defense screening is so poor that many defendants are appointed public defenders that they do not qualify for. Generous appointments not only burden the system, but also take opportunities away from the private criminal defense bar.



South Carolina Bar

Young Lawyers Division

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Judicial Spotlight: Hon. Martin R. Banks, Master-in-Equity for Calhoun County

Born: 1961 in Columbia, SC

Education: USC School of Law, JD, 1992; Columbia International University, MA-CE, 1989; University of South Carolina, BS-Accounting, 1983

Career: Upon graduation from law school I returned to my hometown. I had been invited to share space with my former position coach from my high school football team. He made me a lot of grandiose promises then quickly abandoned me to fend for myself, but not before giving our secretary a big raise the week before he left town. She earned double what I made my first year in practice, but I could not have made it without her because she knew far more about how to practice law than I did at the time. Fortunately, he left me with a prime location and his phone number, which carried me over until I could really establish myself. My



only certainty that first year was a meager stipend I received as the newly appointed part-time public defender.

I slowly built a general solo practice. With only one other law firm in town, it was an ideal set-up. However, about six months after my former coach left, he returned, asking to share space again. Because

I bought the building from him a few months after he left, I declined his invitation, and two days later both the locks at my office had popsicle sticks broken off in them. A few days later, he was setting up shop a block down the street. Six months later he had joined a firm in another town, and six months after that he was back down the street. His apparent mid-life crisis benefitted me immensely.

The overhaul of the indigent defense system in the last decade gave me the opportunity to buy into the state retirement system. I only recently retired as the public defender for Calhoun County, and plan to remain the master-in-equity for Calhoun County for many years.

Family: I've been married for 23 years to Kathy, with one soon-to-be adult daughter, Emma. I met Kathy at a funeral, a funeral that we both

(continued on page 5)