# younglawyer

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## Give Them a Run for Their Money: Challenging Expert Witness Credibility Using Fee Arrangements

Jessica Peters Goodfellow • Nelson Mullins Riley & Scarborough LLP, Columbia

Expert witness opinions often can make or break a case and, as a result, it is increasingly important for lawyers to explore potential challenges to the credibility of an opposing party's expert witnesses. If a witness has a personal interest in the litigation, his or her credibility can be challenged for bias.

One source of bias is the expert witness fee arrangement. Some forms of expert compensation (*e.g.*, contingency fees) expose a possible conflict-of-interest. Young lawyers should consider not only *the amount* an opponent's expert witness is paid but also *how* the expert is paid.

#### 1. Do your homework

Before deposing an expert witness, learn what you can about the expert's history and business relationships. Begin with informal research on the Internet, including the expert's own website, blogs or discussion boards.

Then, ask your own expert. Experts in any particular field are often familiar with each other. Your expert might be aware of alternative fee arrangements or questionable business practices. Also check the expert's professional association for disciplinary proceedings or records of professional misconduct, which may be available on the Internet.

**2. Dig deep during the deposition**During the deposition, vigorously question the expert regarding the terms of his



fee agreement to determine the particular method used to calculate his fee. Use pre-deposition expert disclosures as a starting point for questioning. Where such information is not disclosed voluntarily, consider serving a subpoena *duces tecum* requesting all compensation-related documents.

An expert's compensation should never be measured by the amount of recovery in the litigation. The premise is that contingent fees naturally compromise the integrity of the witness's testimony. Daylian M. Cain et al., *The Dirt on Coming Clean: Perverse Effects of Disclosing Conflicts of Interest*, 34 J. LEGAL STUD. 1, 9,

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

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14 (2005) (describing biasing effect of incentives when expert is paid according to value of factfinder's estimates); see Straughter v. Raymond IV, 2011 WL 1789987, at \*3 (C.D. Cal. 2011) (questioning integrity of expert's testimony where the expert had a direct financial interest in the outcome of the action).

Note that contingent compensation can take many forms. The most obvious contingency fee is a percentage of the settlement or recovery from a lawsuit. But contingent fees may also consist of retroactive payments for favorable outcomes, or "success bonuses." Look for any fringe benefit or financial incentive conditioned on the outcome of litigation. Another form of contingency is a split-fee arrangement, whereby the expert agrees to accept a lower hourly rate, conditioned upon receiving a percentage of recovery in the event of successful resolution of the case.

Also explore fee agreements in place prior to litigation, as bias exists even if a contingency-fee arrangement is in place before a lawsuit is ever filed. An expert's activity *leading* up to testimony should not be compensated on a contingent basis. For example, an expert may be retained in an advisory role prior to litigation, and then subsequently called upon to offer opinion testimony at trial.

In Everett Cash Mutual Insurance Co. v. Gibble, 2004 WL 5149339 (Pa. Com. Pl. 2004), the court precluded the expert testimony of a public adjuster where he was initially retained in an advisory role because "preparation of the expert report followed the commencement of litigation" and he "will be entitled under the contingent fee agreement to a percentage of any damages awarded." Therefore the opinion rendered in the report is "so undermined as to be deprived of any substantial value." *Id*.

Financial advantages can extend beyond the payment in a particular case. The promise of future business or continued employment may be even more powerful. The more extensive the financial relationship between a party and a witness, the more likely it is that the witness has a vested interest in that relationship continuing. As a rule of thumb, an expert should neither lose nor gain financially as a result of the success of his testimony.

#### 3. Hard work pays off

Many jurisdictions exclude expert testimony that is subject to a fee arrangement that gives the expert a pecuniary interest in the outcome of the proceedings. See, e.g., City & Cnty. of Denver, Colo. v. Bd. of Assessment Appeals of State of Colo., 947 P.2d 1373, 1379 (Colo. 1997) (person may not act as appraiser or expert witness and present expert testimony under contingent fee agreements); Cresswell v. Sullivan & Cromwell, 922 F.2d 60, 73 (2d Cir. 1990) (excluding an expert's testimony as a result of the fact that he had been retained by the plaintiff on a contingency fee basis); Farmer v. Ramsay, 159 F. Supp. 2d 873 (D. Md.

2001) (excluding an expert's report and testimony as a result of his improper contingency fee arrangement with the plaintiff). In Straughter v. Raymond IV, for example, a California federal district court noted that courts have adopted a per se rule of excluding the testimony of experts "whose compensation is contingent on the outcome of the case" as void against public policy. 2011 WL 1789987 at \*3 (C.D. Cal.) Courts also note the "long established rule of law" that "a special contract to pay more than the regular witness fees in ordinary cases is void for want of consideration and as being against public policy." Belfonte v. Miller, 243 A.2d 150, 152 (Pa. Super. 1968) (quoting In Re Ramschasel's Estate, 24 Pa. Super. 262, 264-65 (1904)); see Swafford v. Harris, 967 S.W.2d 319, 325 (Tenn. 1998).

Even in jurisdictions that do not expressly exclude testimony arising from contingency fees, the expert is still subject to impeachment through cross-examination at trial. Evidence that suggests a witness might have a financial incentive to color his testimony is classic evidence of bias routinely permitted on cross-examination.

In Yoho v. Thompson, 345 S.C. 361, 548 S.E.2d 584 (2001), the S.C. Supreme Court reversed a decision by the trial court to exclude evidence of a defense expert's consulting work for defendant's insurance carrier. The court held that the plaintiff should have been allowed to cross-examine the expert to show possible bias, noting that "considerable latitude is allowed in cross-examination to test a witness's bias, prejudice, or credibility." *Id.* at 364, 548 S.C. at 585.

In motions made before trial and during trial, plaintiff Yoho asked the trial judge to allow her to cross-examine defendant's witness, Dr. Brannon, regarding his relationship with the defendant's insurer, Nationwide, to establish possible bias. Yoho presented Dr. Brannon's deposition testimony from another case that he did "a fair amount of consulting work with Nationwide" and had given lectures to Nationwide agents and adjusters. Yoho also presented information that 10 to 20 percent of Dr. Brannon's practice consisted of reviewing records for in-

## **Upcoming Events**

#### **Habitat Wills Clinics**

The Habitat Wills Clinic Committee is gearing up for another exciting year of will clinics and is in need of volunteers! The clinics cannot operate without volunteers like you. Please consider volunteering for a clinic and spreading the word to solicit other volunteers. Anyone can help—not just attorneys. The committee also needs notaries and witnesses. Training, as well as anything else a volunteer may need, is provided.



For more information, please visit www.scbar.org/YoungLawyers/ServicetothePublic/HabitatforHumanityWillsClinics.aspx.

surance companies, and that his yearly salary was based on the amount of money his practice earned, which included his consulting work.

The trial court denied Yoho's motion on the basis that the probative value of the content of the cross-examination would be outweighed by the prejudicial effect of injecting the issue of insurance into the proceedings. The court informed Yoho that she could discuss Dr. Brannon's bias by using generic terms such as "defense," "defendants" and "defense lawyer," but that she could not discuss his possible bias by using the word "insurance."

In reversing the trial court's ruling, the S.C. Supreme Court found that

Dr. Brannon was not merely being paid an expert's fee in this matter. Instead, he maintained an employment relationship with Nationwide and other insurance companies. Dr. Brannon consulted for Nationwide in other cases and gave lectures to Nationwide's agents and adjusters. Ten to twenty percent of Dr. Brannon's practice consisted of reviewing records for insurance companies, including Nationwide. Further, Dr. Brannon's yearly salary was based in part on his insurance consulting work. The trial court erred in refusing to allow Yoho to cross-examine Dr. Brannon about his relationship with Nationwide.

Id. at 366, 548 S.C. at 586.

Some expert witnesses operate as "consulting companies" and accept contingency fees to analyze the strengths and weaknesses of a case, and then select from a panel of experts a witness for use at trial who has a separate, hourly fee arrangement. Several cases state that paying consulting firms involved in providing expert witnesses for litigants on a contingent-fee basis is improper, even if the expert witness himself is not directly involved in the different payment schemes of his affiliated company. See First Nat'l Bank of Springfield v. Malpractice Research, Inc., 688 N.E.2d 1179 (Ill. 1997) (contingent-fee contract between plaintiffs and consulting firm they hired to find expert witnesses—who were to be paid flat flee—void as against public policy); Fla. Ethics Op. 98-1 (1998) (lawyer may not enter agreement with medical—legal consulting firm on contingent-fee basis to provide services and expert witness); Pa. Ethics Op. 2001-24 (2001) (lawyer should not have clients enter contingent-fee contract with physician who would help prepare negligence cases and procure experts to testify in matters, even though the experts who testified would not be paid on contingency).

In jurisdictions where the law is unclear, ethical rules governing lawyers might be a source of authority against outcome-determinative expert witness fee agreements. The American Bar Association Model Rules of Professional Conduct, Rule 3.4(b) provides that a lawyer shall not "counsel or assist a witness to testify falsely, or offer an inducement to a witness that is prohibited by law." The comments provide guidance on the meaning of this rule:

[I]t is not improper to pay a witness's expenses or to compensate an expert witness on terms permitted by law. The common law rule in most jurisdictions is that it is improper to pay an occurrence witness any fee for testifying and that it is improper to pay an expert witness a contingent fee.

Model Rules of Prof'l Conduct R. 3.4(b) cmt. 3 (1983).

Rule 7-109(C) of the ABA's Model Code of Professional Responsibility is even more explicit, providing that "a lawyer shall not pay, offer to pay, or acquiesce in the payment of compensation to a witness contingent upon the content of his testimony or the outcome of the case."

Another possible source of authority is the expert's professional association. Such associations might publish ethical guidelines regarding fee arrangements and thus provide a source for impeachment. For example, the American Medical Association Code of Medical Ethics states that "[p]hysician testimony must not be influenced by financial compensa-

## **Stars of the Quarter**

Joshua Shaw (Turner Padget) -Voices Against Violence **Necessities Drive** Allison Sullivan (Bluestein Nichols Thompson & Delgado) - Professional Development Committee Edward Rawl (Fisher & Phillips) -Professional Development Committee Clarke Newton (Bluestein Nichols Thompson & Delgado) -**Protecting Our Youth** James Brogdon (Gallivan, White & Boyd) - Protecting Our Youth Ashleigh Wilson (Office of the Attorney General) - ABA involvement, Color of Justice and Professional Development Chisa Putman (Chisa J. Putman Attorney at Law) - ABA involvement, Color of Justice Evan Guthrie (Evan Guthrie Law Firm) - Color of Justice Patrick Wooten (Nelson Mullins Riley & Scarborough) - Ninth Circuit Representative Taylor Stair (Wall Templeton) -Membership

tion" and that "it is unethical for a physician to accept compensation that is contingent upon the outcome of litigation." AMA Code of Medical Ethics § 9.07 (2008–2009). Similarly, the Code of Ethics for the National Society of Professional Engineers states that "[e]ngineers shall not request, propose, or accept a commission on a contingent basis under circumstances in which their judgment may be compromised." NSPE Part III Professional Obligations, Code of Ethics for Engineers #6(a).

#### Conclusion

The obvious credibility issues arising from a witness's financial stake in the outcome of litigation warrants a close examination of your opponent's expert witness fee arrangements. Fee arrangements are a valuable source of information that can be used to impeach or exclude an expert witness. Do your homework and be prepared, and you might discover an expert's financial stake in the outcome of litigation that seriously undermines his credibility.

## Uncle Sam Has Your Money; the Young Lawyers Division Will Help You Get it Back

Adam B. Landy • McNair Law Firm, Columbia



The YLD Volunteer Income Tax Assistance (VITA) Committee, in partnership with the Cooperative Ministry in Columbia, the United Way of Greenville County and the Charleston Trident Urban League, is providing free federal and state income tax preparation service at various sites throughout the state. Through the VITA program, young lawyers provide free tax assistance to South Carolina residents who earn \$52,000 or less and need assistance in preparing their own tax returns.

As a result of the Tax Reform Act of 1969 and an increased emphasis on taxpayer education programs, the VITA program was created and became an integral part of the Internal Revenue Service. Presently, there are more than 12,000 VITA sites throughout the United States. The VITA program provides free electronic filing, which is the safest and most accurate way to file federal and state income tax returns. The VITA Committee helps to ensure taxpayers get all the tax credits and deductions they are able to claim. Lastly, the VITA Com-

mittee provides free tax assistance to military members and their families regarding special rules and tax benefits for those serving in combat zones.

To take advantage of the free tax preparation service, taxpayers must provide VITA volunteers with (1) a picture ID, (2) social security num-

bers and birth certificates for the taxpayer, his/her spouse and dependents, (3) all wage and earning statements on Form W-2, W-2G, 1099-R or 1099-Misc from all employers, (4) interest and dividend statements from banks; (5) a copy of last year's federal and state returns filed, (6) proof of bank account routing numbers and account numbers for tax refund direct deposit, and (7) the total amount paid for dependent child care services. To file taxes electronically on a married-filing-joint tax return, both spouses must be present to sign all required returns.

On February 2, the Columbia YLD VITA Committee, along with the Cooperative Ministry and the Benefit Bank, assisted Columbiaarea residents with preparing and filing federal and state income tax returns at the Cecil Tillis Community Center. During the Columbia VITA Kickoff, YLD members Patrick Cleary, Daniel Craig, Kevin Pratt and Adam Landy and Cooperative Ministry volunteers assisted 50 families and returned \$89,296 in federal and state refunds to our community on that one day alone.

The Greenville YLD VITA Committee held its VITA Day on March 1, but there is still time to volunteer for this filing season. The VITA Committee is still in need of volunteers for the Charleston VITA Day on Saturday, March 22, from 9:30 a.m. to 12 p.m. at the Charleston County Main Library located at 68 Calhoun St., Charleston, 29401.

VITA volunteers will continue to assist taxpayers until Tuesday, April 15, 2014. If you are interested in volunteering with VITA, please contact Adam Landy at (803) 799-9800 or alandy@mcnair.net.

To submit items for the next issue of the *South Carolina Young Lawyer*, please contact:

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or

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For a list of the YLD Executive Council, circuit representatives and upcoming events, please visit www.scbar.org/yld.

## Young Lawyers are Protecting Our Youth

Ashleigh Wilson • Assistant Attorney General

The Young Lawyers Division Protecting Our Youth Committee has been making an impact on middle and high school students around the state this school year. The goal of the Protecting Our Youth Committee is to educate at-risk students on criminal law and the consequences of their actions and choices. In 2010, there were 4,857 arrests for every 100,000 youth ages 10-17 in the United States. That same year, more than 31 million youth were under the jurisdiction of a juvenile court. Courts across the nation with juvenile jurisdiction handled an estimated 1,368,200 delinquency cases across the country in 2010.

In South Carolina, 16,754 cases were referred to the Department of Juvenile Justice (DJJ) from 2012 to 2013. Of those cases, 1,374 juvenile offenders were sentenced to the custody of the Department of Juvenile Justice. Sixteen is the average age of juvenile offenders in South Carolina, and assault and battery-third degree is the number one offense for juvenile referrals to DJJ.

The Protecting Our Youth program is geared towards middle and high school students who are at risk for early involvement in the criminal justice system. A panel composed of young lawyers and law enforcement officers talk to students about bullying, the juvenile criminal court system, harassment, the role of prosecutors and defense attorneys, and what it takes to become a lawyer or law enforcement officer. The students are also given the opportunity to ask questions to the panelists.

Young lawyers Clarke Newton, James Brogdon, Drew Walker and Ashleigh Wilson organized half a dozen Protecting Our Youth programs at schools around the state. This school year several programs were held in Columbia, Blythewood, McCormick and Pawley's Island. The committee's goal this year was to expand the program to new parts of the state. The committee's four co-chairs each took an area of the state and planned events at middle and high



schools in their designated areas.

One of the committee's most memorable programs was a trip to John De La Howe School, an alternative school in McCormick County. The John De La Howe students have been removed from their schools for various infractions including truancy, incorrigibility and general behavioral programs. Committee chairs James Brogdon and Clarke Newton had the opportunity to speak to nine students from across the state that were participating in the school's wilderness program. The students are required to sleep outside in cabins, chop their own firewood for warmth, cook their own meals and build their own latrines.

When James and Clarke arrived. they were invited to "circle the logs" or set standards to allow the students and lawyers to vocalize what they hoped to work on during the presentation and throughout the day. For the next hour. James and Clarke sat with the students talking to them about the dangers of following the wrong crowd and the importance of holding themselves accountable for the choices they make. Since the students had already experienced what happens when they make bad choices, James and Clarke encouraged them that it was not too late to correct their path and make better life choices. James and Clarke took

photos with the students and started a second session around the log where the students and lawyers talked about what they learned from the presentation and what things they would do better next time.

The highlight of the program at John De La Howe School was when James and Clarke were invited to visit the campsites where the students lived. "This was easily one of the most rewarding things I've done since being a part of the Protecting Our Youth Committee," said Clarke. "These students are sleeping outside in cabins they built. They hold each other accountable for their actions and are beginning to understand the importance education will have in their lives."

It is clear from Clarke's and James' experiences that the Protecting Our Youth Program is as rewarding for the young lawyers who volunteer as it is for the students and schools it serves. If you are aware of any middle or high schools that may be interested in having the Protecting Our Youth Program at their school, please contact the committee chairs. The committee is always looking for young lawyers to volunteer at programs across the state. If you are interested in helping the Protecting Our Youth Committee, please join during the YLD's 2014-2015 Committee Sign-Up!

## **Recent Events**



## YLD Members Participate in Career Expo

Chisa Putman • Chisa J. Putman Attorney at Law, LLC

An optometrist, dentist and a lawyer walk into a room ... No, this isn't the beginning of a bad joke, it was the recent scene at Sullivan Middle School.

On January 31, 16th Circuit young lawyers participated in Sullivan Middle School's Seventh Grade College & Career Expo. As part of the students' academic curriculum, they are encouraged to explore various college and career opportunities. Young lawyers were among approximately 30 local business professionals and educational institutions presenting to seventh grade students. Professional participants ranged from insurance agents, higher education institutions, a municipal judge, school district personnel and nuclear station personnel, just to name a few.

Students visited the program in three teams, with approximately 280 student participants. Young lawyers had the privilege to briefly educate students on being a lawyer, answering questions such as: "What is your job and what are your responsibilities?"; "How long do you have to go to school to be a lawyer?"; "How much money do you make?"; and "Do you have to travel a lot?" Interest levels ranged from excited to disinterested. Some students visited the display to ask specific questions; others visited

because they were unsure what they want to be when they grow up but thought the law was "kind of cool." Whatever the reason for the students stopping by the display, the young lawyers enjoyed the opportunity influence the students' goals.

#### **New Member Events**

On November 25, young lawyers in the Fifth Circuit, in conjunction with the Richland County Bar Association, held a new admittee reception at The Oyster Bar. Approximately 100 people attended the event, welcoming new members of the South Carolina Bar living or working in the Midlands.

Young lawyers in the Third, Fourth and 12th Circuits hosted a new member holiday social at the Southern Hops Brewing Company on December 10.



On December 5, Ninth Circuit young lawyers, in conjunction with the Charleston Lawyers Club and the Charleston County Bar Association, hosted a new admittee reception at Upstairs at Midtown. Approximately 80 young lawyers attended the event, which featured music from the band BrotherMan.

#### **Women in Need Necessities Drive**

The Voices Against Violence Committee held a Women in Need Necessities Drive this past November.
Thanks to the donations and generous assistance from firms, government entities, courts and attorneys statewide, the drive was a huge success! Fourteen firms, government entities and courts participated, collecting donations internally and volunteering to serve as drop-off lo-



cations. One firm, Turner Padget, stood out in particular, collecting more than 75 boxes of toiletries, cleaning products, toys, clothes and more! After the drive ended, shelters were notified of the donations. This year, there was a particular effort to reach out to shelters in more rural areas, which are often overlooked. While some shelters arranged to pick up the donations, Committee members dropped off donations to other shelters that were not able to make the trip. On December 14, committee members Josh Shaw, Jasmine Smith and co-chair Andrea Sancho drove two cars and one pickup truck full of donations to a shelter in Orangeburg. Donations were also distributed to shelters in Charleston, Greenville, Sumter, Columbia and Spartanburg.

The committee extends special thanks to Turner Padget in Columbia for making the Women in Need Necessities Drive its firm holiday drive. Turner Padget's generosity and support made this drive the most successful year yet.



**Families Forever Fair**The Families Forever Committee promotes adoption and foster care in

South Carolina, hosting free fairs for the community to gather information, talk to professionals and hear expert speakers. This year the Upstate Families Forever Fair, held January 18 at Simpsonville Baptist Church, had 16 educational contributors and 50 attendees. Each educational contributor set up a table to distribute information and talk to attendees. Contributors represented foster care licensing, adoption agencies, adoption attorneys, Department of Social Services Region 1 Adoptions, a local sheriff's office (showing proper way to restrain a child in car seat), and healthy child rearing professionals. The fair also offered six different classes/workshops, including Adoption 101, Domestic Infant Adoption, International Adoption, Financing Adoption, DSS/Foster Care Adoption, and a Parent Panel. The workshops were well attended. Current foster care parents and Certified Adoption Investigators all received continuing training hours for the workshops.



#### COURTHOUSE KEYS EVENTS Ninth Circuit Courthouse Keys Luncheon

Approximately 25 young lawyers gathered at Gilligan's at the Dock in Moncks Corner on December 19 to hear from Judge Stephanie P. Mc-Donald. Judge McDonald spoke to attendees about her background and career path before fielding questions from the attorneys in attendance.



Third Circuit Courthouse Keys Luncheon

On January 16, Judges W. Jeffrey

Young and Gordon B. Jenkinson joined young lawyers in the Third Circuit for soul food at Serendipity Restaurant in Sumter. Judge Young discussed the importance of being prepared for trial, as well as various trial preparation techniques. Judge Jenkinson offered tips for practicing in family court and emphasized how rewarding it can be to work in family court.



#### Second and 11th Circuits

A joint Courthouse Keys event was held January 22 at Aiken Brewing Company. Approximately 16 people attended, including special guest Judge Doyet A. Early III. The event was a great opportunity for all of those in attendance to get some one-on-one time with the judge in a relaxed setting.

## PROFESSIONAL DEVELOPMENT EVENTS

#### **Charleston Area**

Approximately 50 young lawyers and bankers from the Charleston area attended a joint Young Lawyers Division–Young Bankers Division networking event at Southcoast Community Bank on December 19.



Nate DaPore, CEO of PeopleMatter, spoke to the group. PeopleMatter is a growing technology company based in Charleston-and with offices in San Francisco and Atlantathat provides human resource management software to many companies with hourly employees. The company is well-known in Charleston, as is Nate DaPore. Nate gave a PowerPoint presentation about his background and how PeopleMatter started, what they do and its plans for the future. Nate also spoke about how PeopleMatter uses banks and lawyers and took questions from the group.

#### **Spartanburg Area**

The Young Lawyers Division and the S.C. Bankers Association Young Bankers Division hosted a joint event on February 4 at RJ Rockers Brewing Company in Spartanburg. Special guests included John Bauknight, owner of RJ Rockers Brewing Company, and Sloan Evans, CEO of Pure Barre.

## **ABA Scholars Program**

April 15 is the deadline to apply for a 2014–2015 ABA Young Lawyers Division Scholarship. The ABA YLD Scholarship Program is designed to encourage the participation of minority, solo/small firm, government, private sector and military attorneys in the ABA Young Lawyers Division. The program is one way for the ABA YLD to find young lawyers from around the country who are interested in becoming more involved in the division and would like an introduction to division's great programming and people. The scholar class is usually comprised of a very diverse group of young lawyers from different ethnic backgrounds, practice areas and geographic regions. One great thing about the scholars program is that the ABA provides financial assistance to attend three ABA/YLD conferences. Young lawyers from South Carolina are very active in the ABA YLD. Our state has been represented among the YLD scholar class for the last two years. As a part of the program, scholars attend the division's conferences, produce a written piece, and are appointed to one of the YLD's boards or teams. For more information on the online scholarship application visit the ABA YLD's website.



PO Box 608 Columbia, SC 29202

## **Letter From the President**



Dear Members,

I enjoyed seeing many of you at the South Carolina Bar Convention in January and hope that you found the Convention to be a

productive and fun experience. I greatly appreciate the work of Beth Palmer, Ryan Neville, the YLD Convention Committee and Morgan Crouch, who put together a great CLE, leadership meeting and oyster roast. Please join me in thanking them at the next available opportunity.

The leadership meeting was an excellent opportunity for our circuit representatives, committee chairs and officers to talk about what we accomplished during the first half of the year and, more importantly, to share ideas about successful events that can be replicated in other parts of the state. This spring, be on the lookout for Courthouse Keys events in every circuit, and take advantage of these opportunities to spend time with

South Carolina judges in a relaxed, informal environment. In addition, look for professional development events to continue across the state. The brand-new lunch and learn series was a big hit in the fall and will continue to provide unique, educational events for our members. In the current legal environment where so few cases go to trial, the inaugural Mock Trial Experience will offer valuable practical training to young lawyers who have been frustrated by the inability to get into the courtroom earlier in their careers.

Several of our signature public service projects, including the Volunteer Income Tax Assistance (VITA) project, the Cinderella Project and the Habitat for Humanity Wills Clinics, will hit their stride in the spring, and I encourage all of you to spend some time with one of these very meaningful opportunities to make a difference while spending time with like-minded peers.

If you have not gotten involved to date but would like to be engaged this spring, please take a look at the 2013-

14 Committee Sign-Up Brochure on the YLD website. Find a committee that interests you and reach out to the appropriate project chair or YLD staff liaison to find out how you can participate. In addition, do not hesitate to contact your circuit representative or any of the YLD officers to provide input or discuss the best place for you to find a home within the YLD. We would be delighted to hear from you.

With an outstanding group of circuit representatives and committee chairs, I am encouraged by what the YLD has accomplished in the first half of the year and am optimistic that we will build on our positive momentum to do even better this spring in providing valuable opportunities for our members and making a difference in the communities that we serve. Please join us in these endeavors that make us better lawyers and better people.

Sincerely,

Will Johnson