Criminal Law Section – Part 2

SPEAKER BIOGRAPHIES

Chief Justice Jean Hoefer Toal

Chief Justice Jean Hoefer Toal began her service as an Associate Justice on the Supreme Court of South Carolina on March 17, 1988, becoming the first woman to serve as a Justice of the South Carolina Supreme Court. She was re-elected in February of 1996 and was installed as Chief Justice on March 23, 2000 for the balance of the term of her predecessor, which expired June 30, 2004. She was re-elected again in February of 2004 and was installed as Chief Justice on June 9, 2004, for a ten-year term.

She is the first native Columbian and first Roman Catholic to serve on South Carolina's highest court. Born August 11, 1943 in Columbia, South Carolina, she attended parochial school and public school in Columbia and graduated from Dreher High School in 1961 where she was recognized as the state's top debater.

Chief Justice Toal received her B.A. degree in philosophy in 1965 from Agnes Scott College where she served on the Judicial Council, National Supervisory Board of U. S. National Student Association and played Goalie for the Field Hockey team. She received her J.D. degree in 1968 from the University of South Carolina School of Law where she served as Managing Editor, Leading Articles Editor and Book Review Editor of the South Carolina Law Review. She is a member of the Order of the Coif, Mortar Board and Phi Beta Kappa.

Chief Justice Toal practiced law for 20 years prior to her election to the South Carolina Supreme Court, first as an associate with the Haynsworth Law Firm in Greenville, and then as an associate and partner with Belser, Baker, Barwick, Ravenel, Toal & Bender in Columbia. When she was admitted to the South Carolina Bar in 1968, women comprised less than one percent of the licensed lawyers in South Carolina. Now almost twenty percent of South Carolina's lawyers are women.

As a lawyer she appeared on a frequent basis in all levels of trial and appellate courts in South Carolina. She also had considerable experience as a litigator in United States District Court, the Fourth Circuit Court of Appeals and made one appearance as co-counsel before the United States Supreme Court. Her twenty years as a practicing lawyer included a balance of plaintiff and defense work, criminal trial work, and complex constitutional litigation. She wrote many trial and appellate briefs at all court levels. She also had considerable administrative law experience in litigation involving environmental matters, federal and state procurement, hospital certificates of need, employment matters and election matters.

In addition to practicing law, Chief Justice Toal utilized her law degree in public service. Beginning in 1975 she served in the South Carolina House of Representatives representing Richland County for 13 years. She was the first woman in South Carolina to chair a standing committee of the House of Representatives. She served as Chairman of the House Rules Committee and Chairman of the Constitutional Laws Sub-Committee of the House Judiciary Committee. Her legislative service included floor leadership of complex legislation in the fields of constitutional law, utilities regulation, criminal law, structure of local government, budgetary matters, structure of the judicial system, banking and finance legislation, corporate law, tort claims, workers' compensation, freedom of information act and environmental law.

During her 25 years on the Supreme Court, Justice Toal has written opinions addressing the full range of issues both criminal and civil which come before her Court. Also, she and two of her law clerks have authored a book entitled Appellate Practice in South Carolina.

In addition to her work on the bench, Chief Justice Toal has become chief advocate for South Carolina's Judicial Automation Project. Under her leadership, technology initiatives are being integrated into the eight levels of the South Carolina court system. Some of the technology projects include high-speed network connectivity to all 46 county courthouses and an on-line, statewide case management system. Because of her efforts in promoting technology as a way to create a more efficient court system, Chief Justice Toal was recognized by Government Technology magazine as one of the 2002 "Top 25 Doers, Dreamers & Drivers" of technology in government.

She is a member of the Richland County, South Carolina and American Bar Associations, the South Carolina Women Lawyers Association, the National Association of Women Judges, and the John Belton O'Neall Inn of Court. She serves on the Board of Trustees of the American Inns of Court Foundation, is Past President of the Conference of Chief Justices, and is Past Chair of the Board of Directors of the National Center for State Courts.

Chief Justice Toal received the South Carolina Trial Lawyers Outstanding Contribution to Justice Award in 1995. She has been awarded honorary doctorate degrees by the University of South Carolina, Francis Marion University, The Citadel, Columbia College, College of Charleston, Charleston School of Law and Converse College.

In 2004, Chief Justice Toal received the prestigious Margaret Brent Women Lawyers of Achievement Award from the American Bar Association's Commission on Women in the Profession. The award, named in honor of the first woman lawyer in the United States, is given annually to five women who have achieved professional excellence in their field and have actively advanced the status of women within the legal community.

In 2011, Chief Justice Toal was named the first recipient of the National Center for State Courts' (NCSC) Sandra Day O'Connor Award for the Advancement of Civics Education. NCSC established the award in 2010 to honor an organization, court, or individual who has promoted, inspired, improved, or led an innovation or accomplishment in the field of civics education. Chief Justice Toal was instrumental in making South Carolina one of the first pilot states for Justice O'Connor's iCivics web-based interactive civics education program for students, and she has encouraged and supported the use of "Justice Case Files," a graphic novel series developed by the NCSC that teaches students how the courts work.

Under Chief Justice Toal's leadership, the South Carolina Judiciary has a long history of supporting civics education. In addition to iCivics and the "Justice Case Files" series, South Carolina has implemented three state civics programs:

- The Class Action Program, which brings middle- and high-school students to the state Supreme Court to hear oral arguments.
- The Case of the Month Program, which provides streaming video of a case argued before the state Supreme Court. Students are allowed to review the briefs submitted for the case and watch the proceedings.
- South Carolina Supreme Court Institute, which is held for middle- and high-school social-studies teachers to teach them how to bring law to life for their students.

Chief Justice Toal is a member of St. Joseph's Catholic Church in Columbia where she serves as a lector.

Chief Justice Toal is married to her law school classmate, William T. Toal, of Johnson, Toal & Battiste. Chief Justice Toal and Bill were the only husband-wife team to serve as Editor and Managing Editor of the South Carolina Law Review. They live in Columbia and have two daughters, Jean Toal Eisen, a 1993 Yale graduate who serves on the United States Senate Appropriations Committee Staff at the appointment of the Senator Barbara Mikulski; Lilla Patrick Toal Mandsager, a 2003 BA, 2005 MA graduate of Stanford University who is Assistant Director of Everest Public High School in Redwood City, California; one grandson, Patrick Eisen; and one granddaughter, Ruth Margaret Mandsager. Chief

Justice Toal is an avid gardener, golfer and sports fan who maintains a shrine in her den to her beloved Atlanta Braves and Carolina Gamecocks.

Justice Costa M. Pleicones

Justice Costa M. Pleicones was born in Greenville, South Carolina, on February 29, 1944. He is the son of Lecha and Mike Pleicones, both deceased.
Justice Pleicones grew up in Columbia, South Carolina, attending its city schools through graduation from Columbia High School in 1961. He then attended Wofford College from which he graduated in 1965 with a degree in English. Following graduation from Wofford, Justice Pleicones attended the University of South Carolina School of Law, from which he received a Juris Doctor degree in 1968. After law school, Justice Pleicones entered the United States Army, serving both as an enlisted member and as an officer in the Judge Advocate's General Corps, until his release from active duty on March 1, 1973. Justice Pleicones continued his membership in the military until retirement from the United States Army Reserve in March 1999 after more than thirty years of active and reserve service. Upon leaving active military service, Justice Pleicones entered practice as a public defender for Richland County, South Carolina. Later, while in private practice with Lewis, Babcock, Pleicones and Hawkins, he also served as a part-time municipal judge for the City of Columbia, and as County Attorney for Richland County. In 1991 he was elected Resident Circuit Court Judge for the 5th Judicial Circuit. He served as a circuit judge from July l, 1991, until March 23, 2000, when he assumed his present position as an associate justice of the South Carolina Supreme Court, having been elected on February 9, 2000. In February, 2006, Justice Pleicones was elected to a second term which will expire on July 31, 2016.
Justice Pleicones is admitted to practice before all South Carolina Courts, the United States District Court for the District of South Carolina, the United States Court of Appeals for the Fourth Circuit, the Court of Appeals for the Armed Services, and the United States Supreme Court. He is frequently called upon as a lecturer in CLE programs conducted by the South Carolina Bar and other professional organizations.
Justice Pleicones married the former Donna Singletary of Lake City, South Carolina in 1965 and they have two daughters and one grandchild. Justice Pleicones is Greek Orthodox.

Mark M. O’Mara

Sole Practitioner since 1985
Location:
Orlando, Florida
Mark M. O'Mara has been practicing Criminal and Family Law in Central Florida for 28 years, and is presently Board Certified as a Criminal Trial Specialist and a Marital and Family Law Specialist. Mark is a former felony prosecutor and Division Chief and has handled all types of criminal cases, including traffic, property crimes, DUI, drug cases and Death Penalty cases. He has extensive trial experience in both state and federal criminal defense. Mark also represents clients in contested divorce cases, involving child time sharing issues, alimony and division of assets. Mark is also involved in many Bar activities, including serving as President of the Seminole County Bar Association and serving on both Circuit and Federal Grievance Committees. He currently serves as the legal analyst for Central Florida's WKMG Channel 6.

Areas of Practice

- Criminal Law
- DUI/DWI
- White Collar Crimes
- Family Law
- Child Support
- Custody & Visitation
- Divorce
- Internet - Cyberspace
- Alternative Dispute Resolution

Certified Legal Specialties

- Criminal Trial Specialist, Florida Bar, 1996
- Board Certified, Criminal Trial Lawyer, Florida Bar Board of Legal Specialization and Education
- Certified Circuit Civil and Family Mediator, Florida Supreme Court
- Marital and Family Law, Florida Bar, 2011

Bar Admissions

- Florida, 1982
- U.S. District Court Middle District of Florida, 1984
- U.S. Court of Appeals 11th Circuit, 1984

Education

- **Florida State University College of Law, Tallahassee, Florida**
    - J.D. - 1982
- **University of Central Florida, Orlando, Florida**
    - B.A. - 1979
    - Honors: Dean's List
    - Major: Pre Law Political Science

Professional Associations and Memberships

- Seminole County Bar Association, Past President, 1999 - Present
- American Bar Association, Member
- The Florida Bar, Criminal Law & Family Law Sections, Member
- Law Office Management, Member
- Grievance Committee, Chair, 1997 - 1999
- Criminal Law Certification Committee, Member
- Florida Association of Trial Lawyers, Member
- Florida Association of Criminal Defense Lawyers, Member
- National Association of Criminal Defense Lawyers, Member
- C.F. Family Law Inn of Court, Member
- State Attorney's Office, Eighteenth Judicial Circuit, Seminole County, Member, 1982 - 1984
- Federal Court Grievance Committee, Chair
- Orange County Bar Association

Past Employment Positions

- Seminole County State Attorney Office, Assistant State Attorney, 1982 - 1984

Languages

- Spanish

Fraternities/Sororities

- Sigma Alpha Epsilon

Josh D. Lee

Josh D. Lee is a Vinita, Oklahoma based criminal defense attorney. He is a nationally recognized expert on forensic science related topics and lectures frequently on scientific aspects of alcohol and drug testing.

Mr. Lee has been invited to lecture at the American Chemical Society (ACS) National Meeting on four occasions. In 2011, Josh was elected Forensic Science Co-Chairman for the Chemistry and the Law Division of the ACS. He is also an “Assistant Chromatography Instructor” for the ACS.

Mr. Lee is a published author on various science and law topics including gas chromatography, breath testing, forensic science reform and search and seizure. He is a certified instructor of the Standardized Field Sobriety Tests, certified independent operator of the Intoxilyzer 5000 and Intoxilyzer 8000 by the state of Oklahoma, and is trained in the Drug Recognition Expert program.

Mr. Lee is a founding member of the firm Ward Lee & Coats, PLC. He is a member of the American Chemical Society, the American Academy of Forensic Sciences, the National College for DUI Defense, the Oklahoma Criminal Defense Lawyers Association, and the Texas Criminal Defense Lawyers Association.

Hon. David M. Stumbo

David Matthew Stumbo was sworn-in as the Solicitor for the Eighth Judicial Circuit of South Carolina on January 9, 2013. Mr. Stumbo served as the supervising attorney for the Stale Grand Jury and Criminal Prosecution Divisions in the office of South Carolina Attorney General Alan Wilson from 2011-2012. From 2007-2011, Mr. Stumbo worked as an Assistant Solicitor in the Eleventh Judicial Circuit, where he successfully prosecuted violent crimes, narcotics, and sexual assault cases for legendary Solicitor Donnie Myers. During his first stint with the Attorney General's office from 2002-2007, Mr. Stumbo was the lead prosecutor for state Attorney General Henry McMaster’s Internet Crimes Against Children (ICAC) Task Force. As part of his work with the ICAC Task Force, Mr. Stumbo also worked in a legal advisory capacity with the South Carolina Computer Crimes Center in partnership with the State Law Enforcement Division (SLED), the FBI, and the U.S. Secret Service. He has served on faculty for prosecution courses at the National Advocacy Center m Columbia. Mr. Stumbo graduated with a Juris Doctorate degree from the University of South Carolina School of Law, and completed his undergraduate work at Toccoa Falls College in Toccoa, Georgia. David, his wife Vanessa, and their four children live in rural Laurens County, South Carolina.

Beattie B. Ashmore

Firm Name: Beattie B. Ashmore, P.A.
Principle Areas of Practice: Criminal Defense
Experience on Program Topic: Former federal prosecutor and 25 years of criminal defense practice.
Law School: University of South Carolina School of Law, 1986, J.D.
Undergraduate: College of Charleston, 1981
Other Legal Affiliations: American Bar Association; National Association of Criminal Defense Lawyers (Life Member); S.C. Association of Criminal Defense Lawyers; S.C. Association of Justice; Greenville Association of Criminal Defense Lawyers (past President); Member Fourth Circuit Conference; National Trial Lawyers; Federal Bar Association; S.C. Association for Justice.