

**REPORT OF THE PRESIDENT
MAY 16, 2013
ANGUS H. MACAULAY**

MEMBERSHIP SERVICES

Rule 608 Contracts

Last year the General Assembly approved \$6.3 million in recurring funding for civil and criminal conflict appointments, and the Bar is pleased to be working with the S.C. Commission on Indigent Defense in establishing civil and criminal case contract programs. As of April 30, 114 individual attorneys have contracts, with 820 cases submitted by voucher. We applaud our legislators for recognizing this dire need and taking steps to ensure our courts function at their highest level.

Member Involvement Task Force

The Member Involvement Task Force continued its pursuit of doubling active member involvement in the Bar. The task force instituted a periodic “get involved” E-Blast to solicit volunteers for Bar activities, and networking events have been planned in nearby states to increase involvement by out of state members. With the Court’s recent approval of constitutional amendments creating a law student affiliation, the task force will begin reaching out to this group as well.

Lawyer Image Task Force

The Lawyer Image Task Force launched a second installment of YouTube videos (www.youtube.com/southcarolinabar) promoting a true representation of the legal profession and continued the *South Carolina Lawyer* feature showcasing the community service efforts of local lawyers. The task force also commissioned a study assessing the economic impact of the legal profession in South Carolina, the results of which were presented in January. The study was conducted by the USC Moore School of Business Division of Research and found that the total impact of lawyers and law firms on the state of South Carolina is nearly \$2.7 billion annually in economic output, which is associated with more than 23,000 jobs and \$1.2 billion in labor income. Visit www.sbar.org/econstudy for the full report.

Congressional Outreach Task Force

This task force was formed to communicate with members of the S.C. Congressional delegation to provide information about the Bar and outline issues important to Bar members.

We Do That!

The Bar continued its promotion of all programs and services offered through Bar membership, including answers to ethics questions, product discounts, advice on software products, CLE offerings, counseling services and health insurance products for lawyers and staff. Look for the We Do That! logo in Bar communications to learn more about the benefits available to you or visit www.sbar.org/benefits. *This campaign was recognized with a “Best in the Business” award from the S.C. Society of Association Executives in April.*

Casemaker Legal Research

Earlier this year, Casemaker was updated with better search capabilities. Most recently, a mobile app was released. Members can use a reference code from Casemaker to download the app from Google Play for Android or iTunes for the iPhone.

Practice Management Assistance Program (PMAP)

PMAP provides technology consultations by telephone, through the “Bar Bytes” column and through technology tips published through E-Blast and Twitter. PMAP is also the point of contact for Casemaker and the Lending Library. The PMAP Director authors a blog, www.scsmallfirm.com, for solo and small firm lawyers in South Carolina. The blog features information about new products, technology tips and start-up advice.

Ethics Hotline Advice

The Ethics Hotline offers access to experienced staff lawyers who are available to discuss and analyze ethics issues and professional responsibility dilemmas. The call is confidential under Rule 8.3 of the Rules of Professional Conduct. Also, the Ethics Advisory Committee issues advisory opinions for members on prospective ethics problems. The full text of all ethics opinions since 1958 is available on the Bar’s website.

MyBar Online Community

MyBar is a branded private social online community open only to S.C. Bar members that launched earlier this year. Visit <http://mybar.sctbar.org>. *This site was recognized with a “Best in the Business” award from the S.C. Society of Association Executives in April.*

Legislation

The Bar continues to monitor and advocate for legislation pertaining to the interests of Bar members. Members benefit from these monitoring services through *The Legislative Update*, a summary of all significant legislation passed, Weekly Legislative Reports posted on the Bar website during legislative session, and an online legislative tracking system accessible through the website. The Bar encourages members to help inform state legislators of the needs and concerns of the Bar through its Legislative Action Network.

Recognition of Lawyer Legislators

The Bar continues efforts to strengthen ties with the legislature through various receptions and meetings. A cover photo and president’s message thanking lawyer-legislators for their service was published in the May issue of the *South Carolina Lawyer*. E-Blast messages have reminded Bar members that lawyer-legislators are excused from hearings, trials or depositions scheduled during the legislative session and underscored the strengths that lawyers bring to the law-making process. House Speaker Bobby Harrell served as the keynote speaker during the Convention plenary luncheon.

Lawyers Helping Lawyers

The Lawyers Helping Lawyers program continues to assist lawyers affected by depression and/or substance abuse, providing referral services, peer support and monitoring services. Call LHL at (866) 545-9590 for free and confidential assistance, advice or referral. Members may also call CorpCare, which provides up to five free hours of anonymous intervention counseling. Call CorpCare toll-free at 855-GET-HELP (855-438-4357) to be referred to a counselor 24 hours a day. The LHL staff also maintains a regular on-site presence at the USC School of Law and Charleston School of Law.

2013 Leadership Academy

The fifth installment of the Bar’s Leadership Academy launched in conjunction with the Convention in January. The purpose of the program is to enhance the professional growth and leadership skills of selected members to enhance their ability to make meaningful contributions to the legal profession and community. The graduates will be recognized during the meeting today.

Judicial Qualifications Reports

The Judicial Qualifications Committee released reports in October and April for 95 candidates. The Bar remains committed to its involvement in this process. The work of its volunteers is to be lauded, as it is not always without controversy or critique. The end goal of a competent, respected and qualified judiciary is of the utmost importance. A separate committee studied the JQC procedures to ensure the Bar periodically reviews its process.

Member Publications

E-Blast is delivered to members' inboxes each week and features advance sheet summaries, CLE information, court news, summaries on pending legislation, tech tips and other legal information. The *South Carolina Lawyer* is published in January, March, May, July, September and November, and *SC Bar News* is published in February, April, June, October and December. Recent issues can be accessed at www.sctbar.org/sclawyer and www.sctbar.org/barnews. The Bar continues to communicate with members and the public via Facebook and Twitter.

PUBLIC SERVICES

Guardianship/Conservatorship and Special Needs Trusts Manual

The Guardian/Conservatorship Task Force completed its handbook, *Transitions: Legal Issues for Parents and Caregivers of Special Needs Children Transitioning to Adulthood*. The handbook is available online at www.sctbar.org/transitions and in print for free distribution to South Carolina schools and other organizations within the special needs outreach community. A presentation of the book was held April 29 at Oak Pointe Elementary School in Irmo and can be viewed at www.youtube.com/southcarolinabar.

Expungements Manual

With the assistance of S.C. Court Administration, the Task Force on Expungements developed a web-based manual (www.sctbar.org/public) containing frequently asked questions and a directory of expungement coordinators by judicial circuit. This resource is designed to allow citizens to learn about the process established by the General Assembly to expunge or remove criminal convictions meeting certain statutory requirements.

Senior Citizens Handbook

The *S.C. Senior Citizens Handbook*, a free guide to laws and programs affecting senior citizens, was updated and is available at www.sctbar.org/public. It was made possible by assistance from the Elder Law Committee and grant funding from the Administration on Aging made available through the Lieutenant Governor's Office on Aging. ***The handbook received a S.C. State Library Notable Document Award for 2012.***

Pro Bono Award

The S.C. Bar recognized Jason Scott Luck of Charleston with the 2013 Pro Bono Award for his contributions to meeting the civil legal needs of citizens who cannot afford the services of an attorney. The award was presented at the S.C. Bar Foundation Gala on March 22.

Health Care Decisions Day

In collaboration with the S.C. Medical Association, Coalition for the Care of the Seriously Ill, S.C. Health Care Association, Carolinas Center for Hospice and End of Life Care and the Lt. Governor's Office on Aging, the Division encouraged members of the public to communicate their future health

care decisions. Gov. Nikki Haley proclaimed April 16 as Health Care Decisions Day, and an op ed was published in *The State*.

SCLawAnswers.org

The SCLawAnswers.org website continues to provide around-the-clock access to legal help. The website allows individuals who meet certain qualifications to post legal questions and have them answered by a volunteer attorney. It is accessible 24 hours a day, 7 days a week, allowing both the attorney and client to use the resource at their convenience. Questions are sorted based on topic, including benefits, consumer law issues, health care, family, work related issues and more. The identity of the attorney is not made known to the inquirer.

Free Legal Clinics

The Public Services Division, with the help of volunteer lawyers, continues to host free legal clinics around the state to educate the public on such issues as bankruptcy, divorce, wills and other legal matters. More than 50 clinics were held during the spring.

Ask-A-Lawyer

The Bar continues to sponsor periodic, regional Ask-A-Lawyer programs, which consist of televised phone banks and web chats, in an effort to assist the public with legal questions. This program emphasizes the positive role lawyers play in their communities.

Lawyer Referral Service

The Lawyer Referral Service currently has 389 Bar members participating. The service is promoted through statewide radio advertising and a Google AdWords campaign.

Legal Lessons: A Series for the Public

Installments of Legal Lessons were held this spring in Cheraw and Greenwood. The courses covered an overview of the court system, living wills, family law, landlord/tenant issues, employment law, workers' compensation and a variety of other topics. In the fall, the program will revert back to its original name, Law School for Non-Lawyers, in an effort to be more recognizable to the public.

Fee Disputes/Lawyers' Fund

The Resolution of Fee Disputes Board has closed 168 cases since July 1. The Fee Disputes Board resolves fee, cost and disbursement disputes between clients and Bar members. The Lawyers' Fund for Client Protection, which reimburses clients for money or property mishandled by Bar members, received 222 new applications, resolved 144 pending applications and paid \$337,750.26 to former clients.

Ask-A-Lawyer, Legal Lessons and free legal clinics are funded by IOLTA grants from the S.C. Bar Foundation, Inc.

LAW RELATED EDUCATION

High School Mock Trial

N. Myrtle Beach High School placed first among 11 other high schools at the state High School Mock Trial Competition, held March 8-9 in Lexington. The team advanced to the national competition May 9-12 in Indiana. Fort Mill High School placed first runner-up. Forty-six teams participated in February's regional competitions that were held in Columbia, Conway, Greenville, Lexington and N. Charleston.

Skills USA

In April, the Division coordinated the Skills USA Competition in Greenville. The competition was a quiz-bowl format, judging students on their knowledge and application of criminal justice issues. Orangeburg Technology Center won the state title.

Project Citizen

Students from the Lonnie B. Nelson Elementary ACE Program won the 2013 Project Citizen middle school competition for their portfolio addressing the need for improved drop-off and pick-up procedures in the car pick-up line. Early College High School won the high school level for its project addressing the need for stricter laws regarding the misuse of green laser pointers. Project Citizen encourages students to research a public policy they believe should be revised or created. By doing so, they learn what it means to be effective citizens and are inspired to make changes in their communities. The winners were determined from in-school competitions during which students identified a problem and presented three proposed alternative policies, a class policy and an action plan.

LRE Awards

The LRE Committee's Awards Subcommittee has named the following award recipients:

Teachers of the Year: Joseph Friar, Johnston Edgefield Trenton Middle School; Beverly DeMayo, Fort Mill High School

Lawyer of the Year: Blair Ballard Massey, attorney coach for Strom Thurmond High School and Johnston Edgefield Trenton Middle School

Citizen of the Year: Jennifer Olinger, former Bob Jones Academy mock trial student and current volunteer

Schools of the Year: Lonnie B. Nelson Elementary School, Wilson High School

Legacy Award: Yvonne Rhodes, retired We the People teacher coach, Wilson High School; Jack Ebright, retired mock trial teacher coach, Socastee

In addition, eight students were awarded mock trial scholarships, and one student was awarded a We the People scholarship. These students were recognized for their achievements and participation in law related education programs.

LRE and Social Media

The LRE Division keeps students and teachers up to date on important news, registration deadlines, competition dates and more on Facebook, Twitter and Google+. The Division is also working to establish a presence on Edmodo, a social media platform commonly used by educators.

Teacher Newsletter

The LRE Division continues to distribute an electronic newsletter to educate teachers about law related programs and communicate relevant news and upcoming events. The newsletter is distributed three times each year.

Trainings

The LRE Division hosted a number of live and webinar trainings. Trainings were held at individual schools and statewide to prepare teachers for implementation of LRE programs. In addition, individual webinars for each topic covered by the Law for Teachers program are available on the LRE website.

The LRE programs noted above are funded by an IOLTA grant from the S.C. Bar Foundation, Inc. and Bar funds. Competitions are made possible through the efforts of members of the legal

community who volunteer to serve as attorney coaches, district coordinators, scoring judges and presiding judges.

CONTINUING LEGAL EDUCATION

Convention

The Convention was held in Myrtle Beach, where attendees could choose from 21 seminars, visit 37 on-site exhibitors and attend a variety of special events. Approximately 1180 attended the Convention, with 130 more room nights sold over the 2009 Convention held in Myrtle Beach. Plans are underway for the 2014 Convention, scheduled for Jan. 23-26 at Kiawah. Visit the Convention website at www.sbar.org/convention for the latest developments as well as sponsorship opportunities.

Programming Options

The CLE Division continues to offer a number of programs in various formats and locations around the state to give members the best value, variety and flexibility in CLE programming. Available formats include live seminars, teleseminars (via phone), online seminars and live webcasts. Please visit www.sbar.org/cle to learn more about the variety of options.

Live Seminars

Since July 1, the CLE Division has hosted 88 live seminars with a total attendance of 4,920. The Division continues to develop a wide variety of challenging programs including basic and advanced level workshops, section member-only programs and mediation training. Some recent special programs have included the guardian *ad litem* training and update, Ethics in 18 Holes, Spring Sporting Clays: Ethics with the Judges, the Family Law Symposium and LEAPP Trust Account School. In addition, a number of opportunities were provided for members to fulfill the recently added substance abuse/mental health CLE requirement.

Distance Learning

The Division continues to expand the Distance Learning catalog, providing new topics and keeping the material in each topic area fresh and relevant. This year the CLE Division launched “Whipping Up Some Justice” Cooking CLEs featuring retired Family Court Judge Leslie Riddle and her guests. Currently, more than 430 online, on-demand seminars on a wide variety of topics are available 24/7. Members can watch live webcasts of seminars in real time, or pause, rewind and review archived webcasts and online programs for up to 30 days. The Division has released 50 new online seminars and 27 live webcasts and has offered more than 100 teleseminars since July 1.

Publications

The robust publications department of the CLE Division continues to publish a number of new books, supplements and software programs across various practice areas. Titles published since January include:

Criminal Procedure for S.C. Practitioners, 2012 Supplement

iPad Apps in One Hour for Lawyers

iPad in One Hour for Lawyers, Second Edition

S.C. Construction Law Desk Book

So You're Going to Try Your First Case, Third Edition

The S.C. Law of Torts, 2012 Cumulative Supplement

Winning at Deposition

Marketing

The Division continues to promote its programs to members through seminar “Preview” catalogs, brochures, e-brochures, E-Blast, Twitter, Facebook and Bar publications. “Free Publication Thursday” and “Free Seminar Friday” promotions on Facebook encourage members to like and share CLE offerings. A calendar of seminars is featured in each issue of *SC Bar News*. Look for CLE offerings in any of these resources or visit www.scbbar.org/cle. *The 2013 Convention marketing efforts and the CLE YouTube channel were recognized with “Best in the Business” awards from the S.C. Society of Association Executives in April.*

YOUNG LAWYERS DIVISION

Community Law Week

The Division observed Community Law Week during the first week in May with projects designed to provide the public with information about its legal rights and promote community involvement. Projects included the Cocky’s Reading Express program, Ask-A-Lawyer phone banks and web chats, blood drives and canned food drives. Cocky’s Reading Express is a literacy outreach program created by the University of South Carolina through which volunteers visit schools, read aloud to children and provide books to take home. This year, young lawyers distributed 2260 books and read to 844 children.

iCivics

YLD’s iCivics Committee is planning its second annual iCivics Day on May 20, building on last year’s event during which young lawyers spoke to more than 2,100 fourth and fifth grade students about the importance of civic engagement. The committee also recently awarded several iImpact Community Project Grants to schools throughout the state. iCivics is a national web-based education project designed to enhance the civics education of students. The YLD iCivics Committee assists with implementing this program throughout South Carolina by sponsoring training opportunities and other programs.

Cinderella Project

Since its launch in 2001, the Cinderella Project has become one of YLD’s most popular projects. The annual event involves collection of gently worn formal gowns for socially and economically disadvantaged high school students. This year’s project was held in Aiken, Anderson, Columbia, Greenville, Greenwood and Orangeburg. More than 2,500 dresses were collected, including donations from both individuals and local boutiques. YLD launched a website for the event this year, cinderellaprojectsc.com.

Families Forever Adoption Fairs

In 2008, YLD established the Families Forever project, which focuses on adoption awareness. Annual family fairs provide free adoption information, including seminars addressing domestic and international adoption, foster care and the adoption process. This year, fairs were held in Charleston, Lexington and Simpsonville.

Special Olympics

YLD continued its support of Special Olympics South Carolina by volunteering at statewide games. Most recently, lawyer volunteers assisted with the basketball skills competition during the Mid-Winter Games in March in Charleston and with the Summer Games bowling competition earlier this month in Columbia.

Wills Clinics

Young lawyers hosted a First Responders Wills Clinic in March for the Myrtle Beach Fire Department. Volunteers are also providing free wills, health care powers of attorney and living wills to Habitat for Humanity homeowners throughout the state. Since January, the Division has held programs offering this service in Beaufort, Columbia, Georgetown, Hartsville, Myrtle Beach, Manning, Mt. Pleasant, Rock Hill, Sea Island, Summerville and Sumter.

Protecting Our Youth

Young lawyers conducted a Protecting Our Youth event at Berkeley High School in March. Representatives from the Ninth Circuit Solicitor's Office, Berkeley County Sheriff's Office, Berkeley County DJJ and private attorneys explained to students the consequences of their actions and addressed questions regarding the criminal justice system.

Income Tax Assistance

Through the Volunteer Income Tax Assistance (VITA) program, young lawyers provided free tax preparation for households with low-to-moderate incomes. On Super Saturday Tax Kickoff Day, held February 2 in Columbia, YLD and other volunteers helped more than 90 individuals and families prepare and electronically file their income tax returns. Volunteers received training from the IRS in preparation for these events.

Color of Justice

YLD hosted a Color of Justice program March 30 at W.J. Clark Middle School in Orangeburg, bringing together students and law professionals to promote a better understanding of the legal system. Thirty participating students attended a panel discussion featuring judges, attorneys and law professors, then broke into small groups where students were able to ask questions pertaining to specific topics. This program is held periodically around the state.

BLSA Symposium and Career Fair

The BLSA Symposium and Career Fair Committee held an event March 11 at the Bar Conference Center to address diversity issues in the legal field, the importance of networking and how a JD can aid success in other professional endeavors. Law school students were given an opportunity to ask questions and attend a career fair after the presentation.

Professional Development

Young lawyers organized a networking event with residents from the Medical University of South Carolina and similar events with the Young Bankers Association in Columbia, Greenville and Rock Hill. Also, the Courthouse Keys Committee hosted events with local judges in Abbeville, Aiken, Charleston, Greenville and Rock Hill to give young lawyers an opportunity to learn from and network with members of the bench.

YLD/SBA Pig Cook-Off and Service Project

YLD and the USC School of Law Student Bar Association co-hosted the second annual Pig Cook-Off in April. In conjunction with this event, both groups participated in a service project for HomeWorks, a local organization that provides home repairs to those in need.