

**REPORT OF THE PRESIDENT  
MAY 18, 2017  
WILLIAM K. WITHERSPOON**

**MEMBERSHIP SERVICES**

**Strategic Plan**

Year two of the strategic plan is nearly complete, and the Board of Governors adopted a revised plan for years three and four based on the work undertaken thus far. Efforts will be noted in remarks today.

**New Website and Branding**

The Bar's new website launched in November. The new site incorporates modern and responsive design, advanced search function, mobile-friendly resources and an enhanced CLE storefront. In conjunction with the new website, a new Bar logo was unveiled and the online *Lawyers Desk Book* launched.

**Vulnerable Adult Task Force**

The Vulnerable Adult Task Force was formed to study how South Carolina can better care for its citizens who are considered vulnerable. Subcommittees have looked at legal, service, education and funding aspects and are seeking input outside the task force from those who have experience with the current vulnerable adult system. Recommendations from the subcommittees are due to the full task force in November.

**Guardian *ad Litem* Task Force**

This task force has been studying the state's guardian *ad litem* system in order to propose changes to the current statute. The task force drafted proposed rules for creation of a Commission on Private Guardians *ad litem*, which was presented to the Chief Justice and referred to the Supreme Court Docketing Task Force, Family Court Committee, for review and comment.

**Alimony Task Force**

This task force was formed last year with representatives from the Bar, S.C. Association for Justice and S.C. chapter of the American Academy of Matrimonial Lawyers and has proposed legislation for alimony reform. The group has since been renamed the Task Force on Family Court Hearing Procedures to study related issues.

**County Bar Meetings**

The Board of Governors has been conducting meetings with local bars to identify issues important to members. Sixteen counties have been visited to date.

**Mentoring Program**

Last May the Court issued an order for the Bar to administer the Mandatory Lawyer Mentoring Program, including recruitment of new mentors and ongoing support of mentees. The program has matched new attorneys sworn in this year with mentors and is developing a new mentor/mentee data management plan. Mentor of the Year Award recipient Kirby D. Shealy III was recognized at a banquet in April.

**Wellness Committee**

Mike Ethridge was honored April 7 with the Hazelden Excellence in Legal Community Leadership Award. The award is presented annually by the Hazelden Betty Ford Foundation to the person who has

made significant contributions to attorney wellness and recovery. Ethridge served as the inaugural chair of the Bar's Task Force on Wellness, now the Wellness Committee. The Wellness Committee, established in 2014, previously received the 2016 American Bar Association's E. Smythe Gambrell Professionalism Award and is widely recognized as the model for lawyer wellness programs. The committee studies factors impacting the emotional and physical well-being of attorneys and educates members about resources that will improve their mental and physical wellness.

### **Paralegal Certification**

Last year the Bar was charged with administering the Court-created Paralegal Certification Program. The Paralegal Certification Board has approved forms for paralegal course accreditation. Forty-seven paralegals have been certified.

### **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 Fastcase, the Bar's free online legal research benefit for members, which took second place in a recent survey of top providers. The PMAP director authors a blog, [www.scsmallfirm.com](http://www.scsmallfirm.com), for solo and small firm lawyers in South Carolina that features information about new products, technology tips and start-up advice. PMAP periodically hosts free lunch and learn webinars on current technology topics, and recently launched a video series on law office management topics, available at [www.sctbar.org/pmap](http://www.sctbar.org/pmap).

### **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. The LHL staff also maintains a regular on-site presence at the USC School of Law and Charleston School of Law. 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, at (855) 321-4384 to be referred to a counselor 24 hours a day.

### **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 on the Bar website during legislative session; and an online legislative tracking system. The Bar encourages members to help inform state legislators of the issues and concerns of lawyers. The Elder Law Committee, in conjunction with the SC Association of Probate Judges Article 5 Committee, spent two years working on recommendations to improve the process for appointment of guardians and conservators in South Carolina Probate Courts. As of May 1, the resulting legislation had passed both the Senate and the House and was awaiting approval by the governor.

### **2017 Leadership Academy**

The ninth installment of the Bar's Leadership Academy launched in February. The program continues to enhance the professional growth and leadership skills of selected members to improve their ability to make meaningful contributions to the legal profession and community. Graduates will be recognized during a special celebration in June.

### **New Member Benefits**

The Bar continues to add discounts on a number of products and services to its collection of member benefits, such as wellness providers, travel services and office products. For a complete listing of Bar member benefits, visit [www.sbar.org/benefits](http://www.sbar.org/benefits).

### **Judicial Qualifications Reports**

The Judicial Qualifications Committee released reports on judicial candidates in October. The end goal of a competent and respected judiciary is of the utmost importance. The Bar has been advised that there will no longer be a second, spring election cycle.

### **Member Communications**

- 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.
- *SC Lawyer* is published in January, March, May, July, September and November. Members may opt to only receive the digital edition; visit [www.sbar.org/sclawyer](http://www.sbar.org/sclawyer) for more information. Past articles can be found at the link above (including subject and author indices) and through Fastcase.
- The Bar communicates daily with members and the public on social media, including photos from events, public programs, CLE programs and other important news. Currently, Facebook has more than 2,500 likes with a weekly reach of 62,000. Twitter has more than 4,000 followers with an average 1,000 impressions per day.

## **PUBLIC SERVICES**

### **Pro Bono Program**

The Pro Bono Program continues to schedule circuit meetings to develop local pro bono projects. A member survey was developed to gauge interest in pro bono and specific pro bono activities, and the program continues to evaluate legal services and volunteer management technology programs. The Mediation Subcommittee is working on a proposal for a Pro Bono Mediation Program, and the Domestic Violence Subcommittee is working within the Governor's Task Force.

### **Daniel's Law**

The Children's Law Committee is working to educate the public about Daniel's Law on behalf of the SC Department of Social Services. The law allows persons to leave unharmed infants at safe havens without facing criminal prosecution provided certain requirements are met. The committee created and distributed posters to raise community awareness and provided safe havens with brochures detailing their responsibilities as well as decals to alert the public of their designation.

### **National Health Care Decision Day**

The Bar joined other organizations in April to celebrate Healthcare Decisions Day. At the request of the Bar, Gov. Henry McMaster issued a proclamation declaring the week of April 16-22 Healthcare Decisions Week in SC. During the week, Bar volunteers worked at the USC School of Medicine Health Fair preparing advance directives.

### **SCLawAnswers.org**

SCLawAnswers.org allows individuals who meet certain qualifications to post legal questions to volunteer attorneys. It is accessible 24 hours a day, seven 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. Questions to the site are often answered during "Friday Blitzes," which

provide an opportunity for law students to see real world questions and interact with local lawyers. Volunteers have answered more than 4,000 questions since the site's inception in 2012.

### **Free Legal Clinics**

The Public Services Division, through volunteer Bar members, 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 60 clinics were held during the spring. The Division also partnered with the Central Midlands Area Agency on Aging and USC School of Law Pro Bono Program to sponsor monthly "My Will" clinics to offer qualified citizens assistance with creating a simple will.

### **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. During the Feb. 7 Ask-A-Lawyer event, 17 volunteers answered a record 362 inquiries online and by phone during morning and evening broadcasts on WLTX in Columbia.

### **Lawyer Referral Service**

The Lawyer Referral Service currently has 353 Bar members participating. The service is promoted through radio and online advertising and a Google AdWords campaign. 15,718 referrals were made from July through April.

### **Law School for Non-Lawyers**

Installments of the Law School for Non-Lawyers were held during the spring in N. Charleston, Rock Hill and Sumter. 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.

### **Fee Disputes/Lawyers' Fund**

The Resolution of Fee Disputes Board has closed 106 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 41 new applications, resolved 30 pending applications and paid \$155,183.67 to former clients since July 1.

*Ask-A-Lawyer, Law School for Non-Lawyers and free legal clinics are funded by an IOLTA grant from the S.C. Bar Foundation, Inc. and by Bar funds.*

## **LAW RELATED EDUCATION**

### **High School Mock Trial**

Strom Thurmond High School won its sixth High School Mock Trial State Championship in March and advanced to the national competition this month. Socastee High School was named the first runner-up, and Chapin High School was awarded the first ever Professionalism and Civility Award. Forty-two teams participated in February's regional competitions that were held in Conway, Georgetown, Greenville, Lexington and Sumter. The Division organized a scrimmage to help prepare Strom Thurmond High School for the national competition.

### **Middle School Mock Trial**

Moultrie Middle School won its first Middle School Mock Trial State Championship in December at the Marc H. Westbrook Lexington County Judicial Center. Chapin Middle School was named the first runner-up, and Heathwood Hall Episcopal School was awarded the first ever Professionalism and Civility Award. Thirty-two teams from across the state competed in the regional competitions in November.

### **Project Citizen**

Schools implemented Project Citizen throughout the state. 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. Through the program, students identify a problem, develop three proposed alternative policies, develop a class policy as a result of surveys and evaluations, and complete an action plan for adoption of the policy.

### **We the People**

We the People High School State Champion River Bluff High School represented South Carolina at the national competition in April. The Division helped the team prepare for the national competition and worked with North Carolina's We the People competition to assist in transferring leadership back to North Carolina for this program.

### **Skills USA**

The LRE Division hosted the 2017 Criminal Justice Quiz Bowl competition, a component of the two-day 2017 Skills USA competition held in Greenville in April. The Center for Advanced Technical Studies in Chapin won its fourth state championship title.

### **LRE Awards**

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

Lawyer of the Year: Joseph P. Bias

Teachers of the Year: Brenda Kidd, N. Myrtle Beach Middle School; Robert Lominack, Dreher High School

Citizen of the Year: Barbara Petit

Eight high school students were awarded scholarships for their achievement in the mock trial program, and one student was awarded a scholarship for achievement in the We the People: The Citizen and the Constitution program.

### **James Madison Legacy Project Grant**

Last year the Division received a three-year James Madison Legacy Project grant to work with *We the People* teachers in recruitment, mentorship and professional development. Year one of the grant concluded on September 30 with 43 teachers trained. Three recruiting training sessions have been held to register teachers for the 2017 Summer Institute, and three follow-up trainings for teachers involved in the first year of the program have been held. The 2017 *We the People* state competition had two teams participate led by JMLP teachers.

### **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. The Division also keeps students and teachers up to date through social media.

## **Marketing**

The Division marketed LRE programs at the SC Social Studies Conference and the SC Middle School Conference.

## **Trainings**

The Division hosted webinar trainings for mock trial and Law for Teachers. Trainings were held at individual schools and statewide to prepare teachers for implementation of LRE programs. LRE is preparing for the Supreme Court Summer Institute and a JMLP We the People Summer Institute along with additional LRE trainings.

*The LRE programs noted above are funded by an IOLTA grant from the S.C. Bar Foundation, Inc. and by 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**

### **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.scbare.org/cle](http://www.scbare.org/cle) to learn more about the variety of options.

### **Convention**

The 2017 Convention was held at the Hyatt Regency Greenville, where more than 1200 attendees chose from 24 seminars; visited 36 on-site exhibitors; enjoyed wellness activities such as meditation, barre and cycle and healthier break options; and attended a variety of special events. A new exhibit this year offered complimentary headshot photographs for attendees. Plans are underway for the 2018 Convention in Kiawah. Mark your calendars for Jan. 18-21, and visit [www.scbare.org/convention](http://www.scbare.org/convention) for the latest developments as well as sponsorship opportunities.

### **Live Seminars**

Since July 1, the CLE Division has hosted or sponsored 93 live seminars with a total attendance of 4,760. The Division continues to develop a wide variety of challenging programs including basic and advanced level workshops, section member-only programs and mediation training. Recent programs have included the Legal Ethics and Practice Program, It's All a Game: Top Trial Lawyers Tackle Evidence, Wellness for our Profession, 26th Annual Criminal Practice in SC, Modern Family II, Masters in Trial and Tort Law Update. Noted by Bar members as one of the best programs ever attended, the February program, Against the Wind - A Legal History of Civil Rights in SC through Cases & Testimony Over the Last Century, was produced on DVD and made available for purchase.

### **Alternatively-Delivered Programming**

The CLE Division offers convenient access to on-demand seminars, live webcasts and live teleseminars. The Division continues to expand the catalog of programs, providing new topics and keeping the material in each topic area fresh and relevant. Currently, 390 on-demand seminars 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 60 new online seminars and 31 live webcasts and has offered 257 teleseminars since July 1, with more than 13,300 individual total sales during the period.

## **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 July include: DVD: *Against the Wind - A Legal History of Civil Rights in SC through Cases & Testimony Over the Last Century*

*Environmental Law in South Carolina, Fourth Edition*

*Estate Planning in South Carolina, Vols. II, III, IV and VI*

*Handling Traffic Cases in South Carolina, Sixth Edition*

*Social Security Disability Cases in South Carolina, Third Edition*

*South Carolina Construction Desk Book 2016 Supplement*

*South Carolina Consumer Protection Code 2016 Cumulative Supplement*

*South Carolina Dram Shop Litigation: A Practice Guide*

*South Carolina Evidence Annotated, Eleventh Edition*

*South Carolina Family Court Handbook 2016 Edition*

*South Carolina Law of Torts 2016 Cumulative Supplement*

*South Carolina Probate Practice Manual, Fifth Edition*

*South Carolina Rules Annotated 2016*

*Treatise on the Law of Easements in South Carolina*

Soon Bar members will have online access to past seminar materials in the CLE Store. That functionality is currently under development.

## **HotDocs**

A contract between the SC Bar and HotDocs has been executed. CLE is currently working with vendors to secure bids for the forms development aspect of the project.

## **Marketing**

The Division continues to promote its programs to members through seminar “Preview” catalogs, brochures, e-brochures, E-Blast, signage, social media and Bar publications. Look for CLE offerings in any of these resources or visit [www.sbar.org/shop-cle](http://www.sbar.org/shop-cle). Members can opt in to targeted contact lists by logging in to their member profile on the Bar website.

## **YOUNG LAWYERS DIVISION**

### **Make-A-Wish**

The Division has worked with the Make-A-Wish Foundation this year to assist in the planning of wishes and related activities and to raise funds for these efforts. This spring volunteers organized and hosted a charity golf tournament for local lawyers and firms, and on May 20 will co-host a Spin-A-Thon in conjunction with Jamie Scott Fitness in support of the foundation.

### **Community Law Week**

The Division observed Community Law Week 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 and Ask-A-Lawyer phone banks and web chats. 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.

### **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.

### **Families Forever**

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 Columbia, N. Charleston and Simpsonville. In addition, the Families Forever Committee collected suitcases and other luggage for children in the South Carolina foster care system, as oftentimes children in foster care must carry their belongings in trash bags.

### **iCivics**

This spring the iCivics Committee held its second annual Instagram Scholarship Competition, open to all South Carolina high school seniors. Participating students created an Instagram video that responded to one of several questions designed to encourage new voters to think critically and creatively about government. Entries are currently being judged, and the winning student will receive a \$2,000 scholarship. In addition, volunteers traveled to schools statewide on iCivics Day, May 9, to teach civics lessons to students.

### **Income Tax Assistance**

Through the Volunteer Income Tax Assistance (VITA) program, young lawyers provided free tax preparation for households with low-to-moderate incomes in Charleston, Columbia and Greenville. Members of this committee received the necessary training for preparing basic federal and state income tax returns. This year, volunteers helped nearly 100 families statewide, saving each an average of \$250 in tax preparation fees.

### **Color of Justice**

The Color of Justice Committee sponsors periodic programs for middle and high school students with interactive discussions among law students, admissions personnel, law professors, judges and young lawyers. This program seeks to increase diversity in the legal profession by exposing students from diverse backgrounds to careers in the legal field. This spring, the committee sponsored a scholarship for the National Bar Association's Crump Law Camp, which allows students to attend mini-lectures on legal topics and teaches them public speaking skills through participation in a mock trial competition.

### **Special Olympics**

YLD continued its support of Special Olympics South Carolina by providing sponsorships and volunteers to serve the needs of South Carolinians with intellectual disabilities. Members of this committee recruit and coordinate volunteers and encourage participation at Special Olympics events throughout the state.

### **Secrets to Success Video Series**

Last fall the Division launched a series of videos designed to provide young lawyers with a window into the minds of some of South Carolina's most recognizable practitioners. The lawyers interviewed provide stories, lessons learned and advice on topics such as trying your first case, managing client expectations and ethical responsibilities. Lawyers featured thus far are Gedney Howe, Terry Richardson, former S.C. Supreme Court Chief Justice Jean Toal, Jack Swerling and Dick Harpootlian.

### **Voices Against Violence Women in Need Drive**

In April the Voices Against Violence Committee refurbished the CASA Shelter in Orangeburg and collected donations of children's books and new sweatpants/underclothing for sexual assault victims. The committee serves as the connection between the community and the shelters that are in constant need of day-to-day items while protecting the privacy of the locations.

### **Wills Clinics**

The Wills Clinics Committee continued its efforts to provide wills and health care documents to first responders and Habitat for Humanity homeowner with two clinics in April. Training is provided to all volunteers prior to the clinics.

### **Courthouse Keys and Professional Development**

The Courthouse Keys Committee hosts events for young lawyers to meet with judges from around the state to give them an opportunity to learn from and network with members of the bench. The Professional Development Committee hosts programs to help young lawyers become successful by partnering with other young professional organizations for networking and learning opportunities. The Division also continued its "Bridging Broad Street and Beyond" series, which is held in Charleston, Columbia and Greenville and serves to connect local young lawyers with judges and more senior members of the Bar.

### **New Admittee Events**

The Division welcomed new lawyers to the Division by hosting events in various judicial circuits.