

Lawyers' Fund for Client Protection South Carolina Bar 2021 Annual Report

July 1, 2020 to June 30, 2021
With Five Year Synopsis of Claims for July 1, 2016 to June 30, 2021



Introduction

The Lawyers' Fund for Client Protection was established by the South Carolina Supreme Court by Rule 411, SCACR. The Court tasked the South Carolina Bar with creating a fund to compensate clients who suffered losses due to the dishonest conduct of members of the South Carolina Bar who had been suspended, disbarred, or died. The intent and purpose of the Lawyers' Fund is to preserve and protect the honor and integrity of the legal profession.

All claims made to the Lawyers' Fund for Client Protection commence with the filing of a Lawyers' Fund application with supporting documentation. The Lawyers' Fund rules provide that such claims must be received by the South Carolina Bar within three (3) years of the date the applicant discovered or reasonably ought to have discovered the dishonest conduct of the attorney. No claim will be considered after six years from the occurrence of the dishonest conduct. The loss to be paid to any one client is limited to \$40,000, and the aggregate lifetime total paid per attorney cannot exceed \$200,000. The South Carolina Bar assesses each regular member of the Bar \$30.00 per year to support the Lawyers' Fund for Client Protection. The fund operates on a July through June fiscal year.

The Rules of the Lawyers' Fund for Client Protection expressly provide:

In establishing the Lawyers' Fund for Client Protection, the South Carolina Bar did not create, nor acknowledge any legal responsibility for the acts of individual lawyers in the practice of law. All reimbursements of losses of the Lawyers' Fund for Client Protection shall be a matter of grace in the sole discretion of the committee administering the Fund and not a matter of right. No client or member of the public shall have any right in the Lawyers' Fund for Client Protection as a third party beneficiary or otherwise.

2021 Lawyers' Fund for Client Protection Committee

The mission of the Lawyers' Fund is carried out by the Lawyers' Fund for Client Protection Committee. The Committee consists of 12 members of the South Carolina Bar and one member of the general public. Members are appointed by the president of the South Carolina Bar and approved by the South Carolina Supreme Court. They serve on a voluntary basis without compensation as a public service for appointed three-year terms.

Shalom D. Jacks, Chair

Motley Rice, LLC, Mt. Pleasant, SC

Jennifer M. Creech

Law Office of Jennifer M. Creech, LLC, Rock Hill, SC

Allyson DeHart

The Hobbs Group, Columbia, SC

Jennifer Guy

Motley Rice, LLC, Mt. Pleasant, SC

R. Wilder Harte

Richardson Plowden & Robinson, Columbia, SC

Matthew R. Korn

Fisher Phillips, Columbia, SC

S. Leslie McIntosh

McIntosh, Sherard, Sullivan & Brousseau,
Anderson, SC

Julie J. Moose

McAngus Goudelock & Courie, LLC, Columbia, SC

Elizabeth Fulton Morrison

Hall Booth Smith, Mt. Pleasant, SC

Ivory Narcisse

Fayetteville, NC

Lauren Ward

A Business Law Firm, Spartanburg, SC

Bianca P. Williams

AAFC Law, LLC, Greenville, SC

William (Bill) Wilson

Wyche Law Firm, Greenville, SC

South Carolina Bar Staff Contact:

Eileen Carrouth

2021 Annual Report

57 claims filed

74 claims approved or partially approved
(includes claims pending from 2020)

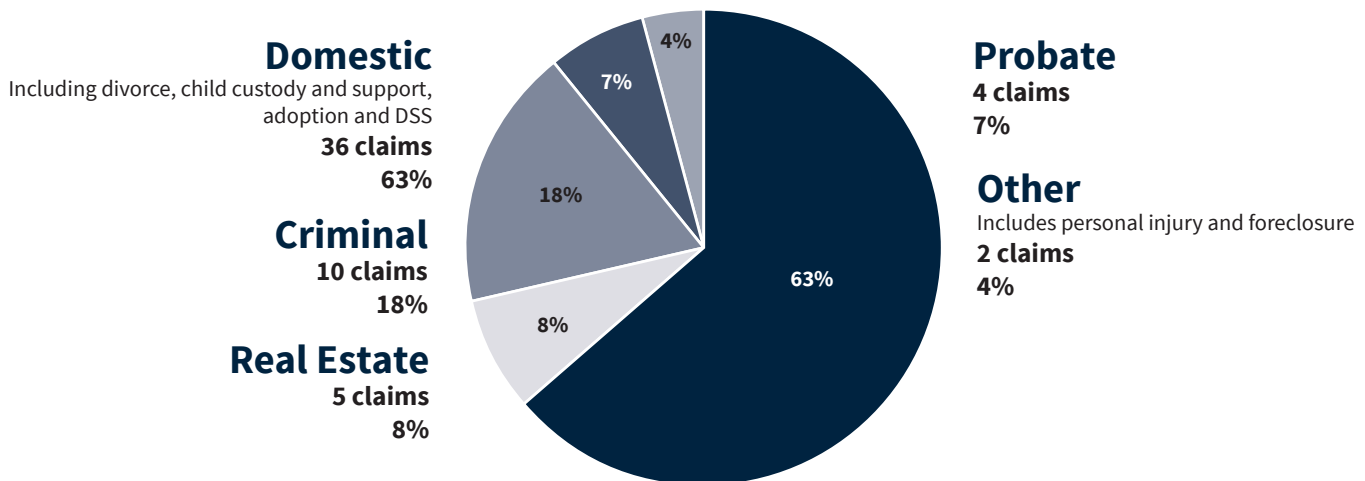
\$280,250.74 was awarded to former clients

20 claims denied, returned or paid from
another source

28 claims pending at close of year

Types of Cases Resulting in Lawyers' Fund Claims

The Lawyers' Fund claims filed in 2021 originated from a variety of legal matters:



Attorneys Involved in Lawyers' Fund Claims

In 2021, claims were awarded against 15 attorneys, seven of whom are deceased. There were 13,416 active regular members of the South Carolina Bar for this time period. Of this number, a very small percentage were involved in Lawyers' Fund claims.

Attorney	Number of Claims Approved	Total Amount Approved
Blevins, David *	4	\$7,731
Colongeli, Donald	4	\$16,700
Gardner, Robbie *	1	\$1,550
Givens, Thomas	4	\$27,163.84
Huggins, James *	1	\$1,310
Lynn, Cooper	22	135,620.77
Mills, Robert *	1	\$1,400
Moore, Louis	2	\$3,987.41
Mullinax, Jay	1	\$3,905
O'Connor, James	12	\$20,712.50
Prince, James	5	\$12,250
Sarratt, Michael *	2	\$1,575
Sarvis, James	1	\$18,563.14
Smith, Albert *	12	\$24,615.41
Thrower, William *	2	\$3,166.67

*Deceased Attorney

Five Year Summary of Lawyers' Fund Claims

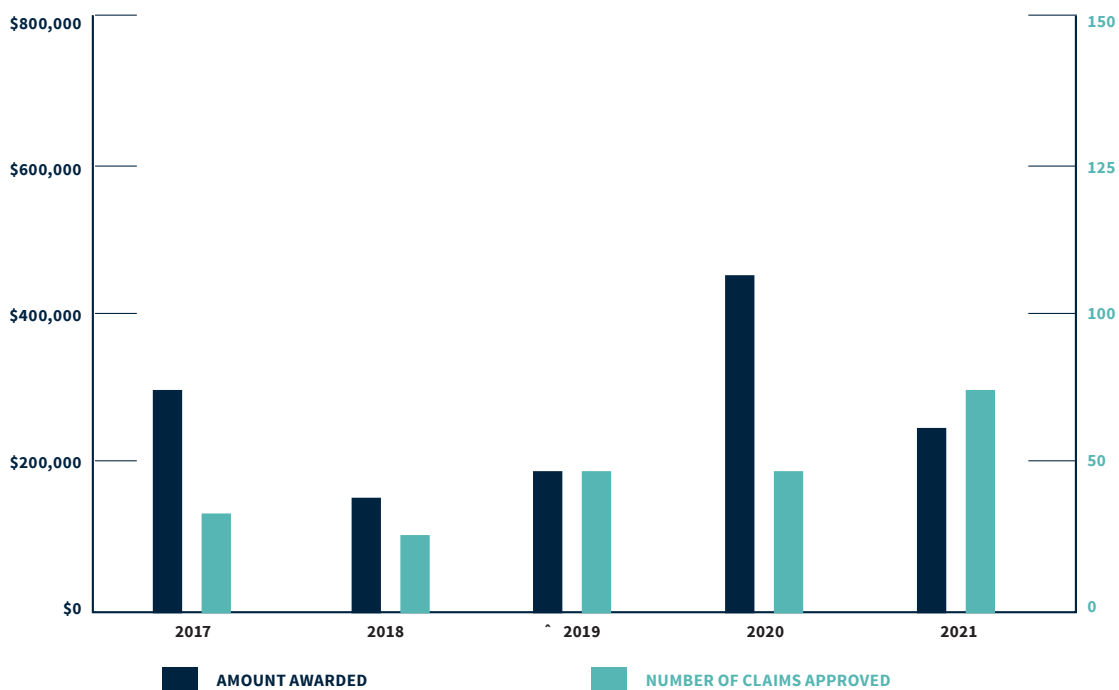
Between July 1, 2016 and June 30, 2021

314 claims filed

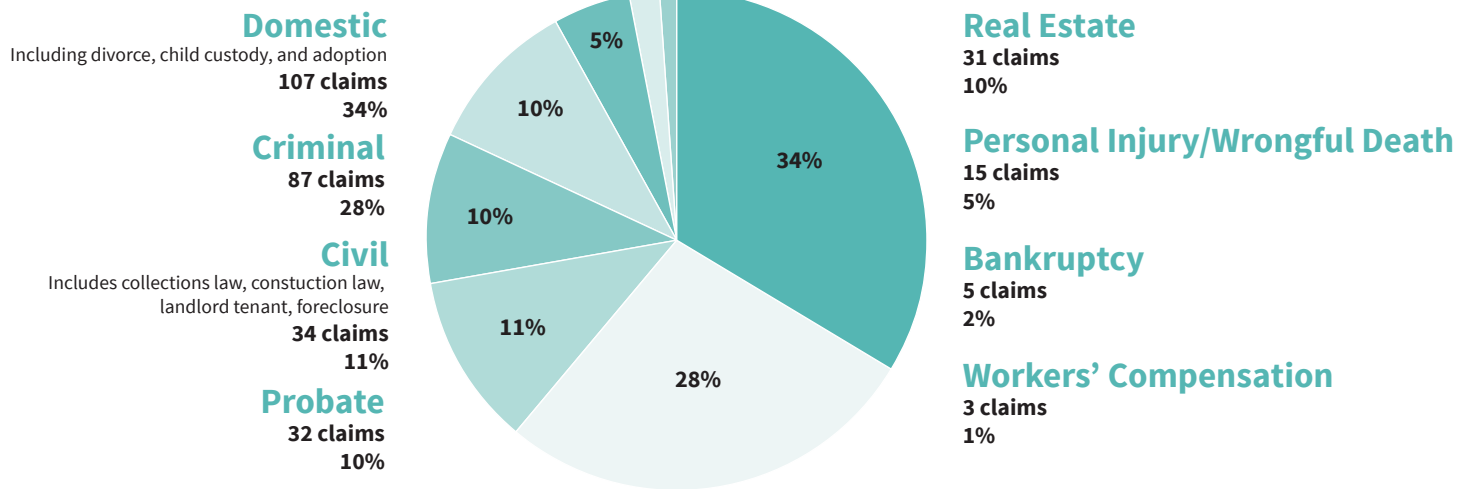
237 claims approved or partially approved (includes claims filed in prior years)

\$1,404,161.98 awarded

History of Claims Approved and Awarded



Types of Cases Resulting in Lawyers' Fund Claims in the Past Five Years:



Attorneys Involved in Claims

A very small percentage of South Carolina Bar members have had Lawyers' Fund claims awarded against them over the past five years.

2021: 15 attorneys out of 13,416 members had claims awarded against them	.001%
2020: 17 attorneys out of 13,096 members had claims awarded against them	.001%
2019: 16 attorneys out of 12,825 members had claims awarded against them	.001%
2018: 14 attorneys out of 12,630 members had claims awarded against them	.001%
2017: 21 attorneys out of 12,389 members had claims awarded against them	.002%



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