

**REPORT OF THE PRESIDENT  
JANUARY 18, 2018  
ELIZABETH H. WARNER**

**MEMBERSHIP SERVICES**

**Bar Website Award**

The Bar website received the Palmetto Award of Excellence for Digital Communication and was named the Star of the Show by the South Carolina chapter of the International Association of Business Communicators. It was also given an Award of Distinction from the Communicator Awards, an international awards program recognizing efforts in marketing and communications.

**Diversity Committee**

The Diversity Committee launched a Diversity Spotlight Series to recognize members of the legal community at the forefront in efforts to increase diversity within the profession. The first honoree, Sidney Evering, was recognized in November at the committee's kick-off event, where Chief Justice Beatty delivered remarks and more than 100 attorneys attended to learn about and support the committee's work. The committee is also producing a video series designed to emphasize the importance of diversity to the profession.

**NextGen Group**

A "NextGen" group has been formed to study national and state innovations in the legal profession. A core group of members has been identified with additional members being sought. Group members are being consulted on ideas and projects, with plans to communicate initial findings to Bar members this winter.

**Wellness Committee**

The Wellness Committee continues to study factors impacting the well-being of attorneys and educates members about resources that will improve their mental and physical wellness. Its work is widely recognized as the model for lawyer wellness programs around the country. The committee recently launched a redesigned website at [www.livingabovethebar.org](http://www.livingabovethebar.org).

**Paralegal Certification**

Last year the Bar was charged with administering the Court-created Paralegal Certification Program. To date, 57 paralegals have been certified. A comprehensive web page was built, and management software put in place. The Court approved the board's proposal to carry over up to 10 CPE hours annually. Creation of an online directory of contract lawyers and paralegals for use by Bar members is underway.

**Mentoring Program**

The Bar administers the Mandatory Lawyer Mentoring Program, including recruitment of new mentors and ongoing support of mentees. The program is working to match nearly 280 new attorneys sworn in this past fall, recently developed a Mentor of the Year Award selection committee, and is planning the spring Mentoring Luncheon & CLE programs. The nomination period for the G. Dewey Oxner Jr. Mentor of the Year Award is underway.

**Meetings in the Counties**

The Board of Governors will resume the hosting of meetings with members at the county level to identify issues important to them. Such meetings have led to Bar initiatives.

### **Practice Management Assistance Program (PMAP)**

PMAP provides technology advice by telephone, through the “Bar Bytes” column, through the Solo and Small Firm blog at [www.scsmallfirm.com](http://www.scsmallfirm.com), 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. Eleven videos have been produced this year for PMAP’s video series on law office management topics, available at [www.scbare.org/pmap](http://www.scbare.org/pmap). The PMAP Director was recently featured in national blog *Attorney at Work* regarding artificial intelligence in law practice. A new logo and ad campaign launched in *SC Lawyer* this past fall.

### **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 maintains a periodic 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. The LHL Commission, alongside the Wellness Committee, has proposed increasing the SAMH requirement in light of continued notification of suicides and Bar members in distress.

### **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.

### **2018 Leadership Academy**

The ninth installment of the Bar’s Leadership Academy will launch in February. This highly selective program is designed to equip members to face challenges in the legal community and community at large, maximize networking and relationship building opportunities, nurture principled leadership and increased awareness regarding ethical, professional and community service issues, as well as to develop other skills necessary to give back to the profession and position themselves as valuable leaders in the community. Graduates will be recognized during a special celebration in June.

### **Member Benefits**

The Bar offers discounts on a number of products and services, such as wellness providers, travel services and office products. An insert outlining these benefits appeared in the November issue of *SC Lawyer*. New benefits include discounts on Personal Creations, Shari's Berries, Gifts.com and ProFlowers. For more information, visit [www.scbare.org/benefits](http://www.scbare.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 continues to be of the utmost importance.

### **Senior Lawyers Division Essay Contest**

The Senior Lawyers Division, under the leadership of Judge Mark Hayes, sponsored its annual statewide Law Day Essay Contest. Students were invited to write an essay of 1,000 words or less on “The 14th Amendment: Transforming American Democracy.” The 2017 overall winner will be recognized during the Bar Convention.

## **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. A new feature called the Weekly Zoom explores resources available on the Bar website.
- *SC Lawyer* is published in January, March, May, July, September and November. Members may opt to only receive the digital edition; visit [www.scbars.org/sclawyer](http://www.scbars.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 2,800 likes with a weekly reach of 18,100. Twitter has more than 4,200 followers with an average 900 impressions per day.
- The online *Lawyers Desk Book* was updated at [www.scbars.org/deskbook](http://www.scbars.org/deskbook). The table of contents links users to listings for Bar contacts, the state and federal judiciary, Commission on CLE and other statewide contents. An alphabetical and geographical listing of all Bar members is available in PDF format, and members may also use a searchable directory for the most up to date information.

## **PUBLIC SERVICES**

### **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 has reviewed information of GALs from all 50 states and proposed changes to the current system, which would create a commission and rules. The proposal has been forwarded to the Court and to the House of Delegates.

### **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 under review. Once approved, the General Assembly is expected to use the Bar's report as source material for joint legislative committee review.

### **Pro Bono Program**

Last year the Pro Bono Program was restructured, including appointment of the pro bono board and local committees to develop local projects. The program received from the SC Bar Foundation a Bank of America grant award, which will be used for additional pro bono staffing. A letter from Chief Justice Beatty encouraging pro bono work appeared in the November *SC Lawyer*.

### **Free Legal Answers**

[SC.FreeLegalAnswers.org](http://SC.FreeLegalAnswers.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.

### **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 40 clinics were held during the fall. 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.

### **Lawyer Referral Service**

The Lawyer Referral Service currently has 342 Bar members participating. The service is promoted through radio and online advertising and a Google AdWords campaign. 8,844 referrals were made from July through December.

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

Installments of the Law School for Non-Lawyers were held during the fall in Anderson, Columbia and Spartanburg. 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 65 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 9 new applications, resolved 19 pending applications, paid \$140,910.51 to former clients since July 1 and issued its annual report.

*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**

### **Middle School Mock Trial**

Fort Mill Middle School won its first Middle School Mock Trial State Championship in December at the Richland County Central Court at Decker Center. Forestbrook Middle School was named the first runner-up, and Buist Academy was awarded the Professionalism and Civility Award. A record-setting 47 teams from across the state competed in the regional competitions in November.

### **S.C. Supreme Court Institute**

The LRE Division co-hosted the S.C. Supreme Court Institute, a program aimed at middle and high school Social Studies and U.S. Government/History teachers, in June. The institute featured presentations by members of the S.C. Supreme Court and Bar members; tours of the Supreme Court building; hands on activities with iCivics; and several lesson building opportunities.

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

In 2016 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 two of the grant concluded September 30 with 71 teachers trained, who also participated in follow-up professional development. Year three grant documentation and budget were prepared and submitted. Year three’s award was in the amount of \$112,500. Plans are underway for a 2018 Summer Institute.

## **SRO Manual**

In collaboration with the Young Lawyers Division, the LRE Division completed development of a manual for school resource officers used in trainings at the SC Criminal Justice Academy. The manual includes 24 lesson plans and supplemental materials.

## **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.

## **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.

*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**

### **New 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. This past fall, the Division introduced Webcast Wednesdays, live one-hour programs held during the lunch hour, and the CLE Big Ticket, which allows members to pay one price for unlimited CLEs for one year. Please visit [www.sbar.org/cle](http://www.sbar.org/cle) to learn more about your options.

### **Free Course Materials**

Bar members have free online access to past seminar materials. Thirty-one sets of materials are currently available, and loading of additional program materials continues.

### **ACLEA Award of Excellence**

In August the Division received an “ACLEA’s Best” Award for CLE programming for its February 2017 program, “Against the Wind: A Legal History of Civil Rights in South Carolina through Cases and Testimony over the Last Century.” Thanks to course planners Nekki Shutt and Hon. Joe Strickland and the seminar faculty for their hard work and contributions in planning and executing this program. ACLEA, the Association for Continuing Legal Education, is an international organization dedicated to improving the performance of CLE professionals.

### **Live Seminars**

Since July 1, the CLE Division has hosted 34 live seminars with a total attendance of 2,550. 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 2017 Probate Bench/Bar, Hot Tips from the Coolest Domestic Law Practitioners, Masters-in-Equity Bench Bar, Latest Trends and Developments in Consumer Law, Criminal Trial Demonstration, Family Court Bench Bar, Current Issues in Legal Malpractice, and “Essentials” programs on a variety of topics.

## **LPM-TECH Conference**

The 2017 Law Practice Management & Technology Conference (LPM-TECH), sponsored in part by the Solo & Small Firm Section, took place September 15 in Columbia. LPM-TECH provided attendees with a CLE, conference and section meeting in one, with a full day of exhibits, educational sessions, networking and prize drawings.

## **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, 392 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 41 new online seminars and 23 live webcasts and has offered 113 teleseminars since July 1, with more than 6,978 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:

*Estate Planning in South Carolina, Second Edition, Volume I: Wills and Trusts*

*Legal Malpractice in South Carolina*

*SC Damages 2017 Supplement*

*SC Evidence Annotated, Twelfth Edition*

*SC Family Lawyer's Tool Kit 2017 Edition*

*SC Rules Annotated 2017*

A complete list of CLE publications, as well as a list of recent releases, are available for browsing in the CLE Store.

## **HotDocs**

The CLE Division has partnered with HotDocs to develop cloud-based forms systems. Subscriptions to the forms libraries will be available for purchase by Bar members in the future.

## **Marketing**

The Division continues to promote its programs to members through seminar brochures, e-brochures, E-Blast, signage, social media and Bar publications. In an effort to distribute fewer but more comprehensive emails, the Division launched weekly CLE email digests in July. Look for CLE offerings in any of these resources or visit [www.scbare.org/shop-cle](http://www.scbare.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**

### **ABA Awards of Achievement**

The Young Lawyers Division won four first place Awards of Achievement during the ABA Annual Meeting in August. The Division was recognized in the categories of Comprehensive Programming, Newsletter, Diversity and Service to the Bar.

### **Hurricane Harvey Relief**

Having responded to natural disasters in South Carolina in recent years by providing volunteer legal assistance, the Division lent a hand to victims of Hurricane Harvey in Texas this past fall. Young

lawyers organized a collection drive for victims of the storm, collecting and distributing non-perishable food items as well as diapers, baby wipes, bottled water, first aid kits, cleaning supplies and monetary donations.

### **Diversity Committee**

The YLD Diversity Committee held an event entitled Coffee and Conversations that focused on the meaning of diversity and inclusion and what they look like in the legal profession. Bar members discussed inclusion efforts and concerns about insufficient inclusion efforts. The committee also hosted a Town Hall on the “Legacy of the Confederacy” at the new USC School of Law, where panelists discussed the past, present and future and the impact of confederate relics in South Carolina. In December, the committee held a “Parenthood and the Practice of Law” event to expose members to the complexities experienced by parent-practitioners and offer ways to maintain a healthy work-life balance.

### **Constitution Day**

The iCivics Committee recognized Constitution Day on September 18 by making classroom presentations on Constitution-related topics and distributing pocket Constitutions to encourage reading and activism as leaders in our democracy.

### **Color of Justice**

The Color of Justice Committee sponsors programs for middle and high school students designed to expose students from diverse backgrounds to careers in the legal field. In November, the committee hosted a mock trial demonstration for a group of 82 students, who served as the jury. After the demonstration, attorney volunteers led students through their verdict and reasoning. The ABA Standing Committee on Bar Activities and Services awarded Color of Justice a Partnership Award for its example as a pipeline program connecting students with law schools and offering opportunities for collaboration within the legal and educational communities.

### **Backpack Drive**

In August the Division collected supplies for donation to schools and students in Charleston, Columbia and Greenville during its annual Back-to-School Backpack and School Supply Drive.

### **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. The Division hosted its annual Bowling Buddies event in Charleston, where attorneys were paired with athletes for a night of bowling, burgers and fun.

### **Wills Clinics**

The Wills Clinics Committee continued its efforts to provide wills and health care documents to first responders and Habitat for Humanity homeowners. The committee hosted a clinic for the Sea Island Habitat for Humanity affiliate on Johns Island to serve homeowners who may be vulnerable to the circumstances that would arise if they were to pass away without a will. Volunteer young lawyers drafted and executed wills and health documents for 24 homeowners. Training is provided to all volunteers prior to the clinics.

### **Protecting Our Youth**

The Protecting Our Youth Committee hosted a panel discussion in front of approximately 100 students at James F. Byrnes High in Spartanburg. The panel discussed the laws, rules and scenarios that are

bringing students into contact with the criminal justice system and advised them about common pitfalls to which teens are vulnerable.

### **Veterans' Affairs CLE**

The Military Support Committee partnered with the Military & Veterans' Law Section of the Bar to host a seven-hour CLE dealing with veterans' affairs issues. This committee seeks to offer education to young lawyers on issues that service members and veterans face.

### **Professional Development**

The Professional Development Committee hosts programs to pair young lawyers with other young professional organizations for networking and learning opportunities. In August, the Fifth Circuit hosted a joint event with the Young Bankers Division of the SC Bankers Association with guest speaker USC Men's Basketball Head Coach Frank Martin. Coach Martin shared his thoughts on memorable moments from the Gamecocks' 2016-17 season, as well as advice on team building, encouragement of others and involvement in the community. The committee also held other events across the state, including: a "Brews and News" young professional event in Columbia; monthly federal court mentoring lunches in Columbia and Greenville; monthly Bridging Broad Street federal court mentoring lunches in Charleston; a free, one-hour mental health and wellness CLE in Charleston; and a happy hour event in conjunction with GVL Connect to help small businesses connect with each other.

### **New Admittee Events**

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