

Report of the President

January 23, 2019

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South Carolina Bar Programs and Services

Communications

SC Lawyer magazine published its first-ever themed issue in November focused on attorney wellness. A companion digital campaign launched to feature members' wellness stories with the goal of breaking down stigma of asking for help and inspiring others. The video interview featuring Justice John Kittredge garnered more than 3,000 impressions on Twitter and was November's highest performing post on the platform.

The Communications team also worked with Pro Bono Program Director Betsy Goodale to deploy a multi-media **Celebrate Pro Bono campaign** in late October and early November featuring South Carolina attorneys who volunteer to assist survivors of sexual assault and domestic violence.

The Communications team continues to deploy a **digital communications strategy** throughout social media and online platforms to showcase member stories, various career successes and contributions to the community.

E-Blast—the SC Bar's email newsletter for members that features important news items, advance sheet summaries, court news, job openings, tech tips, and firm announcements—will receive an updated look in 2020. Content will remain the same, but it is being tweaked for ease of reading on both mobile devices and desktops. The E-Blast is distributed twice a week, on Tuesdays and Thursdays, from Labor Day until Memorial Day. The newsletter hits inboxes on Thursdays during the summer.

Currently, the Bar's Twitter (@SCBar) has 4,969 followers with an average of 70,000 impressions per month; Facebook has 3,985 likes and with an average reach of 20,000. The team is focusing on placing member-specific content on the LinkedIn page, and this approach has netted increased engagement averaging 13,000 impressions in November 2019. The YLD Instagram account has 1,188 followers.

A printed edition of the **2019-2020 Lawyers Desk Book** was offered to members and delivered in September 2019. The information is also available online at www.scbars.org/deskbook. A printed edition of the **2020-21 Lawyers Desk Book** can be ordered when license fees are paid. Cost is \$35 per copy.

The Communications team was honored with several awards by the S.C. Society of Association Executives including Best in Business Awards for the magazine, 2019 Convention marketing, and Cinderella Project campaign. The team also received a Palmetto Award for the top non-profit campaign for the Cinderella Project from the International Association of Business Communicators-SC Chapter.

Continuing Legal Education

The CLE Division continues to offer a variety of program options featuring a wide range of content, as well as pricing options, formats and locations around the state in order to give members the best value, variety and flexibility possible. Available formats include live seminars and hands-on interactive workshops, audio webcasts, teleseminars (via telephone), and live and on-demand audio/video webcasts.

Seminars

The CLE Division sponsored 36 seminars from July 2019 to January 2020. Topics included family law, mediation training, equity, probate, real estate, social security, trial practice, construction law, employment law, children's law, military, workers' compensation, ethics, civil procedure, health care fraud, and law office technology.

Alternatively Delivered Programming

The CLE Division offers more than 450 on-demand programs in more than 50 substantive and practical skills categories and ranging in length from 30 minutes to 6 hours. Members can watch live webcasts of seminars in real time, or pause, rewind and review archived online programs for up to 30 days. The Division has released 81 new online, on-demand programs, held 23 live webcasts, and hosted 139 teleseminars since July.

The CLE Division has also partnered with the Media Services and Communications Division to create a Big Ticket marketing campaign that features Bar members who have purchased the Big Ticket. The Division has also begun working with the Executive Director, the Communications Division and the Media Services Division to create and launch a new CLE website designed to provide a more user-friendly and customized platform for members to access all CLE content, including live seminars, online programs, books and software.

Convention

The 2020 SC Bar Convention in Columbia features:

- 24 seminars with 130+ speakers, including Senior Lawyers Division Symposium
- 30 Exhibitors; 28 Sponsors (corporate and law firm)
- Events: Welcome Reception at Pastides Alumni Center, the Plenary Luncheon, Tours of SC Supreme Court and Court of Appeals, Judicial and Legislative Receptions, Craft Axe Throwing, State House and History of Columbia tours, and a Celebration of 100 Years of the 19th Amendment, co-sponsored with SC Women Lawyers Association.

REMINDER: The 2021 Convention will be held January 21-24, 2021 at Belmond Charleston Place.

Publications

Titles that have been published since July 2019 include:

- *Pocket Prelims*
- *Labor and Employment Law for SC Lawyers: Fifth Edition (Volumes I and II)*
- *SC Evidence Handbook Annotated, Fourteenth Edition*
- *SC Rules Annotated 2019*
- *Deeds of Conveyance*
- *The Law of Workers' Compensation Insurance in SC, Seventh Edition*
- *SC Community Association Law: Condominiums and Homeowners Associations*
- *Health Care Fraud and Collateral Consequences, Third Edition*
- *Social Security Disability Cases in SC, Fourth Edition*

The team also released and is promoting publications T-shirts. A contract was executed with FastCase for electronic delivery of selected CLE publications.

Government Affairs Division

The Government Affairs Division maintains a presence at the State House to monitor and advise on a variety of issues important to the legal community and to serve as a resource for South Carolina's lawyer legislators. Some highlights of the 2019 Legislative Session include a judicial salary increase and passage of the following bills, which were supported by the Bar and its various committees and sections: H.4004, Physician Orders for Scope of Treatment (POST) Act; H.3602, Health care decisions for unable to consent persons; and H.3243, Filing and recording fees. 2020 is the second year of a two-year session and the Division will continue to monitor and advise on interests of our sections and committees including family law issues, e-notary/remote notary and general session docketing. The annual Legislative Reception was held January 22, 2019 at the Capitol Center. The **Lawyer Legislator Committee** is planning a January meeting and a reception to be held at the University of South Carolina School of Law.

The Government Affairs Division also continues to work with the Vulnerable Adult Task Force and on GAL issues. The Probate and Family Law sections and the Elder Law Committee continue to be consistently engaged in legislative activity.

Lawyers Helping Lawyers

Over 80 lawyers have been trained in Mental Health First Aid, which was offered to all members free in spring and fall 2019 thanks to support from the Board of Governors. The article about Mental Health First Aid in the November issue of *SC Lawyer* magazine sparked more interest and will help fill another training in early 2020.

Lawyers Helping Lawyers Co-Director Beth Padgett recently served as conference co-chair for the 2019 National Conference for Lawyer Assistance Programs in Austin, Texas. This year's event titled "From Surviving to Thriving: LAPs Lead the Way," offered attorneys, judges and Bar leaders an opportunity to learn about issues that directly impact on the legal community's well-being, and how lawyer assistance programs operate.

Roy Laney, Robert Turnbull, and Ryan Pasquini also represented the SC Bar at the conference.

Beth Padgett continued to provide counseling services for students at both law schools. She also taught a mindfulness stress management series at both law schools in the fall.

Ryan Pasquini has served as an intern with LHL since June. He graduated from USC School of Law in December and is preparing to take the Bar exam in February. He is completing a data base/case management system for improved client care and reporting purposes.

Wellness videos and a mock Corp-Care call have been completed, posted on the website and the videos were shared on social media. The Communications staff developed a palm card with information about the five free counseling sessions to help promote this resource. The business-sized cards have been very popular with more than 1,500 distributed since July. LHL continues to get new clients on a weekly basis.

Law Related Education

The SC Bar's Law Related Education (LRE) is a service arm of the Bar that, since the mid-1980s, has provided teachers, school resource officers, juvenile justice personnel, and lawyers with resources, materials and technical assistance to teach law and citizenship education. Director Cynthia Cothran along with Manager Donald Lanier and Coordinator Marian Kirk carry out the statewide programs and since July have organized the following programs:

Middle School Mock Trial: Buist Academy for Advanced Studies won its first State Middle School Mock Trial Championship in December at the Richland County Central Court at Decker Center. Socastee Middle was named the first runner-up, and Chapin Middle School was awarded their second State Professionalism and Civility Award. A total of 41 Middle Schools competed in five regional competitions with 12 teams advancing to the state competition. The regional and state competitions were possible thanks to more than 175 volunteers, who served as coaches, judges, and coordinators.

High School Mock Trial: LRE released the 2020 High School Mock Trial case on October 31, 2019. A total of 53 teams registered to compete. Plans are underway for the High School teams to compete in five regional competitions on February 22nd in Columbia, Conway, Georgetown, Greenville and Lexington with a culminating state competition March 13 and 14, 2020, in Columbia.

We the People: The Citizen and the Constitution: The 2019 State We the People Competition for middle school and high schools was held December 13, 2019 at River Bluff High School in Lexington. LRE looks forward to announcing the State High School Champion that will represent SC at the national competition this spring. In addition, South Carolina received a wild card team slot for the national competition. This means LRE will be able to send the first-runner up to the national competition if they would like to advance as well.

Trainings: The Division hosted webinar trainings for Mock Trial and Law for Teachers. Trainings were held statewide to prepare teachers for implementation of LRE programs.

Membership Services

Candidates have been selected and the 2020 Leadership Academy begins February 7, 2020. This highly selective program is designed to train the next generation of Bar members and community leaders.

Staff also prepared materials for and worked with 306 new lawyer admittees as a part of the November 19, 2019 swearing-in ceremony.

Practice Management Assistance Program (PMAP)

PMAP Director Courtney Troutman conducted over 70 phone consultations with law firms on practice management related issues, including questions about retirement, opening a law firm, choosing technology, trust account issues, trust account check forgery, and cybersecurity. The PMAP Division also assisted the widow of a Bar member practicing out of state; updated PMAP pages, checklists, and other content on Bar website; and answered numerous email inquiries from members.

PMAP also assumed oversight and management of the member benefits discounts program. The team worked to organize over 65 vendors, including: analyzing and organizing contracts; reviewing marketing and accounting; reviewing vendor websites and enforcing trademarks; making numerous contacts with vendor representatives; and responding to numerous requests from current and prospective vendors. A Member Benefits Task Force was established and met in December. Its work is continuing.

The PMAP team responded to member requests for assistance with Fastcase, which is provided to all Bar members for free. In addition, PMAP worked with Fastcase employees on updates, member training, beta testing version 7, and a CLE at the Bar Convention. The Communications Division assisted with updating Fastcase web pages.

In addition, the PMAP team coordinated large law book donations from seven contributors through the Bar Book Exchange; drafted and shared regular tips for e-Blast and Twitter; assisted members with the Lending Library and added new publications; assisted with research into mentoring software; and posted

64 free practice management or technology webinars available at www.scbare.org/pmap . The PMAP Director attended the Fellows meeting and Futures Conference of the College of Law Practice Management in Nashville in October and presented on technology best practices at CLEs in August, September and October.

Pro Bono Program

The Pro Bono Team has been working to get the information in Legal Server updated and on expanding the use of Legal Server to better match pro bono applicants with volunteer attorneys. We continue to need volunteer attorneys. The need is especially great for family law volunteers, particularly in Richland County. A request has been made to the Richland County Bar Association to send out a call for members to volunteer. In addition, Olivia Jones and Brett Stevens, the Fifth Circuit Representatives on the Pro Bono Board, have proposed a new family court initiative, which Pro Bono Program Director Betsy Goodale has sent to the Chief Justice with a request that he lend his support to the project. If it is successful in Richland County, it could be used in other counties. February is the proposed start date. The first South Carolina Supreme Court Pro Bono Honor Roll will be published in February and will include the names of attorneys who have reported with their license fee statements that they performed 50 or more hours of pro bono service in 2019.

Public Services Division

The Bar offers a variety of free, public programs designed to connect volunteer attorneys with their communities. Cindy Coker leads this division, which includes the Pro Bono Program, clinics, and the statewide Lawyer Referral Service. From July through December 2019, 221 lawyers provided public information through legal clinics, Law School for Non-Lawyers and the Ask A Lawyer phone banks. More than 1,850 people were served through these programs.

The following programs continue to be available to the public:

Law School for Non-Lawyers

Fall courses were held at Tri-County Technical College Spartanburg Community College and Midlands Technical College. Spring sessions are scheduled for Florence Darlington Technical College (Florence), Horry Georgetown Technical College (Conway) and Trident Technical College (Charleston).

Free Legal Clinics

More than 50 clinics were held statewide from July to December 2019. The clinics will begin again in January with at least 50 already scheduled.

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. Events were held at WLTX in Columbia, WSPA in Spartanburg and two at WCSC in Charleston. In 2019, 859 individuals were able to speak to or chat with a lawyer during an AAL session. Sessions will be scheduled for the spring.

Lawyers' Fund for Client Protection

The Lawyers' Fund for Client Protection reimburses clients for money or property mishandled by Bar members. Changes to Rule 411 were approved by the Court to shorten the terms and allow a member of the Lawyers' Fund for Client Protection Committee to succeed themselves. New members were appointed to the Committee, and the Committee is working on changes to the procedural rules. Currently 46 claims

are pending. The Committee published the FY18-19 annual report in September and it is available on the SC Bar website.

Fee Disputes Committee

There are currently 72 open cases. Chairs for the Third and Seventh Circuits will be replaced. Regional CLEs for volunteers will begin in February.

Lawyer Referral Service

The new Community Lawyer platform software implemented in summer 2019 is working well and is user-friendly for lawyers and clients seeking online referrals.

Free Legal Answers

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. The platform has been promoted in SC Lawyer magazine and via social media. Since January 2019, 1,350 questions were answered for 1,288 clients.

Risk Management and Mentoring

Risk Management Director Nichole Davis oversees implementation of the Lawyer Mentoring Program, serves as a faculty member for ethics CLE programs, provides diversity training, and administers the Ethics Hotline, and coordinates the activities of the following committees: Ethics Advisory, Professional Responsibility, and Professional Liability.

Mentoring Program

The Bar administers the mandatory Lawyer Mentoring Program, which includes recruiting new mentors, providing mentor training, and fostering mentor/mentee relationships.

On October 1, 2019, the New Lawyer Mentoring Program portal (<https://connect.scbars.org/mentoring>) was launched. The portal has a self-matching feature which enables participants to find their own mentors or mentees to ensure mutually beneficial mentoring relationships.

The nomination period for the G. Dewey Oxner Jr. Mentor of the Year Award began on November 22.

Ethics Hotline

Nichole Davis is available to answer members’ ethics questions, provide analysis of the Rules of Professional Conduct as applied to certain facts, and make recommendations regarding risk management, while leaving final decisions to the inquiring Bar member. All conversations are confidential and protected by Rule 8.3(f) of the S.C. Rules of Professional Conduct. Members can call (803) 799-6653, ext. 178 or send an email to ndavis@scbar.org.

Committees, Divisions and Sections

The Alternative Dispute Resolution (ADR) Commission has proposed changes to ADR Rule 9 and several ADR forms, which are currently pending before the Court. The Commission is continuing to evaluate rules, training programs and issues related to technology and dispute resolution.

The **Animal Law Committee** continues to add topics to its Animal Resource Guide. The guide will assist in

researching issues in animal law, animal rights and animal welfare.

The **Dispute Resolution Section** is working on offering advanced mediation courses for specific practice areas as well as looking at proposing changes to existing statutes dealing with arbitration in auto accident cases.

The **Elder Law Committee** published a training manual for Probate Courts to use when training their Guardians ad Litem.

The **Judicial Qualifications Committee** completed the annual screening in September, screening 54 incumbents and candidates. This screening cycle included eight contested seats.

The **International Law Committee** is coordinating with the University of South Carolina Law School on the VIS Moot Competition, an annual international arbitration competition held in Vienna, Austria.

Senior Lawyers Division

Members who were admitted to practice in 1969 were honored at the Nifty Fifty luncheon on October 18 in Columbia.

The Division hosted an Ireland excursion, Oct. 20 – Nov. 2.

The SLD Lawyer Assistance Program (LAP) is making plans to facilitate a two-hour cognitive engagement training for volunteers.

The **Solo and Small Firm Section** planned and coordinated a successful technology CLE on December 13; oversaw elections of a new council and nominations for and the selection of the Solo & Small Firm Section Lawyer of the Year award. The Section also worked with Communications on press release announcing award recipient, Tiffany Provence. The Bar staff liaison Courtney Troutman oversaw the completion of a marketing piece for the license fee statements, updated Section web pages; contacted new Bar admittees to offer free Section membership; and managed all aspects of member email list participation.

The **Technology Committee** organized the technology CLE at the 2020 Bar Convention; took over the Drone Taskforce and merged it with the Technology Committee; wrote original content for publication; and assisted with various research projects.

The **Intellectual Property and Innovation Committee** was re-launched this year. Courtney Troutman worked with chair and other members to facilitate regular conference calls and design a survey for committee use.

The **Wellness Committee** hosted a #WalkWithUsChallenge in which Bar members used the Strava app to “travel” from Charleston to Los Angeles. The group walked a total of 2,595 miles in six weeks.

Young Lawyers Division

The YLD hosted the following events:

- Color of Justice Roadshow at The University of South Carolina
- Professional Development event at Top Golf
- Special Olympics lunch and learns in Greenville and Columbia
- Special Olympics bowling buddies events in Greenville and Charleston

- A nonprofit professional development session in conjunction with the young leaders from the United Way
- New member receptions in Myrtle Beach, Columbia, Lexington and Greenville

The **Voices Against Violence Committee** collected essential supplies to benefit shelters across the state during the fall. The group participated in the 13th Annual Mayor's Walk Against Domestic Violence in Columbia.

The iCivics project under the direction of the **Community Law Week Committee** participated in Constitution Day, on September 17, 2019, and 31 attorney volunteers served 1,450 students in eight counties.