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**SUMMER, 2015****Website: <http://www.charlestonbar.com>****FROM THE PRESIDENT**

Dear Colleagues,

On May 29, I was asked to speak on behalf of the Charleston County Bar to legal interns from across Charleston County on the topic of "What I've Learned." My first slide surprised them, they later told me. It might have surprised you, too. The slide is of a runner, mid-stride. Why? Having practiced for the better part of three decades, I know that ours is one of the most demanding professions. You have to be ready to win, yes, but probably more important is to be ready to endure. You cannot provide good legal help without a type of fitness that allows you to come back swinging. Its physical and its mental. Resilience. I see so many lawyers who give it their all, but occasionally I see this constant push robbing them of their mental and physical well-being. The first message I had to give those young people was to guard your optimism, your promise, and your health from the hazards of our profession.

Here are some statistics gathered by the North Carolina Lawyers Assistance Program I'd like to share with you: About eighteen percent of lawyers suffer from substance abuse. Thirty-three percent of lawyers suffer from significant mental health issues. And between nineteen and thirty-seven percent of lawyers suffer from depression. Of twenty eight occupations surveyed, lawyers are most likely to suffer depression and are 3.6 times more likely to suffer depression than the average person.

On occasion, you read the advance sheets. You have drawn connections over the years, as we all have. You know because you've seen: Trouble for lawyers usually has an mental health or substance abuse component. The statistics back up your hunch. Of discipline cases, forty to seventy-five percent involve a chemically dependent or mentally ill practitioner. None of us should be so naïve or conceited as to think this malady doesn't or couldn't affect us. Just look around.

Increased competition, the billable hour, and clients who demand 24/7 availability are not going away. So how will you adapt? Unfortunately, several coping measures currently in use are killing us. For example, the rate of abuse of prescription drugs by lawyers is alarmingly steep. We spend so much time inside the problems of our clients that we fail to realize our responses become akin to theirs. Unaddressed, the pressures of what we do will take a toll you never would have imagined.

It's time to think differently about how to combat stress. If you care about your family, if you care about your law partners, take heed. On June 24, the bar presented a free CLE on this topic, and I hope you attended. The program, entitled "Relax! Healthy Ways to Relieve Stress, and the Evils of Substance Abuse as a Stress-Reliever!" was slated for the Old City Gym on Pitt Street in Mt. Pleasant. This isn't just a "feel good" issue. It may be the most fundamental problem affecting our profession today. The Charleston County Executive Committee will continue to focus on the profoundly important topic of stress in our profession, and I hope will present you with additional opportunities to see the problem more clearly and to help you formulate your personal response plan. The good news is there are measures that are remarkably effective

I wish you the best.

Jim Myrick

## ANNOUNCEMENTS

**Buist, Byars & Taylor LLC** has expanded its litigation department and management team with the addition of **Patrick J. McDonald** as a partner. McDonald's practice is focused on construction litigation, business litigation and real estate disputes. As a former in-house counsel to one of the world's largest construction management companies, Boivs Lend Lease, and founder of SC Construction Law, McDonald is well versed in all facets of the construction and real estate industries.

The **Murphy Law Firm, LLC** is pleased to announce that **Marissa H. C. Zwerner** has joined the Firm as an Associate Attorney. Mrs. Zwerner will focus her practice in the area of family law. She can be reached at 815 Savannah Highway, Suite 201B, Charleston, SC, 29407, Phone: (843) 571-4300, Email: [marissa@lmurphyfirm.com](mailto:marissa@lmurphyfirm.com)

**Jeff Ross** is pleased to announce the opening of **Jeff Ross Law LLC**, located at 1156 Bowman Road, Suite 200, Mount Pleasant, SC 29464. He can be reached at (843) 329-4040; or e-mail: [JRoss@JeffRossLaw.com](mailto:JRoss@JeffRossLaw.com).

**Nick Thomas** is pleased to announce the opening of the **Law Office of Nick Thomas, LLC** located at 83 Center Street, Suite B, (P.O. Box 972) Folly Beach, 29439. Nick will be focusing on criminal defense and personal injury cases. He can be reached at 843-580-2058.

## CLASSIFIEDS:

**1200 square foot office building available at 535 Stinson Drive, West Ashley near 526.** Conference room with table and chairs provided, two large offices partially furnished, a smaller office, kitchen, bathroom, and large reception area. Hardwood floors in one office, lobby, and conference room. Perfect for a law office. Lawn maintenance is included. **For more information, call 763-5297.**

**Private Law Office/suite for Lease in North Charleston.** Convenient location near Rivers & Aviation across from Virginia College with easy access from I-26 or I-526 for Berkeley, Dorchester and Charleston counties. Reception area, receptionist/assistant space, 2 (possibly 3) lawyer offices, conference room, bathroom and kitchenette. Nicely appointed. Available furnished or unfurnished. Free parking. Monthly lease negotiable, plus utilities. Great opportunity for small law firm or sole practitioner. Please contact **Nicholas Clekis** at (843) 720-3737 or [clekislaw@clekis.com](mailto:clekislaw@clekis.com) for more details.

## CHARLESTON COUNTY BAR ASSOCIATION EXECUTIVE BOARD

**2015-2016**

President – James D. Myrick  
President-Elect – Brian C. Duffy  
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## **IMPORTANT REMINDER**

Please remember to e-mail any changes in your contact information (address, telephone number, e-mail address, etc.) to the below e-mail address so that your mail will not be returned to us and you will receive all notifications sent out via e-blast. If you have not been receiving e-blasts it is probably due to the fact that we either do not have your e-mail address or the one that we have is incorrect. We are missing e-mails from many attorneys; please check your e-mail address on our website and provide us with the correct information at the e-mail address below. The newsletter is now being sent out electronically so a correct e-mail address is very important. If you do not have e-mail please let us know so that your newsletter can be sent to you via U.S. Mail.

**Julianne R. Holzel, Executive Secretary**

E-Mail: [secretary@charlestoncountybar.org](mailto:secretary@charlestoncountybar.org)

**Mailing Address:**

**PO Box 21136**

**Charleston, SC 29413**

## **ONLINE MEMBER DIRECTORY**

### **(ESPECIALLY IMPORTANT FOR NEW MEMBERS)**

Please help us have a more complete online member directory. If you go to the Lawyer Directory on <http://www.charlestonbar.com> and see that any of your contact information and/or headshot is missing, or outdated, **please e-mail the information and photo (in jpeg format) to [secretary@charlestoncountybar.org](mailto:secretary@charlestoncountybar.org).**

**We would really like to have photos from all attorneys. This is especially important for new members.**

## **SAVE THE DATE**

### **July 2, 2015**

Gun Laws and Gun Trusts - what Lawyers Can and Cannot Do  
2.0 hours  
Jury Assembly Room of the Charleston County Courthouse

### **July 22, 2015**

Continuing Legal Education  
Chief Justice Jean Toal  
2.0 hours ethics

Wednesday, July 22nd, 4pm  
Joseph P. Riley, Jr. Park

**In Memory of Stanley Feldman**

**August \_\_\_\_, 2015 (date TBD)**

Inclusion, Diversity, and Cultural Sensitivity in the Legal World  
8.0 hours, including 1.0 hour of ethics/mental health  
Jury Assembly Room of the Charleston County Courthouse

**September, 2015 (Date TBD)**

Admiralty CLE  
3.0 hours

Jury Assembly Room of the Charleston County Courthouse

**September 28, 2015**

Federal Administrative Law CLE  
Francis Marion Hotel (more details at later date)

**(Date TBD)**

Appellate Issues in State and Federal Courts  
4.0 hours

Jury Assembly Room of the Charleston County Courthouse

**October, 2015 (Date TBD)**

Criminal Practice CLE - What You Need to Know Before Practicing Criminal Defense!  
6.0 hours, including 1.0 hour of ethics

Jury Assembly Room of the Charleston County Courthouse

**November, 2015 (Date TBD)**

Personal Injury CLE  
6.0 hours

Jury Assembly Room of the Charleston County Courthouse

**December, 2015 (Date TBD)**

Family Law CLE  
8.0 hours

Jury Assembly Room of the Charleston County Courthouse

**Holiday Party**

December 10 (Details to come later)

**January CLE 2016 (Date TBD)**

**February CLE 2016 (Date TBD)**

What works for Me  
8.0 hours, including 2.0 hours of ethics (which could include 1.0 hour of mental health)

## **PRO BONO MOMENTS**

By: Marvin H. Feingold  
Charleston Pro Bono Legal Services

The Summer of 2015 is well under way as this is being written. Our Ackerman Fellows (Summer Law Interns) are hard at work, fielding scores of real legal problems involving family law, probate, wills and poa's, landlord and tenant, consumer and public benefit problems. They are learning to conduct interviews to determine if applicants calling-in meet eligibility requirements and if their legal issue is one within our priorities.

While we continue to seek volunteer attorneys to assist with matters that would not be advisable for the client to self-litigate, our Ackerman fellows produce pleadings with which clients' can independently file, and litigate to a final hearing such matters as Divorces, Modifications of child support and visitation, etc. in Family Court. The Ackerman fellows also draft probate pleadings, correspondence and they perform legal research.

Having been asked to inventory the practical skills they have learned at this point in their Fellowship, they have partially listed the following:

- How to navigate the Courthouse and work with Courthouse staff.
- How to do a basic title search.
- The importance of attention to detail in pleading preparation
- How to control a client interview for efficiency while remaining sensitive to client's need to sometimes ramble on with unnecessary facts and opinions.
- How to write more precisely and effectively.

Among the worthy cases we are offering for acceptance by volunteer attorney are a number of opportunities to re-unite parents with their children and Guardian and Conservatorship cases.

If interested attorneys are not experienced in these areas but want to help, we can associate an experienced volunteer attorney as "of counsel."

**(ADD DONATION BOX HERE)**

**By Ruth W. Cupp**

ARTICLE NOT RECEIVED AS OF TODAY

## Judicial Notice

### S.C. Associate Judge of Probate, Tamara C. Curry

By: TAC Hargrove II, Charleston School of Law, class of 2016

**Born:** 1963, Charleston, SC

**Appointed:** 1998

**Education:** B.A., South Carolina State University, 1985; J.D. University of Tennessee College of Law, 1988

**Career:** Affirmative Action Coordinator at Northern Kentucky University, 1988-90; Associate, Law Offices of Armand Derfner, practicing in constitutional law focused on civil rights, labor and federal litigation, 1990-91; Private Practice, Curry, and Counts, 1991-99

**Family:** Husband, Eduardo Sr.; Sons, Eduardo II and Xavier; Daughter, Morgan

- 1. On your nightstand:** “The Bible; ‘Jesus Calling’ for daily devotions, and my iPad. I love to read and have most of my books on the iPad, but I am also constantly playing Sudoku.” When asked about her skill level at Sudoku, Judge Curry said she plays between medium and hard.
- 2. What the bar would be surprised to learn:** “I love to cook. I’m a southern cook.” Judge Curry said her specialties are seafood gumbo, she-crab soup, and red rice. An avid traveler, Judge Curry also loves going to new places and said, “we like to look for the dives and local spots wherever we travel.” Aside from cooking and travel, one of her biggest passions is helping the homeless in the community and regularly serves at the shelter.
- 3. Best part about being a judge:** “The ability it gives me to help people, especially when it’s non-adversarial. People come in the estate division during a difficult time in their lives, but the court and our wonderful staff are able to help them during this difficult time.” Outside of the ability to help people she said, “I don’t miss having to prepare pleadings or prepare for court... You just have to referee.”
- 4. Hardest part about being a judge:** “Oftentimes somebody is not happy. Sometimes you have hard cases where the law states one thing and your heart says something different, and you always have to go by the law. Those are hard cases when there is no way to make a wrong a right or a right a wrong.” Judge Curry stated that it is difficult when you see a person who may have been the victim in the case, but the facts just are not there or they may have missed the statute of limitations preventing their recovery.
- 5. Priceless moment in your courtroom:** “I have a lot!” However, she said some stand out more than others. “Recently I had a young lady who graduated from my mental health court, and when she first came she was a pole dancer who was suffering from severe mental illness. Now she is doing well and is a mental health advocate, who has been employed for the last 4 years, and is the chairperson of our alumni group. So when I see somebody who had no life skills, using drugs, and cycling in and out of jail . . . at graduations, and Christmas parties for graduates, I know that I have made a difference.”  
  
“The funniest thing – we had somebody come to graduation and we had to listen to their rendition of some song that they sing in her choir. They were standing in the middle of the floor singing! And remember, it’s not good, but they thought they were singing really well!”
- 6. In your courtroom, DO:** “Be prepared. I have seen many attorneys who come unprepared – not filing the right documents or wanting the court to give them advice.” Judge Curry goes on to state, “remember you have a duty to represent your clients zealously and you cannot do so if you are not prepared.”
- 7. In your courtroom, DON’T:** “Incivility is one that I just hate! It annoys me when attorneys just bicker and are uncivil.”  
  
“I don’t like when lawyers repeat the same question 20 different times because they don’t get the answer they want from the witness. It wastes time, and our time is precious.”
- 8. Advice to young lawyers:** “If you don’t know it, go ask somebody. Find yourself a mentor and know your rules of civil procedure! There are so many young lawyers who are opening up their own shops and they do not seek help, which is sometimes a disservice to their clients.”

- 9. What experience best prepared you for the bench?** “I think being in private practice and actually having to represent clients gave me the empathy to understand how important cases are to each individual person. Also my upbringing – my mom and grandmother taught us to always treat people with respect.”
- 10. What would you change about the American judicial system?** “More judges, more public defenders, and more solicitors. I would like our legislators to know that even though our budgets don’t increase, our workloads have been increasing for years. However, we still work effectively and efficiently even though we have huge dockets. It would be more helpful if we were able to hire more staff members to help better manage the caseloads.”

**CIRCUIT COURT SCHEDULE - NINTH JUDICIAL CIRCUIT**

(Court schedules are changing constantly; please verify current information through S.C. Court Administration or by checking the South Carolina Judicial Department website at <http://www.judicial.state.sc.us/calendar/index.cfm>.)

<b>July 6</b>	<b>July 13</b>	<b>July 20</b>	<b>July 27</b>
<b>August 3</b>	<b>August 10</b>	<b>August 17</b>	<b>August 31</b>
<b>September 7</b>	<b>September 14</b>	<b>September 21</b>	<b>September 28</b>

**CIRCUIT COURT SCHEDULE - FIRST JUDICIAL CIRCUIT**

<b>July 6</b>	<b>July 13</b>	<b>July 20</b>	<b>July 27</b>
<b>August 3</b>	<b>August 10</b>	<b>August 17</b>	<b>August 31</b>
<b>September 7</b>	<b>September 14</b>	<b>September 21</b>	<b>September 28</b>

**FAMILY COURT SCHEDULE - NINTH JUDICIAL CIRCUIT**

<b>July 6</b>	<b>July 13</b>	<b>July 20</b>	<b>July 27</b>
<b>August 3</b>	<b>August 10</b>	<b>August 17</b>	<b>August 31</b>
<b>September 7</b>	<b>September 14</b>	<b>September 21</b>	<b>September 28</b>

**FAMILY COURT SCHEDULE - FIRST JUDICIAL CIRCUIT**

<b>July 6</b>	<b>July 13</b>	<b>July 20</b>	<b>July 27</b>
<b>August 3</b>	<b>August 10</b>	<b>August 17</b>	<b>August 31</b>
<b>September 7</b>	<b>September 14</b>	<b>September 21</b>	<b>September 28</b>



2013-CP-10-6041 Beth Carrigg vs. Kiawah Island Inn Company, LLC d/b/a Kiawah Island Golf Resort and The Sanctuary at Kiawah Island

Attorneys: Plaintiff: John W. Carrigg, Jr.  
Defendants: James B. Hood

Cause of Action: Personal Injury

Verdict: For the Defendants.

2013-CP-10-6629 Pamela D. Ryals vs. Harold Lee White

Attorneys: Plaintiff: Roy T. Willey and Katie M. Wilensky  
Defendant: Andrew S. Halio and Michael J. Ferri

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff in the amount of \$175,000.00 actual damages after a finding that Plaintiff was fifty percent negligent.

2014-CP-10-1044 Nathan Geiger vs. Deborah Cole and Velocity Powersports, LLC

Attorneys: Plaintiff: C. Steven Moskos  
Defendants: Seth W. Whitaker, G. Rutledge DuRant and Mary Leigh Arnold

Cause of Action: Unfair Trade Practices

Verdict: For the Plaintiff in the amount of \$4,325.09 for breach of contract and \$2,500.00 for breach of express warranty claim for a total of 6,825.00 actual damages against Defendant Velocity Powersports, LLC.

2014-CP-10-1446 Brandon Scott Proveaux vs. Melanie Joyce Brown

Attorneys: Plaintiff: G. Rutledge DuRant  
Defendant: Justin P. Novak and Kelley S. Cannon

Cause of Action: Motor Vehicle Accident

Verdict: For the Plaintiff in the amount of \$16,000.00 actual damages and \$2,000.00 punitive damages for a total judgment in the amount of \$18,000.00.

2014-CP-10-2429 Elizabeth A. Ortiz and Nicole Ortiz vs. Wal-Mart Stores East, L.P.

Attorneys: Plaintiffs: Jeffrey W. Buncher, Jr.  
Defendant: Amy L. Gaffney and Robert C. Blain

Cause of Action: Assault/Slander/Libel

Verdict: For the Defendant.

## **FEDERAL COURT JURY VERDICTS**

(There were no Federal Court Verdicts)