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BAR FOUNDATION BRIEFS



South Carolina
Bar Foundation
Lawyers Sustaining
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PO Box 608, Columbia, S.C. 29202

Richardson and Watson Serve on Access to Justice Commission

The Bar Foundation is pleased to announce the appointments of Terry E. Richardson Jr. of Richardson Patrick Westbrook & Brickman, LLC, and J. Calhoun (Cal) Watson of Sowell Gray Stepp & Laffitte, LLC to the Access to Justice Commission. The Commission was created by the South Carolina Supreme Court in recognition of the need to expand access to civil legal representation for people of low income and modest means in South Carolina. The Commission will assess the current and future needs of low-income South Carolinians, develop a strategic plan for delivery of civil legal services, foster coordination within the civil legal services delivery system, support increase of resources and funding for access to justice in civil matters.



Terry E. Richardson Jr.



J. Calhoun Watson

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Foundation Brief

FALL 2007

A NEWSLETTER FROM THE SOUTH CAROLINA BAR FOUNDATION

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DuRant Distinguished Public Service Award

The Bar Foundation currently is accepting nominations for the 2007 DuRant Distinguished Public Service Award. Recipients are nominated and selected by their peers, establishing this recognition as one of the most prestigious statewide awards bestowed to a fellow attorney by members of the Bar. Selection criteria include meritorious service to the law and the community. Eligibility is limited to living members of the South Carolina Bar. Sitting judges and current public office holders are not eligible however, past service in such positions will be considered. The award recipient will be honored at the Bar Convention's plenary luncheon in January 2008.

Nominations should be made by letter and should be received no later than November 12, 2007. A résumé or outline of the nominee's accomplishments and contributions to the community should be included. Letters of endorsement also are welcomed. Please submit nominations to the Foundation at PO Box 608, Columbia, SC 29202. If you have further questions about the DuRant Award, please contact Dee Sanders at (803) 765-0517.

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William L. Pope, 2000

H. Simmons Tate Jr., 2001
Joseph H. McGee, 2002
Alex M. Sanders Jr., 2003
Eugene N. Zeigler Jr., 2004
Ernest A. Finney Jr., 2005
Leo H. Hill, 2005
Julian J. Nexsen, 2006

Unauthorized Practice of Law to be Addressed

The Office of the Attorney General received a \$250,000 grant made available through the Bar Foundation. The funds will be used to develop and support enforcement efforts regarding the harms caused by the unauthorized practice of law. "This is a big step forward for consumer protection," said Attorney General Henry McMaster. "These are some much-needed resources and we look

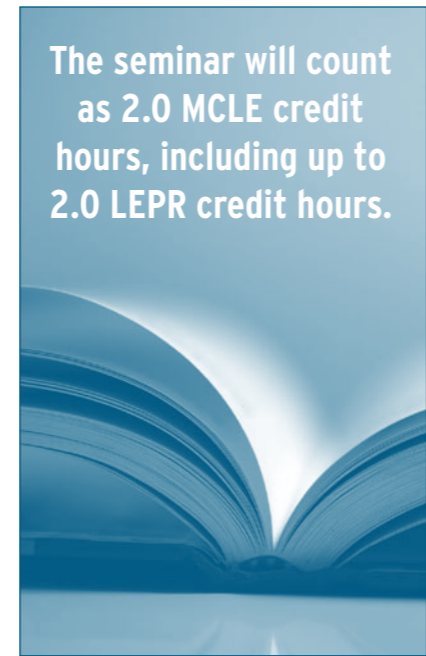
forward to significant progress." The project will begin November 1 with a major goal to advance public protection from the erroneous preparation and otherwise worthless provision of legal documents or inaccurate legal advice given by persons untrained in the law. The unit will also facilitate the prosecution of individuals engaged in the unauthorized practice of law.

UPL clip writing assistance by Jacque Riley (Riley Communications) and Leah Johnson (Assistant Executive Director, SC Bar)

Bar Foundation Co-Sponsors Second Professionalism CLE!

The Bar Foundation and the SC Bar CLE Division will co-sponsor our Second Annual Professionalism Continuing Legal Education Seminar on Friday, February 29, 2008. Our special guest speaker will be Mark S. Curriden, Esq., author of *Contempt of Court*. Mark is a legal affairs journalist, nationally-known CLE speaker, and heads the Public Relations Department for the Dallas, Texas law firm, Vinson & Elkins. Mark will discuss ethics and professionalism using as his backdrop the compelling and powerful story of how Styles Hutchins, the first African-American graduate of the University of South Carolina School of Law, literally changed the course of American jurisprudence in the landmark case of *U.S. v. Johnson*. Come hear this inspiring story and reconnect with the vision of justice, courage and professionalism that led you to the practice of law.

Each registrant will receive a copy of Mark's amazing book, *Contempt of Court*. Be sure to look for your registration brochure to arrive in early December!



TRIBUTE GIFTS

The Bar Foundation gratefully acknowledges those who have made gifts in memory or honor of a colleague or friend of the Bar through September 2007.

Bold names are the colleagues being recognized.

IN MEMORY OF...

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BAR FOUNDATION COMMITTED TO ENHANCING LEGAL SERVICES

Loan Repayment Assistance Program Eases Burden

In September, the Bar Foundation awarded \$158,400 to 23 civil legal aid attorneys in South Carolina through its newly created Ness-Blatt Loan Repayment Assistance Program (LRAP). Approximately \$100,000 of this year's funding for the LRAP was provided through the multi-district litigation discussed in the summer issue of *Foundation Brief*. The Board of Directors of the Foundation approved additional funds of \$58,400 to permit the maximum benefit for the applicants.

The burden of debt that faces lawyers in the civil legal aid landscape is staggering. Nationally, the average debt of a legal services lawyer is \$80,000. In South Carolina, the figures are equally disturbing. Prior to establishing the LRAP, the Foundation administered a survey to all attorneys employed at IOLTA-funded civil legal aid organizations. In comparing those who

have paid off their debt to those with current educational debt, the most significant trend is the steep rise in the amount of educational debt of South Carolina's civil legal aid attorneys. The median educational debt is four to five times higher for those with current educational debt than for those who have paid off their debt. Of those with current educational debt, the median amount of educational debt is \$61,000 to \$75,000; the highest amount of debt ranges from \$150,000 to \$175,000, and 50 percent of the respondents estimate it will take them somewhere between 21 and 30 years to pay off their debt. The aggregate debt of all LRAP applicants was \$1.86 million dollars; averaging approximately \$85,000 per individual.

South Carolina joins 22 other states that offer LRAPs either through the IOLTA program, a Bar Foundation, private donations and/or legislative allocation. LRAP assistance is provided in the form of a forgivable loan. To have the loan forgiven, a participant shall complete a year of employment with a qualifying employer and make educational debt payments (interest and/or principal) that equal at least the amount of Foundation and other LRAP assistance received during the award year. In forgiving the

awards for years of service at the organization, the Foundation is hopeful that more hard-working and dedicated legal services lawyers will be able to remain in the legal services arena.

Realizing the difference the LRAP will make for South Carolina lawyers is best heralded by the words of the recipients. One long-term practicing recipient said, "Practicing law for low income families can be very stressful. Attempting to alleviate additional financial stress can only increase the quality of our services. Some of us do not have financial resources within our immediate or extended families that enable us to pay off student loans within ten years." Another lawyer benefiting from the LRAP stated, "Working to assist those who do not have the resources to afford legal counsel is a worthwhile and satisfying endeavor. However, the repayment of those loans I withdrew in order to facilitate my law school education is always troublesome. The loan repayment assistance program is a wonderful and greatly appreciated offer that will be truly beneficial."

For information on the LRAP, contact Connie Shackelford at (803) 765-0517.

Salary Initiative Offered to Civil Legal Aid Grantees

Instituting a Loan Repayment Assistance Program will make a positive difference to the recipients, the organizations they serve and, most importantly, the low income community. However, the Foundation Board recognized a greater need. Salaries in not-for-profit organizations are not always equitable to those in the for-profit world. The Foundation acknowledged that most in this profession trade higher compensations for their passion for justice. However, recent IOLTA revenues permitted the Foundation to make a move in a more positive direction in regard to salaries. Each of the Foundation's civil legal aid grantees was offered a ten percent raise for all staff at that organization. "Nationally, many IOLTA funders are working to increase compensation for lawyers who work in the legal services area. In South Carolina, we saw a true need to offer the ten percent raise to all employees within the organization - rewarding each member of the team who strives to make our state better through his or her service to those who are impoverished," said Foundation President John McDougall. This salary initiative recognizes the contributions of so many to the advancement of civil legal justice in South Carolina.



Yasamine receives the Goldberg check from Dean Paul Rollins(L) & Dean Walter Pratt(R).

Yasamine H. Christopherson, a May 2008 Juris Doctor candidate at the University of South Carolina, was named the 2007 Goldberg Scholar. Christopherson's activities include *South Carolina Law Review*, Wig and Robe and work with the SC Bar *Pro Bono* Program. This Davison graduate served as a summer associate for Nelson Mullins Riley & Scarborough, LLP and Richardson, Plowden, Carpenter and Robinson.

The Goldberg Scholarship was created at the South Carolina Bar Foundation in honor of I.M. Goldberg, a prominent Charleston attorney who specialized in family law. The scholarship fund provides a \$500 award to a deserving University of South Carolina law student each year.

SHOW YOUR SUPPORT

For more information regarding your gift and a complete listing of contribution options, visit sctbarfoundation.org. You can also contact us by calling 803.765.0517 or emailing us at foundation@sctbar.org.

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