

SAVANNAH BAR ASSOCIATION

Inside this Issue:

Kathleen Horne Named Among Top Fifty Women Georgia Super Lawyers	2
Rachel Young Fields Named a Generation NEXT Rising Star of Business	2
GLSP Acknowledges Pro Bono Attorneys	3
Gregory Sewell Named as Bouhan Falligant Partner	3
Colin McRae Appointed to Lead SBA Nominating Committee	3
Kerri McCrary Martin Joins Moore, Clarke, DuVall & Rodgers	4
Rebecca F. Clarkson Joins HunterMaclean	4
Announcement Regarding Proposed Orders to Superior Court Judges	5
Owen Murphy, P.C. Has Relocated	5
YLD Update	6
Make A #ProBonoPromise	6
Report from Board of Governors Member Jon Pannell	7
Report from Board of Governors Member Gwendolyn Fortson Waring	8
Advertisements	9

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Christopher Middleton Receives Justice Robert Benham Award

On February 17, 2015, local attorney **Christopher "Chris" Middleton** will be presented with the Justice Robert Benhan Award for Community Service. The State Bar of Georgia and the Chief Justice's Commission on Professionalism co-sponsor the Justice Robert Benham Award for Community Service, which is one of the highest recognitions given by the two professional organizations. Since 1998, this award has been presented to honor members of the State Bar of Georgia who have combined their professional careers with outstanding service and dedication to their communities through voluntary participation in community organizations, government-sponsored activities, or humanitarian work outside of their professional practice.



Middleton is an Eastern Judicial Circuit Public Defender who currently serves as Chief of the Other Felony Division. Aside his practice, Middleton serves as a board member of All Walks of Life, Inc., a board member of Blessings in a Bag, treasurer of the Port City Bar Association, a volunteer with Chatham-Savannah Citizens Advocacy Office, a volunteer with the Chatham County Drug Court, a member of 100 Black Men of Savannah, Inc. In addition, Middleton sponsors his own annual "Holiday Makeover Program," which provides assistance to a local family in need.

Bouhan Falligant Attorney Kathleen Horne Named Among Top Fifty Women Georgia Super Lawyers

Kathleen “Kathy” Horne (Bouhan Falligant LLP) was named one of the top 50 Women Georgia Super Lawyers for 2014. Horne has been consecutively selected to this list since 2005 in the areas of Business Bankruptcy and Business Litigation. Super Lawyers is a rating service of outstanding lawyers from more than 70 practice areas who have attained a high-degree of peer recognition and professional achievement. The selection process includes independent research, peer nominations and peer evaluations.



Rachel Young Fields Named a Generation NEXT Rising Star of Business

Savannah Magazine and Business in Savannah recently honored HunterMaclean partner **Rachel Young Fields** as a 2015 Generation NEXT: Savannah's Rising Star of Business. For the fifth year in a row, the two publications have partnered to profile the area's under-40 leaders who have distinguished themselves by their professional achievements and philanthropic service within Savannah and the Coastal Empire.



Fields joined HunterMaclean in 2007 and primarily practices in the areas of business litigation and intellectual property. In addition to handling all aspects of litigation, she counsels businesses and individuals on protecting and managing their intellectual property, including filing trademark and copyright applications.

Fields' local volunteer work is concentrated with the Coastal Empire Habitat for Humanity, where she serves on the board of directors and as chair of the resource development committee, which coordinates and directs Habitat's fundraising efforts. Additionally, Fields serves the State Bar Young Lawyers Division (YLD) as a board member and director of leadership development. She is also co-chair of the State Bar YLD Leadership Academy.

GLSP Acknowledges Pro Bono Attorneys

Georgia Legal Services Program ("GLSP") thanks all the attorneys who accepted pro bono cases during January 2015. If you would like to join this elite group of attorneys who are furthering GLSP's mission to provide quality representation to eligible clients, please contact GLSP Office Manager Heidi Behnke at (912) 651-2283, ext. 2752 or hbehnke@glsp.org or contact GLSP Program Outreach and Development Associate Jamie Rush at (912) 651-2283, ext. 2183 or jrush@glsp.org.

Dolly Chisholm
Debra Geiger
W. Lamar Fields
Adam Walters

Marc Bruce
Stephen Harris
Francesca Rehal*

*Denotes an attorney who accepted multiple cases.

Gregory G. Sewell Named as Bouhan Falligant Partner

Gregory G. Sewell became a partner at Bouhan Falligant LLP, effective January 1, 2015. Sewell focuses his practice on medical malpractice defense, personal injury defense, and business litigation, including non-solicitation covenants, covenants not to compete, and non-disclosure issues. He is a member of the State Bar of Georgia and is admitted to practice before all state trial and appellate courts in Georgia, as well as the United States District Court for the Southern District of Georgia.



Savannah Bar Association Officers Nomination Committee

Colin McRae, president-elect of the Savannah Bar Association, has been appointed by the President to lead the Nominating Committee, which is charged with nominating officers for 2015-2016. The slate of officers proposed by the Committee will be voted upon at the Annual Meeting, which is scheduled for May 14, 2015. If you have any suggestions or recommendations, please contact Colin McRae within the nominating period of March 1st through March 15th at cmcrae@huntermaclean.com.



Kerri McCrary Martin Joins Moore, Clarke, DuVall & Rodgers

Keri McCrary Martin has joined the law firm of Moore, Clarke, DuVall & Rodgers, P.C. and will practice in the areas of Commercial Litigation, Agricultural Law, and Worker's Compensation Defense in the firm's Savannah Office.



A native of Albany, Georgia, Martin graduated from the Deerfield-Windsor School in Albany. She went on to attend the University of Georgia, graduating cum laude with degrees in English and Spanish languages. After obtaining her undergraduate degrees, Martin spent a year working with International Justice Mission in their La Paz, Bolivia, field office, where she worked under a Bolivian prosecutor. Martin then received her Juris Doctorate from the University of Georgia School of Law in 2014. While at the University of Georgia School of Law, Martin was an executive member of the Georgia Law Review.

Keri is a member of the State Bar of Georgia, the Savannah Bar Association (SBA), and the SBA's Young Lawyer's Division. Keri and her husband Harris Martin reside in Savannah, Georgia, and are active members of Community Bible Church.

Rebecca F. Clarkson Joins HunterMaclean

Attorney Rebecca F. Clarkson recently joined HunterMaclean as an associate in the firm's Corporate Practice Group.



Clarkson, who is licensed to practice in North Carolina and Georgia, has a legal background in financial services, creditor's rights, and real estate. She has experience representing lending institutions in negotiating syndicated, club, and bilateral credit facilities and representing investment funds and borrowers in negotiating borrowing base and mezzanine credit facilities.

Clarkson received a Bachelor of Arts degree in history from the University of Georgia and a J.D., cum laude, from its School of Law. While in law school, she served as an editor of the Georgia Journal of International and Comparative Law and was a member of the Business Law Society and the Student Bar Association. From 2011 to 2012, Clarkson clerked for the Honorable Lamar W. Davis, Jr., of the U.S. Bankruptcy Court for the Southern District of Georgia.

Announcement Regarding Proposed Orders to Superior Court Judges

The Bench and Bar Committee of the Savannah Bar Association has been asked by the staff attorneys of the Superior Court, with the approval of the Superior Court Judges, to let all bar members know that it would be of assistance to the court and may help expedite rulings if Proposed Orders accompany the motions and responses thereto, either at the time of filing or immediately after oral argument, if scheduled. The Proposed Orders should be sent via email, in an editable format such as Word or Word Perfect, to the judge's administrative assistant, with a notation that the correspondence should be directed to the attention of the staff attorney. As with all correspondence to a judge or a judge's office, all counsel of record should be copied on the email. Each statement of fact recited in a Proposed Order needs to have an accurate and specific record citation, and where legal principles are stated in a Proposed Order, appropriate citations to statutes and case precedents should follow.

The Proposed Orders should be sent to the applicable judge's administrative assistant via e-mail at the following addresses:

Priscilla Russell, Chief Judge Michael Karpf, Att: Leslie Keene, Esq.

pmrussel@chathamcounty.org

Mary Ann Boyd, Judge Penny Freeseemann, Att: Lindretta Kramer, Esq.

maboyd@chathamcounty.org

Angela Hollinger, Judge Louisa Abbot, Att: Letta Sneed, Esq.

arholli@chathamcounty.org

Nancie Chiang, Judge James Bass, Att: Ann Searcy, Esq.

nichiang@chathamcounty.org

Yvette Taylor, Judge John Morse, Att: Tammie Mosley, Esq.

morsecivildomestic@chathamcounty.org

Debbie Carney, Judge Timothy Walmsley, Att: Samantha Smith, Esq.

dcarney@chathamcounty.org

Owen Murphy, P.C. has Relocated

Owen Murphy, P.C. is pleased to announce its new office location at 213 West York Street, Savannah, Georgia 31401. All other contact information remains the same: Tel (912)334-4662, Fax (912)334-4896, Web www.owenmurphypc.com Owen Murphy, P.C. continues to focus on trial practice and the representation of plaintiffs who have suffered personal or financial injury.

YLD Update

The Savannah YLD ended 2014 with its annual “Tacky Sweater” Christmas Party at the house of its President, Colby Longley. Brett Lundy won the best individual sweater award and Billy Otto and Heather Lundy won the best couple’s sweaters. The party was graciously sponsored by **Roden + Love, LLC**.

For the first social event of 2015, the YLD gathered at B&D Burgers for trivia and socializing with the accountants of Hancock Askew & Co., LLP, which sponsored the event. The next event will be a President’s Day happy hour at **Abe’s on Lincoln** on **February 12th at 5:30pm**.

On February 28th, the State Bar of Georgia YLD will hold its 9th annual signature fundraiser, at Terminal West in Atlanta. This year's theme is "Stars and Stripes" because proceeds from the event will benefit the Augusta Warrior Project, a Georgia-based 501(c)(3) charitable organization that provides assistance to men and women who have served our country. The event will feature live music from party band Bogey & the Viceroy, a DJ, dancing, open bar, snacks and dessert bar, silent auction and more. Tickets may be purchased at georgiayld.org.

The Savannah YLD is in the process of finalizing the details for other exciting 2015 events, such as the annual boat ride and a “Picnic in the Park” event later in the spring. As a reminder, all Savannah young lawyers are encouraged to renew their membership. Our membership base allows the YLD to continue having the monthly events that we all enjoy. Those who have not renewed their membership for the Bar year, or who want to join for the first time, should contact Kate Lawson (klawson@huntermaclean.com).

Make A #ProBonoPromise

As we begin a New Year, GLSP asks that all Georgia lawyers take a minute and think about how you can incorporate pro bono into your everyday practice. There are so many pro bono opportunities at so many levels. Lawyers are in a unique position to lend their legal talents in a way that can make a profound impact in someone’s life. Simply visit the Pro Bono Opportunities Guide to find the right fit for you.



Share your promise by posting a 30-second video on Twitter with #probonopromise, and @StateBarofGA and @ProBonoGA. Or simply email the video to us at probonoga@gmail.com, and we can post it for you!

Here’s the pledge form link, too, to take the next step: <http://www.glsp.org/get-involved-with-glsp/volunteer-pledge-form/>.

Report from Board of Governors Member Jon Pannell

The Board of Governors for the State Bar of Georgia held its winter meeting on Saturday, January 10, 2015 at the Marriott Marquis in Atlanta, Georgia.

After the consent agenda was approved, the Board of Governors took up several action items relating to bar rules and proposals from the Advisory Committee for Legislation ("ACL"). The first action item was some "housecleaning" items presented by Bill NeSmith to amend the State Bar bylaws relating to duties of State Bar officers. The changes were approved unanimously. Next, Bill NeSmith presented a detailed list of changes to the disciplinary rules proposed by the Disciplinary Rule and Procedures Committee. Many of the amendments were to clarify terms and provisions to make the rules more consistent and to clean up improper references, however there were some substantive amendments regarding sworn responses during discipline proceedings, costs of transcripts in disciplinary matters, and lawyers organized under alternative business structures and the sharing of fees by such lawyers. There were a few questions posed by the members of the Board of Governors about the proposed changes but after a brief question and answer session the changes to the disciplinary rules were unanimously approved.

The remaining action items taken up by the Board of Governors were presented by Dawn Jones, ACL Chair, and Thomas Worthy, Director of Governmental Affairs for the State Bar, relating to the 2015 legislative session. The Board of Governors approved supporting the Council of Superior Court Judges, District Attorney's Association of Georgia, and the Indigent Defense Committee efforts to raise salaries for the Supreme Court and Court of Appeals, all superior court judges, district attorneys and public defenders during the upcoming legislative session. There was some concern from some Board members that the salary increases may get lumped together and tied to one another during the budget process, but it was ultimately decided that the best course of action for the State Bar was to support the pay raises for all the proposals. Next the Board of Governors approved several legislative items proposed by sections of the Bar including revisions to the long arm statute, water lien legislation presented by the real property section, an uniform fiduciary act presented by the fiduciary law section, business corporation code amendments by the business law section, and the uniform unsworn foreign declarations act proposed by the international trade in legal services committee.

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Report from Board of Governors Member Jon Pannell Cont'd

The last action item was presented by the President of the State Bar, Patrise Perkins-Hooker. The State Bar President presented the "Attorneys for Rural Areas Assistance Act" which is designed to attract private civil attorneys to rural areas, in particular six rural counties in Georgia who currently do not have a practicing attorney. The plan, if approved by the Georgia General Assembly, would combine incentives and assistance for young lawyers to locate in the six underserved counties to take on pro bono and reduced fee cases in addition to regular paying clients, in exchange for debt forgiveness for student loans. The program would be administered by the Georgia Department of Community Affairs and be subject to appropriation of funds from the General Assembly before awarding any loan forgiveness agreements standing for and against the proposal. Rucker Smith, a Superior Court Judge in the Southwestern Judicial circuit questioned the plan and stated that it was "too bureaucratic". Thomas Herman from Augusta commented that he liked the plan but thought the Bar's efforts could be better spent on strengthening Georgia Legal Services. Donnie Gillis, a superior court judge from Dublin, also questioned the plan and questioned the "survival" rate of new lawyers in a rural area. After much discussion, a voice vote for approval was too close to call. The Board then took a vote by members of the Board. The plan was ultimately approved in a split vote of 74 in favor and 35 against.

Having completed the action items on the agenda, the meeting then turned to nominations for State Bar officers for 2015-2016. Pat O'Connor of Savannah was the first nomination from the floor to serve as Treasurer of the State Bar for the upcoming year. Pat was the only nominee for Treasurer. Following Pat's nomination, all other nominations for officers were also sole nominations, Buck Rogers of Atlanta for Secretary, Rita Sheffey of Atlanta as President-Elect, and Lester Tate and Donna Barwick to continue their posts as ABA delegates for the State of Georgia.

Following election nominations, information reports were made by the President of the Bar, Treasurer, YLD President, and by Phyllis Holmen regarding the Georgia Legal Services Program. Following the informational reports, Governor Carl Sanders and Kirk McAlpin, Sr. were memorialized for their contribution to the State Bar and the legal profession in Georgia.

The spring meeting of the Board of Governors will be held April 17-19 at Brasstown Valley Resort in Young Harris, Georgia.

Respectfully submitted:

Jon Pannell, Board of Governors, Eastern Circuit, Post 3

Report from Board of Governors Member Gwendolyn Fortson Waring

The two most controversial items on the Agenda for Approval at the last Board of Governors' meeting were: 1) the proposal by State Bar President Patrise Perkins-Hooker to urge the State to provide incentives for lawyers to practice in areas of the State where there are few or no lawyers; and 2) the proposal to increase judicial salaries and as well as those of the District Attorneys and Public Defenders.

Seventy-percent of readers polled agreed that the State of Georgia should encourage more lawyers to work in rural areas according to Katheryn Hayes Tucker, *Daily Report*, (January 15, 2015). The Board of Governors approved the proposal by a two-one margin.

The second item, which generated heated discussion, and was approved by the Board of Governors, concerned the topic of increasing judicial salaries as well as those of District Attorneys and Public Defenders. Board of Governor Randy Evans, counsel to Governor Nathan Deal, warned that coupling the salaries of District Attorneys with Public Defenders with increases for the judiciary would make any future pay increases for judges more difficult for legislators to approve. President Perkins-Hooker dismissed that concern and indicated that the Bar was proposing three separate bills not one bill tying all three pay increases together.

I called Rep. Craig Gordon, Rep. Mickey Stephens and Sen. Lester Jackson, DDS, in order to follow up on what they have heard about judicial pay raises. Sen. Lester Jackson expressed that he had "strong concerns" about approving judicial salaries because of the cost factor. Rep. Mickey Stephens and Rep. Craig Gordon were also concerned about the costs and where the money would come from to pay for the increases. They had not heard that the Bar was also planning to lobby for increased pay for District Attorneys and Public Defenders. It would appear that Randy Evans' concerns have merit: it is going to be a tough vote just to get the judicial salary increases; lobbying for additional legislation increasing the salaries of the District Attorneys and Public Defenders may not be prudent at this time.

If you have an opinion on these or other issues (go to the State Bar Legislative Agenda):

<http://www.gabar.org/committeesprogramssections/programs/leg/index.cfm>.

One can also receive legislative updates from the Bar by registering at <https://account.votility.com/enterprise/GaBar/index.php>.

I urge you to develop relationships with our State representatives, attend their town halls, attend Savannah-Chatham day, January 29, 2015. Or, just email them, Mickey Stephens told me that he reads all of his emails (something he learned that from former Rep. Jack Kingston). Sen. Lester Jackson and Craig Gordon also said that they read emails and that those who want to weigh in should contact them. I was unable to reach Rep. Bob Bryant in time for this article.

Gwendolyn Fortson Waring, Esq.

ADVERTISEMENTS

Office Space Available

One room office for rent in the law office of Karen Dove Bar. It is \$350 per month, utilities included, ground floor, outside entrance. Contact Karen Dove Bar at (912)352-8053