

# Crime and Punishment

2nd Annual Law & Society Symposium

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February 18–19, 2010  
Charleston, South Carolina

*Presented by*  
Charleston Law Review  
*and*  
The Riley Institute<sup>®</sup> at Furman



Thursday, February 18, 2010  
Charleston Music Hall, 37 John Street

## Keynote Address

5 p.m.      Introduction  
Andrew J. Savage III, *partner,*  
*Savage and Savage, PA*

Keynote  
“The Politics of Crime & Punishment:  
Condemnation, Mercy and Justice”  
Bryan A. Stevenson, *executive director,*  
*Equal Justice Initiative and professor,*  
*New York University School of Law*

Friday, February 19, 2010  
Charleston Museum, 360 Meeting Street

## Symposium

- 8 a.m. Registration  
CLE Course No. 210948
- 8:30 a.m. **Introduction & Welcome**  
Benjamin N. Garner, *editor-in-chief*, Charleston Law Review  
Donald L. Gordon, Ph.D., *executive director*,  
*The Riley Institute at Furman*  
Andrew L. Abrams, *dean*,  
*Charleston School of Law*
- 8:40 a.m. **Why “Crime and Punishment”?**  
William J. Cook, *assistant professor*,  
*Charleston School of Law*
- 8:45 a.m. **Panel One: Functions of Criminal  
Punishment in Law and Society**  
Moderated by The Honorable Aphrodite K. Konduros,  
*judge*, *South Carolina Court of Appeals*  
Robert Batey, *professor*, *Stetson University College of Law*  
The Honorable George E. “Chip” Campsen III, *senator*,  
*South Carolina Senate*  
Heath C. Hoffmann, *assistant professor*,  
*director of Crime, Law and Society Minor*, *College of Charleston*  
Richard Jerome, *PEW Charitable Trusts*, *project manager*,  
*Public Safety Performance Project*  
Julius N. “Jay” Richardson, *assistant U.S. attorney*,  
*District of South Carolina*

## Symposium *(continued)*

Friday, February 19, 2010

Charleston Museum

9:45 a.m. **Panel Two: Cruel and Unusual Punishment  
in the 21st Century**

Moderated by Sheila B. Scheuerman, *associate professor,  
Charleston School of Law*

J. Richard Broughton, *visiting professor,  
University of Detroit Mercy School of Law*

Sharon Dolovich, *professor, UCLA School of Law*

Corinna Barrett Lain, *professor,  
University of Richmond School of Law*

Youngjae Lee, *professor, Fordham University School of Law*

11:15 a.m. **Panel Three: Professional Responsibility  
and the Case for Actual Innocence**

Moderated by Margaret M. Lawton, *dean of academic affairs &  
associate professor, Charleston School of Law*

Craig M. Cooley, *staff attorney, The Innocence Project*

Nathan M. Crystal, *distinguished visiting professor of law,  
Charleston School of Law*

Roy T. Englert, Jr., *attorney,  
Robbins, Russell, Englert, Orseck, Untereinter & Sauber*

Thomas R. Scott, Jr., *partner,  
Street, Street, Street, Scott & Bowman*

12:30 p.m. Lunch On Your Own

1:30 p.m.

**Panel Four: The Death Penalty: History, Function, and Trends**

Moderated by The Honorable William W. Wilkins, *former chief judge, U.S. Court of Appeals, 4th Circuit*

Harold W. “Trey” Gowdy III, *solicitor, Spartanburg County-Seventh Circuit*

Michael P. O’Connell, *attorney, Stirling & O’Connell*

Emily C. Paavola, *executive director, South Carolina Death Penalty Resource & Defense Center*

David C. Stephens, *assistant U.S. attorney, Greenville, South Carolina*

Mary Ann Tally, *director of trial assistance unit, Center for Death Penalty Litigation*

2:45 p.m.

**Panel Five: Effects of the Financial Crisis on White Collar Crime**

Moderated by Matthew R. Hubbell, Esq.

M. Rhett DeHart, *assistant U.S. attorney, District of South Carolina*

Daniel V. Dooley, Sr., *CPA, former senior partner (retired), PricewaterhouseCoopers LLP*

Mark S. Radke, *partner, Dewey & LeBoeuf*

4 p.m.

**Panel Six: Juvenile Justice: Schools as Pipelines to Prison**

Moderated by Victoria Middleton, *executive director, ACLU–South Carolina office*

William R. Byars, Jr., *director, S.C. Department of Juvenile Justice*

Robin J. Kimbrough–Melton, *research professor, Clemson University*

Serena M. McDaniel, Esq., *assistant solicitor, Aiken County*

The Honorable Dorothy Mobley Jones, *family court judge, Fifth Judicial Circuit, South Carolina*

## Keynote Speaker

### Bryan A. Stevenson

A 1985 graduate of Harvard, with both a master's in public policy from the Kennedy School of Government and a J.D. from the School of Law, Bryan Stevenson has been representing capital defendants and death row prisoners in the deep south since 1985 when he was a staff attorney with the Southern Center for Human Rights in Atlanta, Georgia. Since 1989, he has been executive director of the Equal Justice Initiative (EJI), a private, nonprofit law organization he founded that focuses on social justice and human rights in the context of criminal justice reform in the United States. EJI litigates on behalf of condemned prisoners, juvenile offenders, people wrongly convicted or charged, poor people denied effective representation, and others whose trials are marked by racial bias or prosecutorial misconduct.

Stevenson's work has won him national acclaim. In 1995, he received the prestigious MacArthur Fellowship Award. He is also a 1989 recipient of the Reebok Human Rights Award, the 1991 ACLU National Medal of Liberty, and in 1996 he was named the Public Interest Lawyer of the Year by the National Association of Public Interest Lawyers. In 2000, Stevenson received the Olaf Palme Prize in Stockholm, Sweden, for international human rights and in 2004, he received the Award for Courageous Advocacy from the American College of Trial Lawyers and the Lawyer for the People Award from the National Lawyers Guild. In 2006, NYU presented Mr. Stevenson with its Distinguished Teaching Award. He has also received honorary degrees from several universities, including Yale University, the University of Pennsylvania, and Georgetown University Law Center. Stevenson has served as a visiting professor of law at the University of Michigan School of Law. He has also published several widely disseminated manuals on capital litigation and written extensively on criminal justice, capital punishment and civil rights issues. Stevenson joined the clinical faculty at New York University School of Law in 1998.

## Speakers, Moderators & Panelists

**Robert Batey** holds a bachelor's degree from Yale University and law degrees from the University of Virginia and the University of Illinois. After one year as a teaching assistant at the University of Illinois College of Law and two years as an assistant professor at West Virginia University College of Law, Batey joined the law faculty at Stetson University in 1977. During his tenure at Stetson, Batey visited for one semester at the University of Virginia School of Law and served for four years as Stetson's associate dean. He has written extensively on criminal justice, law and literature, and related topics. Since 1995, he has been a local coordinator for Families Against Mandatory Minimums.

**J. Richard Broughton** is visiting professor at University of Detroit Mercy Law School for 2009–10 and teaches criminal law, criminal procedure, and the Fourteenth Amendment. He also has taught on the law school faculties of Stetson University, Wayne State University and Texas Wesleyan University and as a lecturer in government at Johns Hopkins University. From 2005 to 2008, Broughton served in the Criminal Division of the United States Department of Justice in Washington, D.C. His work involved federal prosecutions of violent crime related to gang activity, drug trafficking, organized crime and racketeering.

**William R. Byars, Jr.**, previously a family court judge, has served as the director of the South Carolina Department of Juvenile Justice since 2003. Prior to his work at the Department, he served as director of the Children's Law Office at the University of South Carolina School of Law. He has received numerous awards for his leadership and service on behalf of children from groups such as Alliance for South Carolina's Children, the U.S. Department of Health and Human Services, the ABA's Young Lawyers Division, and South Carolina Families for Kids. In 1999, Byars was awarded South Carolina's highest civilian award, The Order of the Palmetto, as well as awards from Prevent Child Abuse South Carolina, The American Professional Society on the Abuse of Children and, in 2002, a Lifetime Achievement Award by the SC Council on Adoptable Children. Judge Byars holds a B.A. in government from Louisiana State University and a J.D. from the University of South Carolina School of Law. A former Vietnam veteran and military intelligence officer, he was awarded the Bronze Star and Army commendation medals.

## Speakers, Moderators & Panelists

**George E. “Chip” Campsen III** is a member of the South Carolina Senate, representing Berkeley and Charleston Counties. Before being elected to the Senate in 2004, Campsen served as a member of the House of Representatives from 1997–2002. During his six years in the State House, Campsen authored over thirty pieces of legislation, and in 2002, *The State* newspaper named him one of the most effective members of the General Assembly. Campsen currently serves on the Senate Judiciary Committee and the South Carolina Sentencing Reform Commission. In addition to working as a state legislator, Campsen is also a small business owner and attorney. He obtained a B.S. from Furman University and an M.B.A. and J.D. from the University of South Carolina.

**Craig M. Cooley** joined the Innocence Project as a staff attorney in August 2007. He represents clients in various states seeking access to post-conviction DNA testing and/or relief from their conviction based on exculpatory DNA evidence. Prior to his work with the Innocence Project, Mr. Cooley worked as an assistant federal defender in Las Vegas from 2005–2007, as an investigator in Harrisburg, Pennsylvania, from 2004–2005, and as an investigator with the Office of the State Appellate Defenders, Death Penalty Trial Assistance Division in Chicago, Illinois, from 2001–2004. Mr. Cooley received his J.D. from Northwestern University School of Law, his M.S. from the University of New Haven, and his B.S. from the University of Pittsburgh.

**Nathan M. Crystal** joined the Charleston School of Law faculty in Fall 2008 after teaching at the University of South Carolina from 1976–2008. After graduating from the Wharton School of the University of Pennsylvania, he received his J.D. degree from Emory, where he was editor-in-chief of the law review, and an LL.M. from Harvard, where he was a teaching fellow and director of the Legal Methods Program. Crystal is a member and former chair of the South Carolina Ethics Advisory Committee, where he frequently authors opinions on professional ethics. Author of critically acclaimed law books in the fields of contracts and professional responsibility, Crystal teaches courses in these fields at the law school. His textbooks are widely used throughout the country.

**M. Rhett DeHart** is an assistant U.S. attorney in Charleston, South Carolina. As an attorney in the General Crimes Department of the U.S. Attorney's Office, Dehart has prosecuted a wide array of crimes, including bank and wire fraud, securities fraud, child pornography and exploitation, healthcare fraud, and environmental cases. Prior to joining the U.S. Attorney's Office, Dehart served as counsel to the U.S. Senate Judiciary Committee. He has also served as counsel to Edwin Meese III, former U.S. attorney general. Dehart earned his B.A. *magna cum laude* from South Carolina College, and he received his J.D. from the University of South Carolina School of Law, where he was a member of the Order of the Coif.

**Sharon Dolovich** is currently professor at UCLA School of Law. Dolovich spent 2005–06 as fellow at the Radcliffe Institute for Advanced Study, spent 2007–08 as visiting professor at Harvard Law School, and is currently visiting professor at Georgetown. She has testified before both the Commission on Safety and Abuse in America's Prisons and the National Prison Rape Elimination Commission. She served as a consultant during the settlement phase of *Johnson v. California*, 543 U.S. 499 (2005), the U.S. Supreme Court case concerning racial segregation in the California prisons. She created and co-edits the SSRN journal *Corrections & Sentencing Law & Policy Abstracts*.

**Daniel V. Dooley, Sr.** was the global leader of PricewaterhouseCoopers LLP's Securities Litigation and Investigations Consulting practice. As an audit partner, he performed examinations of companies in a wide range of industries and sectors. Dooley has served as partner for numerous corporate investigations including Aetna U.S. Healthcare, Ahold (Royal Ahold N.V.), Computer Associates International, DaimlerChrysler, First Republic Bancorp, McKesson HBOC, Network Associates (McAfee), Parmalat S.p.A, Phar-Mor, Sensormatic, and Xerox. He has served as an expert accountant on behalf of the U.S. Department of Justice, the U.S. Securities and Exchange Commission (SEC), and a number of private plaintiffs and defendants. He was editor-in-chief of the *PricewaterhouseCoopers Annual Securities Litigation Study*, and chairman of the editorial board and editor of the *West Law Securities Litigation Reporter*. Presently, Dooley consults with a number of U.S. and foreign companies on litigation related accounting issues and matters before the SEC.

## Speakers, Moderators & Panelists

**Roy T. Englert, Jr.** is an appellate litigator and antitrust lawyer. Roy served in the Office of the Solicitor General from 1986 to 1989 and more recently was a partner in the Washington office of Mayer, Brown & Platt. Roy has argued eighteen cases in the Supreme Court of the United States and numerous cases in the lower appellate courts. Roy's recent appellate litigation has been in such disparate fields as milk regulation, racketeering law (RICO), employment discrimination, bankruptcy, ERISA, regulation of transportation industries, the death penalty, and antitrust. Roy received an A.B. in mathematics in 1978 from Princeton University and in 1981 received a J.D. *cum laude* from Harvard Law School. Roy currently serves as an adjunct professor working with the Appellate Litigation Clinic of the Georgetown University Law Center.

**Harold "Trey" Gowdy III**, is currently the solicitor for the Seventh Judicial Circuit, which includes Spartanburg and Cherokee counties. Gowdy also serves as the chairman for both the South Carolina Commission on Prosecution Coordination and the Spartanburg County Criminal Justice Coordinating Committee. Gowdy has won numerous awards at the local, state, and national levels for his work with law enforcement and on behalf of crime victims. He has also received awards for his prosecution of DUI and domestic violence cases, and has been recognized nationally for his death penalty prosecutions. Gowdy has appeared on Dateline, Court TV, Discovery Channel, and Forensic Files. He earned his B.A. from Baylor University and received his J.D. from the University of South Carolina School of Law, where he was a member of the Wig and Robe.

**Heath C. Hoffmann** is associate professor of sociology and director of the Crime, Law and Society program at the College of Charleston. Hoffmann has published several articles addressing prison policies and programs that affect relationships between people in prison and their families, including visitation and communication policies and programming for incarcerated parents and their underage children. He has also published research on the different trajectories of recovery from substance abuse in mutual aid/self-help programs. Hoffmann received his B.A. from Western Washington University and his M.A. and Ph.D. from the University of Georgia.

**Matthew R. Hubbell** became one of the youngest federal prosecutors ever in the District of South Carolina when Attorney General William P. Barr appointed him to the position of assistant U.S. attorney. As assistant U.S. attorney for nearly ten years, Hubbell focused on the prosecution of complex “white collar” crimes, including international securities fraud, computer crimes, wire and mail fraud, public corruption, environmental crime, health care fraud, immigration offenses, and money laundering. Since entering into private practice in January 2001, Hubbell has represented companies and individuals in federal and state white collar criminal cases.

**Richard Jerome** was a civil rights lawyer and expert in police accountability prior to joining PEW Center on the States. He served for six years as deputy monitor and court appointed special master for two police reform settlements in Cincinnati, Ohio. From 1997 to 2001, he was deputy associate attorney general in the U.S. Department of Justice, overseeing the work of the Civil Rights Division and the Community Relations Service, as well as coordinating the Justice Department’s efforts to promote police integrity. He was a senior trial lawyer in the Voting Section of the Civil Rights Division and also worked in private practice. Richard holds a bachelor’s degree from Brown University and a J.D. from Harvard Law School. He is a member of New York and D.C. bar associations.

**Dorothy Mobley Jones** began her career in South Carolina by engaging in a general practice of law including civil and criminal cases. Since 1983, she enjoyed an exclusively domestic statewide practice until her election to the family court of South Carolina’s Fifth Judicial Circuit in February 2005. She received her J.D. from the University of South Carolina School of Law in 1978, after which she served as law clerk to the Honorable Rodney A. Peebles. For over twenty years, she engaged in a general practice of law including civil and criminal cases with the firm of Yarborough, Fallon & Mobley until elected in February 2005. Jones received recognition in *Best Trial Lawyers in America* for 2005–2006. She is a member of the S.C. Bar, Richland Bar, Horry Bar, South Carolina Trial Lawyers Association and South Carolina Women Lawyers Association. She also served as a past chair and member of the Family Law Executive Council and a member of Judicial Qualifications Committee.

## Speakers, Moderators & Panelists

**Robin J. Kimbrough-Melton**, research professor in the Institute on Family and Neighborhood Life at Clemson University, is active in service system reform in juvenile justice, criminal justice, education, social services, substance abuse services, and the courts. She is currently secretary of the American Orthopsychiatric Association and co-chair of its Task Force on Mental Health and Human Rights. She is involved in several community development projects in South Carolina and is director of Building Dreams, a federally funded effort to enhance support for children of prisoners. She received her B. S. from Southern Methodist University in 1977 and her J. D. from the University of Nebraska-Lincoln School of Law in 1983.

**Aphrodite K. Konduros** attended the University of South Carolina where she graduated *cum laude* with a B.A. in English. She received her J.D. from the University of South Carolina School of Law where she was the first female student bar president. Before being elected to the bench, she served as county director for Greenville Department of Social Services. She currently serves on the Chief Justice's Commission on the Profession and the S.C. Senate Judiciary Sentencing Reform Commission. On February 6, 2008, Judge Konduros was elected to the S.C. Court of Appeals to finish the unexpired term of the Honorable Donald W. Beatty after he was elected to the S.C. Supreme Court.

**Corinna Barrett Lain**, professor at University of Richmond Law School, teaches a variety of courses emanating from her experience as a former prosecutor, including criminal procedure, evidence, children and the law, and a domestic violence seminar. A recipient of the University's 2006 Distinguished Educator Award, Professor Lain has emerged as one of the law school's premier instructors. Her scholarship, which challenges conventional wisdom about the role and impact of the Supreme Court in the criminal procedure and death penalty areas, has been reviewed in glowing terms by some of the nation's brightest and most respected legal minds. Lain graduated *summa cum laude* from the College of William and Mary in 1992 and received her J.D. from the University of Virginia School of Law in 1996.

**Margaret M. Lawton** joined the Charleston School of Law in 2005 to teach substantive criminal law, criminal procedure and trial advocacy. Prior to coming to Charleston, she served on the faculty at the Appalachian School of Law. Lawton has extensive trial and appellate criminal practice experience. Following a clerkship with the Honorable Thomas A. Flannery of the U.S. District Court for the District of Columbia, she prosecuted criminal cases as an assistant U.S. attorney in Washington, D.C. Lawton is a *cum laude* graduate of Duke University and received her J.D. from Georgetown University Law Center.

**Youngjae Lee**, associate professor at Fordham University School of Law, joined the Fordham faculty in 2005 from NYU School of Law, where he was an Alexander Fellow. He graduated with high honors from Swarthmore College in 1995, where he was elected to Phi Beta Kappa and majored in philosophy with a minor in economics. He was a Fulbright Scholar at Seoul National University's Philosophy Department in 1995–1996. He graduated *magna cum laude* from Harvard Law School in 1999, where he was an editor of the *Harvard Law Review* and a recipient of the Heyman Fellowship.

**Victoria Middleton** is the executive director of ACLU South Carolina National Office programs, including public education, legislative advocacy, and litigation. Prior to joining the ACLU, Middleton was director of the U.S. Department of State's Office of Asian and Western Hemisphere Affairs in the Bureau of Democracy, Human Rights and Labor. There she led a team of regional experts who implemented democracy strategies aimed at training journalists, supporting free and fair elections, promoting transparency and the rule of law, and encouraging internet access in countries including China, Vietnam, and Cuba. She has also been director of the Office of Nordic and Baltic Affairs in the European Bureau. In her State Department career, she served at U.S. embassies in the Philippines, India, Estonia, the Czech Republic, and Finland. Middleton is a graduate of Pennsylvania's Bryn Mawr College and has an M.A. and Ph.D. from the University of California at Berkeley. She has taught at Franklin and Marshall College in Lancaster, Pennsylvania, and at Fudan University in Shanghai.

## Speakers, Moderators & Panelists

**Serena M. McDaniel** graduated *magna cum laude* from Clemson University in 1991 with a B.A. in history. She received a J.D. from the University of South Carolina School of Law in May 1994. McDaniel worked as a staff attorney at the South Carolina Supreme Court for two years before coming to the Second Circuit Solicitor's Office in 1996. In 1998, she became a staff attorney at the Criminal Justice Academy of the South Carolina Department of Public Safety. She was the lead family court public defender in Richland County for 6 months until rejoining the Second Circuit Solicitor's Office in June 2000. As assistant solicitor, McDaniel specializes in prosecution of juveniles in family court in Aiken, Barnwell, and Bamberg Counties, in addition to General Sessions cases in Aiken County. She served as director of the Second Circuit Community Juvenile Arbitration Program and currently is interim coordinator for the Aiken County Juvenile Drug Court. A recipient of the 2003 Ernest F. Hollings Award for Excellence in Family Court Prosecution, McDaniel serves on the South Carolina Bar Children's Law Committee and is a member of the Aiken County Bar.

**Michael P. O'Connell** has been practicing in this state continuously since 1975. He was an assistant county public defender in Richland and Charleston counties, and for five years he was the chief public defender for Charleston County. He also served as an assistant federal defender in Charleston for five years. Since 1996, he has been in the private practice of law in Charleston with his wife Ann M. Stirling. He has represented approximately twenty-five men against whom the state or federal government were seeking the death penalty as well as death row inmates in post-conviction proceedings.

**Emily C. Paavola** is the executive director of the Death Penalty Resource and Defense Center in Columbia, South Carolina, where she represents death-sentenced inmates in state post-conviction proceedings, provides resources and training services to other attorneys appointed on capital cases, and advocates for legislative reforms aimed at addressing systemic flaws in the capital punishment process. Paavola is a graduate of Baylor University and Cornell Law School. She previously worked as a project fellow for the Cornell Death Penalty Project and did a brief stint in private practice in Indianapolis, Indiana. She has authored several publications designed to assist criminal defense attorneys in their representation of clients facing the death penalty.

**Mark S. Radke** served as chief of staff to the chairman of the Securities and Exchange Commission (SEC) prior to joining Dewey & LeBoeuf, where he practices in the firm's Washington, D.C., office. In his capacity as chief of staff at the SEC, he participated in the legislative shaping of the Sarbanes-Oxley Act of 2002, and in rulemaking by the SEC to implement the act. Radke's private practice deals with counseling public companies on complex securities law and other regulatory issues and in representing corporations and individuals in SEC and other governmental investigations involving securities law.

**Julius N. "Jay" Richardson** attended public schools in Barnwell, South Carolina, before completing his degree in biology at Vanderbilt University. Jay earned his J.D. from the University of Chicago Law School, where he served as articles editor for the *University of Chicago Law Review* and right fielder for the law school's championship softball team. Following law school, Richardson served as law clerk for Judge Richard A. Posner and Chief Justice William H. Rehnquist. Richardson then practiced law with Kellogg, Huber, Hansen, Todd, Evans & Figel in Washington, D.C., before becoming a federal prosecutor in Columbia, South Carolina last year.

## Speakers, Moderators & Panelists

**Andrew J. Savage III** received a B.A. from Fordham University in 1972 and a J.D. from the University of South Carolina School of Law in 1975. Prior to entering private practice in 1981, Savage was a prosecutor for the State of South Carolina in the Fifth Judicial Circuit and then served as chief trial counsel for the South Carolina Attorney General's Office, Criminal Division from 1979–1981. He served two four-year terms on Charleston County Council and is a retired Lieutenant Colonel Judge Advocate General with the U.S. Air Force Reserves. Savage is a fellow in the American College of Trial Lawyers, and has been named yearly in the *Best Lawyers of America* since 1990 in the practice area of Criminal Defense. He has served as a member of the Supreme Court's Commission on the Profession and on the advisory committee of former Chief Justice Harwell. He is also a member of the advisory board for the National Child Abuse Defense and Resource Center, a permanent member of the Fourth Circuit Judicial Conference, and a Commissioner for the South Carolina Commission on Indigent Defense. A former legal analyst for the local CBS affiliate, he is now host of Emmy Award winning *The Savage Report* on Comcast Channel C2.

**Sheila B. Scheuerman** joined the Charleston School of Law faculty in Fall 2006. Prior to joining the law school, Scheuerman served for two years as an Honorable Abraham L. Freedman Fellow and Lecturer in Law at Temple University School of Law in Philadelphia, Pennsylvania. While at Temple, she taught courses in professional responsibility, legal research and writing, torts and products liability. Scheuerman has published extensively on class action suits and punitive damages in journals such as the *Harvard Journal on Legislation* and the *University of Pennsylvania Journal of Constitutional Law*. She received her B.A. from College of the Holy Cross, LL.M. from Temple University School of Law, and her J.D. from Washington University School of Law.

**Thomas R. Scott, Jr.**, is a 1974 graduate of Hampden-Sydney College with a B.A. in government and political science. He graduated from the T.C. Williams School of Law at the University of Richmond with a J.D. in 1976. Scott is an advocate of the American Board of Trial Advocacy, a fellow of the American College of Trial Lawyers, and second vice-chair of the Virginia State Bar Disciplinary Board. He has been selected by *Virginia Business Magazine* for inclusion in the Legal Elite, and *Richmond Magazine* for inclusion in multiple editions of *Super Lawyers*. He has served as lead counsel and co-counsel in a number of high profile civil and criminal cases throughout far Southwest Virginia, including Commonwealth v. Roger Keith Coleman, a highly publicized capital murder prosecution and the subject of John Tucker's book, *May God Have Mercy*. Scott is a past winner of the Bill Geimer Award, which is presented annually to a dedicated capital defender by the Virginia Capital Case Clearinghouse at Washington and Lee University School of Law in Lexington, Virginia. Scott is the senior partner in the Street Law Firm, LLP, in Grundy, Virginia, where he has practiced as a civil and criminal litigator for nearly 33 years. He joined the full-time faculty at the Appalachian School of Law in 2005 where he serves as assistant visiting professor of law and general counsel. Scott teaches insurance law, legal process, and trial advocacy.

**David C. Stephens** is an assistant U.S. attorney in Greenville, South Carolina, and has dedicated his entire career to criminal law. His current practice focuses on large scale fraud. Prior to his current post, Stephens practiced privately in Anderson County from 1978-1980. He later served as Deputy Solicitor, First Judicial Circuit for the State of South Carolina, from 1980-1984. Stephens is a 1977 graduate of Baylor University School of Law.

## Speakers, Moderators & Panelists

**Mary Ann Tally** was public defender in Fayetteville, North Carolina, from 1976–1993. She played a leading role in the legislative study commission that recommended the formation of the groundbreaking Indigent Defense Commission in North Carolina. Currently in private practice, Tally dedicates her advocacy efforts not only to those impacted by the death penalty, but also to the plight of many poor and migrant farm workers across North Carolina. She received her J.D. from Duke University and her B.A. from the University of Tennessee.

**William W. “Billy” Wilkins**, former chief judge of the U.S. Court of Appeals for the Fourth Circuit and former chair of the U.S. Sentencing Commission, leads Nexsen Pruet’s White-Collar Crime, Appellate Advocacy, and Corporate Compliance/Crisis Management practices. He began public service in 1974, when he was elected solicitor for the Thirteenth Judicial Circuit in South Carolina. After a successful tenure as solicitor, Wilkins gained national recognition when President Reagan appointed him U.S. district judge for the District of South Carolina on July 22, 1981. Four years later, President Reagan appointed him the first chair of the U.S. Sentencing Commission. As leader of the Sentencing Commission, he was responsible for establishing sentencing guidelines, policies, and practices for the federal courts.



**Charleston Law Review** is a general interest publication committed to the finest scholarship and research across a broad range of topics in the law.

The Law Review's primary objective is to foster the knowledge and insight of students, practitioners, scholars and the judiciary through a traditional forum dedicated to augmenting the pursuit of innovative legal expression, composition and scholarship. Members of the Law Review contribute to this objective by editing articles, writing notes and actively participating in all aspects of the publication process.

The Charleston Law Review is an independent organization composed entirely of second and third year students at the Charleston School of Law. In order to gain membership on the Charleston Law Review, students must compete in a writing competition that begins after spring semester finals have concluded. After completion of the writing competition, offers for membership are made to students based on a combination of grades and the scored writing piece. By participating in the publication process, members of the Charleston Law Review receive invaluable analytical skills and extensive legal writing and editing experience.

**The Riley Institute<sup>®</sup> at Furman** is a non-partisan organization affiliated with the Department of Political Science at Furman University. Named for former Governor of South Carolina and United States Secretary of Education Richard Riley, the institute engages students in politics, public policy and public leadership through collaborative research, study abroad opportunities and internships.

Since its inauguration in 1999, the Riley Institute also has developed community leadership programs, symposia and conferences designed to promote discussion and analysis of public policy issues. Through its promotion of engaged learning, leadership development and conferences featuring internationally recognized speakers, the Riley Institute has established itself as an innovator in policy and public leadership education.

