



The South Carolina Court of Appeals

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Re: Preservation Society of Charleston v. SCDHEC
Appellate Case No. 2014-000847

Dear Counsel:

In consideration of the implications of this appeal and the impact of our decision, the panel wishes to disclose that one of the judges assigned to this case has a law clerk whose sibling is a partner in one of the firms representing the parties. The chambers with the conflict is cognizant of recent judicial advisory opinions. *See RE: Propriety of an appellate court judge presiding over matters in which the judge's law clerk's parent is counsel of record or another attorney from the parent's agency is attorney of record*, Opinion No. 10-2014; *see also RE: Propriety of a circuit court judge presiding over matters in which the judge's law clerk's father and his partner frequently appear before the circuit court*, Opinion No. 1-2015. The judge has totally insulated chambers staff from the conflict and is solely utilizing the central staff attorney's office in the preparation of the case. The judge felt it imperative to notify counsel so that you may discuss the potential conflict with your clients. We wish to convey that we are notifying you prior to oral argument out of an abundance of caution and in the interests of full transparency so that you can adequately consult with your clients as to whether anyone wishes for the judge to be recused. We ask for a response no later than 5:00 pm on Wednesday, October 26, 2016.

Very truly yours,


CLERK

cc: Philip L. Lawrence, Esquire