

# South Carolina Law Review

---

Volume 71 | Issue 1

Article 1

---

Fall 2019

## Title Page

Follow this and additional works at: <https://scholarcommons.sc.edu/sclr>



Part of the [Law Commons](#)

---

### Recommended Citation

(2019) "Title Page," *South Carolina Law Review*: Vol. 71: Iss. 1, Article 1.

Available at: <https://scholarcommons.sc.edu/sclr/vol71/iss1/1>

This Article is brought to you by the Law Reviews and Journals at Scholar Commons. It has been accepted for inclusion in South Carolina Law Review by an authorized editor of Scholar Commons. For more information, please contact [digres@mailbox.sc.edu](mailto:digres@mailbox.sc.edu).

# SOUTH CAROLINA LAW REVIEW

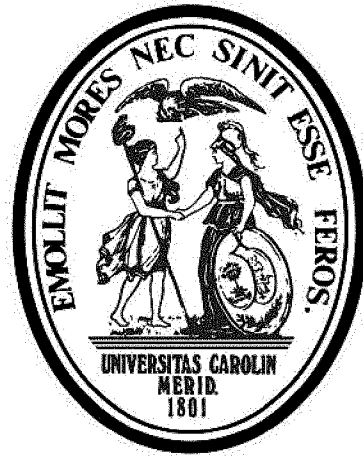
---

VOLUME 71

FALL 2019

NUMBER 1

---



Except as otherwise expressly provided, the author of each article in this volume has granted permission for copies of that article to be made for any educational use, provided that (1) copies are distributed at or below cost; (2) the author and *South Carolina Law Review* are identified; and (3) notice of the use is given to *South Carolina Law Review*.

© Copyright 2019 by the *South Carolina Law Review*

Member of the National Conference of Law Reviews.

The *South Carolina Law Review* (ISSN 0038-3104) is published quarterly by the University of South Carolina School of Law, Columbia, SC 29208. Subscription rate: \$70.00 per year payable in advance, \$65.00 per year for members of the South Carolina Bar. Periodical postage paid at Columbia, SC, and additional mailing offices.

POSTMASTER: Please send address changes to *South Carolina Law Review*, University of South Carolina School of Law, 1525 Senate Street, Columbia, SC 29208.

The *Law Review* seeks to publish materials representing meritorious viewpoints on subjects of interest to the legal profession. Publication does not indicate that the views expressed are adopted by the *Law Review*. The *Law Review* accepts submissions by mail or email sent to [submissions@sclawreview.org](mailto:submissions@sclawreview.org). Manuscripts received by mail are not returned unless accompanied by a stamped, self-addressed envelope.

All citations conform to *The Bluebook: A Uniform System of Citation* (Columbia Law Review Ass'n et al. eds., 20th ed. 2015). South Carolina cases are cited to *South Carolina Reports* in conformity with South Carolina Appellate Court Rules.

VOLUME 71

FALL 2019

NUMBER 1

\*

# SOUTH CAROLINA LAW REVIEW

---

VOLUME 71

2019–2020

NUMBERS 1–4

---

## BOARD OF EDITORS

DENNISON J. LARUE  
*Editor in Chief*

HOPE L. DEMER  
*Executive Student Works Editor*

MARY STUART KING  
SKYLAR A. MCCLAIN  
*Executive Articles Editors*

EDWARD B. ABLE  
*Managing Editor*

ADAIR B. PATTERSON  
*Senior Student Works Editor*

WILLIAM S. ANDERSON  
JOSHUA D. RICE  
HALEY M. SAXBY  
ANNA C. SMITH

SARAH C. FRIERSON  
*Associate Managing Editor*

FREDRICK N. HANNA  
KATHERINE A. HEIL  
CARL H. PETKOFF  
*Student Works Editors*

WILLIAM T. STEPHENSON  
MICHAEL P. STOVER  
*Associate Editors in Chief*

KYLE R. HAIR  
*Technology Editor*

TABITHA S. DAVIDSON  
*Senior Research Editor*

MIRANDA B. NELSON  
*Senior Articles Editor*

DAVIS L. BANKS  
*Fourth Circuit Editor*

ANNIE D. BAME  
KENDALL V. EOUTE  
JOSHUA G. HILL  
KONNOR D. OWENS  
*Research Editors*

MICAH V. CHETTA  
ALLISON M. DUNSFORD  
CARLY E. FINKENSTADT  
MATTHEW M. TURK  
*Articles Editors*

CARLY M. GILLESPIE  
TAYLOR K. VOEGEL  
*Symposium Editors*

## EDITORIAL STAFF

CAROLINE K. AVANT  
JOHN P. BOZEMAN  
JALEN D. BROOKS-KNEPFLE  
GRACE G. BROWN  
JORDAN T. DEJACO  
HUGH M. GALLAGHER, IV  
MADISON C. GUYTON  
ROBERT D. HOLLAND, III  
ROBERT M. HURST

THOMAS B. IANDOLI  
TIMOTHY N. LORICK  
ANDREA L. McDONALD  
MICHAEL P. MORAN  
SUHA S. NAJJAR  
GRAYDON V. OLIVE, IV  
ANNA C. PARHAM  
NASH W. PARHAM  
HUNTER R. POPE  
ZACHARY B. RANDOLPH

MILES J. REYNOLDS  
RYAN T. ROMANO  
EMERY T. SLOAN  
KRISTEN A. SOUCY  
MORGAN E. SPIRES  
KELLY L. TAYLOR  
JESSICA B. THOMPSON  
ZACHARY A. TURNER  
CHRISTOPHER R. WRAY

LISA A. EICHHORN  
PHILIP T. LACY  
MARTIN C. MCWILLIAMS, JR.  
HOWARD B. STRAVITZ  
*Faculty Advisors*

KIM FANNING  
*Administrative Assistant*

\*

UNIVERSITY OF SOUTH CAROLINA SCHOOL OF LAW FACULTY  
2019–2020

ADMINISTRATION

Robert M. Wilcox, A.B., J.D.; *Dean and Professor of Law*  
Eboni S. Nelson, B.A., J.D.; *Associate Dean for Academic Affairs and Professor of Law*  
Colin Miller, B.A., J.D.; *Associate Dean of Faculty Development and Professor of Law*  
Susan Palmer, B.A., J.D.; *Associate Dean for Student Affairs and Director of Career Services*  
Karen Britton, B.A., M.A., Ph.D.; *Assistant Dean for Admissions*  
Gary Moore, B.S.; *Assistant Dean for Academic Technology*  
Elizabeth Niehaus, A.B., M.B.A.; *Assistant Dean for Administration*

EMERITUS

Gregory B. Adams, B.S., J.D., LL.M., J.S.D.; *Professor Emeritus of Law*  
F. Ladson Boyle, B.S., J.D., LL.M.; *Charles E. Simons, Jr. Professor Emeritus of Federal Law*  
R. Randall Bridwell, B.A., J.D., LL.M.; *Distinguished Professor Emeritus of Law*  
Katharine I. Butler, B.S., M.Ed., J.D.; *Distinguished Professor Emerita of Law*  
W. Lewis Burke, B.A., J.D.; *Distinguished Professor Emeritus*  
Nathan M. Crystal, B.S., J.D., LL.M.; *Distinguished Professor Emeritus of Law and Class of 1969 Professor Emeritus of Professional Responsibility and Contract Law*  
Richard E. Day, B.S., J.D.; *Distinguished Professor Emeritus of Law*  
Robert L. Felix, A.B., LL.B., M.A., LL.M.; *James P. Mozingo, III Professor Emeritus of Legal Research, Distinguished Professor Emeritus of Law*  
James F. Flanagan, A.B., LL.B.; *Oliver Ellsworth Distinguished Professor Emeritus of Federal Practice*  
Patrick J. Flynn, A.B., J.D.; *Clinical Professor Emeritus of Law*  
John P. Freeman, B.B.A., J.D., LL.M.; *Distinguished Professor Emeritus of Law and John T. Campbell Distinguished Professor Emeritus of Business and Professional Ethics*  
Thomas R. Haggard, B.A., LL.B.; *Distinguished Professor Emeritus of Law*  
F. Patrick Hubbard, B.A., J.D., LL.M.; *Ronald L. Motley Distinguished Professor of Tort Law*  
Herbert A. Johnson, A.B., M.A., Ph.D., LL.B.; *Distinguished Professor Emeritus of Law*  
Philip T. Lacy, B.A., LL.B.; *Distinguished Professor Emeritus*  
Henry S. Mather, B.A., M.A., J.D.; *Distinguished Professor Emeritus of Law*  
Ralph C. McCullough, II, B.A., J.D.; *Distinguished Professor Emeritus of Law*  
John E. Montgomery, B.Ch.E., J.D., LL.M.; *Distinguished Professor Emeritus of Law, Dean Emeritus*  
Dennis R. Nolan, A.B., M.A., J.D.; *Distinguished Professor Emeritus of Law and Webster Professor Emeritus of Labor Law*  
David G. Owen, B.S., J.D.; *Carolina Distinguished Professor of Law*  
Burnele Venable Powell, B.A., J.D., LL.M.; *Distinguished Professor Emeritus of Legal Studies & Miles and Ann Loadholt Chair of Law Emeritus*  
Walter F. Pratt, Jr., B.A., D.Phil., J.D.; *James P. Mozingo III Professor Emeritus of Legal Research Distinguished Professor Emeritus of Law*  
O'Neal Smalls, B.S., J.D., LL.M.; *Distinguished Professor Emeritus of Law*  
Stephen A. Spitz, B.S., J.D.; *Distinguished Professor Emeritus of Law*  
Roy T. Stuckey, B.A., J.D.; *Distinguished Professor Emeritus of Law and Webster Professor Emeritus of Clinical Legal Education*  
Jon P. Thames, J.D., LL.M.; *Distinguished Professor Emeritus of Law*  
James L. Underwood, A.B., J.D., LL.M.; *Distinguished Professor Emeritus of Law*  
Eldon D. Wedlock, Jr., A.B., J.D., LL.M.; *Distinguished Professor Emeritus of Law*

FACULTY

Janice M. Baker, B.A., J.D.; *Assistant Director of Legal Writing*  
Derek W. Black, B.A., J.D.; *Professor of Law and Class of 1959 Chair for Legal Research*  
Robert T. Bockman, B.A., M.A., J.D.; *Senior Legal Writing Instructor*  
Marie C. Boyd, A.B., J.D.; *Assistant Professor of Law*  
Josephine F. Brown, B.A., J.D.; *Associate Professor of Law*  
James R. Burkhard, B.A., M.A., J.D.; *Associate Professor of Law*  
Elizabeth Chambliss, B.S., M.S., Ph.D., J.D.; *Professor of Law and Director, NMRS Center on Professionalism*  
Jaclyn A. Cherry, B.A., J.D.; *Associate Professor of Law*  
Thomas P. Crocker, B.A., M.A., M.A., Ph.D., J.D.; *Distinguished Professor of Law*  
Jesse M. Cross, M.A., J.D.; *Assistant Professor of Law*  
Elizabeth M. Dalzell, B.S., J.D.; *Legal Writing Instructor*  
Tessa Davis, B.S., J.D., LL.M.; *Assistant Professor of Law*  
Joshua G. Eagle, B.A., M.S., J.D.; *Solomon Blatt Professor of Law*  
Lisa A. Eichhorn, A.B., J.D.; *Director of Legal Writing and Professor of Law*  
Ann M. Eisenberg, J.D., LL.M.; *Assistant Professor of Law*  
Jacqueline R. Fox, B.A., J.D., LL.M.; *Professor of Law*

Kenneth W. Gaines, B.S., J.D., LL.M.; *Associate Professor of Law*  
 Clyde “Bennett” Gore, Jr., J.D., M.B.A.; *Director, Veterans Legal Clinic Clinical Instructor*  
 Joshua Gupta-Kagan, B.A., J.D.; *Associate Professor of Law*  
 Susan S. Kuo, A.B., J.D.; *Associate Dean for Diversity and Inclusion and Professor of Law, Class of 1969 Chair for Teaching Excellence*  
 Shelby Leonardi, B.A., J.D.; *Legal Writing Instructor*  
 Ami Leventis, B.A., J.D.; *Legal Writing Instructor*  
 David K. Linnan, B.A., J.D.; *Associate Professor of Law*  
 Lisa Martin, B.A., J.D.; *Assistant Professor of Law*  
 Martin C. McWilliams, Jr., B.A., J.D., LL.M.; *Professor of Law*  
 Benjamin Means, A.B., J.D.; *Professor of Law*  
 S. Alan Medlin, B.A., J.D.; *David W. Robinson Professor of Law*  
 Amy L. Milligan, B.S., B.A., J.D.; *Assistant Director of Legal Writing*  
 Elizabeth G. Patterson, B.A., J.D.; *Professor of Law*  
 Aparna Polavarapu, B.S., J.D., M.A.L.D.; *Assistant Professor of Law*  
 Claire Raj, B.A., J.D.; *Assistant Professor of Law*  
 Nathan Richardson, B.S., J.D.; *Associate Professor of Law*  
 Wadie E. Said, A.B., J.D.; *Professor of Law*  
 Joel H. Samuels, A.B., M.A., J.D.; *Professor of Law and Director, Rule of Law Collaborative*  
 Joseph A. Seiner, B.B.A., J.D.; *Oliver Ellsworth Professor of Federal Practice*  
 Bryant Walker Smith, B.S., J.D., LL.M.; *Assistant Professor of Law*  
 Ned Snow, B.A., J.D.; *Ray Taylor Fair Professor of Law*  
 Seth Stoughton, B.A., J.D.; *Associate Professor of Law*  
 Howard B. Stravitz, B.A., J.D.; *Associate Professor of Law*  
 Emily F. Suski, B.A., J.D., M.S.W., LL.M.; *Assistant Professor of Law*  
 Michael J. Virzi, B.A., J.D.; *Legal Writing Instructor*  
 Clinton G. Wallace, A.B., J.D., LL.M.; *Assistant Professor of Law*  
 Shelley Welton, B.A., J.D., M.P.A., Ph.D.; *Assistant Professor of Law*  
 Emily Winston, B.A., J.D.; *Assistant Professor of Law*  
 Marcia A. Zug, A.B., J.D.; *Professor of Law*

#### COLEMAN KARESH LAW LIBRARY FACULTY

Duncan E. Alford, B.A., J.D., M.L.I.S.; *Associate Dean and Director of the Law Library, Professor of Law*  
 Megan Brown, B.A., M.L.I.S.; *Acquisitions and Electronic Resources Librarian*  
 Amanda Bullington, B.A., M.L.I.S.; *Cataloging and Serials Librarian*  
 Terrye M. Conroy, B.S., J.D., M.L.I.S.; *Assistant Director of Legal Research Instruction*  
 Aaron Glenn, B.A., J.D., M.L.I.S.; *Reference Librarian*  
 Andrew Kretschmar, B.A., M.L.I.S.; *Access Services Librarian*  
 Rebekah K. Maxwell, B.A., J.D., M.L.I.S.; *Associate Director for Library Operations*  
 Cornelius Pereira, B.A., M.A., M.L.I.S.; *Head of Technical Services*  
 Eve Ross, B.A., M.L.I.S.; *Reference Librarian*  
 Candle M. Wester, B.S., J.D., M.S.L.I.S.; *Associate Director for Faculty Services and Administration*

#### ADJUNCT AND VISITING FACULTY

Hon. Joseph F. Anderson, Jr.	Hon. David R. Duncan	Dave Maxfield
Brook B. Andrews	Hon. John Few	Goldburn Maynard
Michael Anzelmo	Christopher Todd Hagins	Joseph M. McCulloch, Jr.
Steven Austermiller	Richard Handel	Elizabeth Scott Moïse
Hon. James R. Barber, III	Richard Harpootlian	Deborah Morgan
Brett H. Bayne	Rachel A. Hedley	Clarke Newton
Margaret Bodman	Blake Hewitt	Sara Parrish
William B. Brannon	William O. Higgins	Charles F. Reid
Teri Callen	Lee P. Jedziniak	Hon. Dennis W. Shedd
Ronald M. Childress	Bill Killough	Karen Thomas
Joseph D. Clark	Stanford E. Lacy	Travis C. Wheeler
Lesley M. Coggiola	John K. Langford	Hon. H. Bruce Williams
Hon. Thomas W. Cooper, Jr.	Ernest Lipscomb	Benton D. Williamson
Jennalyn C. Dalrymple	James E. Lockemy	Richard H. Willis
Emma Dean	Cory E. Manning	David S. Wyatt
	John D. Martin	