



A LOOK BACK THROUGH THE YEARS

By: H. Edward Knox, Esq.

Fifty years seems so long yet it has passed quickly. I went to N.C. State University to study pre-veterinary medicine and graduated in 1960. I applied to Carolina School of Law and was told that they would accept me because my brother graduated first in his class, but they didn't think that I had a good background academically. I went to Wake Forest Law School and received a full scholarship. I had to stay in the top ten percent of my class, which I accomplished through hard work and fear of losing the financial aid. I passed the Bar in 1963 and began to practice with the law firm where I am now the Managing Partner. The firm consisted of plaintiff and defense attorneys. I defended a case where the plaintiff accepted \$52,000 on a case where I had authority to pay \$82,000. I decided that I did not like defense work.

Our firm amicably split and I began to do only plaintiff's work. I love trial work and have tried murder, rape, drug, and drunk driving cases. I later moved into a general practice where I have tried domestic, personal injury, workers' compensation, condemnation and practically any other case imaginable. In the 50 years that I have practiced, I have represented many people and felt the satisfaction of knowing I could maintain my ethical standards and at the same time be reasonably successful financially.

I am most proud that I have worked hard to have a reputation that allows our firm to depend on referrals for 95% of our practice. We originally worked every Saturday at the office and I still find myself working at night and on weekends to do the best I can for my clients. Receiving Super Lawyer and Legal Elite awards from fellow attorneys has meant a lot to me.

Apart from the law, I've served in the NC Senate and as Mayor of Charlotte. I have a wonderful supportive family. One of my happiest moments was when my wife, Frances, graduated from Wake Forest Law School. Apart from the law, I followed my heart and built a golf course called Verdict Ridge in Denver, N.C. I play golf and sing in a family southern gospel quartet.

The ability to practice law and help people is one of the most rewarding professions on earth. It has changed over the years-it is more demanding and clients are more demanding-attorneys are less flexible than when I started out. But I would never change my profession. I will continue my efforts to help those in need because I know it has been and always will be my calling in life.

CHANGES TO SMALL CLAIMS, DISTRICT AND SUPERIOR COURT

By: Lisa Godfrey, Esq.



Figure A-1

COURT DIVISION	BEFORE 8/1/2013	AFTER 8/1/2013
Small Claims	\$5,000	\$10,000
District Court	\$10,000	\$25,000
Superior Court	\$10,000	> \$25,000

Small Claims cases filed. In addition, plaintiffs who previously filed small personal injury actions in District Court may start appearing in Small Claims Court.

An advantage of Small Claims Court is that trials happen within approximately thirty days of filing. The trials are non-jury, of course, and are immediately appealable to District Court. However, this additional jurisdictional amount may provide a means to move many more cases essentially to resolution.

With regard to cases in which the amount claimed is between \$10,000 and \$25,000, plaintiffs will have the option of filing in either District Court or Superior Court until June 30, 2015. Although both District and Superior Courts will offer jury trials, there are differences in scheduling, alternative dispute resolution and,

of course, judicial personnel between the Superior and District Courts. In theory, this change in the law should shift some of the smaller Superior cases that were previously filed in Superior Court to District Court for resolution. It remains to be seen whether that will be the case in practice.

Another change in the law is in N.C. Gen. Stat. § 6-21.1 which allows the District Court to award attorneys' fees in cases of \$25,000 or less in damages. The new law will apply to cases that occurred after October 1, 2011 and are filed after August 1, 2013. This Statute has been used in the past against insurance companies that refused to settle smaller personal injury and property damage claims. The increase in the amount should make this Statute a more powerful tool to prevent insurance companies from making unrealistically low offers to settle in small cases.

As always, feel free to contact any our attorneys to discuss the implications of this law in more detail, or to address any questions you may have.

On June 19, 2013, Governor Pat McCrory signed into law Session Law 2013-159 (Senate Bill 452). The Act became effective August 1, 2013, and applies to all actions filed on or after that date.

One of the most important changes is the increase in the jurisdictional limits for the divisions of court. These amounts changed on August 1st and are shown above in Figure A-1.

This change in the law will significantly impact all three of the court divisions. Magistrates in Small Claims Court will now be permitted to award judgments in amounts up to \$10,000. This may have the effect of increasing the number of

JURY DUTY SCAMMING

By: Heather H. Piercy, Esq.



Jury duty is one of our classic civic duties. It allows us to be a part of affording the protection of rights and securing of liberties. It is an essential element of our democracy and is likely the only method by which most people will come into contact with the legal system.

But a recently resurfaced trend among scammers is creating a threat to the sanctity of jury service.

A scam trending in 2006 has made another appearance: scammers posing as courthouse clerks or police officers calling to let citizens know they have “missed” jury duty. The other thing these callers are telling unwary recipients: that they owe a fine to the government or face

some other penalty for supposedly missing jury duty.

Once the citizen is rattled, scammers ask for a card number over the phone. Honest citizens, fearing that they have in fact missed out on their public service duty, may consider complying with this demand.

These scammers’ latest trick: asking for sensitive personal identification information over the phone. As simple as it may sound, do not give personal information such as your social security number over the phone. Reports have been made that these scammers are taking this information for identity theft, hacking, or other illegal purposes. Some tips on how to avoid being a victim of a Jury Scammer can be found in Figure A-2 .

See below for information and local rules for jury duty protocol for Mecklenburg County:

<http://www.nccourts.org/County/Mecklenburg/Jury/>.

<https://jury.mecklenburgcountync.gov/Login.aspx>

TIPS ON HOW TO AVOID JURY SCAMMERS

- Do not give personal information like your social security number over the phone.
- Do NOT make any payments over the phone. If someone tells you that you have missed jury duty, call the Courthouse to confirm.
- Use caution and know that the court system typically communicates via regular mail. Expect to get notifications from the court regarding jury duty in your mailbox, not by phone and not by email.
- In the rare event that the courthouse calls you to let you know you have missed jury duty, expect the phone call to be from a courthouse clerk rather than a police officer.

Figure A-2



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