

Phantom Damages and the Misapplication of the Collateral Source Rule in Georgia

23rd Annual Justice Robert Benham Awards for Community Service

The Chief Justice's Commission on Professionalism is pleased to recognize lawyers and judges who have made significant contributions to their communities and who demonstrate the positive contributions of members of the Bar beyond their legal or official work.

BY KARLISE Y. GRIER



(Left to right) Chief Justice Michael P. Boggs and Justice Robert Benham at the 23rd Annual Justice Robert Benham Awards for Community Service ceremony at the Nathan Deal Judicial Center in March.

Chief Justice Michael P. Boggs, along with former Chief Justice Robert Benham, joined more than 100 attorneys and Georgia community members at the Nathan Deal Judicial Center in March for the 23rd Annual Justice Robert Benham Awards for Community Service hosted by the Chief Justice's Commission on Professionalism (the Commission). Since 1998, the Benham Awards have honored lawyers and judges in Georgia who have made significant contributions to their communities and who demonstrate the positive contributions of members of the Bar beyond their legal or official work. Service may be made in any field, including but not limited to: social service, education, faith-based efforts, sports, recreation, the arts or politics. The Selection Committee generally believes that community or public service is not service to a bar association; however, community service can be done through bar-sponsored or related activities or projects. Historically, the Benham Awards Selection Committee has accepted nominations for this prestigious statewide award from each of Georgia's 10 judicial districts, and the awards have been presented to selected attorneys in the judicial districts from which nominations were received. The award that is still given to award recipients was designed in 1998 by Patrise Perkins-Hooker, who at that time, was a member of the Benham Awards Selection Committee. Perkins-Hooker later went on to serve as the first African American president of the State Bar of Georgia in 2014-15.

The Lifetime Achievement Award is the highest recognition given by the Commission and is reserved for a lawyer or judge who, in addition to meeting the criteria for receiving the Justice Robert Benham Award for Community Service, has demonstrated an extraordinarily long and distinguished commitment to volunteer participation in the community throughout their legal career.

In 2023, the Commission awarded the Lifetime Achievement Award to J. Michael Levengood, founding member, Law Office of J. Michael Levengood, LLC, Lawrenceville. The 2023 district award recipients were: Mary T. Benton, pro bono partner, Alston & Bird LLP, Atlanta; Simon H. Bloom, founding partner, Bloom Parham, LLP, Atlanta; Hon. Ronald J. Freeman Sr., managing member, Johnson & Freeman, LLC, Historic Union City; Elicia N. Hargrove, assistant district attorney, Henry County District Attorney's Office, Mc-Donough; Edward H. Lindsey Jr., partner, Dentons US LLP, Atlanta; Jason Banks Moon, Moon Law Firm, Valdosta; Wallace H. Wright, Wright & Edwards, P.C., Metter. All award recipients are members of the State Bar of Georgia.

This year's ceremony was successful due to the hard work of many individuals whom I would like to thank. First, the Commission appreciates the work of the Benham Awards Selection Committee members who determined the award recipients: Committee Chair Hon. Joy Lampley-Fortson, U.S. Department of Justice, Atlanta; Hon. Joshua Clark Bell, Bell/Payne, LLC, Whigham; John Michael Dugan, DRL Law LLC, Greensboro; Jena G. Emory, Copeland Stair Valz & Lovell LLP, Atlanta; Terrica Redfield Ganzy, Southern Center for Human Rights, Atlanta; Laverne Lewis Gaskins, Law Office of Laverne Lewis Gaskins, P.C., Augusta; Michael Hobbs, Troutman Pepper Hamilton Sanders LLP, Atlanta; Hon. Chung H. Lee, The Law Office of Lee & Associates PC, Duluth; William J. "Bill" Liss, WXIA-TV/11Alive, Atlanta; Jennifer Mock, The

Lifetime Achievement Award for Community Service



J. Michael Levengood's community service has been a foundational pillar throughout his legal career.

Levengood served on the Gwinnett Health System Board of Directors, the Hospital Authority of Gwinnett County, the Georgia Hospital Association and the National Scleroderma Foundation. Levengood and his family have raised significant dollars to fund research for a cure in memory of his sister-in-law, Kathleen, who passed away in 2009 from the disease.

During the '90s, Levengood coached youth baseball and basketball teams, and for many years served as president of the Mountain Park Athletic Association. In 2001, Levengood formed the Gwinnett Parks Foundation with several other community advocates, and initially served as the foundation's secretary. For more than two decades, the foundation has provided more than \$100,000 in scholarships for youth camp opportunities, senior health and wellness classes, and youth sports activities. The foundation conducts two community work days each year to beautify and improve county parks called Park'nership, which promotes good stewardship by encouraging youth and adults to participate in park beautification activities.

Levengood, a 2003 graduate of Leadership Gwinnett, served as chair of the organization's Steering Committee. He formed the Leadership Gwinnett Foundation in 2007.

Levengood, who became an Eagle Scout in 1970, is also active with the Boy Scouts of America Northeast Georgia Council. He serves in numerous critical roles that benefit more than 13,000 youth and adult members in 26 counties. Currently, Levengood is pro bono counsel, where he has given thousands of hours of legal advice to guide through the bankruptcy of the national organization. Most recently, he has agreed to serve as the next president of the Council's 160-member Executive Board of Directors.

Levengood is chair of the Community Foundation for Northeast Georgia, and currently serves on the Gwinnett County Public Schools Foundation Fund Executive Committee and on the Superintendent's Business Leaders Council. In addition, he is an emeritus board member of the Gwinnett Chamber of Commerce. Levengood has served multiple times as Church Council president at Christ the King Lutheran Church in Peachtree Corners and at All Saints Lutheran Church in Lilburn.

Mock Law Firm, LLC, Statesboro; Hon. Herbert E. Phipps, Court of Appeals of Georgia, Atlanta; Cindy Wang, Georgia Department of Juvenile Justice, Decatur; and Hon. Brenda Carol Youmas, Macon. In addition to the Selection Committee. members of the Benham Awards Planning Committee assisted with organizing and fundraising. The Planning Committee was co-chaired by Christopher J. Chan, founder, Christopher J. Chan IP Law, and LaToya S. Williams, Georgia Public Defender Council, Atlanta. Ad-

woa Ghartey-Tagoe Seymour, vice president of litigation, Albertsons Companies, Inc., was an advisor to the CSA23 Planning Committee. Committee members included: Hon. William P. "Bill" Adams, Middle Georgia Justice, Macon; Marian Adeimy, Cox Enterprises, Inc., Atlanta; Hon. Phinia Aten, Rockdale County Magistrate Court, Convers; Ann Baird Bishop, Hall Booth Smith, P.C., Atlanta; Addison Hilary Brown, undergraduate student, University of Georgia, Athens; William C. "Bill" Gentry, Gentry Law Firm, LLC,



(Front row, left to right) Simon H. Bloom, Mary T. Benton, Justice Robert Benham, J. Michael Levengood and Wallace H. Wright. (Back row, left to right) Edward H. Lindsey Jr., Hon. Ronald J. Freeman Sr., Karlise Y. Grier, Elicia N. Hargrove, Jason Banks Moon and Chief Justice Michael P. Boggs.

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I also wish to thank Chief Justice Michael P. Boggs, Justice Andrew A. Pinson and Justice Robert Benham for their examples and for their continuing support and guidance regarding the Commission and the awards ceremony. Thank you to Therese "Tee" Barnes, Tia C. Milton, Lynnita Terrell, Bob McAteer, Anita Harrison, Emily Youngo, Marti Head, Sgt. Dexter Harden and all of the staff of the Supreme Court of Georgia who helped to make this event possible. I am grateful that the members, advisors and liaisons of the Commission continue to understand the role and importance of the awards ceremony in the Commission's work to promote and enhance professionalism among Georgia's lawyers and judges.

Additional information regarding the awards ceremony, including a program book, photographs and honoree videos are available on the Commission's website at cjcpga.org/benhamcsa23. •



Karlise Y. Grier Executive Director Chief Justice's Commission on Professionalism kygrier@cjcpga.org

Justice Robert Benham Award for Community Service: 2023 Honorees



Mary T. Benton

Volunteered with the Truancy Intervention Project Georgia, Inc., beginning in 1996; joined the board in 2002, and served as board chair from 2012-14. Provided volunteer support and leadership to Georgia Appleseed for almost 15 years;

served for two terms as board chair; was part of a coalition that worked to rewrite the Georgia Juvenile Code that passed unanimously and was signed into law by Gov. Nathan Deal in 2013. Currently serves on the boards of the National Appleseed Foundation, United Way of Greater Atlanta, the Gateway Center and the National Homelessness Law Center.



Simon H. Bloom

Has volunteered for almost 30 years for the Boys and Girls Clubs of Metro Atlanta (BGCMA); served as BGCMA's board chair from 2020-22; hosted an annual "Pig Gig Fundraiser" for almost 22 years and raised more than \$1 million to sup-

port BGCMA. Currently serves on the boards of the Atlanta Police Foundation, Georgia State University College of Law Board of Visitors and as board vice chair for Great Promise. Founded Hope + Access in 2017, a nonprofit committed to providing youth development and social services through partnerships with churches.



Hon. Ronald J. Freeman Sr.

Since 1992, has served as a board member for the Andrew & Walter Young Family Metro YMCA; raised millions of dollars to expand and renovate the facility, and served as a longtime volunteer aerobics instructor. Founded the Tiger Soccer Club

(TSC) and helped develop approximately 2,000 players; coached TSC U17 Boys Competitive Team that ranked second in international play in their division. Currently serves on the Georgia State University (GSU) Foundation Board, the GSU College of Law Board of Visitors and as secretary of the GSU Emeriti Society; GSU's Black Law Student Association named its chapter in his honor.



Elicia N. Hargrove

Volunteered in Albany, Georgia, for SOWEGA Rising's voter election literacy and rights trainings, Women9to5's Albany campaign for utilities justice, and as a Board member for Open Arms and United Minds Empowered. Volunteers in

Milledgeville, Georgia, on the Boards of Straight Street Minis-

tries House of Ananias Inc., which focuses on community outreach and ministry, and MIA Maddox Investing in America, Inc., which helps to feed more than 100 families each month. Volunteers in McDonough, Georgia, for the "Ignite My Fire" program held at the Shaquille O'Neal Boys & Girls Inc., which works to engage, educate and empower youth.



Edward H. Lindsey Jr.

Currently serves as a member of the State Elections Board, which establishes voting rules and regulations. Serves as co-chair of the Committee for a United Atlanta. Founding board member of Georgia Fugees Charter School, a state-funded,

public charter school established in 2020, with the primary mission of serving the unique educational needs of refugee and new American students. Served for 10 years in the Georgia House of Representatives, including three terms as the House majority whip. Sponsored HB 200, which was Georgia's first comprehensive attack on human trafficking. Co-sponsored the State Charter School Constitutional Amendment.



Jason Banks Moon

Served as a Boy Scouts of America (BSA) Cubmaster of Pack 491 from 2017-22; grew the Pack from 18 to more than 35 active scouts; maintained the Pack's membership during the COVID-19 pandemic by implementing safety protocols; co-

founded Troop 2020, the first all-girls BSA troop in the Alapaha District of the South Georgia Council; currently serves as a District Committee member for the BSA Alapaha District, a merit badge counselor for the Law Merit Badge, and as vice president for membership on the Executive Board of the BSA South Georgia Council.



Wallace H. Wright

Serves as a certified dog handler for Tyler, a certified therapy dog; visits local schools, hospitals and retirement homes in Candler County with Tyler to help children learn to read, to help relieve pain, suffering and anxiety in hospitals, and to spread

cheer in retirement homes. Serves as a board member for Communities in Schools in Candler County. Mentors local school children. Volunteered with Ogeechee Area Hospice, by assisting in its formation, participating in a capital fund drive, providing pro bono legal services and serving on the board of directors.

*partial list of honoree accomplishments