

Joseph Kershaw Spong

MEMBER

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Kerk practices in the areas of residential and commercial real estate litigation and loan workouts. He has handled numerous commercial foreclosure cases including golf courses, stockyards, theaters, commercial office buildings, development tracts and hotels. He has successfully tried cases in the South Carolina Supreme Court on behalf of lenders and recently litigated the enforceability of arbitration agreements regarding consumer claims against the lender. His construction work has involved the scope of liability on construction bonds and architect liability.

He serves as the Chapter 12 Bankruptcy Trustee for the District of South Carolina and previously served as counsel to the United States Senate Judiciary Committee (1985), United States Senate Labor and Human Resources Committee (1986) and Legislative Director to United States Senator Strom Thurmond (1988). Additionally, Kerk was a member of the Merit Selection Panel for the Appointment of U.S. Magistrate Judges in 2009.

Kerk has a statewide practice in the Equity Courts of South Carolina and often serves as a court-appointed Special Referee in real estate matters and disputes.

PRACTICE AREAS

- Bankruptcy and Creditors' Rights
- Business Transactions
- Construction Litigation
- Commercial Litigation
- Real Estate and Title Insurance

ADMISSIONS

- South Carolina Bar
- U.S. Bankruptcy Court for the District of South Carolina
- U.S. Court of Appeals for the Fourth Circuit
- U.S. District Court for the District of South Carolina

EDUCATION

- University of South Carolina School of Law, J.D., 1985
- University of South Carolina, B.S. in Economics, 1981
 - Dean's List
 - President's List

PROFESSIONAL MEMBERSHIPS

- U.S. Bankruptcy Court, District of South Carolina
 - Advisory Committee on Local Rules and Practice
 - Chapter 12 Bankruptcy Trustee
- Fourth Circuit Judicial Conference
- Richland County Bar Association
- South Carolina Bankruptcy Law Association
- South Carolina Bar
 - Former Member, House of Delegates

HONORS & AWARDS

- Best Lawyers in America
 - Real Estate Law (2013-2020)

PUBLICATIONS & PRESENTATIONS

- Featured Speaker, “An Overview of Chapter 12,” South Carolina Bankruptcy Law Association (July 2018)
- Presenter, “Road Closing in South Carolina,” 2017 Masters-In-Equity Bench Bar, South Carolina Bar CLE, Columbia, South Carolina (October 2017)

COMMUNITY INVOLVEMENT

- Greater Columbia Chamber of Commerce
- South Carolina Philharmonic (1997-2004)
 - President, Board of Directors (2004)
- South Carolina Chamber of Commerce
- St. Vincent de Paul Conference (a ministry to the less fortunate)
 - President