



## Samuel O. Southern

Retired Partner

[ssouthern@foxrothschild.com](mailto:ssouthern@foxrothschild.com)



Raleigh, NC

Tel: 919.755.8730

Fax: 919.755.8800

After more than 45 years in the private practice of law, 30 with a parallel career as an officer in the United States Navy, 20 years as a Commissioner to the North Carolina Battleship Commission and decades committed to his four children and his family, Sam made the difficult decision in 2015 to withdraw from the partnership and has retired from the practice of law. His wife Mary has been his companion on every step of this rich journey, and she remains his co-traveler as they begin their retirement.

Sam's skill set was unusual. A former Chair of the Health Law Section of the North Carolina Bar Association, Sam was recognized by his peers as among the "*Best Lawyers in America*" and "*North Carolina Super Lawyers*" in the Health Law arena. Many attorneys might build a career on that foundation alone. In Sam's case, however, his knowledge of health law was only part of the foundation. With his quiet, courteous and professional demeanor, Sam was one of the most effective courtroom lawyers in medical malpractice and health care litigation in the state. His peers recognized this skill set as well, and they selected him as among the "*Best Lawyers in America*" in the medical malpractice arena.

Sam's experience in trial practice included not only medical malpractice defense, but also products liability, pharmaceutical liability, insurance litigation, commercial disputes, environmental litigation and medical staff litigation. He has served as counsel in trials and appeals of cases of major importance to health care providers. He was selected as lead counsel by a major health care entity to defend a landmark out-of-state case with national repercussions. Sam also brought to counsel table his extensive experience in medical staff proceedings, and has been certified as a mediator by the North Carolina Dispute Resolution Commission.

Drawing from his knowledge of the health care system and his experience in the courts, Sam was especially equipped to counsel clients on structuring medical staff bylaws, peer review and medical staff issues, risk management plans and policies designed to minimize claims against health care providers. In 2010, he was awarded the Distinguished Service Award of the Health Law Section, "In recognition of his lifelong achievements and outstanding contributions to health law, and his exemplary service to health care professionals, the bar and the general public."

It is fitting that in his final year in the practice of law, Sam received one of the highest awards bestowed by the North Carolina State Bar. The John B. McMillan Distinguished Service Award is granted only once each year to one or two lawyers selected from among more than 25,000 lawyers throughout the State. In December 2015, this rare recognition was presented to Sam at the annual meeting of the 2015 North Carolina State Bar, capping off his distinguished career of service.

### Services

- Health Law

## Before Fox Rothschild

Sam was a partner at Smith Moore Leatherwood LLP, which combined with Fox Rothschild in 2018. He also served as a Military Judge in the U.S. Navy and as a member of the Judge Advocate General's Corps in the U.S. Naval Reserve.

## Beyond Fox Rothschild

Sam was a member of the U.S.S. North Carolina Battleship Commission, appointed by four consecutive governors, starting in 1992, and was named chairman in 2013 by Gov. Pat McCrory. In 2014, he taught "Medical Malpractice Fundamentals for Superior Court Judges: Peer Review Privilege" as a guest faculty member at the North Carolina Judicial College, under the University of North Carolina School of Government.

## Bar Admissions

- North Carolina

## Court Admissions

- U.S. District Court, Middle District of North Carolina
- U.S. District Court, Eastern District of North Carolina
- U.S. Supreme Court
- U.S. Court of Appeals, Fourth Circuit
- United States Court of Military Appeals

## Education

- University of North Carolina School of Law (J.D., 1969)
- Duke University (A.B., 1966)

## Memberships

- American Board of Trial Advocates (National Board of Directors)
- American Bar Association (Dispute Resolution and Litigation Sections)
- Certified Superior Court Mediator, N.C. Dispute Resolution Commission
- American Health Lawyers Association (Certificates in Healthcare Arbitration and Advanced Mediation)
- American Society for Healthcare Risk Management (N.C. Chapter)
- Defense Research Institute
- North Carolina Association of Defense Attorneys
- North Carolina Bar Association, Health Law Section (Chair 1998-99) and Litigation Section
- North Carolina Society of Healthcare Attorneys

## Honors & Awards

- Selected by Triangle Business Leader Magazine as "Triangle Impact Law Leader" (2008)
- Listed, *The Best Lawyers in America*® (Woodward/White, Inc.), Medical Malpractice Law, Health Care Law (2005-2016)
- North Carolina *Super Lawyers*, Listed Health Care (2006-2016)
- Martindale-Hubbell's highest AV Preeminent Peer Review Rating. (25 Consecutive Years)
- Meritorious Service Medal
- National Defense Service medal (2 awards)
- Distinguished Service Award, NCBA Health Law Section, "In recognition of his lifelong achievements and outstanding contributions to health law, and his exemplary service to health care professionals, the bar, and the general public." (2010)