



PRACTICE FOCUS

For over 40 years James C. (“Jim”) Hardin III has devoted his legal career to complex estate planning matters, including business succession, asset protection, probate, trust administration, charitable giving and service as an expert witness in trust and estate litigation matters.

Mr. Hardin is a Board Certified Specialist in Estate Planning and Probate Law in both North and South Carolina. He has been an elected Fellow of the American College of Trust and Estate Counsel (ACTEC) since 1986, serving as its South Carolina State Chair from 2001 to 2006. He has also been selected as one of the Best Lawyers in America® in Trusts and Estates since 1987 receiving its 2014 Charlotte Trust and Estates “Lawyer of the Year” distinction, as well as South Carolina and North Carolina Super Lawyers® on numerous occasions, including having been selected as one of the top 100 North Carolina Super Lawyers® in all fields of law in 2006, and listed in Business North Carolina’s Legal Elite. He also holds Martindale-Hubbell’s highest AV-preeminent rating.

Mr. Hardin has served all manner of clients including closely held business owners, corporate executives, artists, farmers and ranchers. By way of representative matters, several years ago he assisted one of the Charlotte area’s wealthiest families in effectuating a Unitrust conversion of 49 separate Trusts worth in the aggregate \$500 million. He was retained to revise Duke University’s Charitable Giving forms. Mr. Hardin has served as an Expert Witness in approximately 30 estate and trust cases in both state and federal courts. He is frequently called upon to share his expertise with other attorneys and specialists as a speaker on estate planning matters. He is also a published author and has helped sculpt estate planning laws in North and South Carolina. He has chaired or served as a member of South and North Carolina Bar committees which have studied and assisted in enacting the South Carolina Probate Code in 1986, the South and North Carolina Trust Codes in 2005, the revised Uniform Principal and Income Act in both Carolinas, and the South Carolina Prudent Investor Act.

In 2019 the South Carolina Bar conferred upon Mr. Hardin the Robert P. Wilkins award for meritorious service to the practice of Probate, Estate and Trust Law in South Carolina.

SPEAKING ENGAGEMENTS

- “A Primer on the Law of Trusts,” *South Carolina Probate Bench Bar Seminar*, September, 2020 (Presenter)
- “Decanting and the 643 Regulations,” *North Carolina Bar Association Estate Planning and Fiduciary Law program*, July, 2018 (Presenter)
- “The Smith Family Trusts: Comparing Unitrust Conversion and Decanting,” *North Carolina Bar Association Estate Planning and Fiduciary Law program*, July, 2015 (Presenter)
- “Unitrust Conversion of Grandfathered GST Trusts,” *American College of Trust and Estate Counsel Southeast Regional Meeting*, November, 2014 (Presenter)
- “Decanting and the Power to Adjust in South Carolina and North Carolina” *American College of Trust and Estate Counsel Southeast Regional Meeting*, September, 2013 (Presenter)
- “Proposed South Carolina Probate Code Changes Affect Creditors Claims Against An Estate,” *South Carolina Probate Bench Bar Seminar*, September, 2011 (Presenter)
- “New Directions or the Well-Worn Path? Best Practices of North Carolina Trust and Estate Attorneys,” *North Carolina Bar Advanced Planning and Drafting Seminar*, September, 2007 (Presenter)
- “The Section 643 Regulations: Did the Treasury Throw A Bone Or An Anvil?,” *AI Todd Estate Planning Seminar: South Carolina Bar*, July, 2007 (Presenter)
- “Hot Topics: The North Carolina Principal and Income Act,” *North Carolina Bar Association CLE seminar*, September, 2004 (Presenter)
- “The New Separate Share Regulations Under Section 663(c),” *South Carolina Bar Association CLE Seminar*, August, 2002 (Presenter)

PUBLICATIONS

- The South Carolina Trust Code, co-authored with USC Law Prof. S Alan Medlin, South Carolina Bar Publishers, 2006, (second edition, 2018)
- Chapter Author of Estate Planning in South Carolina, South Carolina Bar Publishers, 2002, (second edition, 2017)
- “Recent Estate Tax Changes About Which a CPA Should Be Aware,” *South Carolina Journal for Certified*

JAMES C. HARDIN

III

Resident Principal, Rock Hill Office

PRACTICE AREAS

- Asset Protection Planning
- Estate Administration
- Estate and Trust Litigation
- Estates and Trusts
- Nonprofit Entities

ACTIVITIES

- American College of Trust and Estate Counsel, Fellow; Past SC State Chair
- South Carolina Bar, Probate, Estate Planning & Trust Section, Member; Past Chair
- North Carolina State Bar Association, Estate Planning and Fiduciary Law Section, Member; Past Chair
- Board of Examiners for Estate Planning and Probate Law Specialty, NC State Bar, Past Member
- Board of Examiners for Estate Planning and Probate Law Specialty, SC State Bar, Past Member
- South Carolina Supreme Court Commission on Continuing Lawyer Competence, Past Member
- National Conference of

Commissioners on Uniform State Laws, Uniform Trust Code Study Committee, Past Member

- **Foundation for the Carolinas**, Council of Professional Advisors, Past Member
- York Technical College, Rock Hill, SC - Board Member
- South Carolina United Methodist Foundation, Board of Directors & Secretary
- Piedmont Medical Center, Rock Hill, SC - Past Board Member and Chair
- Rock Hill Economic Development Corporation - Past Board Member and Chair
- **Foundation for the Carolinas**, York County Community Foundation, Founding Member
- Community Service Merit Award, Rock Hill, SC

Public Accountants, 2011

- "The New Prudent Investor Act," *South Carolina Lawyer* magazine, Fall, 2003
- "Transfer of Real Estate at Death-Do Probate Code Changes Resolve the Issue?," *South Carolina Lawyer* magazine, 2000;
- Editor, Recent Developments Column, *The Will and the Way*, North Carolina Bar Association Probate Section newsletter, 1999
- "The Elective Share: A Right In Transition," *South Carolina Lawyer* magazine," 1998

POINTS OF DISTINCTION

- American College of Trust and Estate Counsel, Fellow, 1986 - present
 - South Carolina State Chair, 2001-2006
- South Carolina Bar Association 2019, Robert P. Wilkins Award for Meritorious Service to Practice of Probate, Estate and Trust Law in South Carolina
- US News-Best Lawyers® Best Law Firm Tier 1 Charlotte Metro Trusts and Estates, 2010-present
- *Best Lawyers in America*, Trusts & Estates, Trust Litigation, 1987 - present
 - 2014 Charlotte Trust and Estates 'Lawyer of the Year' Trusts and Estates
- *Super Lawyer*, South Carolina, Estate Planning & Probate, 2009 - present
- *Super Lawyer*, North Carolina, Estate Planning & Probate, 2006 - present
 - Top 100, 2006
- Legal Elite, Business North Carolina Magazine, 2005, 2010

EDUCATION

- Duke University School of Law, J.D., with distinction
- University of Virginia, M.A.
- Wofford College, B. A., magna cum laude

ADMISSIONS

- South Carolina
- North Carolina
- South Carolina Certified Specialist, Estate Planning and Probate Law, 1986 - present
- North Carolina Certified Specialist, Estate Planning and Probate Law, 2004- present
- Certified South Carolina Circuit Court Mediator, 2006 - present
- South Carolina Supreme Court
- North Carolina Supreme Court
- U.S. Court of Appeals for the Fourth Circuit
- U.S. District Court for the for the District of South Carolina
- U.S. District Court for the Western District of North Carolina

AWARDS

