

# HALL BOOTH SMITH, P.C.



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Partner

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## Biography

Jacquelyn Clarke is a Partner in our Atlanta office and also serves as Lead Hiring Partner, overseeing the hiring of associate attorneys across all HBS offices while focusing on the Southeast. Jacque specializes in the defense of both health care providers and professional malpractice matters and focuses her practice on complex medical malpractice cases. Her experience includes a wide variety of areas including heart and spine surgeries, anesthesia claims, and birth trauma cases.

Since the beginning of her practice, she has defended complex professional liability cases, including those against doctors, nurses, EMTs, lawyers, engineers, and accountants. She has significant experience in wrongful death, catastrophic injury, and product liability cases.

She also works with aging services providers on issues they face including regulatory compliance, administrative hearings, and appeals. She has specialized experience in COVID-19 related claims and regulatory matters. Other areas of experience include premises liability (including at hospitals and with health care

## Services

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providers, suicide cases, and shooting cases), construction wrongful death cases, transportation claims involving multiple death accidents, and general liability matters.

More +

Jacque enjoys being in the courtroom and has tried multiple cases to verdict in state and federal courts, including multiple cases to verdict as first chair trial counsel. She has been admitted *pro hac vice* over a dozen times across the United States in multiple jurisdictions as part of HBS's National Trial Counsel team. She routinely defends providers, businesses, and insurers in matters with demands in excess of ten million dollars. She has unique experience on our National Trial Counsel team working with local counsel to prepare cases for trial with very short notice. She has worked with experts around the world and defended cases involving significant media attention.

Jacque earned a Juris Doctor from Mercer University's Walter F. George School of Law, where she attended on full scholarship and from which she graduated in the top 10% of her class, receiving the Dean's Award for Distinguished Service to the Law School. She was a member of the *Mercer Law Review* and an active leader and participant in oral advocacy teams at the trial and appellate level including national awards. She also edited the *Journal of Southern Legal History*—for which she now serves as the Editor in Chief and as the Board Secretary and Trustee for the Georgia Legal History Foundation, a prestigious group of legal scholars and judges in Georgia.

She is also an active participant in both the firm's Women's Forum and Diversity, Equity, & Inclusion Committees. She volunteers in the community in several leadership roles, including multiple terms on the Alumni Council for Berry College, from which she graduated *magna cum laude*, served as Senior Class President, and received multiple athletic, academic, and service scholarships and awards, including an All American award in Cross Country and Track for her academic and athletic performance. In 2021 she was included on the Best Lawyers: Ones to Watch inaugural list.

## Experience

Significant first and second chair experience at trial, including direct and cross examinations of both fact and expert witnesses.

Defense of corporations, hospitals, professionals, and individuals routinely in matters with eight-figure demands.

Management of voluminous electronic discovery.

Admitted *pro hac vice* and appearance as trial counsel in Alabama, Arkansas, California, Florida, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Oklahoma, and throughout Georgia.

### Aging Services

Jacque works with aging services providers on issues they face including regulatory compliance, administrative hearings, and appeals.

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### General Liability

Jacque brings experience in a wide variety of general liability claims, specifically premise liability. She has trial experience in both state and federal courts, handling cases of all levels of exposure, and involving a wide array of allegations and issues including defending premises liability claims, negligent security claims, motor vehicle accidents, and personal injury claims.

She represents property owners, businesses, and facilities in claims involving anything from minor injuries to wrongful death and supports clients through all stages of litigation, from notice of a claim through final resolution.

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### Medical Malpractice

Jacque defends medical professionals and medical facilities, including doctors, nurses, and hospitals, against claims ranging from negligent treatment and diagnosis to birth trauma and

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wrongful death. She handles cases from inception through investigation and all aspects of litigation. Jacques also represents medical professionals in matters before the respective licensing boards and has handled peer review proceedings before hospital panels of physicians.

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## Products Liability

Jacques has experience representing manufacturers in the defense of products liability claims resulting from injuries or death, alleged to be caused by product defects. She is prepared to assist manufacturers and suppliers in the investigation and defense of products liability actions. She has managed large scale electronic discovery requests directed at international product manufacturers and defended proprietary interests related to products at issue in litigation.

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## Professional Malpractice & Ethics

Jacques represents professionals, including attorneys, engineers, physicians, and accountants against claims of malpractice, breach of fiduciary duty, or ethical violations. Jacques has represented professionals in litigation pending in local courts as well as federal court.

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## Credentials

### Admitted

State Courts:

- Georgia

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## Education

- J.D., *magna cum laude*, Mercer University, Walter F. George School of Law
- B.S., *magna cum laude*, Berry College

## Memberships

- American Bar Association
- American Health Law Association
- Atlanta Bar Association
- Berry College Alumni Counsel

More +

- DRI
- Georgia Defense Lawyer's Association: Women Litigators Section, Chair of Publications
- Georgia Legal History Foundation: Secretary
- Georgia Society for Healthcare Risk Management (GSHRM)
- Journal of Southern Legal History: Co-Editor in Chief
- Phi Kappa Phi & Brainerd Currie Honor Societies, 2013-2023
- ServiceJuris Inc.; Co-Chair, Executive Board Member

## Recognition

- [\*Best Lawyers: Ones to Watch® in America\*](#), Best Lawyers®, 2021-2025
  - Awarded in: Environmental Law, Insurance Law, Professional Malpractice Law
- 2023 Georgia Rising Stars, Super Lawyers

## Presentations

- **The Anatomy of a COVID-19 Enforcement Appeal - The**

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## **American Health Law Association Long Term Care and the Law 2022 Program**

AHLA 2022, February 2022

- **360 View: Diversity, Equity, and Inclusion in Claims Management- Panel Discussion**

CLM Greater Atlanta Chapter and the National African-American Insurance Association, June 2021

- **Payments, Politics and Publicity - Updates and Trends in Medical Malpractice and Aging Services**

Georgia Defense Lawyers Association's Annual Meeting, June 2021

## Publications

- **Medical Malpractice Cases**

The Litigation Psychology Podcast; January 30, 2023

- **Maintaining Your COVID-19 Library of Materials**

McKight's Long-Term Care News, February 2022

- **How Personnel Files Can Affect Medical Malpractice Claims**

Law 360, December 2021

- **Vaccinate All Educators by April 2021? Acceleration of COVID-19 Vaccination Rollout in Georgia Through the Federal Retail Pharmacy Program**

HBS Health Care Highlights Blog, March 2021

More +

- **How 'Open And Obvious' Begets 'Plain And Palpable': Appeals Court Rules For State University In Premises Suit**

HBS Governmental Liability Blog, October 2020

- **Defense Strategies for Dealing with Life Care Planners**

Medical Liability Monitor, August 2019

- **A Comprehensive Guide for Defending Opioid Claims**

Hall Booth Smith, March 2018

- **The Proposed Fairness in Disclosure of Evidence Act of 2012: More Cons than Pros with Proposed**

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## **Disclosure Requirements in Federal Criminal Cases**

Mercer Law Review, 2013

- **Evidence**

Mercer Law Review, 2016

- **Evidence**

Mercer Law Review, 2015

- **Evidence**

Mercer Law Review, 2014

## **In the Press**

### **33 HBS Attorneys Named to 2025 Best Lawyers: Ones to Watch® in America**

August 16, 2024

HBS is excited to announce that 33 lawyers have been included in the 2025 edition of Best Lawyers: Ones to Watch® in America.

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### **34 Hall Booth Smith Lawyers**

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## **Named to 2024 Best Lawyers: Ones to Watch® in America**

August 22, 2023

Hall Booth Smith is pleased to announce that 34 lawyers have been included in the 2024 edition of Best Lawyers: Ones to Watch® in America. The award recognizes associates and other lawyers who are earlier in their careers for their outstanding professional excellence in private practice in the United States.

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## **Law.com: Jacquelyn Smith Clarke on How She Made Partner**

July 24, 2023

In an article published on July 20, 2023, by Law.com, Atlanta Partner Jacquelyn Smith Clarke is profiled highlighting her journey to becoming a partner at the



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firm. When asked what she thought was the deciding factor for the firm in naming her partner, Jacque shared that she always tries “to say ‘yes’ to new opportunities,

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## **HBS** **Announces** **New Regional** **Hiring** **Partners**

June 6, 2023

Hall Booth Smith is excited to announce its six new regional Hiring Partners to oversee and aid in associate attorney recruiting in their respective regions. These attorneys will help to ensure HBS continues to attract top talent as the firm expands. About the Partners Atlanta Partner Jacquelyn Smith Clarke will oversee all efforts as Lead

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## **The Litigation** **Psychology** **Podcast: Jason**

## **Hendren & Jacque Clarke on Medical Malpractice Cases**

February 17, 2023

Courtroom Sciences' The Litigation Psychology Podcast spoke with Rogers Partner Jason B. Hendren as well as Atlanta Partner Jacquelyn Smith Clarke about medical malpractice cases. The discussed which types of medical malpractice cases they had found to be the most difficult to litigate during their own careers, such as birth trauma and wrongful death cases,

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## **10 HBS Attorneys Recognized as 2023 Super Lawyers® Georgia Rising Stars**

February 9, 2023

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GEORGIA – February 9, 2023

– Once again, Hall Booth Smith has been recognized for its outstanding legal work as ten of its attorneys have been honored as Georgia Rising Stars® in the 2023 edition of the Georgia Super Lawyers® magazine.

Attorneys Jacquelyn Smith Clarke, Jake Evans, Joel McKie, Jacob Raehn, Paul Trainor, and Tiffany

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## **Hall Booth Smith Attorneys Recognized as 2023 Best Lawyers: Ones to Watch**

August 18, 2022

Thirty-one lawyers from Hall Booth Smith, P.C. (HBS) have been honored as Best Lawyers: Ones to Watch. This recognition is given to attorneys, in a variety of practice groups, who are earlier in their careers for outstanding professional excellence in private practice in the United States. This honor is based on Best

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Lawyers®' highly selective

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## [Nine Hall Booth Smith Attorneys Selected as Rising Stars in the 2022 Georgia Super Lawyers Magazine](#)

February 16, 2022

In the 2022 edition of the Georgia Super Lawyers magazine, the law firm of Hall Booth Smith (HBS) has once again been recognized for its outstanding legal work as nine of its attorneys are on the list of Rising Stars.

Attorneys Russell Britt, Brittanie Browning, Jacquelyn Clarke, Sean Cox, Jake Evans, Alex Kaufman, Joel McKie,

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## [McKnight's Long-Term](#)

## **Care News:** **Jacque Clarke** **on the** **Importance of** **Maintaining a** **Library of** **Resources for** **Regulators**

February 8, 2022

In a McKnight's Long-Term Care News article, Atlanta-based Partner Jacquelyn Smith Clarke offers advice on how to maintain documentation amidst rapidly changing guidance from federal and state regulators. Whether to prepare for a surveyor, draft an appeal, or defend a potential lawsuit, Clarke said a well-maintained library of resources is important and can help guard

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## **Law360:** **Jacque Clarke** **on How** **Personnel**

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## **Files Affect** **Medical** **Malpractice** **Claims**

December 14, 2021

In a Law360 article, Atlanta-based Partner Jacquelyn Smith Clarke provides best practices for health care providers on personnel documentation and discovery requests as part of a sound risk management strategy. In the article, Jacques lays out important considerations for creating best practices, such as thorough and complete background checks, and why policies and procedures are key

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## **Hall Booth** **Smith** **Attorneys** **Recognized as** **2022 Best** **Lawyers: Ones** **to Watch**

August 20, 2021

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Thirty lawyers from Hall Booth Smith, P.C. (HBS) have been honored as Best Lawyers: Ones to Watch. This recognition is given to attorneys, in a variety of practice groups, who are earlier in their careers for outstanding professional excellence in private practice in the United States. This honor is based on Best Lawyers'® highly selective

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## **Vaccinate All Educators by April 2021? Acceleration of COVID-19 Vaccination Rollout in Georgia Through the Federal Retail Pharmacy Program**

March 15, 2021

Written by: Jacquelyn S. Clarke and Michael V. Profit  
On March 2, 2021, President Biden announced an

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expansion to the existing protocols governing rollout of the COVID-19 vaccine, through which a goal newly prioritized by the federal government was announced: provide first-shot vaccination, by the end of March 2021, of pre-K through twelfth grade educators,

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## **How “Open and Obvious” Begets “Plain and Palpable”:** **Appeals Court Rules for State University in Premises Suit**

October 2, 2020

Written by: Jacquelyn S. Clarke, Esq. and Michael V. Profit, Esq. “Plain, palpable, and undisputed”: that phrase’s appearance in both briefs to the court supporting or opposing, or court orders on, motions for summary judgment underscores the challenge faced by the moving party. Without a settled factual basis, supported by law, summary



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judgment cannot be

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## **Hall Booth Smith Attorneys Recognized in the Inaugural Best Lawyers: Ones to Watch Edition**

August 21, 2020

Twenty lawyers from Hall Booth Smith, P.C. (HBS) have been honored in the inaugural edition of the Best Lawyers: Ones to Watch. This recognition is given to attorneys, in a variety of practice groups, who are earlier in their careers for outstanding professional excellence in private practice in the United States. This honor is based

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## **Hall Booth Smith Names Ten New**

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## **Partners**

August 1, 2019

ATLANTA – August 1, 2019 – Hall Booth Smith, P.C. is pleased to announce that 10 attorneys have been named Partner as the firm recognizes the talent and dedication of leaders across numerous practice groups. The new Partners are: Laura Hall Cartner is member of the firm's aging services and professional liability practice groups. She

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## **Jacque Smith Clarke Elected Secretary and a Trustee of the Georgia Legal History Foundation**

September 19, 2016

Hall Booth Smith, P.C. would like to congratulate Jacque Smith Clarke, an Associate in the Atlanta office, who was elected Secretary and a Trustee of the Georgia Legal History Foundation, Inc. The

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Foundation is an arm of the Supreme Court of Georgia, and was created in 1985 to preserve and promote the colorful history of Georgia's Bench and

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## HBS is Pleased to Welcome New Associates Jeffrey Daniel, Ariel Adams, Andrew Hazen and Jacquelyn Smith

November 25, 2013

Jeffrey Daniel comes to us with many different internship and academic experiences that have prepared him to serve our clients well.

Following his first year of law school, he clerked for the Federal Defenders of the Middle District of Georgia, Inc.

During his second year, he served as a judicial extern for the Honorable Marc

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