



**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE
2023**

Court, Position, and Seat # for which you are applying: Family Court, Sixteenth Judicial Circuit, Seat 3.

1. Name: Mr. Richard Chadwick (Chad) Smith

Name that you are known by if different from above
(Example: A Nickname): "Chad"

Are you currently serving in some capacity as a judge? No.

Home Address: [Redacted]

County of Residence: York County

Business Address: 933 Heckle Boulevard
Rock Hill, South Carolina 29732

E-Mail Address: [Redacted]

Telephone Number: (home): [Redacted]
(office): 803-909-7730
(cell): [Redacted]

2. Date of Birth: [Redacted], 1971
Place of Birth: Rock Hill, South Carolina
Social Security Number: [Redacted]

3. Are you a citizen of South Carolina? Yes.
Have you been a resident of this state for at least the immediate past five years? Yes.

4. SCDL# or SCHD#: SCDL# [Redacted]
Voter Registration Number: VR# [Redacted]

5. Have you served in the military? If so, give the dates, branch of service, highest rank attained, serial number (if applicable), present status, and the character of your discharge or release. Please provide a copy of your DD214 concerning your discharge.

I have not served in the military.

6. Family Status:

(a) State whether you are single, married, widowed, divorced, or separated.

Married.

- (b) If married, state the date of your marriage and your spouse's full name and occupation.

Married on October 3, 2009 to April Edwards Smith, School Psychologist with the Rock Hill School District.

- (c) If widowed, list the name(s) of spouse(s).

N/A

- (d) If you have ever been divorced or are in the process of obtaining a divorce, state the date, name of the moving party, court, and grounds.

Divorced on May 22, 2008, York Co., S.C. Family Court, I was moving party, One Year's Continuous Separation.

- (e) State the names of your children and their ages. If your children are old enough to work, include the occupation of each child.

Two children:
[Redacted]

7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.

- (a) University of South Carolina School of Law
August 1996 to May 1999
Juris Doctor Degree

- (b) Winthrop University
August 1989 to May 1990
I transferred to Wofford College.
August 1991 to August 1994
Bachelor of Arts Degree

- (c) University of South Carolina at Lancaster
January 1991 to May 1991
I transferred to Winthrop University.

- (d) Wofford College
August 1990 to January 1991
I transferred to the University of South Carolina at Lancaster.

8. List the significant activities in which you took part during your attendance at law school. Give the years you were involved in these activities and list any leadership positions you held.

- (a) I served from 1996 to 1999 as a member of the Law School Council for Access and Awareness, which reviewed the law school's policies and procedures regarding students with disabilities.
- (b) I was awarded in 1999 a CALI Award for Academic Excellence (highest course grade in Bio Ethics).
- (c) I volunteered as a law clerk in the Sixteenth Judicial Circuit Solicitor's Office from May to August 1997 and 1998.
- (d) I participated from 1996 to 1999 as a member of the Student Bar Association.

9. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. Please indicate the number of times you took the exam in each state.

- (a) I was admitted to practice law in South Carolina in 2000.
- (b) I have not taken the bar exam in another state other than South Carolina.
- (c) I took the South Carolina bar exam two times.

10. Describe chronologically, since graduation from law school, your legal experience. Please include a list of all positions held in which you worked in a legal capacity. Describe the general character of your practice and divide it into periods with dates if its character changed over the years. Please also describe the extent to which you were involved with the administrative and financial management of each of these entities, including management of trust accounts.

- (a) The Honorable John C. Hayes, III, Sixteenth Circuit Court of South Carolina, York, South Carolina. From August 1999 to August 2000, I served as law clerk to The Honorable John C. Hayes, III. During my tenure as Judge Hayes' law clerk, I researched case and statutory law; drafted bench memoranda; drafted proposed orders; prepared civil and criminal jury charges; and acted as liaison between the court, attorneys, and court personnel.

- (b) Sixteenth Judicial Circuit Solicitor's Office, York, South Carolina. From August 2000 to July 2001, I served as an assistant solicitor for Solicitor Thomas E. "Tommy" Pope. As an assistant solicitor, I evaluated law enforcement reports; researched statutory law, case law, the South Carolina Rules of Criminal Procedure, and the South Carolina Rules of Evidence; drafted indictments; interviewed and prepared witnesses for trial; and prepared and prosecuted cases in General Sessions, Transfer and Magistrate courts.
- (c) Harrelson, Hayes and Guyton, LLC, Rock Hill, South Carolina. From July 2001 to February 2004, I practiced as an associate attorney with the law firm Harrelson, Hayes and Guyton, along with firm partners Hugh L. Harrelson, Sr., Senator Robert W. Hayes, Jr., and David G. Guyton. I engaged in a general practice and represented clients of the firm in a variety of matters, including adoptions, child custody, divorce, equitable division of property and debts, separation and property settlement agreements, and child visitation; general civil litigation; criminal defense; residential real estate; and probate. The firm was dissolved when David G. Guyton was elected Judge of the Family Court, Sixteenth Judicial Circuit, Seat 2. As an associate attorney, I was not involved with the administrative and financial management of the firm.
- (d) R. Chadwick Smith, Attorney at Law, LLC, Rock Hill, South Carolina. From February 2004 to May 2013, I operated my own law office and practiced family law exclusively. I represented clients in a wide array of family law matters, involving abuse and neglect of children; adoptions; alimony and separate maintenance and support; child custody, child support; divorce; domestic violence, including petitions seeking orders of protection; equitable division of property and debts; mediation; minor and adult name changes; non-compliance of a court order; premarital agreements; separation and property settlement agreements; termination of parental rights; and child visitation. I served as guardian ad litem representing numerous children subject to custody disputes brought as part of divorce actions; modification of custody cases; visitation cases; adoption actions; and abuse and neglect cases filed by the South Carolina Department of Social Services. In 2009, I completed the South Carolina Bar's Family Court Mediation Certification Training Program and became a Certified Family Court Mediator. I mediated numerous cases involving complex marital litigation; child custody; child and spousal support; property and debt division; and child visitation. I was involved with the daily administrative and financial management of my office, including management of my trust account.
- (e) South Carolina Department of Social Services ("SCDSS"), Rock Hill, South Carolina. I joined the South Carolina Department of Social Services as a staff attorney in May 2013, and I am currently employed with SCDSS. In June 2021, I was named the managing attorney for the legal departments in York and Union counties. I manage the daily operations of the legal department, supervise work flow of four attorneys and four paralegals, ensure effective scheduling and docketing procedures, address human resources issues, assist in hiring and

training new attorneys and staff, conduct employee performance evaluations, monitor all legal department operations, and handle a very active caseload. I represent SCDSS before the Family Court in York and Union counties in cases regarding alleged abuse and neglect of children and vulnerable adults. I advise SCDSS county directors, supervisors, and caseworkers regarding the status of cases and legal matters; research case and statutory law; draft pleadings for ex parte removal, removal, and intervention actions; prepare cases for court by conducting and responding to discovery, interviewing and preparing fact and expert witnesses for hearings and trials; review SCDSS documentation and reports; represent SCDSS at probable cause, merits, judicial review, permanency planning, and termination of parental rights hearings; represent SCDSS in private custody, visitation, and adoption actions in which SCDSS has been named as a defendant; draft proposed orders for the Family Court; assure that SCDSS complies with state and federal law, and agency policies; represent SCDSS at Multi-Disciplinary Team Meetings at Carolinas Medical Center-Levine Children's Hospital, Charlotte, North Carolina, and Piedmont Medical Center, Rock Hill, South Carolina; utilize Legal Case Management System; and provide legal training for SCDSS attorneys and staff.

11. Please answer the following:

If you are a candidate for Family Court, please provide a brief written description of your experience within each of the following Family Court practice areas: divorce and equitable division of property, child custody, adoption, abuse and neglect, and juvenile justice. Include information about cases you have handled in each of these practice areas, or if you have not practiced in an area, describe how your background and procedural knowledge has prepared you to preside over such matters as a Family Court judge. Please also indicate the frequency of your appearances before a Family Court judge within the past five years.

I have significant experience in the private and public sectors representing and advising clients in the following Family Court practice areas: divorce and equitable division of property and debts; child custody; visitation; adoption; and abuse and neglect. Within the past five years, I appeared before the Family Court in approximately six hearings each week.

Divorce and Equitable Division of Property. I represented clients in prosecuting and defending actions for divorce based upon adultery, habitual drunkenness, physical cruelty, and the parties having lived separate and apart without cohabitation for a period of one year. I represented and advised clients in cases involving equitable division of property, including specifically the validity and effect of premarital agreements; property acquired by inheritance, devise, bequest, or gift from an individual other than the spouse; premarital property; non-marital property; transmutation of premarital or non-marital

property; special equity interest in property; identification and location of property in the marital estate; valuation of marital and non-marital property; division of marital property, taking into consideration statutory apportionment factors; deviation from an equal division of marital property; personal injury claims; stock options; and retirement accounts.

Child Custody. I represented and advised clients in prosecuting and defending child custody cases, including initial child custody as part of a divorce action; modifications of child custody/visitation based upon changed circumstances such as the parties voluntarily modifying custody, the custodial parent being unfit, and the custodial preference of an older child; child custody/visitation sought by fathers who were never married to the child's mother; child custody sought by de facto custodians; child custody sought by foster parents; child custody sought by a non-parent over a natural parent; child custody based upon the psychological parent doctrine; and child custody actions when the custodial parent seeks to relocate with the child. I have served as guardian ad litem for children involved in contested custody and visitation cases; contested and uncontested adoptions; SCDSS abuse and neglect actions; and termination of parental rights cases.

Adoption. I represented and advised clients and their families in various adoption cases, including newborn, step-parent, grandparent, special-needs, uncontested, and contested adoptions. I have served as guardian ad litem for children involved in uncontested and highly contested adoption cases. I have represented SCDSS in contested termination of parental rights and adoption cases involving various intervening parties who wish to adopt children in foster care.

Abuse and Neglect. I have represented SCDSS before the Family Court in cases relating to the abuse and neglect of children and vulnerable adults. While I was in private practice, I represented parents and caregivers who were involved in actions brought by SCDSS. I have handled numerous cases involving children who have been physical abused, physically neglected, sexually abused, and mentally injured. I have represented SCDSS in uncontested and contested probable cause, merits, judicial review, permanency planning, and termination of parental rights hearings. I often represent SCDSS in complex cases involving severe abuse and neglect of children and in cases involving the Indian Child Welfare Act and the Uniform Child-Custody Jurisdiction and Enforcement Act.

Juvenile Justice. I have represented several juvenile clients in proceedings before the Family Court who have been charged with criminal and status offenses. I have worked closely with assistant solicitors of the Sixteenth Circuit Solicitor's Office, attorneys with the Sixteenth Circuit Public Defender Office, and representatives of the South Carolina Department of Juvenile Justice when a child is placed in the emergency protective custody of SCDSS by the Family Court during a juvenile proceeding. I have represented SCDSS before the Family Court in cases involving dully-involved juveniles at detention

hearings, adjudicatory hearings, and dispositional hearings. I am familiar with the statutory procedures concerning juvenile justice cases.

12. What was the frequency of your court appearances during the past five years or in the five years prior to your election to the bench?
 - (a) federal: I have not appeared in Federal Court in the past five years.
 - (b) state: I appear before the Family Court on a weekly basis in an average of six hearings. I often appear before the Family Court two to three days each week.
13. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years or in the five years prior to your election to the bench?
 - (a) civil: 0%
 - (b) criminal: 0%
 - (c) domestic: 100%
 - (d) other: 0%
14. During the past five years
 - (a) What percentage of your practice was in trial court, including cases that settled prior to trial? 100%.
 - (b) What number of cases went to trial and resulted in a verdict? 30%.
 - (c) What number of cases went to trial and resolved after the plaintiff's or State's case? (Resolved may include settlement, plea, by Judge's order during a motion hearing, etc. 30%.
 - (d) What number of your cases settled after a jury was selected but prior to opening statements? N/A

During the past five years, did you most often serve as sole counsel, chief counsel, or co-counsel?

Sole counsel.

For sitting judges seeking a judgeship different than your current position, During the five years prior to your election to the bench, what percentage of your practice was in trial court, including matters that settled prior to trial?

N/A

15. List five of the most significant litigated matters you have personally handled in either trial or appellate court, or before a state or federal agency. Give citations if the cases were reported and describe why these matters were significant.
- (a) S.C. Dep't of Soc. Servs. v. Brittany A. Thomas-Scibuola, Jeffrey Scibuola, Sr., Jeffrey Scibuola, Jr., and Tracy Scibuola, Defendants, of Whom Tracy Scibuola is the Appellant, Unpublished Opinion No. 2022-UP-237. In 2022, I represented SCDSS in this appeal. Appellant asserted the Family Court lacked subject matter jurisdiction, within the context of an SCDSS action, to find a common-law marriage existed between the Scibuolas, and the Family Court erred in denying Appellant's Rule 60(b)(4), SCRCP. This case was unique because SCDSS is not typically involved in actions challenging the validity of a marriage. The Court of Appeals issued an unpublished opinion on June 1, 2022 which affirmed the Family Court's order denying Appellant's Rule 60(b)(4), SCRCP, motion to declare void a portion of a non-emergency removal order finding the Scibuolas were common-law married. The Court of Appeals stated that whether the Family Court lacked jurisdiction to declare the Scibuolas common-law married was moot and that the Family Court had the authority to order Appellant to pay attorney's fees.
- (b) S.C. Dep't of Soc. Servs. v. Patricia Carter, Terry Barrow, and Gary James, Defendants, of Whom Patricia Carter is the Appellant, Unpublished Opinion No. 2018-UP-290. In 2018, I represented SCDSS in this appeal. Appellant's three-year old child obtained an unsecured loaded handgun inside Appellant's residence and while in Appellant's custody and control. Appellant's child died tragically from a self-inflicted gunshot wound. Appellant's older child was inside the home at the time of the younger child's death. The Family Court found Appellant had physically neglected her older child, based upon the circumstances of the death of her younger child. Appellant appealed the Family Court's order and contended she had not physically neglected her older child. The Court of Appeals issued an unpublished opinion on June 27, 2018 which affirmed the Family Court's finding that Appellant had physically neglected her older child. The Court of Appeals stated that, under the specific circumstances of the case, Appellant's act of maintaining an unsecured, loaded, chambered firearm that was accessible to Appellant's child at the time of the death of her younger child constituted an act or omission that presented a substantial risk of physical injury to a child.
- (c) S.B.H. v. W.B.H. I represented S.B.H. ("Wife") in a divorce action from W.B.H. ("Husband"). At the time marital litigation was commenced, Husband and Wife had been married for fifteen years. Husband and Wife were the parents of two children and were well-educated professionals in the community. Wife sought a divorce from Husband based upon the grounds of Husband's habitual intoxication, custody of the parties' children, child support, equitable apportionment of property and debts, and attorney's fees. One of the most significant issues in this case was Wife's assertion that Husband had engaged in a pattern of economic misconduct during the parties' marriage which adversely affected the economic circumstances of the marital

partnership and that, because of Husband's economic misconduct, the Family Court should consider Husband's economic misconduct when equitably apportioning property and debts. The case came before the Family Court for a highly contested final hearing. The Family Court ruled, in relevant part, that Wife was entitled to a divorce from Husband; that Wife would have sole custody of the parties' children; and that any visitation Husband may exercise with the parties' children would be strictly supervised. In relevant part as to the issue of Husband's economic misconduct, the Family Court ruled that Wife was entitled to exclusive use and ownership of the parties' former marital home valued at approximately \$450,000.00 and that Wife would receive sole ownership of her retirement account valued at approximately \$100,000.00, despite Wife's retirement account being marital property subject to equitable apportionment.

- (d) T.J. v. H.J. I represented H.J. ("Wife") in a divorce action filed by T.J. ("Husband"). At the time marital litigation was commenced, Husband and Wife had been married for six years. Husband and Wife were parents of two children. Husband sought a divorce from Wife based upon the grounds of Wife's adultery, custody of the parties' children, child support, equitable apportionment of marital property and debts, and attorney's fees. Wife filed an answer and counterclaim. Wife sought a decree of separate support and maintenance, child custody, child support, alimony, equitable apportionment of marital property and debts, and attorney's fees. The most significant issue in this case was Wife's assertion that she should be entitled to relocate to New Mexico with the parties' children. Husband vehemently opposed Wife's proposed out-of-state relocation. The case came before the Family Court for a contested final hearing. Wife was able to satisfy the requirements for a proposed out of state relocation, as articulated by the South Carolina Supreme Court in Latimer v. Farmer, 360 S.C. 375, 602 S.E.2d 32 (2004). Wife presented evidence of the potential advantages of the proposed move; the likelihood that the move would improve substantially the life of Wife and the parties' children and was not a random decision to relocate; the integrity of Wife's motives to relocate; and the availability of realistic substitute visitation arrangements to foster an ongoing relationship between the parties' children and Husband. The Family Court ruled, in relevant part, that Husband and Wife were entitled to a divorce based upon the grounds of the parties having lived separate and apart for a period in excess of one year; that Wife was granted custody of the parties' children; and that Wife could relocate to New Mexico with the parties' children.
- (e) R.R. v. J.S., et. al. I represented R.R. ("Psychological Father") in a custody action, based upon the psychological parent doctrine. Psychological Father and the natural mother of Child A were never married to each other but resided together for over four years at the time litigation was commenced. Child A was five years old. Psychological Father was the only father Child A had ever known. The natural father of Child A allegedly resided in California, but his location in California was not known. Child A's father had never been involved in Child A's life. The natural mother of Child A died tragically, and at the time of the mother's death, she and

Psychological Father resided together with Child A. Psychological Father sought an order of the Family Court granting him emergency custody of Child A. The significant issue presented by this case was the psychological parent doctrine. The South Carolina Court of Appeals' opinion in Middleton v. Johnson, 369 S.C. 585, 633 S.E.2d 162 (Ct. App. 2006), was issued on June 28, 2006, and adopted the psychological parent doctrine. Psychological Father commenced his action seeking custody of Child A on July 31, 2006. Psychological Father presented compelling evidence that Child A's natural mother consented to and fostered Psychological Father's establishment of a parent-like relationship with Child A; that Psychological Father and Child A had lived together in the same household; that Psychological Father assumed parental obligations by taking significant responsibility for Child's care; and that Psychological Father had been in a parental role sufficient to have established a bonded, dependent relationship with Child A. I represented Psychological Father in an action seeking to terminate the parental rights of Child A's, natural father and to adopt Child A. In 2011, Psychological Father became simply "Father" when he successfully adopted Child A.

16. List up to five civil appeals you have personally handled. Give the case name, the court, the date of decision, and the citation if the case was reported.

- (a) S.C. Dep't of Soc. Servs. v. Brittany A. Thomas-Scibuola, Jeffrey Scibuola, Sr., Jeffrey Scibuola, Jr., and Tracy Scibuola, Defendants, of Whom Tracy Scibuola is the Appellant, Unpublished Opinion No. 2022-UP-237.
- (b) S.C. Dep't of Soc. Servs. v. Patricia Carter, Terry Barrow, and Gary James, Defendants, of Whom Patricia Carter is the Appellant, Unpublished Opinion No. 2018-UP-290.
- (c) S.C. Dep't of Soc. Servs. v. Kimberly Bolin and Angela Gibson, Defendants, of Whom Kimberly Bolin is the Appellant, Unpublished Opinion No. 2016-UP-016.
- (d) Amanda Lake v. Jonathan Lake, Unpublished Opinion No. 2014-UP-099.
- (e) Kevin McCrowey v. The Zoning Bd. of Adjustment of the City of Rock Hill, South Carolina, 360 S.C. 301, 599 S.E.2d 617 (Ct. App. 2004).

17. List up to five criminal appeals you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported.

I have not handled any criminal appeals.

18. Have you ever held judicial office? If so, list the periods of your service, the courts involved, and whether you were elected or appointed. Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.

I have never held judicial office.

19. If the answer to question 18 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also, list citations to any appellate review of these orders or opinions.

N/A

20. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.

On May 8, 2000, I was admitted to practice law before the State Courts of South Carolina.

21. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture.

(a) I have taught the course section on Child Abuse/ Neglect and Child Protection at the 2023, 2022, 2017 and 2014 Law School for Non-Lawyers, York Technical College, Rock Hill, South Carolina.

(b) I have presented an overview of child protection proceedings to students in 2017 in Dr. Kori Bloomquist's Social Work 533 course at Winthrop University, Rock Hill, South Carolina.

(c) I have presented a session entitled "Overview of Child Protection Proceedings in South Carolina" at the Old English Consortium Professional Development Conference in 2017 to elementary and secondary educators who work in school districts within the north-central region of South Carolina.

(d) I have presented a session entitled "SCDSS Information: Beyond Mandatory Reporting" at the Old English Consortium Professional Development Conference in 2016 to elementary and secondary educators who work in school districts within the north-central region of South Carolina.

(e) I have presented a session to alternative caregivers and guardians for children enrolled in the Rock Hill School District at the Rock Hill School District Caregiver/Guardian Forum in 2016.

(f) I have presented a session at the Rock Hill School District Secondary School Counselor's Forum in 2015 and discussed statutory child abuse/ neglect reporting requirements; various child custody arrangements; the scope and effect of safety plans implemented by SCDSS; and different court actions and the potential consequences of each action on child's custody status.

22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.

Please see attachment.

23. List all published books and articles you have written and give citations and the dates of publication for each.

I have not published any books or articles.

24. Please furnish as a separate attachment, two examples of legal articles, briefs, orders, or other legal writings for which you can claim sole or primary authorship. If you cannot claim sole authorship, please explain the extent to which you are the primary author, to include a description of the other authors and their contributions. The writing samples are for the Commission's use only and will not be published. (If you are a judge and are not seeking a different type of judgeship, this question is inapplicable.)

Please see attachment.

25. What is your rating or membership status, if any, by any legal rating organization; such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, Million Dollar Advocates Forum, etc.? If you are currently a member of the judiciary, list your last available rating, if any.

I have not been rated by any legal rating organizations.

26. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
- (a) South Carolina Bar Association, Member, May 2000 to present.
 - (b) Resolution of Fee Disputes Board for the Sixteenth Judicial Circuit, Member, January 2018 to present.
 - (c) South Carolina Bar's Law Related Education Committee, Member, July 1, 2014 to present, Scoring Judge in numerous middle school and high school mock trial competitions.
 - (d) South Carolina Bar's Children's Law Committee, Member, July 1, 2014 to June 30, 2015, July 1, 2016 to June 30, 2017.
 - (e) York County Bar Association, Member, May 2000 to present, Secretary (2003) and Treasurer (2004).

27. Have you ever held public office other than judicial office? If so, list the periods of your service, the office or offices involved, and whether you were elected or appointed. Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office. If not, were you ever subject to a penalty? If so, give details, including dates.

I have never held public office.

28. For sitting or former judges, list all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial office. Specify your dates of employment, employer, major job responsibilities, and supervisor.

N/A

29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.

(a) I was an unsuccessful candidate for Family Court Judge, At-Large, Seat 8. On December 1, 2016, I withdrew as a candidate.

(b) I was an unsuccessful candidate for Family Court Judge, At-Large, Seat 1. I was found qualified and nominated by the JMSC. On January 30, 2020, I withdrew as a candidate.

30. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? If so, give details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer.

No.

31. Are you now an officer or director or involved in the management of any business enterprise? Explain the nature of the business, your duties, and the term of your service.

No.

32. Are you now or have you ever been employed as a “lobbyist,” as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a “lobbyist’s principal,” as defined by S.C. Code § 2-17-10(14)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.

No.

33. Provide, **as a separate attachment**, a complete, current financial net worth statement that itemizes in detail:

(a) the identity and value of all financial assets held, directly or indirectly, including, but not limited to, bank accounts, real estate, securities, trusts, investments, and other financial holdings; and

(b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000, including, but not limited to, debts, mortgages, loans, and other financial obligations.

A complete, current financial net worth statement was provided to the Commission.

34. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? If so, give details. Also, proof of satisfaction of any liens or defaults must be submitted with your application package.

No.

35. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved.

No.

36. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek. If you have spent over \$100, have you reported your expenditures to the House and Senate Ethics Committees?

I have not made, and no one has made on my behalf any expenditures in furtherance of my candidacy for Family Court Judge, Sixteenth Judicial Circuit, Seat 3.

37. List the recipient and amount of all contributions made by you, a member of your immediate family, or by a business with whom you are associated, to members of the General Assembly within the past four years. If you are a sitting judge, please include such contributions since your last screening.

(a) On May 9, 2022, I contributed \$250.00 to Scott Talley for Senate.

(b) On June 10, 2022, I contributed \$100.00 to Heath Sessions for House. Heath Sessions was not a member of the General Assembly when I contributed but was elected in November 2022 to represent District 46 in the House of Representatives.

38. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? If so, please specify the amount, solicitor, donor, and date of the solicitation.

No.

39. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek or currently hold. Explain how you would resolve any potential conflict of interest.

None.

40. Describe any interest you or a member of your immediate family has in real property:

- (a) in which there is a potential conflict of interest with your involvement in a South Carolina state or local public agency;
- (b) in which there have been public improvements of \$200 or more that adjoins property in which there have been public improvements of \$200 or more; or
- (c) which was sold, leased, or rented to a state or local public agency in South Carolina.

None.

List the interest you hold and the value and location of the property. Identify as applicable the:

- (a) nature of any potential conflict of interest;
- (b) nature and value of any public improvements; and
- (c) South Carolina state or local public agency which purchased or is leasing or renting such property.

Attach a copy of any contract or agreement.

None.

41. Identify any personal property interest you or a member of your immediate family sold, leased, or rented to a South Carolina state or local public agency. Identify the property, its amount or value, and the name of the agency. Attach a copy of any contract or agreement.

None.

42. For sitting judges, if you currently hold an interest in stock or other securities or have held such an interest, list each stock you currently own or owned during the prior calendar year. If you prefer, you may attach broker or account records containing the requested information instead of listing it here.

N/A

43. For sitting judges, have you ever accepted anything of value from an attorney or litigant in a matter currently or previously before you or your court? If so, please give the details, including the name of the attorney or litigant and the thing of value you received.

N/A

44. For sitting judges, have you used the services of your staff, for which you did not pay, while campaigning for this office?

N/A

45. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law? If so, give details but do not include traffic violations subject to a penalty of \$125 or less. You must include any and all arrests, including, but not limited to, offenses for driving under the influence or similar traffic offenses. Include all arrests that resulted in expungement, which will be redacted. If you have questions regarding whether to include an offense, please contact the Commission.

[All answers have been received and considered by the Commission, and as noted above, any expunged matters are redacted from the record.]

46. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, explain.

No.

47. Have you ever been sued by a client? Have you ever been a named party (personally or professionally) in or had a pecuniary interest in any civil or criminal proceedings? If so, give details, including, but not limited to, dates, and resolutions.

No.

48. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance? If applicable, have you ever been covered by a tail policy? If so, please explain when you were covered by a tail policy. Also, if applicable, indicate your coverage and deductible for your current malpractice policy.

N/A

49. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been cautioned with or without a finding of misconduct, sanctioned, or disciplined for lawyer, judicial, or other professional misconduct or has any jurisdiction found that you committed any misconduct? If so, give the details and describe any final disposition. Include any and all confidential and public sanctions, disciplines, letters of caution, or findings of misconduct of any kind. Private or confidential dispositions will be redacted.

[Yes and no responses are redacted for all candidates unless there is a public discipline.]

50. Have you ever been investigated by the Department of Social Services? If so, give the details and the resolution. Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? If so, give the details.

No.

51. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened, or have you been offered a conditional pledge of support by any legislator pending the outcome of your screening? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened? If so, give details.

No.

52. Have you requested any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Describe the campaigning you have done for this election and include a list of those individuals you have asked to campaign on your behalf and, to the best of your knowledge, those who have campaigned for you on their own initiative.

No. I have not campaigned for this election and I have not asked anyone to campaign on my behalf. To the best of my knowledge, no one has campaigned on my behalf on their own initiative.

53. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges until after the draft report becomes final, which occurs on the day and time specified on the Commission's published screening schedule?

Yes.

54. Since submitting your letter of intent to become a candidate, have you or has anyone acting on your behalf contacted any member of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? If so, give details.

No.

55. List the names, addresses, and telephone numbers of five (5) persons from whom you are providing references. Also, provide the Commission with original letters of recommendation from each person listed herein, including their signature (preferably in blue ink). **The Commission will not accept a photocopy or electronic submission of a letter of recommendation and failure to include all five (5) original letters of**

recommendation in your packet when you submit it will render your packet incomplete. Please **do not** have references mail your reference letters to the Commission directly. *You must return the five (5) original letters of recommendation to the Commission with your application.*

- (a) Robert W. (Wes) Hayes, Jr., Esquire
Hayes and Hayes
[Redacted]
- (b) Tina B. Leonard
Lead Court Liaison (Midlands)
University of South Carolina School of Law
Children's Law Center
[Redacted]
- (c) Elizabeth Smith Owen, Esquire
Morton and Gettys
[Redacted]
- (d) Bruce M. Poore, Esquire
[Redacted]
- (e) Gary L. Williams
Williams and Fudge, Inc.
Founder and Chairman of the Board
[Redacted]

56. Are you active on or a member of a social media or Internet site such as, Facebook, LinkedIn, Twitter, Instagram, etc.?

I am not active or a member of any social media Internet site. My wife, April Edwards Smith, and my mother, Anne Shackleton Smith, are members of Facebook and have posted pictures of my children and me enjoying various family activities.

If so, please list the account names for each account and the relevant platform.

N/A

How would your use of social media or other similar types of Internet sites be affected if you were serving in a judicial capacity?

N/A

57. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, and any professional honors, awards, or other forms of recognition received and not listed elsewhere.
- (a) First Associate Reformed Presbyterian Church, Rock Hill, South Carolina. My wife and I are active members of First Associate Reformed Presbyterian Church. On January 11, 2015, I was ordained and installed as a deacon, and served as a deacon for a three-year term. I served on the Board of Deacons, the Christian Education/Preschool Committee, and the Transportation and Insurance Committee. For seven years, my wife and I have served as Sunday School teachers for three, four, and five-year-old children.
 - (b) Kiwanis Club of Rock Hill, South Carolina. I am a member of the Kiwanis Club, and have been a member for approximately twelve years. I am an active volunteer with the Terrific Kids Program, which is a student-recognition program for elementary school students that promotes character development, self-esteem, and perseverance. I participated in monthly Terrific Kids recognition programs at The Palmetto School in Rock Hill. I have been involved with the Terrific Kids Program for ten years.
 - (c) ROAR Sports League. Since 2016, I have been involved with ROAR Sports League through Westminster Presbyterian Church, Rock Hill, South Carolina. I have served as a volunteer soccer and basketball coach for children in kindergarten and first grade.
 - (d) Rock Hill Country Club, Rock Hill, South Carolina. My family and I are members of Rock Hill Country Club. My children are members of the club's competitive swim team and junior golf team. My wife serves as an active parent volunteer and timer for swim meets.
58. Provide any other information that may reflect positively or negatively on your candidacy, or which you believe should be disclosed in connection with consideration of you for nomination for the position you seek. This information may include how your life experiences have affected or influenced the kind or type of judge you have been or plan to be.

I am a lifelong resident of South Carolina and of York County, and I am committed to public service. I was reared in a Christian home with parents who valued and demonstrated their commitment to public service. As I have practiced law in the private and public sectors for twenty-three years, I have practiced the habit of giving respect to any client whom I have represented. I have a deep admiration for judges who have earned the respect of practicing attorneys and citizens in their courtrooms, and I have had the privilege to practice before many of South Carolina's outstanding Family Court Judges. I admire greatly those judges who have control of their courtrooms, are well-organized, even tempered, and treat litigants, attorneys, and court personnel fairly, regardless of their social or financial standing. Judges with whom I have contact who have high ethical standards and are admired in the community have become role models for me.

My family and my faith define the purpose of my life. Two of the most important life experiences for me have been my marriage to my best friend and love of my life, April Edwards Smith, who serves our community as a School Psychologist in the Rock Hill School District, and the birth of our sons, Samuel and William. I will have lived a successful life if someday it is said, "Chad was a devoted and loving husband and father; a man of deep faith; and a well-respected Family Court Judge who applied the rule of law equitably."

YOUR SIGNATURE WILL BE HELD TO CONSTITUTE A WAIVER OF THE CONFIDENTIALITY OF ANY PROCEEDING BEFORE A GRIEVANCE COMMITTEE OR ANY INFORMATION CONCERNING YOUR CREDIT.

I HEREBY CERTIFY THAT MY ANSWERS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Signature: _____

Sworn to before me this ____ day of _____, 2023.

(Notary Signature)

(Notary Printed Name)
Notary Public for South Carolina
My Commission Expires: _____