

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



Court, Position, and Seat # for which you are applying:

1. Name: Mr.
Mrs.
Ms. Kimberly V. Barr

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

Are you currently serving in some capacity as a judge? If part-time, please note.
(Includes Municipal, Magistrate, Etc.) – **No.**

Home Address: **[Redacted]**

County of Residence: **Florence**

Business Address: **108 West Main Street
Post Office Box 88
Kingstree, South Carolina 29556**

E-Mail Address: **[Redacted]**

Telephone Number: **home: [Redacted]
office: (843) 355-5349
cell: [Redacted]**

2. Date of Birth: **[Redacted] 1970**
Place of Birth: **Columbia, Richland County, 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#: **[Redacted]**
Voter Registration Number: **[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. **Not Applicable**

6. Family Status: **Single**

- (a) State whether you are single, married, widowed, divorced, or separated.
Divorced
- (b) If married, state the date of your marriage and your spouse's full name and occupation.
- (c) If widowed, list the name(s) of spouse(s).
- (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.

I was divorced in Florence County Family Court on March 31, 2007 under docket number 2006-DR-21-0037. I was the moving party, and the divorce was granted based on continuous separation without cohabitation for a period of one year.

- (e) State the names of your children and their ages. If your children are old enough to work, include the occupation of each child. **Not Applicable**

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.

Benedict College; attended from 1988 through 1992 and received a bachelor of science degree in criminal justice

University of South School of Law; attended from 1992 through 1995 and received a juris doctorate degree

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.

I was a member of the Black Law Students 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.

I took the South Carolina bar exam once in 1995 and was admitted to practice law in the State of South Carolina in October 1995.

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.

Following my admission to the bar in 1995, I began working as an associate attorney with the law firm of Newman & Sabb, P.A. in its Columbia office. During the previous year, I worked there as a law clerk. This partnership was formed by Clifton Newman and Ronnie Sabb, and it was a general practice law firm. I handled cases involving

personal injury, domestic relations, real estate transactions and bankruptcy. In 1999, I left private practice and began working as a prosecuting attorney for the City of Florence, South Carolina following my move there. I prosecuted traffic offenses, including driving under the influence cases, domestic violence crimes and other municipal violations. In September 2004, I returned to private practice with Ronnie Sabb. His law firm's name was the Law Offices of Ronnie A. Sabb, L.L.C. I continued my work of handling personal injury cases (including automobile accidents and workers compensation matters), family court (including divorces, child custody disputes, adoptions, and name changes), social security disability claims, real estate transactions, contested and uncontested probate matters, and miscellaneous legal issues. I have sat as lead counsel to verdict/judgment in countless cases involving every area previously recited in magistrate's court, probate court, the workers compensation commission, family court, and circuit court. In addition to the general practice, I also worked as contract, part-time assistant solicitor in Williamsburg County. In that role, I handled prosecutions in general sessions court and in family court in juvenile delinquency proceedings. In 2011, I assumed the role of the assistant solicitor-in-charge for Williamsburg County. I served as lead counsel on numerous felony trials, including prosecutions for drug offenses, property crimes, child and adult sexual assaults, burglaries, armed robberies, and murders. In 2016, I resigned from the solicitor's office after twelve years of service. In 2017, I became a partner with Ronnie Sabb and we formed the Sabb Law Group, L.L.C.

Justices/judges applying for re-election to their current position may omit Questions 11-17. If you are a full-time judge seeking a judgeship different than your current position, Questions 11-17 should be answered based on your experience prior to serving on the bench.

11. Please answer the following:

- (a) 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.
- (b) If you are a candidate for Circuit Court, please provide a brief written description of your experience in criminal matters, including any cases handled over the past five years, and include a brief description of the issues involved. Further, please provide a brief written description of your experience in civil matters, including any cases handled over the past five years, and include a brief description of the types of matters handled, issues involved, and procedural history. Please include information such as the primary areas in civil court in which you practice, and whether you represent plaintiffs or defendants, or both. You may go back further than five years

if you feel it would assist the Commission with its assessment of your experience. If you lack experience in an area, describe how your background and procedural knowledge has prepared you to preside over such matters as a Circuit Court judge, or how you would compensate for your lack of experience in this area. Please also indicate the frequency of your appearances before a Circuit Court judge within the past five years.

I worked as contract, part-time assistant solicitor in Williamsburg County from 2004 through 2016. In that role, I was responsible for the prosecutions of cases in general sessions court. I routinely drafted indictments for consideration by the grand jury, drafted discovery responses and requests, handled motion hearings, bond hearings, and guilty pleas. I served as lead counsel on numerous felony trials, including prosecutions for drug offenses, property crimes, child and adult sexual assaults, burglaries, armed robberies, and murders. I have also testified in post-conviction relief hearings in cases I prosecuted. I have represented a few individuals charged with general sessions-level crimes since my resignation from the solicitor's office but due primarily to the Covid-19 pandemic, I have not had an occasion to try a criminal case as a defense attorney. The criminal cases that I have handled since 2016 involved guilty pleas and bond hearings.

In our law practice, I represented primarily plaintiffs in personal injury cases. During circuit court trials since 2004, I often second-chaired or co-counseled many civil cases where Mr. Sabb served as lead counsel. As sole or lead counsel, I have also tried civil cases to verdict in Common Pleas Court that resulted from motor vehicle accidents. Those cases involved every aspect of trial, from jury selection to post-trial motions. I was co-counsel on an election dispute in Circuit Court involving a race for Clarendon County Coroner. The last that I was involved in occurred last year in Florence County Common Pleas, but was resolved subsequent to jury selection. I have not tried a case in Common Pleas Court during the last five calendar years.

(c) If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master's court, including any cases handled over the past five years, and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity or a Circuit Court judge within the past five years.

(d) If you are a candidate for Administrative Law Court, please provide a brief written description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law or Circuit Court within the past five years.

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: **None**

(b) state: **If I include my appearances in magistrate's court, probate court, family court, before the workers compensation commission, common pleas court,**

general sessions court, and the Court of Appeals during the last five calendar years, I would conservatively estimate them to be fifty (50) on average per year.

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: **55%**
 - (b) criminal: **5%**
 - (c) domestic: **25%**
 - (d) other: **15%**

14. During the past five years
- (a) What percentage of your practice was in trial court, including cases that settled prior to trial? **35%**
 - (b) What number of cases went to trial and resulted in a verdict? **In the last five years, I have had approximately 50 family court cases that went to trial and resulted in a verdict.**
 - (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.) **Approximately 10-15 cases**
 - (d) What number of your cases settled after a jury was selected but prior to opening statements? **I had one case in which I was lead counsel during the last five years.**

During the past five years, did you most often serve as sole counsel, chief counsel, or co-counsel? **I most often served as chief counsel or co-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?
Not Applicable.

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) **Gerone Epps was a disputed death case before the SC Workers Compensation Compensation. We represented dependents of Mr. Epps, who worked in the maintenance department for the City of Florence for eleven years. He was morbidly obese and had a pre-existing heart condition. He was involved in a motor vehicle accident during the early morning hours of April 21, 2006 while driving the city's dump truck and as a result, the vehicle overturned completely on its driver's side. He was trapped inside the vehicle for nearly two hours before being extricated. He lost consciousness during transport to the hospital and died later that day. The pathologist performing his autopsy opined that he died accidentally as a result of "morbid obesity, positional asphyxia that was complicated by the motor vehicle accident with probable hypoxic stress and atherosclerotic coronary artery disease." The employer and carrier denied death benefits and maintained**

that his death was caused by pre-existing conditions. The case was tried before the single commissioner, who denied death benefits and found that the decedent's death was due to natural causes unrelated to the accident. On appeal to the full commission, the judgment of the single commissioner was reversed, and full death benefits were awarded. Gerone Epps was the primary caretaker for his sister and her minor children, who suffered tremendously emotionally and financially after his death. I believe that the ruling of the single commissioner was clearly erroneous given the undisputed findings of the physician who performed Mr. Epps' autopsy.

- (b) Another case that holds significance to me is a family court matter where I represented a childless couple who sought to adopt an infant child six years ago. While I've handled many adoption cases previously and since, this case stands out to me because I met this child when she was only a day old. The birth mother used narcotic and illegal substances and as a result, the baby was born addicted to those drugs. Because of the nature of this adoption, policies of the hospital where she was born required that I be photographed and further, that I would be the only person authorized to leave the facility with the child. As I first held that precious child, my heart broke as I saw her limbs shake uncontrollably as a result of her withdrawal from substances she ingested in utero. My clients' adoption request was granted approximately six months later and that little girl has absolutely thrived in their care. The mother periodically sends me photographs of the child via text messages. She shares photos with me of her birthday and holiday celebrations and her first day of school. I felt so honored to have been a part of taking her from the life she could have lived to the life she deserved to live.
- (c) Our firm represented Dr. Benjamin Cooper in an action in Common Pleas Court in Williamsburg County to set aside a deed based on undue influence, lack of consideration, and incapacity. Dr. Cooper was an elderly man who had been diagnosed with depression and dementia. He and his family owned sizeable tracts of land, and he often allowed hunters to use the property to shoot game. However, instead of presenting Dr. Cooper with a hunting lease as in previous years, this individual had him to execute a deed transferring his ownership interest in the land for a nominal amount of money. Shortly thereafter, this individual filed a partition to purchase the remaining interest. We were able to successfully prevail on our counterclaim to have that deed vacated.
- (d) The State vs. Jason Edwards, et al was the first murder trial in which I took an active and significant role as a prosecutor. The trial took place in February 2006, roughly a year and a half after I began working in the solicitor's office. This case stands out to me because of the variables and dynamics at play. Jason Edwards was accused of shooting two victims to death, execution-style. Prior to his death, one of the victims stabbed Jason in his abdomen and ran from the home. A young, female relative of the victim observed the fatal shooting in the front yard of the victim's home. She recognized and identified Jason as the shooter. Due to his stab wound, Jason's brothers took him to York County for treatment to avoid detection. By the time the case was to be tried, the eyewitness to the murder had moved away and was afraid to testify. One of the key police officers in York County who assisted the Williamsburg County Sheriff's Office in the murder

investigation had been fired from law enforcement and was, by then, a convicted felon. We had to contact and coordinate witnesses from the hospital who treated Jason, the law enforcement officials in York County, the pathologist at MUSC in Charleston who performed the autopsy on the victims, SLED agents in Columbia, local law enforcement officers, local family members of the victims, and our eyewitness. It was a stressful and grueling process but every member of the prosecution team stayed at the office late and came in early and because of that, we were able to obtain convictions for Jason and his brothers. After the verdict was announced and the sentence imposed, I wanted to celebrate our victory. Mr. Sabb shared words with me that I will never forget, in his very calm and deliberate manner. He kindly told me that he did not want to celebrate because two people were violently murdered, and all of the defendants were headed to prison for a very long time. This was the first time that I appreciated the weight and sometimes solemn nature of a prosecutor. I am grateful that I learned that lesson early in my career.

- (e) Justin McBride was a young man I prosecuted for the sexual assault of [REDACTED]. Justin was 16 years-old at the time of this crime. [REDACTED]. Given the 25-year mandatory minimum sentence that had to be imposed if Justin was convicted, the victim's parents authorized me to extend a plea offer to Justin and his attorney to the crime of lewd act on a minor child. This offense had a sentence range from probation to 15 years, but would have required Justin to register as a sex offender for life. The sexual registry requirement was apparently a bridge too far for him, and he declined the plea. I asked his attorney if I could meet with he and Justin so that I could explain to him the possible consequences of his decision. His attorney agreed and the three of us met at the courthouse and Justin's mother was in attendance. Despite the advice of his attorney, Justin insisted on a trial. Importantly, the police department that investigated the sexual assault lost the victim's clothing and consequently, those items of evidence were unavailable for testing. Perhaps, Justin believed that because of that missing evidence, I would dismiss the case. However, I had the opportunity to speak with the victim and her mother multiple times during the years this case was pending, and I found them both to be credible and compelling. I was also disturbed at the age of the victim when the defendant committed this act upon her. We tried the case in October 2013 and Justin was convicted and sentenced to 25 years in prison. I saw Mr. McBride years later at his PCR hearing, and it was sad for me to see how much he has deteriorated. His conviction was upheld.

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) Gaddy Oil, Inc. vs. George Rishmawi, et al (SC Court of Appeals Unpublished Opinion Number 2018-UP-308; July 5, 2018)
 - (b) Gerone Epps – WCC File No. 0608969 (Appeal to the full panel of the SC Workers Compensation; May 2010).
 - (c) Bucky Mock vs. Clarendon County Board of Voter Registration & Elections, Lanette Samuels, et al. (SC Supreme Court Appellate Case No.: 2018-001520 dated October 17, 2018)

- (d)
- (e)

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.

(a) **City of Florence vs. Jordan, SC Court of Appeals Opinion No. 3909, Filed December 20, 2004. I, as a municipal prosecutor, appealed the trial court's dismissal of the breath test result in a DUI trial. The circuit court affirmed the decision, but it was reversed by the South Carolina Court of Appeals.**

- (b)
- (c)
- (d)
- (e)

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.

No.

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.

- (a)
- (b)
- (c)
- (d)
- (e)

Not Applicable.

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.

South Carolina United States District Court; admitted 07/23/1996

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.

I spoke at two family court continuing legal education seminars sponsored by the South Carolina Bar. At the most recent presentation (that occurred within the last three years), I spoke on the topic of social security claims/awards in family court. At the other, I gave a presentation concerning juvenile delinquency proceedings. In addition, on March 10, 2023, I was a part of a panel discussion on civility and professionalism sponsored by the SC Bar Leadership Academy. Lastly, several years ago, I spoke along with a public defender at Hemingway High School to a group of students about the dangers of associating with individuals who engage in criminal

behavior. We discussed the legal principle of accomplice liability and took questions from the audience.

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

Please see attached CLE reports.

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

Not applicable.

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 attached:

Initial brief - (RE: Gerone Epps. Vs. City of Lake City; WCC File No.: 0608969)

Decision and order of the full commission (RE: Gerone Epps. Vs. City of Lake City; WCC File No.: 0608969)

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.

Unknown.

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 member since 1995

(b) Williamsburg Bar Association member since 2006

(c) Pee Dee Inn of Court (President since July 1, 2022; Vice President from July 1, 2020 through June 30, 2022; and Secretary from July 1, 2018 through June 30, 2020

(d) South Carolina Association of Justice member since 2004

(e) American Association of Justice member since 2004

(f) Member – South Carolina Lawyers Fund for Client Protection from 2010 to 2012

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.

No.

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.

Not applicable.

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

No.

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.

I have not engaged in any other business, profession, or occupation aside from the practice of law since being admitted to the South Carolina Bar in 1995. Prior to then, I worked at jobs at fast food restaurants and grocery stores.

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.

I have been a partner with the Sabb Law Group since 2017.

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 net worth statement form is provided with this questionnaire and you must use this format for submission of your financial statement.)

Please see attached confidential financial statement.

NOTE: The Commission may require written confirmation that financial obligations have been satisfied or that the parties have agreed upon a payment schedule.

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?

None.

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.

In 2023, I contributed \$1,000 to my law partner, Ronnie Sabb, in his senate re-election campaign. I also contributed \$1,000 to his campaign in 2020. My recollection is that I also contributed \$1,000 to my law school classmate, Senator Mia McLeod. On August 4, 2022, I donated \$1,000.00 to Kim Johnson's campaign for the House of Representatives Seat 64.

My law firm, Sabb Law Group, made the following campaign contributions during the last five years:

Rosalyn Henderson-Myers	-	\$ 800
Kimberly Johnson	-	\$2,000
Karl Allen	-	\$1,000
Mia McLeod	-	\$2,000
Floyd Nicholson	-	\$1,000
Glenn Reese	-	\$1,000
Kevin Johnson	-	\$1,000
Joseph Jefferson	-	\$1,000

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 known.

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.

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.
Not applicable.

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.
Not applicable.

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.
Not applicable.

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

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.

I have never been sued by a client. I was the plaintiff in a legal separation and subsequent divorce action filed in Florence County against my ex-husband in 2005 and 2006, respectively. I was listed as a defendant in several federal court actions filed by pro se inmates who I prosecuted in my role as an assistant solicitor. However, I was not served with any pleadings and the actions, to my knowledge, were summarily dismissed by the Court.

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.

I have been covered by malpractice insurance since 2004. The policy limit is \$1,000,000 per occurrence with a \$5,000.00 deductible.

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.

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) **Shaun C. Kent, Esquire**

(b) **M. Amanda Shuler, Esquire**

(c) **Linda S. Woods**

(d) **Tyler B. Brown, Esquire**

(e) **Latavial Williams**

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

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

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

I am not active on social media. I have an Instagram account and a TikTok, but I have never used them to post photographs, recordings, images, comments, etc. I have no followers on Instagram and my account name is [Redacted]. I do not recall

my TikTok account name. I only activated them to allow me to view other social media pages.

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) McLeod Health Foundation Fellows

(b)

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 was taken into the foster care system as a young child and was subsequently blessed to have been raised by a strong mother who instilled in me that I could be anything that I aspired to be, if I was willing to work hard. I remember watching Perry Mason episodes on television with her and I became instantly intrigued with the legal profession. Despite losing my mother during my high school years, I never forgot the lessons she taught. I committed myself to studying hard and focusing on my college classes, to the exclusion of other memorable college experiences. During my last year at law school, I met two men who have unquestionably and immeasurably impacted my legal career, Clifton Newman and Ronnie Sabb. I was, and remain, incredibly inspired by them and they have set by example what it means to reach the pinnacle of success in their respective roles. Because of my association with Mr. Sabb, I have gained experience in the common pleas and general sessions court. While I am admittedly biased, Ronnie is without doubt the best civil trial lawyer I have ever seen. Having tried many criminal cases before Judge Newman, I have observed a measured, thoughtful, intelligent, and dignified jurist. With my candidacy, I hope to inspire the next generation of would-be jurists.

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: _____
Kimberly V. Barr

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

(Notary Signature)

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