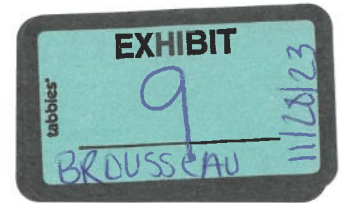


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE
2023**



Court, Position, and Seat # for which you are applying: Family Court Judge, Tenth Circuit, Seat Three

1. Name: Mr. David J. Brousseau

Name that you are known by if different from above
(Example: A Nickname): I am also referred to, at times, as Dave

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: Anderson

Business Address: Mailing: P.O. Box 197
Anderson, SC 29622

Physical: 138 N. Main St.
Anderson, SC 29621

E-Mail Address: [Redacted]

Telephone Number: (home): [Redacted]
(office): (864) 225-0001
(cell): [Redacted]

2. Date of Birth: [Redacted] 1976
Place of Birth: Ft. Walton Beach, FL
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.
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 November 14, 2009, to Amy Boggs Brousseau. She is a cosmetologist.
 - (c) If widowed, list the name(s) of spouse(s). Not Applicable
 - (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. Not Applicable
 - (e) State the names of your children and their ages. If your children are old enough to work, include the occupation of each child.
[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) Anderson University, 1994-1998, Bachelor of Arts Degree in History
 - (b) Southern Illinois University School of Law, 1999-2002, Juris Doctor 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.
- (a) Member of Phi Alpha Delta, legal fraternity, 1999-2002
 - (b) Law clerk, John Foley law Firm, Murphysboro, IL, 2000-2002
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) South Carolina, 2003
 - (b) I took and passed the South Carolina Bar Exam on the first attempt
 - (c) I have not taken the bar exam in any other state
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) 2002-2003, law clerk at McIntosh, Sherard & Sullivan; Anderson, South Carolina. I assisted the attorneys on their files while I awaited the results of the Bar Exam and getting sworn in.

I did title searches for the real estate attorneys at the firm, and particularly assisted in discovery, legal research, and trial preparation on the litigation side of the firm.

- (b) 2003-2009, Associate attorney at McIntosh, Sherard & Sullivan; Anderson, South Carolina. During this time period my practice consisted of general litigation with a particular emphasis on civil litigation. By 2005, I took over all domestic relations cases at the firm. Over fifty percent of my caseload was in all facets of domestic relations law. Additionally, I was handling a number of cases involving personal injury, breach of contract, construction litigation, and real estate disputes in Circuit Court.
- (c) 2009-Current, Partner at McIntosh, Sherard, Sullivan & Brousseau; Anderson, South Carolina. In 2009, I became a partner at my firm. My practice continues to be in civil litigation with an emphasis in domestic relations law, personal injury, real estate litigation, and construction litigation. I also handle criminal defense cases, but typically on the lower end of the penalty threshold. Over fifty percent of my caseload involves family court cases. Additionally, I serve as mediator on a number of family court cases by agreement of the attorneys. I am involved in the administrative decisions of the firm, management of trust accounts on my cases and other related financial matters directly related to the litigation side of my firm.
- (d) 2015-2018, Adjunct Professor, Anderson University; Anderson, South Carolina. In 2015, Anderson University asked me to teach an Intro to Law course. It was offered every fall term. I lectured on the basics of American law and jurisprudence; including, but not limited to: constitutional law, criminal law, criminal procedure, civil law and civil procedure.

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.

In my 20 years of practicing law, I have handled cases of all types in the Family Court system. I appear before the Family Court on a weekly basis for motion hearings, contempt hearings and trials on the merits. I have handled countless divorce cases where issues of custody, support, alimony, and equitable division are often involved. Some of those matters may be complex and involve closely-held family businesses. Some of those matters may be emotionally charged due to custody issues or allegations of fault regarding the breakdown of the marriage. I have also represented clients in quite a few multi-state custody disputes involving

the Uniform Custody Jurisdiction and Enforcement Act (UCCJEA). I have represented clients in termination of parental rights (TPR) and adoption cases. Further, I have handled and tried a number of cases involving DSS. I have been involved in DJJ cases; however, those cases are much less frequent than my normal caseload. I also have an appellate practice, and have argued many of the issues that often are presented in Family Court to the appellate courts. Lastly, I serve as mediator on family court matters upon the agreement of the attorneys involved in those cases.

I believe that my experience in all areas of domestic relations law have prepared me to serve as Family Court judge. I am aware of the procedure and rules on all types of cases in Family Court. I am also familiar with the substantive law on the issues that often appear before the Family Court. I feel that the experience I could bring to the bench would be an asset to the attorneys and litigants that would appear before me.

- (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.

Not Applicable

- (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.

Not Applicable

- (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.

Not Applicable

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 handled two federal court cases in the past five years
 - (b) state: I appear frequently in state court. These appearances likely average, on an annual basis, at least once per week, if not more, when court is in session.

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: 35%
 - (b) criminal: 5%
 - (c) domestic: 60%
 - (d) other:

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? Approximately 8-10
 - (c) What number of cases went to trial and resolved after the plaintiff's or State's case? 0 (Resolved may include settlement, plea, by Judge's order during a motion hearing, etc.)
 - (d) What number of your cases settled after a jury was selected but prior to opening statements? 0

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?

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) McDermott, et al v. Melvin, et al, CA No. 2020-DR-04-1105; Appellate CA No. 2023-000115 – This was my most recent trial. It was a three-day, TPR trial in which my clients, the foster parents, were successful in having the Family Court find that TPR was in the child's best interests. It is significant because DSS believed that reunification with the birth mother was in the child's best interests. The Guardian ad Litem in the DSS case recommended reunification. The Guardian ad Litem in the TPR case recommended TPR. We were able to convince the Court, by clear and convincing evidence, that TPR was appropriate and in the child's best interests despite DSS's position. The child in this case has only known the foster family as her family. She is 5 years old. I strongly believe that the Family Court correctly decided that TPR was in this child's best interests. This case is currently pending on appeal with The South Carolina Court of Appeals

- (b) Holland v. Holland, 438 S.C. 69, 881 S.E.2d 766 (Ct. App. 2022) -- This case established that there is no statute of repose on enforcement of a child support order. The Family Court dismissed a contempt action because the youngest child had been emancipated for over ten years at the time that the father was served with a Clerk's Rule to Show Cause for failure to pay child support. In doing so, the Family Court applied the general ten-year statute of repose on judgments as provided in S.C. Code Ann. § 15-39-30. The Court of Appeals reversed the Family Court and found that the general statute of repose on enforcement of judgments does not apply to child support orders. Initially, the opinion was unpublished. Father filed a petition for a writ of certiorari to the Supreme Court. The Supreme Court denied the Father's petition, and requested that the Court of Appeals publish its opinion.
- (c) Miller Construction Co. v. PC Construction of Greenwood, 418 S.C. 186, 791 S.E.2d 321 (Ct. App. 2016) – This case established that the licensing statutes do not apply in contractor versus contractor claims. This was a three-day, non-jury trial between contractors related to the construction of the Lander University sports complex. My client, Miller Construction, sued for breach of contract for not being paid by the general contractor. The general contractor contended that my client, Miller Construction, was not properly licensed for its work. Additionally, the general contractor argued that my client owed the general contractor for delay damages it said was attributable to Miller Construction. The trial court disagreed with the general contractor, and my client was granted nearly all its damages except pre-judgment interest. The general contractor appealed, and we cross-appealed on the issue of pre-judgment interest. The Court of Appeals affirmed the decision of the lower court, and reversed the trial court's decision on the issue pre-judgment interest.
- (d) Hicks Unlimited v. UniFirst Corp., (Howard Advance Sheet, June 14, 2023) - I handled this case on appeal. This is a breach of contract case. UniFirst moved to compel arbitration pursuant to the Federal Arbitration Act (FAA). My client, Hicks Unlimited, moved to stay arbitration. The arbitration provision did not comply with the notice requirements of the South Carolina Arbitration Act. However, the FAA does not have the same notice requirements. The question was whether or not the contract implicated interstate commerce thereby triggering the FAA. The Circuit Court found that interstate commerce was not implicated, and therefore the FAA did not apply. As a result, the arbitration provision was unenforceable pursuant to the South Carolina Arbitration Act. The Court of Appeals reversed the Circuit Court, and found that interstate commerce was implicated and the FAA did apply. We filed a petition for a writ of certiorari to The Supreme Court. The Supreme Court granted the petition, and reversed the Court of Appeals in a recently published opinion.
- (e) SCDSS v. Johnnie B., 2014-UP-080 (Ct. App. 2014): DSS brought this case alleging abuse and neglect against my client's ex-wife and her boyfriend related to three children. My client was the father of the oldest child, and was a non-offending parent. However, DSS did not want the oldest child to go to my client. My client obtained a custody order for the child in Georgia where he lived and where the child was from. I argued that Georgia had jurisdiction over the issues related to the oldest child pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). The Family Court disagreed and found South Carolina had jurisdiction, not Georgia, and that DSS was to retain custody over the child. We appealed the decision. The Court of Appeals

reversed the Family Court's decision, and found that Georgia did have jurisdiction over the issues related to my client's child. This resulted in my client being granted custody under the Georgia custody order.

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) SCDSS v. Johnnie B., SC Court of Appeals, decision filed February 21, 2014, Unpublished Opinion 2014-UP-080.
 - (b) Robin Carr Smith v. James Rory Smith, SC Court of Appeals, decision filed September 19, 2018, published opinion, 425 S.C. 119, 819 S.E.2d 769 (Ct. App. 2018),
 - (c) Elizabeth Holland v. Richard Holland, SC Court of Appeals, initial decision filed August 4, 2021, as an unpublished opinion. The opinion was then re-filed as a published opinion on September 7, 2022, following an order from the Supreme Court denying the petition for a writ of certiorari, 438 S.C. 69, 881 S.E.2d 766 (Ct. App. 2022).
 - (d) Miller Construction v. PC Construction of Greenwood, SC Court of Appeals, decision filed September 14, 2016, published opinion, 418 S.C. 186, 791 S.E.2d 321 (Ct. App. 2016)
 - (e) Hicks Unlimited v. UniFirst Corp., SC Supreme Court, decision filed June 14, 2023, published opinion, Howard Advance Sheet, June 14, 2023.

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) None
 - (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) Not Applicable
 - (b)
 - (c)
 - (d)
 - (e)

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.

- (a) South Carolina state courts, March 13, 2003
- (b) US District Court for the District of SC, July 3, 2012

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 taught an Introduction to Law course at Anderson University from 2015-2018.
- (b) I lectured on all topics at the Advanced Family Law Seminar CLE by NBI on March 18, 2015.
- (c) I lectured on the topic of appeals, alimony and equitable division for the 2023 Family Court Seminar by the Anderson County Bar on February 3, 2023.

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

Attached

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

None

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.)

- (a) Appellant's Final Brief, Holland v. Holland
- (b) Petitioner's Final Brief, Hicks Unlimited v. UniFirst Corp

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.

Martindale-Hubbell states that my rating is 4.4 out of 5. I have never subscribed or paid for any rating service.

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) Anderson County Bar Association, member
- (b) South Carolina Bar, member
- (c) South Carolina Association for Justice, member

- (d) Anderson County Inns of Court, member
- (e) Tenth Circuit Fee Dispute Resolution Board, member

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.

2009-Curent: Anderson County Tax Assessor Appeals Board, Member. This is an appointed position by the Anderson County Council that serves as part of the assessor's office. No report is required with the State Ethics Commission for this position. I have never been subject to a penalty.

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.

Yes. I ran for Family Court judge in 2018. I withdrew my application.

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.

Since starting law school, I have only been engaged in the practice of law or the teaching of law. Prior to law school, I held a number of odd jobs mainly in retail or customer service during summer breaks or holidays. The most notable job I held prior to going to law school is during my last year of undergraduate studies, 1997-1998, I worked at Cobb's Glen Country Club in Anderson, SC.

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 am a senior partner and 33.3% owner of the law firm McIntosh, Sherard, Sullivan & Brousseau. It is a private practice law firm. I have been a partner at this firm since 2009. I am involved in all of the day-to-day decisions regarding the firm.

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.)

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

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?

No expenditures to date

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.

I contributed \$500.00 to Rep. Anne Thayer's campaign in 2022.

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.

I am not aware of any financial arrangement or business relationship that could constitute a conflict of interest in the future. However, should a conflict of interest arise, I intend to follow the judicial canons in dealing the same. Specifically, Judicial Canons 3(E) and 3(F) deal disqualification, recusal and the remittal.

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.

Neither myself nor any member of my immediate family owns any interest in real property that fits the above description.

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.

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.

Yes. I was arrested on July 30, 2005. I was charged with:

Driving Under the Influence, 1st offense: I pleaded guilty to this offense on September 22, 2005. I paid the fine assessed by the Court, completed ADSAP, and all other conditions imposed by the Court. On May 25, 2022, I was pardoned for this offense.

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

See response to number 45 above. Other than that arrest, I am not aware of any other investigations.

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.

- (a) I have never been sued by a client
- (b) To my knowledge, I have never been named as a party to a lawsuit

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.

- (a) I have been covered by malpractice insurance my entire career
- (b) I have not been covered by a tail policy
- (c) Current coverage is \$2,000,000 per occurrence / \$2,000,000 aggregate. The deductible is \$10,000.

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.

I have not requested anyone to contact members of the General Assembly on my behalf. I do intend to meet members of the General Assembly, and introduce myself as a candidate during this process. However, I also fully intend to abide by the applicable statutes, rules and canons regarding those conversations. Specifically, S.C. Code Ann. § 2-19-70(C), Rule 24 of the JMSC, and Judicial Code of Conduct Section 5(A)(3)(d) are applicable. Further, I intend to adhere to memorandums that have been provided to me regarding these applicable statutes and rules.

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) Steven M. Krause, Esq.
[Redacted]
- (b) J. Franklin McClain, Esq.
[Redacted]
- (c) Tommy B. Edwards, Esq.
[Redacted]
- (d) Marshall P. Sherard, Jr., Esq.
[Redacted]
- (e) Shawn McGee
The Peoples Bank
[Redacted]

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?

- (a) I have a Facebook and Instagram account. I am not very active on either website. I have them to keep up with out-of-town family and friends.
- (b) If elected, I would likely deactivate or delete both accounts. I am not very active on social media. I would not want potential litigants trying to contact me through those websites.

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) Anderson County Inns of Court, member
 - (b) Cobb's Glen Country Club, golf and social member
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.

In my twenty years of practice, I have handled all types of family court cases. Those cases have ranged from the court-appointed cases involving DSS to divorces involving millions of dollars in assets. Additionally, I often serve as mediator on family court cases by agreement of counsel. In addition to my family court practice, I have also tried a number of jury and non-jury cases, of all types, in the Court of Common Pleas. I am well-versed in the procedural and substantive law that is often presented in the Family Court. I have often witnessed the emotions that litigants experience going through a family court case, and I am mindful of how difficult the process can be for litigants in Family Court.

Over the years, I have appeared before some fantastic judges. I have seen how they handle their courtrooms, and I learned from them. A family court judge is often dealing with litigants who are going through the loss of a marriage, lost time with a child, or both. Those litigants are anxious about the amount of time they may get with their child, or how they are going to financially make ends meet without the support of their former partner. Litigants are always best served not only by a judge who is well-versed in the procedural and substantive law, but also a judge who will listen and understand.

My parents divorced when I was in middle school. I recall what it was like to be a child with parents going through the divorce process. My wife and I are parents of a middle schooler. I mention this because during custody cases, we often forget how hard it is to be a parent and how hard the litigation process can be for a child.

I try to stay calm under even the toughest of circumstances, as it is difficult to think clearly when you are upset. We want judges who know the law but also understand the difficulties and emotions that litigants may be experiencing. It is my belief that my legal experience, life experience, temperament, and attitude would all be an asset to parties who may appear before me as well as the Family Court bench and bar.

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: _____