



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

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

South Carolina Supreme Court, Chief Justice, Seat 1

1. Name: The Honorable John W. Kittredge

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.)

Supreme Court, Senior Associate Justice, Seat 3

Home Address:
[Redacted]

County of Residence:

Greenville

Business Address:

Greenville County Courthouse
305 E. North Street, Suite 216
Greenville, S.C. 29601

E-Mail Address: [Redacted]

Telephone Number: (home): [Redacted]

(office): (864) 467-8593

(cell): [Redacted]

2. Date of Birth: [Redacted] 1956

Place of Birth: Greenville, S.C.

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.

No.

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 June 20, 1981, to Lila Graham Hewell Kittredge. My wife is a retired teacher.

(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.

(1) [Redacted]

(2) [Redacted]

(3) [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) 1977 Associate Degree from the University of South Carolina;

- (b) 1979 Bachelor of Science Degree from the University of South Carolina, summa cum laude; Phi Beta Kappa;
 - (c) 1982 Juris Doctor from the University of South Carolina School of Law; Order of the Coif; Wig and Robe.
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) In law school, I worked as a clerk for the Horton Law Firm from 1980-1981.
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) In 1982, I was admitted to the South Carolina Bar.
 - (b) I have never failed a bar exam.
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 these entities including management of trust accounts.
- (a) I served as a law clerk to the Honorable William W. Wilkins, Jr., then United States District Judge, from August 1982 through August 1984.
 - (b) From September 1984 until July 1991, I worked at the law firm of Wilkins, Nelson and Kittredge. I had a litigation practice. I was involved in the administrative management of our law firm.
 - (c) I also worked as a part-time assistant solicitor from 1984 until mid-1985, and then again for several months in 1986 to try several cases at the request of the Solicitor. As an assistant solicitor, I prosecuted many criminal cases.
 - (d) I was elected by the General Assembly to the Family Court bench in 1991.
 - (e) In 1996, I was elected by the General Assembly to the Circuit Court bench.
 - (f) In 2003, I was elected by the General Assembly to the Court of Appeals.
 - (g) In 2008, I was elected by the General Assembly to the Supreme Court.

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. Also indicate the frequency of your appearance before a Family Court judge within the past five years.

Inapplicable.

- (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 appearance before a Circuit Court judge within the past five years.

Inapplicable.

- (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.

Inapplicable.

- (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.

Inapplicable.

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: two times per year;

(b) state: weekly.

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: 30%;

(b) criminal: 10%;

(c) domestic: 60%;

(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?

The vast majority of my practice was in the trial court. Other than dealing with the administrative side of law firm management, I had a litigation practice.

(b) What number of cases went to trial and resulted in a verdict?

The majority of my jury trials came from my service as an assistant solicitor. I do not recall exact numbers concerning cases tried and cases settled. As an assistant solicitor, I was a part-time prosecutor; I was assigned specific cases that were viewed as "definite trials." Very few of my assigned cases were resolved by guilty plea. On the civil side in private practice, at any given time, I was handling between fifty and one hundred cases.

(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.)

As a prosecutor, I was specifically assigned cases that had to be tried. As a result, most criminal cases went to trial and resulted in a jury verdict. Concerning civil and domestic cases, as was (and is) customary, most cases were resolved by settlement before or during trial. My best guess is that eighty percent (80%) of the cases were resolved by agreement and twenty percent (20%) were tried.

(d) What number of your cases settled after a jury was selected but prior to opening statements?

I probably did have a case or cases settle immediately after jury selection, but I cannot recall a specific instance.

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

- (a) During my years of private practice, my time was equally divided between sole counsel and 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?

- (a) Given the passage of time, it is difficult to give a precise percentage of time in the courtroom. I spent on average several hours a day doing frontline litigation work, e.g., in court, taking depositions and other litigation-type work. The balance of my time was spent doing things all practicing lawyers do—such as meeting with clients, providing updates to clients, talking with opposing counsel on procedural / scheduling matters (as well as settlement negotiations), and addressing the myriad matters that arise in the operation of a law firm.

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) State v. Floyd McDuffie. (approximately 1985, Greenville County General Sessions Court.) I prosecuted many cases as an assistant solicitor, and this case was significant to me. It involved a highly publicized murder and robbery. Interesting legal questions arose during the trial. The defendant was convicted of armed robbery and manslaughter and sentenced to jail.
- (b) State v. Donnie Robinson. (approximately 1986, Greenville County General Sessions Court.) I prosecuted this defendant for armed robbery and kidnapping. This was a highly publicized case in which the defendant kidnapped the victim at gunpoint in the parking lot of Haywood Mall in Greenville. The defendant then forced the victim to withdraw money from her bank account. The victim eventually escaped from the defendant. The jury convicted the defendant on all counts, and he received a life sentence.
- (c) Stogner v. City of Mauldin. 84-CP-23-680. I, along with my law partner, represented the defendant. Plaintiff filed a myriad of claims (including a 42 USC §1983 cause of action) arising from a challenge to the zoning ordinance of the City of Mauldin. The case was tried to a jury. Judgment for defendant at the close of evidence.

- (d) Collins Music v. Terry et al. 87-CP-23-2982. I represented plaintiff in this common pleas action. The case received substantial publicity. Plaintiff alleged breach of contract, tortious interference with contractual relations and unfair trade practices. Plaintiff prevailed. Judgment was entered in the approximate amount of \$18,000 actual damages and \$100,000 punitive damages. The case was appealed and affirmed by the Court of Appeals. (303 S.C. 358, 400 S.E.2d 783 (1991)). I also handled the appeal.
- (e) First Baptist Church of Mauldin v. City of Mauldin. 90-CP-23-955. I represented the church (on a pro bono basis) in its petition to close a road on its property. The road closing was necessary to enable the church to expand its facility to accommodate its growing membership. This was far more than a typical road closing case. For political reasons, the church's petition was adamantly opposed by the City of Mauldin. Significant publicity surrounded the case and trial. Following a lengthy trial, judgment was entered in favor of the church and the road was closed, thus enabling the church to expand its facilities. I was elected to the Family Court bench while the case was on appeal to the Supreme Court. The Supreme Court affirmed, 308 S.C. 226, 417 S.E.2d 592 (1992).
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) Collins Music v. Terry, 303 S.C. 358, 400 S.E.2d 783 (Ct. App. 1991).
- (b) S.C. Tax Commission v. S. C. Tax Board of Review, 305 S.C. 183, 407 S.E.2d 627 (1991). I argued the case before the Supreme Court, but I did not write the brief.
- (c) Watson v. Watson, 291 S.C. 13, 351 S.E.2d 883 (Ct. App. 1986).
- (d) Burns v. Burns, 293 S.C. 1, 358 S.E.2d 168 (Ct. App. 1987).
- (e) Lineberger v. Lineberger, 303 S.C. 248, 399 S.E.2d 786 (Ct. App. 1990).
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) I have not, as an attorney, personally handled a criminal appeal. However, as an appellate judge, I have authored hundreds of opinions. Attached to this application is a list of all opinions I have authored while serving on the Court of Appeals and to date on the Supreme Court.
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.
- (a) I was elected by the General Assembly to the Family Court bench on May 8, 1991, and reelected in May 1995. The Family Court is a court of limited jurisdiction.

- (b) In 1996, I was elected by the General Assembly to an At-Large Circuit Court judgeship (Seat 11).
 - (c) In 1998, I was elected to a Resident Circuit Court judgeship (Thirteenth Judicial Circuit, Seat 4). The Circuit Court is South Carolina's general jurisdiction court, civil and criminal.
 - (d) In 2003, I was elected to the Court of Appeals. The Court of Appeals is an intermediate, error-correction appellate court.
 - (e) In 2008, I was elected to the Supreme Court. The Supreme Court is the highest court in South Carolina. While the Supreme Court primarily serves as an appellate court, it has authority to hear matters in its original jurisdiction. See Article V of the South Carolina Constitution.
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) Moore v. Moore, 414 S.C. 490, 779 S.E.2d 533 (2015).
 - (b) Adoptive Couple v. Baby Girl, 395 S.C. 625, 731 S.E.2d 550 (2012) (Kittredge, J., dissenting), *rev'd* 133 S.Ct. 2552 (2013) (reversing majority decision and adopting Justice Kittredge's view that Indian Child Welfare Act did not bar adoption of child where Indian parent abandoned Indian child prior to birth).
 - (c) Abbeville Cnty. Sch. Dist. v. State, 410 S.C. 619, 767 S.E.2d 157 (2014) (Kittredge, J., dissenting); see also Abbeville Cnty. Sch. Dist. v. State, 414 S.C. 166, 777 S.E.2d 547 (2015) (order) (Kittredge, J., dissenting), *superseded by* 415 S.C. 19, 780 S.E.2d 609 (2015) (Kittredge, J., dissenting).
 - (d) Bd. of Trustees of School Dist. of Fairfield County v. State, 395 S.C. 276, 718 S.E.2d 210 (2011).
 - (e) State v. Moore, 429 S.C. 465, 839 S.E.2d 882 (2020).
 - (f) I have been an appellate judge since 2003. I have authored hundreds of opinions. I am attaching to my application a list of all appellate opinions I have authored.
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 Supreme Court, 1982;
 - (b) United States District Court for the District of South Carolina, 1983;

- (c) United States Court of Appeals for the Fourth Circuit, 1983;
 - (d) United States Supreme Court, 1986;
 - (e) United States Court of Military Appeals, 1986;
 - (f) District of Columbia Court of Appeals, 1986.
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) Yes, on numerous occasions. Please see my response to #22 below.
 - (b) I have also spoken to diverse groups across the state. I have spoken to school children, including middle and high school students. I have further spoken to college level students and law school students. I have spoken to many civic organizations, such as Rotary, Civitan, and Kiwanis. In speaking to students and civic groups, the primary focus has been an understanding of the legal system and the importance of the rule of law. I have spoken to other groups as well, such as law enforcement officers.
 - (c) I have spoken at many CLE programs. While the topics have varied, I am generally asked to present on the topics of civility and professionalism. This is the result of my service as chair of the Chief Justice's Commission on the Profession. For example, when the Bridge the Gap program existed, I was the speaker for many years on civility and professionalism. I have also spoken at the South Carolina Bar Convention on numerous occasions, including CLE programs and the Plenary Luncheon. In January 2023, I presented the "State of the Judiciary" talk to the House of Delegates.
22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.
- See attached.
23. List all published books and articles you have written and give citations and the dates of publication for each.
- (a) Around 1978, I wrote a paper entitled The Inevitability of Police Discretion, which was published in the South Carolina Law Enforcement Officers Association magazine.
 - (b) An article on juvenile justice was published in the Greenville News in December, 1992.
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.)

Inapplicable.

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 – AV.

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 – 1982 to present;

(b) Greenville County Bar – 1982 to present.

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.

(a) 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.

(a) None.

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.

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, as to business enterprise.

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.)

See attached. A complete, current financial net worth statement has been 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 as to all questions.

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?

(a) \$136.65 for stamps and \$15.96 for paper and envelopes (total of \$152.61) mailed from February through May 2023. I have also paid \$300 for typing assistance in completing this application. These expenditures will be reported to the House and Senate Ethics Committees.

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) Neither I, a member of my immediate family, nor a business with which I am associated have made contributions to any member of the General Assembly within the past four years.

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.

Stock holdings have never presented a problem in my thirty-year judicial career. The few cases I have heard involving a company in which I owned stock, I have disclosed my ownership interest and proceeded in accordance with the Code of Judicial Conduct.

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;

None.

(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

None.

(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;

(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.

A brokerage account statement is included in my responses concerning my financial information.

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.

No.

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

No. However, I did use the services of my staff (Administrative Assistant) for typing assistance. This was done outside of working hours. The amount paid was \$300. See also response to Question #36.

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 investigations 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.

(a) I have never been sued by a client.

(b) As a judge I have been named as a defendant in multiple lawsuits, usually by prison inmates. I have also been named as a defendant in my official capacity as acting Chief Justice by a frequent litigant. I cannot formally certify the precise number of times I have been named as a defendant in a lawsuit. Judges are regularly named as defendants in prisoner litigation. I do recall an occasion when the Supreme Court refused pro hac vice admission to an out of state lawyer. The lawyer filed a federal court lawsuit against me and other justices; the case was dismissed. I also recall a lawyer facing a grievance filing an action against the Court in the United States District Court; that case was returned to our Court based on Younger abstention. My inability to answer this question fully is primarily the result of courts preemptively dismissing complaints prior to formal filing. In the United States District Court, it is my understanding that a complaint must first be reviewed by a United States Magistrate to determine if the allegations have any conceivable legal merit. Many complaints against judges are summarily dismissed in the federal court prior to formal filing. This explains why I am unable to provide a more precise answer to the question. Other than the almost 50-year-old civil action (from a motor vehicle accident) described below, I have never been actively engaged in any litigation.

(c) I was involved in an automobile accident in about 1974, which resulted in a lawsuit being filed against me in 1976. The plaintiff alleged negligence against me and sought damages. The case was tried to a jury and a verdict was rendered in my favor, "unavoidable accident."

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.

Not applicable.

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. My "campaigning" has consisted of meeting with legislators, informing them of my judicial experience and intent to apply for the Chief Justice position.

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) Mr. Jimmy Gullede, First Citizens Bank, [Redacted]

(b) The Rev. Dr. Richard Gibbons, First Presbyterian Church, [Redacted]

(c) Dr. Brad Williams, [Redacted]

(d) Mr. Tommy Toler, [Redacted]

(e) Mr. William M. Webster, IV, [Redacted]

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

No.

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

Not applicable.

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

Not applicable.

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) Upstate Warrior Solutions - Board of Directors, Greenville, S.C.;

- (b) Commission on Accreditation for Law Enforcement Agencies – National Commissioner;
- (c) Greenville Country Club, Greenville, S.C.;
- (d) Poinsett Club, Greenville, S.C.;
- (e) First Presbyterian Church, Greenville, S.C. – previously served as an Elder;
- (f) Haynsworth-Perry Inn of Court, Greenville, S.C.

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.

- (a) I believe I am well qualified to serve as Chief Justice of the South Carolina Supreme Court. My academic background includes summa cum laude, Phi Beta Kappa, Order of the Coif; and Wig and Robe.
- (b) This June concluded by thirty-second year of judicial service to South Carolina. I am the first and only person ever in South Carolina to serve on the four major courts— Family Court, Circuit Court, Court of Appeals and the Supreme Court. My service at every level has prepared me well to serve as Chief Justice. I am no stranger to hard work.
- (c) As a trial judge, I (1) served as chief administrative judge on numerous occasions on Family and Circuit Court; (2) formed Bench-Bar committees in Family and Circuit Court to facilitate productive and positive communications between judges and practicing attorneys on matters affecting the court; (3) assembled and participated in the committee which resulted in the implementation of the successful Alternate Dispute Resolution Program in Greenville County; (4) was assigned and tried many complex cases, including medical malpractice, products liability, constitutional challenges to state statutes, etc.; (5) was responsible for the organization, scheduling and presentation of many JCLEs at Family Court and Circuit Court conferences; (6) was assigned numerous death penalty cases by the Supreme Court, including death penalty post-conviction relief; (7) served on numerous occasions as an Acting Associate Justice of the Supreme Court; and (8) was appointed many times by the Supreme Court as a special referee in matters in the Supreme Court’s original jurisdiction, and in all such cases the Supreme Court unanimously adopted my Report and Recommendation in published opinions.
- (d) For the past approximately twenty years, I have served as an appellate judge, the last fifteen on the Supreme Court. I enjoy the challenges of novel and difficult issues we frequently encounter at the appellate level. I hope my work product (legal opinions) is

acceptable to the Bench and Bar. It has been and remains my goal to write understandable and meaningful opinions for the Bench and Bar. My judicial philosophy is that judges adjudicate and legislators legislate.

- (e) I have served on the Chief Justice’s Commission on the Profession since approximately 2003. In 2008, I was appointed as Chairman of the Commission on the Profession and have served in that capacity since. The Commission on the Profession has led the way on numerous improvements to the system of justice, including the mentoring program and numerous rule changes.
- (f) In 2015, I received a lifetime achievement award from Chief Justice Toal for my contributions to the legal profession. I was the first recipient of this award.
- (g) I wish to add a final comment. I have no agenda, other than to honor my oath as a judge and uphold the rule of law. I bring neither a bias nor an agenda to the discharge of my judicial duties. I am faithful to the rule of law, and my record of almost thirty-two years in the state judiciary so reflects. Moreover, beyond my uncompromising commitment to the rule of law, I have tried my best to treat everyone with kindness and respect.

I thank the JMSC for its consideration of my application for election to the position of Chief Justice of the Supreme Court.

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: _____