

**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

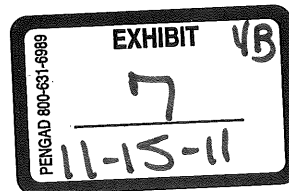
Court, Position, and Seat # for which you are applying:
Circuit Court, Third Judicial Circuit, Seat 2

1. NAME: Mr. George C. James, Jr.
BUSINESS ADDRESS: P.O. Box 1716
Sumter, SC 29151
TELEPHONE NUMBER: (office): 803-436-2150
2. Date of Birth: 1960
Place of Birth: Savannah, Ga.
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
5. Family Status: Married on March 22, 1986, to Dena Owen James. Never divorced; two children.
6. Have you served in the military? No military service.
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) The Citadel. 1978-82, B.S. Business Admin.;
(b) University of South Carolina School of Law, 1982-85, J.D.
8. 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. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state. Only bar exam taken was in S.C. Admitted only in S.C.
9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.
In college, I was very active in intramurals, and I was also a cadet officer my senior year. I was a member of the Economic Honor Society and the Phi Kappa Phi honor society. I was awarded Gold Stars and was on the Dean's List. In law school, I was a member of Delta Theta Phi and was president my third year.
10. Describe your continuing legal or judicial education during the past five years. Include only the title and date of any continuing legal or judicial education course completed.

Conference/CLE Name

- (a) Orientation for New Circuit Judges
- (b) '06 Annual Judicial Conf.
- (c) 22nd Annual Criminal Law Update

Date(s)
7/9-7/10/06;
8/23/06;
1/26/07;



- (d) 5th Annual Civil Law Update 1/26/07;
- (e) '07 Annual Judicial Conf. 8/22/07;
- (f) National Judicial College 10/14-10/25/07;
- (g) 23rd Annual Crim Law Update 1/25/08;
- (h) 6th Annual Civil Law Update 1/25/08;
- (i) '08 Circuit Judges' Conf. 5/16-5/18/08;
- (j) '08 Annual Judicial Conf. 8/20/08;
- (k) 24th Annual Crim Law Update 1/23/09;
- (l) 7th Annual Civil Law Update 1/23/09;
- (m) '09 Circuit Judges' Conf. 5/6-5/8/09;
- (n) '09 Annual Judicial Conf. 8/19/09;
- (o) 25th Annual Crim Law Update 1/22/10;
- (p) 8th Annual Civil Law Update 1/22/10;
- (q) '10 Circuit Judges' Conf. 5/5-5/7/10;
- (r) '10 Annual Judicial Conf. 8/18/10;
- (s) 26th Annual Crim Law Update 1/21/11;
- (t) 9th Annual Civil Law Update 1/21/11;
- (u) '11 Circuit Judges' Conf. 5/4-5/6/11.

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
- (a) I have spoken to the 3rd Circuit solicitors and public defenders on evidence topics.
 - (b) I have taught selected topics on evidence in the Advanced Evidence course at the National Judicial College in Reno, Nevada.
 - (c) I have spoken to attorneys on the South Carolina Tort Claims Act
 - (d) I spoke to young prosecutors on recent case law at an annual Solicitors Conf.
12. List all published books and articles you have written and give citations and the dates of publication for each. NONE
13. 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) Admitted to practice before the State Courts of South Carolina in 1985;
 - (b) Also admitted to practice before the U.S. District Court in 1985
14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.
- After graduating from law school in 1985, I entered private practice with Richardson, James and Player in Sumter as an associate. I eventually became a partner. In 2000, the firm was known as Richardson and James, and that firm merged with another Sumter firm, Lee, Erter, Wilson, Holler and

Smith, to become Lee, Wilson, Erter, James, Holler and Smith, LLC. I was a member of that firm until my election to the bench in 2006. During my years in private practice, I handled mostly civil cases in state and federal court, primarily state court. My practice was centered mostly upon representing defendants in civil litigation, and I handled a fair amount of insurance fraud cases for carriers. I also defended governmental entities and law enforcement officers in tort and civil rights cases. I also represented plaintiffs in personal injury matters. I also advised business entities and handled business transactions.

15. What is your rating, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, etc.? If you are currently a member of the judiciary, list your last available rating, if any. My last available rating was AV.
22. Have you ever held judicial office? YES.
I am currently a circuit judge, having been elected in 2006 by the General Assembly. This is a court of general jurisdiction.
23. If the answer to question 22 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) Harris Teeter, Inc. v. Moore & Van Allen, PLLC, 390 S.C. 275, 701 SE 2d 742 (2010). This was a complex legal malpractice action in Charleston County. I granted summary judgment to the defendants on the issue of proximate cause, and further ruled that the plaintiff's summary judgment expert witness affidavits were insufficient, and further ruled the plaintiff failed to establish that the defendants' conduct was unreasonable. The Supreme Court affirmed.
- (b) Rutland v. SCDOT, 390 S.C. 78, 700 SE2d 241 (Ct. App. 2010). In this case, an Orangeburg County jury returned a verdict for the plaintiff in a wrongful death action against SCDOT. I granted SCDOT's post-trial motion to re-allocate the division of a wrongful death and survival settlement the plaintiff had reached with a former defendant, the effect of which was to render the verdict completely set off by the prior settlement. The Court of Appeals affirmed, concluding that I had properly re-allocated the prior settlement.
- (c) State v. James, 386 S.C. 650, 689 SE2d 643 (Ct. App. 2010). In this Distribution of Crack Cocaine case, the Court of Appeals affirmed my decision not to give the jury a mere presence charge. The Court reviewed the situations in which a mere presence charge would be warranted.
- (d) Pringle v. SLR, Inc. of Summerton, 382 S.C. 397, 675 SE2d 783 (Ct. App. 2009). The Court of Appeals affirmed my grant of summary judgment to a restaurant owner, finding that the owner was not negligent in placing residential grade chairs in a commercial establishment, and finding that the doctrine of spoliation of evidence did

not preclude the grant of summary judgment, as any inference a jury could derive from the fact that the subject chair was lost or destroyed was that the chair was not defective.

(e) Workman v. Krishna, LLC and America's Best Value Inns, Sumter County Court of Common Pleas, 2008-CP-43-1138. The plaintiff's decedent was shot to death in a room in a motel in Sumter. The plaintiff advanced theories centered upon the defendants' failure to maintain adequate security for its patrons. I granted summary judgment for the defendants on the ground that there was not a scintilla of evidence of negligence on the part of the defendants. I do not know if the order was appealed.

24. 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? No other public office.

25. 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. None

26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?

In 1999, I ran for the circuit bench. I was not one of the three to make it out of screening.

27. 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?

None, except for owning a fractional interest in Security Management of South Carolina, LLC, a company that provides uniformed security guards. I sold my interest before being elected in 2006. I had no part in the day-to-day operations of the business.

28. Are you now an officer or director or involved in the management of any business enterprise? None.

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

30. 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. Explain how you would resolve any potential conflict of interest.

As noted above, I formerly held a membership interest in Security Management of South Carolina, LLC. If that business were to be involved in litigation as a party, I would not participate. I was a member of the BB&T Sumter County Advisory Board before going on the bench, and I divulge this past association if BB&T is a party to litigation. If my impartiality could

reasonably be called into question, I would recuse myself. I also disclose the fact that I am or have been a customer of various banks, if those banks are parties to litigation, and would recuse myself if my impartiality might reasonably be called into question.

31. 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? NONE
32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? NO.
33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? NO. Have you ever defaulted on a student loan? NO. Have you ever filed for bankruptcy? NO.
34. Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law? NO.
36. Have you ever been investigated by the Department of Social Services? NO. If so, give the details and the resolution. Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? NO.
37. 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)? NO.
38. 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? NO.
39. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. NONE
40. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. NONE
41. 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. NONE
42. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship. NONE

43. 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? NO. 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? NO.
44. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? NO. Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? NO.
45. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? NO.
46. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? NO.
47. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
- (a) South Carolina Bar Association, 1985-present;
 - (b) Sumter County Bar Association, 1985-present. I can't remember exactly when, but I was secretary-treasurer in the early to mid-1990s;
 - (c) South Carolina Circuit Judges' Association, 2006-present;
 - (d) American Bar Association, Judicial Division, 2010-present.
48. 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, any professional honors, awards, or other forms of recognition received and not listed elsewhere.
- (a) Cotillion Club (Social Club);
 - (b) Sumter Assembly (Social Club);
 - (c) Les Trente (Social Club);
 - (d) J. Matthew Perry Civility Award- presented to me by the Richland County Bar Association in 2009.
49. 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.

I was fortunate to grow up with parents who provided me with an enormous amount of love and direction. My late father was a consummate gentleman and was also my law partner when he died in 1999. I learned a great deal from him as a man and a lawyer. I have always tried to conduct myself in a way that would make him proud. I haven't always measured up, but even on the bench, I frequently consider how I think he would handle difficult situations. Many might think that judges who weren't exposed to financially and socially disadvantaged formative years could not possibly identify with or empathize with litigants who are in that category. However, I was taught to be gracious and courteous to everyone, and I have tried mightily

as a judge to treat everyone accordingly. Also, when I was in private practice, I had an extremely busy practice. I still have not forgotten that attorneys in this day and age are under- appreciated and overworked. I remind myself that the lawyers who appear in front of me are likely burning the candle at both ends and are trying very hard to represent their clients to the best of their ability and that on occasion, they need some slack.

50. References:

- (a) Banker- William J. Holmes, III
Vice President, Wachovia, SC7610
4 North Washington St.
Sumter, S.C. 29150
803-778-7705
- (b) Hon. James C. Campbell
Sumter County Clerk of Court
Sumter County Courthouse
141 N. Main St., Room 308
Sumter, S.C. 29150
803-436-2227
- (c) W. Byron Kinney
Bynum Insurance
1170 Wilson Hall Rd.
Sumter, SC 29150
803-469-3030
- (d) Milton Schwartz
2750 Windmill Dr.
Sumter, SC 29150
803-469-2779
- (e) John M. Brabham, Jr.
Prudential John M. Brabham
P.O. Box 307
Sumter, SC 29151
803-775-1201

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: George C. James, Jr.

Date: July 28, 2011