

**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

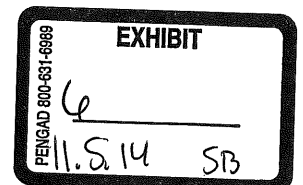
Court, Position, and Seat # for which you are applying:
Master-in-Equity, Greenville County

1. NAME: The Honorable Charles B. Simmons, Jr.
BUSINESS ADDRESS: Suite 313, 305 East North Street
Greenville, SC 29601
TELEPHONE NUMBER: (office): (864) 467-8556
2. Date of Birth: 1956
Place of Birth: Greenville, SC
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 April 26, 1986, to Elizabeth Spencer Simmons. Never divorced, Three children.
6. Have you served in the military? No
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) Spartanburg Methodist College, Spartanburg, SC (1975-77, AA Criminal Justice);
 - (b) East Tennessee State University, Johnson City, TN (1977-79, BS in Political Science and Criminal Justice);
 - (c) USC School of Law, Columbia, SC (1979-82; JD).
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.

SC, 1982.
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.

Honor Council, USC School of Law (Chair 1981-82).
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.

| <u>Conference/CLE Name</u> | <u>Date</u> |
|--------------------------------|-------------|
| (a) Annual Judicial Conference | 8/21/2013; |
| (b) NADCP Training Conference | 7/14/2013; |
| (c) Spring Conference CLE | 5/1/2013; |
| (d) Annual Judicial Conference | 8/22/2012; |
| (e) Circuit Judge Conference | 5/2/2012; |
| (f) NADCP Training Conference | 5/30/2012; |
| (g) Masters Bench/Bar | 10/12/2012; |
| (h) Annual Judicial Conference | 8/17/2012; |
| (i) NADCP Training Conference | 6/2/2012; |
| (j) Annual Judicial Conference | 8/18/2012; |



- | | | | |
|--|-----|----------------------------|------------|
| | (k) | Masters Bench/Bar | 10/8/2012; |
| | (l) | Annual Judicial Conference | 8/19/2012; |
| | (m) | SC Bar Convention | 1/22/2012; |
| | (n) | Drug Litigation | 5/8/2012. |
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 lectured at multiple SC Bar Program “Bridge the Gap” for new lawyers;
 - (b) I have frequently spoken at SC Bar and Greenville Bar CLE programs;
 - (c) Lecturer at USC Law School and Charleston School of Law;
 - (d) Speaker at state and national Drug Court Conferences.
 12. List all published books and articles you have written and give citations and the dates of publication for each.
 - (a) Tips for Non-Jury, SC Lawyer, (May 1993);
 - (b) SC Jurisprudence (contributing writer (1995);
 - (c) Drafting Enforceable Non-Competes, SC Bar (May 1995);
 - (d) Mortgage Foreclosures, A Primer, SC Lawyer (1995).
 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 SC in 1982;
 - (b) District Court of SC (1983);
 - (c) US Court of Appeals (4th Circuit) 1986.
 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.

I served as a law clerk to SC Circuit Judge Vic Pyle from 1982-83. I then joined the Carter-Smith Law Firm from 1983-85. My practice was primarily civil. I then joined the Wilkins Law Firm in 1985, primarily handling general civil and domestic matters. I became Master in Equity for Greenville County in 1989. I am also designated by our Supreme Court as a Special Circuit Court Judge and preside over the 13th Circuit Adult Drug Court Program and the 13th Circuit Veteran’s Treatment Court.
 - 14.(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.
 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.
 22. Have you ever held judicial office?
 - (a) Master in Equity for Greenville County (1989-present);
 - (b) Special Circuit Court Judge (1989-present);
 - (c) Adult Drug Court Judge (1999-present);
 - (d) Veterans’ Treatment Court Judge (2012-present).
 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) First Baptist v. City of Mauldin 417 SE2d 592 (SC 1992);
 - (b) Ft. Hill Nat Gas City of Easley 426 SE2d 787 (SC App 1993);
 - (c) Rhodes v. Benson Chrysler 647 SE2d 249 (SC App 2007);
 - (d) Matrix v. Frazier 714 SE2d 532 (SC 2011);
 - (e) Bank of America v. Draper 746 SE2d 478 (SC App 2013).
24. Have you ever held public office other than judicial office? No
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.
Part-time instructor at Greenville TEC Paralegal Program (1987-92); at request of attorneys and with permission of Greenville County Administrator, I occasionally hear cases from different counties as a special referee pursuant to Rule 53, SCRCP.
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?
- (a) SC Court of Appeals (1992);
 - (b) SC Supreme Court (1994);
 - (c) SC Court of Appeals (1996).
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?
I own several pieces of rental property in Greenville SC. I am not involved in any other business or outside activity.
28. Are you now an officer or director or involved in the management of any business enterprise? No
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. None
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? No
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? Have you ever defaulted on a student loan? 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?
- (a) McCullough v. Simmons; 2004 bankruptcy case where I was named in my professional capacity; case dismissed in 2005;
 - (b) Nash v. Laney; pro se action filed in federal court in 1993, where I was named in my professional capacity; case ended January 1993;
 - (c) Hunt v. Wombyle, Carlisle; pro se action in state and federal court; I was named in my professional capacity; both actions dismissed 2008.
36. Have you ever been investigated by the Department of Social Services? Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? No

37. 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? N/A
38. Are you active on or a member of a social media or Internet site or have you, to your knowledge, been featured or depicted on a social media or Internet site, such as, Facebook, LinkedIn, Twitter, etc.? No
39. 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
40. 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
41. 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
42. 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
43. 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.
\$30.00 for letter/postage to Greenville Delegation advising of my application for reappointment as Master.
44. 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
45. 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? 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
46. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No
47. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No
48. 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
49. 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) SC Bar;

- (b) Greenville County Bar Association;
 - (c) National Association of Drug Court Professionals (NADCP); Board Member 2007-12; 2013-present).
50. 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.
- Member and Elder, First Presbyterian Church, Greenville SC.
51. 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 have served as Master since 1989. During that time, I have endeavored to be well prepared, fair, impartial and caring. I am hopeful that based upon my prior service and the record I have established, that I will be reappointed to this position.
52. References:
- (a) Art Seaver
Southern First Bank
100 Verdae Blvd.
Greenville SC 29607
(864) 679-9000
 - (b) Rev. Dr. Richard Gibbons
First Presbyterian Church
200 Washington Street
Greenville, SC 29601 (864) 235-0496
 - (c) George Conits
2080 Cleveland Park Extension
Greenville SC 29607
(864) 282-2116
 - (d) Tom Epting
17 West Hillcrest Drive
Greenville, SC 29609
(864) 242-6440
 - (e) Wallace McNair
2 East Avondale Drive
Greenville SC 29609
(864) 230-5181

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

Signature: The Honorable Charles B. Simmons, Jr.
Date: July 24, 2014

Daina Riley

From: Daina Riley
Sent: Monday, September 29, 2014 2:40 PM
To: 'Simmons, Judge Charles'
Subject: RE: Judicial Merit Selection PDQ Question

Judge Simmons,

Your email response will suffice. A copy of this email will be offered as an amendment to #15 of your PDQ at the Public Hearing.

Thank you,

DMR

From: Simmons, Judge Charles [<mailto:CSimmons@greenvillecounty.org>]
Sent: Monday, September 29, 2014 1:32 PM
To: Daina Riley
Subject: RE: Judicial Merit Selection PDQ Question

Daina,
Thanks for the email.
I have never been rated by an organization. Do I need to bring a letter stating that or will this email suffice?
Judge Simmons

Charles B. Simmons, Jr., Judge
Greenville County Courthouse
305 East North Street, Suite 313
Greenville, SC 29601

Phone: (864) 467-8556
Fax: (864) 467-8401

From: Daina Riley [<mailto:DainaRiley@scsenate.gov>]
Sent: Monday, September 29, 2014 12:58 PM
To: Simmons, Judge Charles
Subject: Judicial Merit Selection PDQ Question

Judge Simmons,

I am the law clerk assisting JJ Gentry with your screening materials. After a review of your Personal Data Questionnaire (PDQ), it has come to my attention that item #15 was left blank.

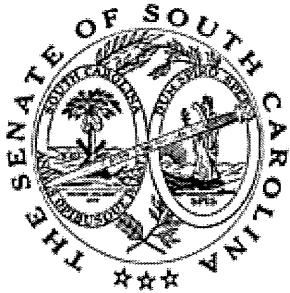
The question asks: **“What is your rating, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who’s Who Legal, Super Lawyers, etc.? If you are currently a member of the judiciary, list your last available rating, if any.”**

Could you please draft a brief letter amending your PDQ to include your response to the question? For your convenience, you may bring the letter to your interview on Friday, October 3, 2014. Otherwise, you may fax a copy to (803) 212-6600, ATTN: JJ Gentry.

Thank you for your attention to this matter,

DMR

Daina M. Riley
Law Clerk
South Carolina Senate Judiciary Committee
Office: 803.212.6190
dainariley@scsenate.gov



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