

**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

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

Master-in-Equity, Orangeburg County

1. NAME: The Honorable James B. Jackson, Jr.
BUSINESS ADDRESS: 631 Bass Drive
PO Box 349
Santee, SC 29142
 2. TELEPHONE NUMBER: (Master's office): (803-533-6286
(office): (803) 854-4484
Date of Birth: 1955
Place of Birth: Orangeburg, 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 to Cynthia Martin Jackson on July 23, 1977. Never divorced; two children.
 6. Have you served in the military? N/A
 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) Emory & Henry College, Emory, VA 1973-77, BA in Political Science and Business and Economics;
 - (c) USC School of Law, 1977-80, 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, 1980
 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.
 - (a) In college from 1973 through 1977 I served on the student government council for two years and was involved in the Sigma Alpha Kappa Fraternity where I held most of the leadership positions;
 - (b) I also played on the golf team at Emory & Henry College;
 - (c) In law school, I was chairman of the elections commission for two years, where I ran the student elections during 1979 and 1980.
 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) 2013 Annual Convention | 08-01-13; |
| (b) Annual Judicial Conference | 08-21-13; |
| (c) Masters-in-Equity Bench Bar | 10-11-13; |
| (d) Ethics Update & Practical Ethical Considerations | 01-11-12; |



- | | | |
|------|---|-----------|
| (e) | Abuse and Neglect Cases | 11-18-11; |
| (f) | Masters-in-Equity 2011 | 10-14-11; |
| (g) | Guardian ad Litem Programs Workshop | 06-02-11; |
| (h) | Spring Seminar 2011 | 05-05-11; |
| (i) | 2010 Ethics Seminar | 12-01-10; |
| (j) | Moving Forward in 2010 | 05-12-10; |
| (k) | Representing the Volunteer | 05-07-10; |
| (l) | Masters in Opening Statements and Closing Arguments | 02-12-10; |
| (m) | Trying to Understand the New | 12-03-09; |
| (n) | Assisting the Volunteer Guardian | 04-03-09; |
| (o) | Representing Volunteer GALs in Family Court | 03-14-08. |
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
- I spoke at a National Business Institute Seminar on March 31, 2008, on the topic of Ethical Considerations in the practice of Family Law, and again on February 3, 2009, on Ethical Considerations in Child Custody, and again on October 15, 2009, on Family Law from A to Z: Ethics.
12. List all published books and articles you have written and give citations and the dates of publication for each.
- I wrote an article for the seminar mentioned above, which was published in the written materials for the seminar on Ethical Considerations in the practice of Family Law.
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 the SC Bar in November of 1980;
 - (b) Admitted to the Federal District Court Bar for the State of SC in 1981;
 - (c) Admitted to the Fourth Circuit Court of Appeals Bar in 1981.
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 first began working with Thomas O. Lawton, Jr. in Allendale, SC in September of 1980 after taking the bar examination, but prior to receiving my bar examination results. I continued to work for Mr. Lawton from October of 1980 through January of 1983. This was a general practice of law in a small town where I did criminal work, civil work, and work in the family courts. I also had the opportunity to appear in the Magistrate's Court and before the Master-in-Equity on numerous occasions during this time.

In February of 1983, I opened my own office in Orangeburg, SC where I practiced by myself through December of 1987. This was also a general practice of law in which I did work in the family courts, civil courts and criminal courts. I also appeared numerous times before the Master-in-Equity for Orangeburg County.

From April of 1984 through December of 1988, I was employed as a part-time Public Defender for Orangeburg County and continued in the private practice of law.

On January 1, 1988 I became employed with the Office of the Solicitor for the First Judicial Circuit, where I worked full-time through December of 1989. During this time

period, I tried numerous criminal cases ranging from driving under the influence cases to murder cases.

On January 1, 1990 I entered into partnership with F. Hall Yarborough and Ronald E. Hutto in the firm of Yarborough, Hutto & Jackson where I practiced until September 30, 2007. During this time I continued to work in a general practice of law, which included all of the litigation that was done by this firm. I litigated cases in Civil Court, Probate Court, Magistrate's Court, General Sessions Court, and before the Master-in-Equity.

On October 1, 2007, I entered into practice with Ronald L. Nester, Sr. in the firm of Nester & Jackson where I continue to practice law today. I continue to be involved in a wide variety of cases as a general practitioner. I continue to practice law in Civil Court, General Sessions Court, Family Court, and Probate Court.

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 rating in Martindale-Hubbell is B.

22. Have you ever held judicial office? Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.

I currently hold the office of Master-in-Equity for Orangeburg County, and I have been serving in that capacity since March 1st of 2013. I was appointed by Governor Haley to complete the term of The Honorable O. Davie Burgdorf, and I continue to serve in that position. I am now seeking re-election to that position. Additionally, I have also been appointed as a Special Circuit Judge by Chief Justice Jean Toal.

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.

At this point, I am aware of only one of my decisions that was appealed to a higher court. Ultimately, that appeal was dismissed before it was completed by the Appellant. Therefore, the following are the five most significant opinions and orders that I have issued as Master-in-Equity and/or special Circuit Judge for Orangeburg County. A copy of these orders is provided herein:

- (a) First Citizens Bank & Trust Co. v. Clyde B. Livingston, et al
2007-CP-38-196 and 2007-CP-38-201;
- (b) Wachovia Bank, NA v. Glenn M. Gallant, et al
2008-CP-38-1772;
- (c) Jennifer Middleton, GAL v. Orangeburg Consolidated School District 3
2012-CP-38-1314;
- (d) Omni Insurance Company v. Vernon Baltzegar
2013-CP-38-531;
- (e) Triumph Savings Bank v. Chad L. Rast
2010-CP-38-780.

24. Have you ever held public office other than judicial office? 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

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.

I continue to work part time as a partner with the law firm of Nester & Jackson in Santee, SC. My partner is Ronald L. Nester. We have worked together since October, 2007, and we are in the general practice of law.

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

I ran for Resident Judge for the First Judicial Circuit in January of 2009. I was one of the three candidates who came out of screening, but I later withdrew from consideration, and the seat was won by The Honorable Edgar W. Dickson.

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? No

28. Are you now an officer or director or involved in the management of any business enterprise? No

29. A complete, current 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.

I am not aware of any financial arrangements or business relationships I have had or now have that would create any substantial conflicts of interest other than my relationship with law partners. However, when conflicts of interest arise with law partners or with former or current clients, I simply recuse myself as a judge.

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?

I was sued by a disgruntled public defender client in 1986. This client filed his own pleadings and represented himself. Ultimately, this case was dismissed on a motion for summary judgment made by my attorney. The plaintiff's complaint was that his sentence was greater than that of his co-defendant's in his case, which he concluded was my fault.

36. 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?

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?

I have carried malpractice insurance since 1980, and my malpractice insurance coverage is currently with the Carolina Casualty Insurance Company. The limits of liability are \$500,000/\$1,000,000 and the deductible is \$5,000.00. I have never been covered by a tail policy.

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.?

I am not active with social media, but the Nester & Jackson Law firm does have a website on the Internet.

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.

I have never had any such charges or allegations made against me.

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.

I have never had any such charges or allegations made against me.

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. I have no such expenditures.

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 Association;

(b) Orangeburg County Bar Association, President 1987.

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. Orangeburg Kiwanis Club, President 1996
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.

From the time I was a small child, I remember wanting to grow up to become a judge. I have felt all my life that I would make a good judge, and I would like to have that opportunity. I have tried cases in Common Pleas Court as a Plaintiff's attorney and as a defense attorney, and I have been a prosecutor and a public defender in General Sessions Court. I have also appeared numerous times in the Orangeburg County Equity Court mostly, but also in Bamberg, Berkeley, Dorchester and Calhoun counties. As a result, I believe I am well qualified and well experienced to be the Master-in-Equity for Orangeburg County. I have served as the Master-in-Equity for Orangeburg County for a year and four months, and I have certainly enjoyed my experience. I feel that I have done a good job as Master-in-Equity and as Special Circuit Judge and would like to continue serving in those capacities.

52. References:
 - (a) Michael Wolfe, Banker
 - (b) Richard Crawford
 - (c) Tom Collins
 - (d) Samuel F. Reid, Jr.
 - (e) David W. Kay

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

Signature: James B. Jackson, Jr.

Date: July 31, 2014