

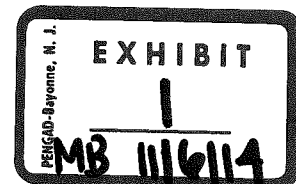
JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE

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

1. NAME: The Honorable Martin R. Banks  
BUSINESS ADDRESS: 716 Huff Drive, N.  
St. Matthews, SC 29135  
TELEPHONE NUMBER: (office): (803) 874-2100
2. Date of Birth: 1961  
Place of Birth: Columbia, 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 August 20, 1994, to Kathy Newman Banks. Never divorced, one child.
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) Clemson University 1979-80, transferred to USC;
  - (b) USC, 1980-83, BS in Business Administration;
  - (c) Columbia Graduate School of Bible and Missions, 1985, Certification in Bible;
  - (d) Columbia International University, 1987-89, MA- Christian Education;
  - (e) USC, School of Law, 1989-92, 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, 1992. Sat for no other Bar Exams.
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) Karate Club member at Clemson in 1979-80;
  - (b) Treasurer of the German Club, USC 1982;
  - (c) President of MA-CE class at Columbia Graduate School of Bible and Missions in 1988-89;
  - (d) Member of Christian Legal Society at USC School of Law, 1989-92;
  - (e) Student Government Representative at USC School of Law, 1992.
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) Health Care Law in SC	5/9/2014;
(b) Lawyer Mentoring Workshop	6/19/2014;
(c) 2013 Masters-in-Equity Bench Bar	10/11/2013;
(d) 2013 Annual Public Defender Conference	9/23/2013;



(e)	2013 Annual Judicial Conference	8/21/2013;
(f)	2013 Annual Convention	8/1/2013;
(g)	Spring Conference CLE	5/1/2013;
(h)	7 <sup>th</sup> Annual Public Defender Best Practices Seminar	3/25/2013;
(i)	Issues in Determining the	2/1/2012;
(j)	Masters-in-Equity 2011	10/14/2011;
(k)	2011 Annual Public Defender	9/26/2011;
(l)	2011 Annual Judicial Conference	8/17/2011;
(m)	2011 SCAJ Annual Convention	8/4/2011;
(n)	Lawyer Mentoring Second Pilot Program	4/28/2011;
(o)	5 <sup>th</sup> Annual PD Best Practices	2/18/2011;
(p)	Omnibus Crime Reduction and Sentencing Reform	11/22/2010;
(q)	2010 Masters-in-Equity Bench/Bar	10/8/2010;
(r)	2010 Public Defender Conference	9/27/2010;
(s)	2010 Annual Judicial Conference	8/18/2010;
(t)	Public Defender Best Practices	2/18/2010;
(u)	Lawyer Mentoring Training Workshop	1/28/2010;
(v)	RESPA Reform School is	12/8/2009;
(w)	2009 Masters-in-Equity Bench/Bar	10/9/2009;
(x)	2009 SC Public Defender Conference	9/28/2009;
(y)	2009 Annual Judicial Conference	8/19/2009;
(z)	Annual Convention	8/6/2009.

11. 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 Constables at Orangeburg-Calhoun Technical College in 1995;
- (b) I taught Reserve Police Officers for St. Matthews Police Department in 1996.

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 SC in 1992;
- (b) Also admitted to practice before the Federal District Court for SC on May 17, 1994;
- (c) Admitted to practice in the 4<sup>th</sup> Circuit Court of Appeals on February 26, 2013.

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 have practiced in the same office since graduating from law school in 1992. I was recruited by Thomas P. Culclasure and worked in association with him for 3 months, when he suddenly left. I continued as a solo-practitioner in a general practice. The only changes to my practice have been the decrease in my criminal case load gradually after being appointed Chief Public Defender for Calhoun County in 1993, and a sharp decrease in my real estate caseload since 2007 due to the economy. Also, I added the responsibilities as Master-in-Equity for Calhoun County in 2005.

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.  
I am unaware of any rating that I might have.
22. Have you ever held judicial office?  
I have been the Master-in-Equity for Calhoun County since 2005.
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) Judy v. Judy (07-CP-18-1794; unreported & unappealed);
  - (b) Sikes v. Roberts (07-CP-09-008; unreported & unappealed);
  - (c) Congaree Bank v. Edens Trailer (10-CP-09-258; unreported & unappealed);
  - (d) Wilhelm v. Ashborough Civic Assoc. (07-CP-18-053; unreported & unappealed);
  - (e) Smith v. City of Orangeburg (05-CP-38-708; unreported & unappealed).
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.
- (a) Martin Banks, Atty. at Law  
2005-present (general practice);
  - (b) Chief Public Defender for Calhoun County  
2005-present (part-time; supervisor Mark Leiendecker).
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?  
I lost a bid to become the MIE of Orangeburg County upon the retirement of J. Burgdorf in 2012.
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?
- (a) Martin Banks, Atty. at Law (solo general-practitioner) 1992-present;
  - (b) Chief Public Defender for Calhoun County 1993-present;
  - (c) Master-in-Equity for Calhoun County 2005-present;
  - (d) USC School of Law (part time tech in computer lab) 1991;
  - (e) SCANA (part time clerk; research, reporting, investigating) 1990-92;
  - (f) Time Warner (part-time cable TV service salesman) 1985;
  - (g) Columbia Junior College (taught accounting part time) 1987;
  - (h) Blue Cross/Blue Shield (accountant) 1985-86;
  - (i) Clarkson, Harden & Gantt (accountant) 1983-84.
28. Are you now an officer or director or involved in the management of any business enterprise? Self-employed: Martin Banks, Atty. at Law; general practice.
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?

There may have been a traffic violation where the fine was more than \$125. I am not certain, but it would have occurred in North Carolina over 30 years ago, and I no longer have a record of it.

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 in Federal Court by a former public defender client, but I was never served so I never knew of the case until after the case had been dismissed. I was recently sued by another public defender client for malpractice (11-CP-23-4859). I had that case dismissed via summary judgment.

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?

I have been insured continuously since 1993. I have never had a tail policy. My current coverage is \$1,000,000/\$500,000 with a \$5,000 deductible.

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.?

Due to my private practice, I am on Facebook, Twitter, Google+, and LinkedIn. I keep my participation professional at all times. I do not get involved in any type of controversy, politics, personal attacks, opinion, raunch, etc. Due to my approach in these venues, my presence in these venues would not be affected by my role as a judge.

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. N/A.

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. N/A.
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. N/A.
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) SC Public Defender Association;
  - (c) Master-in-Equity Association (Treasurer 2012-present; President 2014-Present);
  - (d) Calhoun County Bar.
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. N/A.
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. 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.
52. References:
- (a) Sheriff Thomas Summers  
2811 Old Belleville Rd.  
St. Matthews, SC 29135  
(803)874-2741
  - (b) Dylan Way (BB&T)  
718 N. Huff Drive  
St. Matthews, SC 29135  
(803) 655-5900
  - (c) Ted Lupton  
140 Gibson Road  
Lexington, SC 29072  
(803) 358-7208

- (d) James B. Jackson, Jr.  
PO Drawer 349  
Santee, SC 29142  
(803)854-4484
- (e) David Crosby  
PO Box 402  
St. Matthews, SC 29135  
(803) 874-4149

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

Signature: Martin R. Banks

Date: August 1, 2014