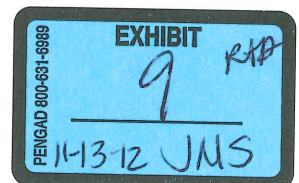


**JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:  
Circuit Court At-Large, Seat 14

1. NAME: Mr. Clifford Scott  
HOME ADDRESS: 2305 Bee Ridge Road  
Columbia, SC 29223  
BUSINESS ADDRESS: 2026 Assembly Street, Suite 203  
Post Office Box 555  
Columbia, SC 29202  
TELEPHONE NUMBER: (office): 803-771-0904
2. Date and Place of Birth: 1954; Williamsburg County, SC
3. Are you a citizen of SC? Yes.  
Have you been a resident of this state for at least the immediate past five years? Yes.
5. Family Status: Married on December 25, 1980 to Malvina G. Scott. Never divorced, two children.
6. Have you served in the military?
  - (a) 19 September 1973 -- 2 February 1974; US Air Force; E-2; ~~██████████~~; Honorably Discharged;
  - (b) 10 January 1982 -- 30 June 1987; US Army; O-3; ~~██████████~~; Honorably Discharged.
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) Xavier Univ. of Louisiana; Aug -1974—May 1975  
Transferred to SC State College;
  - (b) SC State College; Aug 1975-May 1976  
Transferred to USC;
  - (c) USC; Aug 1976- May 1978; BA, May 1978  
(Magna Cum Laude/ Phi Beta Kappa);
  - (d) USC School of Law; Aug 1978-May 1981, JD, May 1981.
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.
  - (a) SC November 1981 (Passed bar exam on first attempt);
  - (b) Georgia January 1993 (Passed bar exam on first attempt)  
Resigned from Georgia Bar in November 2001, because I decided I would not be practicing in Georgia.



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.

Served as a tutor for first year law students during my second and third years of law school: Aug 1979-May 1980; and Aug 1980- May 1981.

10. Describe your continuing legal or judicial education during the past five years.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Public Defender Conference	09/26/2005
(b) SC Black Lawyers Assn Retreat	09/28/2006
(c) Lawyers Computers and Cable News	1/03/2006
(d) Show me the Money: Military Family Support	01/10/2007
(e) Law Office Technology	01/24/2008
(f) Civil Law Update	01/25/2008
(g) Day in Discovery	01/25/2008 & 01/26/2008
(h) Breakfast Ethics Seminar	01/27/2008
(i) Select Issues in SC Procurement	06/04/2008
(j) SC Black Lawyers Annual Summit & Retreat	10/30/2008
(k) Ethics Judicial Family Seminar	12/05/2008
(l) Noncitizens in the Family Court Proceedings	02/28/2009
(m) Veterans Disability Benefits	03/24/2009
(n) SC Black Lawyers Annual Retreat	10/01/2009
(o) SC Black Lawyers Retreat	10/01/2010
(p) Staying Out Of Trouble	02/26/2011
(q) Intellectual Property and the General Practitioner	02/27/2011
(r) Digital Law Office	02/27/2011
(s) The Virtual Office	02/27/2011
(t) SC Association of Justice Convention	08/04-06/2011
(u) SC Black Lawyers Association Annual Retreat	10/14-10/15/2011
(v) Capital Litigation for Prosecutors: Basic Issues	05/21-05/25/2012

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.

I taught a graduate school level course titled the *Legal Aspects of Higher Education*, in the USC College of Education, during the fall of 1993, and the spring of 1994.

12. List all published books and articles you have written and give citations and the dates of publication for each.

Not Applicable.

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 in the State Courts of SC in Nov. 1981;
- (b) Admitted to practice in the SC Federal District Court in January 1982;
- (c) Admitted to practice in the US Army Court of Military Review in March 1982;

- (d) Admitted to the US Court of Appeals for the Fourth Circuit in July 1987;
  - (e) Admitted to practice in the Superior Court of Georgia in January 1993.
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.
- 14.(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, 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 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.

Member of the US Army Judge Advocate General's (JAG) Corps, from January 1982-May 1987, during which I served as:

Trial Defense Counsel, assigned to the 24th Infantry Division (now known as the 3<sup>rd</sup> Infantry Division) and Fort Stewart Georgia, from April 1982-August 1984. In this position, I appeared in over 100 courts martial proceedings in which I represented members of the US military accused of criminal offenses. I also represented military service members in administrative proceedings.

Claims Judge Advocate with the United States Army Claims Service, from August 1984-June 1987. In this position, I was responsible for investigating, and assisting in the supervision, management and resolution of federal tort claims at military installations and involving United States Army Corps of Engineer activities. I investigated and resolved claims which included: property damage claims, personal injury claims resulting from motor vehicle collisions, and Corp of Engineer activities; medical malpractice claims, involving catastrophic injuries such as brain damage and wrongful death. This position required me to prepare detailed legal memoranda for consideration of the Judge Advocate General of the Army, the Secretary of the Army and the US Department of Justice.

Associate with the law firm of Johnson, Toal & Battiste, P. A., June 1987 until November 1988.

I represented parties in civil, criminal, and administrative matters, and appeared in summary courts, Probate Court, Family Court, the Court of Common Pleas and the Court of General Sessions. I also represented parties in appellate matters and appeared, during my tenure with this law firm, before

the SC Court of Appeals, the SC Supreme Court and the US Court of Appeals for the Fourth Circuit. During my association with this firm, I was entrusted to handle, on my own, professional liability matters and serious criminal cases.

Legal Counsel with the SC Department of Mental Retardation (now known as the Department of Disabilities and Special Needs) from November 1988-August 1989.

In this position, I provided legal representation to departmental officers and employees, and represented the agency in administrative hearings, such as intra agency employee grievance matters, and at the Budget and Control Board level, before the State Employee Grievance Committee.

Associate General Counsel, USC, from Sep. 1989-Jan.1994.

In this position, I provided representation to USC officers and employees, to include members of the President's Office and deans and departmental chair persons.

I prepared presentations for consideration by the Board of Trustees and other Officers of the University, and for state and federal agencies. I provided counsel and representation regarding issues involving first amendment freedoms, intellectual property, academic freedom, real property, federal and state labor and employment law, and state and federal regulatory issues. I also represented the University in administrative proceedings and in civil matters in the state courts.

Private Practice of Law since January 31, 1994.

Since reentering private practice in 1994, I have represented clients in civil, criminal and administrative matters, to include:

State and federal tort claims and other personal injury matters; state employee grievances and other state administrative matters; workers compensation; probate court matters; domestic relations; adoptions; juvenile matters; military criminal and administrative matters; representation of veterans in veterans benefits matters; represent clients in federal administrative matters, including EEOC, Merit Systems Protection Board, DOD administrative matters and social security cases.

From May 1996-December 1998, I was a member of a partnership known as Gibbes, Scott and Redmond (the main office of which was in Florence). I operated primarily out of the Columbia Office.

From April 2000-August 2004, I served as a part-time contract employee with the Newberry County Public Defender's Office. I appeared in court in at least two hundred cases while serving as a part time employee with the Newberry County Public Defender's Office between April 2000-August 2004. I participated in four General Sessions jury trials as a part time public defender during that period.

In addition to maintaining a private practice, since the spring of 2006, I have served as a special contract employee of the USC, Office of General Counsel. In that role, I provide legal advice and representation to University officials regarding various legal matters, including contractual matters,

investigations, representation of the University in employee and student grievances, EEO complaints, and litigation.

Additionally, since March 1, 2012, I have served as a part-time assistant solicitor in the Lee County Office of the Solicitor for the Third Judicial Circuit.

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. To my knowledge, I am not rated.

16. What was the frequency of your court appearances during the last five years?  
federal:

I filed two actions in federal court during the past five years: One was a federal tort claim action, which settled at mediation, and no court appearance was required.

The other action was a petition to quash a subpoena issued by the Department of Defense Office of the Inspector General. The Court ruled on the motion based upon the pleadings and memoranda filed with the court. No court appearance was required.

I appeared in Federal Court In the fall of 2010 in a criminal matter before a federal Magistrate. The matter involved a citation issued to an immigrant working on Fort Jackson without a work permit.

state:

General Sessions:

Approximately 6 (including trial; guilty pleas, bond hearings).

The foregoing response for General Sessions Court was provided to the Judicial Merit Selection Commission in August 2011. As I indicated earlier in this document, since March 1, 2012, I have served as an Assistant Solicitor on a part-time basis, in the Third Judicial Circuit. I represented the state in a total of approximately 15 guilty plea proceedings in Lee County during the terms of General Sessions Court since March 1, 2012: the week of March 19, 2012; the week of June 11, 2012, the week of June 18, 2012, and participated in one trial during the week of August 6, 2012.

17. What percentage of your practice involved civil, criminal, domestic, and other matters during the last five years?

(a) civil: 50%. Since March 2012 10%;

(b) criminal: 5%. Since March 2012 50%;

(c) domestic: 5%. Since March 2012 0%;

(d) other: 40% Administrative; VA, Military, wills/probate; business counseling; agency representation.

18. What percentage of your practice in trial court during the last five years involved matters that went to a jury, including those that settled prior to trial?

(a) jury:

Of the five Common Pleas jury trial cases in which I have been involved during the last five years, I tried one of those cases. The other 4 cases were settled during or after the discovery period.

(b) non-jury:

During the last five years, I tried three non jury Common Pleas cases. Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters?

Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? Sole Counsel.

19. 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) United States vs. Charles Ragins, 840 F.2d 1184 (4<sup>th</sup> Cir. 1988)

This case was an appeal from the Federal District Court of SC to the United States Court of Appeals for the Fourth Circuit, and involved issues of double jeopardy. I prepared the brief and argued the case. The case was argued on December 4, 1987 and decided on March 8, 1988. In the version of the case which appears online, the case erroneously indicates I am/was from New York;

(b) Unfortunately I do not remember the case name, and my call to the United States Court of Appeals for the Armed Forces (which, at the time, was the United States Court of Military Appeals) did not prove fruitful. The case occurred in 1983 or 1984, while I was a member of the United States Army Judge Advocate General's Corps, stationed at Fort Stewart, Georgia. The Army brought a discharged soldier back on active duty to court-martial him for an offense which occurred prior to his discharge. I challenged the Army's right to do so and filed a petition and brief with the United States Court of Military Appeals. The case was significant, because, as I recall, this was an issue which was unsettled at the time. Additionally, as I recall, the court issued an order staying the court-martial proceedings. As a result, we were able to resolve the case through a negotiated resolution.

(c) State vs. Magwood; tried in Charleston County Court of General Sessions in June 2011. The case was significant, because it involved a prominent member of the Charleston County Sheriff's Office who was charged with misconduct in office.

(d) State vs. Lynch; tried in Lee County in mid 2000s. The case was significant, because it involved two defendants who were charged with starting a riot and taking hostages at the Lee County Correctional Institution. The case received prominent media coverage throughout the state at the time of the prison riot.

(e) Easaw vs. Dept. of the Army; tried in 2009, before an EEOC administrative law judge and involved allegations of race discrimination in hiring of a motor vehicle operator at Fort Jackson. I consider the

case to be significant, because, as of that time, as I understand it , this was one of few cases of this type in which an EEOC administrative judge ruled against Fort Jackson.

20. 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. If you are a candidate for an appellate court judgeship (please attach one copy of briefs filed by you in each matter).
- (a) The last time I handled a civil case in the SC Court of Appeals was in the Late 1980s, and I do not recall the name of the case;
  - (b) Sara Davis v. University of SC; (Employee Grievance Matter) Appealed from Budget and Control Board to Administrative Law Court), Docket Number: 2008-ALJ-30-0389-AP. I represented the Respondent, University of SC;
  - (c) Singleton v. Bland; 2007-CP-40-3944; appeal from Magistrate Court to Court of Common Pleas.
  - (d) Sara Leonard v. Standard Corporation; 2005-CP-28-113; Appeal from Workers' Compensation Commission to Court of Common Pleas;
  - (e) Mary F. Young v. SC Budget and Control Board Employee Insurance Program; 2004-CP-40-4291; Appeal to Court of Common Pleas.
21. List up to five criminal appeals that you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported. If you are a candidate for an appellate court judgeship (please attach one copy of briefs filed by you in each matter).
- (a) United States vs. Ragins, 840 F.2d 1184 (4<sup>th</sup> Cir. 1988);
  - (b) State vs. Moody. This was an appeal I handled in the SC Supreme Court in 1987 or 1988.
22. Have you ever held judicial office? Not Applicable.
24. Have you ever held public office other than judicial office? Not Applicable.
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. Not Applicable.
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?
- In 2011, I applied for Fifth Judicial Circuit Court Seat Number Three. I was nominated as one of the candidates to be considered by the SC General Assembly. I withdrew my application approximately one week before the election for that seat was held.
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?
- Several years ago, I created a stuffed animal (leopard) toy character called *PJoeBrown* and created an item of religious jewelry: *The Birth of Life Cross*, which I attempted to market without much success. (This was during the late 1990s and early 2000s).

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. 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?

During the 1990s, after I returned to private practice, because of the amount of the taxes owed, an installment arrangement was made with the IRS to pay the taxes. Even though an installment agreement was reached, a lien was filed, because of the amount of the taxes owed while the taxes were being paid. The taxes were paid in full pursuant to the installment agreement.

As I recall, some time during the early 2000s, my wife and I received a notice that an additional \$200.00 (approximately) was owed to the SC Department of Revenue. The notice was mislaid; we forgot about it and the Department of Revenue filed a lien for the taxes, which we promptly paid when we received notice of the lien.

I have not defaulted on a student loan.

I have never filed bankruptcy.

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?

When I was a full-time employee with the University of SC, I was one of many university employees and officers named in a lawsuit, which was dismissed by the courts. As I recall, the plaintiff, a person named Maria Faltas, sued each member of the Board of Trustees, many of the officers of the University, to include the General Counsel and myself. The lawsuit had to do with whether the University should have granted her a graduate degree, to the extent that I can remember the case. Ultimately, as I indicated above, the lawsuit, or lawsuits, because I'm not sure how many lawsuits she ended up filing, were determined to be without merit and were dismissed.

My wife and I were also sued approximately 10 years ago as a result of an automobile accident in which another driver, who was at fault, collided with my wife's car. The lawsuit was tried in Richland County and the verdict was rendered for us.



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? If so, please explain when you were covered by a tail policy.
- I currently have malpractice insurance in the amount of \$1,000,000 per claim and \$1,000,000 per aggregate. The deductible is \$5,000. I have had malpractice insurance since entering private practice on my own in January 1994, with the exception of a brief period of time (between February 01, 2010 and May 14, 2010) when the insurer which previously provided me coverage stopped writing individual coverage in SC, and I had to obtain coverage with another company. I have never been covered by a tail policy.
38. 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.
39. 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.
40. 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." Not applicable.
41. 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." Not applicable.
42. 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 incurred \$326.90 in expenses for copies and postage to send an introductory letter and a resume to members of the General Assembly.
43. 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.
44. 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.

45. 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.
46. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No.
47. 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.
48. 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) For several years, beginning in approximately 1998, I served on the SC Bar Foundation Board;
  - (c) I was also a member of the Introduction Subcommittee of the SC Bar's Task Force on Diversity and Inclusiveness during part of the above time period;
  - (d) Former member of The SC Bar's House of Delegates;
  - (e) During the mid 1990s, I was vice president and president of the SC Black Lawyers Association, and I currently serve as assistant treasurer of that organization.
49. 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.
- Pee Dee Area Veterans Advisory Council (former member).
50. 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.

The statement set forth below is, for the most part, identical to the statement I provided when I applied for a judicial position in 2011. I have included the statement again, because it remains an accurate expression of my sentiments.

I come from a humble background. In fact, I am not ashamed to say that for most of my upbringing, I was very poor. However, my economic status during my formative years did not cause me to believe that I was less than anyone else, or that, conversely, others were better than me.

I graduated from a segregated Williamsburg County high school in 1973 (St. Mark Elementary and High School). While our school did not possess the resources of schools in more affluent communities, our teachers and our principal tried to instill in each of us qualities which would enable us to go into the world and make a positive contribution.

I would like to think that I have contributed something positive to society, although probably not as much as I could have contributed at this point in my life. I hope, if I am given the privilege and honor of serving as a

member of the SC judiciary, that I will be able to make an even more meaningful contribution to our society, by upholding the laws that preserve the freedoms which still cause so many to flock to the shores of the United States.

Since becoming an attorney, my background has been quite varied. I believe the variety of my experiences, and the length of time I have practiced law will aid me tremendously in deciding matters that come before me, and in dispensing justice impartially and evenhandedly.

I have read the letters of recommendation which have been provided in my behalf. I am truly humbled by those letters.

When I was a very young adult, perhaps not more than 19 or 20 years old, my great aunt (the sister of my maternal grandmother) told me that I was "one in a hundred". She obviously saw something in me that caused her to believe that I had the potential to do great things in life. The extent to which I have done anything great, I leave for others to decide.

Service as a judge is an honor and a privilege. I can think of no better way to live up to the potential which my great aunt saw in me. I recognize some readers of this statement may think this is overly sentimental, but it's truly how I feel. Therefore, to the extent this statement aids those who will determine my qualifications to sit as a member of the Circuit Court, I would like each reader to know that the sentiments expressed in this statement are sincere and reflect my true feelings.

51. References:

- (a) Paul M. Fata, Esquire  
Stuckey, Fata and Segars, LLC  
115 East Church Street  
Post Office Drawer 568  
Bishopville, SC 29010  
803-484-5409
- (b) Walter H. Parham, Esquire  
General Counsel  
University of SC  
Columbia, SC 29208  
803-777-7855
- (c) Dr. Willie L. Boyd, M.D.  
2719 Middleburg Drive  
Suite 203  
Columbia, SC 29203  
(803) 771-6277
- (d) Eddy L. Lane, Attorney at Law  
2026 Assembly Street  
Suite 202  
Columbia, SC 29201  
803-400-1181

(e) Mr. Will Tucker  
Assistant Manager  
TD Bank, NA  
1501 Main Street  
Columbia, SC 29201  
803-540-2750

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: Clifford Scott

Date: August 8, 2012

**JUDICIAL MERIT SELECTION COMMISSION**  
**Sworn Statement to be included in Transcript of Public Hearings**

**Circuit Court**  
**(New Candidate)**

Full Name: Clifford Scott  
Business Address: 2026 Assembly Street, Suite 203  
Post Office Box 555  
Columbia, South Carolina 29202  
Business Telephone: 803-771-0904

1. Why do you want to serve as a Circuit Court judge?

My desire to become a member of the judiciary is motivated by a belief that I would be a good judge. What do I mean when I say that?

In my opinion, judges play an indispensable role in preserving the rights and liberties which we, as a society, value so highly. In order to preserve those rights and liberties, a judge must have the courage to make unpopular decisions. A judge is required to remain above the fray and the emotional discord which often surround contentious issues. I believe I possess the characteristics that would enable me to judge every party and every issue which comes before me dispassionately, with courage and, hopefully, with the wisdom which helps preserve the rights and liberties which are the foundation of our way of life.

2. Do you plan to serve your full term if elected? Yes.

3. Do you have any plans to return to private practice one day?

If I am elected and allowed to serve until the mandatory retirement age, I probably would not return to private practice. If, however, I am not allowed to serve until the mandatory retirement age, I probably would return to private practice.

4. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice? Yes.

5. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?

Generally, *ex parte* communications are inappropriate. When they are appropriate, they should occur only to the extent permitted by Canon 3. B. (7) of the Code of Judicial Conduct.

6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?

Recusal would be appropriate in cases involving former

associates or law partners. In the case of lawyer legislators, however, recusal would not necessarily be required, absent a business or personal relationship with a lawyer legislator which would create a conflict, or create the appearance of impropriety.

7. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference would you give a party that requested your recusal? Would you grant such a motion?

If presiding in the case would create the appearance of partiality, I would grant the recusal motion.

8. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?

I would not preside in such cases.

9. What standards would you set for yourself regarding the acceptance of gifts or social hospitality?

I would adhere to the requirements of Canon 4. D. (5) regarding gifts and social hospitality.

10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?

I would take appropriate action, as set forth in Canons 3.D.(1) and 3.D.(2).

11. Are you affiliated with any political parties, boards or commissions that, if you were elected, would need to be re-evaluated?

I serve as Assistant Treasurer of the South Carolina Black Lawyers Association. While I am of the opinion that my membership in the organization would continue to be appropriate if elected to the Circuit Court, I would resign my office as Assistant Treasurer, if elected.

12. Do you have any business activities that you would envision remaining involved with if elected to the bench? No.

13. If elected, how would you handle the drafting of orders?

I would draft orders as soon as practicable after a matter has come before me and a decision has been reached.

14. If elected, what methods would you use to ensure that you and your staff meet deadlines?

I would establish a computerized docket management system, which I and support staff, such as secretaries and law clerks, would monitor to ensure compliance with deadlines.

15. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?

Judges are required to apply and interpret the law. Setting or promoting public policy is a legislative responsibility.

16. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. If elected, what activities do you plan to undertake to further this improvement of the legal system?

I would, to the extent my judicial obligations permit, take advantage of opportunities to speak to young people about our legal system, in an effort to increase their understanding of the benefits and protection it affords each of us. Hopefully, this would increase their interest in, and respect for our legal system.

17. Do you feel that the pressure of serving as a judge would strain personal relationships (i.e. spouse, children, friends, or relatives)? How would you address this?

In my opinion, serving as a judge would not create any more strain on any personal relationships than being a practicing attorney creates. To the extent that such strains would be created, I would address it by trying to ensure that family members and friends are aware that certain activities are not appropriate for a judge, or a judge's family members. I don't really anticipate that this would be a problem for me.

18. The following list contains five categories of offenders that would perhaps regularly appear in your court. Discuss your philosophy on sentencing for these classes of offenders.

a. Repeat offenders: While I would not resort to Draconian measures, I would impose a sentence that recognizes the frequency of the offender's conduct and the nature of the criminal act committed. I would not necessarily conclude that a person's status as a repeat offender renders him/her a "lost cause."

b. Juveniles (that have been waived to the circuit court): I would impose a sentence which recognizes the seriousness of the offense, yet try to remain mindful of the youth of the person I am required to sentence. I would try to fashion a sentence which has as its purpose, not simply to punish, but to afford the opportunity to truly rehabilitate, whenever possible.

c. White collar criminals: I would sentence white collar criminals no more severely than I would sentence other categories of adult offenders. I would, of course, consider the nature of the offense and the consequences of the actions of such offenders in imposing a sentence.

d. Defendants with a socially and/or economically disadvantaged background: While a disadvantaged background should be considered when imposing a sentence, a disadvantaged background cannot be used to justify criminal behavior. It should be borne in mind that the overwhelming majority of persons with disadvantaged backgrounds do not commit crimes.

e. Elderly defendants or those with some infirmity: Advanced age or infirmity would not excuse the commission of a crime, and therefore, the status of a person as an elderly or infirmed individual would not necessarily warrant special consideration. However, when appropriate, I would accord a person's age or infirmity the

- consideration which is warranted.
19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?  
No.
20. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?  
Not if it would create the appearance of impropriety.
21. Do you belong to any organizations that discriminate based on race, religion, or gender? No.
22. Have you met the mandatory minimum hours requirement for continuing legal education courses? Yes.
23. What do you feel is the appropriate demeanor for a judge?  
A judge should have a sense of humor, and be even tempered. He should be courteous to, and respectful of, all who appear before him. A judge should conduct himself in a dignified manner at all times.
24. Would the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or would these rules apply seven days a week, twenty-four hours a day?  
They should apply at all times.
25. Do you feel that it is ever appropriate to be angry with a member of the public, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys or pro se litigants?  
While I can envision situations that may cause a judge to become frustrated, anger is seldom, if ever, appropriate. One cannot be rational, fair and impartial when in the grips of anger.
26. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees?  
Yes.  
\$326.90, representing the cost of copies and postage to send a letter of introduction and accompanying resume to the members of the General Assembly (excluding from such mailing, members of the Judicial Merit Selection Commission)
27. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office?  
Not Applicable.
28. Have you sought or received the pledge of any legislator prior to this date? No.
29. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening? No.
30. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No.
31. Have you contacted any members of the Judicial Merit Selection



Commission? No.

32. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges for 48 hours after the draft report has been submitted?  
Yes.

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

Clifford Scott

Sworn to before me this 9 day of August, 2012.

Notary Public for S.C.

My Commission Expires: 03/21/2015 \_\_\_\_\_