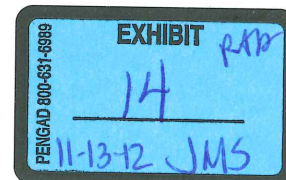


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:
Circuit Court, At-Large, Seat 15

1. NAME: Mr. Bentley D. Price
BUSINESS ADDRESS: 147 Wappoo Creek Drive, Suite 202
Charleston, SC 29412
TELEPHONE NUMBER: (office): 843-795-9500
2. Date and Place of Birth: 1976; San Diego, CA
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 October 24, 2009, to Melissa Ann Price; never divorced; no 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) Wofford College, 1995-99, BA in Government;
(b) Stetson University College of Law, 2000-02, 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, 2002
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) Four Year Soccer Letterman Wofford College 1995-99;
(b) Social Chairman, Sigma Nu Fraternity Wofford College 1996-99;
(c) Certificate of Concentration in Advocacy Stetson University 2002.
10. Describe your continuing legal or judicial education during the past five years.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SCCA Municipal Orientation School	07/23/07;
(b) SCJA Annual Convention & Seminar	09/03/08;
(c) SCJA Annual Legislative Seminar & Reception	03/04/09;
(d) SCJA Annual Convention	09/09/09;
(e) SC Commission on Prosecution Coordination: The Impaired Driver: Nuts & Bolts of DUI Prosecution	06/16/10;
(f) SCJA Annual Convention & Seminar	09/08/10;
(g) SC Bar Sporting Clays CLE	04/14/11;



- (h) Annual Convention & Seminar 09/07/11;
 - (i) Sporting Clays CLE 10/13/11;
 - (j) Spring Sporting Clays 04/12/12.
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
- I have spoken at a graduate school class at The Citadel for criminal justice and the presentation was titled "How the Solicitor's Office Really Works."
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 2002;
 - (b) Also admitted to practice before the Federal District Court in 2002;
 - (c) Also admitted to practice before the Fourth Circuit Court of Appeals in 2012.
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.
- (a) Assistant Solicitor, Ninth Judicial Circuit 2002-04. I prosecuted major violent crimes, white collar crimes, misdemeanors and drug crimes.
 - (b) Query, Sautter, Price and Forsythe, 2004-present. Our firm is a general practice firm that handles complex criminal and civil cases with an entire sector also dedicated to domestic cases. I am the partner that oversees the criminal and civil sector practicing in state court, federal court and magistrate court on an almost daily basis. I work hand in hand with my partners on all civil matters and we emphasize plaintiff's work in personal injury and both plaintiff and defense work in business litigation.
- 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.

I began my criminal practice as an assistant solicitor from a federal grant titled "The Cease Fire Task Force." The task force was established to prosecute gun related cases more diligently and to allow for better communication between the state and federal levels. I met with United States Attorney's office regularly to assess cases that were currently being prosecuted on the state level and determine if there were stiffer penalties if the Federal government were to adopt the cases. This experience allowed me to handle gun related violent crimes and I prosecuted murders, arm robbery, major drug cases and even criminal sexual conduct. I handled hundreds of guilty pleas and motions during my employment at the Solicitor's Office. In my current practice, I have defended all levels of magistrate, state, and federal court crimes. My civil practice has been comprised of plaintiff and defense work. My firm emphasizes business litigation and has prosecuted and defended several large construction cases. I have handled cases from the pleading stage to motions to trials. I have successfully participated in mediation and arbitration of cases on both the defense and plaintiff's side. I am currently working on an extremely complex medical malpractice claim and will continue my efforts to grow my civil experience.

In 2007, I was appointed Associate Municipal Court Judge for the City of Folly Beach. In March of this year, I became the Chief Municipal Court Judge. I enjoy the challenges of crafting sentences, orders, and other dispositive actions in a fair and judicious manner. My time on the bench has served me well and taught me the humility required to maintain such a position. I have presided over numerous bench trials, multiple jury trials, and sentenced thousands of defendants.

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.
No rating.
16. What was the frequency of your court appearances during the last five years?
 - (a) federal: monthly;
 - (b) state: bi-weekly.
17. What percentage of your practice involved civil, criminal, domestic, and other matters during the last five years?
 - (a) civil: 20%;
 - (b) criminal: 80%.
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: 99%;
 - (b) non-jury: %1.

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) State v. Antoine Goodwin – In this trial in Charleston County Court of General Sessions, I was an assistant solicitor prosecuting Mr. Goodwin for murder. This case had a number of unique aspects. The case involved eye witness testimony that Mr. Goodwin was the shooter and we had a jury viewing at the scene of the crime to determine the angle of the witnesses' view. We were also successful in subpoenaing federal grand jury records in which the crime was discussed. There was a contempt hearing at trial and a witness changed his testimony mid-trial thus allowing us to have him declared a hostile witness and use his testimony to our advantage. Mr. Goodwin was found guilty and sentenced to life in prison.
 - (b) State v. Jabez Batiste – The Charleston County Court of General Sessions appointed our managing partner, who had no criminal trial experience, to represent Mr. Batiste, who was charged with two counts of murder. My partner asked me to participate as lead counsel at trial while he sat second chair. At trial, I was able to get the lead detective to admit that law enforcement felt that the co-defendant was the shooter and therefore the most culpable. The State was then forced to proceed under the theory that the hand of one is the hand of all and obtained convictions.
 - (c) State v. Donal Bryant – In this case I was retained by Mr. Bryant to defend him on his charge of Criminal Domestic Violence of a High and Aggravated Nature alleged by his Russian born wife. Mr. Bryant was seeking a divorce at the time the charges were filed and maintained his innocence throughout my representation. He always maintained his position that the alleged injuries were self inflicted. Upon continued research in preparation for trial it became evident that the victim's motive for maintaining her allegations was that she could circumvent the marriage requirement imposed by immigration laws. The trial was riddled with complicated legal issues involving admissibility of evidence and witnesses. The trial went to the jury and Mr. Bryant was convicted of Simple Assault and sentenced to time served.
 - (d) Knowles v. Crawford – In this civil case Mr. Crawford shot Mr. Knowles in the abdomen from his boat and later utilized the Castle Doctrine as a defense to criminal liability. The Solicitor's Office reviewed SLED's finding and refused to prosecute. I brought a civil action for negligence under the theory that Mr. Crawford maintained throughout the case that it was an accident and that he was attempting to uncock the hammer when it discharged. Since the

shooter claimed the shooting was accidental, the civil defense section of the Castle Doctrine statute was inapplicable. Therefore we were able to bring a suit for negligence and were successful.

- (e) Green v. Bauerle, et al – In this medical malpractice filed in Horry County Common Pleas, Mr. Green was taken to the emergency room with a severed artery in his arm. The doctors prepped him for surgery when a specialist intervened and requested more tests prior to surgery causing Mr. Green to bleed out and die. After they were able resuscitate him they discovered that the loss of blood to his spinal cord caused paralysis from the waist down. The issues are numerous ranging from who is responsible for assessing his condition to which doctor makes the immediate final decision on Mr. Greens care. The precedent for the case was set out by Justice Waller in the Tumey case where he seems to suggest in his decision that regardless of whether the doctors are considered agents or not, the hospital has the non-delegable duty to ensure that Mr. Green received the proper care. We are attempting to take the case one step farther and determine if the hospital has a non-delegable duty for the actions of the specialist that demanded the further testing, over-ruling the surgeon's decision to treat the arm immediately. In light of the fact that Mr. Green did not request a specific doctor and accepted the specialist the hospital provided, it should be determined to constitute a non-delegable duty. The case is still pending.

20. List up to five civil appeals you have personally handled. None.
21. List up to five criminal appeals that you have personally handled. None.
22. Have you ever held judicial office? Yes. I am currently a Municipal Court Judge for the City of Folly Beach and have been employed in this capacity since 2007. Jurisdiction does not extend beyond the City of Folly Beach. The court is limited to handling cases in which the penalty does not exceed thirty days incarceration and/or a \$500 fine.
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.
I have not had an instance where my opinions or orders were published.
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.
Query, Sautter, Price & Forsythe 2004-present, Partner
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? No.

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 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? Yes. Suspicion of driving under the influence. The charge was dismissed and expunged from my record.
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? No.
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? Yes. We have had coverage since the beginning of my employment in 2004. We have never been covered by a tail policy. Our current malpractice policy has a deductible of \$5,000.00, and liability limits of \$1,000,000.00 for each claim and \$1,000,000.00 aggregate.
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." None.

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."
None.
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. None.
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) Charleston County Bar;
 - (c) Dorchester County Bar;
 - (d) Berkeley County Bar;
 - (e) SC Summary Court Judges Association.
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.
James Island Yacht Club
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.

My entire legal career has been devoted to the trial courts and my wide area of practice in criminal and civil cases at all levels of the court system will enable me to be a fair, courteous, and understanding judge. I understand what

the litigants are facing with stressful schedules and deadlines and will do my very best to maintain the humility required to balance a fair but efficient courtroom.

51. References:

- (a) O. Grady Query
147 Wappoo Creek Drive, Suite 202
Charleston, SC 29412
843-795-9500
- (b) The Honorable Gerald C. Smoak
4462 Downing Place
Mt. Pleasant, SC 29466
843-216-3250
- (c) Neal Atkinson, DVM
912 Daly Street
Columbia, SC 29205
803-254-9257
- (d) Thomas C. Brittain, Esquire
4614 Oleander Drive
Myrtle Beach, SC 29577
843-449-8562
- (e) Marcus D. Crosswell, SVP, NBSC
5456 Sunset Boulevard
Lexington, SC 29072
803-996-2609.

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: Bentley D. Price

Date: August 7, 2012

QUERY SAUTTER PRICE & FORSYTHE, LLC

The Wappoo Centre
147 Wappoo Creek Drive
Suite 202
Charleston, South Carolina 29412

Telephone 843.795.9500 Facsimile 843.762.1500

www.qsglawyers.com

O. Grady Query*

*Certified Circuit Court Arbitrator and Mediator

*Certified National Trial Advocacy Civil Trial Specialist

Bentley D. Price

Michael W. Sautter

Michèle Patrão Forsythe**

**Certified Family Court Mediator

November 5, 2012

VIA EXPRESS MAIL

Jane O. Shuler, Chief Counsel
Judicial Merit Selection Commission
Post Office Box 142
Columbia, SC 29202

**RE: Bentley D. Price
Candidate for At Large Seat 15**

Dear Ms. Shuler:

Enclosed please find the amendments to my Sworn Statement, PDQ and Financial Statement. I have also enclosed a certified copy of the Assignment of Judgment Proceeds from me to my law firm.

Should you have any questions or need additional information, please do not hesitate to contact me.

With kindest regards, I remain

Very truly yours,


Bentley D. Price

BDP/ank

Enclosures as stated

QUERY SAUTTER PRICE & FORSYTHE, LLC

AMENDMENTS

Sworn Statement

7. I would give great deference to a party that requested my recusal regardless of whether I felt there was any potential bias or impartiality on my party. I would divulge the concerns to all parties on the record and give them the opportunity to discuss in private with their clients. If they waived disqualification and I agreed to hear the case I would have them sign a remittal agreement and place in the file.
8. I would divulge the financial or social involvement of my wife or close relative to both parties and would recuse myself where there was even a *de minimus* interest by my spouse or relative.
9. I would accept gifts that could not be perceived as intended to influence my performance of judicial duties, gifts from relatives and from any party who is not likely to come before me or their interests come before me. If the value exceeds \$150.00, I would report in compliance with the rules.
10. If I were made aware of potential misconduct, I would conduct my own investigation by speaking directly with the judge or lawyer. If I felt the information I received indicated that there was a substantial likelihood that a violation had occurred, I would inform the appropriate authority.
14. The methods I would employ would include an automated calendaring system that would be accessible to me and my staff. I would continue to utilize my laptop on a daily basis and an iPad when traveling to keep continued access with the court and litigants. Further, I would explore utilizing Skype to cut down on out of town litigants travel time where feasible.
18.
 - d.) Again, I would determine whether their social or economic disadvantage is a product of their environment or whether the crime was a product of their core values. These defendants are inclined to be easily influenced by their environment and their crimes are often a byproduct of that influence. I would determine if outside influences played a role in their behavior and if so, craft an appropriate sentence in an effort to place them on a more rehabilitative course.
 - e.) Elderly or those with infirmities must be given extra care to assure that the sentence imposed does not have an unintended effect. For example, when sentencing an elderly person to prison their age must be a factor as to not unintentionally sentence the defendant to a life sentence when that was clearly not contemplated by the court. Conversely, a sentence imposed on a person with an infirmity should reflect consideration of the infirmity and impose an alternative sentence where possible to accomplish the same goal, so as to not unduly financially burden the State.
21. After reviewing the bylaws, I have withdrawn my membership.
25. I do not feel it is ever appropriate to get angry with members of the public or criminal defendants. Anger is never appropriate in dealing with attorneys or pro se litigants.

PDQ

31. I was arrested at the age of twenty one in Horry County on suspicion of driving under the influence. I was not under the influence. I retained an attorney who attended court on my behalf and the charge was dismissed without a plea to a lesser included charge. I later had my arrest record expunged.

I was home on Christmas break from college and I was issued a citation when I was in the boat with a friend that was cited for hunting after sunset. He shot a duck after the prescribed time. I paid the fine and returned to college.

34. No. There is a judgment filed in Charleston and Colleton Counties on behalf of my law firm. A fee dispute was filed with the South Carolina Bar Resolution of Fee Disputes Board against our firm. The Board investigated the complaint and found in favor of the law firm. A judgment was issued in the amount of \$24,380.71 and subsequently filed in both counties. I was the attorney of record and the judgment was therefore placed in my name. I have since filed an Assignment of Judgment Proceeds to my law firm.

49. At the time of filing I was a member of the James Island Yacht Club but have resigned my membership.

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)
)
ELLEN SEXTON, Applicant,)
)
v.)
)
BENTLEY D. PRICE, Esq., Defendant.)
)
_____)

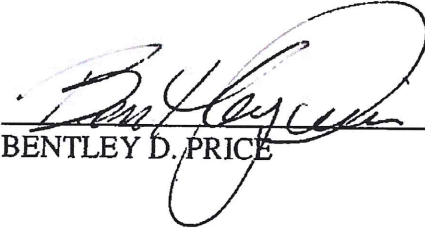
IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
CASE NO.: 2012-CP-10-3664

**ASSIGNMENT OF
JUDGMENT PROCEEDS**


TO: THE HONORABLE JULIE J. ARMSTRONG, CLERK OF COURT,
CHARLESTON COUNTY


BY SIGNING BELOW, I, Bentley D. Price, hereby assign to Query, Sautter, Price & Forsythe, LLC, any and all proceeds obtained in connection with the Judgment in the amount of Twenty Four Thousand, Three Hundred Eighty and 71/100 (\$24,980.71) Dollars in connection with the above-referenced case.

You are hereby authorized to deliver the proceeds to Query, Sautter, Price & Forsythe, LLC, upon receipt of any and all proceeds.

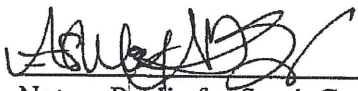

BENTLEY D. PRICE

WITNESSES:





SWORN TO before me this
1 day of November, 2012.



Notary Public for South Carolina
My Commission Expires: 8/14/18

FILED
2012 NOV -1 11 PM 09
JULIE J. ARMSTRONG
CLERK OF COURT

2012-CP-10-3664

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)
)
ELLEN SEXTON, Applicant,)
)
vs.)
)
BENTLEY D. PRICE, Esquire, Defendant)

SOUTH CAROLINA BAR
RESOLUTION OF FEE DISPUTES BOARD

CERTIFICATE OF NON-COMPLIANCE

2012 JUN -6 AM 11:54
JILLIE J. ARMSTRONG
CLERK OF COURT

FILED

I hereby certify that ELLEN SEXTON, has failed to comply with a Final Decision of the South Carolina-Bar Resolution of Fee Disputes Board for the Ninth Judicial Circuit.

After a finding of fact by the Board and pursuant to Rule 19 of SCRCP 416, judgment shall be entered in favor of **BENTLEY D. PRICE, ESQUIRE** and against **ELLEN SEXTON**, in the amount of **\$24,380.71**.

Natalie Parker Bluestein
Natalie Parker Bluestein, Chairman
Ninth Judicial Circuit Panel of the
Resolution of Fee Disputes Board

Date: May 21, 2012

AFFIRMATION

I do hereby affirm that the above sum of \$24,380.71 has not been paid.

Bentley Price
Signature of Bentley Price, Esquire

Sworn to be a true statement before me
this 24 day of May, 2012.

Atul Singh (L.S.)
Notary Public for South Carolina
My Commission Expires: 8/14/18

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

Circuit Court
(New Candidate)

Full Name: Bentley Douglas Price
Business Address: 147 Wappoo Creek Drive, Suite 202
Charleston, SC 29412
Business Telephone: (843) 795-9500

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

I want to serve as a Circuit Court judge because I have devoted my legal career to courtroom litigation and I want to continue to fulfill my obligation to this great profession by serving as a Circuit Court judge. I feel that my demeanor and broad base of practice and experiences would allow me to serve the litigants, court staff and public with great humility and respect.

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?
Not at this time.

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?

Ex parte communication should not be tolerated unless expressly permitted by the Rules or Canons.

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

I would recuse myself in strict accordance with the Judicial Canons and in situations where there is even the mere appearance that I could not be fair and impartial.

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?

I would give great deference to a party that requested my recusal regardless of whether I felt there was any potential for bias or impartiality on my part. I would divulge the concerns to all parties and render my decision based on the appropriate ethical rules.

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 recuse myself if my wife or close friend had more than a *de minimus* contact with the case. I would strictly follow the law and the ethical rules to ensure this conflict does not arise.

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

I would disclose all gifts and hospitality as required by the ethical rules and would respectfully decline all other offers.

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

If I were made aware of potential misconduct, I would conduct my own investigation by speaking with the accused party. I would then consult the rules and report the misconduct to the appropriate authority as required by the ethical rules.

11. Are you affiliated with any political parties, boards or commissions that, if you were elected, would need to be re-evaluated? No.

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 ask the prevailing party to draft the order and provide it to opposing counsel. Only when they have agreed on the order would I sign it. If I were to take the matter under advisement, I would ask both parties to submit proposed orders and I would then utilize the two proposed orders to issue my decision. If it were a complex issue on which I wanted to do independent research and my research yielded new findings, I would draft the order.

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

I would establish firm deadlines in my office. Attorneys would be notified if I needed more time to meet my deadline. I would utilize many forms of technology and keep an open line of communication with my staff and attorneys.

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

Judicial activism should not play a role in a judges' decision. Judges should play no role in establishing public policy. The applicable laws should guide judges in making their rulings.

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 thoroughly enjoy speaking to law students and others that seek my perspective on judicial issues ranging from sentencing to court administration. I would continue this practice as often as I was asked to do so for any organization seeking my opinion. I would also like to see

the judiciary become more involved in the training of new lawyers, devoting time to give them guidance in and outside of the courtroom.

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?

The demanding travel and time spent away from family is something that my wife, family, and friends have endured throughout my practice. They are fully aware of what is required of a judge to be efficient and thorough and they support me one hundred percent in pursuing becoming a circuit court judge.

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: A judge's job at sentencing is to impose a punishment for the crime committed. The punishment must fit the crime but a repeat offender's punishment must reflect the fact that they have already received a prior punishment that was not sufficient to deter them from becoming a recidivist. I would take into consideration their past crimes and the respective sentences imposed and ensure that the sentence is fair but firm in hopes of preventing future criminal behavior.

b. Juveniles (that have been waived to the circuit court): A judge must consider the fact that they could have potentially been sentenced in Family Court but for one reason or another the case was waived up to Circuit Court and therefore facing stiffer penalties. The defendant's history is important in juvenile cases as they are young and very impressionable and it needs to be determined whether it is a product of their environment and not just the nature of the child.

c. White collar criminals: White collar crimes are often about someone being deceitful and dishonest. A judge must take that type of behavior into consideration when sentencing someone to prison or to probation while balancing their ability to pay restitution.

d. Defendants with a socially and/or economically disadvantaged background: Again, I would determine whether their social or economic disadvantage is a product of their environment or whether the crime was a product of their core values. Many crimes are committed due to these factors and their background must be considered to formulate an appropriate sentence.

e. Elderly defendants or those with some infirmity: Elderly or those with infirmities must be given extra care to assure that the sentence imposed does not have an unintended effect that would be different or unfair in any way.

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?
I would recuse myself where a family member or close friend had even a *de minimus* interest.
21. Do you belong to any organizations that discriminate based on race, religion, or gender?
James Island Yacht Club. The Yacht Club has a male membership and a female auxiliary. It is a family club primarily run by the auxiliary. However, if it is determined that this club is discriminatory in any fashion, I will resign my membership immediately.
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 be fair but firm. A judge must be humble and gracious and treat all parties with the same respect the position demands and be courteous to all court staff and peers in the community.
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?
Judges are more recognizable in their communities and therefore must maintain the demeanor outlined above and sustain the behavior in every situation in which they find themselves.
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? Never.
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? None.
27. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office? No.
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.

