

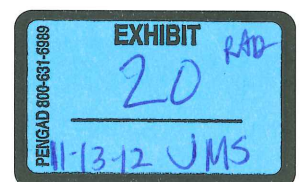
**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:
Circuit Court, At-Large, Seat 16

1. NAME: Mr. Daniel Dewitt Hall
BUSINESS ADDRESS: Moss Justice Center
1675-1E York Highway
York, SC 29745
TELEPHONE NUMBER: (office): 803-818-5852
2. Date and Place of Birth: 1954; York, 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 February 26, 1977, to Cathleen McCreight Hall; never divorces; four 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) Clemson University 1972-76, BS Animal Science;
 - (b) Campbell University School of Law, 1985-88 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, 1988; NC, 1988
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) Clemson University Animal Science Club;
 - (b) 1972-76 President, Treasurer;
 - (c) Campbell University School of Law;
 - (d) Christian Legal Society 1985-88 President, Vice-President;
 - (e) National Trial Team - Spring 1988;
 - (f) Member Law School Dean Search Committee—Spring 1988.
10. Describe your continuing legal or judicial education during the past five years.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) 2011 SC Public Defender's Conference	Sept. 26-28, 2011;
(b) 2010 Annual Solicitor's Association Conference	Sept. 27-29, 2010;
(c) 2009 Annual Solicitor's Association Conference	Sept. 27-30, 2009;
(d) 2008 Annual Solicitor's Association Conference	Sept. 28-30, 2008;



- (e) Evidence for Prosecutors – Tuscon, Arizona November 4-8, 2007;
 - (f) 2007 Annual Solicitor’s Association Conference Sept. 23-26, 2007.
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? None
12. List all published books and articles you have written and give citations and the dates of publication for each.
- Clergy Confidentiality: A Time to Speak and a Time to Be Silent, by Lynn Buzzard and Dan Hall, 1988 Christian Management Association.
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) SC State Courts - November 16, 1988;
 - (b) NC State Courts - August 19, 1988.
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) Sixteenth Judicial Circuit Solicitor’s Office Assistant Solicitor, 1988-90;
 - (b) Sole Practitioner 1991-99;
 - (c) General practice with focus on personal injury, worker’s compensation and criminal defense;
 - (d) Sixteenth Judicial Circuit Solicitor’s Office Assistant Solicitor, 1999-June 2011;
 - (e) Sixteenth Judicial Circuit Public Defender’s Office Assistant Public Defender, June 2011-present.
- 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 am currently an Assistant Public Defender and represent indigent defendants in General Sessions court. I was an Assistant Solicitor from 1999 to 2011. I have prosecuted and defended most every type of General Sessions criminal cases. I have no experience in civil matters in the past five years. I was in private practice from 1991–99 and had a

limited experience in the court of common pleas. My practice included criminal defense, personal injury, probate and some limited litigation in common pleas. I took and passed the North Carolina and SC Bar exams during the same week in 1988. I believe that I have the intellectual ability to quickly develop the necessary skills to preside in common pleas court.

15. What is your rating in Martindale-Hubbell? If you are not listed in Martindale-Hubbell, state the reason why, if known. If you are currently a member of the judiciary, list your last available rating. None.
16. What was the frequency of your court appearances during the last five years?
 - (a) federal: 0%;
 - (b) state: 100%.
17. What percentage of your practice involved civil, criminal, and domestic matters during the last five years?
 - (a) civil: 0%;
 - (b) criminal: 100%;
 - (c) domestic: 0%
 - (d) other 0%.
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: 10%;
 - (b) non-jury: 90%.

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 that 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. Willie Colvin 2011 GS 46 3777
Represented defendant charged with Criminal Sexual Conduct First Degree, Kidnapping, Use of Weapon During Violent Crime. This was a three day trial in which defendant was convicted of lesser offenses of Assault and Battery First Degree and Criminal Domestic Violence.
 - (b) State v. Russell Holley 2002 GS 46 0698
Murder trial in which boyfriend stabbed girlfriend to death in a rage of domestic violence. Defendant was sentence to life without parole.
 - (c) State v. Aaron Williams 2003 GS 46 2745
Burglary First Degree trial in which a seventy year old widow's home was invaded while she was alone. Victim was physically attacked. Defendant was sentence to a thirty year prison sentence.
 - (d) State v. Edward Miller 2003 GS 46 0557
Defendant was charged with murder. The case was trued billed by the grand jury. In preparing for trial and investigating this case evidence was

discovered absolving this defendant of the murder. The defendant had been wrongfully charged. I dismissed this case.

(e) State v. Penny Sue Price 1994 GS 46 2784

I defended at trial an indigent, mentally handicapped defendant charged with threatening public housing officials. The defendant was found not guilty at trial.

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.

None

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. None

22. Have you ever held judicial office?

Yes. Municipal Judge – City of York, SC – appointed by York City Council. January, 1993 – May, 1999. Signed criminal warrants, set bonds and held preliminary hearings for General Sessions criminal matters occurring in the city limits. Presided over plea court, bench trials and jury trials for criminal or traffic charges in the City of York in which the statutory penalty was no greater than 30 days in jail or the fine was not more than \$200.

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.

None

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

Never held public office.

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.

Self employed attorney – sole practitioner 1991-99. My position as York Municipal Judge required 8-10 hours per week of municipal court duties in addition to my private practice.

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

(a) Republican Primary candidate for Solicitor, Sixteenth Judicial Circuit, June 1996;

(b) Candidate for Judge, Sixteenth Judicial Circuit Family Court, 1998, withdrew;

(c) Candidate for Judge, Circuit Court At-Large, Seat 9, March 2006; Qualified but not nominated;

(d) Candidate for Judge, Circuit Court At-Large, Seat 6, January 2009; Qualified and nominated, withdrew prior to February election;

(e) Candidate for Judge, Circuit Court At-Large, Seat 8, January 2010; Qualified but not nominated;

(f) Candidate for Judge, Circuit Court At-Large, Seat 9, January 2011

Qualified and nominated, withdrew prior to February election.

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) Goodson Farms, Inc. – Turkey, NC, 1976-78, Cattle Manager
 - (b) Farmer’s Meat Center – York, SC, 1978-83, Meat business, supervisor.
 - (c) York County Credit Bureau, Inc.–York, SC, 1983-85, Owner and Manager.
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, Hunting Deer over Bait. October 13, 2006. Found guilty at bench trial paid court costs.
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?
- Yes, during my employment as York Municipal Judge, I was a named defendant in a federal lawsuit filed by a disgruntled criminal defendant. He named every elected official and judge in York County in the lawsuit.
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? Not Applicable.
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) York County Bar Association Treasurer, 1992;
 - (b) SC Bar Association;
 - (c) NC Bar.
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.
 - (a) Filbert Presbyterian Church Clerk of Session;
 - (b) York County Beekeepers Association;
 - (c) National Cutting Horse Association.
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.

Having grown up in a rural environment learning farm work and land surveying from my father, I continued to do farm work, textile mill work and land surveying through high school and college. Prior to attending law school, I managed a cattle operation, worked in a meat processing business and operated a local credit reporting and collection business. In these years, I married my wife of now thirty-one years and we had three small children. Having read and seen the need for attorneys with integrity to fill the ranks of our justice system, I then made the decision to attend law school. I began law school as a thirty year old father to three small children and my wife and I had our fourth child during the law school years. I took and passed the SC and North Carolina bar exams in July, 1988.

Since my time as a lawyer, my family has now grown to four married children, their spouses and seven grandchildren. I have deeply enjoyed my work as a public servant as a private attorney, municipal judge and an assistant solicitor in the Sixteenth Judicial Circuit Solicitor's office.

My life experiences give me a deep understanding and appreciation for people from all walks of life. I have been privileged to work with men and women from a broad variety of social and economic backgrounds. The courtrooms of this state belong to such people, and circuit court judges serve those as well the professionals that conduct the business of the courts. I believe I am prepared and have the ability to serve as a circuit court judge with both common sense and experienced knowledge of the law.

My commitment to justice and serving the common man has well suited me to be a circuit court judge. I would be honored to serve.

51. References:

- (a) Harry A. Dest
Chief Public Defender
Moss Justice Center
York, SC 29745
- (b) Twanna N. Burris
Attorney at Law
P.O. Box 10311
Rock Hill, SC 29731
- (c) Kenneth Rodgers
Former Chief Financial Officer
Aaron Industries, Clinton, SC
212 East Liberty Street
York, SC 29745
- (d) Rev. H. Wallace Tinsley
1399 Filbert Hwy
York, SC 29745

(e) Wachovia
Clover Financial Center
Attn: Parks Parrish
203 Bethel Street
Clover, SC 29710
803-222-4571

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: Daniel Dewitt Hall

Date: July 26, 2012

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

**Circuit Court
(New Candidate)**

Full Name: Daniel Dewitt Hall
Business Address: Moss Justice Center
1675-1E York Highway
York, South Carolina 29745-7422
Business Telephone: 803-818-5852

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

I have the strong desire and ability to provide litigants in Common Pleas with a fair and impartial forum to settle their civil disputes and to be a conduit for justice in General Sessions court.

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?

Possibly on a limited basis upon retirement.

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 communications are improper except where permitted by law. They are tolerated in certain temporary restraining order circumstances and issues involving appointment of experts in criminal cases.

A judge should not initiate, permit or consider *ex parte* communications. Except that: under certain circumstances for scheduling, administrative purposes or emergencies that do not deal with substantive matters or issues on the merits with certain provisions of notice to both parties and no procedural or tactical advantage gained.

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

A judge should recuse himself in cases involving former associates or law partners. Every judge has a certain degree of conflict with lawyer-legislators who have elected or will reelect that judge. Recusal in those situations would be appropriate if there is a close relationship with the lawyer-legislator.

A judge should not allow family, social, political or other relationships to influence the judge's judicial conduct or judgment. Recusal is not necessary if the judge can maintain fairness and impartiality to all parties.

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? Yes, I would grant the motion for recusal.
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 from that matter.
9. What standards would you set for yourself regarding the acceptance of gifts or social hospitality?
I would not accept gifts and social hospitality would be limited to functions open to all bar members.
10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?
I would report that misconduct to the appropriate disciplinary commission.
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 have the ability to draft orders, however, the normal practice is for the prevailing party in a matter to draft an order, have it reviewed by opposing counsel and presented to the judge for a final review and signature.
14. If elected, what methods would you use to ensure that you and your staff meet deadlines?
I am computer literate and would rely on computer systems to organize my work.
15. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?
I believe that "judicial activism" is improper. Public policy is promoted and legislated by our legislative branch of government.
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 will participate in any activity available to circuit court judges that will allow me to offer input into improvements of the 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? No
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: Sentencing of repeat offenders depends on the nature of prior offenses and nature of new offenses. However,

repeat offenders may demonstrate an inability or unwillingness to conform to the rules of our society or may be dangerous to the community.

b. Juveniles (that have been waived to the circuit court): Sentencing of juveniles waived to circuit court is often dependant on family and community support structure available to a sentenced juvenile. It also depends on the nature of the particular offense.

c. White collar criminals: White collar criminals are a danger to the community. However, probationary sentences with significant jail time suspended is often appropriate.

d. Defendants with a socially and/or economically disadvantaged background: Depends on the nature of the crime. Violent offenders need to be treated equally without regard to social or economic status. Support from community and family is important in sentencing non-violent offenders.

e. Elderly defendants or those with some infirmity: Depends on the nature of the crime. House arrest or probationary sentences will often be sufficient protection for the community.

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? No
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 be fair and impartial. He should treat attorneys, litigants, court personnel and the public with patient respect.
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?
Twenty-four hours, seven days a week.
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? No
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?
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.

Daniel Dewitt Hall

Sworn to before me this 26 day of July, 2012.

Notary Public for S.C.

My Commission Expires:12/31/2017 _____