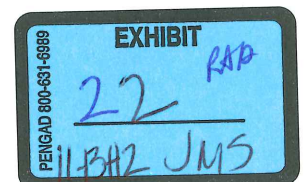


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

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

1. NAME: Mr. Alex Kinlaw, Jr.
BUSINESS ADDRESS: P. O. Box 757
Greenville, SC 29601
TELEPHONE NUMBER: (office): 864-467-5852
2. Date and Place of Birth: 1952; Georgetown, 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 October 27, 1984, to Yvette Wiggins Kinlaw. Never divorced, two 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) USC (Columbia) - 1971-75, BA;
 - (b) USC Law School - 1975-78, 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, 1978.
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.
I participated in a voter registration drive while in college and I also served as a member of the Black American Law Student Association while in law school.
10. Describe your continuing legal or judicial education during the past five years.

Conference/CLE Name	Date(s)
(a) D1-124 Sidebar SC: Trust Accounting	11/19/2007;
(b) DL-148 Authority for Lawyer Trust	11/20/2007;
(c) DL-10 The Attorney as Supervisor	11/20/2007;
(d) DL-150 How to Manage Lawyer	11/20/2007;
(e) Annual Summit and Retreat	10/30/2008;
(f) Ethics Judicial Panel Seminar III	12/06/2008;
(g) Family Court Judges' Conference	04/22/2009;
(h) Orientation School for New Family	06/03/2009;



- | | | |
|-----|-------------------------------------|-------------|
| (i) | Annual Convention | 08/06/2009; |
| (j) | 2009 Annual Judicial Conference | 08/19/2009; |
| (k) | SCBLA Annual Retreat | 10/01/2009; |
| (l) | 2009 SC Family | 12/04/2009; |
| (m) | Family Law Update | 01/22/2010; |
| (n) | Family Court Judges Conference | 04/22/2010; |
| (o) | 2010 Judicial Conference | 08/18/2010; |
| (p) | Mini Summit on Justice for Children | 12/02/2010; |
| (q) | 2010 SC Family Court | 12/03/2010; |
| (r) | Family Law Section | 01/21/2011; |
| (s) | Family Court Judges Conference | 06/01/2011; |
| (t) | 2011 SCAJ Annual Convention | 08/04/2011; |
| (u) | 2011 Annual Judicial Conference | 08/17/2011; |
| (v) | SC Black Lawyer Annual Retreat | 10/14/2011; |
| (w) | 2011 SC Family | 12/02/2011; |
| (x) | Family Law Section | 01/20/2012. |
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.
- (a) 2006 – I gave a seminar on custody in the family court at the SC Black Lawyers Retreat;
- (b) I also spoke to the Greenville County Bar at a CLE on Alimony Issues in the Family Court - 2009.
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) SC Supreme Court - November 1978;
- (b) United States District Court - December 1978.
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) 1978-80 – I was employed as a staff attorney with the Legal Services Agency in Greenville County;
- (b) 1980-81 – I was employed with the Public Defender’s Office in Greenville County;
- (c) 1982-2009 – I was engaged in the private practice of law.
- 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.

During my twenty-seven (27) years in private practice, I handled a multitude of matters, both criminal as well as civil. When I was employed with the Greenville County Public Defender's office I handled well over one hundred or so criminal offenses ranging from simple misdemeanors to burglary as well as felony murder. After leaving the Public Defender's office, I became Death Penalty certified by the SC Supreme Court. I was lead counsel in three (3) Death Penalty cases, the most significant one being State vs. Tommie Lee Davis (1989). This was a Greenwood County case in which the Defendant was charged with the abduction and murder of a Lander College female student. The case was significant for two reasons. This was the first case in the State to my knowledge where the defense pursuant to a change of venue motion was permitted to pick a jury from another county and seat that jury in the county where the offense occurred. Secondly, in this case the defense proved that the Defendant's IQ was so low that execution would be too severe of a punishment. The U.S. Supreme Court ultimately agreed with our argument.

In the civil arena I have represented numerous Plaintiffs in all kinds of personal injury matters in the Circuit Court. I also handled a significant third party tort claim involving a litigant whose leg was severely injured (Bayne vs. Brassfield and Gorrie Construction 1980). Lastly, I have litigated civil matters in at least ten of the current circuits. I also handled at least two Title VII matters in the Federal Court and represented numerous litigants in the United States Bankruptcy Court.

15. What is your rating, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, etc.? If you are currently a member of the judiciary, list your last available rating, if any. None.
16. What was the frequency of your court appearances during the last five years?
 - (a) federal: 10%;
 - (b) state: 90%.
17. What percentage of your practice involved civil, criminal, domestic, and other matters during the last five years?
 - (a) civil: 10%;
 - (b) criminal: 15%;
 - (c) domestic: 75%.

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: 25% of my practice involved matters that went to a jury;
 - (b) non-jury: 15% of my practice involved non-jury matters.
- Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? I acted as sole counsel in these matters.
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) I was lead counsel in the first capital case that permitted a jury to be chosen from another county and be transported to the county where the case was to be tried. This was pursuant to a change of venue motion;
 - (b) I was involved in an adoption case where the issue was whether the adopting parents could change their mind after a hearing was held, but the Judge had not yet signed the order of adoption;
 - (c) I was also involved in a family court matter that involved what was considered a domestic support obligation as defined by the Bankruptcy Court;
 - (d) I litigated an issue in Family Court regarding whether a person's voluntary termination of employment affected his current obligation of support;
 - (e) Lastly, I handled several matters in Magistrate Court regarding a landlord's duty to repair.
20. List up to five civil appeals you have personally handled.
I did not do any appellate work.
21. List up to five criminal appeals that you have personally handled.
I did not do any appellate work.
22. Have you ever held judicial office? No.
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. N/A.
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?
I ran for a seat on the Family Court in 2008 and lost. I was successful in 2009.
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?
I taught Business Law at Rutledge College while working at the Public Defender's Office.
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?
On 01/30/2002, a tax lien for \$1,001.00 was mistakenly filed against me, but, was resolved by the SC Department of Revenue on 04/10/2002. This was a procedural error by the Department of Revenue.
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?
Approximately ten years ago, a client filed suit alleging that my office allowed a statute of limitation to pass. Judge Kittredge dismissed the case as having no merit.
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? N/A.
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? If so, give details. 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 Association;
 - (b) National Bar Association;
 - (c) SC Black Lawyers 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.
 - (a) Urban League of the Upstate;
 - (b) Sigma Pi Phi Fraternity;
 - (c) Alpha Phi Alpha Fraternity.
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.
51. References:
 - (a) Carlethia Rudolph
94 Ford Road
Pawleys Island, SC 29585
843-237-8118
 - (b) Yvonne Manning
101 Lismore Park Drive
Greer, SC 29650

- 864-879-0292
- (c) Ameerah Barnes
400 Holly Lane
Mauldin, SC 29662
864-346-7100
- (d) Samantha Wildhaber
T. D. Bank
2303 Augusta Road
Greenville, SC 29605
864-232-4585
- (e) Zandra L. Johnson, Esquire
300 East McBee Avenue
Suite 500
Greenville, SC 29601
864-552-4504

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: Alex Kinlaw, Jr.

Date: August 1, 2012

October 11, 2012

Ms. E. Katherine Wells
Staff Attorney
S.C. Senate Judiciary Committee
P.O. Box 142
Columbia, SC 29202

Re: Judicial Application
Circuit Court At Large Seat 16

Dear Ms. Wells:

Per our conversation on this past Wednesday enclosed herewith is the following requested items:

- 1) Amended PDQ information
- 2) Completed Statement of Economic Interests Form
- 3) New Letter of Reference

If you should need anything further please let me know. I am by copy of this letter forwarding the same information to Ms. Jane Shuler at the Judicial Merit Commission. I hope you continue to feel better.

Sincerely,

Alex Kinlaw, Jr.



Cc: Ms. Jane Shuler
Chief Counsel
Judicial Merit Commission
P.O. Box 142
Columbia, SC 29202

Ms. E. Katherine Wells

S.C. Senate Judiciary Committee

Columbia, South Carolina 29202

Re: Amended Answers to Personal Data Questionnaire

Number 22 : YES Judge of the Greenville County Family Court Elected February 2009 Term ends February 2016

Number 23: Jane Roe vs. Craig Reeves

William Ponder vs. Linda Ponder

Joleen Graham vs. Donald Graham

Mark Mitchell Sweeney vs. Irene Sweeney

Patricia Rushing vs. James Rushing

No citations reported

Number 33: Tax lien for 1001.00 mistakenly filed against me on 2-14-01 and was resolved or satisfied 10/10/01. It was a SC Department of Revenue matter.


Alex Kinlaw, Jr.

Alma Y. White
413 N. Congdon Street
Georgetown, SC 29440

To: Judicial Merit Selection Commission
From: Alma Y. White
Re: The Honorable Alex Kinlaw, Jr.
Circuit Court Judge Candidate
Date: July 29, 2012

It is a pleasure and an honor to write this letter of recommendation on behalf of Alex Kinlaw, Jr., who seeks an at-large Circuit Court judge position. I am a life-long childhood friend of Alex and have followed his career and maintained the friendship over the years.

Alex is now a proven fair, common sense judge who knows the law and has done an exceptional job dispensing justice blindly over the past four years as a Family Court judge. He has served the state of South Carolina, particularly the 13th Judicial Circuit, well in that capacity. I'm confident that he will do the same exceptional job as a Circuit Court Judge if given the opportunity.

I realize that every candidate who applies for such a prestigious judgeship position is duly qualified, but I hasten to add that Alex will continue to do justice for South Carolina and represent the state very well on the bench. His understanding of the law, of people, his character, his maturity, his professionalism and the wisdom that comes with age makes him a true asset as a judge.

I respectfully request and strongly encourage the committee to seriously consider recommending, supporting and encouraging others to support Alex in his efforts to serve the people of South Carolina as a Circuit Court Judge.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alma Y. White', with a stylized flourish at the end.

Alma Y. White

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

Circuit Court
(New Candidate)

Full Name: Alex Kinlaw, Jr.
Business Address: P. O. Box 757
Greenville, SC 29601
Business Telephone: 864-467-5852

1. Why do you want to serve as a Circuit Court judge?
I have experienced a lot in my legal career as an attorney and as a Family Court Judge. I want to continue my love for the judicial system and serve as a Circuit Court Judge.
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? No
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 should never be done by a Judge no matter what the circumstances may be.
6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?
If there is an appearance of a conflict of interest, I always recuse myself.
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?
Out of an abundance of caution, I would grant counsel's motion for me to recuse myself.
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 in this instance as well.
9. What standards would you set for yourself regarding the acceptance of gifts or social hospitality?
I would never accept gifts from anyone except close friends and family 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 the misconduct immediately to the appropriate Disciplinary Board.
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 delegate to the participating attorneys, but, in some instances, I would draft the order.
14. If elected, what methods would you use to ensure that you and your staff meet deadlines?
I would implement a computerized tickler system to serve as a reminder of deadlines.
15. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?
I think Judges can educate the community on the workings of the Judicial System and should not promote or set public policy.
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 definitely engage in activities (such as speaking engagements) to educate the community as well the local Bar about 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?
In my current judicial role, I have been able to keep a good balance between my position and family.
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 should be on an escalating scale.
 - b. Juveniles (that have been waived to the circuit court): Sentencing should be in the same realm as that of adults.
 - c. White collar criminals: Sentencing should be commensurate with the type of offense and seriousness of the offense.
 - d. Defendants with a socially and/or economically disadvantaged background: The overall circumstances would dictate how much mitigation, if any, would be applicable.
 - e. Elderly defendants or those with some infirmity: You would have to weigh each person's circumstances and make a determination.
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 have a calm and focused demeanor.
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?
You should respect the position of being a Judge at all times and even in public you should show a calm demeanor.
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?
A Judge can be firm, but, should never express 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? 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?

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

Alex Kinlaw, Jr.

Sworn to before me this 1st day of August, 2012.

Ameerah Barnes

Notary Public for S.C.

My Commission Expires: 8/28/2016