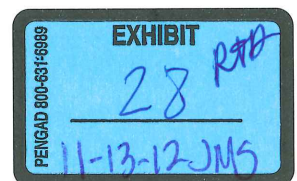


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

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

1. NAME: Mr. Gregory Kenneth Voigt
BUSINESS ADDRESS: 101 Meeting Street, 4th Floor
Charleston, SC 29401
TELEPHONE NUMBER: (office): 843-958-1906
2. Date and Place of Birth: 1966; Summit, NJ
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 January 31, 1992, to Kellye Diane Voigt;
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) Tulane University, New Orleans, LA, 1984-88, BA (History);
 - (b) University of Denver, College of Law, Denver, CO, 1988-91, 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.
 - (a) Louisiana, admitted 4/94, I sat for the exam five times;
 - (b) SC, admitted 5/06, I sat for the exam one time.
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) Tulane University, WTUL on air radio "disc jockey" 1985-88;
 - (b) University of Denver College of Law, Water Law Reporter, Groundwater Editor, 1990-1991.
10. Describe your continuing legal or judicial education during the past five years.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SC Solicitor's Assoc. Annual Conference	9/25/11;
(b) SC Solicitor's Assoc. Annual Conference	9/26/10;
(c) Forensic Science Series	5/29/09;
(d) SC Solicitor's Assoc. Annual Conference	9/28/08;
(e) Stewards of Children	5/12/08;
(f) SC Solicitor's Assoc. Annual Conference	9/23/07.



11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? No.
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 Louisiana in 1994;
 - (b) Also admitted to practice before the Federal District Court for the Eastern District of Louisiana in 1997;
 - (c) Also admitted to practice before the State Courts of SC in 2006.
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.

After I graduated from law school I moved from Denver, where I had worked for an insurance defense firm that was in-house counsel for Traveler's Insurance Company, to New Orleans where I worked in a machine shop while studying for the bar exam. I volunteered at the Public Defender's Office and was later hired by one of the assistant public defenders to write briefs. After I passed the bar in 1994, this attorney, Gary Wainwright, hired me. I began to make court appearances and conduct motion hearings in criminal proceedings. I tried and won my first felony jury trial. Two years later, William Noland, who shared office space with Wainwright, also hired me to help him in domestic and criminal matters. Noland's practice also included civil litigation related to the bail industry in Louisiana as well as some civil defense work for small businesses. I eventually handled civil and criminal hearings in 34 of Louisiana's 64 parishes. I also appeared at administrative hearings at the Department of Insurance for bail clients. In 1997 my practice became largely an appellate practice as we litigated hundreds of bail bond forfeiture cases in Louisiana. I wrote a brief to the United States Supreme Court on the Ranger Insurance case that I have listed below.

In 1999, with a newborn son, I became an assistant district attorney with the Orleans Parish District Attorney's Office. I rose quickly from Magistrate Court (non-jury misdemeanor trials) to the felony trial section. During my two years there I tried over seventy jury trials, more than half of those as lead counsel. I started with simple drug crimes and was trying murders in my last year. During that time I was made section leader of Section "B" (designating a criminal court division).

I was hired away from the district attorney's office by the law firm of Lawrence and Olinde, L.L.C. My practice there continued to consist of criminal and domestic matters. Additionally, approximately a third of my

practice was personal injury cases, mostly automobile cases. I worked with Lawrence and Olinde for five years until 2005, litigating in both Federal and state courts.

In August 2005 Hurricane Katrina forced my family and I to evacuate. My home was in the hard-hit Gentilly neighborhood and received wind damage and over four feet of standing water. The city was closed and we could not return home. A former college roommate's family had an empty beach house on Sullivan's Island. My son could continue his interrupted first grade year on the island, so we came with the clothes on our backs to SC.

After a few weeks it was obvious that a return to Louisiana would be nearly impossible in the short term. I faxed my resume to the Solicitor's Office and the Public Defender's Office in Charleston County on the same day. The next day, Solicitor Ralph Hoisington called me, and I began working for the Solicitor's Office in Charleston the next week.

I initially handled white collar crimes. When it became clear that I was staying in SC, I began a caseload that involved more violent crimes. I became a team leader under Solicitor Scarlett Wilson. I currently train the new attorneys in areas that require monitoring: Rule 5 and Brady material. I maintain my caseload of violent crimes, including murder, criminal sexual conduct, armed robbery, and burglary.

- 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.

In the last five years I have practiced exclusively criminal law as an assistant solicitor. I have tried between three and six jury trials a year in that span and have sat second chair on as many as twelve jury trials. Initially, I handled mostly white collar crimes. In 2006 my cases involved more violent crimes such as murders. I have tried two murders this year and three last year. I regularly have between three hundred and five hundred warrants assigned to me. The issues that I have encountered run the gamut from alleged discovery violations, insufficient search warrants, potential juror misconduct, to Neil v. Biggers and Jackson v. Denno hearings.

My civil experience dates from 1992-99 and 2001-05. I defended small businesses such as independent roofers from contract and products

claims. I sued on behalf of bail insurance companies to invalidate forfeitures. Later, I handled automobile accident cases and other personal injury cases. I successfully pursued Section 1983 actions and sued the City of New Orleans on behalf of a client to set aside hundreds of thousands of dollars of improper tax adjudications. I have conducted civil trials, mediations, and my share of depositions.

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. Alas, they do not rate assistant solicitors.
16. What was the frequency of your court appearances during the last five years?
 - (a) federal:
 - (b) state: 100%
17. What percentage of your practice involved civil, criminal, domestic, and other matters during the last five years?
 - (a) civil:
 - (b) criminal: 100%
 - (c) domestic:
 - (d) other:
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: approximately 10% of my cases to trial or plead during a trial term.;
 - (b) non-jury: approximately 90%.Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters?

I try approximately three to seven cases before a jury as lead counsel and an equal number as associate counsel (second chair).

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 of Louisiana v. Donlyn Burns, 723 So.2d 1013, La.Ct.App. 4th Cir. (1998). In this case I had a life sentence on a habitual offender reversed for a non-violent drug crime using the Eighth Amendment ban on cruel and usual punishment under the United States and Louisiana Constitutions. This was the last in a series of *Dorthey* opinions in Louisiana jurisprudence before the Louisiana Supreme Court made such reversals nearly impossible. I spared a young man a life sentence just before the window closed.
 - (b) State v. Jerome Campbell, Indictment No.2009-GS-10-6731 (currently on appeal). This is a murder prosecution from Charleston County. It was nearly an entirely circumstantial evidence case where I had to overcome a defense expert whose testimony, if believed, would have placed insurmountable obstacles to successful prosecution.

- (c) State v. Nathaniel McGee, Indictment No. 2006-GS-10-7192 (currently on appeal). In this murder prosecution I had to successfully overcome my only eye witness to the shooting identifying the perpetrator as a one of the sitting jurors. I also had to convince a very doubtful victim's family that assistant solicitors really do try to achieve justice for all members of the community.
 - (d) State v. Oran Smith, Indictment No. 2007-GS-10-3172 (currently on appeal). I had to try this murder case twice before conviction. It is significant because I had such a long period of contact with the victim's family and it kept in the forefront for me how much victim's families rely upon prosecutors for a sense of peace and closure.
 - (e) State v. Dung Tran, PCR hearing, Section "H", Orleans Parish Criminal Court. This was the last hearing that I conducted in New Orleans before Hurricane Katrina. The court ruled months after the storm. In this case I was hired by the family of a man convicted of murder when he was a teenager for a last shot at post-conviction relief. In my investigation I was contacted by an honest prosecutor who gave me a letter from the foreman of the jury written to the sitting judge some ten years before. This letter had been suppressed by a former assistant district attorney. The letter detailed jury misconduct during the deliberations in this death penalty case that the judge and prosecutor had decided not to disclose. This discovery, coupled with the forensic evidence that the victim had been shot from within his vehicle, allowed me to obtain a manslaughter conviction.
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) Ranger Insurance Company v. State of Louisiana, 98-206, La.Ct. App. 3rd Cir., 12/16/98;
 - (b) State of Louisiana v. Kyrus Norman (Amwest Ins. Co.), 672 So.2d 407 La. Ct. App. 1st Cir. (1996);
 - (c) Bankers Insurance Company v. State, 97-578. La.Ct.App. 3rd Cir., 10/29/97;
 - (d) State v. Polk (Bankers Ins. Co.), 96-CA-1785 to 96-CA-1788, La.Ct.App. 4th Cir., 1/29/1997;
 - (e) State v. Royce Reed (National American Ins. Co.), 667 So.2d 586, La.Ct.App. 2nd Cir. (1996).
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) State of Louisiana v. Donlyn Burns, 723 So.2d 1013, La.Ct..App. 4th Cir. (1998);

- (b) State of Louisiana v. Lester Denis, 96-K-0956, La.Ct.App. 4th Cir. (1997);
- (c) State of Louisiana v. Gregory Jones, 01-KA-177, La.Ct.App. 5th Cir. (2001);
- (d) State v. Darryl Luckett, 647 So.2d 1232, La.Ct.App. 4th Cir. (1994);
- (e) State v. Donald Brocato, 744 So.2d 178, La.Ct.App. 4th Cir. (1999).

Between 1996 and 2000 I wrote over 100 criminal and civil appellate briefs to Louisiana courts of appeal and the Louisiana Supreme Court. At last count, I had twenty-four reported cases in West's Southern Reporter 2nd.

- 22. Have you ever held judicial office? No.
- 24. Have you ever held public office other than judicial office?
No, 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. Specify your dates of employment, employer, major job responsibilities, and supervisor. Not applicable.
- 26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?
In 2003 I ran for the vacant judicial office of Section B of the Orleans Parish Criminal District Court. Louisiana holds an open Parish-wide primary. I did not make the run-off 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?
While I was studying for the bar in Louisiana I was a machinist in a factory that made acoustical soundboards. I partially paid my way through college and law school by being a short order cook, landscaper, waiter, doorman, paint salesman, and by working in a mail room and in the college library.
- 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. Explain how you would resolve any potential conflict of interest.
- I am not aware of any real or potential conflicts of interest regarding financial arrangements or business relationships.
- 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?
- In the 1990's I defaulted on some student loans. These loans were eventually repaid. I have never filed for 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?
- As part of the student loans mentioned above, I was sued, and these matters were satisfied by payment in full.
- My wife and I were both sued in Orleans Parish Civil District Court regarding the mortgage on our home in New Orleans, LA. We evacuated immediately before Hurricane Katrina. Our home was devastated and received more than four feet of standing water for three weeks in 2005. While we were living in SC, we continued to make payments on the mortgage while we navigated the byzantine permitting process to restore the house. Before we were able to complete repairs, contractors of the City of New Orleans wrongly demolished the house. I encouraged the mortgage holder to intervene in our suit against the City of New Orleans, but they declined. They sued to foreclose but did not take the necessary steps to be placed in possession of the property. Their suit was abandoned by operation of Louisiana law, and they no longer have an *en rem* remedy. My suit against the City of New Orleans is scheduled for trial this fall.
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?
- I am not in private practice, 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." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions.

I have no knowledge of any allegations against myself or another candidate.

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." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions.

I have no knowledge of any allegations against myself or another candidate.

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) Louisiana State Bar Association, 1994-present;

- (b) SC State Bar Association, 2006- present;
 - (c) Charleston Bar Association, 2006-present.
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) Trident Tech Paralegal Education Advisory Board, 2008-present;
 - (b) Instructor, United States Naval Sea Cadet Corps, 2010-present.
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.

I have spent nearly twenty years in the practice of law, and I still look forward to going to work in the morning and meeting the challenges that the profession lays before me. I was asked once why I thought that so many people leave the practice of law, finding that it was not what they wanted out of life. I think that the answer is that as lawyers, in personal injury, criminal defense, bankruptcy, domestic law, and others, clients put all of their worry and sleepless nights on our shoulders. Their legal problems nag them until we take them and carry that burden. Every lawyer has a roomful of worries and heartaches in his briefcase that he must solve.

I have worked through school and through financial hardship. I have lost a houseful of material possessions and learned the value of being free from their bonds. I hope that this gives me empathy with those for whom the legal system is an impenetrable mystery.

51. References:
- (a) Daniel Slotchiver
44 State Street
Charleston, SC 29401
(843) 577-6531;
 - (b) Edward Kronsberg
815 Savannah Highway
Charleston, SC 29407
(843) 852-5007;
 - (c) Nathan S. Williams
151 Meeting Street, Ste. 200
Charleston, SC 29402
(843) 209-6972;
 - (d) Bryan Alfaro
300-B California Avenue
Moncks Corner, SC 29461
(843) 719-4529;

(e) Jacob Hermans, Assistant Vice President
Regions Bank
170 Meeting Street
Charleston, SC 29401
(843) 937-4144.

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: Gregory Kenneth Voigt

Date: August 8, 2012

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

Circuit Court
(New Candidate)

Full Name: Gregory Kenneth Voigt
Business Address: 101 Meeting Street, 4th FL
Charleston, SC 29401
Business Telephone: (843) 958-1906

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

In my years of practice, I have been before many judges in many jurisdictions and have experienced the difference that a really good judge can make for all the parties and even casual observers of the legal process. I have always wanted to be that really good judge. Lawyers appreciate those jurists because they know that their clients can get a fair shake. Lay persons can view the proceedings, and while not necessarily understanding every legal or procedural ruling, can sense that everything is above board and fair.

As much as I like the theatrical part of being a trial litigator, the appellate lawyer in me has always been drawn to research and case interpretation. A circuit judge must balance the interests of the parties, the skill of the attorneys, and the body of law, often on the fly, in very complicated matters. I am confronted on a fairly frequent basis with questions of law that require re-examination due to a unique factual pattern. The different factual permutations of how a particular area of the law is applied to specific facts are what keep the practice fresh and exciting for me.

In the practice, we want a judge who lets us try our case, calls it straight down the middle, gets the law right, and is pleasant to appear before. I want to be that 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 be avoided whenever possible. I avoid them in practice because an innocent comment about a case can take on a sinister hue to a party who isn't there and hears about it second hand. Certain scheduling matters can be communicated *ex parte*. There are issues related to mental health of defendants that the statutes allow to be *ex parte*. There are matters related to the

attorney-client relationship or privilege that should be conducted *ex parte* so as not to give the other side an advantage. In short, my philosophy is to adhere to Canon 3 and the guidance that its commentary gives.

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 places a burden on the legal system because it re-allocates time and effort away from the speedy resolution of disputes.

It is often used improperly in an attempt to gain advantage or avoid a particular jurist. Recusal should be the most obvious way of avoiding both actual conflicts of interest and appearances of such conflicts. It does not serve any public policy interest to recuse oneself due to the presence of a lawyer/legislator in a particular matter without more evidence of a potential conflict. To do so would unfairly penalize the lawyer/legislator and their clients without any showing that the court could not maintain its sworn duty. Former associates, such as I have here at the solicitor's office, similarly do not risk putting judicial integrity at stake. Otherwise, such previous experience would automatically disqualify one from office. Reasonable limitations, such as requiring disqualification of matters that have been the office when the candidate worked there, are limited in time. Law partners, because of the close community of interests that develop between those engaged in the business of law, are much more likely to require recusal. Observers would be right to question the impartiality of a judge that would sit on a proceeding conducted by a former law partner.

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?

Sometimes the appearance of bias, rather than actual bias, is as important in the public's perception of the fairness of proceedings. After having been a defense attorney, I changed sides and became a prosecutor. I found myself prosecuting an individual that I had previously represented. There was no actual conflict of interest. The crimes were separate in years, and one did not inform the other. Nevertheless, I asked to remove myself from the prosecution of the matter. The Orleans Parish District Attorney declined to allow me to remove myself, and I found myself trying this case before a jury. The defendant testified, and I sought to impeach him with a previous conviction, a conviction where I was his attorney. He readily admitted the conviction, saying, "Mr. Voigt, you sure did do a good job on that robbery case, I only got a little time." He smiled as he said this, and I turned to the jury. The jury was obviously confused and later could not

reach a verdict. The appearance that there was "more to the story" between that defendant and his prosecutor frustrated justice although no actual conflict existed. I would decide these matters depending on their specific facts but always mindful that appearances can be reality to the casual observer.

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

In the case of a spouse or close relative, I would err on the side of not having to decide issues where such an appearance of impropriety existed.

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

Canon 4(d)(5) sets out clear rules for the acceptance of gifts. I would accept ordinary hospitality but no more.

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

This question indicates that the act of misconduct is not in question. In that case Canon 3(D)(1) indicates that a judge *shall* notify the appropriate authorities. There is no exception drafted into the Canon. Lawyers and judges are not always the best policemen of our profession. We will maintain the respect of the public if we do not tolerate misconduct.

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?

Orders, especially complicated orders on civil motions, should be drafted while the issues are still fresh. Three business days is not an unreasonable period to expect simple orders. In Louisiana, judges relied on counsel to draft all orders. Such a system can cause unreasonable delay and litigation.

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

I would institute a system whereby we would be reminded about what is outstanding and work to timely publish such orders. Some more complicated orders would naturally take more time. Things that get delayed get lost. I have waited eighteen months to initiate an appeal where a court did not rule on a motion for new trial. I am not going to be part of the problem.

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

What I believe about the hot topic of the day, social issues, or where the law should evolve might make me a more interesting and likable person, but it would not make me a better judge. The laws are

written by one branch of government and enforced by another. The judicial branch is not designed, equipped, or funded to substitute for either. As a circuit court judge, although you are bound by the plain meanings of statutes and by precedential case law, there is plenty of room for fairness.

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 look forward to sharing my experiences and insights in educational programs, CLE's, and other programs.

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: Not all repeat offenders are equal. The guy who steals a can of tuna from the local grocery repeatedly is going to be treated differently than the three-time burglar or two-time armed robber. I will take into account individual histories, time since last offense, danger to the community, and the interests of society in fashioning a sentence. I don't believe in setting people up for failure: if you have had your probation revoked twice, you are not a good candidate for probation.

b. Juveniles (that have been waived to the circuit court): When juveniles have been waived up to circuit court, it is for serious offenses. Otherwise, family court would be the better place for them. I would weigh their youth and the chance that they might have of being a successful citizen in the future versus the nature of the offense and their danger to the community. The difficulty of sentencing the very young for very serious crimes is that often they become different people well before the end of their sentence, yet the harm they may have done to victims is long-lasting.

c. White collar criminals: This is where perception outside the legal community varies greatly from that of lawyers and judges. We see a middle-aged woman with no arrest history who stole from her employer, the community sees that someone who steals \$80,000.00 is more likely to get probation than an eighteen year old that sells drugs twice. Recently, I saw a judge send an unrepentant embezzler to prison for six years (she was 72 years old with no criminal history). She had stolen more than a half million dollars and blamed the victim. The sentence struck the right balance in that the money was not ever going to be recovered. When I first was a solicitor, I did almost exclusively white collar crime. Where I thought that there was real property or the chance of finding assets, I always reduced at least part

of the restitution to a civil judgment to take the burden off of probation and parole and increase the chance that some money would get recovered.

d. Defendants with a socially and/or economically disadvantaged background: There are two not entirely consistent goals in the criminal justice system: punishment and rehabilitation. When a person believes that his choices are between bad and worse due to a disadvantaged upbringing, he has not been afforded a real choice. When I was a defense attorney, my goal was to work the hardest to avoid a client getting his first felony conviction, a mark that would follow him forever. Rehabilitation requires second chances. With some backgrounds you don't get a first chance.

e. Elderly defendants or those with some infirmity: These defendants require an extensive understanding of their background and current condition to fashion the correct remedy in criminal law. A man who criminally neglects his ill wife may be ill himself. Intervention, rather than punishment is called for. A man who strangles a woman in the park may require incarceration for the remainder of his life, even if his life can only be measured in months.

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?

A *de minimis* financial interest does not require recusal. There has to be some sort of relationship that would bring the impartiality of the court into question.

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's demeanor must uphold the dignity of the court. Tensions often run high among litigants and parties, and the judge must be the calm in the storm.

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?

Once judges become judges, they are always "on". Lawyers will always laugh at their jokes and be deferential. However, judges must be mindful of outward appearances. Judges must represent the dignity of the position 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?

As a human being, anger is a natural reaction to certain types of provocation. A judge must temper his reaction. Effective representation by an attorney sometimes requires an open challenge to a judge's grasp of the law or the facts. Some defendants will intentionally try to provoke the court to use the court's reaction as evidence of bias. Pro se litigants will often frustrate the court by running afoul of court rules. A judge must have a firm control over his courtroom without being a bully.

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? I have not spent any money.
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.

Gregory Kenneth Voigt
Sworn to before me this 8 day of August, 2012.

Notary Public for S.C.
My Commission Expires: 01/03/17