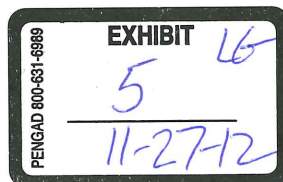


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:
Family Court, Third Judicial Circuit, Seat 3

1. NAME: Mr. Gordon B. Jenkinson
BUSINESS ADDRESS: 125 South Academy Street
Kingstree, SC 29556
Post Office Box 262
Kingstree, SC 29556
TELEPHONE NUMBER: (office):843-355-3600
2. Date and Place of Birth: 1948; Kingstree, SC
3. Are you a citizen of South Carolina? Yes
Have you been a resident of this state for at least the immediate past five years? Yes
5. Family Status: Married on August 19, 1972, to Margaret Kelley Jenkinson. Never divorced; two children.
6. Have you served in the military? Yes. I served in the US Army on active duty from July-October 1974, as an Ordinance Officer. I was honorably discharged from the Reserves as a Captain about 1978. My selective service number was XXXX-XXXX.
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.
I attended The Citadel from 1967-71 and graduated with a Bachelor of Arts degree in English. I attended the University of SC school of Law from 1971-74 where I received my 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.
The only state that I have been admitted to practice is SC. I passed my first bar examination in 1974.
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.
While attending The Citadel I held the rank of corporal my sophomore year and staff sergeant my junior year. My senior year I was a first lieutenant and was on the Commandant's Distinguished Service List, a Dean's List Student, a member of the Senior Class Board of Directors and Activities Editor of *The Sphinx*, the school yearbook. I held no leadership positions in law school.



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

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) FCJA Annual Judicial Conference	04/25/07;
(b) SCAA Orientation School for FC	07/11/07;
(c) SCAA Annual Judicial Conference	08/22/07;
(d) SC Bar Family Court Bench/Bar	12/07/07;
(e) SC Bar Family Law Section	01/25/08;
(f) FCJA Family Court Judges Conference	04/23/08;
(g) SCCA Orientation School	06/04/08;
(h) SCAA Judicial Conference	08/20/08;
(i) National Judicial College	04/19/09;
(j) FCJA Family Court Judges Conference	04/22/09;
(k) SCAJ Annual Conference	08/06/09;
(l) SCAA Annual Judicial Conference	08/19/09;
(m) SC Bar SC Family	12/04/09;
(n) SC Bar Family Law Update	01/22/10;
(o) FCJA Family Court Judges Conference	04/22/10;
(p) SCAJ Annual Convention	08/05/10;
(q) SCCA Judicial Conference	08/18/10;
(r) CLO Mini Summit	12/02/10;
(s) SC Bar SC Family Court	12/03/10;
(t) SC Bar Family Law	01/21/11;
(u) FCJA Family Court Judges Conference	06/01/11;
(v) SCAJ Annual Conference	08/04/11;
(w) SCCA Judicial Conference	08/17/11;
(x) SC Bar SC Family	12/02/11;
(y) SC Bar Family Law	01/2012.

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?

- (a) I lectured at the 2008 Public Defender's Conference on representing juveniles in Family Court.
- (b) I taught business law and government courses c.1975-77 at the Williamsburg Technical College, Kingstree, SC

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

- (a) My novel Live Oaks was published by Nimrod House of Richmond, Virginia in 1996.
- (b) The History Press of Charleston, SC, published my book A History of the Homes and People of Williamsburgh District in 2007.
- (c) R. L. Bryan published my book St. Alban's Episcopal Church: A Short History of a Small Mission also in 2007.
- (d) Pelican Publishing Company of Gretna, Louisiana, published my novel River Road in October 2011.

- I have not written any articles or books in the legal field.
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.
(Example format below - Please do not insert a table.)
- (a) Admitted to the SC Bar on November 14, 1974;
 - (b) Admitted to the US District Court for the District of SC on October 2, 1975;
 - (c) Admitted to the Fourth Circuit Court of Appeals on January 4, 1984;
 - (d) Admitted to the United States Supreme Court on February 20, 1996.
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. N/A
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.
My last available rating with Martindale-Hubbell was bv
22. Have you ever held judicial office?
Yes. Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court. In February, 2007 I was elected to seat 3 on the Family Court for the Third Judicial Circuit and I have served continuously since then. I was elected to this position by the state Legislature in February 2007.
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. Also list citations to any appellate review of these orders or opinions.
- (a) Daisy Wallace Simpson vs. William Robert Simpson Sr., Individually and as shareholder/member of Simpson Farms, L.L.C. and William R. Simpson, Jr., as a shareholder/member of Simpson Farms, L.L.C. Case No's: 2003-DR-14-128 and 2003-DR-14-128;
 - (b) Patricia Ferguson-Majors vs. Ned B. Major Case No: 2006-DR-10-3118;
 - (c) SCDSS vs. Timothy Christmas and Amie Miles Christmas, Jason Miles, Lonnie Weaver, Sr. and Diane Weaver Case No.'s: 2009-DR-14-275, 2007-14-345, 2007-DR-14-444 and 2010-DR-14-152;
 - (d) SCDSS vs. Abraham Pollock and Julie (Charlamayne) Ward Case No: 2005-DR-18-1462;
 - (e) William Robert Simpson Jr. vs. Becky H. Simpson, nka Becky H. Ingle Case No. 's: 2011-DR-14-123.
Copies of these cases are enclosed and none were reported.
24. Have you ever held public office other than judicial office?
I was elected by the State Legislature in 1993 to serve on the SC Coastal Council for a four year term. I did not seek re-election.

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. None

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

Yes, I ran for a Family Court seat in the Third Judicial Circuit and was defeated by the Honorable George McFaddin in February 2002.

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 was a partner in a real estate development company known as Birchwood Partnership beginning in 1978. A builder and I purchased a tract of land near Kingstree and developed it for residential lots. Around 1985 we divided the remaining lots and liquidated the partnership.

I also was involved in a similar partnership known as Thorne's Thicket. My partner and I dissolved this arrangement in 1995.

I was a partner with my brother H. M. Jenkinson, of Mt. Pleasant, SC, in a real estate development company known as Cedar Hill Partnership. We formed this partnership in 1993, when we began developing raw land for residential development in the Kingstree area. We have also purchased and renovated two houses in downtown Charleston. In 2003 we divided the remaining lots and I sold my brother my half interest in approximately twenty five financing contracts that we held.

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. 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?

Type	File No:	Date Filed	Amount	Book	Page
State	179056871	10/18/78	\$219.13	202	287
State	179079543	11/01/78	\$1,600.42	203	44

State	181165072	03/15/81	\$107.01	207	86
State	7170656-4	10/15/93	\$100.34	230	259
State	71201240	05/05/94	\$7,238.61	234	264
Federal	951318	12/19/95	\$21,417.06		
State	3-51253897-7	04/05/11	\$8,556.42		
Federal	729018610	12/14/10	\$71,829.61		

All liens were paid before any levy or execution by IRS or SC Department of Revenue.

I hope that the Judicial Merit Selection Commission will not make an adverse finding against me due to the fact that the Internal Revenue Service filed a federal tax lien against me on December 14, 2010, in the amount of \$71,829.61 and that the SC Department of Revenue filed a tax lien against me on April 5, 2011, in the amount of \$8,556.42. There are some unusual and I think extenuating circumstances that mitigate in my favor.

Until 2005 I did not have a problem with my cash flow. In fact in 2003 I purchased a second home in Folly Beach, SC, for \$457,000.00 and paid cash for it.

In late 2004 I undertook the representation of Roberta Lewis in a divorce action. The marital estate had a value of approximately \$1.5 million dollars and there were many properties that had to be appraised. This action was tried in September 2005. At the conclusion of the trial my fees were in excess of \$50,000.00 and the costs that I had to advance were approximately \$30,000.00. My client had a high school education and there was no way she could earn enough money to pay my fees and costs. The trial judge waited 22 months to issue his ruling but he did award Mrs. Lewis approximately \$450,000.00 in cash and \$2,000.00 a month in alimony. The husband appealed to the Court of Appeals and thereafter to the Supreme Court of SC. The Supreme Court heard oral arguments in April 2010 and did not rule until May 2011. The Appellate attorney who represented Mrs. Lewis advised me that the Supreme Court usually takes two to three months to file its decision. This case turned out to be a landmark case changing the standard of review for Appellate Courts in Family Court appeals. The Supreme Court ruled in favor of my client but the husband did not pay until May 2012 when faced with a four-month jail sentence for failure to pay. I was finally paid my fee of \$98,457.71 on May 25, 2012.

The second factor that negatively affected my cash flow was the failure of the Williamsburg First National Bank here in Kingstree, SC, in July 2009 when it was taken over by the FDIC. For a period of almost thirty-five years I had done about 90% of my personal banking business with the Williamsburg First National Bank. I have been engaged in real estate development since 1978, and through the years Williamsburg First National Bank financed most of my land purchases. Around 2006-2007 the bank called due and would not renew a \$25,000.00 line of unsecured credit and the bank required me to make monthly payments on all of my real estate loans except one. Prior to this

time the bank did not require me to make monthly payments on my real estate loans, they simply made the loans come due either in 6 months or for 1 year and the bank and I would agree on an amount of the principle to pay on renewal after I paid the accrued interest. Given the severity of the recession, I had no other banks I could turn to for loans.

As a result I had to begin making substantial withdrawals from my 401(k) account to make these loan payments and to pay living expenses. All of the taxes that were owed were taxes on withdrawals from my retirement account.

I learned in September 2006 that I had no competition for the seat I was elected to in February 2007. I was a sole practitioner specializing in personal injury and family law. Since cases in these two fields usually take at least a year to dispose of, I could not take on any new cases for 9 months and this further exacerbated my cash flow problem.

I stayed in contact with the IRS on almost a monthly basis. My accountant told me to wait on my fee in the Lewis case to pay the taxes due and to not withdraw any more funds out of my retirement account. I had no idea it would take my client and me 5 years to collect our money.

I sent the IRS a proposal to pay \$1,000.00 per month until the Lewis fee was paid. I also sent them other requested documentation and a complete financial statement. The responses from the IRS and I have enclosed herewith a sampling) indicated that "we have not resolved this matter because we have not completed all the processing necessary for a complete response. However, we will contact you again within 45 days with our reply. You do not need to do anything further now on this matter." The last letter I received to this effect (a copy is enclosed herewith) was January 14, 2011, and received by me on January 18, 2011. Again it stated I did not need to do anything further until I heard from them. This was apparently a situation with the IRS where one department did not know what another department was doing since a lien was filed against me in December. I had received notice of the lien prior to this January 14, 2011, letter because in my letter dated January 7, 2011, I sent the IRS a check for \$71,829.61 which paid this lien in full.

The Department of Revenue filed its lien without any notification as soon as my return was filed without a check enclosed. I also paid this lien immediately.

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?
- (a) Dickie Smith vs. Jenkinson & Jenkinson, J. D. Brockington and South Carolina Public Service Authority. We were unable to locate this file in our office or in the Courthouse so this information is based upon my recollection and that of my staff. Mr. Smith brought suit when the SC Public Service authority expanded a right of way across his property. When Mr. Smith purchased his property no right of way was shown on his plat nor was one disclosed on the title opinion rendered by our

office. The closing took place prior to my joining the firm and my best recollection is that our malpractice carrier paid about \$10,000.00 to settle the claim around 1982.

- (b) Lanue Floyd vs. Gordon B. Jenkinson, et al, 87-CP-45-22. Mr. Floyd brought suit on behalf of his minor son as a result of his suspension from Williamsburg Academy. He sued all board members including myself, individually, and as members of the Board. His action was dismissed by the Court.
- (c) Erskine McClam vs. Gordon B. Jenkinson, 90-CP-45147. This was a legal malpractice action brought by a former public defender client. The Plaintiff alleged that I was negligent in not bringing a recent U.S. Supreme Court decision affecting paroles to the attention of the Court. Most, if not all, probation revocation hearings were held on Friday mornings during terms of General session Court. The Defendants would be advised of their right to an attorney at that time and if they requested one, either I or Mr. Shuler, would represent them on the spot. Although the better practice would have been to examine all of the Defendant's prior records prior to the court appearance, from a practical standpoint, this was not feasible. We always assumed that the probation officers were presenting the truth as far as a Defendant's history to the Court. Basically, the Defendant spent about a year and a half in jail when he should have been released. My recollection is that the illegality of his sentence stemmed from a then recent U.S. Supreme Court decision that rendered certain probation and parole regulations invalid or void. My defense, if the case had gone to trial, was that I didn't deviate from the standard practice of all public defenders in our area of the State. My malpractice carrier paid approximately \$25,000.00 to settle this case. The actions complained of took place almost 25 years ago.
- (d) Bank of Greeleyville vs. Walter Richardson, Jr. and Gordon B. Jenkinson, 97-CP-45-55B. This suit arose out of a guaranty of a note to the Bank for Mr. Richardson as a result of some real property that I sold him. The Bank did not make a demand on me for payment; they simply brought suit. I paid the bank in full, an amount over \$13,000.00.
- (e) Walter Richardson, Jr., vs. Gordon B. Jenkinson, 99-CP-45-147. This suit was brought by Mr. Richardson over some alleged misrepresentation that he said I made when he purchased the land, which was the subject of the Bank of Greeleyville action. I was granted summary judgment.
- (f) Willie Nixon vs. Jimmy Nixon, Mid-State Trust, Gordon B. Jenkinson, Jenkinson and Jenkinson, P. A., Jim Walter Builders, et al. This pro-se action was brought against our firm simply because we prepared a deed for the Plaintiff's brother, Jimmy Nixon. We were granted summary judgment.
- (g) Albert Williams Hoyte vs. Gordon B. Jenkinson, et al. Civil action No. 7:00-1905-12BGB. This former public defender client has sued me

several times. The Plaintiff alleged that I was negligent in representing him at his criminal trial when he was convicted. I preserved his objection to the lineup procedure and his appeal was later reversed by the Appellant Court. Mr. Hoyte's action against me was dismissed.

(h) Charles Wilson and Louis Nesmith vs. Gordon B. Jenkinson, Approximately 13 years ago my wife Margaret K. Jenkinson contracted to sell a lot in Gapway estates in Georgetown County to one Derrick McQueen. Mr. McQueen, who was employed with the Andrews Police Department at the time, did not pay any earnest money down. He then signed a land-home contract with a mobile home company in Conway, SC. Mr. McQueen then hired a well contractor to dig a well, a septic tank company to install a septic tank and Charles Wilson and Louis Nesmith to clear the lot. My wife's realtor handled the contract and my wife never gave Mr. McQueen the authority to contract for these services. Apparently the mobile home contract never materialized and Mr. McQueen did not pay these people for their labor. About a year later Mr. Wilson showed up at my office and demanded his money. I told him that I nor my wife was responsible for paying him. I did tell him that the lot had been relisted for sale and that the asking price was increased to include the cost of the well, septic tank and the lot clearing. Once it was sold, I told him that I would see to it that he got his money. Several months later he filed suit against me in Magistrate's Court. I attended the hearing before the Honorable Cynthia Burrows and told the judge what had happened and that my wife now had a sale for the lot and as soon as it closed I would see that MR. Wilson and Mr. Nesmith got their money. I did tell the Judge that I was subtracting \$300.00 as my fee for collecting their money and appearing in court. The Plaintiffs' agreed and they were paid in full and signed a release when the sale was closed in January 2003.

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? 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? None
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. 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." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. 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) Williamsburg County Bar Association: President 1999-2001;
 - (b) SC Bar Association Member of Resolution of Fee Disputes Panel for the Third Judicial Circuit 1998-2007;
 - (c) SC Trial 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.
- None; I resigned all boards and commissions upon election to the Family Court bench.

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 feel that my 33 years and extensive practice in the Family Court as well as my 5 years on the Family Court Bench makes me well qualified to serve as a Family Court judge.

51. References:

- (a) John Martin, Commercial Relations Manager
First Citizens Bank
200 West Main Street
Kingstree, SC 29556
- (b) Mary Jo Burgess
Senior Consultant, SC Children's Law Center
1600 Hampton Street, Suite 502
Columbia, SC 29208
- (c) The Reverend Jeffery Richardson
Vicar, St. Alban's Episcopal Church
305 Hampton Street
Kingstree, SC 29556
- (d) Edward W. Welch
President of Kingstree Insurance, Real Estate and Loan, Inc. Agency,
121 North Academy Street
Kingstree, SC 29556
- (e) Dr. Raymond Allen, Family Practitioner
512 Nelson Blvd., Suite 200,
Kingstree, SC 29556

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: Gordon B. Jenkinson

Date: July 30, 2012