

JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE



Court, Position, and Seat # for which you are applying: Judge of the Circuit Court, Sixteenth Judicial Circuit, Seat One.

1. Name: Mr. Bryson John Barrowclough

Name that you are known by if different from above
(Example: A Nickname): B.J. Barrowclough

Are you currently serving in some capacity as a judge?
(Includes Municipal, Magistrate, Etc.) No

Home Address: [REDACTED]

Business Address: York County Public Defender Office, 1675 Suite 1E, York Highway
York, South Carolina 29745

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]
(office): 803-628-3031
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1969
Place of Birth: Glen Ridge, New Jersey
Social Security Number: [REDACTED]

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

4. SCDL# or SCHD#: [REDACTED]
Voter Registration Number: [REDACTED]

5. Family Status: In the space below, (a) state whether you are single, married, widowed, divorced, or separated; (b) if married, state the date of your marriage and your spouse's full name; (c) if you have ever been divorced or are in the process of obtaining a divorce, state the date, name of the moving party, court, and grounds; and (d) state the names of your children and their ages. If your children are old enough to work, include the occupation of each child.

Family Status: Married on April 12, 1997 to Kristen O'Neill.
Never divorced, four children.

[REDACTED]

6. Have you served in the military? If so, give the dates, branch of service, highest rank attained, serial number (if applicable), present status, and the character of your discharge or release. Please provide a copy of your DD214 concerning your discharge.
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) University of Virginia. August 1988-May 1992. Bachelor of Arts, Psychology.
 - (b) Boston College Law School. August 1992-May 1995. Juris Doctorate.
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) South Carolina 1995.
 - (b) North Carolina 1995.
 - (c) Pennsylvania 2000.
9. List the significant activities in which you took part during your attendance at law school. Give the years you were involved in these activities and list any leadership positions you held.
 - (a) Wendell Grimes Moot Court Competition 1994.
10. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.
See attached.
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) I have lectured on the topic of how to try a self-defense case at the 2002 Public Defender Conference.
 - (b) I have made a presentation on closing arguments at the 2012 Best Practices Seminar.
 - (c) I have made a presentation on advanced cross examination techniques at the PD 103 training program put on by the South Carolina Commission on Indigent Defense.
12. List all published books and articles you have written and give citations and the dates of publication for each. Please furnish as a separate attachment, two examples of legal articles, briefs, orders, or other legal writings for which you can claim sole or primary authorship. If you cannot claim sole authorship, please explain the extent to which you are the primary author, to include a description of the other authors and their contributions.
I have not been published. I have attached two Motions and Memorandums of Law related to successful Fourth Amendment issues I pursued.

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) South Carolina, 1995;
 - (b) North Carolina, 1995;
 - (c) Pennsylvania, 2000.
14. Describe chronologically, since graduation from law school, your legal experience. Please include a list of all positions held in which you worked in a legal capacity. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years. Please also describe the extent to which you were involved with the administrative and financial management of each of these entities, including management of trust accounts.
- (a) Assistant Public Defender, York County Public Defender Office, September 1995-February 2000. Represented indigent people charged with crimes.
 - (b) Assistant District Attorney, Luzerne County (PA) District Attorney's Office, February 2000-June 2001. Prosecuted people charged with criminal offenses.
 - (c) Assistant Public Defender, York County Public Defender Office, July 2001-June 2002. Represented indigent people charged with crimes.
 - (d) Deputy Public Defender, York County (now 16th Circuit) Public Defender Office, July 2002- present. I have continued to represent indigent people in criminal court but as deputy I have also had administrative duties as the immediate supervisor to all of the lawyers, investigators, and the office manager. I resolve personnel issues and I am responsible for annual performance evaluations as well as tracking vacation time, sick time etc. Additionally I work with the Chief Circuit Defender and the office manager to put together out annual budget.
15. Please answer the following (if you are a judge and are not seeking a different type of judgeship, this question is inapplicable):
- (a) If you are a candidate for Family Court, please provide a brief written description of your experience within each of the following Family Court practice areas: divorce and equitable division of property, child custody, adoption, abuse and neglect, and juvenile justice. Include information about cases you have handled in each of these practice areas, or if you have not practiced in an area, describe how your background and procedural knowledge has prepared you to preside over such matters as a Family Court Judge. Please also indicate the frequency of your appearances before a Family Court Judge within the past five years.
N/A.
 - (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 and procedural knowledge 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. Please also indicate the frequency of your appearances before a Circuit Court Judge within the past five years.

As an attorney with the public defender's office for twenty of the past twenty-two years I have handled countless criminal cases. I have tried all types of criminal cases from Murder cases to DUI cases and everything in between. I have participated in suppression hearings and litigated all types of issues including Fourth Amendment violations, identification procedure issues, the applicability of the "strikes" law to a client's record, Fifth and Sixth Amendment issues concerning client's statements to name a few. I even challenged the constitutionality of a municipal ordinance and got it changed. Additionally I have been involved with thousands of guilty pleas over the years involving cases of every magnitude. Over the past five years I have appeared in front of a Circuit Court Judge about every other week. There are usually two terms of court a month in York County and I always have some business before the court each term.

I do not have any experience in civil matters. I believe my knowledge of the Rules of Evidence would aid me in presiding over Common Pleas Court. Beyond that I would work hard to learn what I would need to know. I graduated law school magna cum laude and sat for and passed three bar exams, two of which I studied for on my own, so I do believe I am a quick learner.

- (c) If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master's court, including any cases handled over the past five years and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity or a Circuit Court Judge within the past five years.
- (d) If you are a candidate for Administrative Law Court, please provide a brief written description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law or Circuit Court within the past five years.

16. What is your rating or membership status, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, Million Dollar Advocates Forum, etc.? If you are currently a member of the judiciary, list your last available rating, if any.

I have not pursued membership in any of the aforementioned organizations.

- * **Justices/judges applying for re-election to their current position may omit Questions 17-22. If you are a judge seeking a judgeship different than your current position, Questions 17-22 should be answered based on your experience prior to serving on the bench.**

17. What was the frequency of your court appearances during the past five years or in the five years prior to your election to the bench?
- (a) federal: Never.
 - (b) state: Every other week.
18. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years or in the five years prior to your election to the bench?
- (a) civil: Zero percent.
 - (b) criminal: One Hundred percent.
 - (c) domestic: Zero percent.
 - (d) other: Zero percent.
19. What percentage of your practice in trial court during the past five years or in the five years prior to your election to the bench involved matters that went to a jury, including those that settled prior to trial?
- (a) jury: Less than five percent.
 - (b) non-jury: More than ninety-five percent.

Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? Sole counsel.

20. List five of the most significant litigated matters you have personally handled in either trial or appellate court or before a state or federal agency. Give citations if the cases were reported and describe why these matters were significant.
- (a) State v. James Henry Cousar. I obtained a Not Guilty verdict in this case on August 29, 1997 for two counts of Assault and Battery with Intent to Kill. This was the first big self-defense case I tried as a young lawyer and self-defense cases became an area of expertise in my career.
 - (b) State v. David Wayne Martin. I was able to obtain a Not Guilty in this Armed Robbery case for Mr. Martin on October 21, 1997. The significance of this case was that on paper Mr. Martin appeared guilty. However through a thorough investigation enough evidence was uncovered and presented at trial that by the end I think the assistant solicitor thought he was innocent. It drove home the importance of lawyers conducting their own vigorous and independent investigations.
 - (c) State v. Richard Lee Hinton Jr. In this case Mr. Hinton was tried for murder and found Not Guilty on May 27, 2004. There were two points of significance to this case: the first was that it was reported in the media as the first case involving a battered spouse type of self-defense wherein the relationship was same-sex; the second point was that for me personally it was the first, and only, murder trial I won with a jury.
 - (d) State v. Miguel Robinson. In this case Mr. Robinson was tried and convicted for Armed Robbery and Lynching on April 16, 2008. Of all the cases that I have lost in my career this was the most shocking verdict based on what happened in trial. Mr. Robinson is still in prison and this result still bothers me.

- (e) State v. David Hill. Mr. Hill was found Not Guilty of Attempted Murder, Attempted Armed Robbery, and Kidnapping on December 1, 2011. This case is significant to me because Mr. Hill had a daughter who was about to graduate from the University of South Carolina, who was a self-proclaimed “daddy’s girl”. After Mr. Hill was acquitted, the whole family was so appreciative. I received a long thank you letter from the daughter after she graduated and have received updates over the years indicating her first employment, engagement, wedding etc. Every one includes a thank you for her having her dad to share those moments.
21. 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.
N/A.
22. List up to five criminal appeals you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported.
N/A.
23. Have you ever held judicial office? If so, list the periods of your service, the courts involved, and whether you were elected or appointed. Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.
No.
24. If the answer to question 23 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.
N/A.
25. Have you ever held public office other than judicial office? If so, list the periods of your service, the office or offices involved, and whether you were elected or appointed. Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office. If not, were you ever subject to a penalty? If so, give details, including dates.
No.
26. 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.
N/A.
27. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.
No.
28. 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? If so, give

details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer.

No.

29. Are you now an officer or director or involved in the management of any business enterprise? Explain the nature of the business, your duties, and the term of your service.

No.

30. Please explain why you think you meet the professional and academic ability criteria for the seat you seek.

I believe I meet all of the professional and academic criteria necessary to be a Circuit Court Judge because I have been a member of the South Carolina Bar, in good standing, since 1995. I have never had a disciplinary action found to have any merit lodged against me. I have practiced in the criminal courts for twenty-two years and have litigated more matters in front of judges and juries in York County than any other lawyer of whom I am aware. Although my experience has been primarily criminal defense, I have also been a prosecutor in the state of Pennsylvania. Although I was only a prosecutor for eighteen months, I worked hard enough and zealously enough to be awarded a letter of commendation from the Pennsylvania State Police for my work in the prosecution and trial of a defendant in a double murder case. I believe this demonstrates that I am the type of judicial candidate who would be fair to both sides of the criminal courtroom. Finally while I do lack experience in the civil arena, I know the Rules of Evidence well and have the acumen to learn what I would need to know quickly.

31. Provide, **as a separate attachment**, a complete, current financial net worth statement that itemizes in detail:

- (a) the identity and value of all financial assets held, directly or indirectly, including, but not limited to, bank accounts, real estate, securities, trusts, investments, and other financial holdings; and
- (b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000, including, but not limited to, debts, mortgages, loans, and other financial obligations.

(A net worth statement is provided with this questionnaire and you must use this format for submission of your financial statement.)

A complete, current financial net worth statement was provided to the Commission.

NOTE: The Commission may require written confirmation that financial obligations have been satisfied or that the parties have agreed upon a payment schedule.

32. 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 or currently hold. Explain how you would resolve any potential conflict of interest.

I do not have any financial arrangements or business relationships which would create a conflict of interest.

33. 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? If so, give details but do not include traffic violations which are subject to a penalty of \$125 or less. You must include any and all arrests, including, but not limited to, offenses for driving under the influence or similar traffic offenses. Include all arrests that resulted in expungement, which will be redacted. If you have questions regarding whether to include an offense, please contact the Commission. [All answers have been received and considered by the Commission, and as noted above, any expunged matters are redacted from the record.]
In 1994 I was arrested for open container in Boston, Massachusetts. I had an open can of beer in my hand on the sidewalk in front of my apartment building. I paid a fifty dollar fine and the charge was dismissed. That is an actual disposition in Massachusetts; paid/dismissed.
34. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, explain. [All answers have been received and considered by the Commission, and as noted above, any expunged matters are redacted from the record.]
35. 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? If so, give details.
No.
36. Have you ever been sued by a client? Have you ever been a named party (personally or professionally) in or had a pecuniary interest in any civil or criminal proceedings? If so, give details, including, but not limited to, dates, and resolutions.
I have been sued one time by a client. In 2002 I represented a young man named Jerod Cook who had twenty-eight different charges including Armed Robbery and Burglaries. He entered a guilty plea in front of Judge Alford to multiple charges and received a twenty year sentence for Armed Robbery and a consecutive one year sentence for Escape for a total of twenty-one years. On February 5, 2009 he sued me pro se from prison for Malpractice and Fraud. The case was judicially dismissed October 26, 2009. The case number was 2009 CP 4001048 and it was filed in Richland County.
37. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been sanctioned or disciplined for lawyer, judicial, or other professional misconduct or has any jurisdiction found that you committed any misconduct? If so, give the details and describe any final disposition. Include any and all confidential and public sanction, discipline, or finding of misconduct of any kind. [Yes and no responses are redacted for all candidates unless there is a public discipline.]

38. 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? If so, give the details.
I have never been investigated by the Department of Social Services nor has my name ever been enrolled on the Central Registry of Child Abuse and Neglect.
39. 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? If so, please explain when you were covered by a tail policy. Also, if applicable, indicate your coverage and deductible for your current malpractice policy.
I am not in private practice.
40. Are you active on or a member of a social media or Internet site or have you, to your knowledge, been featured or depicted on a social media or Internet site, such as, Facebook, LinkedIn, Twitter, etc.? If so, how would your use of social media or other similar types of Internet sites be affected if you were serving in a judicial capacity?
The only social media site that I have an account with is LinkedIn and I have not been on it in years. I do not involve myself with social media.
41. 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)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.
I have never been a lobbyist.
42. 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? If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved.
I have accepted nothing from any lobbyist or lobbyist's principal.
43. 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. If you have spent over \$100, have you reported your expenditures to the House and Senate Ethics Committees?
I have not spent any money and no money has been spent on my behalf in furtherance of my candidacy.
44. List the recipient and amount of all contributions made by you, a member of your immediate family, or by a business with whom you are associated, to members of the General Assembly within the past four years.
Neither I nor my family has made any contribution to any member of the General Assembly within the last four years and I am not associated with any businesses to have made a contribution. I did make a two hundred dollar contribution to the candidacy of my friend, Monier Abusoft, who is currently running for a representative position in Spartanburg.

45. 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 or have you been offered a conditional pledge of support by any legislator pending the outcome of your screening? 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? If so, give details.
I have not directly or indirectly requested the pledges of any members nor have I received any assurances from any public official or public employee that they will seek the pledge of a member of the General Assembly on my behalf.

Note: The flash drive with your application materials contains (1) Section 2-19-70(c); (2) JMSC Rule 24, and (3) informal opinions and letters concerning pledging prohibitions, with which third parties acting on your behalf, as well as you, must comply.

46. Have you requested any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Describe the campaigning you have done for this election and include a list of those individuals you have asked to campaign on your behalf and, to the best of your knowledge, those who have campaigned for you on their own initiative.
I have not requested any third parties to contact members of the General Assembly on my behalf nor have I done any campaigning for this position yet whatsoever.
47. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges until after the draft report becomes final, which occurs on the day and time specified on the Commission's published screening schedule?
Yes.
48. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? If so, please specify the amount, solicitor, donor, and date of the solicitation.
I have not solicited any funds for my candidacy nor has anyone done so on my behalf.
49. Since submitting your letter of intent to become a candidate, have you or has anyone acting on your behalf contacted any member of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? If so, give details
No..
50. 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) South Carolina Public Defender Association: Vice-President 2002-2008, At Large Representative 2014-present.
(b)
(c)

51. 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) Board Member: Social Concerns Committee, Saint Mary Catholic Church, Rock Hill.
52. 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. This information may include how your life experiences have affected or influenced the kind or type of judge you have been or plan to be.
- N/A.
53. List the names, addresses, and telephone numbers of five (5) persons from whom you are providing references. Also, provide the Commission with **original letters** of recommendation from each person listed herein, including their signature (preferably in blue ink). **The Commission will not accept a photocopy or electronic submission of a letter of recommendation and failure to include all five (5) original letters of recommendation in your packet when you submit it will render your packet incomplete.** Please **do not** have references mail your reference letters to the Commission directly. *You must return the five (5) original letters of recommendation to the Commission with your application packet.*
- (a) Harry Dest 1675-1E York Highway, York SC 29745
803-984-2389 (cell)
- (b) William "Vick" Meetze 311 Lipscomb Street, Marion SC 29571
843-496-1710 (cell)
- (c) Garrett Johnson 212 East Black Street, Rock Hill SC 29731
803-322-7441 (cell)
- (d) Montrio Belton 125 Hampton Street, Suite 200, Rock Hill SC 29731
803-517-4324 (cell)
- (e) Creighton Hayes 200 Oakland Avenue, Suite B, Rock Hill SC 29730
803-372-4676 (cell)
54. Describe any interest you or a member of your immediate family has in real property:
- (a) in which there is a potential conflict of interest with your involvement in a South Carolina state or local public agency;
- (b) in which there have been public improvements of \$200 or that adjoins property in which there have been public improvements of \$200; or
- (c) which was sold, leased, or rented to a state or local public agency in South Carolina.
- None of these situations are applicable to me.

List the interest you hold and the value and location of the property. Identify as applicable the:

- (a) nature of any potential conflict of interest;
- (b) nature and value of any public improvements; and

(c) South Carolina state or local public agency which purchased or is leasing or renting such property.

Attach a copy of any contract or agreement.

55. Identify any personal property interest you or a member of your immediate family sold, leased, or rented to a South Carolina state or local public agency. Identify the property, its amount or value, and the name of the agency. Attach a copy of any contract or agreement.
N/A.

56. For sitting judges, if you currently hold an interest in stock or other securities or have held such an interest, list each stock you currently own or owned during the prior calendar year. If you prefer, you may attach broker or account records containing the requested information instead of listing it here.
N/A.

57. For sitting judges, have you ever accepted anything of value from an attorney or litigant in a matter currently or previously before you or your court? If so, please give the details, including the name of the attorney or litigant and the thing of value you received.
N/A.

58. For sitting judges, have you used the services of your staff, for which you did not pay, while campaigning for this office?
N/A.

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: __Bryson J Barrowclough_____

Sworn to before me this __24__ day of __July_____, 2017.

(Notary Signature)

(Notary Printed Name)
Notary Public for South Carolina
My Commission Expires: _____