

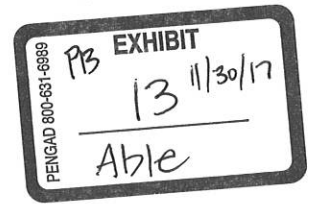
JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE

Court, Position, and Seat # for which you are applying: Family Court, Eighth Judicial Circuit, Seat 1

1. Name: The Honorable Bryan C. Able

Name that you are known by if different from above
(Example: A Nickname): None

Are you currently serving in some capacity as a judge?
(Includes Municipal, Magistrate, Etc.) Yes, Associate Judge of Probate, Laurens, SC



Home Address: [REDACTED]

Business Address: PO BOX 428
916 West Main Street
Laurens, SC 29360

E-Mail Address: [REDACTED]
Telephone Number: (home): [REDACTED]
(office): 864-984-6100
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1961
Place of Birth: Greenwood, SC 29360
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: Married
(a) Family Status: Married on June 4, 2004 to Esther Ruth Myers Able
Never divorced; widowed June 15, 2000, three children
(c) State the names of your children and their ages. If your children are old enough to work, include the occupation of each child.

[REDACTED]

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) Lander College – August 1979 to May 1983 – B.S. Political Science
 - (b) Univ. of South Carolina – August 1984 to May 1987 – Juris Doctor
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 – Admitted November 1987
I took the bar exam once – July 1987
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) I was a law clerk for Joseph M. Epting after my first year of law school and worked for Mr. Epting until I graduated in 1987
10. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.
- See attached Exhibit
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. 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.
- See attached Exhibit(s).
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, 1987
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) 1987-1991 - Culbertson, Whiteside & Turner – Associate – General Practice
 - (b) 1991-1996 - Culbertson, Whiteside, Turner & Able – Partner – General Practice – I was involved daily with the administrative and financial management of the firm including the management of trust accounts.
 - (c) 1992 - September 2004 - Contract Attorney for the South Carolina Department of Social Services – I appeared as attorney of record for DSS in Laurens, Greenwood, Abbeville and Newberry Counties handling all abuse and neglect cases involving children and vulnerable adults.

- (d) 1996-1999 - Turner & Able – Partner – General Practice – I was involved daily with the administrative and financial management of the firm including the management of trust accounts.
- (e) 2000-2001 - Turner, Able and Burney – Partner – General Practice – I was involved daily with the administrative and financial management of the firm including the management of trust accounts.
- (f) 2001 to present - Bryan C. Able, Attorney at Law – General Practice – I am a sole practitioner. I am involved daily with the administration and financial management of my firm including the management of trust account(s).
- (g) 2005 – 2006 - Assistant Laurens County Public Defender – I handled appointed criminal cases before the Court of General Sessions.
- (h) 2013 - 2016 - Contract Criminal Attorney for South Carolina Commission of Indigent Defense – I handled appointed criminal cases before the Court of General Sessions in Laurens County.
- (i) June 2013 - present – Associate Judge of Probate, Laurens, SC - I am responsible for hearing and adjudicating all contested hearings concerning all aspects of the courts’ jurisdiction under Section 62-1-302; decedents’ estates, trust and Article 5 protective proceedings. During my tenure as judge, I have presided over numerous cases not only in Laurens County but from other counties as well. I have had the honor of being appointed by the Supreme Court to hear and preside over cases in other counties.
- (j) July 2014 – present – Family Court Mediator

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.

Divorce: I have handled hundreds of divorce cases over my 30 years of law practice. Some cases were very complex involving substantial marital estates and support issues. Others were simple involving no-fault grounds for divorce and little or no property issues. I have brought divorce actions involving all grounds of divorce. Many divorce cases I have handled have been highly contested and have taken several days to try. Some have been settled prior to trial by mediation or negotiation and were placed on the record in 15 minutes. I have handled cases for separate support and maintenance and common law marriages.

Equitable Division: Many of the divorce cases I have handled have involved the division of the marital estate. Often these marital estates can be quite substantial and consist of real and personal property, retirement accounts, stocks, brokerage accounts, cash value of life insurance and cash held in savings or checking accounts. I have worked with experts to value property and businesses that are part of marital estates. I have handled cases that involve issues of transmutation of non-marital assets and the validity of pre-nuptial agreements.

Child Custody: Many divorce cases I have handled have involved issues of child custody and visitation issues. I have represented parents of children ranging in all ages including adult disabled children and children that were special needs. I have represented both fathers and mothers

in paternity actions where the issues of custody and visitation were litigated. I have represented grandparents and great grandparents who have brought custody actions.

Adoptions: I have handled many adoptions during my career. I have handled adoptions involving stepparents adopting stepchildren where the parental rights of the biological parent had to be terminated. I have handled adoptions for couples who have adopted children born out of state. I have handled adoptions for grandparents or great grandparents adopting grand children or great grand children. I have handled adoptions for foster parents. I have handled adoptions for persons who are unrelated by blood or marriage to the child being adopted.

Abuse and Neglect: I was a contract attorney for the South Carolina Department of Social Services (DSS) for 12 years. In 1992 I began contracting with DSS in Laurens County. In 1993 I contracted with Greenwood and Abbeville County. Lastly, I contracted with Newberry County. In my 12 years as a DSS contact attorney I handled all of the abuse and neglect for the four counties named above. I handled all 72 hour Probable Cause hearings, all merits hearing and trials, all review hearings and all termination of parental rights hearings and trials. In addition, I handled all aspects of any appeal filed naming DSS as a party. I handled all cases involving vulnerable adults.

When my contract with DSS ended in 2004, I began representing parents that have been accused of abuse and neglect. I have handled cases where the Family Court has ruled that DSS did not meet its burden of proving by a preponderance of the evidence that the parent(s) had abused or neglected the child(ren) and dismissed the case.

Juvenile Justice: I have represented juveniles before the Family Court who have been accused of committing crimes. I have handled all aspects of juvenile cases involving the detention hearing, trial and disposition. I have represented juveniles where the issue before the court is whether the charge should be waived up to General Sessions or retained in Family Court.

On average I appear before the Family Court 2-3 times each week.

- (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.
NA
- (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.
NA
- (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.
NA

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.
Rated BV by Martindale-Hubbell

* 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: 0%
(b) state: 100%

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: 5%
(b) criminal: 20%
(c) domestic: 75%
(d) other: 0%

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: 5%
(b) non-jury: 95%

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 of South Carolina v Ashley N. Hepburn, Appellate Case No. 2011-190695

Tried in Laurens County; Court of General Sessions February 22 to March 3, 2011

I represented Ms. Hepburn at trial. Ms. Hepburn was charged with homicide by child abuse.

On the evening of October 13, 2009, Ms. Hepburn's sixteen-month-old daughter (the victim) became unresponsive and was admitted to the hospital in Greenwood, South Carolina. She eventually died in a Greenville hospital on October 17, 2009. No one, including Ms. Hepburn, disputed that the victim died from child abuse. There were only two people that could have killed the victim, either Ms. Hepburn or her boy friend, as they were home with the victim on the night she sustained her fatal injuries.

At the close of the States' evidence, I moved for a directed verdict pursuant to Rule 19 SCRCrP claiming the State had fail to present substantial circumstantial evidence that Ms. Hepburn committed the crime charged. I argued the State's evidence merely rose to a suspicion that Ms. Hepburn committed the crime, and this mere suspicion was insufficient to survive a directed verdict motion, in that the State had only proven that Ms. Hepburn was in the home when the victim sustained the fatal injuries. I conceded

that the State had proven that the child died from homicide by child abuse, but argued that the State had not proven that the child abuse was inflicted by Ms. Hepburn.

The Court denied my motion for a directed verdict. The jury found Ms. Hepburn guilty of homicide by child abuse and she was sentenced to 45 years' imprisonment.

I did not handle the appeal, however the Supreme Court directed a verdict of acquittal finding the trial court erred in refusing to grant my mid-trial motion for directed verdict. The Supreme Court held in reversing the trial courts' refusal to direct a verdict of acquittal that the State did not put forward sufficient direct or substantial circumstantial evidence of Ms. Hepburn's guilt.

(b) South Carolina Department of Social Services v Robert David Johnston Jr.
and Christy Dawn Johnston

Tried in Laurens County Family Court; December 13, 14,15, 17,20, 21, and 22, 2010

2007-DR-30-648

2007-DR-30-775

This was a child abuse case. I represented Mr. Johnston. DSS sought an Order of the Court to make an affirmation determination that Mr. Johnson did sexually and physically abuse his four (4) children and ordering that Mr. Johnston's name be listed in the Statewide Central Registry for Child Abuse and Neglect. The case involved the testimony of many medical experts and one of the children. After seven (7) days of trial the Court found that DSS had failed to prove by a preponderance of the evidence that Mr. Johnston sexually or physically abused his children and ordered the case dismissed.

(c) Belinda Godfrey v William R. Godfrey

Tried in The Laurens County Family Court; December 3-4, 2007

06-DR-30-485

This was a divorce case. I represented Ms. Godfrey. Prior to trial the parties reached an agreement on all issues raised in the pleading with the exception of whether or not the lake lot inherited by Mr. Godfrey had been transmuted to marital property and if so transmuted, how was it to be divided between the parties.

The court found that the evidence and testimony presented clearly showed it was the intent of Mr. Godfrey to transmute the lot on Lake Greenwood into marital property.

The court ordered that Ms. Godfrey and the parties minor child could remain in the marital home upon the Lake Greenwood lot until the minor child graduated from high school and at that time the property would be listed for sale and the net proceeds divided equally between the parties. Ms. Godfrey and the child could remain in the home and upon the lake lot until the property sold.

(d) James H. Holliday v Tiffany M. Holliday

Tried in the Laurens County Family Court; June 13-14, 2005

04-DR-30-519

This was a child custody and relocation case. I represented Ms. Holliday. Mr. Holliday brought the action seeking full custody of the parties minor child based on a substantial change of circumstances. By prior Order of the Court dated August 9, 2001 the parties had been granted joint custody of the minor child "with the child living with the mother on a final and permanent basis." By subsequent divorce order dated June 12, 2003 all provisions concerning custody and visitation contained within the previous Order dated August 9, 2001 were to "remain in full force and effect." Subsequent to the parties divorce Ms. Holliday relocated with the minor child from Laurens County, SC to Greencove Springs, Florida. Ms. Holliday's move to Florida was alleged by Mr. Holliday to be a substantial change of circumstances.

The court found that there had not occurred a substantial change of circumstances that would warrant a change in custody or that would warrant charging the minor child living with his mother and having visitation with his father. The Court ordered that the parties would have joint

custody of the minor child being defined as the child living with mother and mother making the day-to-day decision concerning the child and father having visitation.

- (e) Derry Julian Bundrick v Melissa Ann Darnell Bundrick
Tried in the Laurens County Family Court; April 24, 2012
2010-DR-30-316

This was a divorce case. I represented Ms. Bundrick. The issues to be decided by the court were equitable division of a considerable marital estate, alimony, restraining orders and attorney's fees. The parties had been married for 40 years at the time of the pleadings being filed.

After a day of trial, the Court divided the marital estate equally between the parties with Ms. Bundrick being awarded the marital home and ordered Mr. Bundrick to pay Ms. Bundrick permanent periodic alimony together with Ms. Bundrick's attorney's fees.

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.
- (a) Johnny Lee Johnson v. Phillip Flaughter – SC Supreme Court
 - (b) Jennifer Satterfield by her Guardian Ad Litem, Pam Satterfield v. Dillard Department Store – SC Court of Appeals
 - (c) South Carolina Department of Social Services v. Jason Ihnatiuk et al. - SC Court of Appeals
 - (d) South Carolina Department of Social Services v. Jacqueline D. Sims et al. - SC Court of Appeals
 - (e) South Carolina Department of Social Services v. Grace Williams, Robert Williams, Jr. and Briana J. A. W. and Justin L. W. - SC Court of Appeals
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.
- (a) Municipality of Fountain Inn v Monique Tucker
Greenville County Court of Common Pleas
August 11, 2014
(Municipal Court appeal to Court of Common Pleas)
23. Have you ever held judicial office? Yes If so, list the periods of your service, the courts involved, and the jurisdiction of each court.
- (a) Appointed City of Laurens, SC - Laurens City Judge March 1991 – 1994
Criminal jurisdiction up to limit of the statutory fine or thirty (30) days in jail.
 - (b) Appointed Laurens County, SC - Associate Judge of Probate February 2013 – Present
Jurisdiction pursuant to Section 62-1-302
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.
- (a) Deborah Parsons, Personal Representative of the Estate of William Edward Carr v. Darlene Brashwell, Ralph L. Braswell, Jr., Tammy Foster and Melissa Glass
2011-ES-30-0081 (Tried February 2, 2016)
 - (b) Ralph Wayne Ramsey and Marshall E Ramsey v. Roger Dean Ramsey and Janet Ramsey
2007-ES-30-408 (Tried May 19, 2015)
Appealed to Laurens County Court of Common Pleas. 2015–CP–30–727. By order of Jean Hoefler Toal, Presiding Judge of the Court of Common Pleas it was ordered that the Orders of the Probate Court (2007–ES–30-0408), including the order dated September 9, 2015, “are final and subject to immediate enforcement.”
 - (c) Bianca Jackson v Angela Brunside
In the matter of: the Estate of Willie C. Jackson 2014–ES-30-0222 (Tried May 12, 2015)

(d) In the matter of: The Estate of Stanley W. Davis

Victoria Laura Bishop v Eugene M. Griffin, Lonnie Griffin, Mary E. Raines, Joan G. Rook and Betty G. Tollison

2016-ES-30-146 (Tried July 19, 2016)

(e) Nancy Valdivia v Ann Kelly

2016-GC-30-18 (Tried October 27, 2016)

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.
- (a) 2001 to present - Bryan C. Able, Attorney at Law – General Practice
 - (b) 2013 - 2016 - Contract Criminal Attorney for South Carolina Commission of Indigent Defense – I handled appointed criminal cases before the Court of General Sessions in Laurens County. Supervisor: Jana Nelson
27. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates. Yes
- (a) Circuit Court, Eighth Circuit, Seat 1 - 2009
 - (b) Circuit Court, Circuit, Seat 2 - 2008
 - (c) Solicitor, Eighth Judicial Circuit - 2004
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.
- Yes
- (a) District Executive – Blue Ridge Council, Boy Scouts of America
January 1984 – July 1984.
Employment responsibilities included: fundraising, membership recruitment, volunteer recruitment and program coordinator for Greenwood and Abbeville Counties
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. Yes
- (a) Bryan C. Able, Attorney at Law – providing legal services and day-to-day operations of law firm.
30. Please explain why you think you meet the professional and academic ability criteria for the seat you seek.

I have practiced law before the Family Court for 30 years. I have handled and tried most every kind of case in which the Family Courts of this State have jurisdiction. I am well versed in the legal principles governing the issues involved in Family Court and can apply those principles to specific fact situations. My significant trial experience has provided to me the ability to communicate my thoughts and ideas in a clear and logical manner. I understand and can apply the procedural and evidentiary rules of court.

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.

During my legal career I have been a partner with four (4) other lawyers. Two of those lawyers are still practicing law and could appear before me if elected to the bench. I have not had a law partner since December 2001.

The manner by which I would resolve any potential conflict or appearance of partiality would be to disclose on the record that I had previously been a partner of one of the lawyers appearing before me but that I do not consider that fact a basis for disqualification. I would ask all parties or their lawyers if they desired that I disqualify myself. Based upon the response of the parties I would make a determination if my impartiality could reasonably be questioned. My initial inclination would be to disqualify myself if requested to do so. This is how I have handled this situation since my appointment as Associate Judge of Probate.

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.]

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.

Yes

(a) Ronald A. Savage v. Rhett Burney, Turner & Able Law Firm, Bryan Able & Mike Turner, Laurens County Magistrates Court.
Civil Case Number 981722

Mr. Savage sued my partners and I individually and my law firm. The Complaint of Mr. Savage was dismissed by Judge James A. Davis upon motion of Defendants pursuant to Rule 12(b)(6) SCRPC on March 9, 1999. Mr. Savage's appeal to the Court of Common Pleas was abandoned.

(b) Victoria McDuell & Ernest McDuell, III v. Bryan C. Able as Personal Representative for the Estate of Lydia Blocker, Laurens County Court of Common Pleas, 03-CP-30-496

I was appointed Personal Representative of the Estate of Lydia Blocker for the sole purpose of allowing the case to be filed and litigated. There were no allegations of any negligence, misconduct or wrong doing against me personally or professionally.

(c) Annie W. Little v. Bryan C. Able as the Personal Representative of the Estate of Fannie W. Hill, et al. Laurens County Court of Common Pleas, 06-CP-30-167

I was appointed personal representative of the Estate of Fannie W. Hill for the sole purpose of allowing the case to be filed and litigated. There were no allegations of any negligence, misconduct or wrong doing against me personally or professionally. I was dismissed as a party by finding of the Special Referee that the pleadings of the case properly referred to Fannie W. Hill's children as heirs and possible heirs.

(d) The First National Bank of Chicago as Trustee for BankBoston Home Equity Loan Trust 1998-1 v. Nancy C. Wilkerson, AmerUS Home Equity, Inc. and Bryan C. Able. Laurens County Court of Common Pleas, 05-CP-30-902

This was a foreclosure action against Nancy C. Wilkerson. I was named as party because of possible claim or lien I may have held or had upon the real property that was subject of the lawsuit. There were no allegations of negligence, misconduct or wrong doing against me personally or professionally.

(e) J.P. Morgan Chase Bank et. al. v. Lawrence Edmunds and Bryan C. Able, 08-CP-30-399

This was a foreclosure action. I was named a party as a possible judgment creditor. There were no allegations of any negligence, misconduct or wrong doing against me personally or professionally.

(f) Branch Banking and Trust Company et. al. v. Roman P. Fuller et. al. 08-CP-30-268

I was named a party by virtue of a creditors claim filed against the Estate of Huston Fuller. There were no allegations of negligence, misconduct or wrong doing against me personally or professionally.

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.

No

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 covered by malpractice insurance and have carried malpractice insurance since the time I began practicing law. There have been no interruptions in coverage. The coverage is \$200,000.00 per claim; \$600,000.00 aggregate. The deductible is \$1,000.00. I have never been covered by a tail policy.

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?

I do have a Facebook account. I do not use LinkedIn or Twitter. I do not have an Instagram account. I rarely, if ever, post anything to Facebook. Ordinarily, I look at Facebook for news, and to keep up with the activities of friends and family members. I will occasionally send my adult children messages on Facebook. My use of social media is so limited I would not expect it to be affected if I am elected to the bench.

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.

No

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.

No

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?

\$44.96 Business cards December 4, 2016

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.

None

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.

No

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 before the final and formal screening report has been released. I have not asked any individuals to campaign on my behalf nor do I know of any individual who has campaigned for me on their own initiative.
- My campaigning has been limited to introducing myself to members of the General Assembly at the State House, in their offices and at social events held in Columbia.
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.
- No
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 Bar Association
(b) South Carolina Association of Probate Judges
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) Laurens County Exchange Club
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.

Over the past 30 years, I have met many different kinds of people while practicing law in the Family Court. I have represented and worked with people of great wealth and high levels of education. I have also represented and worked with people who have been very poor and could not read or write. I often can be at the courthouse talking with a judge and a group of lawyers between hearings about everyday topics like family or sports but then stop to speak to the custodians or sheriffs deputy in the hall to ask about his or her

family or their plans for the weekend. I was raised to believe that a person is not judged by his station in life or how much money or education he or she has, but what that person is doing with their life.

I want everyone who appears in front of me as a judge to leave my courtroom believing that they had been treated fairly by someone who is patient, understanding, compassionate and willing to listen. No matter their station in life or their resources I want everyone to know that they appeared in front of a courteous, ethical and honorable judge.

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.

Len Bornemann 864-229-7744
117 Creekside Court
Greenwood, SC 29649

Barbara T. Wasson 864-923-2051
516 Academy Street
Laurens, SC 29360

Paul Dean Lyles 864-682-5233
3538 Highway 221 South
Laurens, SC 29360

Jarvis Reeder 864-872-1304
PO BOX 68
216 West Main Street
Laurens, SC 29360

Gary C. Ray 864-297-1242
106 Boulder Road
Mauldin, SC 29607

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; None
 - (b) in which there have been public improvements of \$200 or that adjoins property in which there have been public improvements of \$200; or Highway and Road improvements along Stagecoach Rd. and Buckhead Rd. that adjoin [REDACTED]
 - (c) which was sold, leased, or rented to a state or local public agency in South Carolina. 211sq. ft. of property located at [REDACTED] (see attached deed)

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; None
- (b) nature and value of any public improvements; and None
- (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.

See attached copy of deed of Bryan C. Able to the South Carolina Department of Transportation dated July 24, 2003

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.

None

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.

See attached Statement from Raymond James dated May 31, 2017

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.

No

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

No

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: _____

Sworn to before me this ____ day of _____, 2017.

(Notary Signature)

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