

JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE



Court, Position, and Seat # for which you are applying: Master In Equity – York County

1. Name: Mr. David Eugene Simpson

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.) No

Home Address: [REDACTED]

Business Address: 933 Heckle Blvd.
Rock Hill, South Carolina 29732

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]
(office): 803-909-7728
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1951
Place of Birth: Greencastle, Indiana
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 August 21, 1971 to Wanda Binnicker.
Never divorced, two 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.
I have not served in the military.
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) Lee College (n/k/a: Lee University), Cleveland, Tennessee (1969-1973); BA in Sociology
 - (b) Indiana University School of Law, Bloomington, Indiana (1973-1974).
After my first year my wife, who was pregnant at the time wished to be closer to her family and I needed employment so we moved to South Carolina and I transferred to the University of South Carolina School of Law the following year.
 - (c) University of South Carolina School of Law, Columbia, South Carolina (1975-1977), J.D.
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) I took only the South Carolina Bar and took it one time only and was admitted to practice November 9, 1977
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 worked while in law school and did not participate in any organizations while there other than the Christian Legal Society (1976-1977) and did not hold an office.
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 spoke at the 100th bar anniversary on Consumer Affairs.
 - (b) I taught paralegal courses at Winthrop University
 - (c) I taught Real Estate licensing courses at York TEC for several years as well as a Construction law class there.
 - (d) I have spoken at several CLEs over the past two years including topics on Appellate practice, and the Indian Child Welfare Act
 - (e) I also have spoken at the Bar's Law School for Non-Lawyers for the past several years

- (f) I have spoken at several classes at Winthrop University in the Social Work Department.
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.
- (a) I entered a creative writing contest while in college and won the award for non-fiction and best all-around writing and it was published to the best of my knowledge, but I do not have a published copy. See attachment for a copy of that article and picture of my plaque and for the briefs.
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, 1977;
(b) US District Court for the District of SC, 1979;
(c) US Court of Appeals for the Fourth Circuit, 1983.
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) From July, 1978 until October, 1979 I practiced law with the Ackerman, Woodard and Campbell law firm in Walterboro, South Carolina. That was primarily a collection practice and I filed and tried cases throughout the state in County Courts, Common Pleas Court, Probate Courts, Magistrate's Court and before Masters-In-Equity and Special Referees. I had absolutely nothing to do with management or money.
- (b) From October, 1979 until July, 1981 I was a staff attorney with Piedmont Legal Services in Rock Hill, South Carolina. I practiced in York, Chester and Lancaster Counties. My primary areas of practice then was consumer law, including bankruptcy, employment law and family law. I practiced in the Court of Common Pleas, Magistrate Court, Family Court, and before the unemployment commission. During that time I was not involved in management or in financial affairs.
- (c) From July, 1981 until January, 1987 I was the managing attorney with Piedmont Legal Services in Rock Hill, South Carolina. I practiced in York, Chester and Lancaster Counties. My primary areas of practice then was consumer law, including bankruptcy, employment law and housing law. I practiced in the Court of Common Pleas, Magistrate Court, Family Court, and before the unemployment commission. Additionally I managed the Rock Hill office which had, in addition to myself, three other attorneys, two

paralegals and two paralegals and three clerical persons (male, female, African-American and Caucasian). I made all day to day decisions in the office, including personnel matters and met with the Executive Director (Ellen Hines Smith) and the Board about financial matters although I did not have any authority over the allocation of funds.

- (d) From January, 1987 until April, 1990 I was in partnership with James Pearce (Pearce and Simpson). We were primarily involved in real estate development and real estate closings, residential and commercial. We did wills and some contracts and I briefly filled in as city judge while Judge Chiles and later Judge Camp were recovering from illnesses. Jim left to teach college after approximately six months and I continued to operate under that name until April, 1990. After Jim left, I was the sole proprietor and was responsible for all decisions including the financial ones. We maintained several different trust accounts, including those for the title insurance company, as well as the normal operating accounts. I employed two full time secretary/paralegals and an independent contractor title searcher.
- (e) From April, 1990 until July, 2000 I was a partner in Kimball, Dove and Simpson with S. Jack Kimball and L. Dale Dove. The firm handled many areas of law, but my specialty remained real estate development and real estate closings, residential and commercial. The three partners shared in the management of the firm. I was responsible for the real estate trust accounts and the title insurance trust account. Those trust accounts frequently contained over one million dollars. We employed two or three associates, two paralegals, several independent contractor title searchers and five clerical persons and several part time people. I was directly responsible for managing the real estate section which employed the independent contractors, one other attorney, three clerical and a part time person.
- (f) From July, 2000 until November, 2003 I practiced as a sole practitioner after the friendly break up of Kimball, Dove and Simpson. I continued to do primarily real estate law but also did work as a hearing officer for the Cities of Rock Hill, York and Clover. I also filled in for nine months or so as a city solicitor while the city solicitor for Rock Hill, Chris Barton was overseas. I had no management responsibilities with the city but was totally responsible for my practice, David E. Simpson, LLC. I employed three full time secretary/paralegals and a part time person, along with an independent contractor title searcher. I was responsible for all trust funds including the title insurance company funds and for all financial demands of the practice.
- (g) Since November, 2003 until the present I have been an attorney for the South Carolina department of Social Services. I became managing attorney in 2006 and spent six months in the Office of General Counsel in Columbia. Most of the time I have served York and Union Counties prosecuting abuse and neglect of children and vulnerable adult cases. I have management responsibilities and supervise two and sometimes three other attorneys along with four paralegals. I also maintain my own case load and average two to

three days in court each week. I am responsible for appellate work as well. I have no control of money.

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.

N/A

(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.

Within the last five years my practice has been almost exclusively in the family and appellate courts. Prior to my employment with the South Carolina Department of Social Services I appeared rather frequently before Masters In Equity and Special Referees. I represented individuals and banks/savings and loans in bringing foreclosure actions, individuals in defending foreclosure actions, bringing partition actions and various collection actions, including supplemental proceedings to enforce judgments, and defending persons in various contract disputes. I have

been involved in civil cases in common pleas court, prior to the past five years, both jury and non-jury.

- (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.

N/A

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.

Martindale-Hubbell recently announced that I had been recognized as being rated distinguished BV for twenty years (1996-2016).

The Legal Network has listed me as a "Top Lawyer in South Carolina" designating me as "highest in ethical standards and professional excellence."

- * **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: One case in the last five years. (Handled before the federal magistrate)
Prior to the past five years I appeared several times in federal district court, bankruptcy court, before the Social Security Administration and before the federal court of appeals once.
- (b) state: Probably an average of twelve different case appearances each week in family court.

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:
(b) criminal:
(c) domestic: 95%
(d) other: 5%

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: 0%
(b) non-jury: 100%

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

Most often as 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) South Carolina Department of Social Services v. Myers et al., Op. No. 5472 (Ct.App.2017) cert. granted. This case and the Boulware case changed the face of how foster parents need to go about adopting foster children. This area of the law was very unsettled following the cases of Michael P. v. Greenville County Department of Social Services., 385 S.C. 407 (Ct.App. 2011) and Youngblood v. South Carolina Department of Social Services, 402 S.C. 311 (SC 2013). The courts or the legislature needed to clarify the law. Both of these cases have been granted cert. by the South Carolina Supreme Court so it is not yet clear which way these issues will be decided, but most important is that a decision is made that the bar and the judiciary can rely upon in the future in dealing with the standing of foster parents vis-à-vis natural parents and the Department of Social Services. This was a seven day trial involving eight attorneys in addition to myself.
- (b) South Carolina Department of Social Services v. Boulware Unpub. Opinion No. 2016 UP-220, filed May 19, 2016 (Ct. of App.) cert. granted. See note above regarding Myers. Both of these cases involve infants who were placed in foster care and the foster parents filed to adopt the children although that wasn't the recommendation of the SCDSS at the time. The question was whether the foster parents had standing to file their adoption action before SCDSS approved the case for adoption.
- (c) SCDSS v. Patten, 412 S.C. 93 (Ct.App. 2015) This is a case that I won at trial but lost on appeal. The Supreme Court had issued an opinion between the trial and this appeal which changed the law. It is an important case, along with the Supreme court case of Doe v. South Carolina Department of Social Services, 407 S.C. 623 (S.C. 2014) because it gives adults the right to determine how they want to live as long as they are competent, regardless of how bad their living conditions may be. Upon remand the Department agreed to allow Mr. Patten to return to his condemned home.
- (d) South Carolina Department of Social Services v. Lisa C.; 380 S.C. 406 (Ct.App. 2015) This is another case that I won at trial and lost on appeal. This case was an important case in a line of cases that set the procedure for using forensic interviews to prove child abuse. These sexual abuse of children cases are difficult on everyone and this case gave guidance that was needed.
- (e)) GMAC v. McMinn, 285 S.C. 67 (S.C. Sup. Ct. 1985). This was a case that was appealed while I was working at Piedmont Legal Services and it was important at the time in setting the parameters that the court was willing to allow in determining how closely the federal Truth in Lending law would be enforced in South Carolina. As it turned out, not too tightly.
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) South Carolina Department of Social Services v. White; 413 S.C. 57 (Ct.App. 2015) filed, June 5, 2015

(b) Carpenter v. S. C. Department of Social Services, 278 S. C. 167 (SC Sup. Ct. 1982) filed June 30, 1982

(c) Edward D. and Tammy D. v. Baby Girl B., Memo. Op. No. 2015-MO-021 (SC Sup. Ct. 2015) filed April 23, 2015

(d) South Carolina Department of Social Services v. Kelcie C.; Unpub. Opinion No. 2012-UP-413, filed August 27, 2012 (Ct. of App.) cert. denied

(e) South Carolina Department of Social Services v. Hemphill; Unpub. Opinion No. 2016-UP-471, filed September 28, 2016 (Ct. of App.) cert. denied

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.

None

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.

I was allowed to hold court in the City of Rock Hill for several terms of court while the judges were ill. This was a summary court handling traffic violations, DUI first, domestic violence cases, housing code violations and misdemeanor criminal offenses.

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) The case that I was most proud of was a case where an unmarried mother found out that the father of her child, who was behind in child support, was at the liquor store blowing his check. She went down, drug him into the parking lot and beat him with the point of her high heel shoe, injuring him to the point of unconsciousness and hospitalization. Because of the situation she was charge with simple assault. She was not repentant and did not take well to my advice that she should proceed in Family Court in those matters. When I inquired as to what the judge who I was replacing would do I was told he would give her a fine. That didn't strike me as quite fair since it was my belief that had the father beat her like he was beaten, he would have probably been imprisoned. So, I gave her 30 days but released her early with a fine after she had spent a few days incarcerated. Unfortunately, others didn't agree with that sentence and I was not asked to fill in again.

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.

(a) I was appointed to the Council of Advisors on Consumer Credit in the mid 1980s.

(b) I was never penalized for a failure to file.

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.
I was a sole practitioner during the time I assisted as a city court judge.
27. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.
Yes. I sought a family court judgeship in 1998. I was approved by all who investigated me, but was not one of the three candidates reported out of the committee. The Honorable Henry T. Woods eventually won that election.
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.
- (a) I have been involved in real estate ventures in the past but presently own only one rental house. The names of the various corporations and partnerships are: Ebenezer Title Co., Inc. which developed a subdivision on Fishing Creek in Chester County and owned two office buildings in Rock Hill. The Kimball Partnership was a predecessor company to Ebenezer Title and owned an office building. T&D Properties was a partnership which owned rental houses. Clearview Properties, LLC developed a subdivision on Lake Wylie. Edison Group, LLC owned a shopping center.
 - (b) Additionally I was the owner and title agent for Gemini Title Co., Inc. from 1987 to 2001.
 - (c) Prior to law school I held several jobs as follows: In high school I worked for Ball-Porter Funeral Home in Terre Haute, Indiana and Marsh Supermarkets in Tipton, Indiana. Prior to that I worked in the summers on my grandfather's farm and as a paper carrier. During my undergraduate education I worked several work study jobs at Lee College including athletic trainer and tutor for the Community Action Agency in Cleveland, Tennessee. In the summers I worked at Hillcrest Memorial Gardens as a caretaker in Cleveland, Tennessee; L.T. Clip Fruit and Vegetable Warehouse as a truck driver and as a mobile home parts factory worker for Versail Mfg., Inc., both in Elkhart, Indiana.
 - (d) I worked for Kemmerlin Farms in Orangeburg as a heavy machinery operator and feed lot provider the summer of 1973.
 - (e) While in law school in Indiana I worked with the City of Bloomington Human Rights Commission and held other work study jobs as well as a part time position with Jo-Anne's Fabrics.
 - (f) From August, 1974 until July 1978 I worked full and part time for the State Newspaper as a District Sales Manager and as a paper carrier in Columbia, South Carolina.
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.

I own one rental property at this time. I am responsible for keeping the property up and keeping it rented.

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

I have been an attorney for over 35 years. In my varied practice I have been involved with the types of cases that are handled by the Master In Equity. I have been on both sides and have experiences in real estate outside the legal practice which has also given me very good understanding of many of these issues. I have helped clients buy at judicial sales and have challenged those sales. I have a very good understanding of the laws that are applied regularly in this court. My teaching experience in real estate and construction matters add to that knowledge. My trial experience has helped me to understand the motion practice that is also a large party of this position. In short, my experience and my education make me quite comfortable in seeking the position.

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

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 have been a title agent and it is possible that actions involving one of the title companies that I worked with could come before me. I don't believe that would create a conflict, but I would disclose those facts to the litigants. I also represented builders, lenders and real estate companies, but have been out of that area of law for fourteen years and do not believe that there is a large likelihood of a conflict, but again those past relationships would be disclosed. I would handle these potential conflicts as indicated before. I would disclose and discuss and see whether any one expresses a concern and then recuse myself if necessary.

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.

I have been sued twice by the same client. In the first case an allegation was made concerning the actions of several attorneys including myself. The allegations were not true. When the client couldn't find an attorney to handle her case I permitted her an extension of time to file but when she still couldn't find representation she attempted to proceed on her own. Her attempts to serve us was unsuccessful and the case was dismissed. cf. Moore v. Simpson, 322 SC 518 CT.App. 1996)

Subsequently Ms. Moore filed an action in federal district court which was dismissed by the federal magistrate. That case was not appealed or reported.

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 was covered when I was in private practice and am currently covered by the state, but do not have tail coverage.

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 am a member of a civic organization that required a Facebook page while I served as the district governor. I am not active on Facebook or any other social media. I would remove myself from that site if need be. However, I don't believe my limited use of social media would be a problem
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?
\$0
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 of which I am aware.
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) JMISC 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.
No
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 – Served as Chairman of the Consumer Law Subcommittee in 1980s
 - (b) York County Bar - no offices held
 - (c) Christian Legal Society – no offices held (1976 – 1980)
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) Rock Hill Civitan Club – I have been a member of Civitan International, a civic organization, since 1979. I have served in every position of leadership in the Rock Hill club except Secretary-Treasurer, including being president three time. On the district (state) level, I have held many offices including that of governor twice. I have received several awards from both the local club and the district and some from Civitan International. I have been the Judge Advocate for that group for fifteen years.
 - (b) Area 11 Special Olympics Organizing Committee. I have been on this committee since 1982. We plan, supervise, coach and raise funds to assist with the Special Olympics games and athletes in our area.
 - (c) I have been the treasurer at my church for over twenty years, I have also been on the Pastor's Council and taught Sunday School there for over twenty years.

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.

I believe that I am respected by the legal community and the community at large. I truly love people and am concerned with making the law responsive to the needs of the community. While I am a strong believer in law and order, I am especially cognizant of the historical role of the courts of equity and believe that equity should have a part in the dispensing of justice. I believe that I am well suited for such a position because of my education, experience and community involvement. I would appreciate the opportunity to serve York County in such a position. I would also be deeply honored to so serve. I am, despite my recent position with the state, a dirt lawyer. I love property law and look forward to an opportunity to be involved in those cases again. I would, as I stated, be honored. Buford Grier, our first full time Master In Equity was a mentor to me and he and I were very close both before and during his judgeship. He was followed by Jack Kimball, my old partner. Knowing the character of those two men make me desirous of upholding that great tradition.

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) L. Dale Dove: 125 Hampton St. Suite 200, Rock Hill, S.C.; 803-327-1910
- (b) R. Chadwick Smith: 933 Heckle Blvd., Rock Hill, S. C. 803-909-7730
- (c) Barry Moss: 4434 West McConnells Hwy., Sharon, S.C.; 803-322-3128
- (d) Alethea (Lisa) Totherow: P.O. Box 257, York, South Carolina; 803-448-1359
- (e) J. David Savage: 1105 Mount Gallant Road, Rock Hill, S. C.; 803-431-4548

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

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.

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.

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: _____

Affirmed before me this 31st day of July, 2017.

(Notary Signature)

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