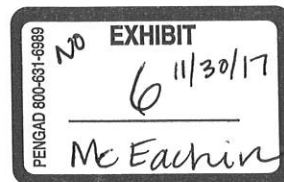


JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE



Court, Position, and Seat # for which you are applying: South Carolina Family Court, Twelfth Judicial Circuit, Seat Two

1. Name: Mr. FitzLee Howard McEachin

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

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

Home Address: [REDACTED]

Business Address: 323 S. McQueen Street, Florence, South Carolina 29501

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]  
(office): 843.665.0135  
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1982  
Place of Birth: Florence, South Carolina  
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.

Married on June 9, 2012 Erin Olivia Tarte (McEachin).

Never divorced, one child.  
[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. Not applicable.

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) The Citadel: Bachelor of Science in Business Administration (2000-2004)
  - (b) Charleston School of Law: Juris Doctorate (2004-2007)
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.

South Carolina (2007)
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) Student Body Senate (2004-2005)(2006-2007)
  - (b) Student Body Vice President (2005-2006)
  - (c) Honor Code/Court Committee (2005-2007)
  - (d) William B. Spong Moot Court Tournament Team Participant (2005)
10. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.

See Attached as Exhibit A.
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 taught Business Law at Florence Darlington Technical College from 2009 to 2016.
  - (b) I taught Constitutional Law at Florence Darlington Technical College in 2015.
  - (c) I taught Probation, Pardon and Parole Law at Florence Darlington Technical College in 2015.
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 as Exhibit B. The U.S. v. Watson brief that is attached was a two defendant case in Federal District Court. Both Mike Meetze, AFPD, and I collaborated on the brief. All sections related to Rachel Watson and arguments on the law, as applicable to Rachel Watson, were prepared by me.

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, 2007;
  - (b) United States District Court for the District of South Carolina, 2011;
  - (c) United States Court of Appeals, Fourth Circuit, 2011.
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) Law Clerk, Honorable Michael G. Nettles, South Carolina Circuit Court Judge (2007-2008)
  - (b) Twelfth Judicial Circuit Solicitor's Office (2008 – present) – switched from full time to part-time in May 2011. As an assistant Solicitor, I have handled a wide range of cases ranging from property crimes and drug crimes, to murders and child-related criminal sexual conduct cases.
  - (c) McEachin & McEachin, P.A. (2011- present) – My private practice focuses primarily in the areas of domestic relations litigation and civil litigation. I have been involved in the administrative and financial management of our two man firm since 2015, and I currently maintain and manage the firm's trust account.
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.
- The majority of my Family Court practice has focused on the areas of divorce, equitable division of property and child custody issues. Specifically, I currently handle and have handled divorce cases that are fault-based as well as not fault based. The cases involving equitable distribution range from individuals who have no real property and are attempting to divide very small marital estates to cases that involve the distribution and division of large marital estates with businesses, multiple homes (or pieces of real property), and large retirement accounts that require Qualified Domestic Relations Orders in order to effectuate their division.

As for child custody issues, I have dealt with those in divorce cases as well as modification cases. The cases that I have dealt with range from one parent receiving sole custody to joint custody arrangements where parents get to spend equal time with their child(ren). I have handled relocation cases, and I have been involved in cases where a parent's parental rights were terminated.

I have handled several adoption cases, but generally I do not handle more than one to two of them a year. The majority of the cases that I have handled involve familial adoptions that are generally not contested.

With relation to abuse and neglect cases, I have not handled a great deal of these, probably only four or five total in my career, and those have been cases where I was retained by one of the parents involved. I am familiar with the law and procedure in these cases.

Finally, with regard to juvenile justice cases, I have not handled any directly. In my time with the solicitor's office, I have been tangentially related to a small number of these cases, but as a whole I have never prosecuted nor have I defended any juveniles in court. My experience in working with the solicitor's office will be invaluable in the handling of these types of cases.

I appear in Family Court on a weekly basis.

- (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.

Not applicable.

- (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.

Not applicable.

- (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.  
Not applicable.

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.  
Not applicable.

\* **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: 5%  
(b) state: 95%
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: 40%  
(b) criminal: 5% (Federal Criminal Defense only)  
(c) domestic: 55%  
(d) other: I also prosecute cases on a part-time basis in Marion County.
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: 50%  
(b) non-jury: 50%

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. Jimmy Turner, 2016-UP-411, cert. pending. This was a jury trial, and this case involved the rape of a six year old child by her great aunt's boyfriend who was fifty years old at the time of the crime. The jury returned a verdict of guilty, and the Defendant was sentenced to life in prison. The matter was appealed and overturned

based on a case that came down after the conviction was obtained. The Petition for Certiorari is currently pending before the S.C. Supreme Court.

- (b) State v. Daniel Owens – This was a jury trial, and this case involved the rape of two children, under the age of 11 by their uncle. The jury found the Defendant guilty and he was sentenced to 35 years in prison.
- (c) Johnston v. Johnston – This was a complex Family Court case that involved issues relating to divorce, child custody and support, equitable division (including the division of a business). The divorce itself involved allegations of fault by both parties. All issues were contested. Ultimately, all issues were tried with the sole exception of the division of the marital business; that issue was arbitrated. The parties were back in Court for a modification of custody and child support matter which was resolved favorably for my client prior to trial.
- (d) Rogers v. Rogers – This was a complex Family Court case where the issues before the Court were divorce, custody and support, and equitable distribution of property. This was one of the first family court cases that I tried. The Defendant had two businesses the values of which were at issue in the case. Ultimately, the parties were able to agree on some issues and all remaining issues were tried.
- (e) United States v. Carlos Vega-Fuente – this was a federal criminal drug conspiracy trial in which three individuals were traveling together in a car from New York to Florida. The case involved several complex evidentiary issues ranging from expert witness testimony to suppression of evidence. The case was tried and my client received a favorable outcome.

- 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.  
Not applicable.
- 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.  
Not applicable.
- 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.  
Not applicable.
- 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.

Not applicable.

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.  
Not applicable.
27. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.  
Not applicable.
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.  
Not applicable.
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.  
Not applicable.
30. Please explain why you think you meet the professional and academic ability criteria for the seat you seek.

I have a wide range of experience over several different areas of law. Over fifty percent of my practice is dedicated to Family Court matters. Additionally, I have tried over twenty-five (25) cases before juries in State Circuit Court and Federal Court. As a trial lawyer the skills needed to try cases (i.e. knowledge of court rules and rules of evidence) are the same skills needed to effectively rule on matters that come before the 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.)

See Attached as Exhibit C.

**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.  
Not applicable.
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.]  
I had a traffic ticket for Following Too Closely in 2006 (Charleston County). I believe the fine was around \$180. Other than that ticket there is nothing else that applies to this question.
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.  
No.
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.  
Yes. I have been covered since beginning private practice in 2011. The coverage is \$1,000,000.00/\$2,000,000.00 and deductible is \$2,500.00. 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 use two social media services, Instagram and LinkedIn. If elected, I would cancel these services.
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?  
Not applicable.
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.  
(a) Wallace Jordan, \$550.00  
(b) Richard Yow, \$150.00  
(c) Vincent Sheheen, \$150.00
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.  
No. No campaigning has been done at this time.
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  
(b) S.C. Bar, Young Lawyer's Division, Twelfth Circuit Representative, 2009-2011
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) Assistant Scout Master, Troop 477, Florence, South Carolina  
(b) Florence Family YMCA Board of Directors, Vice President for Human Affairs, Florence, South Carolina  
(c) The School Foundation, 2014 Dancing with the Stars Participant, Florence, South Carolina  
(d) The Pee Dee Area Citadel Club, President, Vice-President, Secretary/Treasurer

(e) The Revelers Dance Club, Florence, South Carolina, President, Vice-President, Secretary/Treasurer

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 was born and raised in Florence, South Carolina. I went to public school from first grade through twelfth grade. I participated in youth baseball at McLeod Park and youth soccer for the Florence Soccer Association. I received my Eagle Scout from First Presbyterian Church. I attended Palmetto Boys State. I have been life-long member of St. John's Episcopal Church. I went to the Citadel and then to the Charleston School of Law. All of these experiences have helped to mold my temperament. My habit and custom in life has been to treat people with courtesy and respect, and that will not change if I am elected to this position.

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) E.L. Clements, IV, 180 N. Irby Street, MSC-Q, Florence, SC 29501, 843.665.3091
- (b) Doris Poulos, 180 N. Irby Street, MSC-E, Florence, SC 29501, 843.665.3031
- (c) Christy Gray, P.O. Box 295, Marion, SC 29571, 843.423.8240
- (d) Jammie McDonald, 619 Pamplico Highway, Florence, SC 29501, 843.679.9488
- (e) Ken Weldon, 252 S. Dargan Street, Florence, SC 29506, 843.662.5585

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.
- Not applicable.

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.

Not applicable.

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.  
Not applicable.

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.  
Not applicable.

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.  
Not applicable.

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

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: \_\_\_\_\_