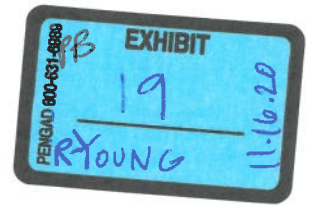


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE
2020**



Court, Position, and Seat # for which you are applying:

1. Name: The Honorable Roger Mack Young, Sr.

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

Are you currently serving in some capacity as a judge? If part-time, please note.
(Includes Municipal, Magistrate, Etc.)

Ninth Judicial Circuit Court Seat 3

Home Address: [REDACTED]

Business Address: Charleston County Judicial Center
100 Broad Street, Suite 368
Charleston, SC 29401

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]
(office): 843-958-2015
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1960
Place of Birth: Cass City, Michigan
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. 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.

6. Family Status:

(a) State whether you are single, married, widowed, divorced, or separated.
Married.

(b) If married, state the date of your marriage and your spouse's full name and occupation.

Married on 6-16-2012 to Tara Sullivan Amick. Interior design and restoration, artist

(c) If widowed, list the name(s) of spouse(s).

(d) 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.

Divorced from Janice M. Young, October 15, 2008 in Beaufort County. She was moving party, one-year separation.

(e) State the names of your children and their ages. If your children are old enough to work, include the occupation of each child.



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.

Baptist College at Charleston (now Charleston Southern University), 1977-80, BS in Political Science

University of South Carolina School of Law, 1980-83, JD

University of Nevada, (MJS) Master of Judicial Studies, 1998-2000

Certificate in Judicial Development - General Jurisdiction Trial Skills

National Judicial College, 2002

8. 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.

Participant in National Trial Competition and Moot Court Competition 1982-83

9. 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. Please indicate the number of times you took the exam in each state.

South Carolina 1983-date. Passed on first attempt.

10. 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 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.

I was in private practice from 1983-1995 as a sole practitioner. I was associated with a lawyer named Howard Chapman in Charleston from the fall of 1983 until he died in late 1984. After that I was on my own with a general practice until I became the Master-in-Equity for Charleston County in 1996. I served briefly in a part-time capacity as acting City Attorney for the City of North Charleston from January to April, 1995.

Justices/judges applying for re-election to their current position may omit Questions 11-17. If you are a full-time judge seeking a judgeship different than your current position, Questions 11-17 should be answered based on your experience *prior to serving on the bench.*

11. Please answer the following:
- (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.
 - (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, and 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.
 - (c) If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master's court, including any cases handled

over the past five years, and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity or a Circuit Court judge within the past five years.

(d) If you are a candidate for Administrative Law Court, please provide a brief written description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law or Circuit Court within the past five years.

12. 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:
- (b) state:

13. 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:
- (d) other:

14. 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:
- (b) non-jury:

During the past five years, did you most often serve as sole counsel, chief counsel, or co-counsel?

15. 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)
- (b)
- (c)
- (d)
- (e)

16. 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)
- (b)
- (c)
- (d)
- (e)

17. 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)
 - (b)
 - (c)
 - (d)
 - (e)
18. 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.
- (a) 1988-90 I was appointed to a part-time position of Municipal Judge for the City of North Charleston. Misdemeanors only.
 - (b) 1996-2003 I was elected to be the Master-in-Equity for Charleston County, civil non-jury.
 - (c) 2003-present I was elected to the Ninth Judicial Circuit Court, Seat 3.
 - a. Concurrently serving as Business Court Judge by appointment of Chief Justice, 2007 to date.
 - b. Concurrently serving as Chief Business Court Judge by appointment of Chief Justice, 2016 to date.
19. If the answer to question 18 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) Rice-Marko v Wachovia Corp., 398 SC 301 (SC App 2010)
 - (b) Kerr v BB&T, 408 SC 328 (2014)
 - (c) State v Larry Durant, 2020 WL 2179248 (S.C.Sup.Ct. 5-6-20)
 - (d) Nestler v Fields, 426 SC 34 (SC App 2019)
 - (e) Lowcountry Open Land Trust v. State of S.C., 347 SC 96 (SC App 2001)
20. 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 Bar 1983.
 - (b) United States Supreme Court Bar 2015.
21. 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) Speaker/Presenter, “Upping Your Evidence IQ”, South Carolina Bar Convention, January 24, 2020.

- (b) Speaker, "Business Court Overview", New Judges Orientation School, July 12, 2019.
- (c) Speaker and Panelist, "Straight from the Bench – What Judges Want from Lawyers", Criminal Law Practice Essentials, South Carolina Bar, June 14, 2019.
- (d) Panelist, "What Works CLE" Charleston County Bar Association, February 1, 2019.
- (e) Panelist, "E-Discovery Cradle to Grave (Discovery to Courtroom), Trial & Advocacy Section, South Carolina Bar Convention, January 18, 2019.
- (f) Speaker, "Demystifying Business Court", South Carolina Association of Justice Convention, August 3, 2017.
- (g) Speaker and Panelist, "Straight from the Bench – What Judges Want from Lawyers", Criminal Law Practice Essentials, South Carolina Bar, May 19, 2017.
- (h) Panelist, "Things Appellate Judges May Have Forgotten (Or Never Knew) about the Trial Bench", South Carolina Appellate Court Judges Conference, April 21, 2017.
- (i) Moderator and Panelist, "Fast Track Jury Trials", South Carolina Bar Convention, January 21, 2017.
- (j) Speaker, "Straight from the Bench – What Judges Want from Lawyers", Criminal Law Practice Essentials, South Carolina Bar, May 20, 2016.
- (k) Panelist, "Litigation Trends – A Perspective from the Bench", 2015 South Carolina Defense Trial Attorneys' Association Annual Meeting, November 6, 2015.
- (l) Speaker, "Judicial Ethics for Summary Court Judges" Charleston County Summary Judges Association JCLE, May 22, 2015.
- (m) Panelist, "TIPS CLE", Charleston Lawyers Club, February 26, 2015.
- (n) Panelist, "Litigation Trends – A Perspective from the Bench", 2014 South Carolina Defense Trial Attorneys' Association Annual Meeting, November 7, 2014.
- (o) Panelist, "Motion Practice Before the Circuit Court" South Carolina Defense Trial Attorneys' Association & Claims Management Association of South Carolina Joint Meeting, July 28, 2012.
- (p) Speaker, "Depositions and Ethics after In re Anonymous Member of the Bar", Berkeley County Bar CLE, February 10, 2012.
- (q) Panelist, "Professionalism," Practice Basics for the New Lawyer, South Carolina Women Lawyers Association and Women in Law Charleston School of Law, October 14, 2011.
- (r) Speaker, "Depositions and In re Anonymous Member of the Bar", SCDTA Deposition Boot Camp, October 6, 2011.
- (s) Panelist, "Mental Illness, Victimization and Criminal Justice^{SEP}An Update for Clinicians, Policymakers, Judges, SEP Attorneys, and Law Enforcement" 2011 Update in Psychiatry Conference, Department of Psychiatry and Behavioral Sciences, Medical University of South Carolina, June 2, 2011.
- (t) Panelist, "A Lawyer Walks into the Bar: A Hands-On Discussion of Issues Facing Lawyers In the First Years of Practice", South Carolina Bar, Charleston School of Law, December 17, 2010.
- (u) Panelist, "Tort Reform – Allocation of Liability after § 15-38-15," 2010 South Carolina Defense Trial Attorneys' Association Annual Meeting, November 13, 2010.
- (v) Panelist, "Top 10 Appellate Decisions of 2009-2010", 2010 S.C. Solicitors Association Fall Conference, September 28, 2010.
- (w) Speaker, "Hearsay in a Nutshell", Meeting of the Charleston Association of Legal Assistants, March 17, 2010.

- (x) Speaker, "Business Torts and the New Business Court", Current Issues in Civil Law CLE, South Carolina Bar, December 11, 2009.
- (y) Speaker/Presenter, "Helping your Patient by Helping the Lawyer and the Judge: A Case Study", Forensic Psychiatry Grand Rounds, University of South Carolina School of Medicine, December 4, 2009.
- (z) Presenter, "Hollywood v. Real Life: Is Law School Really Necessary or Can You Learn To Try a Case at the Movies?", 2009 South Carolina Defense Trial Attorneys' Association & Claims Management Association of South Carolina Joint Meeting, July 24, 2009.
- (aa) Panelist, "Ethics for Criminal Lawyers," 2008 South Carolina Public Defender Conference, September 30, 2008.
- (bb) Panelist, "What is the Business Court?" 2008 South Carolina Defense Trial Attorneys' Association & Claims Management Association of South Carolina Joint Meeting, July 25, 2008.
- (cc) Panelist, "Expert Opinions: "The Amistad Case: A Spoletto at the Avery Event," May 31, 2008.
- (dd) Speaker/Panelist, "Tips for Trying a Complex, Multi-Party Case," South Carolina Bar Convention, January 25, 2008.
- (ee) Speaker/Panelist, "Mental Health Evidence as Mitigation," South Carolina Public Defender's Conference, September 25, 2007.
- (ff) Speaker, "Professionalism: The Ethics of Competence in the Courtroom," South Carolina Administrative and Regulatory Law Association Annual Meeting, September 21, 2007.
- (gg) Speaker, "A Doctor's Duty to Warn," Forensic Psychiatry Grand Rounds, University of South Carolina School of Medicine, August 3, 2007.
- (hh) Speaker, Panelist and Coordinator, "Nuts and Bolts of Handling a Sexually Violent Predator Case," South Carolina Bar CLE, July 27, 2007.
- (ii) Speaker, "Ethical Considerations for the Municipal Attorney," South Carolina Municipal Association CLE, December 1, 2006.
- (jj) Speaker, "Using Technology in the Courtroom," Charleston County Bar CLE, December 16, 2005.
- (kk) Panelist/Speaker, "Recent Decisions," South Carolina Solicitor's Conference, September 26, 2005.
- (ll) Speaker, "So You're Trying Your First Case," South Carolina Bar CLE video publication.
- (mm) Speaker/panelist, "Ethics and the New Code of Professionalism," South Carolina Public Defender's Conference, September 27, 2004.
- (nn) Speaker, Law and Society Class, The Governor's School of South Carolina, July 1, 2003.
- (oo) Speaker, "Tips from the Bench: Non-Jury Trials," South Carolina Bar Continuing Legal Education Division, December 13, 2002.
- (pp) Speaker, "SUEM: A Discussion on Equitable Principles in Their Application to the Law," South Carolina Bar Continuing Legal Education Division, October 11, 2002.
- (qq) Speaker, "Practice Before Masters-in-Equity," Bridge the Gap, South Carolina Bar Continuing Legal Education Division and the Supreme Court of South Carolina, May 14, 2002.
- (rr) Speaker, "Six by Six" CLE, Charleston County Bar Association, December 13, 2001.
- (ss) Speaker, "Recent Judicial Decisions Update on Tax Sales in South Carolina," South Carolina Bar Continuing Legal Education Division, October 12, 2001.

- (tt) Speaker, "Recent Judicial Decisions Update on Tax Sales in South Carolina," 34th South Carolina Association of Counties Annual Conference, July 26, 2001.
- (uu) Speaker, "Practice Before Masters-in-Equity," Bridge the Gap, South Carolina Bar Continuing Legal Education Division and the Supreme Court of South Carolina, March 13, 2001.
- (vv) Speaker, "Recent Judicial Decisions Involving Tax Sales," County Auditors, Treasurers and Tax Collectors Academy, February 8, 2001.
- (ww) Moderator, "Business Torts, Accounting & Damages," South Carolina Bar Continuing Legal Education Division CLE, October 13, 2000.
- (xx) Speaker, "Practice Before Masters-in-Equity," Bridge the Gap, South Carolina Bar Continuing Legal Education Division and the Supreme Court of South Carolina, May 23, 2000.
- (yy) Speaker, "Law of Tax Sales," Charleston County Bar Association Real Estate Section, March 7, 2000.
- (zz) Speaker, "Recent Judicial Decisions Involving Tax Sales," County Auditors, Treasurers and Tax Collectors Academy, February 3, 2000.
- (aaa) Speaker, "Twelve by Twelve" CLE, Charleston County Bar Association, December 16, 1999.
- (bbb) Speaker, "Equitable Remedies," South Carolina Bar Continuing Legal Education Division CLE, October 8, 1999.
- (ccc) Moderator, "Mechanic's Liens," South Carolina Bar Continuing Legal Education Division, March 26, 1999.
- (ddd) Speaker, "Practice Before Masters-in-Equity," Bridge the Gap, South Carolina Bar Continuing Legal Education Division and the Supreme Court of South Carolina, March 9, 1999, May 18, 1999.
- (eee) Speaker, "Law on Tax Sales," Practice Before Masters-in-Equity and Special Referees CLE, South Carolina Bar Continuing Legal Education Division, October 9, 1998.
- (fff) Speaker, "Law on Tax Sales," Practice Before Masters-in-Equity and Special Referees CLE, South Carolina Bar Continuing Legal Education Division, October 18, 1996.

22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.

See attached

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

- (a) Tax Sales of Real Property in South Carolina, First edition, 1999 (South Carolina Bar-Continuing Legal Education Division).
- (b) The Law of Real Estate Tax Sales, South Carolina Lawyer, September/October 1999.
- (c) Master's Thesis, Using Social Science to Assess the Need for Jury Reform in South Carolina, published in 52 South Carolina Law Review 135, Fall 2000.
- (d) "Sexually Violent Predator Acts," Issues in Community Corrections chapter note, Community Based Corrections, (4th ed. Wadsworth-Thomason Learning 2000).

- (e) Law, Economics, the Constitution and Pink Flamingos, Post and Courier, August 10, 2001.
- (f) Roger Young and Stephen Spitz, SUEM-Spitz's Ultimate Equitable Maxim: In Equity, Good Guys Should Win and Bad Guys Should Lose, 55 S.C.L.Rev. 175 (2003)
- (g) "How Do You Know What You Know?": A Judicial Perspective on Daubert and Council/Jones Factor in Determining the Reliability of Expert Testimony in South Carolina, South Carolina Lawyer, November, 2003.

24. 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. The writing samples are for the Commission's use only and will not be published. (If you are a judge and are not seeking a different type of judgeship, this question is inapplicable.)

N/A

25. 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.

None

26. 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) Charleston County Bar
- (b) South Carolina Bar
- (c) Supreme Court of the United States Bar
- (d) South Carolina Circuit Court Judges Association (President 2012-14)
- (e) American Bar Association
- (f) American College of Business Court Judges
- (g) James L. Petigru Inns of Court

27. 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.

I was elected to District 117 of the South Carolina House of Representatives from 1990-94. I always timely filed my reports with the State Ethics Commission.

28. For sitting or former judges, 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.

Clinical Associate Professor, Department of Neuropsychiatry and Behavioral Science, University of South Carolina School of Medicine. 2007. Occasionally lectured to faculty on legal issues pro bono. Have not been active for several years.

Adjunct Professor of Law, University of South Carolina School of Law, Columbia, South Carolina, Real Estate Transactions II, Spring, 2000

Adjunct professor Central Wesleyan College LEAP program Charleston campus, 1994-2003, business law and regulatory environment

Adjunct professor at Charleston Southern University Fall 1986 political science; Fall 2000 criminal justice

29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.

Ran unsuccessfully for circuit court in 2001

30. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? If so, give details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer.

No.

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

No.

32. 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.

33. 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.

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

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

34. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? No.
Have you ever defaulted on a student loan? No.
Have you ever filed for bankruptcy? No.
If so, give details. Also, proof of satisfaction of any liens or defaults must be submitted with your application package.

35. 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.

36. 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?

De minimis amount on paper, ink and postage

37. 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.

38. 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.

39. 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.

None

40. 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 more that adjoins property in which there have been public improvements of \$200 or more; none, or
 - (c) which was sold, leased, or rented to a state or local public agency in South Carolina.

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.

The street in front of my home at 8170 Courtwood Road, North Charleston, SC was resurfaced in the past several years as part of a regular public works program for the entire neighborhood by the City of North Charleston.

41. 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

42. 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 account record

43. 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

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

No

45. 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 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.]

46. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, explain.

No

47. 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 was sued in 2012 by Howard W. Charpia after I presided over a civil trial in which he was a pro se litigant and a jury verdict was obtained against him. I denied numerous post-trial motions he filed in the ten years following the verdict. The jury verdict was upheld on appeal. He originally filed suit against me in state court, but the case was removed to federal court. Case No. 2:12-3252-RMG. Judge Richard Gergel dismiss this was with prejudice.

When I ran for reelection in 2008, I was informed that I had been sued by someone in federal court (I seem to recall it was an inmate) but since I was never served with the lawsuit. I did not know about it and do not know what it alleged. I was later informed it was dismissed.

48. 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.

N/A

49. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been cautioned with or without a finding of misconduct, 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 sanctions, disciplines, letters of caution, or findings of misconduct of any kind. Private or confidential dispositions will be redacted.

[Yes and no responses are redacted for all candidates unless there is a public discipline.]

50. 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

51. 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

52. 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

53. 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

54. 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

55. 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.*

(a) The Honorable Costa Pleicones, former Chief Justice of the South Carolina Supreme Court

[REDACTED]

(b) The Honorable Keith Summey, Mayor of the City of North Charleston

[REDACTED]

(c) The Honorable A. Victor Rawl, former Circuit Court Judge and current member of Charleston County Council

[REDACTED]

(d) Jimmie Hair

[REDACTED]

(e) Victor Revelise

[REDACTED]

56. Are you active on or a member of a social media or Internet site such as, Facebook, LinkedIn, Twitter, Instagram, etc.?

I have an account with Instagram, Yelp and Twitter.

If so, please list the account names for each account and the relevant platform.

rogermyoungsr is my account name on all three

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 Instagram and Yelp to follow the activities of family members and restaurants I enjoy. I rarely post or comment on anything other than a picture of food or a picture of me and my wife on vacation. I have a Twitter account, but I rarely look at it. The only

reason I have a Twitter account is because it is sometimes the only means by which I can follow the USC baseball games in real-time.

Judges should not post anything about a pending case or a political matter on social media, or any other forum for that matter.

57. 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, and any professional honors, awards, or other forms of recognition received and not listed elsewhere.
- (a) American Board of Trial Advocates Outstanding Jurist Award from the Charleston Chapter of ABOTA for Exemplary Civility, Integrity and Professionalism 2010
 - (b) Charleston Southern University Distinguished Alumnus of the Year 1998
 - (c) Honorary Doctorate awarded by University of Charleston, SC, 1992
 - (d) Order of the Palmetto presented by Governor Carroll A. Campbell, Jr., 1994
 - (e) Kansas City Barbeque Society Certified Judge
 - (f) South Carolina Barbeque Association Certified Judge
 - (g) International Churchill Society
 - (h) Golden Hills Golf Club in Lexington, SC
 - (i) Trial & Appellate Advocacy Section Committee Member, South Carolina Bar

58. 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 have been fortunate to serve this great state in some capacity for over thirty years, most of it in some judicial capacity. At 60 years of age, I recognize that most of my life is behind me, but I hope that I still have another good ten years or more in me to serve. There are pluses and minuses in growing old. Chief among the pluses is experience and maturity. When I think back to my serving in the House of Representatives at age 30, I see a very young man with neither legislative experience nor any intent to make a career of politics. It was an opportunity that arose from an unfortunate period in our state's history – Operation Lost Trust. Serving in the House of Representatives changed my life. I learned a number of things from that experience. First, the experience of going door-to-door to ask people to vote for you is humbling. I appreciate anyone who has ever run for elective office. You learn a lot about people and the wisdom of the way our predecessors structured our governing bodies and elections. Second, I learned to listen to other people and hear about their concerns and viewpoints. This is a relatively small state, but it is richly diverse. Its people have interests and beliefs that cross the every spectrum. Somehow, in order to govern, leaders must figure out how to get a consensus of a majority. This marvels me to this day, although there are times in which I wonder how anything gets done, and whether we can continue to pull off this miracle called the United States of America. Third, I am convinced the true genius of this country's founders was the establishment of the three branches of government and the system

of checks and balances that holds it all together. I am proud to serve in the judicial branch. It has been my life's work. I still look forward to going to work every day because you never know what the day will bring. I was lucky enough to realize several years ago that I am a trial judge, not an appellate judge. It's what brings me joy in my work. I enjoy the action that exists in every level of a trial. Interacting with lawyers, ruling on evidence, the never-ending amazement and appreciation of juries – these are the best things in the world for a trial judge. Once I realized how lucky I was to be doing what brought me such happiness, I turned down an opportunity to serve on the Court of Appeals, and I politely listen to friends who encourage me to run for appellate court openings.

At this point and at this age, I realize that what I offer is the opportunity to mentor and encourage new trial judges. This election process, while wearisome at times, produces some first-rate judges. When I look back at the generosity of older judges when I first came on the bench, I realize it's now my privilege to pay back the favor by training and encouraging new judges as they begin their careers.

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 _____, 2020.

(Notary Signature)

(Notary Printed Name)

Notary Public for South Carolina

My Commission Expires: _____