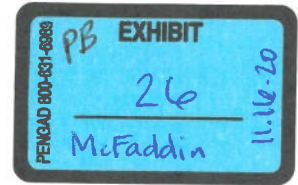


JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE
2020



Court, Position, and Seat # for which you are applying: Circuit Court, At-Large, Seat One

1. Name: Mr. (Honorable) George Marion McFaddin, Jr.
Mrs.
Ms.

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

Are you currently serving in some capacity as a judge? If part-time, please note.
(Includes Municipal, Magistrate, Etc.) Yes. Circuit Court, At-Large, Seat 1.

Home Address: [REDACTED]

Business Address: 215 N. Harvin Street Sumter SC 29150

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]
(office): 803 436 2373
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1954
Place of Birth: Sumter SC
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.

Divorced.

(b) If married, state the date of your marriage and your spouse's full name and occupation. Not married.

(c) If widowed, list the name(s) of spouse(s). Not widowed.

(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 March 1987, George M. McFaddin, Jr., Sumter Family Court, one year separation. No issues contested.

Divorced July 1, 2016, George M. McFaddin, Jr. Sumter Family Court, one year separation. No issues contested.

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

[REDACTED]

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.

University of SC, 1973-78, BA history, cum laude.

University of SC, 1978-79 Master of public administration.

University of SC 1982-85 JD/law degree.

(I did attend Francis Marion College for a few weeks in fall of 1975 but withdrew to return to USC the following spring.)

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.

In law school I worked at the State House as a page 25 hours plus each week. I had no time for law school activities.

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. Admitted November 1985.

SC bar exam taken once.

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.

1985-86 I was a law clerk to the Hon. Rodney A. Peeples, Judge of the Second Judicial Circuit in SC. I researched law as needed, drafted orders, assisted with docket management and planning, and otherwise did as I was told to do.

1986-87 I was an associate attorney in Sumter, SC, at The Bryan Law Firm. I handled a variety of cases to include civil, criminal and family law. I had no role in administrative or financial management.

1987-1988 I worked as an associate in Sumter, SC, at the law firm of John E. Miles. My duties were the same as those listed above when working at The Bryan Law Firm. I had no role in administrative or financial management.

1988-1990 I worked as an associate in Sumter, SC, at the law firm of T. H. Davis, III. My duties were the same as when I worked at the above two law firms. I had no role in administrative or financial management.

1990-98 I was a sole practitioner in Sumter, SC, until I left private practice in July 1998 to become a full-time magistrate. As a sole practitioner I handled a general practice of civil, criminal, family law, and a few real estate and probate matters. I handled all administrative and financial matters to include the trust account. During this period I served as a prosecutor for the SC Highway Patrol and the Sumter County Sheriff's Department for approximately two years. I served for approximately three years as a public defender in family and circuit courts.

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.

1999-2002. I served as a full-time Sumter County magistrate as chief magistrate. I was appointed by Senate. Jurisdiction was limited by statute. Jurisdiction in civil matters up to \$7500 and misdemeanors in criminal court. Jurisdiction included also traffic law violations and landlord/tenant cases.

July 2002-February 2017 I served as a family court judge. Jurisdiction included family law actions, adoptions, abuse and neglect cases in DSS matters, juvenile criminal law, name

changes, domestic abuse cases to include criminal domestic abuse cases. I was elected by the SC General Assembly in years 2002, 2004, 2010 and 2016

February 2017 to present I have served as a circuit court judge and was elected to this position by the SC General Assembly in early 2017 to fill the unexpired seat of a retiring judge. Jurisdiction includes common pleas court (civil lawsuits with or without jury involvement) and general sessions court (criminal cases involving pleas or trials, setting or amending bonds.)

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) Monica-Brown Gantt v. Centex Real Estate Company and Centex Homes. Case 2018-CP-18-1436. Order denying Plaintiff's Motion to Reconsider Order Granting Summary Judgment in favor of Defendants. The issue in this case revolves around the statute of limitations regarding home defects. I ruled in favor of Defendants and issued the ruling instructing the drafting attorney to include my findings in the order. I did not write the actual order. I signed the order in May 2020 and it was Efiled. I fully expect this ruling to be appealed because the ruling, reversed or affirmed, will be noted throughout the home construction industry.

(b) Leland Reginald Eaddy v. Phillip Walter Eaddy, Florence County Sheriff's Department, Lake City Police Department, Williamsburg County Sheriff's Department, et. al. Case 2019-CP-45-0345. Order granting Motion to Set Aside Default. In this highly inflamed family dispute I ruled that orders of default against Defendants served were to be set aside based upon several improper or defective service of process actions. I do not know if this order will be or has been appealed. I signed it March 2020 and it was Efiled. I did not write the order but instructed the drafting attorney of the rulings and my reasons.

(c) State of South Carolina v. Bowen G. Turner. Case or warrant 2019A38102000093 (Orangeburg County). Order granting a bond reconsideration in a sexual assault case. Defendant moved for a bond modification. I granted the modification after hearing from Defendant's attorney, the victims' parents, the victim advocate, the attorney representing the victims, and the assistant solicitor. I drafted the order.

(d) State of South Carolina v. Davonte Green. Case 2018-GS-31-0081. Order denying immunity based upon the "stand your ground" defenses. A Duncan hearing was held and I issued the order denying the immunity in March 2020. Defendant was accused of stabbing to death another inmate at a SC prison. I drafted the order.

(e) State of South Carolina v. Charles Davenport. Case 2018-GS-40-8199. Order denying reconsideration of a sentence I imposed in a Felony DUI case where USC soon to graduate USC student was killed by Defendant in Columbia SC. Defendant offered a plea of guilty. I heard the plea and heard from family members and friends of both

the victim and Defendant. It was a tragic event and sentencing was not easy. I sentenced Defendant to twenty years declining to sentence him to the maximum of twenty-five years. I drafted the order.

(f)Jerry Pressley v. The South Carolina Department of Transportation. Court of Appeals Case 2018-001093. Unpublished Opinion No. 2020-UP-187 Filed June 17, 2020. I granted summary judgment in favor of Defendant in a negligence action. My ruling was appealed and was affirmed.

I offered six orders instead of five. I trust doing so is acceptable. The instructions do not require that I provide copies of the orders or the opinion but I am providing the copies.

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.

All courts of South Carolina/SC Bar. November 1985.

United States District Court. July 1993.

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.

In the late 1980s I taught torts, family law, and estates at Central Carolina Technical College in the paralegal program. These classes were one semester in length.

While a family court judge I offered presentations approximately 6-8 times. I did so at SC Bar sponsored continuing education seminars. The subjects were related to family law matters and procedures.

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

Please see information obtained from Supreme Court CLE Division just days ago.

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

None.

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.)

I am not seeking a different judgeship.

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.

I have no idea what rating if any I have as a member of the judiciary. As for any rating when I practiced law over 22 years ago, I have no idea.

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) South Carolina Bar. 1985-present.

(b)

(c)

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.

No. Have not held any public office.

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.

None.

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

No.

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.

While serving as a magistrate judge and in 2002-2003 I was a volunteer firefighter/EMS first responder and was paid \$10 per call. I ended that service in 2003 after serving in that position since 1974. The employer was the Sumter County Fire Department.

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. Not now or in the past.

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

Please see attached 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? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? If so, give details. Also, proof of satisfaction of any liens or defaults must be submitted with your application package.

I never defaulted on a student loan. I have never filed for bankruptcy.

Regarding a tax lien, there was a SC tax lien filed against me in 1998 or 1999 when I practiced law. I had underpaid my quarterly taxes. As I told JMISC in 2001 when I offered for family court, I was not aware of that lien but paid it in full immediately within days of learning of it. I have disclosed this information five times since then.

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?

As of July 16, 2020 I have not spent any funds toward this re-election.

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; or
 - (c) which was sold, leased, or rented to a state or local public agency in South Carolina.

The answers to the above questions are no.

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 answer is no to all questions.

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.

None.

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. I type the answers and mail the items, etc.

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 never sued by a client.

As a family court judge I was sued by a sovereign citizen who was not pleased with a ruling. The case number was 2006-CP-43-1754. The case was removed to US Federal District Court in Columbia where it was dismissed by The Honorable Matthew Perry.

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.

I carried legal malpractice insurance from 1986 until 1998 when I left practicing law to serve as a full-time magistrate in 1998. I left the practice of law in 1998 and cannot recall the coverage amounts or the deductible amount. I have no idea where those records are. Seems I had a tail policy but I do not remember. It has been 22 years.

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.

I have not requested the pledge of any member of the General Assembly directly or conditionally and no persons has told me he or he will do so on my behalf.

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

I have not requested any third parties to contact General Assembly members on my behalf formally or informally. Thus far I have not done any campaigning.

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) Walter Wilson, [REDACTED]

(b) James C Campbell, [REDACTED]

(c) Susan Weber, [REDACTED]

(d) J. Robert Lybrand, [REDACTED]

(e) Jamie Bilton, [REDACTED]

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

Yes, Facebook and LinkedIn.

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

George McFaddin

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 Facebook only to stay in touch with high school and college acquaintances or friends. I DO NOT comment about or post anything related to politics, religion, social events or even Clemson Carolina sports. I DO NOT "friend" all persons who seek to be "friended" and I often "unfriend" or stop following persons who post offensive or controversial comments. Regarding LinkedIn, I rarely look at that social media platform or use it.

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) There are none. Only member of my church and the SC Bar.
 - (b)
 - (c)

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.

Regarding positive factors, I have served as a magistrate judge for four years, a family court judge for fifteen years, and now have served as a circuit court judge for almost four years. I have considerable bench experience and have learned a lot about being a judge. I strive to treat all persons in court and out of court with respect and patience. I care about my job and my rulings.

On the negative side, I candidly state that I do not know everything. To this day I am still learning more about the law from rulings from our appellate courts and from the lawyers who appear in front of me.

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: _____