



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

Court, Position, and Seat # for which you are applying: Circuit Court At-Large Seat 6

1. Name: Mr. William Henry Seals, Jr.
Mrs.
Ms.

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.) Circuit Court Judge as above listed

Home Address: [REDACTED]

Business Address: 103 N. Main St., Marion, S.C. 29571

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]
(office): 843-423-0446
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1961
Place of Birth: Marion, S.C.
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. May 12, 1990, Phoebe Anderson Richardson Seals, homemaker

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

(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. NA

(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]
[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.

Charleston Southern University (1979-1983) BS Degree

University of South Carolina (1984-1987) MBA Program. No degree obtained as I started law school

Cumberland School of Law, Samford University (1987-1990) J.C. degree

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.

Moot Court Competition Finalist 1989-1990

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.

SC 1990 – passed bar first time

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.

1987-1989, during summer months of law school, I worked for my father's law firm, Seals and Brogdan. 1990-1993, worked for my father's partner, Jim Brogdan (my father deceased). During this time I practiced all areas of law, as Seals and Brogdan continued being a general practice law firm. 1993-2009, I opened my own practice, Seals Law Firm, and maintained a general practice of the law. 1996-2009, I was elected by the Marion City Council as Municipal Court Judge. I held this position while continuing my law practice. During this time, I received the Marion City Anonymous Committee Award in 2011, for my service as Municipal Court Judge. 2009 to present, I was elected to the position of Circuit Court Judge, At-Large, Seat 6. I have been appointed Chief Administrative Judge of both the civil and criminal in both

the 15th and 12th circuit's numerous times. Also, I have been appointed by the Chief Justice to serve as a business court judge. I have also volunteered when needed to take exclusive jurisdiction for complex civil litigation. In addition to the above, I am a current board member on the South Carolina Supreme Court Commission on CLE's and Specialization.

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.

Marion Municipal Court Judge, elected by City Council Marion SC, (1996-2009) with jurisdiction for criminal and traffic misdemeanors. Circuit Court At-Large Seat 6 (2009-present) which is a court of general jurisdiction.

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.

- 1- Nationwide Insurance Company of America v. Kristina Knight, individually and as Personal Representative of the Estate of Daniel P. Knight (Appellate Case No. 2017-001348. This was a declaratory judgment action to determine whether underinsured motorist (UIM) coverage exists under a family automobile policy. In this case, Knight seeks to collect UIM coverage even though the decedent was expressly excluded from coverage. Knight argues to deny this coverage would violate public policy. The Court found that an insurance policy is a contract. UIM coverage is additional optional coverage. S.C. code section 38-77-340 allows for the intentional exclusion of a resident's relative from liability coverage. The Court of Appeals, COA, thus found that not to allow same for UIM would impose forced construction of the statute regardless of public policy. The COA stated that any statute must be given its plain and ordinary meaning without resorting to subtle or forced construction. The purpose of the statute is to alleviate the owner of a family policy who has a good driving record from being forced to pay a high premium because of another family member with a bad driving record. This case involved the analysis of a S.C. statute in conjunction with public policy.
- 2- The Spriggs Group, PC v. Gene R. Slivka (Appellate Case No. 2015-001457). This case was an action for foreclosure of a mechanics lien and breach of contract. In this case, The Spriggs Group prevailed on the mechanics lien. Thus pursuant to S.C. statute, it moved for an award of attorney's fees which were ordered by the court in a large sum. The Order of attorney's fees was reversed based on the large amount, but then was subsequently reversed and the Court ordered sum affirmed. The Order allowed same stating that the Court did not abuse its discretion as it properly analyzed the 6 factors as set out in Jackson v. Speed, 326 S.C. 289.
- 3- The State v. Myrone A. Cannon (Appellate Case No. 2016-001954). In this case, Cannon argues that the Court erred by denying his motion for a directed verdict stating that there was not enough substantial circumstantial evidence for the jury to convict, and that the Court erred by allowing Sgt. William Joe Nida to testify as to the street value of drugs into evidence. The COA found that there was substantial circumstantial evidence. However, of most interest, was the fact that the COA found that the issue regarding the testimony of Sgt. Nida was not preserved at trial. At trial the attorney objected on the grounds of relevance. On appeal the attorney argued that it was improper character testimony. The COA stated that a party may not argue one ground at trial and an alternative ground on appeal.

- 4- Christy Byrd, as Next Friend of Julia B, a minor v. McLeod Physician's Associates II & Dr. John B. Browning (Appellate Case No. 2016-001551). In this medical malpractice case Byrd argued that the Court erred in denying her motion for a new trial and \or judgment notwithstanding the verdict (JNOV). Specifically the Court erred in declining to find the obstetric emergency statute inapplicable as a matter of law. This statute states if the physician can prove that the claim arises out of a genuine emergency situation, and that the patient is not medically stable, and that the patient was under an immediate threat of death or serious bodily injury then the plaintiff's burden of proof rises to the level of gross negligence. The COA found some evidence of all three thus submitting same to the jury was proper as was denying the post-trial motions.
- 5- The State v. Darrell Lee Burch (Appellate Case No. 2012-213215). In this case, the law enforcement executed a search warrant on a particular location. Burch was present with his hands in his pockets. When asked to remove his hands he declined thus officers forcefully removed his hands and he was frisked. Drugs were found on his body. Burch argues that this was beyond the scope of the search warrant to search the house – not his person. The COA stated that when executing a search warrant the police may detain the occupants until the search is complete. Also the police may use reasonable force to effectuate detention of occupants during the execution of the search. Thus order and safety are effectuated during the search. The COA stated that the drugs were properly obtained by law enforcement pursuant to these parameters when Burch refused to comply.
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. Circuit Court, SC 1990-present
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.
 Speaker at SC Bar Sporting Clays \ Ethics with Judges CLE
 Speaker at Criminal Law 101CLE
 Speaker at SC Solicitors Association Conference
 Speaker at Jury Trial Charges CLE
 Speaker at Horry County Bar Association on Civility in the Courtroom CLE
 Speaker at Hot Topics in Civil Trial Practice CLE
 Speaker at Round Table Discussions CLE
 Speaker at Judges Panel Discussions CLE
 Speaker at Horry Bar Association on Fast Track Jury Trials
22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years. (see the attached)
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.) NA
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. BV
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) Marion County Bar (1990 –present) (no offices)
 - (b) South Carolina Bar Association (1990-present) (no offices)
 - (c) South Carolina Circuit Court Judges Association (1990-present)(secretary)
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
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. I have been a full time circuit court judge only.
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. 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: (see attached confidential financial statement)
- (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.)

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. No
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? None
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.

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. None

- 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 Merrill Lynch statement)
- 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. In the early 1990's, when I was a practicing attorney, an action was instituted to set aside a will or deed. In this regard, the plaintiff erroneously named me as a defendant instead of naming me as a witness to testify as to the competency of the grantor. I was dismissed from the case. Also an action was brought by a pro se plaintiff against the Korn Law Firm, Wachovia, and others in the early 1990's which included my firm, by a plaintiff that was foreclosed on and the property was sold at the courthouse steps pursuant to the foreclosure order. The pro se plaintiff joined everybody in any way connected with the foreclosure action including my firm since my firm was hired to place the bid. The action was subsequently dismissed. Also there was a prison conditions lawsuit filed in Federal Court by Frederick Williams in 1999 against the Marion Police Department, Captain H.D. Feagin of the Marion Police Department and myself as Municipal Judge. The lawsuit was never served on me and was dismissed. Also another prison conditions lawsuit was filed in Federal Court by Lavern Garner in 2003 against 65 defendants including several doctors, the police department, the sheriff's department, DSS, the Governor, and the President of the United States, several correctional facilities, as well as many others and myself. This case was never served on me and was also 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.
NA

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) Ashley Brady [REDACTED]
 (b) Ralph Atkinson [REDACTED]
 (c) Gordon McLellan [REDACTED]
 (d) Cindy Richardson [REDACTED]
 (e) Charles Jones [REDACTED]

56. Are you active on or a member of a social media or Internet site such as, Facebook, LinkedIn, Twitter, Instagram, etc.? No

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

How would your use of social media or other similar types of Internet sites be affected if you were serving in a judicial capacity?

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. None

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 participated in high school mock trials as a Judge. In that regard, I used my influence to further the students' interest in the law, and promote civility in the courtroom. Furthermore, I have participated on the Civil Docket Task Force in hopes of using my influence to improve the civil dockets in S.C. Also I raised a work force of other judges and lawyers to partner with SCDOT, and the National Guard, at the request of Col. David S. Gayle, to volunteer as a part of the Floodwater Commission's

National Security Task Force on cleaning ditches and canals to improve water drainage in Nichols, S.C.

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: _____