

JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE
2020



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

Circuit Court, Thirteenth Judicial Circuit, Judge, Seat Three

1. Name: Mr. Steven Edward Buckingham

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

Are you currently serving in some capacity as a judge? If part-time, please note.
(Includes Municipal, Magistrate, Etc.) No.

Home Address: [REDACTED]

Business Address: 16 Wellington Avenue, Greenville, SC 29609

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]
(office): 864.735.0832
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1981
Place of Birth: Johnson City, TN
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.
 - (b) If married, state the date of your marriage and your spouse's full name and occupation.
 - (c) If widowed, list the name(s) of spouse(s). N/A
 - (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. N/A
 - (e) State the names of your children and their ages. If your children are old enough to work, include the occupation of each child. N/A

Family Status: Married on May 5, 2012 to Caitlin Elizabeth Buckingham (nee Coyle).
Never divorced; no children.

My wife is employed as follows: Program Coordinator, Medical Legal Partnership, Institute for the Advancement of Community Health, Furman University; also Student, Johns Hopkins University, pursuing her Masters in Public Health.

7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
- (a) College: Furman University
September 1999-June 2003
B.A., Political Science, Magna Cum Laude, Phi Beta Kappa
 - (b) Law School: University of Richmond School of Law
August 2003-May 2006
Juris Doctor, Magna Cum Laude
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.
- (a) University of Richmond Law Review, Member of Editorial Board, 2004-2006
Editor-in-Chief, May 2005-May 2006
Editor, May 2004-May 2005
 - (b) University of Richmond School of Law, Teaching Assistant, Property, 2004 & 2005
 - (c) University of Richmond School of Law, Moot Court Team, Fall 2004

- (d) University of Richmond School of Law, McNeill Law Society, August 2004-May 2006
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.
- (a) South Carolina, admitted November 2006 (Took Bar Exam 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.

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.*

- (a) September 2006-September 2007: Served as a law clerk to the Honorable James R. Spencer, Chief United States District Judge for the Eastern District of Virginia, in Richmond, Virginia. Advised as to the disposition of civil and criminal motions and criminal sentencing matters; analyzed memoranda filed in furtherance of pending civil and criminal matters and conducted independent research of applicable law; prepared orders and opinions of the Court.
- (b) September 2007-June 2008: Employed as an associate attorney with Nelson, Mullins, Riley & Scarborough, LLP in Greenville, South Carolina. Practice focused mainly on civil litigation, with particular emphasis on business and commercial disputes.
- (c) June 2008-August 2008: Served as a temporary law clerk to the Honorable Henry M. Herlong, Jr., United States District Judge for the District of South Carolina, in Greenville, South Carolina. Advised as to the disposition of civil and criminal motions and criminal sentencing matters; analyzed memoranda filed in furtherance of pending civil and criminal matters and conducted independent research of applicable law; prepared orders and opinions of the Court.
- (d) September 2008-February 2011: Employed as an associate attorney with Nelson, Mullins, Riley & Scarborough, LLP in Greenville, South Carolina. Practice focused mainly on civil litigation, with particular emphasis on business and commercial disputes.

- (e) March 2011-December 2013: Employed as an associate attorney with Gallivan, White & Boyd, P.A. in Greenville, South Carolina. Practice focused mainly on civil litigation, with particular emphasis on business and commercial disputes.
- (f) December 2013-September 2014: Employed as a partner with Gallivan, White & Boyd, P.A. in Greenville, South Carolina. Practice focused mainly on civil litigation, with particular emphasis on business and commercial disputes. Upon election to partner, I took on some, but not significant, management functions, as those functions were largely handled by the Firm's executive committee.
- (g) September 2014-December 2015: Employed as an attorney with the Perkins Law Firm, LLC in Greenville, South Carolina. Practice focused mainly on civil litigation, with particular emphasis on business and commercial disputes. Had some, but not significant, management functions, as those functions were largely handled by Mr. Perkins.
- (h) January 2016-Present: Self-employed as an attorney with the Law Office of Steven Edward Buckingham, LLC. Practice focuses mainly on civil litigation, with particular emphasis on business and commercial disputes. I exercise total oversight of all management functions, including but not limited to management of the Firm's trust account.

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.

N/A

- (b) If you are a candidate for Circuit Court, please provide a brief written description of your experience in criminal matters, including any cases handled over the past five years, and include a brief description of the issues involved. Further, please provide a brief written description of your experience in civil matters, including any cases handled over the past five years, and include a brief description of the types of matters handled, issues involved, and procedural history. Please include information such as the primary areas in civil court in which you practice, 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.

Criminal Experience

The vast majority of my direct criminal experience was acquired during the time that I spent as a law clerk to Judge Spencer and Judge Herlong, through which I participated in several criminal trials and dozens of criminal sentencings.

In terms of direct criminal experience as a practicing attorney, that is limited primarily to my participation in the appeal of State v. Graddick, Appellate Case No. 2013-2665, which I handled in connection with the Office of Indigent Defense's Appellate Practice Project. The case involved the appeal of a conviction for armed robbery, and presented issues involving the federal Sixth Amendment right to cross-examination of adverse co-conspiratorial witnesses (who were unavailable to testify due to invoking their Fifth Amendment right to refrain from providing self-incriminating testimony), as well as Rules 403 and 404, SCRE, pertaining to evidence that is substantially more prejudicial than probative and propensity for criminal conduct, respectively.

In terms of indirect criminal experience as a practicing attorney, I have litigated several business cases involving embezzlement, theft of property, and theft of trade secrets, which have intersected with the criminal bar. I have also been appointed, primarily by federal courts, on several occasions to represent indigent defendants (generally incarcerated) in their civil claims against the South Carolina Department of Corrections for circumstances arising from their incarceration.

Civil Experience

The vast majority of my experience as a private practitioner has involved civil litigation. Beginning with my clerkship in 2006, I have personally participated in hundreds of civil cases at various stages of their lifespan, including more than a dozen trials, many of which I have personally conducted. As a law clerk, the most significant case in terms of amount in controversy that I have participated in involved several billion dollars; as a private practitioner, several tens of millions. Presently, and for the past five years, most of my cases involve amounts in controversy ranging between \$50,000-\$500,000. However, I regularly litigate cases—and presently have several cases—where the amount in controversy exceeds \$1 million. Because of the nature of business litigation, I routinely represent both plaintiffs and defendants.

Over the course of my career thus far, I have handled civil cases from as early as their inception to as late as perfecting appeals with the South Carolina Supreme Court. Relatedly, on the federal side, I have litigated dozens of cases, and have personally taken one appeal of a case I tried to the Fourth Circuit. In both state and

federal court, I have prepared and filed pleadings, preliminary motions, motions for temporary and preliminary injunctive relief, and for summary judgment; I have also conducted extensive amounts of written discovery and depositions; I have participated in more mediations than I can remember. I have also conducted six mediations for which I served as the mediator.

In terms of trial experience, in 2013, I personally tried a case in York County before Judge Kimball, in which my client—a bank—was litigating with another bank over which had priority in a mortgage foreclosure action. In 2015, I personally tried a case in Horry County before Judge Howe, in which my client—who sold a restaurant—was seeking to collect the balance due on the transaction from the buyer. The primary issue in this case was the imputation of contractual liability from the buyer (an LLC) to its sole member. Both of these cases were tried without a jury.

In 2016, I personally tried a case in federal court in Greenville County involving the religious freedom rights of an inmate who was, at the time of the wrongful conduct complained of, incarcerated at Kershaw Correctional Institution. At that time, to the best of my knowledge, I was the only lawyer in the United States who had ever tried a case under the federal Religious Land Use & Institutionalized Persons Act, as these types of cases are typically resolved at summary judgment. Later in 2016, I was lead trial counsel in a case tried in federal court in Buncombe County, North Carolina involving trademark infringement under the federal Lanham Act. Both of these cases were tried to a jury.

More recently, if the cases I handle are not resolved through mediation (which are the vast majority), they tend to be referred to arbitration. In 2019, I litigated a case involving a South Carolina public charter school from inception to the final arbitration hearing, and am presently challenging the legitimacy of those proceedings in South Carolina Circuit Court. The issues I am challenging involve whether and to what extent a South Carolina state actor—like a public charter school—is subject to the jurisdiction of an arbitration panel. I have three other business cases that will be arbitrated between now and the end of the second quarter in 2021.

With regard to my presence in Circuit Court, I am there frequently. Pre-COVID, it was not unusual for me to be in Circuit Court in Greenville County several times a month. I have appeared before each Circuit Court judge on multiple occasions. I am in federal court less frequently, not because I have fewer cases there, but generally because federal judges tend to hold fewer hearings on motions.

Additional Relevant Experience

I have spent a significant amount of time both learning how to try cases effectively and teaching others how to do so. In 2010, I attended the South Carolina Defense Trial Attorneys week-long Trial Academy. In 2013, I attended the week-long Trial Academy hosted by the International Association of Defense Counsel at Stanford

University. From 2007 until 2013, I coached Furman University's award-winning college mock trial teams. And, each May from 2011 until 2016, I taught an undergraduate course at Furman on Trial Advocacy.

More recently, I have endeavored to hone my negotiation and dispute-resolution skills. In 2017, I completed the South Carolina Bar's week-long mediator certification program. In 2018, I attended the three-day intensive Advanced Negotiation Strategies workshop hosted through the Harvard Extension School in Cambridge, Massachusetts.

Further Experience

On balance, and without question, I have less relevant direct experience as a criminal practitioner. In the event I am elected to serve as a judge, I would endeavor to learn as much about the practice of criminal law and procedure in South Carolina as I reasonably could. Not only would I read every respectable treatise available through the South Carolina Bar, I would spend time talking with my friends in the criminal bar—both solicitors and defense attorneys—to understand how criminal law is practiced in our State.

- (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.

N/A

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

N/A

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: Despite having cases fairly consistently in federal court, I would only be required to appear for hearings in federal court once every few months.
- (b) state: Generally several times per month.
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: 99%
- (b) criminal: <1%
- (c) domestic: <1%

(d) other: 0%

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: <1%

(b) non-jury: <2%

All my other cases resolved by mutual agreement prior to trial or arbitration, whether through mediation or otherwise.

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

Almost always, I serve as sole counsel for my clients.

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) In re: [Anonymous]. In this case, the client—a 4 year old—witnessed his father brutally murder his mother. The family were Indian immigrants. Because of immigration regulations, upon mother's death, the father and child were subject to immediate deportation. Through the representation, and in coordination with federal offices and agencies, the father's parental rights with respect to the child were terminated, the child was placed in the home of his maternal uncle, who had just attained U.S. Citizenship, and the child was ultimately adopted and attained his own U.S. Citizenship.

(b) In re: [Anonymous]. In this case, the clients were the wife and step-daughter of a local law enforcement officer who specializes in drug interdiction. Wife and daughter immigrated from a Latin American country legally, where they were threatened with execution at the hands of a certain drug cartel, but subsequently lost their lawful status and were facing deportation. Had they been deported, husband would have followed, which would likely have resulted in the execution of all three individuals. Through the representation, and in coordination with federal offices and agencies, the wife and daughter attained lawful status as U.S. residents, and the husband continues to interrupt drug and human trafficking in South Carolina.

(c) Plummer v. Riley; rights of religious freedom in penal institutions. Plaintiff, an inmate at a South Carolina correctional institution, brought suit under the First Amendment and a separate federal religious freedom statute to declare that the prison's chaplain violated his rights of religious freedom by unreasonably restricting his ability to attend the worship services and religious study groups of his choosing.

- (d) Ahmad v. Belangia; voting rights. Plaintiffs were students at a local university who were prohibited from registering to vote in the 2016 general election by the Greenville County Election Commission. On behalf of Plaintiffs, I obtained a preliminary injunction directing the Commission to register the Plaintiffs to vote.
 - (e) Newton v. James; First Amendment. Plaintiff was the branch manager of a local library system who was terminated from his employment for failing to prohibit a group of citizens from using library facilities. Suit was filed, and a settlement was reached shortly thereafter.
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) Theisen v. Theisen, 394 S.C. 434, 716 S.E.2d 271 (S.C. 2011)
 - (b) Hollman v. Woolfson, 404 S.C. 385, 745 S.E.2d 105 (S.C. 2013)
 - (c) Plummer v. Riley, Case No. 16-6340 (4th Cir. Jan. 31, 2018)
 - (d) Granatino v. SCDOT, Case No. 2018-2166 (S.C. Ct. App.) (pending)
 - (e) Associated Receivables Funding, Inc. v. Classic Indus. Servs. Inc., Case No. 2020-320 (S.C. Ct. App.) (pending)
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) State v. Graddick, Op. No. 2017-UP-201 (S.C. Ct. App. May 17, 2017)
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.
- No.
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)
 - (b)
 - (c)
 - (d)
 - (e)
- N/A
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 State Courts, admitted Nov. 13, 2006

- (b) United States District Court for the District of South Carolina, admitted Jan. 23, 2008
 - (c) United States District Court for the Western District of North Carolina, admitted pro hac vice Aug. 29, 2015
 - (d) United States Court of Appeals for the Fourth Circuit, admitted May 23, 2007
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.

Yes, as follows:

- (a) Furman University, Trial Advocacy (Greenville, SC, Each May, 2011-2016) (undergraduate course designed to teach students the basic aspects of trial advocacy)
 - (b) South Carolina Bar Association, It's All a Game: Top Trial Lawyers Tackle Evidence (Columbia, SC, Feb. 2018) (lecturer on trial strategy of evidentiary objections)
 - (c) South Carolina Bar Association, Law School for Non-Lawyers (Greenville, SC, Mar. 2012) (lecturer on structure, organization, and jurisdiction of state and federal courts)
 - (d) Association of Corporate Counsel, Privatizing Public Business: Ethics in Pursuing & Protesting Government Contracts (Greenville, SC, Feb. 2012) (ethics lecturer)
 - (e) SCDTAA Corporate Counsel, Joint Defense Agreements: Strategy, Ethics & Practicality (Greenville, SC, Sept. 2011) (ethics lecturer)
22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.

Please refer to the documents provided herewith as **Attachment 22**.

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

The Kelo Threshold: Private Property & "Public Use" Reconsidered, 39 U. Rich. L. Rev. 1279 (2005).

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.)

Please refer to the documents provided herewith as **Attachment 24**, which consist of:

- (a) An initial opening brief that I prepared and filed on July 13, 2020 in Associated Receivables Funding, Inc. v. Classic Indus. Servs., Inc., Case No. 2020-320 (S.C. Ct. App.); and,
 - (b) A memorandum in opposition to a motion for summary judgment that I prepared and filed on January 5, 2015 in Plummer v. Riley, C.A. No. 2:12-cv-3412 (D.S.C.).
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.
- (a) Martindale-Hubbell, Peer-Rated AV (Preeminent), 2013-Present
 - (b) Best Lawyers, 2019-Present
 - (c) Super Lawyers, South Carolina, 2020
 - (d) Super Lawyers, Rising Star, South Carolina, 2014-2019
 - (e) U.S. News & World Report, Best Law Firms, South Carolina, 2020
 - (f) Greenville Business Magazine, Legal Elite, 2016-Present
 - (g) America's Top 100 Bet-the-Company Litigators, South Carolina, 2019-Present
 - (h) America's Top 100 High-Stakes Litigators, South Carolina, 2019-Present
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 Association, Nov. 2006-Present
Member, House of Delegates, June 2018-June 2020
 - (b) Greenville County Bar Association, Nov. 2006-Present
 - (c) American Inns of Court / Haynsworth-Perry Chapter, Apr. 2013-Present
President, Sept. 2019-Present
Treasurer, Sept. 2017- Sept. 2019
Programs Chair, Jan. 2015- Sept. 2017
Young Lawyer Liaison, Apr. 2013-Dec. 2015
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.

N/A

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.

Yes, although not since 2005. Since the question is written so broadly, I will endeavor to provide a comprehensive work history from 2005 going earlier.

- (a) Summer 2005: Summer law clerk for Nelson Mullins Riley & Scarborough, LLP and Haynsworth Sinkler Boyd, P.A. (both in Greenville, SC)
 - (b) Summer 2004: Summer law clerk for Baker Donelson Bearman Caldwell & Berkowitz, P.C. (in Johnson City, TN) and an intern for the Honorable James P. Jones, United States District Judge for the Western District of Virginia (Abingdon, VA)
 - (c) Summer 2003: Instructor for Furman University's mock trial camp
 - (d) Summer 2002: Intern for the Honorable Debora A. Faulkner, Probate Judge, Greenville County, SC
 - (e) Summer 2001: Research Intern for Professor Dorianne K. Norwood, Furman University
 - (f) Summer 2000: Intern for the Department of Economic Development, City of Greenville, SC
 - (g) Summer 1999: Night DJ at local radio station (Gray, TN); Waiter at Capone's Italian Restaurant (Johnson City, TN)
 - (h) Summer 1998-Prior: Mowing my parents' and grandparents' lawns.
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.

- (a) I am the president and sole member of my law firm, The Law Office of Steven Edward Buckingham, LLC. I have occupied this role since January 1, 2016.
 - (b) I am a member of the Board of Directors of the Greater Greenville Chamber of Commerce, a non-profit organization, for which I also serve as General Counsel, which is an officer-level position. I have served on the Chamber Board since January 2016, and have served as General Counsel since January 2017.
 - (c) By virtue of my role with the Greater Greenville Chamber of Commerce, I am also a member of the Board of Directors for the Greenville Chamber Foundation, Inc., a non-profit organization. I have served on this Board since January 2017.
 - (d) I am a member of the Board of Directors for The Warehouse Theatre, a non-profit organization. I have served on this Board since August. 2019.
 - (e) I am a member of the Board of Directors for Rebuild Upstate, a non-profit organization. I have served on this Board since January 2017.
 - (f) I am a member of the Board of Directors for All Good Things, Inc., a non-profit organization, for which I also serve as Vice-President and Secretary, which are officer-level positions. I have served on this Board since June 2017.
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 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.

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

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.

(a) Senator Ronnie A. Sabb, May 19, 2020, \$250.00

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.

In my capacity as a private practitioner focusing on business and commercial litigation, I have represented a number of individuals and businesses who reside in the Thirteenth Judicial Circuit. I have also been extensively involved in the business and charitable communities. Therefore, it is reasonably likely that, if I am elected as a judge, I will be presented with personal or professional relationships that may constitute actual or perceived conflicts of interest. To resolve these conflicts, I would allow my analyses to be guided by Rules 3(E)&(F), CJC, Rule 501, SCACR.

More specifically, if I am presented with a matter in which I have personal knowledge of relevant facts, or have performed legal work that forms the basis of the dispute, or in which I have an economic interest in the dispute that is more than de minimis, or am married or closely related to a party or material witness, then I will raise those circumstances, on the record, to the parties and their counsel. Furthermore, if I perceive that my participation in the matter could, to an ordinary jurist, call my impartiality into question, then I will disqualify myself from further participation in the matter. If, however, I do not perceive a reasonable impairment to my capacity to remain impartial, I would nonetheless invite the parties and their counsel to discuss the matter—outside my presence—to determine whether they perceive such an impairment. If a party does perceive an impairment, and the basis for their concern as to my impartiality is objectively reasonable, then I will invite those parties to waive the conflict; otherwise, I would recuse myself. If, however, a party perceives an impairment, but the basis for their concern does not seem objectively reasonable, then I will invite that party to place their concerns as to my impartiality on the record, but will proceed to resolve the matter notwithstanding the objection.

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.

The only potential conflict of interest I can presently imagine would involve a condemnation action against the land on which my personal residence is located, or a dispute regarding the provision of public utilities to my residence. The address of my residence is 405 N. Main Street, Greer, SC 29650. According to the Greenville County Tax Assessor's Office, my personal residence is valued at approximately \$251,000. My personal residence is abutted, on the eastern boundary, by South Carolina Highway 14. Furthermore, there is a public sidewalk between my property and the Highway; I presume the value of the sidewalk exceeds \$200, but it has been in place for decades. I have not sold, leased, or rented any property to any local public agency in South Carolina, nor do I have any plans to do so.

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.

N/A

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.

N/A

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

N/A

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.

No.

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.

Yes, I am covered by professional liability insurance, and to my knowledge, have been the entirety of the time I've been engaged in private practice. Currently, my professional liability carrier is ALPS; the policy limit is for \$1,000,000.00, and my deductible is \$2500.

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.

I have not requested any third parties to contact members of the General Assembly on my behalf. Thus far, the only "campaigning" effort I have engaged in is attendance at the Greenville County Legislative Delegation Meeting on July 13, 2020 to introduce myself to the members of the Delegation and to state my intent to run for the judicial seat which I am seeking.

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. By way of full disclosure, Senator Sabb called me on July 7, 2020. I had submitted my notice of intent to seek judicial election during the afternoon of the day before, July 6, 2020. To the best of my knowledge and information, at the time of his call, Senator Sabb did not know that I had submitted my notice of intent. Senator Sabb has been a personal friend of mine for nearly five years, since our time in Leadership South Carolina together, and he was calling because he thought that I had left my practice to join another law firm, which was not correct. During our call, which lasted four minutes, we did not discuss my candidacy or my intention to become a candidate for this judicial office; immediately prior to the end of the call, I advised Senator Sabb that I had filed my notice of intent the day before, but we did not discuss the candidacy in any way, shape, or form. Our call then concluded.

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) Thomas W. Traxler, Esq.
 - (b) Frank Eppes, Esq.
 - (c) Phillip Kilgore, Esq.
 - (d) Jill Rothstein, Esq.
 - (e) W. Carlos Phillips

Please refer to the letters enclosed herewith as **Attachment 55.**

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

Yes.

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

Facebook: Steven Buckingham
Twitter: SEBuckEsq
LinkedIn: Steven Edward Buckingham

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

My activity on Twitter and LinkedIn would probably be unaffected. I rarely use LinkedIn for any purpose. I rarely use Twitter to post any content; instead, I use the platform for keeping up with late-breaking news.

Historically, I have been more active on Facebook. However, now that I have declared my intent to seek election to a judicial seat, and certainly, in the event that I am elected, I must be far more mindful of anything I may post to Facebook which would suggest impartiality or the appearance of impartiality. I presume that Facebook, for me, will become a platform for posting pictures of my family, my dogs, or any fish I might catch.

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) Greater Greenville Chamber of Commerce, Member of the Board of Directors & General Counsel
 - (b) Greenville Chamber Foundation, Inc., Member of the Board of Directors
 - (c) Leadership South Carolina, Participant in Class of 2016
 - (d) Leadership South Carolina Alumni Association, Member of the Board of Directors
 - (e) Leadership Greenville, Chairman of the Class Selection Committee, Vice-Chairman of the Class Selection Committee
 - (f) Riley Institute, Diversity Leaders Initiative, Member, Class XXIII
 - (g) The Warehouse Theatre, Member of the Board of Directors
 - (h) Rebuild Upstate, Member of the Board of Directors & Past Chairman
 - (i) American Inns of Court / Haynsworth-Perry Chapter, Member, President, Treasurer, Programs Chairman, and Young Lawyer Liaison
 - (j) South Carolina Bar Association, Member and Member of the House of Delegates
 - (k) Greenville County Bar Association, Member
 - (l) All Good Things, Inc., Member of the Board of Directors, Vice-President, and Secretary
 - (m) Federal Bar Association, Member
 - (n) South Carolina Lawyers Weekly, Leadership in Law Award
 - (o) Greenville Business Magazine, Best & Brightest 35 & Under
 - (p) Dancing with the Carolina Stars, Competitor
 - (q) Honorable Order of the Kentucky Colonels
 - (r) Honorable Order of the Tennessee Aides de Camp
 - (s) Greater Greenville Chamber of Commerce, Chairman's Award
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.

As I read the Judicial Merit Selection Commission's memorandum on evaluative criteria, I was surprisingly moved by its description of the qualities that an ideal judicial candidate should possess. I was moved not so much by the comprehensive list of characteristics that the Commission seeks, but much more so by the fact that I have had the privilege of knowing judges who lived up to those lofty aspirations. In fact, I worked for one, and was friends with another. Candidly, I had forgotten how much those experiences meant to me until I was in the midst of completing this application.

As a judge, I would hope that I could give younger lawyers a fraction of the inspiration those judges gave me, just by watching them work. I would hope that I could command a courtroom so quietly, as they did, by my mere presence. I would hope that I could project a sense of unshakeable fairness to those who appeared before me. I would hope that I, like them, could give a sense of peace to folks in their darkest hours, even as I may impose significant terms of incarceration. I would hope that I, too, could build a family of clerks and colleagues who will go on to lead noble lives in the law.

I may never live up to the Commission's aspirations and the examples that were set for me. But that is not a reason not to try.

I appreciate your consideration of this application, and am grateful for the opportunity provided.

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: _____