



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

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

1. Name: The Honorable James B. Jackson, Jr

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

Yes, Master-in-Equity, Orangeburg County, Part-time

Home Address: [REDACTED]

Business Address: 151 Docket Street, Orangeburg, SC 29115

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]
(office): (803) 533-6286
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1955
Place of Birth: Orangeburg
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.
July 23, 1977 Cynthia Martin Jackson, Retired
 - (c) If widowed, list the name(s) of spouse(s).

(d) If you have ever been divorced or are in the process of obtaining a divorce, state the date, name of the moving party, court, and grounds. 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.



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) Emory & Henry College, Emory, VA 1973-1977
Bachelor of Arts Degree in Political Science and Business and Economics

(b) University of South Carolina School of Law, 1977-1980
JD 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.

- (a) Student government council for two years (1973-1977)
- (b) Sigma Alpha Kappa Fraternity (1973-1977) held most of the leadership positions.
- (c) Emory & Henry golf team
- (d) Chairman of the elections commission (1979-1980).

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, 1980

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.

(a) Thomas O. Lawton, Jr. September 1980 – January 1983: I first began working with Mr. Lawton in Allendale, SC in September of 1980 after taking the bar examination, but prior to receiving my bar examination results. I continued to work for Mr. Lawton from October of 1980 through January of 1983. This was a general practice of law in a small town where I did criminal work, civil work, and work in the family courts. I also had the opportunity to appear in the Magistrate's Court and before the Master-in-Equity on numerous occasions during this time. I

had no responsibility for management of the office or the trust account as I was an employee of Mr. Lawton.

- (b) Jackson Law Firm February 1983- December 1987: In February of 1983, I opened my own office in Orangeburg, SC where I practiced by myself through December of 1987. This was also a general practice of law in which I did work in the family courts, civil courts and criminal courts. I also appeared numerous times before the Master-in-Equity for Orangeburg County. As a sole practitioner, I had total responsibility for managing the law firm and the trust account.
- (c) Public Defender for Orangeburg County (part-time) April 1984 - December 1988: I was employed as a part-time Public Defender for Orangeburg County and continued in the private practice of law. I had no responsibility for any management or any trust accounts as Public Defender.
- (d) First Judicial Circuit Solicitor's Office – Assistant Solicitor January 1, 1988 – December 1989: I became employed with the Office of the Solicitor for the First Judicial Circuit, where I worked full-time through December of 1989. During this time period, I tried numerous criminal cases ranging from driving under the influence cases to murder cases. I had no management duties or trust account responsibilities as Assistant Solicitor.
- (e) Yarborough, Hutto and Jackson January 1990 – September 2007: On January 1, 1990 I entered into partnership with F. Hall Yarborough and Ronald E. Hutto in the firm of Yarborough, Hutto & Jackson where I practiced until September 30, 2007. During this time I continued to work in a general practice of law, which included all of the litigation that was done by this firm. I litigated cases in Civil Court, Probate Court, Magistrate's Court, General Sessions Court, and before the Master-in-Equity. As a partner, I did have joint responsibility for management of the law firm and the trust account.
- (f) Nester and Jackson October 2007-December 2017: October 1, 2007, I entered into practice with Ronald L. Nester, Sr. in the firm of Nester & Jackson where I practiced until December 2017. I continued to be involved in a wide variety of cases as a general practitioner and continued to practice law in Civil Court, General Sessions Court, Family Court, and Probate Court. As a partner, I did have joint responsibility for management of the law firm and the trust account.
- (g) Jackson Mediation – January 2018 – present: Since I am a part-time Master-in-Equity, I now work out of my house as a Civil Court and Family Court Mediator on a part-time basis.

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.

Yes, I currently hold the office of Master-in-Equity for Orangeburg County, and I have been serving in that capacity since March 1st, 2013. I was appointed by Governor Haley to complete the term of The Honorable O. Davie Burgdorf, and I continue to serve in that position. I am now seeking re-election to that position. Additionally, I have also been appointed as a Special Circuit Judge by Chief Justice Donald W. Beatty.

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) Johnnie Way; Maxine Gore v. Barbara Koger 2018-CP-38-01234
 - (b) Rufus Rivers and Merle Rivers v. James Smith, Jr. 2018-CP-38-01016
 - (c) Elaine Glover, et al v. The heirs of Lahorne Glover, et al 2018-CP-38-00596
 - (d) Jennifer Middleton, GAL for Jane Doe v. Orangeburg Consolidated School District Three 2012-CP-38-01314 - Appellate Opinion 2016-UP-189
 - (e) Le Feather, LLC and Son Van Le v Tuyet L. White 2012-CP-38-00453 - Appellate Opinon 2018-UP-247
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) Admitted to the South Carolina Bar in November of 1980;
 - b) Admitted to the Federal District Court Bar for the State of South Carolina in 1981;
 - c) Admitted to the Fourth Circuit Court of Appeals Bar in 1981.
21. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture.
- (a) I lectured at a National Business Institute Seminar on March 31, 2008 on the topic of Ethical Considerations in the practice of Family Law;
 - (b) I lectured at a NBIS seminar on Ethical Considerations in Child Custody, February 2009;
 - (c) I lectured at a NBIS seminar on Family Law from A to Z: Ethics on October 15, 2009.
22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years. See attached reports
23. List all published books and articles you have written and give citations and the dates of publication for each.
- I wrote an article for the seminar mentioned above, which was published in the written materials for the seminar on Ethical Considerations in the practice of Family Law.
24. Please furnish as a separate attachment, two examples of legal articles, briefs, orders, or other legal writings for which you can claim sole or primary authorship. If you cannot claim sole authorship, please explain the extent to which you are the primary author, to include a description of the other authors and their contributions. The writing samples are for the Commission's use only and will not be published. (If you are a judge and are not seeking a different type of judgeship, this question is inapplicable.) N/A
25. What is your rating or membership status, if any, by any legal rating organization; such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super

Lawyers, Million Dollar Advocates Forum, etc.? If you are currently a member of the judiciary, list your last available rating, if any.

My rating in Martindale-Hubbell is B

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
 - (b) Orangeburg County Bar Association, President 1987

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.

(a) Partner of Nester & Jackson in Santee, SC. October 2007 through December 2017. Partner was Ronald L. Nester in the general practice of law.

(b) Owner of Jackson Mediation where I work out of my house as a Circuit Court and Family Court mediator

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

I ran for Resident Judge for the First Judicial Circuit in January of 2009. I was one of the three candidates who came out of screening, but I later withdrew from consideration, and the seat was won by the Honorable Edgar W. Dickson.

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

No

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

No

32. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a "lobbyist's principal," as defined by S.C.

Code § 2-17-10(14)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.

No

33. Provide, **as a separate attachment**, a complete, current financial net worth statement that itemizes in detail:
- (a) the identity and value of all financial assets held, directly or indirectly, including, but not limited to, bank accounts, real estate, securities, trusts, investments, and other financial holdings; and
 - (b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000, including, but not limited to, debts, mortgages, loans, and other financial obligations.

(A 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?

I have no such expenditures

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.

My wife has made contributions to Jerry Govan for his re-election totaling less than \$200.00

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.

I am not aware of any financial arrangements or business relationships I have had or now have that would create any substantial conflicts of interest other than my relationships with law partners. However, when conflicts of interest arise with law partners or with former or current clients, I simply recuse myself as a judge.

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.

None

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 Attachment from Edward Jones

43. For sitting judges, have you ever accepted anything of value from an attorney or litigant in a matter currently or previously before you or your court? If so, please give the details, including the name of the attorney or litigant and the thing of value you received.

No

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

No

45. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law? If so, give details but do not include traffic violations subject to a penalty of \$125 or less. You must include any and all arrests, including, but not limited to, offenses for driving under the influence or similar traffic offenses. Include all arrests that resulted in expungement, which will be redacted. If you have questions regarding whether to include an offense, please contact the Commission.

[All answers have been received and considered by the Commission, and as noted above, any expunged matters are redacted from the record.]

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

No

47. Have you ever been sued by a client? Have you ever been a named party (personally or professionally) in or had a pecuniary interest in any civil or criminal proceedings? If so, give details, including, but not limited to, dates, and resolutions.

I was sued by a disgruntled public defender client in 1986. This client filed his own pleadings and represented himself. Ultimately, this case was dismissed on a motion for summary judgment made by my attorney. The plaintiff's complaint was that his sentence was greater than his co-defendant's in his case, which he concluded was my fault.

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.

No

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) Richard Crawford

(b) Samuel F. Reid, Jr.

(c) Lawrence Peeples

(d) Thomas E "Tripp" Kemp

(e) Ronald L. Nester, [REDACTED]

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

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

I am not active with Social Media.

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

Not at all because I am not on Social Media.

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) Orangeburg Kiwanis Club, President 1996

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.

From the time I was a small child, I remember wanting to grow up to become a judge. I have felt all my life that I would make a good judge. I have tried cases in Common Pleas Court as a Plaintiff's attorney and as a defense attorney, and I have been a prosecutor and a public defender in General Sessions Court. I have also appeared numerous times in the Orangeburg County Equity Court mostly, but also in Bamberg, Berkeley, Dorchester and Calhoun counties. As a result, I believe I am well qualified and well experienced to be the Master-in-Equity for Orangeburg County. I have served as the Master-in-Equity for seven years and four months, and I have certainly enjoyed my experience. I feel that I have done a good job as Master-in-Equity and as Special Circuit Judge and would like to continue serving in those capacities.

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: _____