



**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE
2021**

Court, Position, and Seat # for which you are applying: Charleston County Master in Equity

1. Name: The Honorable Mikell Ross Scarborough

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.) Yes. Master in Equity

Home Address: [REDACTED]

Business Address: 100 Broad St., Suite 266, Charleston, SC 29401

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]
(office): (843) 958-5074
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1958
Place of Birth: Charleston, SC
Social Security Number: [REDACTED]

3. Are you a citizen of South Carolina? Yes
Have you been a resident of this state for at least the immediate past five years? Yes

4. SCDL# or SCHD#: [REDACTED]
Voter Registration Number: [REDACTED]

5. Have you served in the military? If so, give the dates, branch of service, highest rank attained, serial number (if applicable), present status, and the character of your discharge or release. Please provide a copy of your DD214 concerning your discharge. No

6. Family Status:
(a) State whether you are single, married, widowed, divorced, or separated. Married
(b) If married, state the date of your marriage and your spouse's full name and occupation. Married January 11, 1986 to Mary Elizabeth LeMacks Scarborough, Respiratory Therapist at the Medical University of South Carolina (MUHA)

- (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) The University of the South, Sewanee, TN. 1976-1980, BA w/ honors in History
 - (b) The University of South Carolina School of Law, 1980-1983, JD

- 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) Member, USC Law School National Trial Competition Team, 1982- 1983
 - (b) Student Practice Rule Attorney, SC Attorney General Criminal Division, PCR Section, 1983
 - (c) Vice-President, International Law Society, USC Law School, 1982-1983

- 9. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. Please indicate the number of times you took the exam in each state.

South Carolina, 1983. I passed the bar exam the 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.
 - (a) Judicial Law Clerk 1983-1984; Owens T. Cobb, Jr. Fifth Judicial Circuit
 - (b) Judicial Law Clerk 1984; A. Lee Chandler, SC Supreme Court
 - (c) Crag K. Davis, Esq., for several months in 1984-1985
 - (d) Donald V. Myers, Solicitor of the Eleventh Judicial Circuit, Lexington, SC 1985-1987
 - (e) Kennedy, Price & Dial, 1987-1991, associate in general civil trial practice defense
 - (f) Wyckoff, Norfleet & Scarborough, 1991-1993, partner with general civil trial plaintiff
 - (g) Garrett Law Offices, 1993-1999, associate, then partner, in general civil and criminal practice firm on both plaintiff and defense side. Some Administrative management.

(h) Mikell R. Scarborough, Attorney at Law, 1999-2003, general trial practice in all courts and real estate matters; certified circuit court mediator since 1999. As a sole practitioner I handled all administrative and financial management of the firm and its trust account.

(i) Master in Equity for Charleston County serving continuously since 2003. As MIE, I am considered a department head in Charleston County and so responsible for all administrative and financial management duties in the office, including our trust account; however, I do have a Clerk of the Master in Equity Court with whom I work to perform these duties.

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)
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)
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)
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.
- I was appointed Charleston County Master in Equity in 2003 and served continuously since. I have also served as a Special Circuit Judge by Order of the S.C. Chief Justice since 2004.

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) Pendarvis v. Cook, 2004-CP-10-3999, lawsuit involving an easement implied by prior use between property owned by former Stepmother and stepsons. Affirmed by Court of Appeals. 329 S.C. 528 (Ct. App. 2011)
 - (b) Historic Charleston Holdings v. Mallon, 2002-CP-10-4149, lawsuit involving dissolution of a limited liability corporation (LLC). The Court of Appeals, 365 SC 524 (Ct. App. 2005) affirmed in part and reversed for an accounting but the Supreme Court reversed the Court of Appeals and ended the matter. 381 S.C. 417 (2009).
 - (c) Fox v. Moultrie, 2005-CP-10-2532, involved interpretation of federal law and regulations to county tax sales. Affirmed by Supreme Court. 379 S.C. 609 (2008).
 - (d) Mikell v. County of Charleston, 2004-CP-10-2864, a zoning case in which a planned unit development (PUD) was sought on Edisto Island. The Court of Appeals reversed my decision, 375 S.C. 552 (Ct. App. 2007) but the Supreme Court reversed the Court of Appeals and affirmed my decision. 386 S.C. 153 (2009).
 - (e) Singletary v. Shuler, 2015-CP-10-2178, this wrongful death action, in a case of first impression, raised the issue of the applicability of the “Castle Doctrine” (Protection of Persons and Property Act, SC code § 16-11-410 et seq.) in a civil action. The Court of Appeals ruled it applied and affirmed my decision. Op. No. 5823 issued June 2, 2021. The Appellant filed a petition for rehearing on June 17, 2021.
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) 1983- SC Bar and US District Court for SC
 - (b) 1984- US Fourth Circuit Court of Appeals
 - (c) 1988- US Supreme Court
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) Taught CLE courses through National Business Institute (NBI) from 1995-1999 in areas of Personal Injury and Premises Liability.
 - (b) Taught CLE seminar through SC Bar on Transfer of Juveniles from Family Court to General Sessions Court in 1987
 - (c) Taught Paralegal courses at Columbia Junior College, Midlands Technical College and Trident Technical College from 1988- 1993
 - (d) Lecturer at the Master in Equity Annual CLE in 2005, 2006, 2007 & 2008.
 - (e) Co-taught w/Steve Spitz Equity course at Charleston School of Law in Fall 2013
 - (f) Lectured on the Equity Court at “Bridge the Gap” Seminars from 2013-2015
 - (g) Lecturer to Charleston Young Lawyers Club on “Civility & the Law,” 2005
 - (h) Lecturer to Charleston Trident Realtors Assoc on Foreclosure Trends, 2010-2013
 - (i) Lecturer at SC Assoc of CPAs at Litigation Conference in 2007
 - (j) Lecturer at National Assoc of Legal Assistants, Charleston, SC 2014
 - (k) Lecturer at SC Bankruptcy Lawyers seminar, Wild Dunes, 2018

- (l) Lecturer at SC Bar Convention, Business Law Section, Myrtle Beach, 2019
- (m) Numerous Lectures on the Clementa Pinckney Partition Act, 2017-2019
- (n) Lecturer at Charleston's Top Real Estate Producers Club Meeting, 2020

22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years. Attached as Exhibit 22.
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.) 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 last rating with Martindale-Hubbell was a BV rating. Since 1999, I have received recognition as Distinguished with a Very High Rating in both Legal Ability and Ethical Standards from the American Registry which appears affiliated with Martindale-Hubbell.
26. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
 - (a) Charleston County Bar since 1991
 - (b) South Carolina Bar since 1983
 - (c) US Supreme Court Bar since 1988
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.
29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.

I was a candidate for Richland County Council in 1990. I won the Republican primary but lost in the general election.

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. I am the managing member of Maybank Highway, LLC and MRSMIE, LLC. I am also a director of the Heuer Foundation. (see below)

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.
Yes.

(a) I am sole member of Maybank Highway, LLC which owns my former law office building at 2043 Maybank Highway, James Island, SC. This is now a residence for which the company obtains rent and pays on the mortgage which I have personally guaranteed.

(b) I am managing member of MRSMIE, LLC, a family limited liability company. MRSMIE also has an interest in several other family LLCs. MRSMIE is the managing member of BLH Eagle, WOH, and Duck Pond Hill, LLCs.

(c) I am also a member of EHC, LLC.

(d) The LLCs named in b and c above own unimproved real estate in Charleston County. The land is planted in timber and some parcels are leased for hunting purposes.

(e) I am a member of the Board of Directors of the Heuer Charitable Foundation Trust which is a family trust managed by my friend Charlotte Heuer Watts. We meet annually to make philanthropic donations.

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.)

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

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.
I know of no current conflicts of interest; however, in the event this issue should arise, I would first seek to avoid the conflict of interest and, if not successful, recuse myself or withdraw from any potential matter. Canon 3E, Rule 501, SCACR, Judicial Conduct.
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.
EHC, LLC, managed by my mother Elizabeth H. Clark, sold approximately 88 acres of land to the SC Department of Natural Resources for the Dungannon Plantation Heritage Preserve in Charleston County in 2013.

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.

I know of no conflict of interest or improvements as Dungannon Heritage Preserve is a passive State park. The recorded Deed from 1993 is attached as Exhibit 40.

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. N/A

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.

I currently own Apple stock in my brokerage account and Coca-Cola and Microsoft in my Roth IRA account. In 2020, I bought and sold stock in Appian and Moderna.

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 have never been sued by a client; however, I have been named a Defendant in a number of cases since becoming a judge.

(a) I was a named defendant in an action captioned PCS v. Ross Development Corp. 2:09-CV-3171-MBS. The case involved CERCLA liability for clean-up of contaminated property in the neck area of Charleston County. The matter was settled in 2016.

(b) A corollary case pending in State Court PCS v. Buhrmaster, 2008-CP-10-5269, was settled as part of the federal court action.

(c) I was a defendant in a foreclosure action where I held a third mortgage. Christiana Bank v. Leverne Lee, 2007-CP-10-948. The matter was referred to David Chard, Special Referee. I believe there were other lawsuits seeking foreclosure of this property. The property was finally sold on Nov. 6, 2007 and the third mortgage lien extinguished.

(d) Singletary v. Wells Fargo, et al, 2014-CP-10-3542, was John Singletary's first attempt to halt the foreclosure sale of his home in North Charleston in case 2009-CP-10-6219. This action was dismissed in June 2014. Mr. Singletary immediately filed a second similarly titled action at 2014-CP-10-4423 which was also then dismissed.

(e) A similar case was Lawson v. Wells Fargo, 2013-CP-10-5353 in which the Lawson's also sought to stop the foreclosure sale of their property. It was dismissed.

(f) Cynthia Holmes (aka Jane Doe) v. Becker, et al, 2019-CP-10-6590 was another pro se action brought in an attempt to stop the foreclosure sale of Dr. Holmes' residence on Sullivan's Island. This case was dismissed on December 17, 2020. Ms. Holmes also brought a Federal Court action which was dismissed when her petition for writ of Certiorari to the US Supreme Court was denied on December 14, 2020.

(g) Henderson v. Scarborough, 2015-CP-10-6502 was a matter brought by my cousin to challenge the estate planning arrangements of his mother, my Aunt Mary Ross Hanahan, as he was no longer the sole beneficiary of her estate. Henderson challenged both the creation of a family LLC which he voluntarily joined (MRH Family LLC) as well as the codicil to her will. The codicil was resolved by a court approved agreement in 2018 and the LLC by a court approved agreement in 2020. This lawsuit ended on June 30, 2020.

(h) I was Plaintiff in Mikell Scarborough v. Dixie Plantation Educational Holdings, Inc., 2014-CP-10-6455, an action brought to Quiet title to a tract of land adjacent to land owned by this private foundation. The final quiet title order was issued in July 2015.

48. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance? If applicable, have you ever been covered by a tail policy? If so, please explain when you were covered by a tail policy. Also, if applicable, indicate your coverage and deductible for your current malpractice policy.
N/A

49. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been cautioned with or without a finding of misconduct, sanctioned, or disciplined for lawyer, judicial, or other professional misconduct or has any jurisdiction found that you committed any misconduct? If so, give the details and describe any final disposition. Include any and all confidential and public sanctions, disciplines, letters of caution, or findings of misconduct of any kind. Private or confidential dispositions will be redacted.

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

50. Have you ever been investigated by the Department of Social Services? If so, give the details and the resolution. Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? If so, give the details. No.
51. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened, or have you been offered a conditional pledge of support by any legislator pending the outcome of your screening? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened? If so, give details. No.
52. Have you requested any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Describe the campaigning you have done for this election and include a list of those individuals you have asked to campaign on your behalf and, to the best of your knowledge, those who have campaigned for you on their own initiative. No.
53. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges until after the draft report becomes final, which occurs on the day and time specified on the Commission's published screening schedule? Yes.
54. Since submitting your letter of intent to become a candidate, have you or has anyone acting on your behalf contacted any member of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? If so, give details. No.
55. List the names, addresses, and telephone numbers of five (5) persons from whom you are providing references. Also, provide the Commission with **original letters** of recommendation from each person listed herein, including their signature (preferably in blue ink). **The Commission will not accept a photocopy or electronic submission of a letter of recommendation and failure to include all five (5) original letters of recommendation in your packet when you submit it will render your packet incomplete.** Please **do not** have references mail your reference letters to the Commission directly. *You must return the five (5) original letters of recommendation to the Commission with your application.*
 - (a) Doug Sass, Bank of South Carolina, [REDACTED]
 - (b) Rev. Al Zadig, Rector, St. Michael's Church, [REDACTED]
 - (c) Ben Hagood, Jr. [REDACTED]
 - (d) Spencer Craig Gill, [REDACTED]
 - (e) Heidi Ravenel, [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 have a Facebook account but am not active in its use. I mainly use it to find and contact old friends. I generally do not “friend” lawyers as a matter of course and practice. I do not Post on this website very often but do review it from time to time. This account is in my name. I also have a LinkedIn account in my name but use it even less than FB.

How would your use of social media or other similar types of Internet sites be affected if you were serving in a judicial capacity? I have limited my use of these social media accounts largely because I do serve 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.

(a) Vestry member, Junior and Senior Warden, St. Michael’s Church, 2014-2018

(b) James L Petigru Inn of Court, a Member since 2011 and Board Member since 2015.

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.

My life experiences have strongly influenced both my decision to enter the practice of law and the type of law I practiced. My experience as a lawyer for 20 years has greatly influenced my role as a judge.

My Uncle Claude Scarborough was a very positive influence on me as a young man – he sought me out when I was having difficulty as my parents’ marriage was breaking up. His interest in both me as a person and my best interests largely influenced my desire to go to law school. My other major influence was my Grandmother Elizabeth Hanahan who, as a successful realtor in Charleston, advised me that “if you get into a people profession and treat people how you want to be treated, you will be rewarded many times over in your life.”

These are probably the best words I can use to describe how I approach my job as a judge. I get to see many people in the course of a day and I have the ability to greatly influence their lives – something that is not lost on me as I make judicial decisions. As a young lawyer I was able to clerk for both a circuit judge, Supreme Court justice and work for the best Solicitor in the State of South Carolina – these experiences shaped how I wanted to be seen as a lawyer—a zealous advocate, prepared and ready for court.

As a young lawyer, I found myself frustrated when I felt the judge did not hear me either because I was a young lawyer or the judge knew the other lawyer better. I have always strived to give every lawyer and litigant the consideration they are due; i.e., they are entitled to their day in court through due process: Notice and the opportunity to be heard. That is what our system of justice is designed to provide.

As a young judge, I was surprised when one of the older lawyers expressed to me that, as a young lawyer, he knew just walking to the courthouse whether or not he would win based upon who the opposing lawyer was and that lawyer's relationship to the judge. That news did not sit well with me and I appreciated the fact that he shared that with me. I have constantly strived to see that I do not fall into this trap or have that reputation. I often describe my role as a judge as that of "an equal opportunity punisher." My role as a judge on the bench is to call "balls and strikes" on evidentiary matters and to evaluate the case on the facts and the law when it comes to my judicial decision. I also seek to have the basis for my decision accurately reflected in the record. I believe that is the reason why a substantial majority of my decisions have been affirmed and not reversed on appeal.

Finally, I think it is fundamental to our judicial process that the people involved – the lawyers, litigants and witnesses all believe that they have an important role to play in seeing that, at the end of the day, justice was done. The best way to ensure that is through allowing people to come into court and have their say. While I do not guarantee anyone a result, my desire is that they will leave the courtroom feeling as if they have had their day in court and so can believe in our system of justice. Recently, a litigant in my courtroom said:

"If I may, Your Honor, I just want to say that you are the best Judge I have ever met because- now I've seen- I've been before some judges, and they never let me talk like you're doing now. I just wanted to say, God bless you. ... today you are giving me faith in the judicial system again because I had none."

Trojan Bell, in Bell v. Whitten, 2020-CP-10-4749. Transcript from the Quiet title hearing held on April 14, 2021. P. 28, L. 9-13 and P. 29, L.3-4. Attached as Exhibit 58.

My hope is that everyone who comes in contact with our court system feels this way. From my attendance at the National Judicial College seminars, I have seen that our state judges are some of the best in the country. My goal as a judge is to see that our state and our country's system of justice remains the best in the world!

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 _____, 2021.

(Notary Signature)

(Notary Printed Name)
Notary Public for South Carolina
My Commission Expires: _____