



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

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

1. Name: Mr. James E. Chellis  
Mrs.  
Ms.

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

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

Home Address: [REDACTED]

Business Address: 5200 East Jim Bilton Blvd., St. George South Carolina 29477

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]  
(office): 843-832-0001  
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1951  
Place of Birth: Summerville, South Carolina  
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?

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

5. Have you served in the military? No. 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.

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. August 3, 1974; A'delle H. Chellis
- (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. No
- (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.

College:

- a) University of South Carolina  
September 1970 through December 31, 1973  
Bachelor of Arts (Major: Intensive English)
- b) Baptist College at Charleston  
Spring, 1972 (February 1972 through May 1972) (I took 2 courses in the spring of 1972 while convalescing from a gunshot wound suffered while hunting)  
No degree

Law School:

- c) University of South Carolina  
September 1974 through May 14, 1977  
Juris Doctor

- 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. None
- 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

- 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.

November 9, 1977 – July 1978:	Prettyman, Chellis & Cordray
July 1978 – August 1980:	James E. Chellis, Attorney at Law
August 1980 – Fall, 1983:	Chellis & Mortimer, P. A.
Fall, 1983 – May 1995:	Chellis, Mortimer & Frampton, P.A.
May 1995 --- June 30, 2013:	Chellis & Frampton, P.A.
July 1, 2013 to Present:	Master in Equity, Dorchester County

**Prettyman, Chellis & Cordray**  
November 9, 1977 – July 1977

I engaged in general civil litigation, residential real estate transactions, retained and appointed criminal defense cases; assisted in federal civil trial, actual title examination, simple estate plans, drafting wills and trusts, and organizing small businesses.

Summerville experienced steady economic growth during my career (w/ exception of four (4) years 2008 through 2012). Because of this growth, real estate transactions were a constant throughout my career, and in large part played as a common denominator for probably 80% of my cases, whether transactional or litigation.

I handled a variety of other cases, e.g., motor vehicle accidents resulting in personal injury, divorce, separation, child custody, breach of contract cases, probate administration and litigation, several business fraud cases.

One of my first cases involved probate litigation. This case is notable to me for two reasons. A small town general practice will expose one to cutting edge legal issues. Highly regarded lawyers in South Carolina will be your opposing counsel.

The case involved an omitted spouse's claim to her husband's estate. The interesting twist in this case evolved out of the discriminatory classification of the primary beneficiary, the child of an illegitimate child. In addition to raising the issue of the competency of the Testator, the surviving wife also argued South Carolina's 'bastardy statute' barred the grandson's inheritance.

South Carolina had, at that time, a modified statute allowing the inheritance of an illegitimate child from her mother but disqualifying the male ancestor of an ill-legitimate child. See, S.C. Code Ann. § 15-51-30; (General Notes: The mother of a deceased illegitimate child is the sole beneficiary in a wrongful death action. *Gregg v. Coleman*, 1964, 235 F.Supp. 237. The father is not a legal beneficiary of an illegitimate child, and the surviving mother excludes brothers and sisters. *Gregg v. Coleman*, 1964, 235 F.Supp. 237). And, also see, §62-2-601, et. seq. [Note, this case occurred before adoption of the South Carolina Uniform Probate Code].

The other memorable reason case stands out to me is because the lawyer on the other side of the case later was elected to the Circuit Court and eventually the Court of Appeals. His considerable courtesy, preparation and intellect gave me a solid role model to emulate in conducting myself with adverse counsel.

I began to develop a loyal client base. My first client remained a client until I left the practice to become Dorchester County's Master in Equity in July 2013. I organized a company

for him, later drafted the family's estate plan, settled his father's Estate, and later his mother's Estate.

This background of exposure to a wide variety of cases, with differing factual circumstances and situations, and with clients of varying social and economic standing, is the demographic out of which I developed from a sole practitioner to a law firm with the constant goal of providing legal services with integrity, service and advocacy.

During this short period of my career, I was responsible for real estate trust accounting for cases I handled. I learned from Mr. Prettyman that for each closing after all receipts are documented that all disbursements should be distributed at the same time so that each file had a zero balance after closing.

**James E. Chellis, Attorney at Law**  
July 1978 to August 1980

I continued my real estate practice. I became one of the youngest real estate lawyers --- I was told at the time -- in South Carolina to be authorized to write title insurance, as an agent for South Carolina Title Insurance.

The practice of real estate law then was quite a bit different than it is now. I continued to search the titles for property transactions and served as the closing attorney. This is not a common practice today. I spent the greater part of my formative years in the county record rooms of Dorchester, Berkeley, and Charleston counties, examining titles.

I do not regret the time I spent there. Frankly, I think examining titles was enormously helpful in learning how to practice law and practice it carefully. In the course of a title examination, one often must examine a civil litigation or probate file. My mentoring was not through the Bar Mentoring program, which did not exist then, but came by way of reading through the pleadings, motions, correspondence, and the orders in those case files. My early forms were pulled from those files that I examined. In short, this is when and where I incubated and began to grow as a lawyer.

On September 5, 1978, two months after I opened my solo practice, Circuit Court Judge Rosen appointed me to a capital murder case. A St. George merchant was robbed and gunned down allegedly by four assailants. Four men from Florida were arrested and charged with the murder. Judge Rosen began appointing lawyers in St. George and Summerville to represent the defendants. The Solicitor announced he would seek the death penalty and each defendant was appointed two lawyers. Initially Judge Rosen skipped over me as I was not considered for appointment because of my lack of experience. But after the entire County Bar was exhausted, but for me, Judge Rosen appointed an Orangeburg attorney to handle the first chair and appointed me to the second chair. This appointment was ten months after I was licensed to practice law. The Solicitor tried each defendant separately including my client. Our client asserted an alibi. I conducted his direct examination when the case ultimately went to trial. Our client was acquitted.

In the late 1970's the national economy faltered. Interest rates soared to 18%. A new federal bankruptcy code had been enacted, which introduced the concept of the individual re-organization plan (Chapter 13). I had a utilities contractor client who had significantly extended his credit, so I studied the Bankruptcy Code and filed a Chapter 7 on his behalf. Other cases followed. Other lawyers in Summerville referred bankruptcy cases to me. In bankruptcy law, I

quickly found that one must be capable of dealing with all areas of substantive law and navigate unique procedural Bankruptcy Court rules.

I continued to handle family law, personal injury and worker's compensation cases. I took a case that challenged a Federal Administrative civil fine based on a warrantless search of a local sand-miner's office by the Mine Safety and Health Administration.

I picked up two corporate clients, a steel fabrication contractor, and an automobile dealership. The former client wanted me to handle its commercial collection cases, one of which I discuss later, and the latter client engaged me to defend a fraud and misrepresentation claim. After handling the fraud case, I began handling this client's claims for deficiency judgments arising from recourse financing of the dealer's installment sales contracts financed by the manufacturer's credit company. I began to handle debtor-creditor relation cases, on behalf of both debtors and creditors.

As a sole practitioner, I was responsible for management of the firm, including trust accounts. I always managed two trust accounts. One for general practice matters, and the other was for real estate closings only.

**Chellis & Mortimer**  
August 1980 to Fall, 1983

During this period, my partner and I tried to establish a boutique business and estate planning firm. Initially, our practice did very well, but in 1982, or shortly thereafter, Congress eliminated many of the tax advantages small corporate businesses enjoyed (closing the widely politicized tax loop-holes), *e.g.*, the investment tax credit and accelerated depreciation, and changed the estate tax such that very moderate estates were no longer subject to estate taxes (incremental increases in the unified gift and estate tax credit). These changes in the law caused my partner and I to re-evaluate our boutique concept. I continued handling debtor-creditor cases, renewed my workers compensation practice, family law matters, and continued to handle bankruptcy cases. I also continued to handle residential real estate matters. Our litigation practice began to grow and an opportunity to associate a lawyer to handle our increasing trial work presented itself. At that time, my long-time partner, John G. Frampton, joined our firm. He and I practiced law together for 30 years.

Management of the firm was handled on a consensus basis. All partners were responsible for oversight of trust accounts. We had two trust accounts. One for general practice matters, and the other was for real estate closings only. During this time, we hired a bookkeeper. We then hired an accountant. In addition to handling accounts receivable and accounts payable, she provided monthly balance reports of general accounts and trust accounts. I generally approved monthly accountings. During this period, we incorporated an accounting technic that deposits were made by a partner or other staff member. All disbursements were made by our office accountant, who was tasked with office management. We utilized the South Carolina Supreme Court recommended integrated law office accounting software developed by George Morningstar of Greenville, South Carolina. We began using this accounting software from the time it was originally endorsed by the Supreme Court until we closed our practice in June 2013. George Morningstar was always helpful with our accounting software issues throughout my career.

**Chellis, Mortimer and Frampton, P.A.**  
Fall of 1983---May 1995

During this thirteen year period, my practice changed as the needs of my clients changed. In particular, as the economy changed, my practice changed. I continued real estate matters, and by referral of a few cases from other lawyers, I developed a practice in real estate litigation, particularly curing title defects. During the early 1980's, the national economy remained sluggish and many of my clients continued to suffer financial hardships that led to bankruptcy. I also had handled a number of Chapter 7 cases by this time, as well as a few Chapter 11 cases.

The one case of the grocer, however, was exceptional. Other grocers, with the same national distributor, were closing down. At first blush, this case appeared to be a circumstance of the national economy. However, drawing on my experience in fraud cases, and discussing with my client the facts surrounding his business failure. I associated another more experienced attorney, and we filed a suit in the federal court alleging fraud and a RICO claim against a national food distributor. The case required extensive discovery.

I had recently been asked by two younger attorneys to be their mentor. I associated these two attorneys to go through a warehouse of documents and assist in research. I handled most of the trial preparation, including overseeing the discovery. The case was settled the day I was scheduled to take the depositions of the defendant's chief executives. One of those younger lawyers became a Probate Court Judge and is now serving on the Family Court bench (this seat will be screened this year as a vacancy will exist).

Other cases came my way involving employee injuries in the workplace. Some of these cases evolved into third party claims, *e.g.*, third party claims against an at-fault driver. One third party claim that I brought in Federal District Court bottomed on product liability against the manufacturer of a come-a-long lifting device. Another workers compensation case evolved into a products claim against a paint manufacturer. The former case involved extensive discovery and expert testimony, including a mechanical engineer with a subspecialty in tensile strength of wire and an economic loss expert. Another products case, in which I associated counsel, involved an alleged manufacturing defect in a heart catheter used in angioplasty. This case also had federal preemption issues, which arose out of the federally regulated drugs and medical devices.

I continued to build a practice based around small businesses. Much of this work was transactional in nature and included counseling parties on the form of business in which they should engage, drafting partnership and shareholder agreements, and negotiating and drafting agreements for the sale and purchase of business assets. Quite naturally, one significant evolution of a business planning practice in a small town involves the enforcement of contracts.

To this end, I have represented many local businesses in breach of contract actions, claim and delivery actions, mechanics liens, and debt collection actions. One significant non-jury case that I tried, for a steel fabricator client, had as its central issue the failure of a buyer to notify my client, the seller, of a nonconforming product it sold. By statute, the failure to notify the seller of the nonconforming goods bars any remedy. I proved the failure of notice, won at the trial level, and the case was affirmed on appeal. Southeastern Steel Company V. W.A. Hunt Construction Company, Inc., 301 S.C. 140, 390 S.E.2d 475 (Ct. App. 1990). This case has 57 "Citing References" noted via Westlaw Edge, including 24 secondary source citations.

I continued to represent car dealerships. I associated counsel in a case brought against one of my dealership clients by the South Carolina Consumer Protection Agency involving

claims alleged for violations of the SCCPA. This case was eventually settled prior to trial, but again highlights the breadth of experience I gained in my career as a lawyer in Summerville.

During this time, I also brought foreclosure actions on commercial mortgages. I have also defended a commercial mortgage foreclosure action, in which I tested the waters of lender liability in a failed real estate development evolving out of the local depression that occurred after closure of the Charleston Naval Base.

As the economy began to improve in the mid 1980's, I began to represent a number of real estate developers. This work is, for the most part, transactional in nature. Nonetheless, and I think importantly, as it relates to one's judicial merit, I worked on clearing a major development obstacle on a large tract of land to be developed into single family residential homes around a golf course.

The title defect was created by a landowner in the late 1960's when he subdivided "on paper" a large tract of land (more than 1,000 acres) showing many unopened roads in the subdivision. The developer then sold 300 to 400 lots on land contracts that referred to the plat he recorded. Many of the streets were never built.

I represented golf course developer who purchased the residual tract of the "paper subdivision" and prepared and gathered on its behalf a waiver and release of the private implied easement that the lot owners had to the paper streets. Our efforts in gaining nearly 100% cooperation from those landowners (over several years effort) were successful because we prepared a clear, concise and easily readable waiver and release and approached each landowner with a transparent, honest explanation of the goal we were attempting to achieve and invited them to seek advice from their own attorney should they chose to do so.

That development is a success story. The properties of these folks, who were perhaps 'boondoggled' in the late 1960's, enjoyed appreciation in value after the golf course development began. Moreover, the golf course residential development is built out; a 25 year project that went through numerous commercial financing iterations that I handled for the developer.

By the end of the 1980's, the economy was on the upswing, generally. So, with a major change in the Bankruptcy Code, I decided to stop taking these cases. The cost of staying current was expensive, and the number of these cases declined in the improving economy.

I was responsible for management of the firm, including trust accounts. I always managed two trust accounts. One for general practice matters, and the other was for real estate closings only.

I refer to the prior section concerning office management. In large part, I seemed to be the personnel manager of the firm despite our efforts to turn this responsibility over to our office manager. The prior section outlines financial management of the firm, its general operating account, and trust accounts.

**Chellis & Frampton, P.A.**  
(formerly Chellis & Frampton, LLP)  
May, 1995 to June 30, 2013

Mass media advertising model for personal injury cases took hold. I did have some personal injury cases. One case stands out. After a defense verdict in an automobile accident case, my client, who was rendered disabled from the accident, needed help filing a Social Security Disability claim. I decided to learn this area of the law and filed his claim. This case,

while I lost the motor vehicle accident trial, evolved into a Social Security disability claims practice, where I helped many, many people over a course of about 15 years procure social security disability.

Since the mid-90's successfully handle a variety of cases:

- several wrongful death cases,
- federal tort claim cases (with associated counsel)
- a complex property damage torts class action case
- real property litigation matters, including complex implied easement case before the Master-in-Equity (*Judy v. Kennedy*, 398 S.C. 471, 728 S.E.2d 484, 2012 WL 1861831 (Ct. App. 2012))
- closing of a street to facilitate the commercial development of a large tract of land for a shopping center
- quiet title actions under color of title
- trespass to quiet title cases
- local counsel to two complex commercial real estate developments
- the negotiation of and closing of \$28,000,000.00 in financing of a business venture that created several hundred jobs in Edgefield County
- Drafting of wills and trusts has been a constant in my practice
- probate administration and litigation

In sum, my legal career involved bread and butter real estate practice, wills, trusts, and estate planning, and business planning practice. I completed many suits to quiet title and partitions of lands, boundary disputes. One case, described by a currently sitting Master, was the most complicated he had seen. I have worked up and settled wrongful death case, premises liability cases, evaluated a case for latch design defect and many personal injury cases. I participated in multi-party employment dispute designated complex litigation.

I was responsible for management of the firm, including trust accounts. I always managed two trust accounts. One for general practice matters, and the other was for real estate closings only.

The prior section outlines financial management of the firm, its general operating account, and trust accounts.

July 1, 2013 through the Present

I've served as Master in Equity for Dorchester County.

**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? Yes. 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.

Master in Equity, Dorchester County, South Carolina, July 1, 2013 to present.

Nominated by County Delegation for appointment by the Governor, Appointed by the Governor, approved appointment by both chambers of the General Assembly.

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) Amended Order Civil Action No.: 2011 CP 18-00508; 514 JUMP Amusements, LLC, Plaintiff v. Sarah Rangel, individually and Sarah Rangel d/b/a/ Wild Jumps, Paisley's LLC, and Michael Dever, Defendants.

(b) Order Setting a Closing Schedule and the Order of Contempt Civil Action No.: 2013CP1800074; Stephen Dudek, Doreen Cross, Plaintiffs v Thomas M Ferro, and Lorraine B Ferro, Defendants AND Molly M Morphew, Plaintiff, v Stephen Dudek, Doreen Cross, Thomas Ferro and Lorraine Ferro, Defendants *Dudek v. Ferro, No. 2017-001393, 2020 WL 2554302*, at1 (S.C. Ct. App. May 20, 2020) & see Order directing Specific Performance in *Dudek v. Ferro, No. 2014-002633, 2017 WL 128702 (S.C. Ct. App. Jan. 11, 2017)*

(c) Order of Foreclosure in NCP Pilgrim, LLC v. Cercopely, et al. (C/A No. 2018-CP-18-2053) with Order Denying Motion to Stay Foreclosure Sale and Directing Supercedeas Bond, NCP Pilgrim, LLC v. Cercopely, et al. (C/A No. 2018-CP-18-2053) and Order Denying Plaintiff's Motion for Preliminary Injunction Case No.: 2019CP1801814

(d) Order Granting Permanent Injunction in De Assis v Tiller, Civil Action No.: 2016-CP-18-00696

(e) Order Denying Preliminary Injunction in Floyd Family Limited Partnership v Liester Properties, LLC, Civil Action No.: 2019CP1801814

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.

State of South Carolina, 1977  
U. S. District Court for South Carolina, 1977

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.

I have lectured and written the materials for the following continuing legal education seminars in the real property and probate law:

(a) Legislative Update (South Carolina Real Estate Law)" Written Text & Lecture (National Business Institute, 2010)

- (b) “Financing Commercial Property Acquisitions, Written Text & Lecture (National Business Institute, 2009)
  - (c) “Transfers of Title to Real Property in South Carolina (Deeds and Warranties, Confidential Relationships and Undue Influence; Suing on the General Warranty and Recovery of Attorneys’ Fees)” Written Text & Lecture (National Business Institute, 2009)
  - (d) “The Quiet Title Suit and Other Actions” Written Text & Lecture (National Business Institute, 2006 & 2009) --- focused on proof of the heirs & devisees utilizing web based researching; procedural requirements; proposed methods of calculating the property interest to plead the chain of title using spreadsheet software.
  - (e) “Monetary Settlements and Escrow Agreements” Written Text & Lecture (National Business Institute, 2006)
  - (f) “Tips for Drafting Estate Planning Documents” Lecture (National Business Institute, 2006)
  - (g) “How to Administer Trusts & Estates to Anticipate and Avoid Litigation” written text & lecture (National Business Institute, 2006)
  - (h) “Party Wall, Driveways/Roads, Agreements and Other Party Agreements” Written Text & Lecture (National Business Institute, 2006)
  - (i) “Access and Road Issues” Written Text & Lecture (National Business Institute, 2006)
  - (j) I lectured at the American Society for Engineering Educators, Southeastern Section; the topic: “Business Planning for Engineering Firms” Lecture Annual Meeting, Charleston, SC, 2001
  - (k) I lectured, and conducted question and answer seminars, through the South Carolina Pro Bono Program in Estate Planning: Wills, Trusts & General Durable Power Of Attorney; and the Probate Administration Process (Spring 2009 & 2012)
  - (l) I lectured, and conducted question and answer seminars, through the Senior Adults Program at Bethany United Methodist Church Summerville, South Carolina in Estate Planning: Wills, Trusts & General Durable Power Of Attorney; and the Probate Administration Process
  - (m) “Good Faith and Fair Dealing” presentation at Master in Equity Bench/Bar October 2017
  - (n) “The Boundary Line Dispute” presentation at Charleston County Bar CLE 2018
  - (o) Q & A Panel at South Carolina Bankruptcy Lawyers Convention, Wild Dunes, Isle of Palms
  - (p) “Practice Pointers” presentation at Master in Equity Bench/Bar October 2020.
22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.
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.)

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. None
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  
 (b) Dorchester County Bar
27. Have you ever held public office other than judicial office? No. 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? No If so, give details, including dates.
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. Yes
- (a) 2007 Circuit Court, at Large Seat 13; reported qualified but not nominated  
 (b) 2009 Circuit Court, First Judicial Circuit, Seat 1; reported qualified but not nominated
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

- (a) Town Square Abstract, General Partnership, 1978 to June 30, 2013

This company was a title insurance agency. We were agents of Chicago Title Insurance Company and Ticor Title Insurance Company. I was a partner. The Company is dissolved

- (b) Jurisprudence, LLC, 1981 to present

This business is a real estate investment company my former law partner, John Frampton, and I formed. The Company is the entity that owns the office building that housed my law practice. The property of the company has been converted into three (3) office suites that the Company leases. I am a member of Jurisprudence, LLC.

(c) South Main Partners, LLC, 1988 to 2014

This business was a real estate investment company. I formed this company in 1988 with two persons. We acquired a mobile home park and remained in this business until 2006. We sold the park in exchange for 4 commercial buildings in December 2006. All of these buildings have been sold. South Main Partners has been dissolved.

(d) Stego, Inc., 1981 -1982

This business was a venture in the wholesale brokerage of knit shirts. The Company is dissolved.

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.

Jurisprudence, LLC, See 30(b) above. I am one of two active members that member manage the Company.

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)? No. If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.

33. Provide, **as a separate attachment**, a complete, current financial net worth statement that itemizes in detail: **A complete, current financial net worth statement was provided to the Commission.**

(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? No. 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.

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? No. If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved.
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? No. If so, please specify the amount, solicitor, donor, and date of the solicitation.
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.

John G. Frampton is currently in-house counsel for Dorchester County. We are sole members of Jurisprudence, LLC, and former law partners. During our professional working relationship, he represented Dorchester County for about 25 years. If a case involves factual issues that arose prior to July 1, 2013, then I recuse myself. Post June 30, 2013 cases involving Dorchester County in which the facts in dispute arose after June 30, 2013, I would advise participating attorneys of my current and prior relationship with Mr. Frampton. I ask that the attorneys discuss this disclosure outside of my presence to determine if they object to my hearing the case, and if not, do they believe that I can be fair and impartial. In every case in which Mr. Frampton has appeared before while sitting as the Master in Equity, he has always advised me that he has previously discussed the conflict issue with adverse counsel. Notwithstanding, I make the disclosure and excuse myself for the parties to discuss the conflict again. If a party were to object or were to believe I could not be fair and impartial, I would recuse myself. To date of the cases in which he has participated no party or attorney that I recall has objected to me hearing the case.

40. Describe any interest you or a member of your immediate family has in real property: None.
  - (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.

- 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. None. Attach a copy of any contract or agreement.
- 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.
- 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? No. If so, please give the details, including the name of the attorney or litigant and the thing of value you received.
- 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? No. If yes, explain.
- 47. Have you ever been sued by a client? Yes. 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 been sued two times professionally:

- (a) The first instance was when I was a young lawyer (approx. 1980). I handled a real estate transaction for a young married couple who were buying a lot on which they were going to



build their home. The Seller was a friend of theirs, and a client of mine, a utilities (water and sewer) construction contractor. The Seller represented at closing that the lot had access to public water utilities. The Buyer asked for proof. The Seller told the Buyer the paperwork approving the public water system was at his house on his dresser. He further stated he would get the paperwork after the closing. I closed the sale. My client's statement was not true as the water system had not been constructed such that it connected to the public water system. The Buyer brought suit against me and the Seller. The case was settled by my insurance carrier for about \$3,000.00, as I recall.

- (b) The second occasion was in 2005. A lawsuit was brought by the Estate of and members of a family who inherited their membership interest in an LLC that operates a successful golf course in Mt. Pleasant, South Carolina, against their first cousin, who was the manager of and later became, based on performance criteria, an equity owner in the LLC.

Before the father of the plaintiffs died, I represented him in a mortgage foreclosure action. This claim evolved into a business work-out between disputing principals of the golf course and residential development. I represented the Plaintiff's father by organizing an LLC, and assisting in the negotiations of the work-out solution with his partners. My client acquired the golf course and amenities and the other principals acquired the developable lands around the golf course.

The plaintiffs' father and their first cousin had negotiated a management agreement in Ohio (where the cousin lived) and Michigan (where the father lived and conducted business). The terms of the management agreement provided for an exchange of equity in the golf course operating entity, the LLC I organized, after my client had been paid back around \$4,200,000.00. The agreement was amended at least once but the general concept of a transfer of equity in the LLC based on performance milestones remained. Please note that I did not represent the first cousin in negotiating his "management agreement" as this was done between the parties. I did draft an employment agreement for my client setting forth the scope of the employment of his nephew, a CPA and retired GM executive, as manager.

The father died before the "equity" in the LLC transferred although, as I recall, the performance markers had been met. My client's personal representative was his longtime friend, a retired Michigan judge (as a practicing lawyer he had dealt with Henry Richardson, who referred this case to me when he was in private practice). He tried making the equity transfer during his administration of the estate. Also, during this period, the plaintiff's first cousin acquired a tract of land on behalf of the LLC from the residential developers for the purposes of developing a golf academy. The Personal Representative had me give him an opinion of transaction, which I did. In other words, I was retained by the Estate to assist it in the acquisition of the parcel for the golf academy. The LLC bought the parcel. I did not close the acquisition transaction.

During this timeframe, the first cousin asked if I could assist him in enforcing his rights under the management agreement. I replied that I could not as I had a conflict of interest since I had represented the decedent and his estate. I also sent a letter to the first cousin, the manager of the LLC, explaining that I had a conflict of interest.

Sometime after that I received a letter, which I think was addressed to the first cousin, from the Personal Representative advising he would get with me concerning the transfer of membership in the LLC. He never did.

Sometime shortly thereafter the former Judge and Personal Representative died. One of the children was subsequently appointed the successor Personal Representative.

At this point (late Fall, 2000), my correspondence with the Personal Representative ended. I had been informed that the first cousin had retained a tax attorney in Charleston.

In 2005, the Personal Representative and children filed suit against their first cousin alleging malfeasance, misrepresentation, fraud, conspiracy, etc. The first cousin defendant hired an attorney to defend him. I received requests from the attorney and his client to turn my file, or a copy of it, over to them. I declined, citing attorney-client privilege. I called the Plaintiff's attorney and sought permission to give copies of the file to the defendant but was told not to because they were asserting attorney-client privilege.

Within several weeks, I received a Summons, Answer, Counterclaims, Cross-claims and Third Party Claims alleging, as it related to me, professional malpractice and negligence, negligent misrepresentation, breach of fiduciary duty and breach of contract.

After written discovery responses from the plaintiffs, which included a copy of my file, written discovery responses from me, and the deposition of the plaintiff's representative, the third-party claims brought against me were dismissed with prejudice.

Note: As a Judge, I was named as a Defendant in a Federal lawsuit by a "sovereign citizen type person;" and subsequently promptly dismissed. I do not remember the case.

(c) Acquisition of 1/3<sup>rd</sup> interest in co-tenancy from niece under theory of partition by allotment.

In 1996/97, during settlement of my father's estate, my mother gave me, my sister, and a brother her Edisto Beach Property. In January 2019, my brother gave his interest in the property to his daughter. By this time, for the preceding 7 years, my sister and I maintained the property and made improvements, reporting to him annually of receipts and expenditures related to the property. My brother had not paid toward the costs of maintenance, carrying charges or improvements. He had paid his share of county and city ad valorem taxes. My sister and I retained Paul Siegel, Esquire, Colleton County Bar to negotiate the purchase of my niece's interest in the property applying the right of partition by allotment (limited to the preceding 84 months). After negotiations with my niece's attorney, my sister and I acquired the property interest of my niece in June 2019. We did not file a lawsuit.

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.

Note: Chellis and Frampton, PA acquired extended coverage upon termination of private practice of law, June 30, 2013. Insurer is ALPS. The same remains in effect and is current. We have first dollar coverage for attorneys fees and a deductible of \$5,000.00 for a loss, if applicable.

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? No. 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.
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? No. 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? No. If so, give details.
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? No. 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.
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? No. If so, give details.
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) Hugh P. Merriman, III, M.D. [REDACTED]

(b) John G. Frampton, Esquire, [REDACTED]

(c) Tennia Dinklebach, [REDACTED]

(d) Kenneth Gustafson

(e) Marvin DeWitt Infinger, Esquire

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.

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

57. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, and any professional honors, awards, or other forms of recognition received and not listed elsewhere.

(a) Member, Bethany United Methodist Church, Summerville

(b) Delegate to Annual Conference of the South Carolina United Methodist Church

(c)

58. Provide any other information that may reflect positively or negatively on your candidacy, or which you believe should be disclosed in connection with consideration of you for nomination for the position you seek. This information may include how your life experiences have affected or influenced the kind or type of judge you have been or plan to be.

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: \_\_\_\_\_