



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

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

1. Name: The Honorable Brian M. Gibbons  
Mrs.  
Ms.

Name that you are known by if different from above  
(Example: A Nickname): None

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

Home Address: [REDACTED]

Business Address: Post Office Box 580, Chester, SC 29706

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]  
(office): 803-581-4115  
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1966  
Place of Birth: Orangeburg, 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#: SCDL: [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. Married on November 9, 1991 to Lorena Crouch Gibbons. She is the Administrative Assistant for our church, Chester ARP Church.
- (c) If widowed, list the name(s) of spouse(s). N/A
- (d) If you have ever been divorced or are in the process of obtaining a divorce, state the date, name of the moving party, court, and grounds. N/A
- (e) State the names of your children and their ages. If your children are old enough to work, include the occupation of each child.



- 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 Citadel August 1985-May 1989 BS Biology 1989 Cum Laude
  - (b) University of SC School of Law, JD 1992 August 1989-May 1992
- 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.

USC School of Law, Phi Delta Phi
- 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, admitted 11/18/1992
- 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) Associate-Hamilton, Hamilton & Delleney, PA- August 1992 through December 1993
  - (b) Partner- Hamilton, Delleney & Gibbons, PA-1994-May 25, 2005
  - (c) City Attorney- Chester- 1994-2000
  - (d) Town Attorney- Great Falls- 1997-May 2005
  - (e) Town Attorney- Fort Lawn- 1998- January 2005
  - (f) Prior to being elected to the Bench, I was involved in a general practice law firm. I primarily practiced in the areas of Family Law, Criminal, and Civil litigation for almost (13) years prior to being elected to the Bench. I have represented clients in civil litigation in Common Pleas and Magistrate Courts-both plaintiff and defense. I

have represented many criminal defendants ranging in seriousness from DUI offenses to Armed Robbery. Being from a small, rural county, I was able to practice law in many different areas, which I believe has trained me to be a good judge who understands all the different areas of practicing law, thus ensuring fairness and justice for litigants, defendants, and lawyers.

**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.
- (a) May 2005-Elected to Seat One of the Family Court, Sixth Judicial Circuit
  - (b) February 2007-Re-Elected to Family Court
  - (c) February 2013 Re-Elected to Family Court
  - (d) May 2013- Elected to the Circuit Court, Seat One, Sixth Judicial Court, serving continuously since
  - (e) February 2016 Re-Elected to the Circuit Court
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) Pittman v. Pittman, 407 S.C. 141, SC Supreme Court opinion 27352
  - (b) State v. Simpson, 425 S.C. 522, SC Supreme Court opinion 27937
  - (c) Huck v. Avtex Commercial, SC Court of Appeals opinion 5500
  - (d) Hensley v. SCDSS, SC Supreme Court opinion 27941
  - (e) SC Public Interest Foundation v. Calhoun County Council, SC Supreme Court opinion 28008
20. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.
- (a) South Carolina, 1992
  - (b) US District Court for SC, 1992
  - (c) US Court of Appeals for the Fourth Circuit, 1994
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 have presented at the 2010 SC Bar Program "Bridge the Gap" for new lawyers as Part of a panel dealing with Family Court
  - (b) National Business Institute-"What Family Court Judges want you to know" May 2010 and May 2012 Panel
  - (c) SC Rules of Family Court 2/08, 2/10
  - (d) SC Bar-Rules, Rules, Rules Seminar
  - (e) I have also presented and moderated at the Family Court Bench/Bar seminars Broadcast statewide in December 2010 and 2011
  - (f) SCAJ Convention-Participated in a panel discussion on Family Court Matters in 2009
  - (g) Solicitors Solicitors/Public Defender's Convention- I have presented and served on a panel presentation for various issues

- (h) Since 2014 I have taught as an adjunct professor at the Charleston School of Law from May to July, teaching Family Law and Advanced Torts
22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.  
Uploaded on July 6, 2021
23. List all published books and articles you have written and give citations and the dates of publication for each. N/A
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 before being elected to the Bench in 2005 was BV.
26. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.  
(a) SC Bar Association, former member of the YLD Board  
(b) South Carolina Trial Lawyers Association, Sixth Circuit Representative 1997-2005  
(c) South Carolina Conference of Family Court Judges 2005-2013  
(d) South Carolina Circuit Judges Association  
(e) National Conference of Juvenile and Family Court Judges 2005-2013  
(f) Chester County Bar- Sec/Treas  
(g) Municipal Attorneys Association
27. Have you ever held public office other than judicial office? Yes 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.  
All appointed Town/City attorney positions from 1994 through May 2005. These were all appointed positions. I have never been subject to a penalty and have always timely filed ethics reports as a judge.
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.

I have been an adjunct professor at the Charleston School of Law since 2014 teaching Family Law and Advanced Torts. These classes are in the summer months in the evenings as to not conflict with my Court schedule.

29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates. No
30. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? No 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.
31. Are you now an officer or director or involved in the management of any business enterprise? No Explain the nature of the business, your duties, and the term of your service.
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) 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? No Have you ever defaulted on a student loan? No Have you ever filed for bankruptcy? No 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. None Explain how you would resolve any potential conflict of interest.
40. Describe any interest you or a member of your immediate family has in real property:
  - (a) in which there is a potential conflict of interest with your involvement in a South Carolina state or local public agency;
  - (b) in which there have been public improvements of \$200 or more that adjoins property in which there have been public improvements of \$200 or more; or
  - (c) which was sold, leased, or rented to a state or local public agency in South Carolina.

List the interest you hold and the value and location of the property. Identify as applicable the:

- (a) nature of any potential conflict of interest;
- (b) nature and value of any public improvements; and
- (c) South Carolina state or local public agency which purchased or is leasing or renting such property.

Attach a copy of any contract or agreement. None

41. Identify any personal property interest you or a member of your immediate family sold, leased, or rented to a South Carolina state or local public agency. Identify the property, its amount or value, and the name of the agency. Attach a copy of any contract or agreement.  
None
42. For sitting judges, if you currently hold an interest in stock or other securities or have held such an interest, list each stock you currently own or owned during the prior calendar year. If you prefer, you may attach broker or account records containing the requested information instead of listing it here.  
None



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. None
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? No Have you ever been a named party (personally or professionally) in or had a pecuniary interest in any civil or criminal proceedings? No If so, give details, including, but not limited to, dates, and resolutions.
48. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance? N/A 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.
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) M. Dee Christopher, Superintendent, Anderson 4  
 [REDACTED]
- (b) Pastor Clint H. Davis, Chester ARP Church  
 [REDACTED]
- (c) Dr. David S. Fleming, Professor  
 [REDACTED]
- (d) Brenda McBrayer  
 [REDACTED]

(e) Tom Merritt, Oobe CEO



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

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

Facebook: Brian Gibbons

Instagram: Gweebons

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 limit my "friends" on social media and rarely post any comments. My privacy settings are secure. I am not social media friends with any lawyers who regularly practice in front of me. I never weigh in on any political posts that appear on social media. I primarily use social media to monitor my children and for family and close friends.

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) Chester Rotary Club-Past President, Paul Harris Fellow
- (b) Chester YMCA-Past President
- (c) Chester/Fairfield Citadel Club-Past President, Secretary and Treasurer
- (d) Blackstock Bluegrass Inc.- Past President
- (e) The Citadel Alumni Association
- (f) Richard Winn Academy- Board Member
- (g) Palmetto Boys State Staff for 38 years
- (h) Board of Deacons, Chester ARP Church
- (i) Elder- Chester ARP Church

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

I have always been very involved in my church and community. I have coached all of my children in their various sport activities. I have been actively involved with the American Legion Palmetto Boys State program for the past 38 year. I love helping people. I continue to serve as a Junior High Youth Group leader at my church. I am currently serving as Elder in the Chester Associate Reformed Church.

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: \_\_\_\_\_