



**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE
2025**

1. Judicial placement for which you are applying:
Court: **Supreme Court of South Carolina**
Circuit or Position: **Justice**
Seat: **2**
2. Are you currently serving in some capacity as a judge (to include municipal, magistrate, etc.)?
If so, state the position. If part-time, please indicate.
No

Personal

3. Name: **James Howle Lucas**

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

Home Address:
[Redacted]

County of Residence:
Darlington County

Business Address:
508 South Fourth Street, Hartsville, South Carolina 29550

E-Mail Address:
[Redacted]

Telephone Number: (home): **n/a**
(office): **(843) 332-5050**
(cell): **[Redacted]**

4. Date of Birth: **[Redacted], 1957**
Place of Birth: **Columbia, South Carolina**
5. 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**
6. SCDL# or SCHD#: **SCDL#: [Redacted]**

Voter Registration Number: [Redacted]

7. 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.

I have not served in the military.

8. 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 18, 1990

Tracy Ann Lucas

Dental Hygienist

(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 NOT full-time students, also include the occupation and employer of each child.

[Redacted]

9. 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) **University of South Carolina (Fall 1975 – Spring 1979)**

College of Humanities and Social Sciences

Bachelor of Arts, *Magna Cum Laude*

Member, Phi Beta Kappa

GPA: 3.908

(b) **University of South Carolina (Spring 1980 – Summer 1981)**

Graduate School

Master of Public Administration

GPA: 4.0

- (c) **University of South Carolina (Fall 1985 – Spring 1988)**
School of Law
Juris Doctor, *Cum Laude*
GPA: 3.659
10. 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) **The South Carolina Law Review**
Member (Fall 1986 – Spring 1987)
Managing Editor (Fall 1987 – Spring 1988)
- (b) **The John Belton O’Neill Inn of Court**
Pupil (1988 – 1989)
- (c) **The Order of the Coif**
May 6, 1988
- (d) **The Order of the Wig and Robe**
April 13, 1987
- (e) **Arthur Burton Custy Award**
Outstanding Tax Graduate
Recipient (Spring 1988)
- (f) **Academic Achievements**
- **Graduated 3rd in a class of 249**
 - ***Cum Laude* Graduate**
 - **GPA: 3.659**
 - **Transcript attached (Exhibit A)**
- (g) **Legal Clerkships during Law School**
- **Belser, Baker, Barwick, Ravenel, Toal & Bender, P.A. (Columbia, South Carolina – Summer, 1985)**
 - **Kennedy Covington Lobdell & Hickman, LLP (Charlotte, North Carolina – Summer, 1986)**
 - **Nexsen Pruitt Jacobs & Pollard, LLP (Columbia, South Carolina – Fall, 1986 through Spring, 1987)**
11. 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.

Martindale: 5.0 / 5.0

Leadership in the Law Award, S.C. Lawyer’s Weekly, 2015

12. 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) **Darlington County Bar (past President)**
(c) **Lawyers' Fund for Client Protection Bar Committee (former member)**
(d) **American Bar Association (former member)**

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

No

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?

I would not be affected since I have no social media presence.

14. 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) **Byerly Foundation, Chairman**
(b) **Carolina Pines Regional Medical Center, Board Member**
(c) **Hartsville Lions Club, Member**
(d) **Darlington County Coordinating Council, former Chairman**
(e) **Hartsville National League, former Chairman**
(f) **Hartsville Chamber of Commerce, former Board Member**
(g) **Exhibit B is a list of all honors, awards, and other forms of recognition I received during my professional career, which include the following:**

- **Wilkins Award for Excellence in Legislative Leadership, Riley Institute, 2014**
- **Roger Milliken Defender of Manufacturing Award, S.C. Manufacturing Alliance, 2016**
- **Inaugural South Carolina Chamber of Commerce Legislator of the Year, 2021**
- **Order of the Palmetto, 2022**
- **Greater Hartsville Chamber Lifetime Achievement Award, 2023**
- **South Carolina Governor's School for Science & Mathematics Townes Award, 2023**

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

As Speaker of the House of Representatives, the decision to initiate or participate in litigation rested with me as the chief administrative officer of the body. I approached this responsibility with the seriousness and deliberation it deserved. I have included an overview of the most significant litigation matters which I was involved as Speaker (Attachment A). No list or index can truly capture the depth of my appreciation for the responsibility and trust that was vested in me.

I carry with me the same sense of responsibility, constitutional discipline, and respect for the rule of law that guided my decisions as Speaker of the South Carolina House. Whether evaluating a legal issue or considering the broader impact of a course of action, I remain grounded in the principles that our Constitution sets forth. These principals serve not only as a legal compass but as a moral framework—one that reminds me that every decision made in the name of the law should be measured, deliberate, and anchored.

My decision to run is not made lightly. I am seeking this judgeship not as a capstone to my career, but as a continuation of my commitment to public service. I believe I can make a meaningful contribution to our courts and to the citizens they serve. I want to ensure that every matter is given the attention it deserves, every decision is rooted in the law, and every case is handled with care. Serving as a justice is not about personal ambition. It is about continuing a life of service with honor, humility, and a steadfast commitment to justice.

16. List the names, addresses, and telephone numbers of 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 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 5 original letters of recommendation to the Commission with your application.*

- (a) Mary Fran Quindlen, Esquire
Quindlen Law Firm, P.A.
[Redacted]
- (b) Celeste Tiller Jones, Esquire
Burr & Forman LLP
[Redacted]
- (c) Susan Pedrick McWilliams, Esquire
Maynard Nexsen PC
[Redacted]
- (d) William G. Newsome, III, Esquire
Newsome Law, P.A.

[Redacted]

- (e) **Francis Greg Delleney, Jr., Esquire**
Hamilton Delleney Grier & Cotton LLC
[Redacted]

Experience

17. 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.

I was admitted to practice law in South Carolina in 1988. I have never taken the Bar Examination of another state. I passed the South Carolina Bar Examination on my first and only attempt.

18. 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.

<u>Dates</u>	<u>Employer</u>	<u>Position</u>
November 16, 1988 - May 1990	Nexsen Pruet Jacobs & Pollard LLP	Attorney
May 1990 - September 1994	Saleeby & Cox, P.A.	Attorney
November 5, 1990 - July 11, 1995	County of Darlington	County Attorney
September 1994 - January 1995	Beasley, Ervin, Warr, Auman & Lucas	Partner
January 1995 - August 1999	Ervin, Warr, Auman & Lucas	Partner
July 1, 1995 - August 15, 1996	City of Hartsville	Municipal Judge
August 1999 - December 2009	Lucas, Auman & Warr	Partner
January 2010 - January 2018	Lucas, Warr & White ¹	Partner
January 2018 - June 2022	Lucas, Warr, White & Mitchell	Attorney
July 2022 - October 2024	Lucas, White & Mitchell	Of Counsel
January 1, 2023 - Present	County of Darlington	County Attorney
October 2024 - Present	Lucas, White & Mitchell	Attorney

I began my legal career at Nexsen Pruet Jacobs & Pollard LLP as a business/transactional lawyer. I participated in a wide range of practice areas including general corporate law, business acquisitions, contract preparation, taxation, secured lending transactions, business incorporation, securities offerings, and business valuation

¹ This was the only entity for which I had financial management responsibilities; however, I did not manage the trust accounts.

analysis. I took the lessons of this practice with me in 1990 when I moved back to my hometown of Hartsville, South Carolina to join a small general law practice.

I practiced law as only a small-town lawyer could. I took every will, divorce, car wreck, speeding ticket, slip and fall, or real estate closing that came in the door. Many of these matters seem regular or mundane, but none of them were mundane to the people who hired me. My practice has been a true grass roots endeavor across almost every area of law.

During these years of practicing in my hometown, I also served for five (5) years as the Darlington County Attorney, representing the County in a multitude of legal areas, including civil litigation. I was also the Municipal Judge for the City of Hartsville, primarily responsible for daily bond hearings, preliminary hearings, and criminal trials. I served in this position until 1996, when I began giving serious consideration to running for the South Carolina House of Representatives. In November 1998, I was elected to the House of Representatives to represent Darlington, Chesterfield, and Lee Counties and served until May 2022.

In many ways, I view my legal career during my service in the South Carolina House of Representatives as two distinct chapters: before I was elected Speaker of the House of Representatives and after I was elected Speaker of the House of Representatives. Prior to becoming Speaker of the House, I maintained a vigorous law practice, handling a wide range of cases that provided me invaluable experience across diverse areas of the law. After I became Speaker of the House, my legislative duties in Columbia increased tremendously. I continued to try cases and handle other legal matters, but naturally my time and focus shifted. Family Court became a mainstay of my practice—not only because I enjoyed the work, but because it offered the flexibility I needed to serve both my clients and our State.

After retiring from the House of Representatives, I spent over two (2) years with Prisma Health as its Senior Executive Vice President for Governmental Affairs. While I did not practice law for Prisma Health, this experience exposed me to healthcare law and regulation to a significant extent. During my time with Prisma Health, I continued to handle a handful of cases that were ongoing. While I enjoyed my time with Prisma Health, I missed the full-time practice of law. In October 2024, I returned to the law firm I started. Today, my practice consists of domestic litigation, civil litigation and governmental law.

Justices/judges applying for re-election to their current position may omit Questions 19–25. If you are a full-time judge seeking a judgeship different than your current position, Questions 19-25 should be answered based on your experience prior to serving on the bench.

19. Please answer the following:

- (a) If you are a candidate for Family Court, please provide a brief written description of your experience within each of the following Family Court practice areas: divorce and equitable division of property, child custody, adoption, abuse and neglect, and juvenile justice. Include information about cases you have handled in each of these practice areas, or if you have not practiced in an area, describe how your background and procedural knowledge has prepared you to preside over such matters as a Family Court judge. Please also indicate the frequency of your appearances before a Family Court judge within the past five years.

n/a

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

n/a

- (c) If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master's court, including any cases handled over the past five years, and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity or a Circuit Court judge within the past five years.

n/a

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

n/a

20. 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: **100% (Biweekly)**

21. 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: **25%**
- (b) criminal:
- (c) domestic: **50%**
- (d) other: **Governmental: 25%**

22. During the past five years:

(a) What percentage of your practice was in trial court, including cases that settled prior to trial?

50%

(b) What number of cases went to trial and resulted in a verdict?

Of the thirty-nine (39) cases I handled in the past five (5) years, seven (7) went to trial and resulted in a verdict. However, this number warrants additional context (reference is made to my answer to question eighteen (18)). During this five (5) year period: I was Speaker of the House of Representatives until May 12, 2022; I was the Senior Executive Vice President for Governmental Affairs for Prisma Health from October 2022 through October 2024; I assumed *Of Counsel* status with my law practice in July 2022; and I only resumed the full-time practice of law in November 2024. Therefore, in the past five (5) years, I practiced law part-time for approximately four (4) years.

I would further note that I have served as County Attorney for Darlington County for thirty-one (31) months of the five (5) year period, a role that extends well beyond the courtroom. In my role as County Attorney, I have tried three (3) cases as lead or co-counsel. Also, I have supervised the trial of six (6) cases, most of which were relatively small cases resolved by special referees. Additionally, I have reviewed and/or drafted more than twenty (20) contracts, overseen responses to more than fifty (50) nonroutine FOIA requests, coordinated the defense of dozens of lawsuits brought against the county, and expended countless hours researching and advising the county on matters of statutory compliance and procedure.

(c) What number of cases went to trial and resolved after the plaintiff's or State's case? For the purposes of this question, resolved includes settlement, plea, judge's order during a motion hearing, etc.

0

(d) What number of your cases settled after a jury was selected but prior to opening statements?

0

(e) Did you most often serve as sole counsel, chief counsel, second chair, or co-counsel?

Chief Counsel

(f) For sitting judges seeking a judgeship different than your current position, during the five years prior to your election to the bench, what percentage of your practice was in trial court, including matters that settled prior to trial?

n/a

23. List five of the most significant litigated matters you have personally handled in trial court, appellate court, or before a state or federal agency. Give citations if the cases were reported and describe why these matters were significant.

- (a) *Estate of Emmie B. Kirven v. Estate of J.L. Norwood*, Court of Common Pleas, Darlington County, Civil Action No.: 1996-CP-16-00250, 1998-UP-599 (Ct. App. 1998).

This case involved allegations of breach of fiduciary duty. My client, J.L. Norwood ("Defendant") was a farmer who primarily farmed land owned by Emmie B. Kirven ("Plaintiff"). Plaintiff was an attorney who owned substantial real property in Darlington County, South Carolina. For almost fifty (50) years, Defendant farmed Plaintiff's land. Plaintiff had no close relatives in Darlington County. Her closest relationships were with Defendant and his family, who took care of many of her needs as she aged.

Plaintiff had her long-time attorney prepare a Power of Attorney appointing Defendant as her agent in 1988. At Plaintiff's insistence, Defendant accepted the appointment and served as her attorney in fact. In 1992, Plaintiff had her attorney prepare a deed conveying over six hundred (600) acres to Defendant for nominal consideration. Despite Plaintiff executing the deed at her attorney's office, the deed was signed while Defendant was Plaintiff's agent. Notably, Plaintiff executed a number of wills throughout the years. In each successive will, Defendant was devised increasing amounts of real property. Each will was again prepared by Plaintiff's long-time attorney and executed at the attorney's office. Plaintiff's last will would have conveyed additional real property beyond the real property that was conveyed to Defendant by the 1992 deed.

Plaintiff revoked her 1988 Power of Attorney in 1994. Thereafter, Plaintiff executed a new Power of Attorney appointing a relative as her attorney in fact. This 1994 Power of Attorney was not prepared by Plaintiff's long-time attorney.

In 1996, Plaintiff's relative (as her attorney in fact) brought suit against Defendant for his conduct while serving as Plaintiff's attorney in fact. Plaintiff's Complaint requested a jury trial and alleged causes of action for an accounting, declaratory relief, rescission, unjust enrichment/constructive trust, breach of fiduciary duty, and civil conspiracy.

At a hearing on whether to transfer the case to the non-jury docket, Plaintiff argued that the causes of action for breach of fiduciary duty and civil conspiracy were legal causes of action for which the right to a jury trial existed. On behalf of Defendant,

I admitted that there were two legal causes of action which requested monetary damages. In its oral ruling, the trial court indicated that it planned to refer the matter to a Special Master to determine whether legal issues existed and send the case back to the court for a jury trial on those issues. However, in the trial court's written order, the court referred the matter to the Special Master with finality, finding: "the legal issues are not as significant as the equitable claims, and conclud[ing] that the main purpose of the proceeding is rescission of the deed." Plaintiff filed an interlocutory appeal and prevailed.

This case spanned approximately four years. It settled prior to trial on terms favorable to the Estate of Defendant. This case is significant for several reasons. First, it is reminder to never accept anything of value from a principal while serving as an agent under a Power of Attorney. Second, it provides a roadmap for how cases with both legal and equitable causes of action should proceed at trial. Finally, and most importantly, it illustrates that the issuance of an order of reference which deprives a party of a mode of trial which he is entitled is immediately appealable. *Wilford v. Downs*, 265 S.C. 319, 218 S.E.2d 242 (1975).

(b) *Newsom, et al. v. Darlington Veneer Co.*, Court of Common Pleas, Lee County, Civil Action No.: 2011-CP-31-00030.

This was a nuisance case involving landlord liability for actions of the tenant. My client, Darlington Veneer Company, leased thousands of acres in Lee County and Darlington County to the Sportsmen Hunting Club (the "Club"). On certain days, the Club allowed its members to hunt deer with dogs. The Plaintiffs owned the adjoining parcel and utilized their property for still hunting. On some days, hunting dogs from the Club would trail deer onto the Plaintiffs' property, allegedly interfering with the Plaintiffs' preferred form of hunting.

The Plaintiffs sought monetary damages and a temporary injunction. In an Order filed July 5, 2011, Judge William Jeffery Young ruled no injunction was necessary to preserve the *status quo*. By Order filed October 10, 2011, this matter was referred for trial to retired Circuit Court Judge Thomas W. Cooper, Jr. as Special Referee.

The Defendant prevailed; Judge Cooper found dog hunting not to be a nuisance in this case. This finding is significant because it was adjudicated in the wake of *FOC Lawshe Limited Partnership, et al. v. International Paper Company*, 352 S.C. 408, 574 S.E.2d 228 (Ct. App. 2002). With similar facts, the *Lawshe* Court upheld the trial court's denial of the defendant landlord's motion to dismiss pursuant to Rule 12(b)(6). The Defendant was able to sufficiently differentiate its case from *Lawshe*.

This case is fascinating for its analysis of the legal theory of nuisance in the context of property rights and the various traditional methods of hunting in South Carolina, including hunting deer with dogs on vast acreages of property. It stands for the proposition that if you cannot hunt deer with dogs on over five thousand acres in

Turkey Creek, South Carolina, there is no place in South Carolina where this traditional form of hunting would be allowed.

- (c) *Grantham v. Weatherford*, Family Court, Darlington County, Docket No.: 2014-DR-16-0054, 425 S.C. 111, 819 S.E.2d 765 (Ct. App. 2018).

This appeal addressed the constitutionality of grandparent visitation in South Carolina following the U.S. Supreme Court's decision in *Troxel v. Granville*, 530 U.S. 57 (2000). In South Carolina, grandparents have an independent statutory right to seek visitation with a grandchild under section 63-3-530(33) of the South Carolina Code. S.C. Code Ann. § 63-3-530 (33).

By way of background, section 63-3-530(33) required a family court to make three findings prior to awarding grandparent visitation. In 2014, the statute was modified — removing the finding that the grandparent maintained a relationship similar to a parent-child relationship with the minor child (2014 Acts No. 270).²

This case involved grandparent visitation with the following facts: father and mother were married and divorced; they had two children together; and the mother tragically took her own life. I represented the maternal grandparents, who had been heavily involved in the children's lives — both during and after the parent's marriage. The family court granted grandparent visitation for one weekend each month, one week in the summer, and one week during the Christmas holidays. The father appealed, challenging the family court's award of grandparent visitation.

On appeal, the father challenged: (1) which version of Section 63-3-530(33) the Court should utilize in its State level analysis; (2) had the requirements of Section 63-3-530(33) been satisfied by the grandparents; and (3) did the application of Section 63-3-530(33) violate due process.

Initially, the Court of Appeals noted in Footnote 4 of its Opinion that the pre-2014 version of Section 63-3-530(33) should apply because it was the law in effect at the time the grandparents' cause of action accrued. Secondly, the Court concluded that all of the factors in Section 63-3-530(33) were satisfied. Finally, the Court found due process had not been violated because "compelling circumstances" justified granting visitation over the father's objection.

- (d) *Fitzwater v. Fitzwater*, Family Court, Darlington County, Docket No.: 2007-DR-16-0487, 396 S.C. 361, 721 S.E.2d 7 (Ct. App. 2011).

Fitzwater was a domestic relations matter brought in the Darlington County Family Court. I represented the husband, Lloyd Fitzwater. This case involved second marriages for both parties, who had been married slightly longer than ten years prior

² I was the primary sponsor of this bill (H.B. 4348, 120th Gen. Assemb. (S.C. 2014)) which sought to lessen the effects of *Troxel* on grandparent visitation rights in South Carolina.

to their separation. Husband brought substantial assets into the marriage, which created numerous transmutation and special equity issues at trial.

At the time of trial, it was the belief of many family court practitioners that long-term marriages were subject to a fifty-fifty equitable division ratio. Although not defining the length of a long-term marriage, the Court of Appeals upheld a seventy-thirty equitable division ratio based upon the parties' "disproportionate contributions." Further, the Court of Appeals augmented the *E.D.M. v. T.A.M.*, 307 S.C. 471, 415 S.E.2d 812 (1992) and *Glasscock v. Glasscock*, 304 S.C. 158, 403 S.E.2d 313 (1991) factors in awarding attorney's fees based, in part, on Wife's discovery abuses. This case has been cited sixteen times since its issuance.

- (e) *Joseph Leslie Griggs, Jr. v. Darlington County Sheriff's Office*, Court of Common Pleas, Darlington County, Civil Action No.: 2022-CP-16-00873.

This action stemmed from the execution of search warrants on Plaintiff's residence. In the execution of the search warrants, the investigating officers seized personal property from Plaintiff's residence. Plaintiff alleged causes of action for conversion, misdelivery of a bailment, civil conspiracy, and negligence. Additionally, Plaintiff pled for punitive damages and requested a jury trial.

Through my representation of the Darlington County Sheriff's Office, all of Plaintiff's causes of action were dismissed on summary judgment. Of particular significance was the adjudication that actions of a law enforcement agency acting within the scope of its authority cannot constitute the tort of conversion; this was similar to an outcome achieved in the matter of *James T. Johnson v. James Hudson, Jr., in his official capacity as the Darlington County Sheriff*, 2021-CP-16-00389, a matter in which I served as co-counsel for the Defendant.

Another focal argument in this case concerned the right to a jury trial in tort lawsuits against a governmental entity. Sparked by the recent case of *Pearson v. Richland County*, 445 S.C. 246, 912 S.E.2d 286 (Ct. App. 2025) I argued that the Darlington County Sheriff's Office could not be sued in tort or in contract before a jury because: (1) Defendant had not consented to be sued before a jury; and (2) Plaintiff would not have had a right to a jury trial against a governmental entity at the time of the adoption of the South Carolina Constitution in 1868 (a time prior to the enactment of the S.C. Tort Claims Act).

24. 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) *Huntley v. Young*, 319 S.C. 559, 462 S.E.2d 860 (1995)
- (b) *Joseph M. Lavender v. Judy H. Moorehead*, 1994-UP-310 (Ct. App. 1994)
- (c) *Collins Music Company, Inc. v. Tommy Thomas, et al.*, 1994-UP-215 (Ct. App. 1994)
- (d) *Rebecca L. Askins-Weaver v. Jeffrey R. Weaver*, 2020-UP-124 (Ct. App. 2020)
- (e) *Glenn Andrew Folck v. Kristyne C. Folck*, Appellate Case No: 2000-016442

25. 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)

26. 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 Municipal Judge for the City of Hartsville, South Carolina in July 1995. I held this position through August 1996. As a Municipal Judge I presided over cases involving violations of city ordinances and violations of state law where the penalties imposed would not exceed thirty days incarceration and/or a fine of five hundred dollars. Additionally, I presided over certain cases transferred from general sessions court, provided the penalty did not exceed one year imprisonment or a fine of five thousand dollars.

Notably, during my tenure as a Municipal Judge, the breath-testing device utilized by South Carolina for driving under the influence cases was changed from the Breathalyzer Model 900 to the BAC DataMaster. The BAC DataMaster was manufactured by National Patent Analytical Systems, Inc. To be at the forefront of this technological shift, I attended a two-day seminar at the headquarters of National Patent Analytical Systems, Inc. in Mansfield, Ohio, which involved an in-depth look into the mechanisms of, and science behind, the BAC DataMaster.

27. If the answer to question 26 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.

No trials over which I presided were appealed.

28. 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, November 16, 1988

(b) U.S. District Court for the District of South Carolina, October 28, 1991

29. 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) University of South Carolina Honors College - Fall 2021: SCHC 387 “The Law and Ethics of Public Policy” – The course examined how existing Constitutional, statutory, and common law principles interplay with the enactment of new laws. This course also considered how the ethics rules and standards for public officials can impact the development of public policy.
 - (b) Lucas, On Principled Leadership, The Fourteenth Annual Wilkins Leadership Awards Dinner, The Riley Institute (January 8, 2019).
 - (c) Hot Tips from the Coolest Domestic Law Practitioners, Legislative Update (September 15, 2000).
 - (d) Hartsville Police Department – I taught a basic criminal law class to the reserves and Citizens Academy (1997).
 - (e) For the last few years, I have been invited to speak to the law clerks and legal interns for the Columbia office of Burr & Forman, LLP. I have accepted this invitation on multiple occasions and have enjoyed speaking with aspiring lawyers about the private practice of law.
30. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.

Pursuant to Rule 408(a)(2)(B), SCRAC, I have been exempt from the mandatory continuing legal education requirements for the last five years. Notwithstanding this exemption, my continuing legal education credits for this time period are as follows:

<u>Date</u>	<u>Title</u>	<u>Credit Hours</u>
July 12, 2025	33 rd Annual Criminal Practice in South Carolina: Full Seminar	6.75 1 (LEPR)
July 12, 2025	34 th Annual Criminal Practice in South Carolina: Full Seminar	6.5 1 (LEPR)
July 13, 2025	Criminal Trial Demonstration: High Speed, High BAC, High Drama DUI Trial: Full Seminar	5.86
July 14, 2025	32 nd Annual Criminal Practice in South Carolina: Full Seminar	6.5 1 (LEPR)
July 14, 2025	2024 Criminal Law: Understanding the New DUI & Constitutional Carry Laws	2
July 17, 2025	Taking it to the Next Level: What Every Trial Lawyer Should Know About Appeals: Full Seminar	5.85 1 (LEPR)
July 20, 2025	Drug Litigation in South Carolina: Full Seminar	5.75 1 (LEPR)

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

James Howle Lucas, Note, *Estate Tax Apportionment Under the New South Carolina Probate Code*, 39 S.C.L.R. 3 (Spring 1988) (Exhibit C).

32. 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 and 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.)
- (a) **Brief of Respondents in the matter of *Grantham v. Weatherford*, 425 S.C. 111, 819 S.E.2d 765 (Ct. App. 2018). I was the sole author of this brief.**
 - (b) **Order in the matter of *Joseph Leslie Griggs, Jr. v. Darlington County Sheriff's Office*, Court of Common Pleas, Darlington County, Civil Action No.: 2022-CP-16-00873. I was the primary author of this Order. Adam C. Gainey, Esquire, edited this Order prior to its execution and filing.**
33. 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.
- (a) **Elected to the South Carolina House of Representatives (November 3, 1998)**
 - i. **Assigned to the Judiciary Committee for the 113th – 115th Legislative Sessions (1999-2004)**
 - **Appointed Chairman of the Special Laws Subcommittee for the 114th Legislative Session (2001-2002)**
 - **Appointed Chairman of the Criminal Laws Subcommittee for the 115th Legislative Session (2003-2004)**
 - ii. **Assigned to the Ways and Means Committee for the 116th – 118th Legislative Sessions (2005-2010)**
 - **Appointed Chairman of the Transportation Regulatory Budget Subcommittee for the 117th Legislative Session (2007-2008)**
 - **Appointed Chairman of the Economic Development and Natural Resources Budget Subcommittee for the 118th Legislative Session (2009-2010)**
 - (b) **Elected Speaker Pro-Tempore of the House of Representatives (November 17, 2010)**
 - (c) **Elected Speaker Pro-Tempore of the House of Representatives (December 4, 2012)**
 - (d) **Elevated to Acting Speaker of the House of Representatives (September 11, 2014)**
 - (e) **Elected Speaker of the House of Representatives (December 2, 2014)**
 - (f) **Elected Speaker of the House of Representatives (December 6, 2016)**
 - (g) **Elected Speaker of the House of Representatives (December 4, 2018)**
 - (h) **Elected Speaker of the House of Representatives (December 1, 2020)**
 - (e) **Last Date of Service in the House of Representatives (June 28, 2022)**

During my service in the South Carolina House of Representatives I timely filed all reports with the State Ethics Commission and the South Carolina House of Representatives' Ethics Committee.

Personal Conduct

34. 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 of the following: federal law or regulation; state law or regulation; 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.

Public Disorderly Conduct (circa 1981) (TIA)

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

No

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

No

37. 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.

Since I started practicing law, I have maintained malpractice insurance. I have never had a tail policy. The policy currently covering my firm is:

Insurer:	Attorney Protective (Prosource Insurance Services LLC)
Policy Number:	LP015478
Coverage:	\$2,000,000.00
Deductible:	\$10,000.00

38. Have you ever, as a lawyer, judge, or other professional, been cautioned, sanctioned, or disciplined for lawyer, judicial, or other professional misconduct with or with a finding of misconduct? 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.]

39. 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

Financial

40. Provide, **as a separate attachment**, a complete, current financial net worth statement that itemizes the below in detail. Note that a net worth statement form is provided with this questionnaire and you must use this format for submission of your financial statement.
- (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.

NOTE: The Commission may require written confirmation that financial obligations have been satisfied or that the parties have agreed upon a payment schedule.

41. (a) Have you filed state and federal income tax returns for the last 5 years? If no, please provide details.

Yes

- (b) Have you or any business with which you are associated been delinquent in any local, state, or federal taxes? If yes, please provide details.

No

- (c) Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? If yes, please provide details.

No

42. Have you ever defaulted on a student loan? If so, please provide details.

No

43. Have you ever filed for bankruptcy? If so, please provide details, along with proof of satisfaction of any liens or defaults.

No

Conflict of Interest

44. 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.

Please see the chronology provided in my answer to question 18

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

No

46. 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.

DATES	EMPLOYER	POSITION
Sept. 1981 – July 1983	City of Bennettsville	Finance Director
July 1983 – June 1985	Fairfield County	County Administrator
Oct. 2022 – Oct. 2024	Prisma Health	Senior Vice President of Governmental Affairs

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

No

48. Are you now or have you ever been employed as a “lobbyist,” as defined by S.C. Code Section 2-17-10(13), or have you acted in the capacity of a “lobbyist’s principal,” as defined by S.C. Code Section 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

49. 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 Section 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

50. 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

51. 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 4 years. If you participate in any employer-mandated contributions to a PAC or any other political entity, please describe and note your personal involvement in contributions. If you are a sitting judge, please include such contributions since your last screening.
- (a) **Senator Tom Davis - \$1,000.00 (Contribution from Tracy A. Lucas, Spouse)**
 - (b) **Representative Jay Jordan - \$1,000.00 (Contribution from Tracy A. Lucas, Spouse)**
 - (c) **Representative Kirkman Finley - \$1,000.00 (Contribution from Tracy A. Lucas, Spouse)**
 - (d) **Representative Cody T. Mitchell - \$1,000.00 (Contribution from Tracy A. Lucas, Spouse)**
52. Have you or 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.
None
53. 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.
None
54. Describe any interest you or a member of your immediate family has in real property:
- (a) in which there is a potential conflict of interest with your involvement in a South Carolina state or local public agency;
 - (b) in which there have been public improvements of \$200 or more that adjoins property in which there have been public improvements of \$200 or more; or
 - (c) which was sold, leased, or rented to a state or local public agency in South Carolina.
- None**
- List the interest you hold and the value and location of the property. Identify as applicable the:
- (a) nature of any potential conflict of interest;
 - (b) nature and value of any public improvements; and
 - (c) South Carolina state or local public agency which purchased or is leasing or renting such property.
- Attach a copy of any contract or agreement.
None
55. 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

56. For sitting judges, if you currently hold an interest in stock or other securities or have held such an interest, list each stock you currently own or owned during the prior calendar year. If you prefer, you may attach broker or account records containing the requested information instead of listing it here.

n/a

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

n/a

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

n/a

59. 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

60. Have you requested any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Describe the campaigning you have done for this election and include a list of those individuals you have asked to campaign on your behalf and, to the best of your knowledge, those who have campaigned for you on their own initiative.

I have not requested any third party to contact members of the General Assembly on my behalf, and I know not to do so before the final and formal screening report has been released. To date, I have not campaigned for this position nor have I asked others to campaign on my behalf. Currently, I know of no one who is campaigning on my behalf on their own initiative.

61. Are you familiar with the 12 days' rule as provided by Section 2-19-25, 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

62. Since submitting your letter of intent to become a candidate, have you or 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

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 August, 2025.

(Notary Signature)

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