

**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

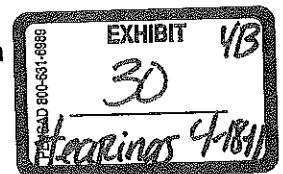
Court, Position, and Seat # for which you are applying:
Master-in-Equity, Aiken County

1. NAME: Mr. Maurice A. Griffith
BUSINESS ADDRESS: 147 Newberry St., NW
Aiken, S.C. 29801
TELEPHONE NUMBER: (office):803-648-3255
2. Date of Birth: 1958
Place of Birth: Charleston, South Carolina
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
5. Family Status: Married on August 20, 1983, to Anne Gentilucci Griffith.
Never divorced; has two children and one deceased child
6. Have you served in the military? No
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) University of South Carolina, Columbia, South Carolina, Bachelor of Science, Criminal Justice, 1981;
 - (b) University of South Carolina, Columbia, South Carolina, Juris Doctor Degree, 1988;
8. 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. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.

I was admitted to practice law in South Carolina in 1988.
9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.
 - (a) I participated in the Mock Trial competitions;
 - (b) I was married during law school and clerked for the Mullis Law Firm in Columbia, South Carolina, and for Rogers, Ducan, Fullwood & Derrick in Lexington, South Carolina.
10. Describe your continuing legal or judicial education during the past five years.

2005

 - (a) SC Course Number 250195: SC Circuit Court Arbitrator
 - (b) SCTLA Course Number 253077: Newly Adopted Medical Malpractice
 - (c) US District Court tutorial for electric filing
 - (d) NBI Course Number 29358: Legal Ethics in South Carolina



2006-07

- (a) SCTLA Course Number 263337: Auto Torts XXIX
- (b) NBI Course Number 26356: The Probate Process From Start to Finish

2007-08

- (a) LES Course Number 37361: Strategies in Handling DWI and DUI Cases in South Carolina
- (b) NBI Course Number 401885: Resolving Legal and Financial Issues in Elder care
- (c) SC Bar Course Number 07-46: SC Workers' Compensation Law: Evolving issues 2007

2009-10

- (a) SCAJ Course Number 295442: Auto Torts XXXII

2010-11

- (a) SC Bar online seminar No DL-356: 2009 Significant Developments in SC Legal Ethics
 - (b) NBI Course Number 213230: Attorney's Guide to Legal Research Strategies On and Offline
 - (c) NBI: Family Law from A to Z
 - (d) SC Bar Course Number DL-400: Medicare Secondary Payer, Module 1: The Basics
 - (e) SC Bar Course Number DL-401: Medicare Secondary Payer, Module 2 MSP and Workers' Compensation
 - (f) SC Bar Course Number DL-402: Medicare Secondary Payer, Module 3 MSP and Personal Injury
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? I have not taught any law related courses.
12. List all published books and articles you have written and give citations and the dates of publication for each. None
13. 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) I was admitted to practice in the South Carolina state courts in 1988;
 - (b) I was admitted to practice in the South Carolina District Court in 1990.
14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.

After graduating from law school, I began working with the law firm of Bodenheimer, Busbee & Hunter. I became a partner in that firm approximately two years later as Bodenheimer, Busbee, Hunter & Griffith. The firm is now Busbee, Hunter & Griffith, P.C. and I serve as the President.

My practice was primarily in the area of civil litigation. I worked on personal injury and workers compensation cases. I also did some criminal defense work. The majority of the cases were in the circuit courts, magistrate courts and before the workers compensation commissioners.

In 1990, I began serving as the municipal judge for the Town of Wagener. The primary duties were to conduct bench and jury trials each month. I would also review the reports to be provided to the South Carolina Court Administration. This provided an enjoyable experience of dealing with the local police, the employees and the general public of the town. I would normally have one day scheduled for jury trials each month and another day to have bench trials on traffic ticket cases and other criminal cases within the jurisdiction of the municipal court.

In my private practice, I began to develop a practice that involved representing home owners, sub-contractors and general contractors on contract matters. These cases would often involve filing mechanic liens, attempting to settle the disputes and in many cases, going to trial before the Master-in-Equity. After some period of time, I began to receive referrals from local firms that did not handle these types of cases. Since I was dealing with litigation involving real estate, I began to handle cases involving partition actions, boundary disputes, actions involving different types of easements, owner financing leases that involve equitable claims by the buyer and claims for specific performance. I have continued to develop that practice over the past ten to fifteen years. Almost all of these cases are non-jury and any hearings are before the Master-in-Equity or a Special Referee. I continue to handle breach of contract matters, personal injury matters and some workers compensation claims before other courts.

In 1996, I began serving as the attorney for the Town of Jackson. This involves attending council meetings when requested by the town, researching issues and handling any criminal trials or appeals from the municipal court. I continue to serve in that position. The income from this matter is paid to the law firm and not to me individually.

In 2006, I began serving as the attorney for the City of New Ellenton. It involves similar duties that I perform with the Town of Jackson. I recently had a case involving a challenge to the municipal boundaries for New Ellenton. That matter was heard by the Master-in-Equity. The income from this matter is paid to the law firm and not to me individually.

I also have cases in the probate court if it involves some litigation. Due to some changes within our firm, I have several cases in the family court. My practice is almost exclusively in the state courts as opposed to filing or defending cases in the federal courts.

If you are a judge and are not seeking a different type of judgeship, the following questions are inapplicable:

- (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.

The most recent case was a breach of contract case that dealt with a construction company renting equipment. Briefs are being submitted to the Master-in Equity. The issues also involve the plaintiff's duty to mitigate damages and an argument of attorney fees.

The case with the City of New Ellenton dealt with a local business filing a declaratory judgment action to determine the boundaries for the municipality. It involved the testimony of prior mayors who served and their belief as to the location of the boundary. A survey from the South Carolina Department of Archives was an important part of the evidence. The municipality had documents that referenced the survey but not signed copies could be located until we found the copy in the archives. This case was before the Master-in-Equity and no decision has been reached at this time.

I had a case in 2010 involving a homeowner in a subdivision attempting to enforce the subdivision restrictions. I represented the home owner and the opposing side represented another homeowner who had purchased a strip of land in the subdivision and was placing a barn and other items on the property. In addition to arguing the subdivision restrictions, the case involved the owners right to rely on the original subdivision plat. The plat showed that the strip was designated as a proposed road. The case was heard by the Master-in-Equity who found that the owners had a right to rely on the subdivision plat. Currently, there is a motion to compel filed for the Master-in-Equity to determine if the defendants have complied with the prior order.

I currently have a quiet title action that involves a large tract of land in Aiken County. In researching the history of the ownership of the property, some of the transfers appear to transfer a different percentage than the grantor owned at the time. Until this matter is clarified by the court, the ownership percentages cannot be determined. There is also an issue of the defendants named who may have a life estate interest. That matter is scheduled to be heard before a Special Referee.

Another current case that has been scheduled before a Special Referee involves claims for an equitable lien, constructive trust or a resulting trust. This involves a party paying between \$200,000.00 to \$300,000.00 in a home owned by the defendant in Aiken County. The plaintiff and his grandchildren were living in the home with the defendant and her child. After paying for the improvements, the defendant filed an action to have the other party evicted from the home.

I have a case filed involving an alleged easement across my clients property. The issues involve claims for a prescriptive easement and an express easement. The issues of a prescriptive easement or an easement by necessity may be an issue in this case. This matter is scheduled to be heard by the Master-in-Equity.

An Edgefield County case currently filed that involves a breach of contract claim. The plaintiff paid a large sum of money in earnest money and deposited funds with the closing attorney pursuant to the contract. The home could not be built in the location that the parties agreed upon when the contract was signed. This is a non-jury matter but has not been referred.

A case in Beaufort County that has been remanded to establish a transcript involved an action by the plaintiff to close an existing easement. The case involves a determination by the court on a easement in gross or an appurtenant easement.

Another case filed in the Aiken Court of Common Pleas is on the jury roster and involves a claim by a homeowner against a home inspector for negligence and a claim for fraud and negligent representation against the prior owners.

A case filed in the Aiken Court of Common Pleas is on the jury roster and involves a claim by the homeowners against two adjacent owners. This involves a claim for damages caused by the improper design and maintenance of a dam by the defendants.

A case filed in Richland County Court of Common Pleas is a personal injury claim against a hospital. This involves a negligence claim for injuries a patient suffered in a fall in the hospital.

Over the past five years, I have either filed a complaint or an answer on behalf of a client in approximately 170 cases. Of those approximately 40 have been resolved by trial, arbitration or mediation. The majority of those cases are before the Master-in-Equity or a Special Referee.

15. What is your rating, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, etc.? If you are currently a member of the judiciary, list your last available rating, if any.

In my review of those organizations, I did not find a rating.

16. What was the frequency of your court appearances during the last five years?
- (a) federal: No Appearances; One case was removed to the federal court and was resolved by settlement.
- (b) state: I am usually scheduled to appear at all of the non-jury roster calls and the motion dockets in Aiken County, South Carolina. I have filed a complaint or an answer in litigated matters approximately 170 times over the past five years.

17. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years?
- (a) civil: 75%;
 - (b) criminal: 5%;
 - (c) domestic: 15%;
 - (d) other: 5%.
18. What percentage of your practice in trial court during the past five years involved matters that went to a jury, including those that settled prior to trial?
- (a) jury: 25%;
 - (b) non-jury: 75%.
- Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? I am normally the only attorney in those cases.
19. 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) Ippolito v. Hospitality Management Associates, 352 S.C. 563, 575 S.E. 2d 562 (S.C. App. 2003). This was a case of first impression that involved the South Carolina "Innkeepers Statute", S.C. Code Ann. 45-1-40 (1976). The lower court case was a jury trial.
 - (b) Mims v. Myers, et.al., Op. No. 2004-UP-556 S.C. Ct. App. filed November 4, 2004. The issue on appeal dealt with the validity of a tax sale. The Court affirmed the decision. The lower court case was a non-jury trial.
 - (c) J. E. Stewart Builders, Inc. v. Szabo, Op. No. 2003-UP- 185 filed March 6, 2003. The case involved an appeal by Szabo of the lower court decision. It involved a claim for unfair trade practice in the use of a draftsman. The Court affirmed the decision. The lower court case was a jury trial.
 - (d) Combs v. Barton, No. 07-CP-02-1868 (Aiken, S.C. Ct. Common Pleas, November 1, 2010). This issue in this case was interpreting S.C. Code Ann. 40-59-810 et seq. This is a relatively new statute but is important for parties filing a lawsuit or defending the case in construction cases. The statute involves the proper procedure to offer a contractor the chance to cure any defects before a lawsuit can be filed.
 - (e) Dandy v. American Laundry Machinery, Inc. 301 S.C. 24, 389 S.E. 2d 866 (S.C. 1990). The case was eventually argued before the United States Court of Appeals for the Fourth Circuit . I argued this case with John Bodenheimer. It clarified the requirements at that time for tolling the statute of limitations with an out of state corporation.
20. 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) Ippolito v. Hospitality Management Associates, 352 S.C. 563, 575 S.E. 2d 562 (S.C. App. 2003). This was a case of first impression that

- involved the South Carolina "Innkeepers Statute", S.C. Code Ann. 45-1-40 (1976). The lower court case was a jury trial.
- (b) Mims v. Myers, et.al., Op. No. 2004-UP-556 S.C. Ct. App. filed November 4, 2004. The issue on appeal dealt with the validity of a tax sale. The Court affirmed the decision. The lower court case was a non-jury trial.
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- (d) Dandy v. American Laundry Machinery, Inc. 301 S.C. 24, 389 S(d) American General Finance, Inc. v. Griffin et al. (Edgefield, S. C. Ct. Common Pleas, January 21, 2009) The case was settled during the appeal. It involved an argument that the Special Referee erred in finding that the appellant had no established the defense of mutual mistake by clear and convincing evidence.
- (e) E. 2d 866 (S.C. 1990). The case was eventually argued before the United States Court of Appeals for the Fourth Circuit. I argued this case with John Bodenheimer. It clarified the requirements at that time for tolling the statute of limitations with an out of state corporation.
21. List up to five criminal appeals that you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported.
- I have not filed any appeals from the General Sessions Court. The only criminal appeals I have handled are the appeals from the magistrate court to the circuit court.
22. Have you ever held judicial office?
- I served as the municipal judge for the Town of Wagener from 1990-96. I was authorized to hear criminal cases within the jurisdiction of the municipal court.
23. If the answer to question 22 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 opinions were issued from the municipal court.
24. 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?
- I have never held a public office.
25. 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.

The municipal judge position only required two days each month. One day was devoted to jury trials and one day was for bench trials. I continued my regular legal practice during that time.

26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? No

27. 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?

(a) Charleston City Police Department, Charleston, South Carolina; June 1981 to November 1983. Senior-Private First Class; I worked in the uniform division after I graduated with a criminal justice degree.

(b) Wackenhut Securities, Inc. Savannah River Plant, Aiken, South Carolina; November 1983 to August 1985. I was a sergeant in the law enforcement division. My duties included assisting in the initial training related to law enforcement, supervision of personnel in the day to day duties and training.

28. Are you now an officer or director or involved in the management of any business enterprise?

I am President of Busbee, Hunter & Griffith, PC.

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

30. 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. Explain how you would resolve any potential conflict of interest.

My employment as the attorney for the Town of Jackson and the City of New Ellenton would create a conflict if those entities were involved in the litigation. Initially, I believe those matters would have to be referred to a Special Referee.

I have practiced with the same two attorneys since 1988. That would be a conflict, but they have filed cases infrequently over the past five years. A conflict would still exist if they were involved in any capacity. Those matters would be assigned to a Special Referee.

Prior clients may be a conflict and I would verify that I have not represented any of the individuals involved in the litigation. If it is not a current client when I was practicing or a client I had represented on an ongoing basis, the relationship would still need to be disclosed to the parties to allow an opportunity for a motion to recuse myself. The procedure followed by other judges has been to notify the members of the bar to make that inquiry to their clients when a new judge begins hearing cases.

Any loans I currently have were made in the regular course of business and on the same terms available to other parties. However, I believe that a disclosure would avoid the appearance of any conflict.

My wife works in the Lexington County School District. If any action involved the districts she is employed with or has a contract with through her company would create a conflict or the appearance of a conflict. I am not aware of a case involving these entities in Aiken County but list it based on the question.

If any cases involved the private school that my son and daughter attended, or the church I attend, I would have a conflict. I do not believe that would be an issue but if they were parties or involved in the litigation, the matter would be referred to a Special Referee.

31. 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? No
32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? No
33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy?

I have never filed bankruptcy or defaulted on a student loan. In 2002, South Carolina Department of Revenue filed a tax lien on January 24, 2002. I paid that within two weeks and it was satisfied on February 4, 2002. On March 19, 2008, South Carolina Department of Revenue filed a tax lien for penalty and interest. When no agreement was reached, I paid that amount and it was marked as satisfied on July 15, 2008. While there is no tax lien, I am paying monthly payments to the U.S. Treasury of \$360.00 per month. This is an agreed payment plan.

34. Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law?
- (a) In 1988-89 I was named as a defendant in a lawsuit involving Wackenhut Securities, Inc. The case involved a Driving Under the Influence arrest made by a patrolman under my supervision. After depositions, the case was dismissed.
- (b) In 2004, I was named in an action as the defendant on a case filed by a former client. This involved a statute of limitations matter and was settled prior to trial. Our firm was responsible for the payment of the deductible.
36. 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? No

37. 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
38. 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
39. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None
40. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None
41. 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. None as of March 6, 2011
42. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship. None
43. 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? 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
44. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No
45. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No
46. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? No
47. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
- (a) South Carolina Bar Association;
 - (b) American Bar Association;

- (c) Aiken County Bar Association; Former president.
48. 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, any professional honors, awards, or other forms of recognition received and not listed elsewhere.
None in the past five years.

49. 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.

The six years I spent as a municipal judge helped me to become familiar with the responsibilities of an individual who is making decisions that are very important to the parties involved in the legal action. It helped me in dealing with the general public since a large portion of my time as a municipal judge involved dealing with pro se litigants and family members.

I have been representing parties in litigated matters since 1988. My practice involves representing both plaintiffs and defendants. The majority of my cases in the last fifteen years have involved cases before a special referee or the Master-in-Equity. It has been a general practice involving easement matters, boundary disputes, foreclosures, quiet title actions, partition actions, specific performance claims and breach of contract cases among others. I think the variety of cases and being in a position to represent multiple individuals and businesses have given me valuable experience in dealing with different personalities.

50. References:

- (a) Russell Fernandes
SRP Federal Credit Union
P.O. Box 6730
North Augusta, SC 29861
(803) 202-4390
- (b) Irene Rudnick
Rudnick and Rudnick
P.O. Box 544
Aiken, SC 29802
(803) 648-2565
- (c) James Corbett
Holler, Dennis, Corbett, Ormond, Plante & Garner
P.O. Box 11006
Columbia, SC 29211
(803) 765-2968
- (d) O. Dantzler Busbee
3421 Hall Dr. SW
Aiken, SC

(803) 648-6504
(e) Tommy Coward
3077 Tom Cat Ln.
Aiken, SC
(803) 643-9326

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: Maurice A. Griffith

Date: March 7, 2011