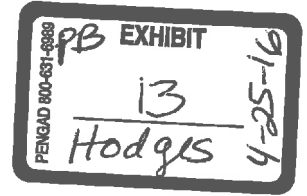


JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE



Court, Position, and Seat # for which you are applying: Family Court, Thirteenth Judicial Circuit, Seat 3

1. Name: Mr. Thomas Tredway Hodges

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

Are you currently serving in some capacity as a judge?
(Includes Municipal, Magistrate, Etc.) No

Home Address: [Redacted]

Business Address: 819 East North Street
Greenville, SC 29601

E-Mail Address: [Redacted]

Telephone Number: (home): [Redacted]
(Office): (864) 616-0235

2. Date of Birth: [Redacted] 1959
Place of Birth: Conway, SC
Social Security Number: [Redacted]

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

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

5. Family Status: Married on April 23, 1988 to Erroll Anne Yarbrough
Never divorced, two children

[Redacted]

6. Have you served in the military? If so, give the dates, branch of service, highest rank attained, serial number, present status, and the character of your discharge or release.

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) Georgia Tech – August 1978 to March 1979 withdrew without degree.
- (b) USC-Spartanburg August 1979 to August 1980.
- (c) USC-Columbia August 1980 to December 1980.
- (d) USC-Spartanburg January 1981 to August 1982. Bachelor of Science in Business Administration.
- (e) USC School of Law August 1984 to May 1987. Juris Doctor.

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.

South Carolina 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 was a law clerk for Turnipseed, Bogan and Dew after my first year of law school and into my second year.
- (b) I was a law clerk for Callison, Tighe, Rush, Robinson and Anastasion after my second year and into my third year.

10. Describe your continuing legal or judicial education during the past five years.

| <u>Conference/CLE Name</u> | <u>Date(s)</u> |
|---|----------------|
| (a) Greenville County Bar “Year End” CLE | 2/12/16; |
| (b) Hot Tips for the Coolest Domestic Law Practitioners | 9/25/15; |
| (c) Tips, Tricks and Tools for Mediation | 9/18/15; |
| (d) Greenville County Bar “Year End” CLE | 2/13/15; |
| (e) Family Court Bench Bar | 12/5/14; |
| (f) 2014 Hot Tips from the Coolest Domestic Law Practitioners | 9/26/14; |
| (g) A Practical Guide to Civil and Criminal Contempt in SC | 2/17/14; |
| (h) Greenville County Bar “Year End” CLE | 2/14/14; |

- (i) 2013 Hot Tips from the Coolest Domestic Law Practitioners 9/27/13;
- (j) Greenville County Annual CLE Conference 2/15/13;
- (k) Cell Phone Forensics 2/11/13;
- (l) Grantee Gathering 12/11/12;
- (m) Hot Tips from the Coolest Domestic Law Practitioners 9/28/12;
- (n) 2011 Family Court Bench/Bar 12/2/11;
- (o) What Family Court Judges Want You to Know (moderator) 2/18/11.

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture.

I led the program titled "What Family Court Judges Want You to Know" held in Greenville on 2/18/11. This seminar involved a panel of eight family court judges speaking on a variety of family court issues. I moderated the judges' discussions and prepared their materials.

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

I have not published any books or articles.

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) South Carolina, 1987
- (b) US District Court for the District of SC, 1988
- (c) US Court of Appeals for the Fourth Circuit, 1988

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.

- (a) I graduated from law school in May 1987.
- (b) Haynsworth, Baldwin, Miles, Johnson, Greaves and Edwards. Associate from August 1987 to December 1994. Partner from December 1994 to May 2003. The firm was a labor and employment firm representing employers exclusively. As a new associate I primarily did legal research for all types of labor and employment cases pending before state and federal courts and various state and federal agencies.

Over time I began to make appearances in those same forums at all times representing management exclusively. I participated in several breach of contract and unlawful discharge trials. I reviewed employer policies and documents to ensure legal compliance and I regularly provided legal training to employers concerning a wide variety of employment matters. In the early 1990s my work became more focused on traditional labor matters, including union elections, unfair labor practices and labor arbitrations. I traveled the country extensively representing employers in labor disputes and union campaigns. I represented companies before the National Labor Relations Board from Alaska to Florida and from New Jersey to California and most states in-between. I handled hearings before NLRB hearing officers, Administrative Law Judges and arbitrators. Those hearings were always non-jury and typically lasted anywhere from 1 day to many days. The hearings involved taking testimony, cross-examination of witnesses, introducing and objecting to evidence and drafting briefs for the judge or hearing officer. The nature of my practice remained primarily NLRB related until my resignation from the Haynsworth firm in May 2003.

- (c) Robertson, Hodges and Coleman, Partner October 2003 to 2005. In October 2003 Marsh Robertson (now Judge Robertson), Ann Coleman, and I formed Robertson, Hodges and Coleman. Our practice was limited to family court matters exclusively. Coleman left the practice in 2005.
- (d) Robertson and Hodges 2005 to February 2010. Robertson and I formed Robertson and Hodges, LLC. We continued to practice exclusively in Family Court. Robertson was elected to the Family Court Bench in 2010 and our partnership was dissolved.
- (e) Thomas T. Hodges, P.A. February 2010 to present. I still limit my practice to Family Court matters.

15. Please answer the following (if you are a judge and are not seeking a different type of judgeship, this question is inapplicable):

- (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 has prepared you to preside over such matters as a Family Court Judge.

DIVORCE: I have handled numerous divorce cases. Some have been complicated by significant property or support issues. Some have been very simple where there are no property or support issues to resolve. I have handled many fault based divorce cases as well as many no-fault cases. I have handled contested and uncontested cases alike. I have handled many separate support cases. I have also litigated and handled cases involving the existence of a common law marriage.

ALIMONY AND CHILD SUPPORT: I have prosecuted and defended cases requesting alimony, termination of alimony and modifications to alimony and child support

awards. I have represented many unwed parents in actions to establish and defend child support obligations.

EQUITABLE DIVISION: I have handled a wide variety of cases where the parties have argued over personal property that had little or no monetary value to cases where one party or the other is a multi-millionaire. Occasionally an expert is needed to value property or a business. I have worked closely with those experts in identifying the property and valuing it. Several cases have involved parties with significant non-marital assets that while not included in the marital estate, still impact the percentage of the estate to be awarded to a spouse and impact the support that a spouse is to pay. I have dealt with issues of transmutation of non-marital property. I have drafted numerous pre-marital agreements dealing with the disposition of property in the event of a later divorce or separation.

CHILD CUSTODY: I have handled many custody issues whether they were part of a divorce case or independent of a divorce action. I have handled numerous change of custody actions representing both the plaintiff and defendant. I have successfully handled cases wherein one parent has made serious, but unfounded charges of sexual abuse of the child against the other parent. I have successfully represented un-wed fathers in obtaining custody and/or visitation rights. I have represented grandparents in obtaining custody of their grandchildren.

ADOPTION: I have had limited exposure to adoptions. There are several attorneys who specialize in adoptions to whom I refer those cases. I have represented individuals who have relinquished their parental rights for others to adopt the child.

ABUSE AND NEGLECT: I have been appointed in abuse and neglect cases as an attorney and as a guardian ad litem for both children and adults. However, other than appointed cases, I have not represented any one in an abuse and neglect case.

- (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, 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 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.
- (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.

- (d) If you are a candidate for Administrative Law Judge, 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 Judge Court.

16. 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.

- (a) AV rating with Martindale-Hubbell.
- (b) Super Lawyer in the area of Family law 2008 and 2009.

*** Retired justices/judges and justices/judges applying for reelection to their current position may omit Questions 17–22. If a candidate is seeking a judgeship different than his or her current position, Questions 17-22 should be answered based on experience prior to serving on the bench.**

17. What was the frequency of your court appearances during the past five years?

- (a) federal: 0%
- (b) state: very frequent

18. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years?

- (a) civil: 0%
- (b) criminal: 0%
- (c) domestic: 100%
- (d) other: 0%

19. 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: 0%
- (b) non-jury: 100%

Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? I most often serve as sole counsel.

20. 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) Bridges v. Bridges, 2012-DR-23-2890. I represented the Plaintiff/Father in this custody modification case that was tried over a 4 day period. This case was filed

1056 (4th Cir. 1993). The company reinstated the employees but could not agree on the amount of back pay owed to them, so a two day hearing was held on that issue in January 1994. I handled that trial and the subsequent appeal to the full NLRB. *Minette Mills, Inc.*, 316 NLRB 1009 (1995). The case I will remember as being significant followed when the employees were terminated a second time and charges of unlawful discrimination and retaliation were filed again by the NLRB. The significance is that the trial on the second discharges was held before the same judge that heard the back pay issue and the company was under the threat of contempt for non-compliance with the Fourth Circuit order. Despite the stacked deck of the case, the judge ruled that the company had not violated the law and dismissed the complaint. To my knowledge the NLRB did not appeal that decision.

21. 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.

I have not personally handled a civil appeal since practicing family law. While I was listed as an attorney of record in Stiggers-Smith v. Smith 2009-UP-105, and tried the case at the trial level, I did not handle that appeal by myself.

22. 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.

None

23. 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 have never held judicial office.

24. If the answer to question 23 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.

N/A

25. 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.

I have never held public office.

26. 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.

N/A

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

- (a) I was a candidate for Family Court At Large Seat 6 that was screened in the fall of 2012. I was found qualified and nominated by the JMSC, but withdrew my name from consideration prior to the election.
- (b) I was a candidate for Judge of the Family Court, Thirteenth Judicial Circuit, Seat 5 in the fall of 2013. I was found qualified but not nominated by the JMSC.

28. 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.

Since graduating law school I have not been engaged in any occupation other than the practice of law. Prior to law school and after graduation from college I was a sales clerk for Ivey's department store in Spartanburg and Richland Creek clothing store in Spartanburg.

29. 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.

30. 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.

(Your response to this question may state "see attached").

(A net worth statement is provided with this questionnaire and you must use this format for submission of your financial statement.)

See attached.

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

31. 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.

To my knowledge I do not have nor have I had any financial or business relationships that could result in a possible conflict of interest. I am one of 16 members in a hunt club that includes several other attorneys, some of whom practice in the Family Court. If one of those attorneys appeared before me I would disclose our relationship and recuse myself if either party requested it.

32. 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 for which a fine of \$125 or less was imposed.

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

No.

34. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? If so, give details.

No.

35. 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? If so, give details, including, but not limited to, dates and resolution.

(a) I have never been sued personally.

(b) In 2007 BellSouth Advertising & Publishing Corporation filed suit against Robertson and Hodges, LLC f/k/a Robertson, Hodges and Coleman P.A., in Dekalb County, Georgia seeking payments owed under a yellow pages advertising contract. The contract was entered into by Ann Coleman under the name Robertson, Hodges and Coleman to advertise her adoption practice. Marsh Robertson and I were unaware that she had entered the contract under the firm name until we were contacted by BellSouth about the unpaid debt. After Ms. Coleman failed to satisfy the debt BellSouth filed the lawsuit. The debt was thereafter satisfied with funds provided by Ms. Coleman and the case was dismissed with prejudice.

36. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been 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.



37. 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.

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

My current malpractice policy was issued by Continental Casualty Company. The coverage is \$1,000,000 per claim with a \$2,000,000 aggregate limit. The deductible is \$2500. I have had malpractice insurance coverage since forming my PA in 2003. Prior to that I was covered by the Haynsworth, Baldwin, Johnson and Greaves policy. I have never had a tail policy.

39. Are you active on or a member of a social media or Internet site or have you, to your knowledge, been featured or depicted on a social media or Internet site, such as, Facebook, LinkedIn, Twitter, etc.? If so, how would your use of social media or other similar types of Internet sites be affected if you were serving in a judicial capacity?

I have a firm website that would be discontinued should I be elected. I am not active on any social media site and I have no plans to become active. My wife has a Facebook account where she stores many family photographs. If elected I would ensure that there no images of me or comments about me are posted that might appear to bring dishonor or disrespect to my position.

40. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a "lobbyist's principal," as defined by S.C. Code § 2-17-10(14)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.

No.

41. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal?

If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved.

No.

42. 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. Include the disposition, if any, of such charges or allegations.

None

43. 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. Include the disposition, if any, of such charges or allegations.

None

44. 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.

As of the date of this application I have not spent any funds in furtherance of my candidacy.

45. 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

46. 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? If so, give details.

Note: Attached are (1) Section 2-19-70(c); (2) JMSC Rule 24, and (3) informal opinions and letters concerning pledging prohibitions, with which third parties acting on your behalf, as well as you, must comply.

No.

47. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? If so, give details. Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? If so, give details.

No.

48. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? If so, please specify the amount, solicitor, donor, and date of the solicitation.

No.

49. 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.

50. 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) Greenville County Bar

51. 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.

- (a) I am a member of the Greenville Country Club.
- (b) I am a member of Hogskin Hunt Club in Honea Path, SC. I am the current Vice President of the club.
- (c) I am a member of the Greenville Gun Club.

52. 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 been practicing exclusively in the Family Court for 13 years. Prior to that, I was a labor lawyer for 16 years with one of the nation's preeminent labor law firms. In both practices I worked very closely with individuals who were going through stressful situations. I have worked closely with multimillionaires to bankrupt individuals. I have worked closely with well educated individuals and those with very limited educations. As a

result I have learned how to relate and connect with people regardless of their economic, social or educational background. I believe that my ability to treat all people with the same level of dignity and respect will be an invaluable asset as a Family Court judge.

53. List the names, addresses, and telephone numbers of five (5) persons, including your banker, 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.

(a) J. Howard Daniel
Ogletree Deakins Nash Smoak & Stewart, PC
300 North Main Street, Suite 500
Greenville, SC 29601
(864) 271-1300

(b) Richard E. Davis
Elliott Davis, LLC
200 East Broad Street, Suite 500
Greenville, SC 29601
(864) 242-3370

(c) Mark B. Kent
KENTWOOL
1 North Main Street, Suite 903
Greenville, SC 29601
(864) 878-6367

(d) A. Marvin Quattlebaum, Jr.
Nelson, Mullins, Riley & Scarborough LLP
104 South Main Street, Ninth Floor
Greenville, SC 29601-2122
(864) 250-2209

(e) SanJuan Washington
TD Bank
101 Cleveland Street
Greenville, SC 29601

(864) 255-7905

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 that adjoins property in which there have been public improvements of \$200; 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.

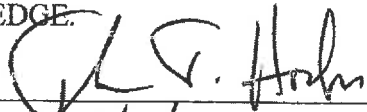
None

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

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: 
Date: 3/2/16