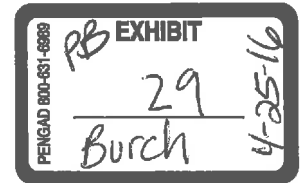


JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE



Court, Position, and Seat # for which you are applying: Circuit Court, Fourth Circuit, Resident Judge, Seat 1

1. Name: Mr. Paul M. Burch
Mrs.
Ms.

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

Are you currently serving in some capacity as a judge? Yes – Circuit Court Judge
(Includes Municipal, Magistrate, Etc.)

Home Address: [REDACTED]

Business Address: 601 South McGregor Street, Pageland, SC 29728

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]
(office): (843) 672-3270

2. Date of Birth: [REDACTED] 1954
Place of Birth: Charlotte, NC
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 August 1, 1976 to Kimberly Thomas Burch.
Never divorced, three children.

[REDACTED] Asst. Solicitor-4th Circuit Solicitor's Office and Private
Practice Attorney

[REDACTED] Parole Examiner-SCDPPPS

██████████ Law Clerk for Circuit Judge Roger Henderson, SC
Judicial Department

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.

USC-Lancaster 1972-1974, Associate in Science in Criminal Justice; University of South Carolina 1974-1976, Bachelor in General Studies; University of South Carolina 1976-1978, Master in Criminal Justice; Sanford University School of Law 1978-1979, Transferred to University of South Carolina School of Law 1978-1980 Juris Doctorate

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 1980

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.

Worked for Pageland Police Department during college and taught Criminal Justice for USC-Lancaster during law school.

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

<u>Conference/CLE Name</u>	<u>Date</u>
(a) Sporting Clays CLE: Ethics	04/29/2010
(b) SC Circuit Court Judges Association	05/05/2010
(c) 2010 Judicial Conference	08/18/2010
(d) Sporting Clays CLE: Ethics	10/28/2010
(e) 43 rd Annual Meeting	11/11/2010
(f) Criminal Law Section	01/21/2011
(g) Trial & Appellate Advocacy Section	01/21/2011
(h) Sporting Clays CLE: Ethics	04/14/2011
(i) SC Circuit Court Judges Conference	05/04/2011
(j) 2011 SCAJ Annual Convention	08/04/2011
(k) 2011 Annual Judicial Conference	08/17/2011
(l) Sporting Clays CLE: Ethics	10/13/2011
(m) Annual Meeting	11/03/2011
(n) Part 2 Criminal Law Section	01/20/2012
(o) Trial & Appellate Advocacy Section	01/20/2012
(p) Spring Sporting Clays	04/12/2012

(q)	Annual Circuit Court Judges Conference	05/02/2012
(r)	2012 Annual Convention	08/02/2012
(s)	2012 Annual Judicial Conference	08/22/2012
(t)	Annual Meeting	11/08/2012
(u)	Part 2 Criminal Law Section	01/25/2013
(v)	Trial and Appellate Advocacy Section	01/25/2013
(w)	Spring Sporting Clays: Ethics with the Judges	04/25/2013
(x)	Spring Conference CLE	05/01/2013
(y)	2013 Annual Convention	08/01/2013
(z)	Fall Sporting Clays: Ethics with the Judges	10/17/2013
(aa)	SCDTAA Annual Meeting	11/07/2013
(bb)	Criminal Law Section- Part 2	01/24/2014
(cc)	Trial and Appellate Advocacy Section Civil Update	01/24/2014
(dd)	2014 Circuit Court Judges Conference	03/24/2014
(ee)	Sporting Clays CLE: Ethics with the Judges	04/24/2014
(ff)	2014 Annual Convention	08/07/2014
(gg)	2014 Annual Judicial Conference	08/20/2014
(hh)	SCDTAA Annual Meeting	11/06/2014
(ii)	Trial and Appellate Advocacy Section: Civil Update	01/23/2015
(jj)	Part 2: Criminal Law Section	01/23/2015
(kk)	SCCJC Spring Conference and Mandatory JCLE	03/09/2015
(ll)	2015 SCCA Annual Judicial Conference	08/20/2015
(mm)	SCDTAA Annual Meeting 2015	01/22/2016
(nn)	SC Bar Trial & Advocacy Section (Civil Law Update	01/22/2016
(oo)	SC Bar Part 2 Criminal Law Section	01/22/2016

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.
- (a) I have served on Judicial panels on several occasions at the SC Solicitors Conference.
 - (b) I have served on Judicial panels at the SC Defense Attorney's Convention.
 - (c) I lectured on Courtroom Violence and Security at the Circuit Judges Conference.
 - (d) I lectured on Prevention and Preparation of Hearing Room Violence at the National Association of Hearing Officials Conference
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) South Carolina, 1980
 - (b) U.S. District Court for the District of S.C., 1980
 - (c) U.S. Court of Appeals for the Fourth Circuit, 1980

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.

Paul M. Burch, Attorney at Law, sole general practice 1980-1991
Full partner in the firm of Henderson, Spencer & Burch 1991
Resident Circuit Court Judge for the Fourth Judicial Circuit-1991 to present

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.

(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.

Listed but not rated in Martindale-Hubbell

* **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:
 - (b) state:

18. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years?
 - (a) civil:
 - (b) criminal:
 - (c) domestic:
 - (d) other:

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:
 - (b) non-jury:Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters?

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)
 - (b)
 - (c)
 - (d)
 - (e)

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.
 - (a)
 - (b)
 - (c)
 - (d)
 - (e)

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.
 - (a)
 - (b)

- (c)
- (d)
- (e)

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.
Yes-Resident Judge of the Fourth Judicial Circuit-7/1/1991 until present
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.
- (a) Carolina Power & Light Company vs The City of Bennettsville and Marlboro Electric Cooperative Inc.; 314 S.C. 137, 442 S.E.2d 177 (1994) (affirmed by Supreme Court).
 - (b) Glenn P. Tallent and Christopher C. King vs Solid Waste Recycling Disposal User Fee Appeals Board of the County of Chester County and Chester County Tax Assessor, individually, and in their official capacity; Case Number 94-CP-12-120.
 - (c) Chip Knoke as Personal Representative of the Estate of Jeremy Ryan Knoke vs The South Carolina Department of Parks, Recreation and Tourism; 478 S.E.2d 256 (1996) (affirmed by Supreme Court).
 - (d) Darlington County School District vs Cedric Washington; Case Number: 94-CP-16-134.
 - (e) Donald M. Brandt Individually and as the Personal Representative of the Estate of Janice N. Brandt, Deceased vs Elizabeth K. Gooding and Gooding & Gooding, PA; 368 S.C. 618 (2006).
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.
Chesterfield County Council 1983-1987; S.C. House of Representatives 1988-1991
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.
None
27. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.
Unsuccessful candidate for S.C. House of Representatives in 1976 and 1978
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.

Police Officer for the Pageland Police Department from 1970 until 1976

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: "SEE ATTACHED"

(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.)

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.

None

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.
Yes – While serving on the Chesterfield County Council, I was a named defendant in a civil suit which arose out of an accident between a county ambulance and a private automobile. This matter was settled.
In 1990, while serving in the South Carolina House of Representatives, I was also named as a defendant in a Federal Civil Action between the NAACP and the Kershaw County School Board. I was eventually dropped as a defendant.
36. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been sanctioned for lawyer, judicial, or other professional misconduct or been found to have committed such 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.
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?
None
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.
None
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

- (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.

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: March 8, 2016