JUDICIAL MERIT SELECTION COMMISSION PERSONAL DATA QUESTIONNAIRE



<u>Court, Position, and Seat # for which you are applying</u>: Supreme Court, Associate Justice, Seat 2

1. Name:

The Honorable John Cannon Few

Name that you are known by if different from above

(Example: A Nickname):

None

Are you currently serving in some capacity as a judge? (Includes Municipal, Magistrate, Etc.) Justice, Supreme Court of South Carolina

Home Address:

Business Address:

305 E. North Street, Suite 311

Greenville, SC 29601

E-Mail Address:

.

Telephone Number: (he

(home): (office):

(803) 734-1925

2. Date of Birth:

Place of Birth:

1963

Social Security Number:

Anderson, 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

4. SCDL# or SCHD#:

Voter Registration Number:



5. Family Status: Divorced

I filed for divorce in the Family Court of Laurens County on the grounds of one year's continuous separation. The divorce was granted on that basis on December 9, 2005. Three children.



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)	Duke University	1981-85	B.A.
(b)	USC School of Law	1985-88	J.D.

- 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.
 - (a) South Carolina 1988

 None
 I took only the South Carolina Bar exam, only once.
- 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) In college I served as the Duke Blue Devil during my junior year, 1983-84.
 - (b) In law school, I served on the Law Review as a Student Works Editor during my senior year, 1987-88.
- 10. Describe your continuing legal or judicial education during the past five years.

(a)	South Carolina Judicial Conference	08/18-20/10;
(b)	Court of Appeals Workers' Compensation CLE	10/15/10;
(c)	Conference of Chief Judges, Napa, CA	11/9-13/10;
(d)	South Carolina Bar Convention	01/20-22/11;
(e)	It's All a Game Evidence CLE	02/18/11;
(f)	South Carolina Judicial Conference	08/17-19/11;
(g)	Southern High Court Conference	09/15-17/11;
(h)	Conference of Chief Judges, Miami, FL	10/23-27/11;

(i)	South Carolina Bar Convention	01/19-21/12;
(j)	It's All a Game Evidence CLE	02/17/12;
(k)	South Carolina Judicial Conference	08/22-24/12;
(1)	South Carolina Bar Convention	01/24-26/13;
(m)	American Board of Trial Advocates—Mock Trial	02/01/13;
(n)	It's All a Game Evidence CLE	02/15/13;
(o)	Court of Appeals Workers' Compensation CLE	04/17/13;
(p)	South Carolina Judicial Conference	08/21-23/13;
(q)	Appellate Practice Project CLE	10/24/13;
(r)	Conference of Chief Judges, St. Louis, MO	10/29-11/02/13;
(s)	National Center for State Courts Annual Meeting	11/21/13;
(t)	South Carolina Bar Convention	01/23-25/14;
(u)	It's All a Game Evidence CLE	02/21/14;
(v)	South Carolina Judicial Conference	08/20-22/14;
(w)	Conference of Chief Judges, New Orleans, LA	11/19-22/14;
(x)	South Carolina Bar Convention	01/22-24/15;
(y)	It's All a Game Evidence CLE	02/20/15;
(z)	Court of Appeals Workers' Compensation CLE	05/20/15;
(aa)	Roscoe Pound Civil Justice Institute	07/11/15;
(bb)	South Carolina Judicial Conference	08/19-21/15;
(cc)	Conference of Chief Judges, East Rutherford, NJ	10/6-10/15;
(dd)	South Carolina Bar Convention	01/21-23/16;
(ee)	It's All a Game Evidence CLE	02/19/16.

- 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.
 - (1) February 26, 2016; "Preserving Issues for Appeal;" South Carolina Bar; Columbia, South Carolina
 - (2) February 19, 2016; "It's All A Game Top Trial Lawyers Tackle Evidence;" South Carolina Bar; Columbia, South Carolina
 - (3) February 12, 2016; "Thoughts on how to 'Get Along' in an Adversarial System;" Greenville County Bar "Year End" CLE; Greenville, South Carolina
 - (4) January 22, 2016; "South Carolina Appellate Update;" South Carolina Bar Convention; Charleston, South Carolina
 - (5) January 8, 2016; "Tips from the Appellate Bench;" York County Bar; Rock Hill, South Carolina
 - (6) November 13, 2015; "Tips from the Appellate Bench;" Anderson County Bar; Anderson, South Carolina

- (7) October 1, 2015; "The Courage of a Lawyer;" TACTIX; Charleston, South Carolina
- (8) September 23, 2015; "Thoughts on 'Serial';" Public Defenders' Conference; Myrtle Beach, South Carolina
- (9) September 21, 2015; "Panel Moderator: Significant Cases 2014-2015;" Solicitors' Conference; Myrtle Beach, South Carolina
- (10) September 10, 2015; "Evidence Boot Camp;" South Carolina Magistrates' Association; Myrtle Beach, South Carolina
- (11) August 3, 2015; "Practice before the South Carolina Appellate Courts;" South Carolina Bar/Bridge the Gap; West Columbia, South Carolina
- (12) July 9, 2015; "Appellate Court;" Orientation School for New Circuit Judges; Columbia, South Carolina
- (13) March 9, 2015; "Practice before the South Carolina Appellate Courts;" South Carolina Bar/Bridge the Gap; Columbia, South Carolina
- (14) February 27, 2015; "Panel Moderator: Significant Appellate Decisions from 2014;" Criminal Law Update CLE; South Carolina Bar; Columbia, South Carolina
- (15) February 20, 2015; "It's All A Game Top Trial Lawyers Tackle Evidence;" South Carolina Bar; Columbia, South Carolina
- (16) February 13, 2015; "Recent Developments in Criminal Law;" Greenville County Bar "Year End" CLE; Greenville, South Carolina
- (17) February 13, 2015; "Appellate Practice Project;" Greenville County Bar "Year End" CLE; Greenville, South Carolina
- (18) January 9, 2015; "Practice before the South Carolina Appellate Courts;" South Carolina Bar/Bridge the Gap; Charleston, South Carolina
- (19) October 17, 2014; "Reflections on What it Means to be a Lawyer;" SCIRF Law Enforcement Defense Counsel Annual Meeting; Columbia, South Carolina
- (20) September 24, 2014; "Court of Appeals Update;" Public Defenders Conference; Myrtle Beach, South Carolina
- (21) September 22, 2014; "Panel Moderator: Significant Cases 2013-2014;" Solicitors' Conference; Hilton Head, South Carolina

- (22) August 4, 2014; "Practice Before the South Carolina Appellate Courts;" South Carolina Bar/Bridge the Gap; Columbia, South Carolina
- (23) July 10, 2014; "What It Means To Be a Lawyer in a Central Staff Attorneys' Office;" National Association of Appellate Court Attorneys Annual Meeting; Savannah, Georgia
- (24) May 3, 2014; "The Courage of a Lawyer;" Defense Research Institute—Regional Meeting; Charleston, South Carolina
- (25) April 10, 2014; "The Courage of a Lawyer;" Defense Research Institute—Product Liability Conference; Phoenix, Arizona
- (26) March 10, 2014; "Practice Before the South Carolina Appellate Courts;" South Carolina Bar/Bridge the Gap; Columbia, South Carolina
- (27) February 28, 2014; "Panel Moderator: Update on Recent Appellate Decisions;" Criminal Law Update CLE; South Carolina Bar; Columbia, South Carolina
- (28) February 27, 2014; "In Depth View of South Carolina Appellate Torts Cases;" South Carolina Bar Tort Law Update CLE; Columbia, South Carolina
- (29) February 21, 2014; "It's All A Game Top Trial Lawyers Tackle Evidence;" South Carolina Bar; Columbia, South Carolina
- (30) February 10, 2014; "The Courage of a Lawyer;" International Association of Defense Counsel; Carlsbad, California
- (31) January 24, 2014; "The Appellate Practice Project and Update on the Court of Appeals;" Trial and Appellate Advocacy Section "Civil Update" Seminar; South Carolina Bar Convention; Kiawah Island, South Carolina
- (32) January 2, 2014; "Practice Before the South Carolina Appellate Courts;" South Carolina Bar/Bridge the Gap; Charleston, South Carolina
- (33) November 8, 2013; "Perspective from the Court of Appeals—with Judge Huff;" Injured Workers' Advocates Annual Meeting; Asheville, North Carolina
- (34) October 24, 2013; "The Diverse Experience of a Great Lawyer;" Appellate Practice Project CLE; South Carolina Bar; Columbia, South Carolina
- (35) October 11, 2013; "Briggs v. Elliott and the Lawyers Who Made it Happen;" Civil Rights Ride; Northeastern University School of Law; Camden/Summerton, South Carolina

- (36) September 23, 2013; "Panel Moderator: Behind the Bench—the Rulings, the Realities, & the Ramifications;" South Carolina Solicitors' Conference; Myrtle Beach, South Carolina
- (37) September 5, 2013; "Role of a Trial Judge in the Administration of Justice;" Magistrate Judges' Annual Conference; Myrtle Beach, South Carolina
- (38) August 5, 2013; "Practice Before the South Carolina Appellate Courts;" South Carolina Bar/Bridge the Gap; Columbia, South Carolina
- (39) August 1, 2013; "Panelist: Criminal Law Panel;" SCAJ Annual Meeting; Hilton Head Island, South Carolina
- (40) July 12, 2013; "Thinking About Appeals;" New Judges' Orientation; Columbia, South Carolina
- (41) May 23, 2013; "Panelist: Trial Motions CLE;" South Carolina Defense Trial Attorneys' Association; Greenville, South Carolina
- (42) May 2, 2013; "Panel Moderator: Current Issues in Criminal Court;" Circuit Judges Conference; Greenville, South Carolina
- (43) May 2, 2013; "Current Issues with Evidence;" Circuit Judges Conference; Greenville, South Carolina
- (44) March 28, 2013; "The Importance of Dissent in a Civilized Society;" Haynsworth/Perry Inn of Court; Greenville, South Carolina
- (45) March 11, 2013; "Practice Before the South Carolina Appellate Courts;" South Carolina Bar/Bridge the Gap; Columbia, South Carolina
- (46) February 22, 2013; "Panel Moderator: Update on Recent Appellate Decisions;" Criminal Law Update CLE; South Carolina Bar; Columbia, South Carolina
- (47) February 15, 2013; "It's All A Game Top Trial Lawyers Tackle Evidence;" South Carolina Bar; Columbia, South Carolina
- (48) January 25, 2013; "Evidence 'Boot Camp' for Young Lawyers;" Young Lawyers Division Seminar; South Carolina Bar Convention; Myrtle Beach, South Carolina
- (49) January 25, 2013; "Issue Preservation;" South Carolina Bar Convention; Myrtle Beach, South Carolina
- (50) December 16, 2012; "What It Means To Be a Lawyer;" Charleston School of Law Commencement Address; Charleston, South Carolina

- (51) November 2, 2012; "Making a Compelling Case Before the Court of Appeals and Supreme Court of South Carolina;" Injured Workers Advocates Annual Meeting; Asheville, North Carolina
- (52) October 15, 2012; "Practicing Workers' Compensation Before the Court of Appeals;" SC Workers' Compensation Education Association Annual Conference; Hilton Head Island, South Carolina
- (53) October 12, 2012; "Panelist: Judiciary Squares;" Master in Equity Bench/Bar CLE; South Carolina Bar; Columbia, South Carolina
- (54) October 1, 2012; "Panelist: Access to Justice and the Judiciary;" National Legal Services Corporation Regional Meeting; Duke Fuqua School of Business; Durham, North Carolina
- (55) September 27, 2012; "Evidence 'Boot Camp' for Young Lawyers;" South Carolina Defense Trial Attorneys' Association; Greenville, South Carolina
- (56) September 26, 2012; "Panel Moderator: The Most Significant Judicial Decisions from the Part Year and How They Impact How You Do Your Job;" South Carolina Solicitors' Conference; Myrtle Beach, South Carolina
- (57) September 24, 2012; "Preserving Issues for Appeal;" Public Defender Conference; Myrtle Beach, South Carolina
- (58) September 11, 2012; "The Other Side of Civility;" American Board of Trial Advocates; Columbia, South Carolina
- (59) September 6, 2012; "Thinking Through the Structure of Evidence;" South Carolina Magistrates' Conference; Kingston Plantation; Myrtle Beach, South Carolina
- (60) August 6, 2012; "The Role of Local Government in the Future of Our Courts;" South Carolina Association of County Attorneys Annual Meeting; Hilton Head Island, South Carolina
- (61) August 2, 2012; "Panelist: Fee Awards—Ethics and Practice;" South Carolina Association for Justice; Hilton Head Island, South Carolina
- (62) July 31, 2012; "Practice Before the South Carolina Appellate Courts;" South Carolina Bar/Bridge the Gap; Columbia, South Carolina
- (63) April 11, 2012; "Common Pitfalls For, and Mistakes Made By, Young Lawyers;" Sowell Gray CLE at Trustus Theatre; Columbia, South Carolina

- (64) March 6, 2012; "Practice Before the South Carolina Appellate Courts;" South Carolina Bar/Bridge the Gap; Columbia, South Carolina
- (65) February 24, 2012; "Panel Moderator: Update on Recent Appellate Decisions;" Criminal Law Update CLE; South Carolina Bar; Columbia, South Carolina
- (66) February 17, 2012; "It's All A Game Top Trial Lawyers Tackle Evidence;" South Carolina Bar; Columbia, South Carolina
- (67) February 17, 2012; "Ethics: The Importance of Dissent in a Democratic Society;" South Carolina Bar; Columbia, South Carolina
- (68) January 20, 2012; "Playing to the Discretion of a Trial Judge: Practicing the Art of Evidence from a Trial Lawyer's Perspective;" Criminal Law CLE; South Carolina Bar Convention; Columbia, South Carolina
- (69) January 20, 2012; "Developing Yourself as a CLE Speaker;" Young Lawyers Division Seminar; South Carolina Bar Convention; Columbia, South Carolina
- (70) January 6, 2012; "Panelist: Play By the Rules; Evidence and Civil Procedure in Tort Cases;" South Carolina Bar Tort Law Update; Columbia, South Carolina
- (71) October 14, 2011; "Judicial Ethics;" Domestic Violence Seminar; Spartanburg, South Carolina
- (72) October 4, 2011; "The Importance of Dissent in a Civilized Society;" John Belton O'Neall Inn of Court; Columbia, South Carolina
- (73) September 16, 2011; "The Courage of a Lawyer;" North Carolina/South Carolina Construction Sections Joint Meeting; South Carolina Bar; Wild Dunes, South Carolina
- (74) August 2, 2011; "Practice Before the South Carolina Appellate Courts;" South Carolina Bar/Bridge the Gap; Columbia, South Carolina
- (75) June 3, 2011; "The Importance of What You Do;" South Carolina Family Court Judges Conference; Fripp Island, South Carolina
- (76) February 18, 2011; "It's All A Game Top Trial Lawyers Tackle Evidence;" South Carolina Bar; Columbia, South Carolina
- (77) February 11, 2011; "The Courage of a Lawyer;" Greenville County Year End CLE; Greenville, South Carolina
- (78) February 4, 2011; "The Tactical Use of Allegations of Misconduct Against a Judge;" VIP GlobalNet Webinar Presentation

- (79) February 4, 2011; "The Tactical Use of Allegations of Misconduct Against a Judge;" ABOTA Ethics CLE; USC Law School; Columbia, South Carolina
- (80) January 14, 2011; "The Tactical Use of Allegations of Misconduct Against a Judge;" VIP GlobalNet Webinar Presentation
- (81) December 21, 2010; "The Tactical Use of Allegations of Misconduct Against a Judge;" VIP GlobalNet Webinar Presentation
- (82) November 19, 2010; "Panelist: Judicial Panel;" South Carolina Legal Services Annual Meeting; Myrtle Beach, South Carolina
- (83) November 18, 2010; "The Courage of a Lawyer;" South Carolina Legal Services Annual Meeting; Myrtle Beach, South Carolina
- (84) November 5, 2010; "Workers' Compensation Update;" Injured Workers Advocates Annual Convention; Asheville, North Carolina
- (85) September 24, 2010; "Judicial Ethics;" Domestic Violence Seminar; Spartanburg, South Carolina
- (86) August 5, 2010; Criminal Appellate Advocacy Seminar; National Advocacy Center; Columbia, South Carolina
- (87) August 3, 2010; "Practice Before the South Carolina Appellate Courts;" South Carolina Bar/Bridge the Gap; Columbia, South Carolina
- (88) June 25, 2010; "Appeals From the Commission to the Court of Appeals;" 75th Anniversary of the Workers' Compensation Act; South Carolina Bar; Columbia, South Carolina
- (89) May 6, 2010; "Reflections of a Circuit Judge;" Circuit Court Judges Association Conference; Litchfield, South Carolina
- (90) April 22, 2010; "The South Carolina Court of Appeals;" Family Court Judges Association Conference; Columbia, South Carolina
- (91) March 5, 2010; "Thinking Through the Structure of Evidence;" South Carolina Bar Golf Getaway CLE; Kiawah Island, South Carolina
- (92) February 12, 2010; "Opening Statements and Closing Arguments;" Masters in Trial; American Board of Trial Advocates and South Carolina Bar; Columbia, South Carolina

- (93) February 5, 2010; "It's All A Game Top Trial Lawyers Tackle Evidence;" South Carolina Bar; Columbia, South Carolina
- (94) January 22, 2010; "Differences Between the State and Federal Rules of Evidence;" Criminal Law Update; South Carolina Bar Convention; Kiawah Island, South Carolina
- (95) November 7, 2009; "Panelist: Judge's Panel;" South Carolina Defense Trial Attorneys Association; Savannah, Georgia
- (96) October 29, 2009; "The Courage of a Lawyer;" Attorney's Information Exchange Group; Charleston, South Carolina
- (97) October 2, 2009; "Judicial Ethics;" SAFE Homes Rape Crisis Coalition; Spartanburg, South Carolina
- (98) September 27, 2009; "The Courage of a Lawyer;" South Carolina Solicitor's Association; Hilton Head, South Carolina
- (99) September 21-24, 2009; "Fundamentals of Evidence;" National Judicial College/New Mexico Judicial Education Center; Albuquerque, New Mexico
- (100) May 4, 2009; "The Courage of a Lawyer;" Thirteenth Circuit Solicitor's Office; Clemson, South Carolina
- (101) February 13, 2009; "It's All A Game Top Trial Lawyers Tackle Evidence;" South Carolina Bar; Columbia, South Carolina
- (102) February 10, 2009; "The Courage of a Lawyer;" Michelin Regional Counsel Meeting; Greenville, South Carolina
- (103) December 5, 2008; Ethics: "The Courage of a Lawyer;" South Carolina Association for Justice Auto Torts Seminar; Atlanta, Georgia
- (104) November 21, 2008; "What It Means to Be a Lawyer;" Nexsen Pruet Associates Meeting; Greenville, South Carolina
- (105) November 15, 2008; "The Courage of a Lawyer; and the Introduction of Matthew Perry;" South Carolina Defense Trial Attorneys Association; Amelia Island, Florida
- (106) October 3, 2008; "Judicial Ethics;" SAFE Homes Rape Crisis Coalition; Spartanburg, South Carolina
- (107) September 19, 2008; "What Civil Court Judges Want You To Know;" National Business Institute Judicial Forum; Greenville, South Carolina

- (108) September 19, 2008; "What a Paralegal Means, to Who a Lawyer Is, to the People We Serve;" South Carolina Upstate Paralegal Association; Greenville, South Carolina
- (109) July 26, 2008; Ethics: "The Courage of a Lawyer;" South Carolina Defense Trial Attorneys' Association; Asheville, North Carolina
- (110) February 8, 2008; "It's All A Game Top Trial Lawyers Tackle Evidence;" South Carolina Bar; Columbia, South Carolina
- (111) November 30, 2007; "Discovery, Evidence and Technology;" National Business Institute Advanced Discovery and Evidence; Columbia, South Carolina
- (112) November 29, 2007; "Discovery, Evidence and Technology;" National Business Institute Advanced Discovery and Evidence; Greenville, South Carolina
- (113) November 3, 2007; "Panelist: Expert witnesses: Changing South Carolina Law;" South Carolina Defense Trial Attorneys' Association; Pinehurst, North Carolina
- (114) October 26, 2007; "A View From the Bench;" South Carolina Tort Law Update; South Carolina Bar; Columbia, South Carolina
- (115) October 26, 2007; "Judicial Ethics Workshop;" SAFE Homes Rape Crisis Coalition; Spartanburg, South Carolina
- (116) September 15, 2007; "A View From the Bench—Preparing for Trial in a Construction Case;" North and South Carolina Bars Construction Law Sections Biennial Meeting; Wild Dunes, Charleston, South Carolina
- (117) August 20-23, 2007; "Fundamentals of Evidence;" National Judicial College; Reno, Nevada
- (118) June 8, 2007; "A Circuit Judge's Look Back, and Forward At the Role of the Lawyer;" Greenville County Bar Association; Greenville, South Carolina
- (119) February 22, 2007; "Complex Case / Class Action;" South Carolina Judicial Seminar for Chief Judges of the Circuit Court; Columbia, South Carolina
- (120) July 28, 2006; "The Circuit Court Courtroom in the 21st Century: Technology and Tradition;" South Carolina Defense Trial Attorneys' Association; Grove Park Inn, Asheville, North Carolina
- (121) November 14-17, 2005; "Fundamentals of Evidence;" National Judicial College; Reno, Nevada

- (122) November 11, 2004; "Perspective;" Michelin Regional Counsel Meeting; Greenville, South Carolina
- (123) November 5, 2004; "Thinking Through the Structure of Evidence;" South Carolina Bar Beyond the Bar II; Greenville, South Carolina
- (124) December 3, 2004; "An Ethical View From the Bench;" Greenville County Bar Association; Greenville, South Carolina
- (125) December 5, 2003; "An Ethical View From the Bench;" Greenville County Bar Association; Greenville, South Carolina
- (126) December 13, 2002; "An Ethical View From the Bench;" Greenville County Bar Association; Greenville, South Carolina
- (127) December 12, 2001; "Tips from the Bench Guilty Pleas;" South Carolina Bar; Kiawah Island, South Carolina
- (128) December 7, 2001; "Ethics;" Greenville County Bar Association; Greenville, South Carolina
- (129) November 8, 2001; "Panelist: Products Liability Panel;" South Carolina Defense Trial Attorneys' Association; Kiawah Island, South Carolina
- (130) January 29, 2001; "The Fundamentals of Trial Advocacy;" Thirteenth Circuit Solicitor's Office; Clemson, South Carolina
- (131) August 3, 2000; "Environmental Lit. In the New Millennium and Its Expert Witnesses, If Any;" South Carolina Trial Lawyers Association; Hilton Head Island, South Carolina
- 12. List all published books and articles you have written and give citations and the dates of publication for each.
 - (a) The Courage of a Lawyer, ABA Litigation Journal, Winter 2013
 This article was also published in Voir Dire, the magazine of the American Board of Trial Advocates, and will soon be republished in South Carolina Lawyer
 - (b) <u>artofevidence</u>, http://artofevidence.wordpress.com/
 This is a blog I publish for my students, formerly at the Charleston School of Law, currently at the USC School of Law
 - (c) <u>Appellate Advocacy—"Speaking Frankly"</u>, Foreword to Charleston Law Review, volume 5 number 1 (Fall 2010).

I have not published any other books or articles since I became a judge in 2000.

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	1988
(b)	US District Court, DSC	1989
(c)	US Court of Appeals, 4th Circuit	1990
(d)	US Supreme Court	1995

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)	1989-1997	Private Civil Practice with J. Kendall Few
(b)	1997-2000	Private Civil Practice by myself
(c)	2000-2010	Circuit Court Judge
(d)	2010-2016	Chief Judge, SC Court of Appeals
(e)	2016-Present	Justice, Supreme Court of South Carolina

- 15. Please answer the following (if you are a judge and <u>are not seeking a different type of judgeship</u>, this question is inapplicable): N/A
 - (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, <u>Best Lawyers</u>, <u>Chambers</u>, <u>Legal 500</u>, <u>Martindale-Hubbell</u>, <u>Who's Who Legal</u>, <u>Super Lawyers</u>, <u>etc.</u>? If you are currently a member of the judiciary, list your last available rating, if any.

Martindale-Hubbell—AV

I am not aware that I have been rated by any other organization.

- * 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. I served as a Circuit Judge from July 1, 2000 to February 3, 2010. I served as the Chief Judge of the South Carolina Court of Appeals from February 3, 2010 until February 9, 2016. Since February 9, 2016, I have served as a Justice on the Supreme Court of South Carolina.

I was elected to each position by the General Assembly.

The jurisdiction of the Circuit Court is defined generally by article V, section 11 of the South Carolina Constitution and more specifically by the General Assembly in title 14, chapter 5 of the South Carolina Code.

The jurisdiction of the Court of Appeals is defined generally by article V, section 9 of the South Carolina Constitution and more specifically by the General Assembly in title 14, chapter 8 of the South Carolina Code.

The jurisdiction of the Supreme Court is defined generally by article V, section 5 of the South Carolina Constitution and more specifically by the General Assembly in title 14, chapter 3 of the South Carolina Code.

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.

I published over 100 opinions at the Court of Appeals and wrote or joined over a thousand others. Each one is equally significant in that it decides an important issue in the lives of South Carolina citizens. I have not yet published any opinions at the Supreme Court. Here are five opinion from the Court of Appeals I deem the most significant for their precedential value:

- (a) Stoneledge at Lake Keowee Owners' Ass'n, Inc. v. Builders FirstSource-Se. Grp., 413 S.C. 630, 776 S.E.2d 434 (Ct. App. 2015); and Stoneledge at Lake Keowee Owners' Ass'n, Inc. v. Clear View Const., LLC, 413 S.C. 615, 776 S.E.2d 426 (Ct. App. 2015). These companion cases deal with equitable indemnity.
- (b) State v. Gray, 408 S.C. 601, 759 S.E.2d 160 (Ct. App. 2014) and State v. Collins, 398 S.C. 197, 727 S.E.2d 751 (Ct. App. 2012). I include these opinions together because their significance relates to the same issue—the admissibility of graphic autopsy photographs. A majority of the Supreme Court agreed with the Court of Appeals' ruling in Collins, but the Supreme Court reversed the decision after finding the Circuit Court's error was harmless. See 409 S.C. 524, 763 S.E.2d 22 (2014). Gray was not appealed.
- (c) Palms v. School District of Greenville County, 408 S.C. 576, 758 S.E.2d 919 (Ct. App. 2014). This opinion is significant because it addresses the limited role of the judiciary in the affairs of government.
- (d) AnMed Health v. S.C. Department of Employment & Workforce, 404 S.C. 224, 743 S.E.2d 854 (Ct. App. 2013). This opinion is significant because it upholds the right of hospitals to make patient-safety decisions unencumbered by employment considerations, and yet also upholds a State agency's right and duty to follow its statutory mandate to provide unemployment benefits under law.
- (e) <u>State v. Dukes</u>, 404 S.C. 553, 745 S.E.2d 137 (Ct. App. 2013). This opinion is significant because it explains novel issues regarding the limited right of a criminal defendant to due process of law in relation to a victim's or another witness's pretrial identification of the defendant as the person who committed a crime.
- 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.

No

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.

I served as Adjunct Professor, and later Distinguished Visiting Professor, at the Charleston School of Law from the summer of 2008 until the summer of 2012. I taught Evidence and Advanced Evidence. It was a part-time position. My supervisor was the Associate Dean for Academic Affairs. For this work, I was paid a salary and given a per trip expense reimbursement.

Beginning in the Fall of 2012, I have taught Advanced Evidence at the University of South Carolina School of Law. I hold no title, and I accept no compensation; I simply teach. My supervisor has been the Dean for Academic Affairs.

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

I ran unsuccessfully for the Supreme Court of South Carolina in 2007, 2008 and 2009.

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.

No

- 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.
- 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.)

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.

My name is sometimes listed as a defendant in lawsuits with which I am never served. The following are the lawsuits of which I am aware.

Douglas M. Thompson, an inmate in the South Carolina Department of Corrections, sued the Court of Appeals and others in US District Court. I have a copy of the complaint, but I have not been served with it. It is my understanding this case has been dismissed.

I was sued in US District Court by Michael A. McKeown, who I believe is an inmate who plead guilty before me. The case was dismissed on summary judgment.

I was sued by Donald Strable in US District Court for \$21 million. The allegations arose out of my having been assigned as administrative judge for all the lawsuits he had filed against other judges. Because the case was filed *pro se*, he was not allowed to serve me without the permission of the Federal Court, and that permission was denied. The case is over.

I was listed as a defendant in Rochester v. L. Casey Manning, 2004-MC-00008. However, I was never served with a summons and complaint and never participated in the case. I have no idea what the allegations against me were. As far as I know, the case has been dismissed.

A former client of mine, Newco Electrical Supplies, Inc., and one of its owners James H. Vaughn Jr., sued me and my co-counsel in the case. The case was filed in Greenville County, case number 03-CP-23-3354. The case was dismissed on a motion for summary judgment.

I was served with a Petition for a Writ of Prohibition in the Supreme Court of South Carolina in regards to my role as the assigned judge in State v. Jerry Buck Inman, a death penalty case in Pickens County. The Court assigned the case to another judge in a written Order.

In 2007, I was sent a copy of what appeared to be a pleading filed by Glen Laconey, a defendant in a case before the South Carolina Supreme Court alleging the unauthorized practice of law, in which I had been assigned to be the Special Referee. I do not believe this was a lawsuit, I have no reason to believe it was ever filed, and I was never served with a summons.

Otherwise, I do not recall ever being sued.

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.

I am not in private practice.

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 use social media. I have active accounts at Facebook, LinkedIn, Twitter, and Instagram. I have used YouTube, but I am not currently active. I use these social media sites primarily as an observer. When I have posted in the past, it has usually been with some photograph of or experience with my children.

I have been featured on websites. Recently, someone created an account in my name without my permission on a social media site. I was forced to log in, change the password, and delete the account. I cannot remember the name of the social media site. Also, a disgruntled litigant created a site called http://www.jamesislandhighschoolawareness.org/. My name and photograph are found throughout the site. I once had someone create a Facebook account whose purpose was to criticize me. These are examples of the many times I have been featured on an internet site, many of which I never knew about or cannot now remember.

At one point, I explored developing a website to promote and cultivate courage in lawyers. The site was never fully developed and is now closed.

Because I am a judge, I carefully control my social media use and try to control my internet presence to ensure I am at all times in compliance with the Code of Judicial Conduct.

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.

I have not requested anyone to contact a member of the General Assembly on my behalf in regards to my election to the Supreme Court in 2015. Of course, in my initial election into the Circuit Court in 2000, in my reelection bid in 2006, in my bids for the Supreme Court in 2008 and 2009, in my race for Chief Judge in 2010, and in my reelection bid in 2015, I did so after the point in time when the rules allowed me to.

As to the second question, I am aware that from time to time there is discussion about judicial politics between members of the General Assembly and a wide variety of people, many of whom are my friends or colleagues. I am aware that many of those discussions are about me. However, I am not aware that anyone has contacted a member of the General Assembly on my behalf.

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
 - (c) Haynsworth/Perry Inn of Court
- 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.

I serve on the Duke University Alumni Advisory Committee for the upstate. All I do in that capacity is interview high school seniors who have applied to Duke. I have also served in the unofficial role of President of the Duke Club of the Upstate, which specifically does not involve any fundraising whatsoever. I am simply a contact person for Duke alumni who live in this area, and from time to time I schedule events for Duke alumni in our area.

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 know of none that should be disclosed.

- 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) Stephen L. Davis
 - (b) Robert E. Reeves Jr. (banker)
 - (c) Andrew B. Moorman Sr.
 - (d) R. Michael Johnson
 - (e) Paul C. Aughtry III
- 54. Describe any interest you or a member of your immediate family has in real property:
 - 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: March/4, 2016