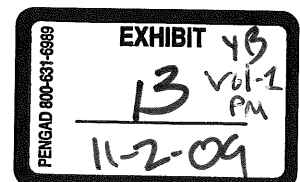


JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE

Court, Position, and Seat # for which you are applying:
Circuit Court, Judge, At large Seat #8

1. NAME: Mr. William Patrick Frick
BUSINESS ADDRESS: PO Box 637
Winnsboro, SC 29180
E-MAIL ADDRESS: williamfrick@yahoo.com
TELEPHONE NUMBER: (office) (803) 815-0796 & (803) 285-5585
2. Date of Birth: 1975
Place of Birth: Sumter, SC
3. Are you a citizen of South Carolina? Yes
Have you been a resident of this state for at least the immediate past five years? Yes
5. Family Status: Married on July 5, 2002, to Ruxandra Elena Tudor. Never divorced. One child.
6. Have you served in the military? No
7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
 - (a) University of South Carolina 1993-97 BA International Studies
 - (b) University of South Carolina School of Law 1997-2000 Juris Doctor
 - (c) University of South Carolina Moore School of Business 1998-2001 MIBS/IMBA
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 2001
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) Page- SC House of Rep. 1994-99; Assistant Chief Page
 - (b) USC Student Government 1994-96 & 1998-2000; Senator
 - (c) USC Debate Team 1993-94
 - (d) Model United Nations 1995
 - (e) Student Legislature 1993-96
 - (f) USC Law School Legislative Council 1997-2000; Representative
10. Describe your continuing legal or judicial education during the past five years. Include only the title and date of any continuing legal or judicial education course completed.



- | <u>Conference/CLE Name</u> | <u>Date(s)</u> |
|--|----------------|
| (a) SC Association for Justice Annual Conference | 8/06/09; |
| (b) SC Trial Lawyers Annual Conference | 8/07/08; |
| (c) SC Public Defender Assoc. Annual Conference | 9/29/08; |
| (d) SC Trial Lawyers Annual Conference | 8/05/07; |
| (e) SC Public Defender Assoc. Annual Conference | 9/28/07; |
| (f) ABA/YLD Fall Conference | 10/20/06; |
| (g) Jessie's Law CLE | 6/30/06; |
| (h) Prosecuting Homicide Case | 5/07/06; |
| (i) SC Solicitor's Assoc. Annual Conference | 9/25/05; |
| (j) SC Methwatch Program | 3/11/05; |
| (k) SC Solicitor's Assoc. Annual Conference | 9/26/04; |
| (l) Revised Lawyer's Oath | 8/20/04. |
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
- No, I have spoken to school children, community groups, and law enforcement about various legal issues in the past.
12. List all published books and articles you have written and give citations and the dates of publication for each. No
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) Admitted to practice before the State Courts of South Carolina in 2001;
- (b) Also admitted to practice before the Federal District Court for South Carolina in 2003.
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) 2001-02 Aiken County Public Defender
Assistant Public Defender
- (b) 2002-03 4th Circuit Solicitor's Office
Assistant Solicitor-Gun Crime Prosecutor & Juvenile Prosecutor for Darlington County
- (c) 2003-05 South Carolina Office of the Attorney General
Assistant Attorney General- General prosecution & animal fighting prosecutions
- (d) 2005-06 6th Circuit Solicitor's Office
Assistant Solicitor- Violent Crimes Prosecutor & Chief Prosecutor for Fairfield County
- (e) 2006-09 Law Offices of Koon & Cook PA
Associate & Winnsboro Office Manager

General practice in criminal law, domestic law, personal injury, worker's compensation, and social security disability

(f) 2006-09 Lancaster County Public Defender
Assistant Public Defender (part time contract attorney)

(g) 2009-Present 6th Circuit Public Defender
Assistant Public Defender & Chief Public Defender for Fairfield County

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

(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.

Serving as a prosecutor in two judicial circuits, an Assistant Attorney General handling matters throughout the state, a public defender in two judicial circuits and a general practitioner attorney with a focus on criminal law, I have handled almost all criminal offenses from traffic tickets to murder. In my private practice I dealt with a wide variety of issues in personal injury from minor incidents to severely debilitating injuries, worker's compensation, limited work in contract disputes and researched areas of employment law. While my experience is clearly skewed toward criminal law, I feel that my work in civil matters is broad enough to ensure my competence with any civil matters before the bench.

15. What is your rating in Martindale-Hubbell?

Not rated, I have not found it necessary to subscribe to the services of Martindale-Hubbell.

Retired judges/justices and judges/justices applying for reelection to their current position may omit Questions 16-21. If a candidate is seeking a judgeship different than his or her current position, Questions 16-21 should be answered based on experience prior to serving on the bench.

16. What was the frequency of your court appearances during the last five years?

(a) federal: at least 5 times in district court and several times in social security disability hearings while in private practice

- (b) state: at least weekly
17. What percentage of your practice involved civil, criminal, and domestic matters during the last five years?
- (a) civil: 20%;
(b) criminal: 55%;
(c) domestic: 25%.

These percentages reflect my work while in private practice. While working as a prosecutor or public defender my practice was 100% criminal

18. What percentage of your practice in trial court during the last five years involved matters that went to a jury, including those that settled prior to trial?
- (a) jury: 90%;
(b) non-jury: 10%.

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

Most often served as sole counsel

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

(a) The State v. David Ray Tant- I served as lead counsel for the SC Attorney General's Office in this matter in Charleston County in which the defendant was charged with some 40 counts of animal fighting. This was the largest animal fighting case in South Carolina history and received extensive national media attention, as the defendant was alleged to be one of the top breeders of fighting dogs in the country. Due to the media attention, the venue of the trial was moved to Greenwood County. The defendant pled guilty at the close of the State's case and received a sentence totaling 40 years in the South Carolina Department of Corrections, the largest sentence for animal fighting in South Carolina and one of the largest in the United States.

(b) The State v. Bobby Ray Hill- I served as sole counsel for the 6th Circuit Solicitor's Office in this case in Fairfield County in which the defendant was charged with a double homicide. The defendant confessed shortly after his arrest, but due to a history of serious mental health issues pled Guilty But Mentally Ill (GBMI) to the charge of Murder. GBMI requires a showing of certain circumstances at a special hearing to determine the applicability of this type of plea. The defendant appealed his plea, but the SC Court of Appeals declared the appeal meritless and upheld the conviction in an unpublished opinion. 2008-UP-453.

(c) The State v. Jerry McGriff- I served as sole counsel and represented the defendant charged with murder in Lancaster County. While there was little forensic evidence, witnesses stated that the defendant and another person, who was not on trial, were involved in an argument with the victim, yet there were no eye witnesses to the fatal shooting. The State proceeded and ultimately prevailed on accomplice liability theory stating

that while no one could determine who was the actual shooter and the defendant did not intend to kill the victim, the defendant arrived at the victim's location to start a fight and the death of the victim was an expected result of those actions.

- (d) The State v. Randolph Frazier- I represented this defendant as sole counsel in three separate trials in Lancaster County for Burglary First Degree. Each trial had unique issues regarding eye-witness identification and dog tracking evidence. Dog tracking evidence has very little case law history in South Carolina and I was required to request the court to apply legal precedent from other jurisdictions about search and seizure issues regarding the taking of sent from the defendant and a jury charge regarding the use of dog tracking evidence. While my client was acquitted at the first trial and the jury could not reach a verdict in the second trial, the State ultimately succeeded in convincing a jury of his guilt in the third trial.
 - (e) The State v. Larry William Smith- I served as sole counsel for the SC Attorney General's Office in this case in Darlington County in which the defendant was charged with Criminal Sexual Conduct with a Minor. The defendant was alleged to have forced the 12 year old victim into his house where he sexually assaulted the victim. The defendant maintained that the victim wanted to have sex with him, but he refused to do so and the victim made up this story as a result. As these cases are always quite difficult to prosecute, the State was fortunate to have DNA evidence, however the results stated that the likelihood of finding a person with similar DNA was 1 in 1200, whereas, the typical results in a successful prosecution put this likelihood to be 1 in several quadrillion. Despite these difficulties the defendant was convicted of the charge.
20. List up to five civil appeals you have personally handled. Give the case name, the court, the date of decision, and the citation if the case was reported. If you are a candidate for an appellate court judgeship (please attach one copy of briefs filed by you in each matter)
- No civil appeals handled
21. List up to five criminal appeals that you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported. If you are a candidate for an appellate court judgeship (please attach one copy of briefs filed by you in each matter).
- No criminal appeals handled
22. Have you ever held judicial office? No
23. If the answer to question 22 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also list citations to any appellate review of these orders or opinions.
24. Have you ever held public office other than judicial office? No
25. List all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial

- office. Specify your dates of employment, employer, major job responsibilities, and supervisor. None
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?
I announced I would run as a candidate for SC House of Representatives Seat #41 in the 2008 election, however, I ultimately did not file to run.
27. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office?
(a) In 2000, after graduation from law school, I worked as an intern for a multichannel clothing retailer, Peter Hahn GmbH, in Winterbach, Germany, in the area of international market expansion while working towards my degree in MIBS/IMBA.
(b) In the fall of 2001, after graduation from the MIBS/IMBA program I opened and operated a retail establishment in the 5 points area of Columbia, SC specializing the sale of "American Roots" music (country, blues, bluegrass). I closed the business when I moved to work for the 4th Circuit Solicitor's Office.
28. Are you now an officer or director or involved in the management of any business enterprise?
I currently own and operate residential rental properties in the Winnsboro area.
29. A complete, current financial net worth statement was provided to the Commission.
30. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. None
31. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law?
No
32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? No
33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? No
34. Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law? No
36. 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

37. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? No
38. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None
39. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None
40. 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
41. 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
42. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened? No
43. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No
44. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No
45. 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
46. 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) SC Bar- 6th Circuit Representative-Young Lawyer's Division (2006-present)
 - (b) Fairfield County Bar- Secretary (2006-present)
 - (c) Lancaster County Bar

- (d) SC Association for Justice
- 47. 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) Winnsboro Rotary Club- Board of Directors, President Elect
 - (b) Fairfield Behavioral Health Services- Vice Chair - Board of Directors
 - (c) First Steps of Fairfield County-Chairman - Board of Directors
 - (d) Pine Tree Players- Board of Directors

- 48. 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.

In my career, I have thus far handled legal matters in some 30 of the 46 counties of our State. In each county, I have heard someone say that some particular issue "only happens in..." I can expressly say that in my experience that the judicial system essentially metes out justice in the same way, with the same type of cases, and the same circumstances throughout South Carolina.

With my experience I can most assuredly say that defendants are rather much the same throughout the state, law enforcement proceeds in much the same way throughout the state, cases are prosecuted and defended in rather much the same way, and all entities are suffering from a want of funding, whether perceived or real. However, I have found that, particularly in the world of prosecution and public defenders, information is not readily exchanged on how to deal with particular issues. I would like to work toward the facilitation of the exchange of ideas that would help in expediting the handling of cases in our legal system. I would particularly like to do this in the criminal justice system and would like to work toward seeing "best practices" in all facets of the justice system, criminal and civil, implemented for the betterment of the seeking of justice for all involved in our court systems be they civil litigants, victims of crime, or criminal defendants.

- 49. References:

- (a) Ms. Susan Taylor
Provident Community Bank
801 US Hwy 321 Bypass South
Winnsboro, SC 29180
(803) 712-1261
- (b) Mr. Robert L. Kilgo, Esq.
PO Box 583
Darlington, SC 29540
(843) 398-4411
- (c) Mr. M. Paul Swearingen, Esq.
PO Box 488
Winnsboro, SC 29180
(803) 635-5912

- (d) Mr. Michael H. Lifsey, Esq.
PO Box 1809
Lancaster, SC 29721
(803) 285-5585
- (e) Mr. T. DeWayne Pearson, Esq.
PO Box 11549
Columbia, SC 29211
(803) 735-7135

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: William Frick

Date: August 12, 2009