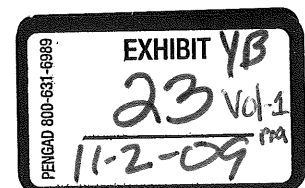


JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE

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

1. NAME: Ms. Andrea C. Roche  
BUSINESS ADDRESS: South Carolina Workers' Compensation Commission  
Post Office Box 1715  
Columbia, SC 29202-1715  
E-MAIL ADDRESS: aroche@wcc.sc.gov  
TELEPHONE NUMBER: (office): (803) 737-5678
2. Date of Birth: 1966  
Place of Birth: Columbus, GA
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 December 3, 2005 to James Lawrence Roche, Jr. 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 North Carolina, August 1984-December 1988, A.B.
  - (b) University of South Carolina Law School, August 1991-May 1992 transferred
  - (c) Yale Law School, August 1992-May 1994, 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 – 1994
  - (b) Louisiana-- 1996
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.  
Yale Journal on Regulation, Symposium Editor; Barristers' Union, Pre-participation Chairman; Federalist Society; Trial Team Member, National Criminal Justice Trial Advocacy Competition; South Carolina Law Review; Student Government
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) SCAJ Annual Convention	8/6/09;
(b) SCDTAA Joint Meeting	7/23/09;
(c) SCWCEA Medical Seminar	3/1/09;
(d) SCWCC Annual Education Requirement	12/16/08;
(e) Injured Workers Advocates Convention	11/6/08;
(f) SCWCEA Educational Conference	10/19/08;
(g) SC Bar-Dissecting a Workers' Comp Case	9/5/08;
(h) SCAJ Annual Convention	8/7/08;
(i) SCDTAA Joint Meeting	7/24/08;
(j) SCWCEA Medical Seminar	2/24/08;
(k) SCWCC Ethics and Administrative Procedure	12/18/07;
(l) SCWCEA Educational Conference	10/21/07;
(m) SCDTAA Joint Meeting	7/26/07;
(n) SCWCEA Medical Conference	3/9/07;
(o) Assoc. of Claimant's Attorneys Convention	11/2/06;
(p) SCWCEA Educational Conference	10/22/06;
(q) SC Trial Lawyers Convention	8/3/06;
(r) SCDTAA Joint Meeting	7/27/06;
(s) SCWCEA Educational Conference	10/24/05;
(t) USDCOC Attorney Training	7/20/05;
(u) SCWCEA Medical Seminar	2/25/05;
(v) RCBA Free Ethics Seminar	11/5/04;
(w) Revised Lawyer's Oath CLE	11/5/04;
(x) SCWCEA Medical Conference	3/12/04.

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?

- (a) I participate in panel discussions involving workers' compensation several times per year, including at educational conferences and meetings of SCDTTA, SCAJ, SCWCEA, Self-Insured's Association, and IWA.
- (b) I have taught CLEs on workers compensation.
- (c) I have taught CLEs on legal writing
- (d) I have taught legal writing at the University of South Carolina Law School
- (e) I have taught several classes to undergraduate students at South University including International Law, Legal Writing, Workers' Compensation, Employment Law, Administrative Law, and Business Law.

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

- (a) S.C. Appellate Practice Handbook (S.C. Bar CLE 1985), Contributing Author;

- (b) Marital Litigation in S.C., Roy T. Stuckey and F. Glenn Smith (S.C. Bar CLE 1997), Editorial Board;
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 in South Carolina in 1994
  - (b) Admitted to practice in Louisiana in 1996
  - (c) Admitted to the U.S. Court of Appeals for the Fourth Circuit in 1995
  - (d) Admitted to the U.S. District Court in South Carolina in 1999.
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.
- 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.
  - (a) The Honorable Robert F. Chapman, U.S. Court of Appeals for the Fourth Circuit, September 1994-October 1996. Law Clerk. Duties included preparing bench memoranda and drafting opinions.
  - (b) Phelps Dunbar, New Orleans, LA, October 1996-December 1996. Associate Attorney. Areas of practice were commercial and construction litigation.
  - (c) South Carolina Court of Appeals, June 1997-August 1998. Law Clerk to the Honorable Carol Connor and Staff Attorney. Duties included preparing bench memoranda and drafting opinions.
  - (d) Barnes, Alford, Stork and Johnson, August 1998-June 2006. Associate/Partner. My practice consisted of more than half workers' compensation. I also dealt with medical malpractice, construction and general litigation, and appellate advocacy.
  - (b) I have no experience in criminal matters. I worked on one post-conviction relief case while I was practicing. I recently, however, spent

six months on the Richland County Grand Jury as a juror. Because of that, I spent time studying the elements of various felonies and received first-hand knowledge of the grand jury. I feel strongly that with study and a period of observation, I can confidently preside over criminal proceedings.

Before being appointed to the Workers' Compensation Commission, my practice was a defense practice mostly before state court and the South Carolina Workers' Compensation Commission. My practice was approximately 75% workers' compensation. I also worked on medical malpractice cases. I did some work on construction litigation and general litigation as well. Because of my clerking background, I did a fair amount of the firm's appellate work on various issues. I have argued various motions before the circuit court and federal district court, tried cases before the Workers' Compensation Commission and magistrate's court, and appeared before the South Carolina Court of Appeals and South Carolina Supreme Court.

15. What is your rating in Martindale-Hubbell?

As a Workers' Compensation Commissioner, I am not listed.

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: 5%;
- (b) state: 95%.

17. What percentage of your practice involved civil, criminal, and domestic matters during the last five years?

- (a) civil: 99%;
- (b) criminal: 0%;
- (c) domestic: 1%.

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: 25% associate counsel;
- (b) non-jury: 75% lead counsel.

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

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. Do NOT attach a separate list.

- (a) MB Kahn Construction Co, Inc. v. Three Rivers Bank & Trust Co.  
354 S.C. 412, 581 S.E.2d 481 (2003)

This case revolved around whether South Carolina had personal jurisdiction over a plaintiff for cross-claims in a foreclosure action. The supreme court decided the issue on one of the grounds argued.

(b) Dawkins v. Jordan, 341 S.C. 434, 534 S.E.2d 700 (2000)

This case involved whether an employer/employee relationship existed between the workers' compensation claimant and the employer. Although I lost this case at the Supreme Court, after winning below, the Supreme Court recently reversed itself and overruled this case.

(c) William White v. SCE&G

This workers' compensation case involved whether the claimant could recover for mental injuries without underlying physical injuries. The case went through many levels of appeals with the defendants prevailing.

(d) Norman McIntyre v. Darlington County School District

This workers' compensation case involved the heart attack standard and the doctrine of laches.

(e) Sandy v. Miller Tire

This worker's compensation case involved issue of notice and injury by accident arising out of and in the course and scope of employment. The case went through many levels of appeals.

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). Do NOT attach a separate list of your briefs.

(a) Brunson v. American Koyo Bearings, 367 S.C. 161, 623 S.E.2d 870 (Ct. App. 2006), decided November 28, 2005 by the South Carolina Court of Appeals.

(b) M.B. Kahn Construction Co. v. Three Rivers Bank & Trust Co., 354 S.C. 412, 581 S.E.2d 481 (2003), decided May 19, 2003 by the South Carolina Supreme Court.

(c) Dawkins v. Jordan, 341 S.C. 434, 534 S.E.2d 700 (2000), decided July 10, 2000 by the South Carolina Supreme Court.

(d) Gray v. Club Group, LTD., 339 S.C. 173, 528 S.E.2d 435 (Ct. App. 2000), decided February 22, 2000 by the South Carolina Court of Appeals

(e) William White v. SCE&G, not cited.

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).

22. 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. 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? 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?  
 Commissioner, South Carolina Workers' Compensation Commission from July, 2006 to present. Chairman from July, 2008 to present.  
 This is an appointed position. I have timely filed my report with the State Ethics Commission during the period I have held the office.
25. List all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial office. Specify your dates of employment, employer, major job responsibilities, and supervisor. Not applicable.
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? No.
27. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? .  
 (a) Manager, Ripley's Believe It or Not! Museum, New Orleans, Louisiana, 1989-91  
 (b) Associate Editor, Sporting Classics magazine, 1991
28. Are you now an officer or director or involved in the management of any business enterprise? No.
29. A complete, current financial net worth statement was provided to the Commission.
30. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest.  
 Before my appointment to the Commission, I represented insurance carriers and employers. If there was a possible conflict, I would inform the parties and recuse myself unless the parties waived the conflict.
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)? 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?  
As a commissioner, I was a speaker at the annual meeting of the South Carolina Association for Justice, a lobbyist's principal, on August 6-August 8. I received food and lodging while at the conference.
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.

South Carolina Bar

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) Ex officio board member of the South Carolina Workers' Compensation Education Association

(b) President of the Ladies' Guild at St. Mark's Catholic Church

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.

Because of my position as a workers' compensation commissioner, I have experience in hearing contested cases, running a courtroom, dealing with attorneys and their clients as well as dealing with pro se litigants. I also have experience in ruling on cases and issuing orders. Although I have a great deal of academic ability, I also have the common sense and temperament to be an effective judge.

49. References:

(a) Weldon R. Johnson  
Barnes, Alford, Stork & Johnson  
P.O. Box 8448  
Columbia, SC 29202  
(803) 799-1111

(b) Charlie E. Nash  
2272 South Waccamaw Drive  
Garden City, SC 29576  
(843) 651-0959

(c) William P. H. Fincher  
Harrison, Fincher & Associates, Inc.  
P. O. Box 7428  
Columbia, SC 29202-7428  
(803) 254-0330

(d) John J. Hearn  
Rogers Townsend & Thomas  
220 Executive Center Drive  
Suite 109  
Columbia, SC 29210  
(803) 771-7900



(e) Jason Hutto, Branch Manager  
First Palmetto Saving Bank  
3932 Forest Drive  
Columbia, SC 29204  
(803) 782-7030

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: Andrea Roche

Date: August 10, 2009