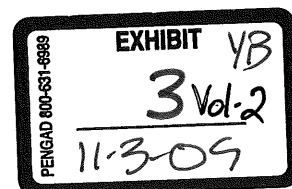


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:
Family Court Judge, Thirteenth Judicial Circuit, Seat 4

1. NAME: Mr. Alvin D. Johnson
BUSINESS ADDRESS: P.O. Box 777
Pickens, South Carolina 29671
E-MAIL ADDRESS: ajohnsonj@sccourts.org
TELEPHONE NUMBER: (office): (864) 878-5916
2. Date of Birth: 1961
Place of Birth: Spartanburg, 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
5. Family Status: Married on February 24, 2004, to Itzel Del Carman Navarrete. Divorced April 12, 2002, Family Court for Oconee County, S.C., Mr. Johnson was moving party. Three children.
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) North Greenville College
1979-1986
Degree: Associate of Arts;
 - (b) Wofford College
1981-1983
Degree: Bachelor of Arts;
 - (c) University of South Carolina
1983-1986
Degree: Juris Doctor.
8. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.
South Carolina: Admitted to practice October of 1986.
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) North Greenville College
Political Science Club-Vice President
1979-1981



Student Government Association - President
 1980-1981
 Baptist Student Union
 1979-1981;

- (b) Wofford College
 Baptist Student Union
 1982-1983
 Field Representative to Congressman
 Carroll A. Campbell-Spartanburg Office-
 One semester of independent study in 1982
 Also summer intern for the summer of 1981;
- (c) University of South Carolina School of Law
 Phi Alpha Delta Law Fraternity
 1985-1986
 Christian Legal Society
 1983-1986.

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 Bar-Family Law Section	January 21, 2005 3.00 hrs.
(b)	FCJA-Family Court Judges' Conference	April 27, 2005
(c)	SCCA-Annual Judicial Conference	August 24, 2005
(d)	SC Bar-SC Family Court Bench/Bar	December 2, 2005
(e)	SC Bar-Family Law Section	January 27, 2006
(f)	FCJA-Family Court Judges' Conference	April 26, 2006
(g)	CLO-Mini Summit on Justice for Children	August 22, 2006
(h)	SCCA-Annual Judicial Conference	August 23, 2006
(i)	SC Bar-Family Court Bench/Bar	December 1, 2006
(j)	SC Bar-Family Law Section	January 26, 2007
(k)	SCCA-Annual Judicial Conference	August 22, 2007
(l)	SC Bar-Family Court Bench/Bar	December 7, 2007
(m)	SC Bar-Family Law Section	January 25, 2008
(n)	Family Court Judges Conference	April 24, 2008
(o)	SCCA-Annual Judicial Conference	August 20, 2008
(p)	SC Bar-Family Court Bench/Bar	December 5, 2008
(q)	SC Bar-Family Law Section	January 23, 2009
(r)	FCJA-Family Court Judges' Conference	April 22, 2009

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) Greenville Bar CLE – December 2006. Lecture on significant family court rulings in the past year;
- (b) SC Bar – Bench/Bar Conference - December 2007. Lecture on drafting

- effective orders;
- (c) I have regularly lectured to the Pickens County GAL program in child and abuse matters.
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 Bar in October 1986;
- (b) South Carolina Federal District Court in November 1987.
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) August 1986-February 1996, Acker, Welmaker and Johnson, P.A.
When I joined the Firm as an Associate in August of 1986, the name of the Firm was Acker, Acker, Floyd and Welmaker, P.A. I became a partner in 1990 and the name of the Firm was changed to Acker, Floyd, Welmaker and Johnson, P.A. When the Honorable Henry F. Floyd became a Circuit Judge, the Firm name was changed to Acker, Welmaker and Johnson, P.A.
At the law Firm, I was basically a trial attorney. Initially, I did about an equal amount of Civil litigation and Family Court work.
However, in the last five years of my law practice, about sixty percent (60%) of my practice, or more, has been in Family Court;
- (b) On April 26, 1996 I was sworn in as the Resident Family Court Judge for Seat #4 of the Thirteenth Judicial Circuit. Since that date, I have continuously served as a Family Court Judge.
15. What is your rating in Martindale-Hubbell?
- As a lawyer, I was listed in Martindale-Hubbell; however, I did not have a listed rating from them. I do not know the reason for my not having a rating except that they only rate attorneys occasionally and at the time of my election to the Bench; there were several attorneys in Pickens County with no rating by them. However, my law Firm, to which I was a partner, had an "AV" rating.
22. Have you ever held judicial office?
- Yes. Elected February 14, 1996 to Seat #4 of the Family Court of the Thirteenth Judicial Circuit.
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.
- (a) State of South Carolina v. (Juvenile), Case No. 1996-JU-39-181. This was a truly tragic case. The juvenile's father was killed by the police when he was a small child. His mother remarried and his stepfather and

uncle sexually molested him for several years. Subsequently, there was a fire at the juvenile's home and he witnessed two of his step brothers and a cousin perish in the fire. His mother suffered from major psychiatric problems and the juvenile had attempted suicide in the past. The child had received almost no counseling for his past problems. The juvenile turned to drugs to "fade out" from life. He had no other family other than his mother. The juvenile plead guilty to an aggravated assault and battery on his mother. Since the juvenile had no family other than his mother, and since a pure DJJ sentence would likely have been too short to benefit the juvenile, it was determined that a *McNaughton* evaluation and then treatment evaluation were necessary. It became clear that in order to help this young man and to do what was in his best interest, the Court ordered the DSS to become lead agency and legal custodian for the juvenile. This was ordered as it was necessary that the juvenile have proper long-term structure and psychological care. Jurisdiction was retained over this case by making the juvenile's probation indefinite until his 18th birthday.

- (b) Patricia Riley Morris v. Ronnie Dean Morris, Case No. 95-DR-23-4870. and 335 SC 525, 517 S.E.2d 720 (Court of Appeals 1999). This case involved the child support obligation of a father to two young men over the age of 18. I determined that one of the young men suffered from some mental problems but he was still able to work and hold a full time job. Thus, the father had no obligation to support this young man. However, his brother suffered from more serious psychological problems and was totally disabled as a result of these problems. I ordered the father to pay child support on this adult son. There were other issues involved in the case as well. The appellate court agreed with this decision and it has been cited in numerous other cases. The appellate court did increase the alimony award from \$1,500.00 per month to \$2,000.00 per month.
- (c) S.C. Department of Social Services v. John Doe, Case No. 2005-DR-39-178 and 177 and Unpublished Opinion No. 2007-UP-221 (2007 Court of Appeals). This was another tragic case involving the horrible abuse of a little girl at the hand of her mother and father. The result was a five day trial to terminate the parental rights of the parents. After this lengthy trial, it was found by clear and convincing evidence that the parental rights of both parents should be terminated. A detailed 31 page order was drafted listing the significant abuse of this child and the reasons for the termination of the parental rights. The Court of Appeals affirmed this decision and specifically referred to the fully detailed order to the trial court in so doing. This child was freed for adoption by this decision. Subsequently, I presided over the adoption of this child to a loving and caring set of parents.

- (d) James H. Casey v. James F. Casey, et al., Case No. 2003-DR-39-758R and Case No. 2005-DR-39-354. This case was heard for two days in October of 2008. This case involved the transfer of the parties' business to a non-relative third party. After hearing the testimony, the court determined that this transfer was without consideration and void. As a result, the primary asset of the marriage was placed back into the marital estate and awarded to the wife.
- (e) S.C. Department of Social Services v. John Doe, et. al., 369 SC 384, 631 S.E. 2d 913 (Court of Appeals 2006). This case involved the sexual molestation of child. At the trial on the merits, the Defendant requested that the proceedings be held in abeyance pending a resolution of related criminal charges against him. This request was denied and the DSS trial took place. It was determined that the Defendant did in fact sexually molest the child. The Defendant appealed stating that the trial court's refusal to hold the action in abeyance deprived him of his equal protection and due process rights. The Court of Appeals ruled that the refusal to hold in abeyance the DSS trial did not violate the rights of the Defendant and it was fully proper for the trial DSS case involving this child to go forward.
24. 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? 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? 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? None other than Textile work to support myself while in college.
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. 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 to all questions in No. 33.

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?

Yes. At the end of 1993, I was named as a defendant in an adversary complaint in a bankruptcy case. The case caption is Joseph John Hooper, Debtor, v. Kimberly Hoffman Ives and Alvin D. Johnson Case No. 92-70359, Complaint Number 93-8282. I represented Kimberly Hoffman in a Family Court matter wherein she sought an increase in child support. My former partner, Henry Floyd, had previously represented her in her divorce. Her ex-husband, Joseph John Hooper, alleged that she had violated the bankruptcy release by seeking an increase in child support because she mentioned that she had been forced to incur additional debt to which he had been ordered to pay. Prior to filing the action, I discussed the matter with Bankruptcy Specialist, Thomas Patrick, who informed me that the manner in which I was proceeding was in accordance with the bankruptcy laws. A motion was filed by the attorney who represented myself and Ms. Ives requesting the bankruptcy court to abstain from jurisdiction in that the matter was a proper matter for the family court and not the bankruptcy court. A hearing was held and the bankruptcy court granted our motion and dismissed the case by abstaining from jurisdiction in the case. The bankruptcy judge held that "the whole subject of domestic relations of husband and wife, parent and child, belong to the laws of the State and not to the United States". He further held that my client "was clearly within her rights to employ counsel to pursue an increase in child support". The bottom line is that the Plaintiff was angry because his ex-wife got an increase in child support in family court and he tried to cause her difficulty in the bankruptcy court. However, the bankruptcy court at the motion hearing dismissed his case and put a stop to the matter.

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? 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 except for the postage to mail this package to the Commission.
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 to both questions.
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) South Carolina Bar Association 1986 to present;
(b) Pickens County Bar Association 1986 to present--President 1990-1992.
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) I belong to the Alumni Association of North Greenville University. I have previously served two terms on the Board of Trustees for the university having been elected by the South Carolina Baptist Convention. In 2003 I received the Distinguished Alumni of the Year Award;
(b) From 2006 and 2007 I served as the Director of Baptist Men at Northside Baptist 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.

I am seeking re-election to this position that I have held since my swearing in on April 26, 1996. Since taking this office, I have strived to treat each litigant fairly and to always do what is in the best interests of any minor children involved in the matter. Prior to my election in 1996, I had approximately ten years experience in family court matters and it was not unusual for me to be in family court every day of the week when court was in session. Also, I graduated summa cum laude from Wofford College and was in the top fifteen (15%) percent of my law school class. I feel that I have the ability to be impartial and treat all litigants fairly. Moreover, as a father of three children, I understand the love of a parent for a child and the need to protect and provide for them. If re-elected to this position, I will continue to strive to do what is best for the children and citizens of this State.

49. References:

- (a) Dr. James B. Epting
President, North Greenville University
Post Office Box 1892
Tigerville, South Carolina 29688
(864) 895-1410
- (b) Mrs. Robin Owens
Coordinator, Guardian Ad Litem Program for Pickens County
P. O. Box 414
Pickens, South Carolina 29671
(864) 878-0807
- (c) Dr. Henry Hunt
Superintendent of Pickens County School District
1348 Griffin Mill Road
Pickens, South Carolina 29671
(864) 855-8150
- (d) Mr. C. David Stone
Sheriff for Pickens County
216 LEC Road
Pickens, South Carolina 29671
(864) 898-5534
- (e) Mr. Scott Ellenburg
Carolina First Bank
333 East Main Street
Pickens, South Carolina 29671
(864) 878-3525

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: Alvin D. Johnson

Date: 7/27/2009



State of South Carolina
The Family Court of the Thirteenth Judicial Circuit

ALVIN D. JOHNSON
JUDGE

214 EAST MAIN STREET
POST OFFICE BOX 777
PICKENS, SOUTH CAROLINA 29671-0777
TELEPHONE: (864) 898-5916
FAX: (864) 878-5398
E-MAIL: ajohnsonj@scjd.state.sc.us

October 15, 2009

Judicial Merit Selection Commission
Post Office Box 142
Columbia, South Carolina 29201

Dear Commission:

I am amending Question 7 of the Personal Data Questionnaire to correct the date of my attendance at North Greenville College. There is a typographical error and it should read that I attended North Greenville College from 1979 through 1981.

Thank you for accepting this amendment.

Sincerely,

A handwritten signature in black ink, appearing to read "Alvin D. Johnson", with a large, sweeping flourish extending to the right.

Alvin D. Johnson

ADJ:jfg

Enclosure

CC: Mrs. Jane Shuler, Chief Counsel
Judicial Merit Selection