

JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE

Court, Position, and Seat # for which you are applying:
Administrative Law Court, Seat 6

1. NAME: Mr. B. Keith Griffin
BUSINESS ADDRESS: 115 N. Harvin Street, Sumter, S.C. 29150
E-MAIL: bgriffin@sumtercountysc.org
TELEPHONE NUMBER: (office):803-436-2280
2. Date of Birth: 1974
Place of Birth: Sumter, 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?
5. Family Status: Married on April 20, 2002, to Elizabeth Shuler Griffin. Never divorced. One child.
6. Have you served in the military? No military service.
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) Presbyterian College - Fall Semester of 1992.
 - (b) Wofford College - Spring Semester of 1993.

I returned to Presbyterian College after my semester at Wofford and graduated with a B.A. (1996) in History and a Minor in Political Science, graduating *Summa Cum Laude*. I left Wofford College because it was not as good a fit for me as Presbyterian. Simply stated, I had everything I needed at PC but did not realize it until my experience away. My father and twin brother are both Wofford graduates and I expected upon transferring to Wofford that I would have the same positive experience. Wofford is wonderful academic institution, but I quickly discovered the grass was not any greener in Spartanburg than in Clinton.

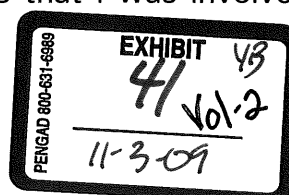
I attended and graduated from the University of South Carolina School of Law. Years attended were from 1996-99.

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, 1999.

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.

There were no significant activities that I was involved with other than



Academic Honor Societies as a result my grade point average. I was either on the Dean's List or President's List each semester at Presbyterian. I participated in intramural sports as well. I did not participate in any significant activities in law school.

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

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Revised Lawyers' Oath CLE	10/6/2004;
(b) Judicial Oath of Office	11/19/2004;
(c) Magistrate's Mandatory School	11/19/2004;
(d) Legislative Reception and Seminar	3/09/2005;
(e) Handling DUI Cases in the New Millennium	4/15/2005;
(f) Magistrate's Mandatory School	11/3/2006;
(g) 16th Annual Criminal Practice in SC	11/10/2006;
(h) Ultimate Trial Notebook	11/17/2006;
(i) Legislative Reception and Seminar	03/07/2007;
(j) Annual Summary Court Convention	09/06/2007;
(k) Magistrate's Mandatory School	11/02/2007;
(l) Annual Legislative Seminar and Reception	03/05/2008;
(m) Magistrate's Mandatory School	11/7/2008;
(n) 18th Criminal Practice in SC	02/27/2009.

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

(a) I have taught classes in the Paralegal and Criminal Justice programs at Central Carolina Technical College since 2003. I continue to teach classes at CCTC and have two classes to teach in the fall semester. All of the classes taught in the Paralegal Program are all core courses for prospective paralegals wishing to obtain an associates' degree in paralegal studies. I have taught Real Estate/Property (covers future interests, deeds, types of property, landlord tenant matters, closing and title insurance issues, and easements); Wills and Estates; Torts; Workers Compensation; Legal Writing; Legal Bibliography (A legal research course); Criminal Law (a basic introduction to elements and offenses), and Judicial Process (a class that introduces students how a criminal case proceeds through the system). I have also served on the Central Carolina Technical College Advisory Committee to the Paralegal Department for the last several years.

(b) I have also taught as a criminal law instructor for the Troy University Shaw AFB campus in 2008. I taught two classes, Seminar in the Administration of Justice, and Court Administration, both of which were required for prospective students to obtain a master's degree. Students were required in each class to submit a research paper which comprised the majority of their grade. According to the Troy University course catalog, Court Administration (CJ 6624) is "a study of the judicial

process from the standpoint of its situational and legal basis, organization and management, and the technical aspects of the judicial function at both trial and appellate levels." The course titled Seminar in the Administration of Justice (CJ 6622) is described in the course catalog as "a critical examination of the administration of the criminal justice system in America, including the myths and misconceptions it generates, the controversial issues and trends it produces, and the current and future policies and administrative decision making it promotes." Both classes were taught in a very open fashion. I would lecture on the materials in one segment of the class and the students would discuss the materials lectured while I basically served as a moderator.

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.
Admitted to practice before the State Courts of 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.

In 1999, I served as a law clerk to the Honorable Howard P. King, Resident Judge of The Third Judicial Court. I was responsible for assisting in management of the court docket, drafting of proposed orders, and document review.

In 2000, I served as a law clerk to the Honorable M. Duane Shuler, Judge of the Court of Appeals. My responsibilities were to write draft opinions for the judge.

In early 2001, I was hired at the law firm of Robinson McFadden, P.C. I was responsible for a large collections practice inherited from a partner who left the firm. This practice included suits on account, actions for claim and delivery, foreclosure, and occasionally a mechanic's lien. I also assisted the respective partners on legal drafting and handling Rule 608 appointments. I was on the family court list at the time.

In August of 2002, I was appointed to the Sumter County Summary Court as a full time judge. I have served in this capacity to the present.

I have conducted numerous civil and criminal jury trials. I also regularly conduct non-jury civil and criminal court, preliminary hearings, and bond hearings. My service on the Summary Court has been very rewarding.

As previously mentioned, I have taught in the evenings as an instructor at Central Carolina Technical College and Troy University (Shaw AFB Campus).

If you are a judge and are not seeking a different type of judgeship, the

following questions are inapplicable:

(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 Division.

I have never appeared in front of the Administrative Law Judge Division.

15. What is your rating in Martindale-Hubbell? I am not listed in 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?
Entirely State Court.

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

(a) civil: 99%;

(b) criminal:

(c) domestic: 1%.- appointed cases only.

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: less than one percent

(b) non-jury: The overwhelming majority of my cases went to judgment, default judgment, or order of foreclosure and sale. Only a small percentage of cases were settled prior to trial via confessions of judgment or monetary settlement.

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

I cannot say with particularity five significant litigated matters that stood out as the overwhelming majority of my practice was in collections. Most matters were handled as default matters or through summary judgment. As required, foreclosure matters and supplementary proceedings were held before the master in equity and were mostly uncontested.

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).

I have never carried a case entirely through the appellate process. I had one case appealed to the Court of Appeals but said appeal was pending at the time I was appointed the bench.

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).

I have never handled a criminal appeal while in private practice.

22. Have you ever held judicial office?

Yes. I have been a full time magistrate in Sumter County for approximately the last seven years. I have tried all matters in which we have jurisdiction, including civil and criminal matters up to our jurisdictional limits. I have conducted countless preliminary hearings, bond hearings, and non-jury matters whether they be civil or criminal. I have also certified machines seized by S.L.E.D. as illegal gaming machines under Title 12 of the South Carolina Code, conducted civil interpleader actions regarding the recovery of earnest money, and numerous civil and criminal jury trials of all types.

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.

As a Summary Court Judge for the last seven years, I have drafted numerous orders, although to my knowledge I have never had a case appealed beyond circuit court. I have drafted orders regarding a large number of civil and criminal matters.

Perhaps the most significant matters to me are orders regarding earnest money disputes when a respective party files an interpleader action. Some of these disputes include complicated legal issues regarding breach of contract or interpretation of contractual provisions.

I have written orders determining the enforceability of certain contractual provisions and also had to determine whether a particular liquidated damages clause constituted a penalty under existing case law. I have also had to render orders on novel issues of law. I once ruled on a case involving ownership rights of funeral ashes which had belonged to one party but had been interred in another county.

I have also issued orders regarding the admissibility of blood or other evidence in DUI cases and issued orders in criminal matters regarding a particular chain of custody.

My service as a magistrate has exposed me to an extremely wide variety of cases.

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.

2003- Present- Adjunct Instructor, Central Carolina Technical College. Responsible for teaching classes required for prospective paralegals to obtain an associate's degree. I also taught two classes in the Criminal Justice

Program of the College. My supervisors are Nashiba Boyd, Esq. (paralegal program) and Christopher Hall. I have not taught a criminal law course in a number of years.

In the calendar year 2008, I served as adjunct instructor in the Criminal Justice Department of Troy University (Shaw Air Force Base Campus). As previously stated, I taught two graduate level courses for students aspiring to obtain a master's degree in Criminal Justice. My supervisor was Lisa Bennett.

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? No.
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? .

I was involved in an automobile accident for which I was charged for failure to yield right of way. The fine, with assessments, was \$150.00. I paid the ticket and did not request a trial.

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? 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. No such allegations.

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. No such allegations.
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? If so, give details. 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.

I have been a member of the Sumter County and South Carolina Bar Associations since 1999. I was a member of the Richland County Bar during my employment with Robinson McFadden, P.C.

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 have served on the Paralegal Advisory Board for Central Carolina Technical College for the past several years.
- (b) I have been a member of the Presbyterian College Board of Visitors since 2007.
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 believe that my previous experience as a law clerk, attorney and summary court judge have prepared me well to serve on the Administrative Law Court. Being a law clerk and judge has taught me the importance of proper legal drafting, importance of writing clearly, and how to write to a wide audience. Serving as an appellate law clerk has assisted me with the review of complex legal issues and lengthy document review, both of which are common in cases argued before the Administrative Law Court. Serving as a law clerk has also taught me the importance of developing a docketing system that is efficient. Serving as a magistrate has taught me how to efficiently deal with a high volume of cases. While serving as a summary court judge has also assisted me in obtaining a good working knowledge in a variety of areas of the law, it has most importantly trained me to develop the temperament that I feel is required for any level of the judiciary. As magistrates hear cases daily involving pro se litigants, any judge must learn to be fair but also respectful of both parties, regardless of how each may have presented their case. Serving as a summary court judge has taught me humility, compassion, and respect towards all parties and attorneys. I further feel that serving in this capacity for seven years without a formal complaint speaks to my abilities in being fair, honest, and without vanity or an ego. My experience as an attorney has also enabled me to manage and dispose of a volume of cases in which deadlines are often critical.

I candidly acknowledge my inexperience practicing in front of the Administrative Law Court. However, I do feel that I would adjust quickly to the type of cases that I would be hearing and would do so with the proper demeanor and temperament expected of the position. I am willing to immerse myself in administrative law to compensate for my lack of experience, and am willing to work as hard as required for the citizens of this state to have the requisite confidence in me.

49. References:

- (a) C. Kelly Jackson (Solicitor)
141 N. Main Street
Sumter, S.C. 29150
(803) 436-2185
- (b) James C. Campbell, (Clerk of Court)
141 N. Main Street
Sumter, S.C., 29150
(803) 436-2227
- (c) Alison Davis, Branch Banking and Trust
498 N. Guignard Drive
Sumter, S.C., 29150
(803) 778-2602
- (d) William W. Wheeler, Esq.

Jennings and Jennings, P.A
1 Court House Square
P.O, Box 106
Bishopville, S.C., 29010
(803) 484-5454

Mr. Wheeler has never appeared in front of me. I have and will continue to recuse myself in any matter involving him.

- (e) Frederick B. Moulton
Headmaster, Wilson Hall School
520 Wilson Hall Road
Sumter, S.C., 29150
(803) 469-3475

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: B. Keith Griffin

Date: August 12, 2009