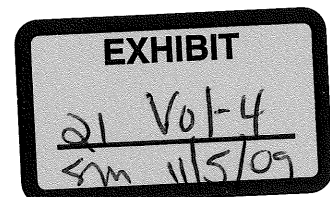


JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE  
FOR RETIRED JUDGES/JUSTICES

- 
1. NAME: E. C. Burnett III  
BUSINESS ADDRESS: 200 Burnett Road  
Pauline, SC 29374  
BUSINESS TELEPHONE: 864-576-4823  
E-MAIL ADDRESS: ecburnett3@yahoo.com
2. Date and Place of Birth: 1942
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 August 24, 1963, to Jami Karen Grant Burnett. Never divorced. Three children.
6. Briefly describe your continuing legal or judicial education since your last screening. Include only the title and date of any continuing legal or judicial education course completed.
7. Have you practiced law or served as a mediator or arbitrator since your retirement from the judiciary? No.
8. List your positions of employment on and/or appointment to the bench chronologically. You are not required to list dates of employment or appointment prior to your last screening.  
(a) Spartanburg County Probate Judge;  
(b) S.C. Family Court Judge  
(c) S.C. Circuit Court Judge  
(d) S.C. Supreme Court Justice
9. Are you now an officer or director or involved in the management of any business enterprise? No.
10. A complete, current financial net worth statement was provided to the Commission.
11. Since your last screening, have you 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.
12. Since your last screening, have you, to your knowledge, been under federal, state, or local investigation for possible violation of a criminal statute? No.
13. Since your last screening, has a tax lien or other collection procedure been instituted against you by federal, state, or local authorities? No. Since your last screening, have you defaulted on a student loan? No. Since your last screening, have you filed for bankruptcy? No.
14. Since your last screening, have you been sued, either personally or



- professionally? No.
15. Since your last screening, have you, as a lawyer, judge, or other professional, in South Carolina or any other jurisdiction, been sanctioned for lawyer, judicial, or other professional misconduct or found to have committed such misconduct? No.
16. Since your last screening, have you been criticized, whether informally or in a matter taken to a disciplinary authority, for the manner in which you treated litigants or attorneys before you on the bench? No.
17. Describe your personal policy for the acceptance of food, meals, beverages, lodging, transportation, entertainment, social hospitality, or other things of value from an attorney, a group of attorneys, or from other individuals.  
I do not accept them. Since my retirement, they have not been offered.
18. Have you ever accepted anything of value from an attorney or litigant in a matter currently or previously before you or your court? No.
19. Provide any other information which 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. None.
20. For the last fully completed calendar year, itemize the income, expenses, fees, payments, or additional benefits exceeding \$500, in the aggregate, received by you or a member of your immediate family from South Carolina state and local entities. None. List the type, source, and amount or value of the benefit. Be sure to list any expense reimbursement you received separately from your income.
21. Describe any interest you or a member of your immediate family has in real property:
- (a) 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.
22. 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.

I HEREBY CERTIFY THAT MY ANSWERS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Signature: E.C. Burnett, III  
Date: July 21, 2009

**JUDICIAL MERIT SELECTION COMMISSION**  
**Statement to be included in Transcript of Public Hearings**

**Retired Judge**

Full Name: Elijah Curran Burnett III  
Business Address: 200 Burnett Road  
Pauline, SC 29374  
Business Telephone: 864-576-4823

1. Have you met the Constitutional or statutory requirements for this position regarding age, residence, and years of practice? Yes.
2. Have you met the mandatory minimum hours requirement for continuing legal education courses? Yes.
3. Do you have any plans to return to private practice one day? No.
4. Are you engaged in any legal activities other than your service as a retired judge, such as acting as an arbitrator or mediator? No.
5. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality? No.
6. Do you belong to any organizations that discriminate based on race, religion, or gender? No.
7. Have you engaged in any partisan political activity since your retirement? No.
8. What do you feel is the appropriate demeanor for a judge? Act soberly, with integrity and with kindness.
9. In your position as a retired judge, what methods do you employ to ensure that deadlines for the timely issuance of orders are met? Personal Calendar.
10. Do you feel that it is ever appropriate to be angry with a member of the public, especially with a criminal defendant? No. Is anger ever appropriate in dealing with attorneys? Generally, No. Anger serves very little purpose.
11. How would you handle a situation in which you became aware of misconduct of a lawyer or fellow judge? By my Canons, I am required to report the misconduct.
12. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law clerks are to appear before you? If my judgment would be affected in any way, it is appropriate to recuse. The litigants are entitled to absolute fairness in their proceeding before the Court.
13. What is your philosophy regarding *ex parte* communications? They are improper. Are there circumstances under which you could envision *ex parte* communications being tolerated? Only in administrative matters. Never regarding substantive issues before the Court.

14. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference would you give a party that requested your recusal? That party would be treated completely fairly; just as others are. Would you grant such a motion? I have and I would.
15. What standards have you set for yourself regarding the acceptance of gifts or social hospitality? Gifts to me simply because I am a judge are not accepted from anyone.
16. In order that we might advise court administration on steps that need to be taken, are there any limitations on your sight, hearing, or mobility that should be addressed by the court administrator? No.

I HEREBY CERTIFY THAT THE ANSWERS TO THE ABOVE QUESTIONS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

s/ Elijah C. Burnett

Sworn to before me this 22<sup>nd</sup> day of July, 2009.

Notary Public for S.C.

My Commission Expires: 06-26-2013