

JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE

Court, Position, and Seat # for which you are applying:  
Master in Equity, (Anderson/Oconee) Judge

1. NAME: Mr. Ellis B. Drew, Jr.  
BUSINESS ADDRESS: Anderson County Courthouse  
100 South Main Street  
Anderson SC 29621  
Mailing Address: PO Box 8002  
Anderson SC 29622  
E-MAIL ADDRESS: dmcclellion@andersoncountysc.org  
TELEPHONE NUMBER: (office): 864-260-4052
2. Date of Birth: 1934  
Place of Birth: Anderson, 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 June 26, 1956, to Nan Haddock Drew. Never divorced. Three children.
6. Have you served in the military? Yes, 1956 – 6 months active duty, Armored Corp., Fort Knox, Kentucky, 2<sup>nd</sup> Lt, XX- XXXXXX, Honorable Discharge
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) Washington & Lee University, Virginia 1952-56 BA  
(b) University of SC Law School 1957-59, LLB.
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 1959
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. Washington & Lee University 1956- President of Student Body, Washington & Lee University ODK 1956
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.

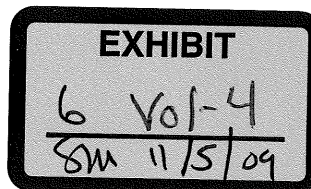
Conference/CLE Name

Date(s)

2008

(a) Master in Equity Bench/Bar

10/17/08;



- |     |  |   |
|-----|--|---|
|     | (b) Commission on Judicial Conduct Seminar   | 10/21/08;   |
|     | (c) Auto Torts XXXI  | 12/05/08;   |
|     | <u>2007</u>  |   |
|     | (a) Annual Judicial Conference   | 08/22/07;   |
|     | (b) Master in Equity Bench/Bar   | 10/12/07;   |
|     | (c) Auto Torts XXX   | 11/30/07;   |
|     | <u>2006</u>  |   |
|     | (a) Annual Judicial Conference   | 08/23/06;   |
|     | (b) Auto Torts XXIX  | 12/01/06;   |
|     | <u>2005</u>  |   |
|     | (a) Master in Equity Bench/Bar   | 10/14/05;   |
|     | (b) 2005 Auto Torts XXVIII   | 12/02/05;   |
|     | <u>2004</u>  |   |
|     | (a) Judicial Conference  | 08/19/04;   |
|     | (b) Judicial Oath of Office  | 08/19/04;   |
|     | (c) 2004 Master in Equity Bench/Bar  | 10/14/04.   |
| 11. | Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?  |   |
|     | JCLE – Equity Court Matters at Master in Equity Bench/Bar Seminar  |   |
| 12. | List all published books and articles you have written and give citations and the dates of publication for each. None  |   |
|     | (a)  | <u>S.C. Appellate Practice Handbook</u> (S.C. Bar CLE 1985), Contributing Author;                           |
|     | (b)  | <u>Marital Litigation in S.C.</u> , 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 before the State Courts of South Carolina in 1959;                                     |
|     | (b)  | Also admitted to practice before the Federal District Court and Fourth Circuit Court of Appeals in 1959.    |
| 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. 1959-1964 Watkins Law Firm, General Civil Practice and Real Estate; 1964-1981 Private Practice-General Civil Practice with emphasis on Real Estate matters; 1981 – Appointed Master in Equity and served continually up to present date. |   |
| 15. | What is your rating in <u>Martindale-Hubbell</u> ? AB  |   |
| 22. | Have you ever held judicial office? Yes, Appointed Master in Equity 1981 and have been reappointed thereafter and still serving in this office. The Equity Court hears varied Civil matters referred by the Circuit Court with no jurisdictional limitations.  |   |

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) Brown, Agnew, et al vs. Worthington, Agnew, et al, Court of Appeals Unpublished Opinion filed June 29, 2007;
  - (b) Town of Iva vs. Annette Holley and Anne Holley-Barnes, Court of Appeals filed June 21, 2007;
  - (c) Collins et al vs. Griffin, et al, Court of Appeals Unpublished Opinion filed Dec. 19, 2006;
  - (d) Walker Investment Management Trust vs. GrandSouth Bank, et al, Court of Appeals Unpublished filed Dec. 6, 2004;
  - (e) Ashy vs. ACHI Investments et al Court of Appeals Unpublished May 5, 2005.
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? 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? 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?

An unsuccessful PCR applicant was denied and filed suit against me, Judge Tom Erwin, Judge Sidney Floyd and the Clerks of Court for Oconee and

- Anderson County making various allegations. This suit was dismissed on Motion for Summary Judgment by the Hon. Casey Manning.
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
  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) Anderson County Bar Association;
  - (b) S.C. Bar Association
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. None
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.

Member of Commission on Judicial Conduct for several years and member of Judicial Counsel.

I was raised in a Christian atmosphere and well remember "the golden rule". I also had the advantage of excellent Professors both in undergraduate school and law school. All of these factors impressed upon me to treat everyone fairly, with respect and integrity.

49. References:

- (a) Forrest D. Suggs, Jr.  
Accountant  
107 Edgebrook Drive  
Anderson SC 29621  
864-226-0306;
- (b) John B. Buice, Jr.  
Senior Vice President  
1<sup>st</sup> Citizens Bank  
102 N. Main St.  
Anderson SC 29621  
864-226-2051;
- (c) Cathy M. Phillips  
Anderson County Clerk of Court  
PO Box 8002  
Anderson SC 29622  
864-260-4053;
- (d) James Cleveland  
1<sup>st</sup> Sgt. Anderson County Sheriff's Department, Courthouse  
Special Services  
100 S. Main St.  
Anderson SC 29624  
864-332-5458;

- (e) Dr. James R. Thomason  
Pastor, 1<sup>st</sup> Baptist Church  
307 South Manning St.  
Anderson SC 29624  
864-224-1622

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: Ellis B. Drew

Date: July 27,2009

Judge Ellis Drew, Jr.

**Amendments to Personal Data Questionnaire**

1. In Paragraph 15, change Martindale Hubbell Rating as AV;
2. Amendment to paragraph 29 to make Financial Statement separate document. (See attached)

Oct 8, 2009  
*[Signature]*

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

**Master-in-Equity  
(Incumbent)**

Full Name: Ellis B. Drew, Jr.  
Business Address: Anderson County Courthouse  
100 S. Main Street  
Anderson SC 29621  
Mailing Address: PO Box 8002  
Anderson SC 29622)  
Business Telephone: (864) 260-4052

1. Do you plan to serve your full term if re-appointed? Yes
2. Do you have any plans to return to private practice one day? No
3. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice? Yes
4. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated? I believe such communications are improper and should not be allowed. However, in default cases where no one has answered or appeared you then hear the Plaintiff's case being no adverse parties, and any Order thereafter issued should in good practice be served even on those parties that are in default.
5. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you? Recusal is proper where there is a possible conflict of interest or the appearance of conflict of interest or bias.
6. 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? Would you grant such a motion? After hearing the Motion, I would explain that any appearance of bias would not actually prejudice my impartiality in deciding a case. If the moving party or any other party was still uncomfortable, I would grant the Motion for Recusal.
7. What standards have you set for yourself regarding the acceptance of gifts or social hospitality? Gifts from individuals or attorneys are unacceptable. Social hospitality is acceptable for events such as birthdays, weddings, Bar Association parties or seminars where other Judges are also invited.
8. How would you handle a situation in which you became aware of misconduct of a lawyer or of a judge? You should report such conduct to the Commission on Lawyers Conduct or the Commission on Judicial Conduct.



9. Are you affiliated with any political parties, boards or commissions that need to be re-evaluated? No
10. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations? No
11. How do you handle the drafting of orders? I draft some or request prevailing attorney to submit a proposed Order and provide copies thereof to all attorneys of record at the time the proposed order is sent to me.
12. What methods do you use to ensure that you and your staff meet deadlines? We have docket control where we attempt to keep record of cases referred. We are required to end a case, unless it is complex, within 120 day after referral.
13. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy? I believe Judges should follow precedent and statutory authority and not engage "judicial activism".
14. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. What activities do you plan to undertake to further this improvement of the legal system? Participate in CLE Seminars; Speaking at local schools and to classes visiting the Courthouse.
15. Do you feel that the pressure of serving as a judge strains personal relationships (i.e. spouse, children, friends, or relatives)? How do you address this? No.
16. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality? No
17. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved? No
18. Do you belong to any organizations that discriminate based on race, religion, or gender? No
19. Have you met the mandatory minimum hours requirement for continuing legal education courses? Yes
20. What do you feel is the appropriate demeanor for a judge? Courteous, patient, calm and conduct trials with fairness and integrity with respect to all attorneys and parties appearing before me.
21. Would the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or do these rules apply seven days a week, twenty-four hours a day? These rules apply 7 days a week, 24 hours a day.
22. Do you feel that it is ever appropriate to be angry with a member of the public who would appear before you? Is anger ever appropriate in dealing with attorneys or a pro se litigant? No, expressions or anger are never appropriate.

23. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees? None
24. While campaigning for this office, have you used judicial letterhead or the services of your staff for your campaign? No
25. Have you sought or received the pledge of any legislator prior to this date? No
26. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening? No
27. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No
28. Have you contacted any members of the Judicial Merit Selection Commission? No
29. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges for 48 hours after the draft report has been submitted? Yes

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

s/ Ellis B. Drew, Jr.

Sworn to before me this 27<sup>th</sup> day of July, 2009.

Notary Public for S.C.

My commission expires: 04-18-2016