

JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE

Court, Position, and Seat # for which you are applying:
Master in Equity for Allendale County

1. NAME: Mr. Walter H. Sanders, Jr.
BUSINESS ADDRESS: 167 Allendale Fairfax Hwy
PO Box 840
Fairfax, SC 29827
E-MAIL ADDRESS: whsanders@yahoo.com
TELEPHONE NUMBER: (office): 803-632-3347
2. Date of Birth: 1952
Place of Birth: Allendale County, 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 April 25, 1981, to Cynthia Gore Sanders. Never divorced. Two 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) University of South Carolina 1970-74, B.S. Degree in Accounting
 - (b) University of South Carolina Law School, 1974-77, Juris Doctor Degree
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- 1977
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) Omicron Delta kappa (President 1973-74)
 - (b) Chi Psi Fraternity (1971-74)
 - (c) USC Student Government Association (Treasurer of Student Body)
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) Handling DUI Cases	4/15/05;
(b) Annual Judicial Conference	8/24/05;
(c) SCACA Annual Conference	8/4/05;



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|-----|---|-----------|
| (d) | Master-in-Equity Bench/Bar | 10/14/05; |
| (e) | Strategies in Handling DWI | 4/26/06; |
| (f) | Criminal Law Update | 6/21/06; |
| (g) | Demonstrative evidence | 6/22/06; |
| (h) | Direct and Cross examination of Lay Witnesses | 6/25/06; |
| (i) | SCACA Annual Conference | 8/3/06; |
| (j) | Annual Judicial Conference | 8/21/06; |
| (k) | Domestic Violence and the Criminal | 9/21/06; |
| (l) | Master-in -Equity Bench/Bar | 10/13/06; |
| (m) | SCACA Annual Conference | 8/2/07; |
| (n) | Annual Judicial Conference | 8/22/07; |
| (o) | Master-in-Equity Bench/Bar | 10/27/07; |
| (p) | Prosecuting the Impaired Driver | 7/17/08; |
| (q) | SCACA Annual Conference | 7/31/08; |
| (r) | Annual Judicial Conference | 8/20/08; |
| (s) | Master-in-Equity Bench/Bar | 10/10/08; |
| (t) | TIPS Seminar | 11/17/08; |
| (u) | SCACA Annual Conference | 7/30/09. |
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.
- I have been a part time Associate Professor at the University of South Carolina-Salkehatchie Branch teaching business law.
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) Admitted to practice before the State Courts of South Carolina in 1977;
- (b) Also admitted to practice before the Federal District Court and Fourth Circuit Court of Appeals in 1977
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) November 1977-July 1979- Associate with the Law Firm of Lawton Myrick & Detrick Allendale, South Carolina.
- (b) August 1979-Present- Sole Practitioner- Walter H. Sanders, Jr. PA
The general character of my practice has been a general practice since returning to Allendale County.
15. What is your rating in Martindale-Hubbell? Martindale-Hubbell-BV Rating
22. Have you ever held judicial office? Yes
- (a) Appointed Municipal Judge for Town of Fairfax 1980
- (b) Appointed Municipal Judge for Town of Varnville 1984

- (c) Appointed Municipal Judge for Town of Brunson 1988-1989 & 1996
- (d) Appointed interim Municipal Judge for Town of Allendale 1992
Jurisdiction of Municipal Courts is all offenses which may be subject to the penalties of a fine of forfeiture not exceeding \$500 or imprisonment not exceeding 30 days.
- (e) Appointed Master-in-Equity for Allendale County on April 2, 1991 to present
A Master-in-Equity has jurisdiction in equity matters referred by the Circuit Court.

They have the power and authority of a Circuit Court sitting without a jury.

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) Enterprise Bank of SC-vs- Danner B. Kinard, et al
(Foreclosure Action) (Order attached)
- (b) Julius Jackson-vs- Everliner J. Lawrence, et al
(Partition Action) (Order attached)
- (c) Josie Yvone Broomfield Ingram-vs- Ernestine Walker, et al
(Quiet Title Action) (Order attached)
- (d) Small Business funding Corp-vs- Metric Constructors, Inc.
(Order for Summary Judgment) (Order attached)
- (e) Cecil Chavous, et al-vs-John Sanders d/b/a Sanders Logging and Trucking
(Breach of Contract) (Order attached)

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? 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.

- (a) August 1979-present- Walter H. Sanders, Jr., PA
- (b) Sanders Real Estate Agency-Broker-in- Charge

See Question 22

26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?

I was a candidate or Judge of Family Court for the Fourteenth Judicial circuit, Seat#2 in 1994. I was unanimously found qualified by the Judicial Standards Commission on April 28, 1994, and found qualified by the Judicial Qualifications Committee of the South Carolina Bar on April 6, 1994. I withdrew from the race on May 2, 1994. I was also a candidate for Judge of Family Court of the Fourteenth Judicial Circuit, Seat #3 in 1997. I was found qualified by the Judicial Merit Selection Committee and found qualified by the

Judicial Qualifications Committee of the South Carolina Bar. I withdrew from the race prior to the election.

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?

I own a real estate agency known as Sanders Real Estate Agency and I am the Broker-in-Charge.

28. Are you now an officer or director or involved in the management of any business enterprise?

I am Broker-in-Charge of Sanders Real Estate Agency.

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

I have been made a party to several foreclosure actions where I had a lien on property being foreclosed.

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) South Carolina Bar Association
 - (b) Allendale County Bar Association (President, Vice-President, Treasurer)
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. NONE
49. References:
- (a) Walker R. Harter
Chairman, Allendale County Bank
PO Box 248
Fairfax, SC 29827

- (803-632-3521)
- (b) Elaine Sabb
Clerk of Court, Allendale County
PO Box 126
Allendale, SC 29810
(803-584-2737)
 - (c) Brenda P. Bennett
Judge of Probate, Allendale County
PO Box 603
Allendale, SC 29810
(803-584-3157)
 - (d) Moses L. Cohen
Mayor, Town of Fairfax
PO Box 8
Fairfax, SC 29827
(803-632-3100)
 - (e) William E. Myrick ,Jr., Esquire
PO Box 555
Allendale, SC 29810
(803-584-4333)

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: Walter H. Sanders, Jr.

Date: August 10, 2009

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

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

Full Name: Walter H. Sanders, Jr.
Business Address: 167 Allendale Fairfax Hwy
P.O. Box 840
Fairfax, SC 29827
Business Telephone: 803-632-3347

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?
Current position is only part time.
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?
They are not proper. Situations concerning the scheduling of hearing.
5. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you? I believe that recusal is appropriate.
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?
I would give considerable deference to the party requesting recusal and would probably grant the motion.
7. What standards have you set for yourself regarding the acceptance of gifts or social hospitality? My policy is not to accept anything of value.
8. How would you handle a situation in which you became aware of misconduct of a lawyer or of a judge?
If I have actual knowledge, I would inform the appropriate professional authority.
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?
After I have made my ruling, I usually request that one of the attorneys prepare a proposed order. At times I prepare the order.

12. What methods do you use to ensure that you and your staff meet deadlines?
A calendar docket control system.
13. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?
I believe that judges should interpret and enforce the law and not make law.
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?
NONE
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?
A judge should be knowledgeable and in control while being courteous and considerate
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?
Rules apply seven days a week, twenty-four 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
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? No money has been spent.
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/ Walter H. Sanders, Jr.

Sworn to before me this 10th day of August, 2009.

Notary Public for S.C.

My commission expires:07-28-2015