

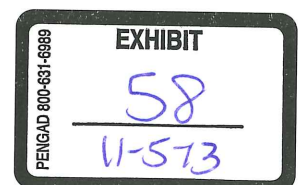
**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:
Family Court, Sixteenth Circuit, Seat 1

1. NAME: Mr. Thomas Henry White IV
BUSINESS ADDRESS: PO Box 643
Union, SC 29379
TELEPHONE NUMBER: (864) 427-5657
2. Date of Birth: 1957
Place of Birth: Seneca, SC
3. Are you a citizen of SC? Yes
Have you been a resident of this state for at least the immediate past five years? Yes
5. Family Status: Married on December 18, 1982, to Ann Brueckner White.
Never divorced, two children.
6. Have you served in the military? N/A
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) Clemson University, August 1975 – May 1979, B.A. in Political Science with High Honor;
 - (b) USC School of Law, August 1980 – May 1983, J.D.
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.

Admitted to SC Bar November 16, 1983. Member in good standing without interruption since date of admission.
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) As an undergraduate at Clemson University, I primarily concentrated on my academic pursuits, though I did briefly participate as a walk-on athlete with both the football and baseball programs, without distinction. The walk-on experience was enjoyable on many levels; however, it mostly confirmed that a future in athletics was not in the cards and that my appropriate focus should be on academic pursuits! I was inducted into Phi Eta Sigma, a national academic honor society, in 1976 and Pi Sigma Alpha, the national political science honor society, in 1977.
 - (b) In law school, I focused on my studies and my law clerking experience with the Columbia firm of Rogers, McDonald, McKenzie, Fuller & Rubin.
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) Blues, BBQ & Bar CLE	07/12/13;
(b) Ethics & Mental Health Study	01/31/13;



- | | | |
|-----|---|-----------|
| (c) | DUI Defense From A to Z | 11/09/12; |
| (d) | Greenville County Bar Association Year End CLE | 02/10/12; |
| (e) | DUI Defense From A to Z | 11/11/11; |
| (f) | Blues, BBQ & Bar CLE | 07/08/11; |
| (g) | Blues, BBQ & Bar CLE | 07/09/10; |
| (h) | RESPA: New HUD Changes | 12/17/09; |
| (i) | A Look Back:Lessons | 11/20/09; |
| (j) | Bridging the Gap Defending DUI | 11/13/09; |
| (k) | Blues, BBQ & Bar CLE | 07/10/09; |
| (l) | Keeping the Trust – Escrow Account | 06/09/09; |
| (m) | Ethics, Baseball & Shoeless Joe Jackson (SC Bar video presentation) | 12/12/07; |
| (n) | Ethical Considerations (SC Bar video presentation) | 12/12/07; |
| (o) | DUI on Trial | 11/09/07; |
| (p) | 2007 Spring Seminar (SCACDL) | 05/16/07. |
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 served as a presenter on two separate occasions at continuing legal education seminars sponsored by the SC Association of Criminal Defense Lawyers. My presentations covered the general topic of case investigation and preparation for rural lawyers in economically-challenged locations.
- (b) I have been a frequent guest speaker to public school classrooms in Union County, SC, over the years on law-related topics and on law-related careers. In particular, I have participated as a regular presenter in the Opportunity Fair program at the middle-school and high school levels in Union County, SC public schools. These presentations have been particularly focused on educating students regarding our legal system, the advantages of a legal education, and employment opportunities in the legal field.
12. List all published books and articles you have written and give citations and the dates of publication for each.
- I have not published any books or scholarly articles; however, as president of the SC Association of Criminal Defense Lawyers in 2002, I did author 3 President's Columns in "The Advocate", the original newsletter for the organization.
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 SC in 1983;
- (b) Also admitted to practice before the Federal District Court in 1989.
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.
- I have been in private practice as an attorney in Union, SC since my graduation from law school and admission to the SC Bar in 1983. Initially, I was hired in 1983 as an associate with the law office of William E. Whitney, Jr.. I was an associate with this office from 1983 to 1985. In 1985, I became a partner and the firm name was changed to Whitney and White. This association remained intact from 1985 through 1989. In January, 1989,

Pete G. Diamaduros joined the firm and the firm name was changed to Whitney, White and Diamaduros. This partnership remained intact from 1989 through August 1992. In August 1992, Sammy G. Diamaduros joined the firm and the firm name was changed to Whitney, White, Diamaduros & Diamaduros. In May, 2000, Pete G. Diamaduros, Sammy G. Diamaduros and I established the firm of White, Diamaduros & Diamaduros. This partnership has remained intact from May 2000 to the present. Throughout my legal career, I have maintained a general practice. My areas of practice have included domestic litigation, criminal defense, civil trial practice with an emphasis in personal injury and workers' compensation, real estate law, and a modicum of trust and estates.

- (a) If you are a candidate for Family Court, please provide a brief written description of your experience within each of the following Family Court practice areas: divorce and equitable division of property, child custody, adoption, abuse and neglect, and juvenile justice. Include information about cases you have handled in each of these practice areas, or if you have not practiced in an area, describe how your background has prepared you to preside over such matters as a Family Court Judge.

I have had considerable experience in the Family Court practice areas of divorce and equitable division of property and child custody. Quite frankly, the actual number of Family Court cases that I have handled in these particular practice areas are too numerous for me to count over the almost thirty (30) years that I have practiced law. With respect to adoption, I have handled approximately twenty (20) adoptions, the vast majority of which have been intra-family adoptions (i.e. step-parents adopting stepchildren, grandparents adopting grandchildren, etc.). With regard to abuse and neglect cases, the majority of my experience in those areas has been as either appointed counsel for a parent accused of abuse or neglect, or as Guardian ad Litem and/or counsel for Guardian ad Litem for the alleged abused or neglected children. As court rules changed over the years regarding legal appointments, I opted to be placed on the criminal defense list rather than the civil list, and thus I have not been involved in any abuse and neglect cases over the last several years. With regard to juvenile justice, likewise, most of my experience with the juvenile justice system has been as appointed counsel for juveniles charged with crimes. However, over the past several years, most of these have been handled by the Public Defender's office. I have also had experience on rare occasions as retained counsel for juveniles, though that has probably been on fewer than a dozen occasions during my career. Accordingly, I do believe that my considerable experience in the areas of divorce and equitable division of property and child custody will serve me well as a Family Court Judge. Additionally, my experience with adoption, abuse and neglect, and juvenile justice cases, though fairly minimal when compared with the first two areas, at least gives me an understanding of the processes. I certainly am aware of where to find the legal resources necessary for study to further my understanding of these areas. Of course, my overall extensive experience in the general practice of law gives me a broad foundation upon which to build and expand my legal knowledge.

15. What is your rating, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, etc.? If you are currently a member of the judiciary, list your last available rating, if any.

I have not sought a rating in Martindale-Hubbell or any such other rating service in over 25 years; however, the last I was cognizant of my rating, it was "BV-Distinguished".

16. What was the frequency of your court appearances during the last five years?
- (a) Federal: I am currently involved with associated counsel in a civil lawsuit in Federal Court. This is my only participation in Federal Court during the last five years;
 - (b) State: I appear frequently in state courts (including Family Court, General Sessions Court, Common Pleas Court, Magistrate's Court, and Municipal Court). Obviously, at times my schedule has been more hectic than other times, but overall, it has been rare for me to go more than two weeks without an appearance in at least one of these state courts.
17. What percentage of your practice involved civil, criminal, domestic, and other matters during the last five years?
- (a) civil (primarily personal injury) 20%;
 - (b) criminal: 30%;
 - (c) domestic: 30%;
 - (d) other: primarily real estate, workers comp 17%;
 - (e) wills, probate, part-time assistant county attorney 3%.
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: 50% (of these, roughly 10% to verdict; 90% to plea or settlement);
 - (b) non-jury: 50%.
- Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? Most often 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.
- (a) State v. Wilbur Thompson (1990-GS-44-00135) – This was a death penalty case in General Sessions Court in Union County. I was appointed as lead counsel in 1990. George Brandt, III of Spartanburg, S.C. was appointed as my co-counsel. Mr. Thompson was charged with the murder of an elderly gentleman (Mr. Adams) found dead from the infliction of some sixty-three (63) screwdriver stab wounds. Mr. Thompson was borderline mentally retarded and had a significant prior criminal history. However, after extensive investigation and research, we were able to secure evidence establishing an absolute alibi defense. Mr. Thompson was acquitted after a week of trial. Obviously, acquittals in death penalty cases are few and far between; however, this acquittal was justice at its finest, and I must say it continues to be the most significant case of my legal career.
 - (b) State v. Gerald Dean Canupp (1991-GS-44-00550) – Mr. Canupp was a young man charged with the murder of a neighbor. Due to the apparent downward trajectory of the bullet, the State had alleged that Mr. Canupp shot his neighbor from a position on a hill. I was sole counsel for this young man. I was able to obtain Mr. Canupp's acquittal by utilizing a defense of accident. In order illustrate to the jury that the fatal shot was actually fired from a position beneath the decedent (rather than from an elevated position as alleged by the State), I created a courtroom mannequin to use as demonstrative evidence. This mannequin was equipped with thumbscrews that allowed it to bend at the waist. In my cross-examination of the State's forensic

pathologist, I had the witness demonstrate the path of the bullet by inserting a sharpened dowel through the body of the mannequin. I then assisted the state's witness in utilizing the thumbscrews to bend the mannequin at the waist, thus demonstrating that the trajectory of fatal shot could well have been upward in direction and thus fired from a position beneath the decedent.

- (c) Susan Smith v. David Smith (1994-DR-44-531, JR-CC-179) I represented Susan Smith in her divorce case. It was during the course of this divorce action that the tragic drowning of the Smith children occurred. Obviously, this case took a dramatic turn from the status of somewhat commonplace domestic litigation to an international media phenomenon. The valuable experience gleaned from this case was learning how to handle the media and still maintain the integrity of the justice system and the sanctity of the attorney-client privilege.

There are many other litigated matters that I could relate; however, these three are easily the most significant of my legal career.

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.

(a) Walker v. Harris, SC Court of Appeals, March 2, 1987, 291 SC 454, 354 SE2d 56 (S.C. App. 1987);

(b) Knox v. Bogan, SC Court of Appeals, May 28, 1996, 322 SC 64, 472 SE2d 43 (S.C. App. 1996).

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.

State v. Kimbrell, SC Court of Appeals, 326 S.C. 344, 481 SE2d 456 (S.C. App. 1997).

22. Have you ever held judicial office?

I have been appointed as Special Referee on innumerable occasions. Though the vast majority of these appointments over the years have been in default mortgage foreclosure cases, I have been appointed on several occasions to cases involving boundary disputes, partition actions, actions to quiet title to real estate, and supplemental proceedings.

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) John L. Hudson III and Julie P. Hudson v. Larry Oehlson and Brenda Oehlson, 2011-CP-11-0046 (appointed special referee in Cherokee County, SC land dispute). No appellate review;

(b) James E. Doster v. Margie D. Burrows, John E. Mullis Jr., et al, 2006-CP-12-0040 (appointed special referee in Chester County, SC land/family dispute). No appellate review;

(c) William Goudlock v. Lucille Jones, et al, 2004-CP-44-0338 (appointed special referee in Union County, SC for this rather complex action to quiet title and partition real estate). No appellate review.

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. N/A

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

I was a candidate for Sixteenth Circuit Family Court Judge, Seat 1 in the Fall 1999. The legislative election was held in late January or early February of the 2000 legislative

session. I was favorably reported out after screening, qualified and nominated; however, I voluntarily withdrew prior to the actual 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?

After graduation from college and extensive travel, I worked as a substitute teacher at Union High School during the fall semester of 1979. From late fall, 1979 until July, 1980, I worked as an associate for Milliken & Company at the EMMD Plant in Union County, SC. Neither of these jobs were ever intended as career paths, though career paths in each were offered to me by administration/management of each entity. I concluded my time with these positions in order to enter law school in August, 1980.

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

My only participation in the management of any business enterprise is to assist in the management of the law firm of White, Diamaduros & Diamaduros.

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.

I am not aware of any financial arrangements or business relationships that I have that would constitute a possible conflict of interest, other than the possibility of my law partners appearing before me in court. Obviously, under that circumstance, particularly in the first couple of years of my service as a judge, I would advise all litigants of my prior relationship. However, I think if my law partners were questioned as to whether or not I could be fair and impartial, they would likely respond that I would be more likely to rule against them than in their favor!

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. I have had a speeding ticket or two during my forty-one years of driving, but I do not recall any ticket for which a fine in excess of \$125.00 was imposed.

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?

Yes, on one occasion:

Virginia Braun and Douglas G. Braun v. Donna R. Atkinson, Individually and on behalf of New Horizon Realty, Thomas & Associates, Inc., Jeff Lawson, Individually and on behalf of the City of Union, and Thomas H. White IV. 2009-CP-44-0378.

I was included as a party defendant due to my status as the loan closing attorney for the underlying real estate transaction. Plaintiffs were purchasing a home in a subdivision in the city of Union. Unbeknownst to me, Plaintiffs intended to establish a daycare center in this home. Prior to my involvement with the closing, Plaintiffs and the realtor had engaged

in some research, including consulting with the building inspector with the City of Union, and determined that there would be no prohibition against a daycare operation at the location. I was engaged just a day or two prior to closing to search the title and close the residential mortgage loan for what I understood to be a residential purchase only, as neither plaintiffs nor any of the other defendants had advised me of any special circumstances or concerns. After closing, plaintiffs began preparation to open the daycare facility, only to meet with protest from neighbors. The neighbors alleged that such an operation would violate restrictive and protective covenants for the subdivision. Plaintiffs never challenged this assertion, but rather brought suit against the realtor, the city building inspector, and me.

I was dismissed from the action via summary judgment.

36. Have you ever been investigated by the Department of Social Services? Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? No
37. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance? If applicable, have you ever been covered by a tail policy?

I am covered by malpractice insurance, and have been throughout my almost thirty (30) years of practice. My firm's current policy is with National Union Fire Insurance Company of Pittsburgh, Pa. The coverage is \$500,000 per claim/\$1,000,000 aggregate, and \$25,000 for disciplinary proceedings. The deductible is \$2,500.00. I do not currently have a tail policy or other extended reporting period coverage, though I certainly recognize the benefits of such a policy should I cease practicing law and would obtain this coverage if I were to be elected.

38. Are you active on or a member of a social media or Internet site or have you, to your knowledge, been featured or depicted on a social media or Internet site, such as, Facebook, LinkedIn, Twitter, etc.?

I do have a Facebook page, but rarely post to the page. Quite frankly, if elected to this position, I would probably eliminate my Facebook page.

39. 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
40. 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
41. 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."
- I have no knowledge of any such charges or allegations.
42. 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."
- I have no knowledge of any such charges or allegations.
43. 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 to date, other than the cost of postage to submit this application.

44. 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
45. 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
46. 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
47. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No
48. 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
49. 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) SC Bar Association;
 - (b) SC Criminal Association of Justice;
 - (c) SC Criminal Defense Lawyers. I was a founding member of this organization. I have also served as a member of the Board of Directors for this organization, 1998-2001. I served as president elect of this organization in 2001. I served as president of this organization in 2002.
50. 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) Local legal counsel to Habitat for Humanity for Union County.;
 - (b) Elder, First Presbyterian Church, Union, SC;
 - (c) Moderator, Providence Presbytery;
 - (d) Member, Administrative Ministry Team, Providence Presbytery;
 - (e) Member, Presbytery Response Team, Providence Presbytery.
51. 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 have been reared by my saintly parents to live my life on the foundational principle that all human beings are created equal and that all human beings are entitled to be treated with fairness, dignity, courtesy, and respect. I have lived my life by that foundational principle. My life circumstances have put me in positions where I have had opportunities to relate with people ranging from high social standing and significant wealth to folks from third world countries who would be considered by many to live in circumstances that placed them as the “lowest of the low”. I have mined value from all of these experiences and relationships which I believe would enable me to be a fair, just and equitable jurist.
52. References
- (a) J. Carlisle Oxner, President and CEO
Arthur State Bank

100 E. Main Street
Union, SC 29379
(864) 427-1213

- (b) Isaac V. McKissick
Director of School and District Partnerships, Spartanburg District 7
181 Coggins Farm Road
Spartanburg, SC 29307
(864) 426-6001
- (c) Andrena Powell-Baker
Executive Director
Union County Economic Development Board
102 Camryn Lane
Union, SC 29379
(864) 427-6701
- (d) T. Mark Verdery
General Presbyter, Providence Presbytery
515 Oakland Avenue
Rock Hill, SC 29730
(803) 328-6269
- (e) James H. McCormick
Owner, Fresh Air Galaxy
907 E. Main Street
Union, SC 29379
(864) 427-6939

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

Signature: Thomas H. White IV

Date: August 1, 2013