



JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE

Court, Position, and Seat # for which you are applying: Family Court Eighth Judicial Circuit
Seat 2

- 1. Name: Honorable John M. Rucker
Are you currently serving in some capacity as a judge? Family Court Eighth Judicial Circuit
Business Address: Newberry County Court House Annex
1309 College St.
P.O. Box 756
Newberry, SC 29108
Telephone Number: (office): (803) 321-2637
2. Date of Birth: 1944
Place of Birth: Newberry 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 July 26, 1969 to Harriett Lee Rucker. 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 SC, (1962 to 1966) BS, 1966;
(b) University of SC School of Law (1966 to 1969) JD, 1969.
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.
State of SC, 1969.
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) Alpha Tau Omega Fraternity (1962-1966);
(b) Phi Delta Phi Legal Fraternity (1966-1969).
10. Describe your continuing legal or judicial education during the past five years.
Conference/CLE Name Date(s)
(a) SCAJ 2010 Annual Conference 08/05/10;
(b) 2010 Judicial Conference 08/18/10;
(c) Mini Summit on Justice for Children 12/02/10;
(d) 2010 SC Family Court Bench Bar 12/03/10;
(e) SC Bar Family Law Section 01/21/11;
(f) Family Court Judges Conference 06/01/11;
(g) SCAJ 2011 Annual Conference 08/04/11;
(h) 2011 Judicial Conference 08/17/11;
(i) 2011 SC Family Court Bench Bar 12/02/11;

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|  | (j) | SC Bar Family Law Section      | 01/20/12; |
|  | (k) | Family Court Judges Conference | 04/18/12; |
|  | (l) | SCAJ 2012 Annual Conference    | 08/02/12; |
|  | (m) | 2012 Judicial Conference       | 08/22/12; |
|  | (n) | SC Bar Family Law Section      | 01/25/13; |
|  | (o) | Family Court Judges Conference | 04/17/13; |
|  | (p) | SCAJ 2013 Annual Convention    | 08/01/13; |
|  | (q) | 2013 Judicial Conference       | 08/21/13; |
|  | (r) | 2013 SC Family Court Bench Bar | 12/06/13; |
|  | (s) | SC Bar Family Law Section      | 01/24/14; |
|  | (t) | Family Court Judges Conference | 04/23/14; |
|  | (u) | SCAJ 2014 Annual Convention    | 08/07/14; |
|  | (v) | 2014 Judicial Conference       | 08/20/14; |
|  | (w) | 2014 SC Family Court Bench Bar | 12/05/14; |
|  | (x) | SC Bar Family Law Section      | 01/23/15; |
|  | (y) | Family Court Judges Conference | 04/15/15. |
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?  
I was invited to participate as a speaker and a member of a panel at the Child Support Decision Making 2000, National Child Support Enforcement Association held in Washington D.C.  
Through the years I have participated on panels in regard to Family Court practice at several S.C. Association for Justice Conferences as well as several SC Bar CLE's.
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.
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| (a) | SC, 1969;                |
| (b) | US District Court, 1969; |
| (c) | US Supreme Court, 1984.  |
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.
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| (a) | Associate, Tench P. Owens, Attorney, General Practice, Clinton, SC, June 1969 to October 1969; |
| (b) | Solo Private Practice, General Practice, Clinton SC, October 1969 to February 1971;            |
| (c) | Solo Private Practice, General Practice, Newberry, SC, February 1971 to June 30, 1988;         |
| (d) | Family Court Judge, July 1, 1988 to present.   |
16. 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.  
BV

23. Have you ever held judicial office? If so, list the periods of your service, the courts involved, and whether you were elected or appointed. Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.
- (a) Recorder, City of Newberry, part time, September 1971 to June 1976, elected by City Council, jurisdiction limited to minor criminal and traffic offenses;
  - (b) Family Court Judge, Eighth Judicial Circuit, July 1, 1988 to present, elected, Jurisdiction limited to Family and Juvenile matters.
24. If the answer to question 23 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) Doe vs Queen This case involves the question as to whether the father of an illegitimate had met the requirements of S.C. Code 20-7-1690 (A)(5)(b) requiring the father to pay fair and reasonable support for the child or expenses incurred with the pregnancy. I held that the father had made sufficient prompt and good faith efforts to assume parental responsibility. The Court of Appeals reversed my order in its opinion reported in 342 S.C. 204, 535 SE2d 658 (Ct. App.2000). The Supreme Court of SC granted certiorari and reversed the Court of Appeals reinstating my order in its opinion reported in 347 S.C. 4, 552 SE2d 761 (2001);
  - (b) McElveen vs McElveen 332 S.C. 583, 552 SE2d 1 (Ct. App. 1998) This is an extremely complicated case involving proof required for divorce on the ground of adultery, alimony, child support, the division of marital property and the valuation of a medical practice. The Court of Appeals affirmed my ruling as to proof of adultery and child support. The Court of Appeals further ruled that a buy-sell agreement entered into by the partners in a medical practice could be an indicator of fair market value but must be considered in light of other evidence;
  - (c) In the interest of Amir X.S., a juvenile under the age of seventeen. 371 S.C. 380, 639 SE2d 144 (2006). This case involves a constitutional attack on a statute defining the offense of disturbing schools. The Court affirmed my ruling and found that the statute was not impermissibly overbroad in violation of the First Amendment;
  - (d) Kelley vs Kelley 368 S.C. 602, 629 SE2d 388 (Ct. App.2006) This was an action to recover unpaid alimony awarded in a 1974 divorce decree. The Court of Appeals upheld my ruling that the claim was barred by laches and equitable estoppel;
  - (e) Chanko vs Chanko 327 S.C. 636, 490 SE2d 620 (Ct. App. 1997) Included in this case was the issue of whether TWOP Accounts (Time off with pay accounts) used by some businesses rather than sick leave or vacation days are income to be added to the employee's income for child support purposes. I determined that this was not to be included in the gross income. This was upheld by the Court of Appeals.
25. 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.
- (a) SC House of Representatives, elected, 1976 to 1980;
  - (b) Commissioner, SC Tax Commission, appointed, February 1984 to June 30, 1988.
- All ethics reports were properly and timely filed.
26. 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.

- Practiced law while serving as part time Recorder for the City of Newberry, September 1971 to June 1976.
27. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.
- (a) Candidate for House of Representatives, Democratic Primary 1974 and 1980;
  - (b) Candidate for At-Large Circuit Court Judgeship, 1982;
  - (c) Candidate for Resident Circuit Court Judgeship, 1998.
28. 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
29. Are you now an officer or director or involved in the management of any business enterprise? Explain the nature of the business, your duties, and the term of your service.  
No
30. A complete, current financial net worth statement was provided to the Commission.
31. 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. If any unforeseen conflict would arise I would recuse myself from hearing the case.
32. 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
33. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute?  
No
34. 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
35. 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
37. 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
38. 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? If so, please explain when you were covered by a tail policy. Also, if applicable, indicate your coverage and deductible for your current malpractice policy.
39. 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.? If so, how would your use of social media or other similar types of Internet sites be affected if you were serving in a judicial capacity?  
I am not on any social media and have never been a member or active on social media or an Internet site. To my knowledge I have never been featured or depicted on a social

- media or Internet site. It is best for a judge to avoid social media especially any discussion on social media in regard to cases. Problems have arisen from a judge being a “friend” of an attorney on social media. Best practice is to avoid social media.
40. 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
41. 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
42. 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. Include the disposition, if any, of such charges or allegations.  
I have no knowledge of any formal charges or informal allegations against me or any other candidate for violation of these provisions.
43. 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. Include the disposition, if any, of such charges or allegations.  
None
44. 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
45. 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
46. 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
47. 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
48. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy?

- No
49. 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
50. 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) Newberry County Bar;
  - (b) SC Bar;
  - (c) SC Family Court Judges Association (President 1996-97).
51. 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) Central United Methodist Church;
  - (b) Rotary Club of Newberry;
  - (c) Newberry County Historical Society;
  - (d) Mason.
52. 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 know of no matters which would adversely affect my nomination for re-election.
53. References:
- (a) W.A. Harvey  
1158 Crosshill Ln.  
Newberry, SC 29108  
Telephone (803) 276-8164
  - (b) John T. Miller, DMn.  
27 Dameron Ave.  
Greenville, SC 29607  
Telephone (864) 351-9490
  - (c) Mr. Harold B. Folk  
1940 Evans Street  
Newberry, SC 29108  
Telephone (803) 276-4455
  - (d) Rev. Tresco E. Shannon  
Central United Methodist Church  
P.O. Box 67  
Newberry, SC 29108  
Telephone (803) 276-3903
  - (e) Mr. Jason James  
Wells Fargo Bank  
1119 Boyce Street  
Newberry, SC 29108  
Telephone (803) 321-2440
54. 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;  
None
- (b) in which there have been public improvements of \$200 or that adjoins property in which there have been public improvements of \$200; or  
None
- (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.

55. 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.

None

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: s/John M. Rucker

Date: July 31, 2015