

**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**



Court, Position, and Seat # for which you are applying: Sixth Judicial Circuit, Seat One.

1. Name: The Honorable Brian M. Gibbons
Name that you are known by if different from above
(Example: A Nickname): None.
Are you currently serving in some capacity as a judge? Yes.
Business Address: P.O. Drawer 580
Chester, SC 29706
Telephone Number: (office): 803-581-4115
2. Date of Birth: 1966
Place of Birth: Orangeburg, 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 November 09, 1991 to Lorena Crouch Gibbons. Never divorced; Three children.
6. Have you served in the military? If so, give the dates, branch of service, highest rank attained, serial number, present status, and the character of your discharge or release. 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) The Citadel, August 1985–May 1989, BS Biology 1989, Cum Laude;
 - (b) University of SC School of Law, JD 1992 August 1989-May 1992.
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 – 11/18/92
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) The Citadel, Inn of Court 1989, Tri Beta Biology Honor Society 1987-1989;
Round Table 1988-1989, Deans List, Gold Stars, SC Student Legislature- 1987-1989;
Cadet Corporal, Sergeant, Rugby Football Club;
 - (b) USC School of Law, Phi Delta Phi.
10. Describe your continuing legal or judicial education during the past five years.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Annual Judicial Conference for past 5 years	August of each year;
(b) SC Conference of FC Judges for past 5 years	April of each year;
(c) SC Bar Convention–Seminar	January of each year for past 5 years;
(d) Family Court Bench/Bar Seminar	December of each year;
(e) SC Circuit Judges Convention	Past two years;
(f) Solicitors/Public Defender's Conference	2013, 2014;

- (g) SCAJ Convention for past 5 years.
I have always carried over the full slate of CLE hours since I have been a judge.
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
Yes. I have presented at the 2010 SC Bar Program "Bridge the Gap" for new lawyers as part of a panel dealing with Family Court;
- (a) National Business Institute—"What Family Court Judges want you to know. May 2010 Panel and May 2012 Panel;
- (b) SC Rules of Family Court-2/08, 2/10;
- (c) SC Bar - Rules, Rules, Rules Seminar;
- (d) I have also presented and moderated at the Family Court Bench/Bar seminars broadcast statewide in December of 2010 and 2011;
- (e) SCAJ Convention – Participated in a panel discussion on Family Court matters in 2009;
- (f) Solicitors Solicitors/Public Defender's Convention – I have presented and served on a panel presentation for various issues for the past two years;
- (g) For the last two years I have instructed a Maymester course for 2 weeks at the Charleston School of Law. This class was at night so as not to interfere with my court schedule.
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) South Carolina, 1992;
- (b) US District Court for SC, 1992;
- (c) US Court of Appeals for the Fourth Circuit, 1994.
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) Associate - Hamilton, Hamilton & Delleney, PA - August 1992 through December 1993;
- (b) Partner - Hamilton, Delleney & Gibbons, PA – 1994-May 25, 2005;
- (c) City Attorney- Chester-1994-2000;
- (d) Town Attorney – Great Falls, 1997-May 2005;
- (e) Town Attorney – Fort Lawn – 1998-January 2005;
- (f) Prior to being elected to the Bench, I was involved in a general practice law firm. I primarily practiced in the areas of Family Law, Criminal, and Civil litigation for almost thirteen (13) years prior to being elected to the Bench. I have represented clients in civil litigation in Common Pleas and Magistrate Courts—both plaintiff and defense. I have represented many criminal defendants ranging in seriousness from DUI offenses to Armed Robbery. Being from a small, rural county, I was able to practice law in many different areas, which I believe has trained me to be a good

- judge who understands all the different areas of practicing law, thus ensuring fairness and justice for litigants, defendants, and lawyers.
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.
My last rating before I was elected to the Bench was BV.
23. Have you ever held judicial office? Yes. 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) May 2005–Elected to Seat One of the Family Court, Sixth Judicial Circuit;
 - (b) February 2007–Re-elected to the Family Court;
 - (c) February 2013–Re-Elected to the Family Court;
 - (d) May 2013–elected to the Circuit Court, Seat One, Sixth Judicial Court, serving continuously since.
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) Pittman v. Pittman (07-DR-46-967) SC Court of Appeals Opinion 4858;
 - (b) State vs. Deel. Felony DUI case from Fairfield County;
 - (c) Doe v. Lingerfelt, Creel, and Baby Girl B (11-DR-11-11);
 - (d) Purser v. Owens (05-DR-29-496) SC Ct. App Opinion 4898;
 - (e) Miles v. Miles (06-DR-24-439) SC Sup. Ct. Opinion 26980 (a).
25. Have you ever held public office other than judicial office? If so, list the periods of your service, the office or offices involved, and whether you were elected or appointed. 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? If so, give details, including dates.
Yes. All appointed Town/City attorney positions from 1994 through May 2005. These were appointed positions.
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.
May 2014 and 2015. I taught a May-Mester class at the Charleston School of Law. Class met at night for two weeks so as not to conflict with my court schedule.
27. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?
No.
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.

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? If so, give the details and the resolution. 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.
Not applicable.
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?
Yes. I limit my "friends" on social media and rarely post any comments. I am not social media friends with any lawyers who practice in front of me. I never weigh in on any political posts that appear on social media. I primarily use social media to monitor my children and for family and close friends.
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.

None.

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? If so, give details. 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? If so, please specify the amount, solicitor, donor, and date of the solicitation.

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) SC Bar- Sixth Circuit Representative–Young Lawyers Division;
- (b) SC Trial Lawyers Association–Board of Governors, Sixth Circuit Representative;
- (c) Chester County Bar–Sec/Treas;
- (d) Municipal Attorneys Association;
- (e) SC Conference of Family Court Judges (05-13);
- (f) National Conference of Juvenile and Family Court Judges (05-13);
- (g) SC Circuit Judges Association.

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) Chester Rotary Club/Past President, Paul Harris Fellow;
- (b) Chester YMCA Board/Past President;
- (c) Chester/Fairfield Citadel Club–Past President, Sec/Treas;
- (d) Blackstock Bluegrass Inc.–Past President;
- (e) The Citadel Alumni Association;
- (f) Richard Winn Academy–Board member;
- (g) Palmetto Boys State Staff for 30+ years;
- (h) Board of Deacons, Chester ARP Church–Past Chairman/Currently Secretary.

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 have always been very involved in my church and community. I have coached all of my children in their various sport activities. I have been actively involved with the American Legion Palmetto Boys State program for the past 32 years. I continue to serve as a Junior High Youth Group leader with my church. I am currently serving as the Secretary of the Chester Associate Reformed Church Diaconate.

53. References:

- a) Brenda McBrayer
Vice President, First Citizens
1612 Cochran By-Pass
Chester, SC 29706;
Office: (803) 377-7151
- b) Clint H. Davis, Pastor
Chester ARP Church
569 Great Falls Hwy,
Chester, SC 29706
(803) 581-6209
- c) David S. Fleming
Graduate Program Coordinator Clemson University
Office of Graduate Program
G-01 Tillman Hall
Box 340702
Clemson, SC 29634-0702
(864) 656-2370
- d) Stephen T. Savitz, Attorney
Gignilliat, Savitz & Bettis, LLP
900 Elmwood Avenue, Suite 100
Columbia, SC 29201
(803) 799-9311

- e) M. Dee Christopher
Principal, Fort Mill High School
225 Munn Road
Fort Mill, SC 29715
(803) 548-1900

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;
 - (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.

Attach a copy of any contract or agreement.

None.

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. Attach a copy of any contract or agreement.

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/Brian M. Gibbons

Date: 8/5/15