



Amended Answers to Personal Data Questionnaire

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. This information may include how your life experiences have affected or influenced the kind or type of judge you have been or plan to be

Amended Answer

After admission to the South Carolina Bar November 9, 1977, I engaged solely in a traditional general practice of law in Summerville, South Carolina. I believe I enjoyed a good reputation for integrity, service and advocacy. The general practice of law includes every sort of case. Lawyers generally break out case loads and practices as transactional services and trial work.

The following are the dates and names of the law practices in which I have been a partner or, in the case of my solo-practice, the owner.

November 9, 1977 – July, 1978:	Prettyman, Chellis & Cordray
July, 1978 – August, 1980:	James E. Chellis, Attorney at Law
August, 1980 – Fall, 1983:	Chellis & Mortimer, P. A.
Fall, 1983 – May, 1995:	Chellis, Mortimer & Frampton, P.A.
May, 1995 --- June 30, 2013:	Chellis & Frampton, P.A.
July 1, 2013 to Present:	Master in Equity, Dorchester County

November 9, 1977 – July 1977
Prettyman, Chellis & Cordray

I engaged in general civil litigation and transactional matters. I handled retained and appointed criminal defense cases. I worked on a federal civil trial at this time. The transactional cases I dealt with involved residential real estate.

Summerville experienced steady economic growth during my career (w/ exception of four (4) years 2008 through 2012). Because of this growth, real estate transactions were a constant in my career, and in large part played as a common denominator for probably 80% of my cases, whether transactional or litigation.

At this early stage, my practice included the actual title examination and closing of single family residential real estate matters. I also began doing simple estate plans, drafting wills and trusts, and organizing small businesses.

I handled a variety of other cases, e.g., motor vehicle accidents resulting in personal injury, divorce, separation, child custody, breach of contract cases, probate administration and litigation, several business fraud cases.

One of my first cases involved probate litigation. This case is notable to me for two reasons. A small town general practice will expose one to cutting edge legal issues. Highly regarded lawyers in South Carolina will be your opposing counsel. The case involved an omitted spouse's claim

to her husband's estate. The interesting twist in this case evolved out of the discriminatory classification of the primary beneficiary, the child of an illegitimate child. In addition to raising the issue of the competency of the Testator, the surviving wife also argued South Carolina's 'bastardy statute' barred the grandson's inheritance. South Carolina has a modified statute allowing the mother's inheritance from the illegitimate child and disqualifying the male ancestor of an ill-legitimate child. See, S.C. Code Ann. § 15-51-30; (General Notes: The mother of a deceased illegitimate child is the sole beneficiary in a wrongful death action. *Gregg v. Coleman*, 1964, 235 F.Supp. 237. The father is not a legal beneficiary of an illegitimate child, and the surviving mother excludes brothers and sisters. *Gregg v. Coleman*, 1964, 235 F.Supp. 237). And, also see, § 62-2-601 & § 62-2-609

The other memorable reason case, now nearly 38 years ago, stands out to me is because the lawyer on the other side of the case later was elected to the Circuit Court and eventually the Court of Appeals. His considerable courtesy, preparation and intellect gave me a solid role model to emulate in conducting myself with adverse counsel.

I began to develop a loyal client base. My first client remained a client until I left the practice to become Dorchester County's Master in Equity. I organized a company for him, later drafted the family's estate plan, settled his father's Estate, and his mother's Estate.

This background of exposure to a wide variety of cases, with differing factual circumstances and situations, and with clients of varying social and economic standing, is the demographic out of which I developed from a sole practitioner to a founding member of a law firm with the constant goal of providing legal services with integrity, service and advocacy.

James E. Chellis, Attorney at Law
July 1978 to August 1980

I continued my real estate practice. I became one of the youngest real estate lawyers, I was told at the time -- in South Carolina to be authorized to write title insurance, as an agent for South Carolina Title Insurance,

The practice of real estate law then was quite a bit different than it is now. I continued to search the titles for property transactions and served as the closing attorney. This is not a common practice today. I spent the greater part of my formative years in the county record rooms of Dorchester, Berkeley and Charleston counties, examining titles.

I do not regret the time I spent there. Frankly, I think examining titles was enormously helpful in learning how to practice law and practice it carefully. In the course of a title examination, one often must examine a civil litigation or probate file. I had no senior partner to go to for mentoring. Moreover, my mentoring was not through the Bar Mentoring program, which did not exist then, but came by way of reading through the pleadings, motions, correspondence and the orders in these case files. My early forms were pulled from those files that I examined. In short, this is when and where I incubated and began to grow as a lawyer.

On September 5, 1978, two months after I opened my solo practice, Circuit Court Judge Rosen appointed me to a capital murder case. A local merchant was robbed and gunned down by four assailants. Four men from Florida were arrested and charged with the murder. Judge Rosen began appointing lawyers in St. George and Summerville to represent the defendants. The Solicitor announced he would seek the death penalty and each defendant was appointed two lawyers. Initially, Judge Rosen skipped over me as I was not considered for appointment because of my lack of experience. But after the entire County Bar was exhausted, but for me, Judge Rosen appointed an Orangeburg attorney to handle the first chair and appointed me to the second chair. This appointment was ten months after I was licensed to practice law. The Solicitor tried each defendant separately including my client. Our client asserted an alibi. The case ultimately went to trial resulting in an acquittal.

In the late 1970's the national economy faltered. Interest rates soared to 18%. A new federal bankruptcy code had been enacted, which introduced the concept of the individual re-organization plan (Chapter 13). I had a utilities contractor client who had significantly extended his credit so I studied the Bankruptcy Code and filed a Chapter 7 on his behalf. Other cases followed. Other lawyers in Summerville referred bankruptcy cases to me. In bankruptcy law, I quickly found that one must be capable of dealing with all areas of substantive law and navigate unique procedural Bankruptcy Court rules.

I continued to handle family law, personal injury and worker's compensation cases. I took a case that challenged a Federal Administrative civil fine based on a warrantless search of a local miner's office by the Mine Safety and Health Administration.

I picked up two corporate clients, a steel fabrication contractor, and an automobile dealership. The former client wanted me to handle its commercial collection cases, one of which I discuss later, and the latter client engaged me to defend a fraud and misrepresentation claim. After handling the fraud case, I began handling this client's claims for deficiency judgments arising from recourse financing of the dealer's installment sales contracts financed by the manufacturer's credit company. I began to handle debtor-creditor relation cases, on behalf of both debtors and creditors.

Chellis & Mortimer
August, 1980 to Fall, 1983

During this period, my partner and I tried to establish a business and estate planning boutique firm. Initially, our practice did very well, but in 1982, or shortly thereafter, Congress eliminated many of the tax advantages small corporate businesses enjoyed (closing the widely politicized tax loop-holes), *e.g.*, the investment tax credit and accelerated depreciation, and changed the estate tax such that very moderate estates were no longer subject to estate taxes (incremental increases in the unified gift and estate tax credit). These changes in the law caused my partner and I to re-evaluate our boutique concept. I continued handling debtor-creditor cases, renewed my workers compensation practice, family law matters, and continued to handle bankruptcy cases. I also continued to handle residential real estate matters. Our litigation practice began to grow and an opportunity to associate a lawyer to handle our increasing trial work presented

itself. At that time, my long time partner, John G. Frampton joined our firm. He and I practiced law together for 30 years.

Fall of 1983---May 1995

Chellis, Mortimer and Frampton, P.A.

During this thirteen year period, my practice changed as the needs of my clients changed. In particular, as the economy changed, my practice changed. I continued real estate matters, and by referral of a few cases from other lawyers, I developed a practice in real estate litigation, particularly curing title defects. During the early 1980's, the national economy remained sluggish and many of my clients continued to suffer financial hardships that led to bankruptcy. I also had handled a number of Chapter 7 cases by this time, as well as a few Chapter 11 cases.

The one case of the grocer, however, was exceptional as other grocers, with the same national distributor, were closing down. At first blush, this case appeared to be a circumstance of the national economy. However, drawing on my experience in fraud cases, and discussing with my client the facts surrounding his business failure, I associated another more experienced attorney, and we filed a suit in the federal court alleging fraud and a RICO claim against a national food distributor. The case required extensive discovery.

I had recently been asked by two younger attorneys to be their mentor. I associated these two attorneys to go through a warehouse of documents and assist in research. I handled most of the trial preparation, including overseeing the discovery. The case was settled the day I was scheduled to take the depositions of the defendant's chief executives. One of those younger lawyers became a Probate Court Judge, and is now serving on the Family Court bench.

Other cases came my way involving employee injuries in the work place. Some of these cases evolved into third party claims, *e.g.*, third party claims against an at-fault driver. One third party claim that I brought in Federal District Court bottomed on product liability against the manufacturer of a come-a-long lifting device. Another workers compensation case evolved into a products claim against a paint manufacturer. The former case involved extensive discovery and expert testimony, including a mechanical engineer with a subspecialty in tensile strength of wire and an economic loss expert. Another products case, in which I associated counsel, involved an alleged manufacturing defect in a heart catheter used in angioplasty. This case also had federal preemption issues, which arose out of the federally regulated drugs and medical devices.

I continued to build a practice based around small businesses. Much of this work was transactional in nature, and included counseling parties on the form of business in which they should engage, drafting partnership and shareholder agreements, and negotiating and drafting agreements for the sale and purchase of business assets. Quite naturally, one significant evolution of a business planning practice in a small town involves the enforcement of contracts. To this end, I have represented many local businesses in breach of contract actions, claim and delivery actions, mechanics liens, and debt collection actions. One significant non-jury case that I tried, for my steel fabricator client, had as its central issue the failure of a buyer to notify my client, the seller, of a nonconforming product it sold. By statute, the failure to notify the seller of the nonconforming goods bars any remedy. I proved the failure of notice, won at the trial level,

and the case was affirmed on appeal. Southeastern Steel Company V. W.A. Hunt Construction Company, Inc., 301 S.C. 140, 390 S.E.2d 475 (Ct. App. 1990). This case has 49 “Citing References” noted via WestlawNext, including 21 secondary source citations.

I continued to represent car dealerships. I associated counsel in a case brought against one of my dealership clients by the South Carolina Consumer Protection Agency involving claims alleged for violations of the SCCPA. This case was eventually settled prior to trial, and again highlights the breadth of experience I have gained in my career as a lawyer in Summerville.

During this time, I also brought foreclosure actions on commercial mortgages. I have also defended a commercial mortgage foreclosure action, in which I tested the waters of lender liability in a failed real estate development evolving out of the local depression that occurred after closure of the Charleston Naval Base.

As the economy began to improve in the mid 1980’s, I began to represent a number of real estate developers. This work is, for the most part, transactional in nature. Nonetheless, and I think importantly, as it relates to one’s judicial merit, I worked on clearing a major development obstacle on a large tract of land to be developed into single family residential homes around a golf course. The title defect was created by a landowner in the late 1960’s when he subdivided “on paper” a large tract of land (more than 1,000 acres) showing many unopened roads in the subdivision. The developer then sold 300 to 400 lots on land contracts that referred to the plat he recorded. Many of the streets were never built. I represented a developer who purchased the residual tract of the “paper subdivision”, and prepared and gathered on its behalf a waiver and release of the private implied easement that the lot owners had to the paper streets. Our efforts in gaining nearly 100% cooperation from those landowners (over several years effort) were successful because we prepared a clear, concise and easily readable waiver and release and approached each landowner with a transparent, honest explanation of the goal we were attempting to achieve and invited them to seek advice from their own attorney should they chose to do so.

That development is a success story. The properties of these folks, who were perhaps ‘boondoggled’ in the late 1960’s, enjoyed appreciation in value after the golf course development began. Moreover, the golf course residential development, a 25 year project, is now built out.

By the end of the 1980’s, the economy was on the upswing, generally. So, with a major change in the Bankruptcy Code, I decided to stop taking these cases. The cost of staying current was expensive and the number of these cases declined in the improving economy.

Chellis & Frampton, P.A. (formerly Chellis & Frampton, LLP)
May, 1995 to June 30, 2013

Mass media advertising model for personal injury cases took hold. I did have some personal injury cases. One case stands out. After a defense verdict in an automobile accident case, my client, who was rendered disabled from the accident, needed help filing a Social Security Disability claim. I decided to learn this area of the law, and filed his claim. This case, while I

lost the trial, evolved into a Social Security disability claims practice, where I helped many, many people over a course of about 15 years procure social security disability.

Since the mid-90's I handled a variety of cases:

1. several wrongful death cases, federal tort claim cases (with associated counsel)a complex property damage torts class action case
2. premises liability cases
3. real property litigation matters, including
 - a. complex implied easement case before the Master-in-Equity
 - b. closing of a street to facilitate the commercial development of a large tract of land for a shopping center
 - c. suits to quiet title and partitions of lands,
 - d. boundary disputes
 - e. trespass to quiet title cases
4. Commercial transactions involving multi-million dollar real estate financing, local title counsel to buyers and lenders, drafting complex mutual ingress-egress easements in shopping center developments;
5. the negotiation of and closing of \$28,000,000.00 in financing of a business venture that created several hundred jobs in Edgefield County
6. Local Title Counsel to Multi-million dollar sale lease back transactions
7. Representation Commercial Landlord in drafting and negotiating commercial real property leases
8. Drafting of wills and trusts has been a constant in my practice
9. Probate administration and litigation
10. initiated a on behalf of employee's a multi-party employment dispute designated complex litigation.

Throughout my career, I served as managing partner of the law firms (excluding Prtettyman, Chellis & Cordray) I participated in. I handled all personnel matters, and oversaw the accounting and business managemnt of the firms.

July 1, 2013 through the Present

I serve as Master in Equity for Dorchester County. The written orders alluded to earlier are representative of my work.

A Life Experience that Influences Me

On New Year's Day, 1972, I came within a 15 degree angle of losing my life. I am indeed a fortunate man to be alive today. That day I went duck hunting with my father. My shotgun misfired when I attempted to shoot a greenhead mallard out of a flock landing into the decoys set in a salt marsh pond in the Santee delta. I pulled the trigger out of a stupid frustration. That time the gun fired, but I wasn't prepared to buttress it against my shoulder. I lost control of the gun. It fell out of my hands and when the butt of the gun hit the floor of the duck blind, it discharged with my hands over the barrel. I loss two finger tips on my left hand and the palm of my right hand was shaved to the bones. That moment took a half-second.

In a half-second my life changed. As a competitive swimmer, I had an athletic grant in aid to attend the University of South Carolina. Only a week before, I swam a time in one event that was a half-second off the qualifying times for competing in the NCAA's national championships. I had great expectations on January 1, 1972. I anticipated a good hunt, and really looked forward to January 2, when I would report to campus to begin training until classes resumed. But in a half-second that part of my life was over.

From this extraordinary event, I learned unequivocally how fragile life is. As a Screening Committee you have asked in the Sworn Statement at paragraph 20, "What do you feel is the appropriate demeanor for a judge?" to which I answered, "Patience, open-mindedness, courtesy, tact, firmness, understanding, compassion, and humility." From my hunting accident and its affect on my life since that day, I have learned all of these attributes.

Every day I am reminded of my injury. All it takes is to be confronted with a closed door while I am carrying a cup of coffee in my left hand, gripping the handle of the case for my laptop computer case in my right hand. All it takes is a person to drop a few pennies of change into my left hand only to have them fall through the palm of that hand because the tip of my little finger is gone. That little piece of anatomy is the part of the hand that holds things together. From these common occurrences in my everyday life, I am reminded of my injury. I'm reminded that I'm lucky to be living. I'm reminded impatience injures; that patience is a virtue to live for.

I am reminded of the need to be courteous to the man, woman, or child trying to get through a door from which I've just passed. My habit is to hold the door for someone following me. It's courtesy. It's a sense of service, and humility. My parents ingrained these courtesies into me. I fulfill them out of a sense of service to others and humility toward my fellow man. Perhaps, the subconscious thought process is that since I had trouble negotiating that passage way, maybe that other person may too. But I think it is simple courtesy that does double duty. The act expresses a sense of respect for others. That's compassion.

I am reminded of the need to be calm in the face of adversity and conflict, in the face of a devastating event or occurrence. The morning I was injured my father literally could not process the event. Many litigants come before me pro se. They struggle to argue a single valid point. They are so subjectively entangled in their loss, they have difficulty expressing a single thought without meandering into an anecdote sometimes of irrelevant fact. My gun shot wound was indeed horrific to my father. The event was something he could not process objectively; however, in that moment I had an overwhelming sense of calm and peace. That's God at work. That's God's design of the human mind reacting to major physical injury. In those few minutes I was able to direct with a kind of calm reserve, the immediate steps we needed to take to get to a safe haven and where others could help. I know I can draw on my inner calmness when faced with a calamity. I recognize my ability to adapt this mental mechanism of calmness in dealing with litigants before me over circumstances they find themselves in that are devastating e.g., the loss of their home to foreclosure, or the perceived unfairness of a circumstance they find themselves in.

I believe God blessed me with a personality that lends itself to compassionate listening and tactful response. I do not think this is an environmental exposure or learned behavior but I

truly believe it is by God's grace that he blessed me with a sensitive mindfulness to the needs of others. That's open-mindedness with compassion for others and a gift to lift someone up in the face of adversity.

Competitive swimming is an arduous sport. It is about perfecting an unnatural ability. Think about it. Humans occupy land. The land is our natural environment. Water is not. Swimming is a sport in which there is virtually no communication while you race or train; so, in that way, it is a single-minded, introspective sport that requires a measure of inner assertiveness, seriousness, and self reflection. A swimmer's success depends on his ability to adapt to training which requires one to develop a firm will to succeed in an unnatural environment.

I believe I've been blessed with a fair intellect. Having a fair intellect enables me to exercise firm resolve to follow our precedents and abide by the decisions of our legislature concerning the law of our State – to follow the swimming metaphor, I am conditioned to follow the black stripe on the pool's bottom, and stay in the lane confined by the lane markers. Many may say I'm too strict on the rules. Life's experience conditions me to hold firm to what the rules demand, the law imposes, and fairness dictates.

My mishap is a life experience that gives me pause to reflect. One can make it sound like a big deal. It's not. It fits nicely into an experiential event that gives rise to a way to discuss judicial temperament. But, I would be remiss if I did not say that my life is a blessing. I am privileged to serve in the capacity of Master in Equity for Dorchester County. While my life experience sounds like it's about me, I know and profess nothing could be further from a true statement. I live my life to serve others. I hope I can fulfill this mandate through continued service as the Dorchester County Master in Equity.

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.

I own 50% membership interest in a limited liability company that owns real property leased to Dorchester Alcohol and Drug Commission. (DADC). The real property is located at 112 West 4th North Street, Summerville, South Carolina, Suite C, consisting of approximately 2500 sq. ft. of commercial office space. DADC is a quasi-public agency.

My interest is 1/2 membership interest in Jurisprudence, LLC. The real property owned by Jurisprudence LLC is valued at \$1,050,000.00, subject to \$800,000.00 mortgage. Jurisprudence, LLC, owns no other asset.

(a) nature of any potential conflict of interest;

I know of no potential conflict of interest.

(b) nature and value of any public improvements;

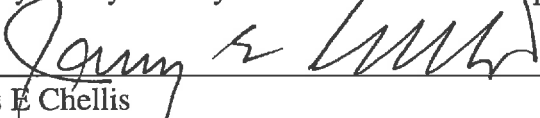
No tenant improvements prior to August 2015. DADC leased 1540 sq.ft (Suite A) for approximately 15 years. They asked for more space in June 2015.

Leasehold improvements by the Tenant paid in August 2015 were \$48,930.64.

Nature of the Tenant improvements were realignment of interior floor space primarily for group and individual counseling rooms. Tenant improvements also included adding 2 windows in the exterior walls.

A copy of the Lease Agreement is attached.

I hereby certify that my answer is true and complete to the best of my knowledge.

 , October 19, 2015
James E Chellis

**THE HONORABLE JAMES E. CHELLIS
DORCHESTER COUNTY
MASTER-IN-EQUITY**

5200 East Jim Bilton Boulevard
St. George, South Carolina 29477

Phone (843) 832/563-0001
Fax (843) 832/563-0003



October 26, 2015

Elizabeth H. Brogdon
Chief Counsel, Judicial Merit Selection Commission
104 Gressette Building
Post Office Box 142
Columbia, SC 29202

Re: Corrected Application pursuant to Staff Interview

Dear Ms. Brogdon:

Enclosed please find:

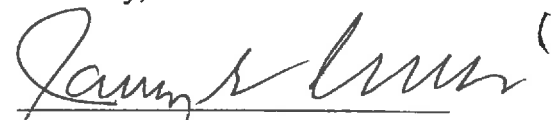
1. Second Amended Answers to Personal Data Questionnaire, dated October 26, 2015;
2. Amended Confidential Financial Statement Net Worth as of October 22, 2015;

Supporting documentation:

- Screen Shot of Crescom HELOC Transactions from January 1, 2015 to October 22, 2015
 - Screen Shot of Ameriprise Financial Non-Qualified Stock Account, dated 10/21/2015.
 - Screen Shot of Ameriprise Financial Qualified Stock Account, dated 10/21/2015.
 - Screen Shot of Ameriprise Financial Non-Qualified Brokerage Account (Alternative Holdings) , dated 10/21/2015.
 - October 2, 2015 Seneca Mortgage Statement showing principal balance due November 1, 2015
 - Latitude 32 Credit Union Statement of Account Stating ending Balance of debt on September 20, 2015;
3. Triplicate Originals of Amended State Ethics Commission Disclosure Form.

Please note the kind and thoughtful attention given to my candidacy materials by your staff attorney, Ms. Simpson. I appreciate her detailed review and the Commission's gracious opportunity to correct my materials. I further trust this letter finds you well,

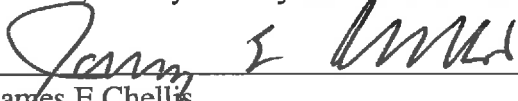
Sincerely,


James E. Chellis

Second Amended Answers to Personal Data Questionnaire

47. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? No. If so, give details. Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No. If so, give details.

I hereby certify that my answer is true and complete to the best of my knowledge.


_____, October 26, 2015
James E Chellis

