



**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE
FOR RETIRED JUDGES/JUSTICES**

Court, Position, and Seat # for which you are applying:

1. Name: The Honorable Robert E. Guess
Name that you are known by if different from above (Example: A Nickname):
Business Address: 114 Cherokee Avenue,
Union, SC 29379
Telephone Number: (office): 864-426-3210
2. Date of Birth: 1948
Place of Birth: Union, SC
3. Are you a citizen of South Carolina?
Have you been a resident of this state for at least the immediate past five years?
5. Family Status: Married on July 16, 1983 to Vanda Lee McLeod.
Never divorced, two children.
6. Describe your continuing legal or judicial education during the past five years.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) 2010 FCJA Family Court Judges Conference	4/22/10
(b) 2010 SCCA Judicial Conference	8/18/10
(c) Mini Summit on Justice for Children	12/2/10
(d) 2010 South Carolina Family Court	12/3/10
(e) Family Court Judges Conference	6/1/11
(f) 2011 SCCA Annual Judicial Conference	8/17/11
(g) 2012 Family Law Section (S.C. Bar Convention)	1/26/12
(h) 2012 Annual Convention/S.C. Association of Justice	8/8/12
(i) 2012 SCCA Annual Judicial Conference	8/22/12
(j) 2012 Family Court Bench Bar	12/7/12
(k) 2013 FCJA Family Court Judges Conference	4/17/13
(l) 2013 Annual Convention/S.C. Association for Justice	8/1/13
(m) 2013 SCCA Annual Judicial Conference	8/21/13
(n) 2013 Family Court Bench Bar	12/6/13
(o) 2014 Family Law Section (SC Bar Convention)	1/24/14
(p) 2014 FCJA Family Court Judges Conference	4/23/14
(q) 2014 Annual Convention/S.C. Association for Justice	8/7/14
(r) 2014 SCCA Annual Judicial Conference	8/20/14
(s) 2014 Family Court Bench Bar	12/5/14
(t) 2015 Family Law Section (SC Bar Convention)	1/23/15
(u) 2015 FCJA Family Court Judges Conference	4/16/15

7. Have you practiced law or served as a mediator or arbitrator since your retirement from the judiciary?
I have not practiced law. I serve as a mediator in Family Court cases. I serve by appointment of the Court, or by selection made by the attorneys for the litigants. I am paid an hourly rate for these services. I mediate on average two cases per month.

8. List your positions of employment on and/or appointment to the bench chronologically. You are not required to list dates of employment or appointment prior to your last screening.
- (a) From July 1, 2010 to January 31, 2014, I held Seat No. 1 of the Family Court for the Sixteenth Judicial Circuit.
 - (b) From February 1, 2014 to date I have been an active/retired judge of the Family Court, and have held court in various circuits by order of the Chief Justice.
 - (c) From February 1, 2014 to date, I have acted as a Family Court Mediator as described in question 7 above.
9. 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.
I am a shareholder, director and secretary-treasurer of The Circle Company, Inc., a closely held corporation owned 76% by my mother and 6% each by me and my three siblings. For many years this business was engaged in the active management and rental of improved real estate. At the present time this company owns no real estate, but holds notes secured by real estate mortgages. My duties include collecting and accounting for the payment of these mortgages, keeping the books of the company and arranging for the filing of tax returns. For these services I am paid a director's fee of \$5,000.00 per year. I hold these offices until a successor is elected and qualified.
10. A complete, current financial net worth statement was provided to the Commission.
11. Since your last screening, have you 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
12. Since your last screening, have you, to your knowledge, been under federal, state, or local investigation for possible violation of a criminal statute?
No
13. Since your last screening, has a tax lien or other collection procedure been instituted against you by federal, state, or local authorities? Since your last screening, have you defaulted on a student loan? Since your last screening, have you filed for bankruptcy?
No
14. Since your last screening, have you been sued, either personally or professionally?
No
16. Since your last screening, have you been criticized, whether informally or in a matter taken to a disciplinary authority, for the manner in which you treated litigants or attorneys before you on the bench?
No
17. Describe your personal policy for the acceptance of food, meals, beverages, lodging, transportation, entertainment, social hospitality, or other things of value from an attorney, a group of attorneys, or from other individuals.
I accept gifts from individuals with whom I have a very close relationship. These would be individuals who I would never allow to appear before me as a litigant. I do not accept gifts from individuals with whom I do not have so close a relationship. I accept social hospitality as an individual or with my spouse from individuals with whom I have close personal relationships and who I would never allow to appear before me as a lawyer or a litigant. I

accept social hospitality in the form of parties or receptions from individuals with whom I do not have a very close personal relationship when such hospitality is offered to a relatively large group of people. I do not accept social hospitality from individual attorneys.

18. Have you ever accepted anything of value from an attorney or litigant in a matter currently or previously before you or your court?

No

19. Provide any other information which 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 am 67 years old and practiced law for 25 years prior to taking office as Family Court Judge on May 12, 2000. I have been extensively involved in the affairs of the community and believe that I possess the respect and credibility required of the Family Court as an institution. It was my good fortune to be born into a family whose members have for generations been involved in and made contributions to the betterment of the communities in which they have lived. I have been instilled by my family members with a respect for the institutions which form the basis of our society; our government and its subdivisions, and the religious and charitable organizations with which we as citizens are in constant contact. I have been taught by word and by example that participation in and involvement with the activities of these institutions is valuable to me as an individual and to our community as a whole. I have been taught and I believe that it is necessary to abide by the rules of these various institutions but that it is acceptable to constructively identify things or activities which should be changed and to engage in civilized debate with those who disagree and to ultimately seek consensus among interested parties. I believe that I have applied my life experiences to my fourteen years of service as judge of the Family Court by respecting the institution of the courts, by respecting the litigants and lawyers who appear in those courts and where agreement is impossible by applying the statutes and rules which govern the Family Court to make fair decisions for all parties.

20. For the last fully completed calendar year, itemize the income, expenses, fees, payments, or additional benefits exceeding \$500, in the aggregate, received by you or a member of your immediate family from SC state and local entities. List the type, source, and amount or value of the benefit. Be sure to list any expense reimbursement you received separately from your income.

Payments for the year 2014 from the SC Judicial Department

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|-----|--------------------|------------|
| (a) | Wages | 21,781.48; |
| (b) | Office Expense | 500.00; |
| (c) | Taxable Travel | 3,958.16; |
| (d) | Non-Taxable Travel | 2,869.32. |

21. 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
- | | | | |
|----|---------------------|---------|---------------|
| a. | 282 acre timberland | 496,000 | Barnwell, SC; |
| b. | 20 acre timberland | 41,050 | Union, SC; |

- c. House & lot (with spouse) 114 Cherokee Avenue 182,500 Union, SC;
- d. 20 acre timberland, as Trustee for Julia E. Guess 105,000 Barnwell, SC;
- e. 129 acre timberland, as Trustee for Julia E. Guess 322,500 Denmark, SC;
- 1. Spouse, Vanda M. Guess, owns 5% interest in Sandhill Land and Timber, LLC, which in turn owns a house and lot at 119 A 15th Avenue S., Surfside, Beach, SC and two unimproved tracts totaling 21 acres in Kershaw County, SC 27,625.

(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;
No potential conflict of interest as family court judge
- (b) nature and value of any public improvements; and
All properties listed front on public paved roads with water and sewer services in place and having a value in excess of \$200.00.
- (c) South Carolina state or local public agency which purchased or is leasing or renting such property.
None

22. 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

23. 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 have a Twitter account and a LinkedIn account. I have occasionally been depicted on Facebook accounts used by my wife and my children. I do not post items on Twitter, but use it to follow political, governmental and entertainment sites. Since I have been a judge, I have not used social media to interact with any litigant or potential litigant in Family Court. I limit all of my use of social media to sites and people known and trusted by me. I do not accept posts or invitations from any person that I do not know and trust. I do not, and would not ever post any item that would compromise my position as a judge. I am aware of the rule: A “friend” is not a friend, and “delete” does not mean delete.

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

Signature: s/ Robert E. Guess

Date: August 3, 2015