



**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

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

1. Name: Mr. Milton G. Kimpson
Mrs.
Ms.

Name that you are known by if different from above
(Example: A Nickname):

Are you currently serving in some capacity as a judge?
(Includes Municipal, Magistrate, Etc.) No

Home Address: [REDACTED]

Business Address: SC Department of Revenue, 301-A Outlet Pointe Blvd., Columbia, SC
29210 (P.O. Box 12265, Columbia, SC 29211-9979)

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]
(office): 803-898-5131

2. Date of Birth: [REDACTED] 1961
Place of Birth: Columbia, SC
Social Security Number: [REDACTED]

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

4. SCDL# or SCHD#: SCDL [REDACTED]
Voter Registration Number: [REDACTED]

5. Family Status: In the space below, (a) state whether you are single, married, widowed, divorced, or separated; (b) if married, state the date of your marriage and your spouse's full name; (c) if you have ever been divorced or are in the process of obtaining a divorce, state the date, name of the moving party, court, and grounds; and (d) state the names of your children and their ages. If your children are old enough to work, include the occupation of each child.

Family Status: Married on May 14, 1999 to Audra Sabb Kimpson.
Never divorced, two children

[REDACTED]

6. Have you served in the military? If so, give the dates, branch of service, highest rank attained, serial number (if applicable), present status, and the character of your discharge or release.

I served on active in the United States Army as an officer in the Judge Advocate General's Corps (JAGC) from January 1987 through December 1991 and continued service in the US Army Reserves from 1992-1995. My highest rank was Captain and I received an Honorable Discharge. I have no current status with the military.

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) Wofford College, Spartanburg, SC; August 1979-May 1983; B.S. Economics

(b) Emory University School of Law, Atlanta, GA; August 1983-May 1986; 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.

(a) South Carolina; 1986

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) Reserved Officers Training Corps (ROTC) 1980 – 1983

(b) Association of African American Students 1979 – 1983, President

(c) Wofford College Gospel Choir, 1979 – 1983;

(d) Omega Psi Phi Fraternity, 1980 – 1983, President, Secretary

(e) Emory Moot Court Society, 1984 – 1986

(f) Emory Intrastate Moot Court Team, 1985

(g) Coach, National Champion Evidence Moot Court Team, 1986

(h) Student Legal Services, 1984 – 1986;

(i) Black Law Students Association, 1983-1986

(j) Black Law Students Moot Court Team, 1986

(k) National Institute of Trial Advocacy, 1985

10. Describe your continuing legal or judicial education during the past five years.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SC Black Lawyers Association Annual Retreat	9/17/15
(b) Richland Co. Bar Association Ethics	11/06/15
(c) Appellate Practice	2/16/16
(d) Edventures in Administrative Law	2/19/16
(e) SC Black Lawyers Association Annual Retreat	9/19/14
(f) State and Local Tax Seminar	10/3/14
(g) Cybersleuths Guide to the Internet	1/15/15
(h) SCAGO Case Law Update	8/16/13
(i) SC Black Lawyers Association Annual Retreat	9/26/13

(j) State and Local Tax Seminar	11/8/13
(k) SC Administrative Law	1/10/14
(l) North/South Carolina Tax Conference	5/25/12
(m) SC Black Lawyers Assoc. Retreat	9/26/12
(n) SC Procurement Code Overview	10/11/12
(o) SC Department of Revenue Tax Seminar	10/16/12
(p) Property Taxes and Internal Audit	3/23/11
(q) Getting Started On Westlaw	6/8/11
(r) Department of Revenue Practice	6/17/11
(s) Sales and Use Tax Seminar	6/29/11
(t) Internet for Lawyers	8/19/11
(u) SCAARLA Ethics Seminar	10/7/11
(v) SC Black Lawyers Annual Retreat	10/14/11

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture.

- (a) I gave a presentation on Travelscape v. SC Department of Revenue, 391 S.C. 89, 705 S.E.2d 28 (2011), to Multi-State Tax Commission Litigation Committee Meeting in Nashville, TN, March 8, 2012.
- (b) I was one of presenters for the SCAGO CLE: Department of Revenue Practice, June 17, 2011
- (c) I gave SC Case Law Update presentation to Columbia Tax Study Group on October 16, 2012 (with another SCDOR lawyer)
- (d) I gave SCDOR Case Law presentation at CPA Summit and Annual Meeting, November 1, 2012
- (e) I gave SCDOR Case Law Update at State and Local Tax Seminar, March 21, 2013
- (f) I gave a presentation on SCDOR Data Breach Cyber Security Seminar hosted by State of Wisconsin, in Milwaukee, WI, Oct. 14, 2013
- (g) I gave SCDOR Case Law Update presentation to SC Bar Tax Section during SC Bar Convention, Jan. 24, 2015
- (h) I gave SCDOR Case Law Update presentation to Columbia Tax Study Group, February 14, 2015 (with another SCDOR lawyer)
- (i) I spoke at SC Black Lawyers Retreat on the Certificate of Need Program and Regulatory Practice at SC Department of Revenue, Sept. 17, 2015

12. List all published books and articles you have written and give citations and the dates of publication for each.

- (a) South Carolina Practice Manual – Criminal Law, Volume Three (SC Bar CLE 2003), Contributing Author, Chapter on Military Law

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, 1986
- (b) United States District Court for District of South Carolina 1992

- (c) United States District Court for Western District of Oklahoma, 1988
- (d) United States Court of Appeals for the Fourth Circuit, 2016

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) SC Department of Health and Environmental Control, clerk position and brief stint as staff attorney practicing administrative law until entry into U.S. Army; August 1986 – December 1986
 - (b) JAGC, Ft. Sill, Oklahoma, Legal Assistance Officer (general practice, assisting military members, families and retirees), March 1987- June 1988; Military Prosecutor; July 1988 – March 1990
 - (c) JAGC, Ft. Jackson, SC; Chief, Legal Assistance Officer general practice, assisting military members, families and retirees); military magistrate (whether to impose pretrial confinement for military personnel accused of crimes); March 1990 – December 1991.
 - (d) Johnson, Toal & Battiste, P.A., Jan. 1992- Dec. 1993. General Practice, including personal injury, real estate, family law, civil litigation.
 - (e) Glenn Walters, P.A., Jan. 1994 – Mar 1994. General Practice.
 - (f) Gerald & Kimpson, P.A., March 1994 – Dec. 1998. General Practice, including civil litigation, family law, personal injury, real estate
 - (g) Milton G. Kimpson. P.A., Jan. 1999 – Dec. 2002. General Practice, including civil litigation, family law, personal injury, real estate
 - (h) SC Department of Revenue, Jan 2003 to present. State tax and regulatory law.

15. Please answer the following (if you are a judge and are not seeking a different type of judgeship, this question is inapplicable):

- (d) If you are a candidate for Administrative Law Judge, please provide a brief written description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law Judge Court.

Since joining the Department of Revenue in 2003, I have practiced primarily before the Administrative Law Court (ALC). Under the Revenue Procedures Act, a taxpayer/licensee has the right to appeal a Department Determination by filing for a contested case hearing at the ALC; the ALC is the trial court for these matters. I have been lead counsel on a variety of cases at the ALC, including income and sales tax assessments, sales tax exemptions, refund claims, tax credits, alcohol/beer regulatory violations and licensing issues. Much of this litigation involves statutory interpretation, issues related to the Commerce and Due Process Clauses of the United States Constitution (jurisdiction to tax) and often requires extensive trial preparation, discovery and the use of expert witnesses. As a staff litigation attorney, I appeared at the ALC frequently in actual trials, pretrial motions and hearings in regulatory violations and licensing matters. As the manager of the Department's Honors Tax Litigation program, my ALC appearances ramped up even more as I sat second chair to our young attorneys in a training and mentoring capacity. in addition

to handling my own active caseload. I became the Department's General Counsel for Litigation in April 2010, responsible for the management of all Department litigation. While the number of cases in which I actually participate as a litigant has been reduced, I still appear at the ALC on selected cases and am involved in review of briefs and proposed orders for all significant ALC cases.

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.
Martindale Hubbell, Distinguished, 4.4 out of 5

* **Retired justices/judges and justices/judges applying for re-election to their current position may omit Questions 17-22. If a candidate is seeking a judgeship different than his or her current position, Questions 17-22 should be answered based on experience prior to serving on the bench.**

17. What was the frequency of your court appearances during the five years prior to your election to the bench?
- (a) federal: infrequent. There is one court case, CSX v. SC Department of Revenue, et al., Case No. 3:14-cv-03821-MBS that was litigated in November 2015 and is on appeal to United States Court of Appeals for the Fourth Circuit.
- (b) state: frequent with majority at the ALC, some Circuit Court and in Appellate courts.

18. What percentage of your practice involved civil, criminal, domestic, and other matters during the five years prior to your election to the bench?
- (a) civil: 10%
- (b) criminal: 0%
- (c) domestic: 0%
- (d) other: administrative state tax and regulatory cases – 90%

19. What percentage of your practice in trial court during the five years prior to your election to the bench involved matters that went to a jury, including those that settled prior to trial?
- (a) jury: 0%
- (b) non-jury: 100% SC DOR cases before ALC are non-jury, bench trials.
- Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters?

Most often, as lead or sole counsel; as manager of the Honors Program attorney, I sat second chair as in a training or mentoring capacity. As General Counsel for Litigation, I have supervisory responsibility for all SCDOR litigation but still appear as needed as lead counsel.

20. 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, prior to your election to the bench. Give citations if the cases were reported and describe why these matters were significant.
- (a) Travelscape v. SC Department of Revenue, 391 S.C. 89, 705 S.E.2d 28 (2011). Lead counsel in contested case hearing at the Administrative Law Court (ALC) seeking to hold

online travel company liable for sales taxes on accommodations on gross proceeds received from the rental of hotel rooms in South Carolina pursuant to SC Code Ann. 12-36-920. ALC ruling for the Department upheld on appeal to South Carolina Supreme Court. This decision was among the first in the nation upholding a state revenue department's assessment of state sales taxes against online travel company and has been used by the Department as a basis to collect sales taxes from the online travel industry.

(b) Home Medical Systems v. SC Department of Revenue, 382 S.C. 556, 677 S.E.2d 582 (2009). Lead counsel in contested case at Administrative Law Court (ALC) in which taxpayer obtained ruling that sales of certain prosthetic devices were exempt from sales and use taxes pursuant to SC Code Ann. 12-36-2120(28) (a). On appeal, South Carolina Supreme Court reversed the ALC and approved the tests used by the Department to determine when prosthetic devices and medicines sold by prescription were exempt from sales tax, which is a reoccurring sales tax issue for the Department. The Court also firmly established that it was appropriate to use motions for reconsideration under Rule 59(e), SCRCPP, at the ALC (case occurred prior to recent ALC rules changes broadening use of motions for reconsideration).

(c) Drummond v. SC Department of Revenue, 378 SC 362, 662 S.E.2d 587 (2008). Class action lawsuit filed in Circuit Court challenging the Department's administration of sales tax exemption for diabetic supplies under SC Code Ann. 12-36-2120(28) (b) and seeking a refund of sales taxes paid on the sales of such items. The Circuit Court granted Department's motion to dismiss case based on Plaintiff's failure to exhaust administrative remedies under the Revenue Procedures Act, SC Code Ann. 12-60-10., et seq. (RPA). On appeal, the South Carolina Supreme Court upheld the dismissal of causes of action seeking sales tax refund because Plaintiff failed to pursue remedies under the RPA. The Supreme Court also recognized that SC Code Ann. 12-60-80 (C) barred the Department from being sued in a class action lawsuit. Case remanded for trial pursuant to SC Code Ann. 1-23-150 on whether regulation exceeded scope of exemption statute. After trial on the merits in Circuit Court, Special Circuit Court Judge ruled in Department's favor finding that regulation did not exceed statutory authority. I argued the case on appeal to the SC Supreme Court and served as lead counsel in the case on remand. This case is significant because the Court recognized the broad scope of the RPA.

(d) Anonymous Company A and Anonymous Company B v. SC Department of Revenue, 401 S.C. 513, 678 S.E.2d 255 (2009). After a contested case hearing, the Administrative Law Court ruled that finance company financing consumer retail debt for automobile purchases was eligible for refund of sales taxes on bad debts pursuant to SC Code Ann. 12-36-90(2)(h). The Department appealed and circuit court affirmed. On further appeal, the South Carolina Supreme Court reversed, finding that that bad debt sales tax deduction was only available to retailer of tangible personal property and not finance company. Finance companies across the United States were filing claims for refund for sales taxes on bad debts generated by automobile sales such that the Department was able to deny these refund claims based on this decision. I served as lead counsel at trial and argued the appeals at circuit court and the Supreme Court.

(e) CSX Transportation v. SC Department of Revenue, et al., Civil Action No. 3:14-cv-03821 -MBS (U.S. District Court for South Carolina, June 7, 2016) CSX Transportation filed suit in federal district court alleging that the failure to extend SC Act 388's 15% cap on property value increases for property tax purposes to real property owned by railroads

violated Section 306(1)(d) of the Railroad Revitalization and Regulatory Reform Act of 1976 (4-R Act), 49 U.S.C. § 11501(b)(4). The Plaintiff pursued its case solely under subsection (b)(4) of the 4-R Act which prohibits states from “imposing another tax which discriminates...” against railroads. After a bench trial, the Court ruled in the Department’s favor finding that Plaintiff’s claims could not be pursued under § 11501(b)(4) because SC Act 388 did not impose “another tax.” This ruling is significant because it recognized limitations to breadth of 4-R Act discrimination challenges under subsection (b)(4). Case is now on appeal to United States Court of Appeals for the Fourth Circuit. I served as lead counsel during the trial.

21. List up to five civil appeals you have personally handled, prior to your election to the bench. Give the case name, the court, the date of decision, and the citation if the case was reported.
 - (a) Travelscape v. SC Department of Revenue; SC Supreme Court; issued Jan. 13, 2011; 391 S.C. 89, 705 S.E.2d 28 (2011).
 - (b) Home Medical Systems v. SC Department of Revenue; SC Supreme Court; issued April 20, 2009; 382 S.C. 556, 677 S.E.2d 582 (2009)
 - (c) Drummond v. SC Department of Revenue; SC Supreme Court; issued June 2, 2008; 378 SC 362, 662 S.E.2d 587 (2008)
 - (d) Anonymous Company A and B v. SC Department of Revenue, SC Supreme Court; issued June 1, 2009; 401 S.C. 513, 678 S.E.2d 255 (2009)
 - (e) Lexington Health Services District v. SC Department of Revenue, SC Court of Appeals; issued July 22, 2009; 384 S.C. 647, 682 S.E.2d 508 (Ct. App. 2009)
22. List up to five criminal appeals that you have personally handled, prior to your election to the bench. Give the case name, the court, the date of decision and the citation if the case was reported.
 - (a) None
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.

No
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) N/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.

I currently serve as a Deputy Director and General Counsel for Litigation at the Department of Revenue. In this position, I have been required to file an annual report with the State Ethics Commission. I have always filed timely reports when required.

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.
N/A
27. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.
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? If so, give details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer.
No, other than owning a residential rental property with my brother and another property with my wife. The rental property owned with my brothers is managed by a rental company so I have no active management role. See #29, below.
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. However, I own a residential rental property with my wife that we have rented and actively managed since 2002. I also assist with renting a rental property owned solely by my wife. Duties include renting the properties, collecting rent, responding to tenants' needs regarding repairs and cleaning when necessary.
30. Provide, as a separate attachment, a complete, current financial net worth statement that itemizes in detail:
- (a) the identity and value of all financial assets held, directly or indirectly, including, but not limited to, bank accounts, real estate, securities, trusts, investments, and other financial holdings; and
 - (b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000, including, but not limited to, debts, mortgages, loans, and other financial obligations.
- (Your response to this question may state "see attached").

(A net worth statement is provided with this questionnaire and you must use this format for submission of your financial statement.)

NOTE: The Commission may require written confirmation that financial obligations have been satisfied or that the parties have agreed upon a payment schedule.

Please see attached financial statement.

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? If so, give details but do not include traffic violations for which a fine of \$125 or less was imposed.
No.
33. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, explain.
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? If so, give details.
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? If so, give details, including, but not limited to, dates and resolution.
(a) Lucille Briggs v. Milton G. Kimpson, Civil Action No. 93-CP-40-01086. Motor vehicle accident. I ran into the back of a car which stopped unexpectedly at a stop light. Insurance company provided defense and case settled.
(b) Adrian Hammond v. Gerald & Kimpson, LLP, Case No. 2005-CP-40-04893. Legal malpractice alleged by Plaintiff against me and former law partner. We filed suit filed civil suit on the Plaintiff's behalf against State Newspaper for publishing his identify while a minor but the case was dismissed. The Circuit Court granted summary judgment in the legal malpractice case because the suit was not filed within applicable statute of limitations. Plaintiff appealed and Court of Appeals affirmed in an unpublished decision on grounds that Plaintiff failed to state sufficient facts to constitute a cause of action and statute of limitations. Hammond v. Gerald & Kimpson, LLC, 2009-UP-594 (2010)
(c) Palmetto Health Alliance dba Palmetto Richland v. Milton G. Kimpson, Dentsville Magistrate Case No. 2009cv401093250. Suit over unpaid hospital bill; case settled, Feb. 12, 2010.
36. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been sanctioned or disciplined for lawyer, judicial, or other professional misconduct or has any jurisdiction found that you committed any misconduct? If so, give the details and describe any final disposition.
[Yes and no responses are redacted for all candidates unless there is a public discipline.]
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? If so, give the details.
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.
Yes; I have continued to carry tail coverage since leaving private practice in 2002.
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 a member of any social media or Internet site, although I signed up in 2009 for a site for Columbia High School alumni but discontinued any use shortly thereafter. It is possible that I am included in pictures posted on social media sites used by family members. I do not plan to make use of social media websites.
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)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.
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? If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved.
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. If you have spent over \$100, have you reported your expenditures to the House and Senate Ethics Committees?

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 or have you been offered a conditional pledge of support by any legislator pending the outcome of your screening? 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? If so, give details.

Note: The flash drive with your application materials contains (1) Section 2-19-70(c); (2) JMSC Rule 24, and (3) informal opinions and letters concerning pledging prohibitions, with which third parties acting on your behalf, as well as you, must comply.

No.

47. Have you requested any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? If so, give details. Are you aware of any third parties contacting members of the General Assembly on your behalf? If so, give details.

No.

48. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges until after the draft report becomes final, which occurs on the day and time specified on the Commission's published screening schedule?

Yes

49. 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.

50. Since submitting your letter of intent to become a candidate, have you or has anyone acting on your behalf contacted any member of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? If so, give details.

No.

51. 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) Richland County Bar Association

- (c) SC Black Lawyers Association
 - (d) Military Law Section of SC Bar
 - (e) American Bar Association
 - (f) SC Administrative and Regulatory Law Association, Board of Directors, 2012 to present
52. 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) Greater Columbia Community Relations Council, Chairman, June 2016 to present
 - (b) Eau Claire Development Corporation, Secretary, June 2014 to present
 - (c) Cooperative Ministries, Board of Directors, January 2016 to present
 - (d) Citizens Center for Public Life, Board of Directors
 - (e) Omicron Phi Chapter, Omega Psi Phi Fraternity, Inc., Counselor, November 2010 to present
 - (f) Omega Men of Columbia – Omicron Phi, Inc., Secretary, Jan. 2014 to present
 - (g) Promise Foundation, Treasurer, Nov, 2010 to present
 - (h) Sigma Pi Phi Fraternity, National Officer, June 2014 to June 2016
 - (i) Alpha Iota, Sigma Pi Phi Fraternity, Secretary, November 2010 to present
 - (j) SC Memorial Park Commission, Board of Directors
 - (k) St. John Baptist Church, Board of Deacons; May 2002 2000 to the present
 - (l) DOR Communicators (Toastmasters), Secretary, June 2010 to present
53. 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.
- I have practiced in the South Carolina courts, both at the trial and appellate level, for over twenty years. I appreciate those judges who are prepared to hear cases in terms of reviewing available pleadings, pretrial briefs and other documents filed by the litigants. I am most impressed with those judges who actively listen, consider and carefully weigh the arguments of both sides of a dispute and who avoid appearing partial to either side. Finally, I am appreciative of those judges who have experienced the pressures of a busy trial practice, are accommodating and courteous to the parties and their lawyers and who are timely in decision-making. I have been incredibly fortunate during my career to have appeared before many judges who have demonstrated these characteristics. I aspire to demonstrate those same attributes.
54. List the names, addresses, and telephone numbers of five (5) persons, including your banker, from whom you are providing references. Also, provide the Commission with **original letters** of recommendation from each person listed herein, including their signature (preferably in blue ink). **The Commission will not accept a photocopy or electronic submission of a letter of recommendation and failure to include all five (5) original letters of recommendation in your packet when you submit it will render your packet incomplete.** Please **do not** have references mail your reference letters to the

Commission directly. *You must return the five (5) original letters of recommendation to the Commission with your application packet.*

- (a) Rick Reames, III, Esq.; P.O. Box 125, Columbia, SC; 803-898-5040
- (b) Clifford Scott, Esq.; P.O. Box 555, Columbia, SC 29202; 803-771-0904
- (c) John C. von Lehe, Jr., Esq.; 151 Meeting Street, 6th Floor, Charleston, SC 29401-2239; 843-720-4311
- (d) Richard C. Handel, Esq.; 701 South Main St., Columbia, SC 29208; 803-777-4155
- (e) James A. Bennett, First Citizens Bank, 1230 Main St., Columbia, SC 29201; 803-931-8549

55. 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.

N/A

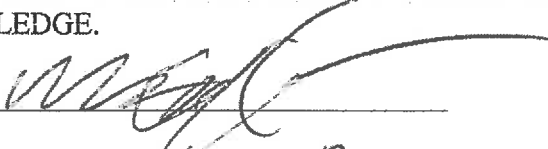
56. Identify any personal property interest you or a member of your immediate family sold, leased, or rented to a South Carolina state or local public agency. Identify the property, its amount or value, and the name of the agency. Attach a copy of any contract or agreement.
- None

57. For sitting judges, have you used judicial letterhead or the services of your staff, for which you did not pay, while campaigning for this office?


N/A

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: 

Sworn to before me this 1 day of August, 2016.


(Notary Signature)

Carol L. Erdel
(Notary Printed Name)
Notary Public for South Carolina
My Commission Expires: May 14, 2017

November 29, 2016

VIA EMAIL

Elizabeth Herlong Brogdon, Esquire
Chief Counsel
Judicial Merit Selection Commission
P.O. Box 142
Columbia, South Carolina 29202

Re: Expenditure of Funds for Administrative Law Court, Seat 2

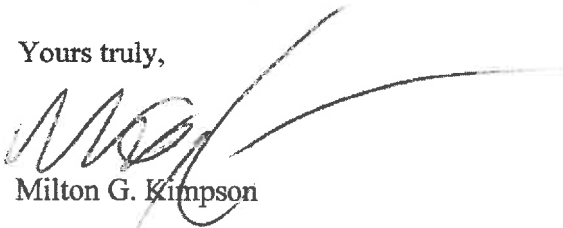
Dear Mrs. Brogdon:

I would like to report the following expenditure amending my response to Question 44 of my Personal Data Questionnaire:

<u>Date</u>	<u>Type Expense</u>	<u>Amount</u>
11/29/16	Postage (200 stamps)	\$94.00

Please do not hesitate to contact me concerning this matter at 803-360-8582 if additional information is needed.

Yours truly,



Milton G. Kimpson

Cc: Emma Dean, Esquire (via email)