

State of South Carolina
The Circuit Court of the Ninth Judicial Circuit

J. C. Nicholson, Jr.
Judge Active Retired

100 Broad St., Ste. 341
Charleston, S.C. 29401

Judicial Merit Selection Commission
Post Office Box 142
Columbia, SC 29202

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

AMENDED ANSWER TO QUESTION 14:

14. Since your last screening, have you been sued, either personally or professionally? If so, give details.

In my response to Question 14 in July, I answered "No." At the time, I was unaware a lawsuit had been filed against me. The Plaintiff never served me and Judge Young has dismissed the case. I have attached his Order dismissing the case, which notes the Plaintiff never served any Defendant in the case. I was not aware the lawsuit existed until Heather Anderson contacted me with regard to my questionnaire.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "J.C. Nicholson, Jr." with a large flourish at the end.

J.C. Nicholson, Jr.
Judge, 9th Circuit
11/7/16

JUDICIAL MERIT SELECTION COMMISSION
Statement to be included in Transcript of Public Hearings

Retired Judge

Full Name: J.C. Nicholson, Jr.
Business Address: 100 Broad Street, Suite 341
Charleston, SC 20401
Business Telephone: 843-958-5047

1. Have you met the Constitutional or statutory requirements for this position regarding age, residence, and years of practice?
Yes.
2. Have you met the mandatory minimum hours requirement for continuing legal education courses?
Yes.
3. Do you have any plans to return to private practice one day?
No.
4. Are you engaged in any legal activities other than your service as a retired judge, such as acting as an arbitrator or mediator?
No.
5. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?
No.
6. Do you belong to any organizations that discriminate based on race, religion, or gender?
No.
7. Have you engaged in any partisan political activity since your retirement?
No.

8. What do you feel is the appropriate demeanor for a judge?

Calm, attentive, patient

9. In your position as a retired judge, what methods do you employ to ensure that deadlines for the timely issuance of orders are met?

I use my calendar and my law clerk keeps track of a spreadsheet and turns in monthly MUA Reports.

10. Do you feel that it is ever appropriate to be angry with a member of the public, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys?

No; No

11. How would you handle a situation in which you became aware of misconduct of a lawyer or fellow judge?

I would contact ODC.

12. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law clerks are to appear before you?

If I feel it would be inappropriate or have an appearance of impartiality, I would recuse myself. I would also recuse myself if asked and the request was reasonable.

13. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?

None other than scheduling issues.

14. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference would you give a party that requested your recusal? Would you grant such a motion?

Yes, it is important for parties to feel comfortable with the judicial system.

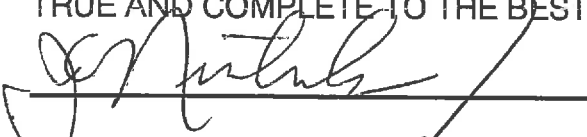
15. What standards have you set for yourself regarding the acceptance of gifts or social hospitality?

It is my policy to comply with the Judicial Canons. I accept educational materials, invitations to bar-related functions and CLE's. I accept small gifts proportional to the occasion, such as a birthday. I accept ordinary social hospitality, such as having dinner in someone's home or an invitation to a wedding. I do not accept anything of value that would create the appearance of impropriety. I do not accept any gift or hospitality that would be perceived as intended to influence the performance of my official duties.

16. In order that we might advise court administration on steps that need to be taken, are there any limitations on your sight, hearing, or mobility that should be addressed by the court administrator?

None.

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



Sworn to before me this 22 day of July, 2016.

Brooklyn Burroughs
(Signature)

Brooklyn Burroughs
(Print name)

Notary Public for South Carolina

My Commission Expires: Sept. 14, 2025

