

**JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE**

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

1. Name: Mr. Michael Todd Thigpen

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

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

Home Address: [REDACTED]

Business Address: 207 Magnolia Street, Suite 102, Spartanburg, SC 29306

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]  
(office): (864) 542-0405

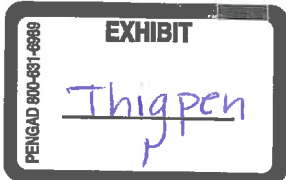
2. Date of Birth: [REDACTED], 1970  
Place of Birth: Sumter, South Carolina  
Social Security Number: [REDACTED]

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#: [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.  
Married on March 22, 2008 to Laurie Lynn Ver-Cauteren Thigpen.  
Never divorced, no children.

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.  
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) University of South Carolina at Spartanburg (n/k/a USC Upstate), 1988-1992, Bachelor of Science in Business Administration; and
  - (b) University of South Carolina School of Law and University of South Carolina, 1992-1996, Joint Juris Doctor//Master of Business Administration.
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, 1996.
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) Member of USCS Leadership Development Program Class # 2, 1991-1992;
  - (b) Member of Gamma Beta Phi Honor Society, 1990; and
  - (c) Member of National Dean's List (not sure of exact dates).
10. Describe your continuing legal or judicial education during the past five years.
- | <u>Conference/CLE Name</u>                                    | <u>Dates</u> |
|---|--------------|
| (a) What Family Court Judges Want                             | 11/12/2010;  |
| (b) Mini Summit on Justice for Children;                      | 12/02/2010;  |
| (c) The Eight Types of Clients and How to Avoid Seven of Them | 02/07/2011;  |
| (d) Representing the Volunteer GAL                            | 04/15/2011;  |
| (e) Guardian ad Litem Program's Workshop                      | 06/02/2011;  |
| (f) What Family Court Judges Want You to Know                 | 02/16/2012;  |
| (g) ADR: An Ethical Approach                                  | 02/24/2012;  |
| (h) Information to Represent Volunteer Guardians ad Litem     | 05/18/2012;  |
| (i) Avoiding Critical Financial Errors in Divorce Settlements | 02/11/2013;  |
| (j) Fourth Annual South Carolina Gun Law                      | 02/18/2013;  |
| (k) Introduction to Court Annexed ADR                         | 09/13/2013;  |
| (l) 2013 Hot Tips from the Coolest Domestic Law Practitioners | 09/27/2013;  |
| (m) 2013 Family Court Bench Bar                               | 12/06/2013;  |
| (n) 2014 Hot Tips from the Coolest Domestic Law Practitioners | 09/26/2014;  |
| (o) 2014 Family Court Bench Bar                               | 12/05/2014;  |
| (p) 2015 Guardian ad Litem Training and Update                | 02/06/2015;  |
| (q) Avoiding 20 Common Ethics Traps                           | 02/17/2015;  |
| (r) Hot Tips for the Coolest Domestic Law Practitioners       | 09/25/2015;  |
| (s) South Carolina Family Court Bench Bar<br>and              | 12/04/2015;  |
| (t) 2014 Richland County Bar Ethics Seminar                   | 02/22/2016.  |

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 co-presented and prepared the written materials for the Case Law Update: "Custody, Child Support, and Visitation" at the 2007 South Carolina Trial Lawyers Association Annual Convention;
  - (b) In 2010, I lectured to a group of student therapists from Converse College about HIPAA, subpoenas, qualification as an expert witness, a therapist's role in child custody cases, and other areas of family law;
  - (c) I was a panel member for a panel discussion at the 2012 Program Attorney Training: Information to Represent Volunteer Guardians ad Litem; and
  - (d) I assisted in training Volunteer Guardians ad Litem for the Spartanburg County Volunteer Guardian ad Litem Program on four or five occasions between 2002 and 2015.
12. List all published books and articles you have written and give citations and the dates of publication for each.
- I have not published any books or articles. However, the Honorable Jerry D. Vinson, Jr. used a guardian ad litem report I had prepared to create the suggested format for a guardian ad litem's report in his presentation of "Guardian ad Litem Reports: What's in it for me?" at the 2007 Children's Issues in Family Court seminar.
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.
- South Carolina, 1996
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) I have been a sole practitioner in Spartanburg, South Carolina since I was admitted to the South Carolina Bar in 1996; my practice has always been devoted almost exclusively to family law cases; and I have represented thousands of Family Court clients since I began practicing law;
  - (b) I represented indigent Family Court clients through Piedmont Legal Services' Private Bar Involvement Program from 1997 until 2004;
  - (c) I have served as the guardian ad litem in hundreds of private cases involving the issues of child custody, visitation, adoption, termination of parental rights, name changes, etc. since about 1998;
  - (d) I was a contract attorney for the Spartanburg County Volunteer Guardian ad Litem Program from approximately 2002 until June 30, 2015;
  - (e) I have been a certified Family Court Mediator since 2002, and I have mediated approximately 200 Family Court cases in the past five years; and

- (f) Since around 2004, I have done legal work on occasion for the General Counsel's Office at Spartanburg Regional Health Services District, Inc. primarily filing petitions in Probate Court to have a guardian and/or conservator appointed for its patients who are incapacitated and do not have adult relatives who are willing or able to consent to their medical treatment.

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

- (a) If you are a candidate for Family Court, please provide a brief written description of your experience within each of the following Family Court practice areas: divorce and equitable division of property, child custody, adoption, abuse and neglect, and juvenile justice. Include information about cases you have handled in each of these practice areas, or if you have not practiced in an area, describe how your background has prepared you to preside over such matters as a Family Court Judge.

- (1) Divorce and Equitable Division of Property: I have represented clients in hundreds, if not over a thousand, divorce and decree of separate support and maintenance cases since I began practicing law. I have represented clients in divorces on all statutory grounds, except desertion, including one (1) year's continuous separation, adultery, habitual drunkenness, and physical cruelty. In addition, I have represented clients in annulments and common law marriage cases. Many of those cases have included the issue of equitable division of property. The cases that have included the issue of equitable division of property have ranged anywhere from assisting a client with the division of personal property to dividing hundreds of thousands of dollars of marital assets. In addition, I have mediated numerous cases involving the issue of equitable division of property, a few of which have involved the division of millions of dollars of marital assets.
- (2) Child Custody: I have served as the guardian ad litem or represented the mother, father, grandparents, and other third parties in hundreds of child custody cases since I began practicing law. Although the majority of the cases settled prior to trial, I have been involved in many child custody cases where the trial lasted anywhere from one to five days. These cases included, but were not limited to, initial child custody determinations, modification actions, relocation cases, third party custody disputes, and other child-related issues. In addition, I have successfully mediated many child custody cases.
- (3) Adoption: Although I mostly represent clients in relative adoption cases, I have also represented several clients in non-relative adoption cases. In addition to representing clients in adoption cases, I have also served as the guardian ad litem in many contested and uncontested adoption cases. The most significant adoption case I have been involved in as an attorney was a case where I successfully defended the biological mother and adoptive father when the biological father attempted to overturn the adoption based on fraud, etc. The most significant adoption case I have been involved in as a guardian ad litem was a case where the biological mother unsuccessfully tried to withdraw her consent.

- (4) Abuse and Neglect: Because I was a contract attorney for the Spartanburg County Volunteer Guardian ad Litem Program for over thirteen (13) years, I have been involved in hundreds of DSS Child abuse and neglect cases. Those cases, included, but were not limited to, probable cause hearings, status hearings, motion hearings, removal hearings, intervention hearings, judicial review hearings, permanency planning hearings, and termination of parental rights hearings. In addition, prior to becoming a contract attorney for the Spartanburg County Guardian ad Litem Program, I was court appointed to serve as the guardian ad litem or attorney for several adults in DSS vulnerable adult cases.
- (5) Juvenile Justice: I was appointed to serve as the attorney or guardian ad litem for a juvenile on a few occasions. In addition, I have represented adults in criminal cases in the past, and I believe I have sufficient knowledge of criminal law and procedure. However, if I am elected to the Family Court Bench, I intend to spend as much time as possible viewing DJJ hearings before I take the bench; I will pay careful attention to this area of law in Judge's School; and I will ask to sit with a Family Court Judge who is hearing DJJ cases during my training.
- (b) If you are a candidate for Circuit Court, please provide a brief written description of your experience in criminal matters, including any cases handled over the past five years and include a brief description of the issues involved. Further, please provide a brief written description of your experience in civil matters, including any cases handled over the past five years and include a brief description of the types of matters handled, issues involved, and procedural history. Please include information such as the primary areas in civil court in which you practice, whether you represent plaintiffs or defendants, or both. You may go back further than five years if you feel it would assist the Commission with its assessment of your experience. If you lack experience in an area, describe how your background has prepared you to preside over such matters as a Circuit Court Judge, or how you would compensate for your lack of experience in this area.  
NA
- (c) If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master's court, including any cases handled over the past five years and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity.  
NA
- (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.  
NA
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, BV

\* **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: None.
- (b) state: Almost daily until this year, now over ten times per month.
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: 0%
- (b) criminal: 1%
- (c) domestic: 98%
- (d) other: 1%
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%
- Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? Sole 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) Rollins v. Rollins, 2003-DR-42-1665, was a divorce action wherein the primary issue was child custody and I represented the father. The mother, who initially moved to Tennessee to live with family, was granted temporary custody of the parties' minor child at the temporary hearing, and we learned shortly before the final hearing that she had moved to Georgia. In preparation for trial, I was relying on the long-standing presumption against allowing a parent to relocate with a child out of state, as set forth in McAllister v. Patterson, 278 S.C. 481, 299 S.E.2d 322 (1982), but McAllister was overruled by Latimer v. Farmer, 360 S.C. 375, 602 S.E.2d 32 (2004), a few weeks before the final hearing. Fortunately, after a three day trial, I was able to successfully argue that the case of Davis v. Davis, 356 S.C. 132, 588 S.E.2d 102 (2003), allowed the judge to consider the mother's avowed desire to continue living out of state if she was awarded custody as a factor in determining which parent should be awarded custody in an initial child custody determination, and the father was awarded custody of the parties' minor child.
- (b) Husband v. Wife and Wife's Paramour, 2003-DR-23-\_\_\_\_\_ (fictitious names used because the file is sealed) was a divorce action wherein I represented the wife's paramour, who was added as a party-defendant in the divorce action between husband and wife because it was alleged that he was the biological father of two of the three children born during husband and wife's marriage. Although we had a DNA test which reflected wife's paramour was in fact the biological father of the two youngest children, the primary issue was whether the

presumption of legitimacy would overcome the DNA test. Although that issue has now been settled by our Supreme Court, husband's attorney challenged the results of the DNA test and, therefore, I was required to prove the chain of custody which took several telephone depositions. In addition, another interesting issue was whether husband would be required to prove wife unfit to be awarded custody of the two youngest children because he was not their biological father. Moreover, because S.C. Code Ann. § 63-7-2570(5) provides that a ground for termination of parental rights is "[t]he presumptive legal father is not the biological father of the child, and the welfare of the child can best be served by termination of the parental rights of the presumptive legal father, husband argued that he had parental rights to the two youngest children and it would not be in their best interests for his parental rights to be terminated. Although the case settled prior to trial, the case was particularly interesting to me because it involved complex constitutional issues that would have most likely had to be appealed all the way to the United States Supreme Court to be resolved.

- (c) Wright v. Staggs, et al., 2004-DR-42-3288, was an action wherein I represented the maternal grandmother who sought to terminate the parental rights of the biological father in and to his two minor children on the ground that he was convicted of the murder of the children's biological mother pursuant to S.C. Code Ann. § 63-7-2570(10). After hearing the testimony of the children's therapists and other witnesses, the court found it was in the best interests of the minor children for the parental rights of the biological father in and to his minor children to be forever terminated. In addition, the court granted the maternal grandmother's request to change the children's surname from the biological father's surname to her surname. Although the biological father appealed the case, the Court of Appeals affirmed the trial court's decision in an unpublished opinion.
- (d) Simpson, et al. v. Pham, et al., 2001-DR-23-5811, was an action wherein the biological father sought to overturn his daughter's adoption by her stepfather almost two years after the adoption was finalized, and I represented the mother and adoptive father. The case was interesting because the biological father and his mother sought to have the mother's marriage to the adoptive father annulled; the biological father's mother sought to either directly or collaterally attack the adoption even though she was not a party to the adoption action; and the biological father and his mother also sought to have the biological father's consent/relinquishment set aside even though a final decree of adoption had already been entered. Although the majority of those alleged causes of action were dismissed prior to trial, we were required to try the issue of whether or not the biological father could collaterally attack the adoption based on "extrinsic fraud," and the court found the father failed to prove "extrinsic fraud" by clear and convincing evidence and dismissed the case.
- (e) Brown v. Brown, 362 S.C. 85, 606 S.E.2d 785 (Ct. App. 2004), was an initial child custody determination wherein I served as the guardian ad litem. After the father was granted custody of the parties' minor children, the mother appealed. In her appeal, the mother argued, among other things, the trial court gave "de facto custody" to the paternal grandparents and failed to give sufficient weight to the minor children's preference. Although the Court of Appeals affirmed, the decision is interesting to me as a guardian ad litem and attorney because it thoroughly discussed the issue of how much weight should be given to a child's preference at various ages in a child custody determination.

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.

Walters v. Pitts was a child support modification action wherein I represented the mother. After the court increased the father's child support retroactive to January 1, 2002, required the father to pay his child support payments via wage withholding through the clerk of court's office, and awarded the mother attorney's fees and costs, the father appealed. In his appeal, the father argued the Family Court erred in: (1) increasing his child support obligation retroactive to January 1, 2002, (2) requiring him to pay his child support payments via wage withholding through the clerk of court's office, and (3) awarding the mother attorney's fees and costs. In an unpublished opinion, the Court of Appeals found the Family Court erred in increasing the father's child support obligation retroactive to January 1, 2002, but found the facts warranted a retroactive increase to December 29, 2003. In addition, the Court of Appeals affirmed the Family Court's decision to require the father to pay his child support payments via wage withholding through the clerk of court's office and the award of attorney's fees and costs.

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.  
State v. R. W. T. (initials are used for the defendant because the charge was later dismissed and expunged) was an appeal of a criminal domestic violence conviction from the Magistrate Court to the Circuit Court wherein I represented the defendant. On appeal, we argued the Magistrate had improperly instructed the jury on the law of self-defense where the defendant had used non-deadly force in self-defense. Specifically, we argued the Magistrate's charge to the jury indicated the defendant had a duty to retreat before using non-deadly force in self-defense, and the charge also indicated to the jury that the defendant had to be in fear of death or great bodily harm before he could use non-deadly force in self-defense. The Circuit Court reversed the conviction and remanded the case to Magistrate Court for a new trial, but the charge was later dismissed and expunged.
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.  
NA
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.  
No.



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.  
NA

27. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.  
In 2012, I was a candidate for the newly created seat for Judge of the Family Court, At-Large, Seat 6. I was found Qualified, Not Nominated by the JMSC, and the Honorable David E. Phillips was elected to that seat.

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.  
My mother and I are the co-owners of Thigpen Properties, LLC, which owns Thigpen Mobile Home Park where we rent two mobile home lots. We also rent out one side of the duplex where my mother lives that was at one time titled under the name of PRT Properties, LLC. However, I have not been engaged in any other occupation, business, or profession other than the practice of law since I was admitted to practice law in 1996.

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.  
I am a co-agent of Thigpen Properties, LLC, and I am also listed as a co-agent of PRT Properties, LLC, which does not have any assets at this time.

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.**

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? If so, give details but do not include traffic violations for which a fine of \$125 or less was imposed.

I was arrested for Public Disorderly Conduct in the summer of 1992 before I started law school, but that charge was dismissed prior to my admission to the South Carolina Bar. I also received a ticket for Open Container of Beer or Wine in Motor Vehicle on August 31, 1998, but that charge was also dismissed and expunged.

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.

When I ran for Family Court Judge, At-Large, Seat 6, in 2012, my screening attorney informed me that my credit report reflected a lien, which was a shock to me because I had never received a notice. The next day I learned the South Carolina Department of Revenue had placed a tax lien against me because I filed my employer withholding return earlier that year and failed to enclose a check. Apparently, the South Carolina Department of Revenue had sent notices to a post office box and office address that I had not used in over ten years even though my correct address and telephone number were on the return. Therefore, I amended my application to notify the Commission of the tax lien, paid the taxes and penalties immediately, and provided my screening attorney with a "Satisfaction of Tax Lien" prior to the public hearings.

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.

According to the Spartanburg County Public Index, I was named as a party-defendant in the case of Bank of America, et al. v. Manfred Volk, et al., 2003-LP-42-06179, 2003-CP-42-02794, & 2003-CP-42-01347, because I was the guardian ad litem for Manfred and Marie Volk's children in a Family Court case where either or both of the parents were ordered to pay me guardian ad litem fees, which the foreclosure attorney believed was a judgment against the real property being foreclosed upon. It appears those actions were subsequently dismissed. In addition, I may have been named as a party defendant in other cases where I was owed guardian ad litem fees or attorney's fees and costs in a Family Court case, but I cannot find a record of any other cases.

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.  
I have maintained malpractice insurance since December of 1996. My current coverage limit is \$1,000,000.00 each claim/aggregate, and my deductible is \$2,500.00 for each and every claim. To my knowledge, I have never been covered by a tail policy.
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 have a website for my law firm, but I do not use social media personally or professionally.
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) South Carolina Bar (Family Law Section);
- (b) American Bar Association (Family Court Section);
- (c) Spartanburg County Bar; and
- (d) Spartanburg County Family Court Committee.

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.

None.

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.

As a sole practitioner, I have always taken pride in the quality of my work, which has often times caused me not to delegate as much work as I should to my legal assistant and others. Therefore, because I understand the duties of a Family Court Judge extend far beyond the courtroom, I believe it could reflect negatively on me if I do not learn how to delegate more responsibilities to my administrative assistant and others.

On the other hand, because I have had family members involved in Family Court litigation, I have first-hand knowledge of the emotional and financial impact Family Court litigation has on the parties, their families, and the children involved. In addition, I have handled thousands of Family Court cases since I began practicing law, and I believe that experience has provided me with the insight necessary to understand how a Family Court Judge's decision can forever change the lives of families, and most importantly children. In short, I believe the fact that I have devoted my practice almost exclusively to Family Court cases for almost twenty years should reflect positively on me as a candidate for Family Court Judge.

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) Mr. James Fletcher Thompson  
The Law Office of James Fletcher Thompson, LLC  
Post Office Box 1853  
Spartanburg, SC 29304  
(864) 573-5533
- (b) Mr. Robert M. Holland  
Holland & Usry, PA  
Post Office Box 5506  
Spartanburg, SC 29304  
(864) 582-0416
- (c) Mr. Joseph L. Mathis  
Saint-Amand, Thompson & Mathis, LLC  
200 South Limestone Street, Suite 1  
Gaffney, SC 29340  
(864) 489-6052
- (d) Mrs. Allison P. Dunham  
Harrison, White, Smith & Coggins, P.C.  
Post Office Box 3547  
Spartanburg, SC 29304  
(864) 585-5100
- (d) Ms. Lynne C. Monroe  
United Community Bank  
101 West St. John Street  
Spartanburg, SC 29306  
(864) 591-5200

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.

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.

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?

NA

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: M. Todd Thigpen

Sworn to before me this 28<sup>th</sup> day of July, 2016.

Pamela R. Thigpen  
(Notary Signature)

PAMELA R. THIGPEN  
(Notary Printed Name)

Notary Public for South Carolina

My Commission Expires: 01/09/2018