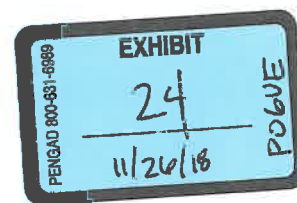


**JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE**



Court, Position, and Seat # for which you are applying:  
Judge of the Family Court, Twelfth Judicial Circuit, Seat 1

1. Name: The Honorable Timothy H. Pogue

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

Are you currently serving in some capacity as a judge?  
(Includes Municipal, Magistrate, Etc.)  
Yes, Judge of the Family Court, Twelfth Judicial Circuit, Seat 1

Home Address: [REDACTED]

Business Address: 2515 East Highway 76/ PO Box 63  
Marion, South Carolina 29571

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]  
(office): 843-423-5141  
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1951  
Place of Birth: DuBois, Pennsylvania  
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. 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. Please provide a copy of your DD214 concerning your discharge. No

6. 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 June 23, 1976 to Deborah Joan Altman (Pogue)  
Never divorced, two children.



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) I attended the University of Kentucky from 1969 – 1973, graduating with a B.A. Degree in History
  - (b) I attended the University of Kentucky School of Law from 1973 – 1976, graduating with a Juris Doctor Degree.
  
8. List the significant activities in which you took part during your attendance at law school. Give the years you were involved in these activities and list any leadership positions you held.
  - (a) I was a member of the Phi Delta Phi Legal Fraternity from 1974 – 1976. I did not serve in any leadership capacity.
  
9. 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. Please indicate the number of times you took the exam in each state.
  - (a) Kentucky: 1976 – Present. I am a member in good standing and passed the bar exam the first time I took it.
  - (b) South Carolina: 1977 – Present. I am a member in good standing and passed the bar exam the first time I took it.
  
10. Describe chronologically, since graduation from law school, your legal experience. Please include a list of all positions held in which you worked in a legal capacity. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years. Please also describe the extent to which you were involved with the administrative and financial management of each of these entities, including management of trust accounts.
  - (a) I started as an associate with the Law Office of Derrick and Derrick from August of 1976 until December of 1978. We were in the general practice of law including all areas of practice. I had no administrative or financial management of this entity.
  - (b) In December of 1978 I became a general partner with the Law Office of Derrick and Pogue. I was a general partner in this practice until September of 1985. We continued with the general practice of law and were also part-time public defenders. I was an equal partner

and shared in the administrative and financial management of the firm and was a signatory on the office trust account.

(c) On October 1, 1985 I opened up the Law Office of Timothy H Pogue. I remained in the general practice of law and was also the contract attorney for Marion County DSS, Marion County Attorney, and attorney for Pee Dee Federal Savings Bank until my election to the bench, and I started serving in that capacity as Judge of the Family Court, Twelfth Judicial Circuit, Seat 1. While a sole practitioner, I of course was solely responsible for the administrative and financial management of the firm and the only one authorized to sign on the trust account.

**Justices/judges applying for re-election to their current position may omit Questions 11–17. If you are a judge seeking a judgeship different than your current position, Questions 11-17 should be answered based on your experience prior to serving on the bench.**

11. Please answer the following: N/A

- (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 and procedural knowledge has prepared you to preside over such matters as a Family Court Judge. Please also indicate the frequency of your appearances before a Family Court Judge within the past five years.
- (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 and procedural knowledge 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. Please also indicate the frequency of your appearances before a Circuit Court Judge within the past five years.
- (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 or a Circuit Court Judge within the past five years.

(d) If you are a candidate for Administrative Law Court, 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 or Circuit Court within the past five years.

12. What was the frequency of your court appearances during the past five years or in the five years prior to your election to the bench?

(a) federal:

(b) state:

13. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years or in the five years prior to your election to the bench?

(a) civil:

(b) criminal:

(c) domestic:

(d) other:

14. What percentage of your practice in trial court during the past five years or in 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:

(b) non-jury:

Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters?

15. 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. Give citations if the cases were reported and describe why these matters were significant.

(a)

(b)

(c)

(d)

(e)

16. List up to five civil appeals you have personally handled. Give the case name, the court, the date of decision, and the citation if the case was reported.

(a)

(b)

(c)

(d)

(e)

17. List up to five criminal appeals you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported.
- (a)
  - (b)
  - (c)
  - (d)
  - (e)

18. 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.

Yes, the only judicial office I have held is my current office of Judge of the Family Court of the Twelfth Judicial Circuit, Seat 1. I was elected by the General Assembly in January of 2008 and 2012 and have been serving in that capacity since March 28, 2008. The jurisdiction of the Family Court is set by statute.

19. If the answer to question 18 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) Fannie Mason v. Jerry Mason

Unpublished Opinion No. 2001-UP-548 – Filed December 6, 2011.

This case involved equitable division, alimony, and attorney fees. The parties had been married for almost thirty years. I did not divide the plaintiff's retirement on the same percentage of the marital estate for a variety of factors I cited in my final order. The Court of Appeals upheld my decision in an unpublished opinion.

(b) Kevin Medlin v. Crystal White, n/k/a Crystal Stroud

Unpublished Opinion No. 2011-UP-170 – Filed April 19, 2017.

This case involved a modification of child support brought by the father. These parties had previously been involved in a very contentious divorce, custody, visitation, and child support action. After the action the mother remarried and the father alleged that the defendant's new husband made false allegations against him, causing him to lose his good paying job. The father then brought this modification action and I found that his reduction in income was through no fault of his own, but rather through the mother's new husband's conduct. I did not find he should be imputed with the income he was making at the time of the divorce and reduced his child support obligation. I further allowed him to pay the accumulated arrears over a four year period, and denied the mother's request for attorney fees and costs. The South Carolina Court of Appeals affirmed my decision in an unpublished opinion.

(c) Michael L. Hughes v. Cyndie B. Hughes

Unpublished Opinion No. 2017-UP-304 – Filed July 26, 2017

This case involved the husband requesting a downward modification of his alimony payments to his ex-wife. I denied his request and he appealed alleging he was entitled to a trial de novo because there was no evidence introduced at the original trial about his ability to pay support; that I did not find that he had demonstrated a material and substantial change of circumstances warranting modifications of alimony; and finally in my awarding the wife attorney fees and costs. The Court of Appeals affirmed my ruling stating that I could not overrule an unappealed order of another family court judge because it had become the law of the land, and that I did not abuse my discretion in finding the husband was not entitled to a reduction in his alimony, and for awarding the successful wife's attorney fees and costs.

(d) In the Interest of Kenneth Christian O'Neill 2009-JU-26-721, 722 and 723

Heard on February 5, 2010, my decision was filed February 26, 2010

This case involved a juvenile waiver matter. The minor defendant was 14 years 9 months old at the time of the alleged incident. He was charged with kidnapping, armed robbery, and assault and battery with intent to kill. His biological mother and her boyfriend were adult co-defendants. This waiver hearing last 1.5 days with a lot of expert testimony as to his competency and also whether he should be waived to General Sessions Court. After listening to all of the testimony and reviewing the law set out by the United States Supreme Court, I found that he should be waived to General Sessions Court and tried as an adult. He and his co-defendants subsequently plead guilty to some of these charges. This case was not appealed.

(e) Maxie Burgess v. Brook L. Arnold

422 S.C. 154, 810 S.E. 2d 255 (App. 2018)

This case involved an initial custody action between two parents who were not married. I granted joint custody with the father being granted primary custody should the mother relocate to Florida. The mother appealed and the Issues on Appeal were whether I erred in awarding joint custody as being in the son's best interest and whether the award of primary custody to the father in the event the mother relocated to Florida was in the son's best interest. The Court of Appeals concluded that I had correctly characterized the parties' custody arrangement prior to the action being filed; that being one of the joint custody. The Court further stated in its opinion that not only was my finding of joint custody supported by the testimony but also by the report of the guardian ad litem. The minor child (who was eight at the time of the action) also expressed a desire to continue with the joint custody arrangement. However, the Court of Appeals reversed me stating that in their opinion, continuing the prior arrangement was not in the child's best interest. The Court cited Patel v. Patel, 359 S.C. 515, 528, 599 S.E. 2d 114, 121 (2004) and stated that "although the legislature gives family court judges the authority 'to order joint or divided custody [when] the court finds it is in the best interests of the child'... joint or divided custody should only be awarded [when] there are exceptional circumstances." They went on to further opine: "While Son's opportunity to spend more time with Mother will undoubtedly come at the expense of less time with Father and his paternal grandparents, Mother's sole custody of Son, regardless of whether she locates to Florida, is in the Son's overall best interest."

I included this case because it has been discussed in great detail between some of my colleagues and myself as to the status of joint custody versus sole custody in future cases. We felt the legislature and the Court were moving in a direction to favor joint custody. However, I just discovered the Supreme Court of South Carolina denied the petition for writ of certiorari on June 27, 2018.

20. 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) I am admitted to practice in all of the courts in the Commonwealth of Kentucky as of my admission to the Kentucky Bar on October 8, 1976. I am currently a member in good standing of the Kentucky Bar Association, but am on inactive status since I have not practiced in Kentucky for over 40 years.
  - (b) I am admitted to practice in all courts of the State of South Carolina as of my admission to the South Carolina Bar on May 11, 1977
21. 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 taught a business law class at Francis Marion University many years ago.
  - (b) I made a presentation entitled "Motions for Reconsideration Under Rule 59(e)" with the Honorable Anne G. Jones at the 2011 Family Court Bench/Bar Conference on December 8, 2011.
  - (c) I made the presentation by myself a week later at the 2011 Horry county Family Court CLE on December 15, 2011.
  - (d) I participated as a judge at the 2011 Middle School Mock Trial Competition in Conway on November 5, 2011.
  - (e) I participated as a panelist at the National Business Institute Judicial Forum entitled "What Family Court Judges Want You to Know" on May 11, 2012.
  - (f) I participated in a "Hollywood Square" type presentation at the December 7, 2012 Family Court Bench/Bar Seminar with eight (8) other judges and moderated by the late Honorable Tonya Gee.
  - (g) I participated in the "Hollywood (Judicial) Squares" presentation at the South Carolina Bar Annual Convention on January 24, 2014.
  - (h) I was a Discussion Group Leader at a four (4) day course at The National Judicial College in Reno, Nevada entitled Child Custody Challenges: Evidence and Orders. The dates for this course were October 20, 2014 – October 23, 2014.
  - (i) I taught Family Court Rules and Judicial Bypasses at the Orientation School for New Family Court Judges in 2014, 2015, 2016, 2017 and 2018.
  - (j) I participated on a panel discussion entitled "Alimony Hypotheticals That We'd Like Answered" with three other Family Court Judges at the 2015 Horry County Family Court Continuing Legal Education Seminar held on February 11, 2015.

- (k) I conducted a two hour presentation on Alimony in 2016, 2017, 2018 at the Charleston School of Law. The Honorable Brian Gibbons taught the two week Maymester Class.
- (l) I moderated and presented at the Lexington County Bar Association: Anti-Human Trafficking and Ethics Seminar held on August 4, 2016.
- (m) I was the Program Moderator for a statewide mandatory meeting of all South Carolina Circuit Court and Family Court Judges on Human Trafficking in the South Carolina Courts. The program was held August 16, 2016.
- (n) On February 13, 2017 I participated in another "Judicial Squares" type program at the Horry County Family Court Seminar.
- (o) On December 1, 2017, Brendan Barth and I presented: Top 10 List From and For the Bench and Bar. This was a presentation by me of the top 10 pet peeves the Bench had with the Family Court Bar, and Brendan presented the top 10 pet peeves the Family Court Bar had with the Family Court Bench. Brendon's father Kevin Barth and The Honorable A.E. Morehead, III made the same type presentation twenty (20) years before at the Bench/Bar Conference.
- (p) Brendan and I made this same presentation to the Horry County Family Court Seminar on February 16, 2018.

22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.

See Attached continuing judicial education report for the last five (5) years.

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

None

24. Please furnish as a separate attachment, two examples of legal articles, briefs, orders, or other legal writings for which you can claim sole or primary authorship. If you cannot claim sole authorship, please explain the extent to which you are the primary author, to include a description of the other authors and their contributions. The writing samples are for the Commission's use only and will not be published. (If you are a judge and are not seeking a different type of judgeship, this question is inapplicable.)

N/A

25. What is your rating or membership status, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, Million Dollar Advocates Forum, etc.? If you are currently a member of the judiciary, list your last available rating, if any.

My last rating in Martindale-Hubbell was BV.



26. 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) Kentucky, 1976;  
(b) South Carolina, 1977;  
(c) Marion County Bar Association 1977 – President in 1996;  
(d) South Carolina Association of Family Court Judges, Secretary-Treasurer – 2013-2014, Vice President 2014 – 2015, and President – 2015 - 2016

27. 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 was a member of Marion School District #1 Board of Trustees from July 1, 1991 to June 30, 1996, and from July 1, 1997 to June 30, 2003. This Board was appointed by the Marion County Board of Education. I timely filed all my State Ethic Commission Reports during this time.

28. For sitting or former judges, 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.

I have not been employed while serving as a judge, part-time or full-time other than being on the Board of Directors for Pee Dee Federal Savings Bank, which will be discussed in more detail in my answer to Question 31.

29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.

Yes, I ran for Marion County Board of Education, Seat #1 on April 6, 2004 and lost by fifty-three (53) votes to Rita C. Hennecy.

30. 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.

None

31. 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 director for Pee Dee Federal Savings Bank in Marion, South Carolina. Pee Dee Federal is a federally licensed mutual savings bank with only one office which is in Marion. I have been on this Board since January of 2003. We make decisions as to policy, management and loans. I was allowed to remain on this Board pursuant to an opinion from the Advisory Committee on Standards of Judicial Conduct – Opinion No. 5-2008. See attached Exhibit A.

32. 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

33. 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.

A complete, current financial net worth statement was provided to the Commission.

(A net worth statement form 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.**

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. 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

36. 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

37. List the recipient and amount of all contributions made by you, a member of your immediate family, or by a business with whom you are associated, to members of the General Assembly within the past four years.

(a) My wife Deborah A. Pogue contributed \$100.00 to State Senator Kent M. Williams on June 14, 2016.

(b) My wife Deborah A. Pogue contributed \$100.00 to State Representative Frank L. Atkinson on June 14, 2016.

(c) My wife Deborah A. Pogue contributed \$100.00 to State Representative Frank L. Atkinson in October 2017.

38. 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

39. 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 or currently hold. Explain how you would resolve any potential conflict of interest.

As stated in my answer to Question 31, I am a Director for Pee Dee Federal Savings Bank. I am not now, nor have I in the past had any other business relationships that I am aware of that could constitute or result in a possible conflict of interest situation. Should such a conflict arise, I would fully disclose this to all the litigants and their attorneys. If I felt I personally could not be impartial, I would immediately recuse myself. Should any of the lawyers or litigants request my recusal after full disclosure had been made, then I would immediately do the same so as to avoid any hint of impropriety.

40. 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

(c) in which there have been public improvements of \$200 or that adjoins property in which there have been public improvements of \$200; or

None

(d) which was sold, leased, or rented to a state or local public agency in South Carolina.

When I was first elected to my present position, my wife owned a 100% interest in property located at 209 E. Dozier Street, Marion South Carolina. This is the building from which I operated my law office. It was worth around \$70,000.00. Marion County did not have space for my chambers when I was first elected so they rented this building from my wife for my judicial chambers. The rent was \$750.00 per month, plus the County paid all taxes, insurance and utilities on the same. In the summer of 2012 space became available for my chambers in the Marion County Courthouse and my wife and the County terminated the lease and she sold the property to a 3<sup>rd</sup> person on September 19, 2012. I have attached a copy of the lease as Exhibit B.

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; N/A
- (b) nature and value of any public improvements; and N/A
- (c) South Carolina state or local public agency which purchased or is leasing or renting such property. Marion County – See answer 40(c) above.

I have incorporated a copy of any contract or agreement. See Exhibit B below.

41. 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

42. For sitting judges, if you currently hold an interest in stock or other securities or have held such an interest, list each stock you currently own or owned during the prior calendar year. If you prefer, you may attach broker or account records containing the requested information instead of listing it here.

I own 1,431.276 shares of Fifth Third Bancorp which I inherited from my mother after her death in September, 2010. As of March 30, 2018 these shares were worth \$44,885.82.

43. For sitting judges, have you ever accepted anything of value from an attorney or litigant in a matter currently or previously before you or your court? If so, please give the details, including the name of the attorney or litigant and the thing of value you received.

None

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

No

45. 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 which are subject to a penalty of \$125 or less. You must include any and all arrests, including, but not limited to, offenses for driving under the influence or similar traffic offenses. Include all arrests that resulted in expungement, which will be redacted. If you have questions regarding whether to include an offense, please contact the Commission.

[All answers have been received and considered by the Commission, and as noted above, any expunged matters are redacted from the record.]

46. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, explain.

No

47. Have you ever been sued by a client? Have you ever been a named party (personally or professionally) in or had a pecuniary interest in any civil or criminal proceedings? If so, give details, including, but not limited to, dates, and resolutions.

Yes, in approximately 1982 or 1983 I was sued professionally by an individual who alleged I merged two closely held corporations without giving notice to him and failing to give him an opportunity to either take part in the merger discussions or providing him an opportunity to receive a financial buyout for his shares.

The corporate records were incomplete. The Stock transfer register was not accurate. The disgruntled stockholder sued the following: my former partner and me, the two old corporations, the new corporation, the directors and officers of the new corporation and the bank that provided the financing for the merger. My professional liability carrier was notified immediately and represented my partner and me in this matter. The case was ultimately settled out of court at a nominal amount to me. Since that time I have not been sued professionally or personally.

48. 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.

Upon becoming a judge in 2008, I believe I am covered under a tail policy from my previous malpractice carrier.

49. 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. Include any and all confidential and public sanction, discipline, or finding of misconduct of any kind.

[Yes and no responses are redacted for all candidates unless there is a public discipline.]

50. 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

**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.**

51. 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.

No

52. 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? Describe the campaigning you have done for this election and include a list of those individuals you have asked to campaign on your behalf and, to the best of your knowledge, those who have campaigned for you on their own initiative.

No

53. 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

54. 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

55. List the names, addresses, and telephone numbers of five (5) persons 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. Ralph A. Atkinson – Banker  
President/CEO  
Pee Dee Federal Savings Bank  
PO Box 1140  
Marion, South Carolina 29571  
843-423-2150

(b) Mr. James E. Brogdon, Jr.  
PO Box 4625  
Pinopolis, South Carolina 29469  
843-810-9957

(c) Rev. Tom Langston – Pastor  
Marion Presbyterian Church  
PO Box 186  
Marion, SC 29571

(d) Mr. Ashley Brady – Mayor, City of Marion  
PO Box 183  
Marion, South Carolina 29571

(e) Mrs. Christy Gray – Clerk of Court for Marion County  
PO Box 295  
Marion, South Carolina 29571  
843-423-8240

56. 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?

No

57. 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) I am a member of the Marion Chamber of Commerce and was on the Board of Directors from 1987 -1989 and served as President in 1989. I received the Community Service Award in 2003.

(b) I have been a member of the Marion Presbyterian Church for forty (40) years and have served as an elder, deacon, and Sunday School Teacher for thirty-five (35) years.

(c) I am a member of the Historic Marion Revitalization Commission.

(d) I am a member of the Marion County Museum.

58. 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 know of nothing that would negatively impact my candidacy. On the positive side, I have worked very hard over the last forty-two (42) years for my family, former clients, church, community, educational system, county, state, judicial system, the people of South Carolina and my God. I feel I have spent my personal, professional, and judicial life giving back to the people, community and state that are so special to me. I believe I have served and helped the people of Marion County and the State of South Carolina as a lawyer, juvenile defender, DSS Attorney, County Attorney, and now as a Family Court Judge. I hope to be fortunate enough to do so until my retirement.



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 13<sup>th</sup> day of July, 2018.

\_\_\_\_\_  
(Notary Signature)

Cindy R Hardy

(Notary Printed Name)

Notary Public for South Carolina

My Commission Expires: October 13, 2015