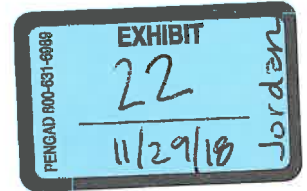


JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE



Court, Position, and Seat # for which you are applying: Sumter County Master in Equity

1. Name: Mr. Michael McKinney Jordan
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? No.
(Includes Municipal, Magistrate, Etc.)

Home Address: [REDACTED]

Business Address: 10 Law Range, Sumter, SC 29150

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]
(office): (803)774-1000
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1968
Place of Birth: Charleston, 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#: [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.

I have never served in the military.

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 May 25, 1996 to Deborah Hines Jordan

Never divorced, three (3) 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.

I attended Clemson University from August, 1986 to December, 1990. I received a BS in Building Science and Management in May, 1990 and a second BS in Design (Architecture) in December 1990. I attended Samford University, Cumberland Law School from June, 1990 to December, 1993. I received a JD in December, 1993 but I am considered part of the graduating Class of 1994.

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.

I was a member of the Trial Advocacy Board in 1993 and I participated in school competitions each year. I also participated in the Moot Court Competition each year, as well as client counseling competitions. I was a student member of the American Bar Association during law school.

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.

South Carolina bar exam taken one time in February 1994. I was admitted to practice in South Carolina in May, 1994. I have not taken any other state bar exams.

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.

In August, 1994 I began practice as an associate with the law firm of Schwartz, McLeod, DuRant and Burchstead in Sumter, South Carolina. I continued to practice with this firm and was also hired as a part time Assistant Public Defender for Sumter County in January, 1996. In December, 1998 I resigned as an Assistant Public Defender and in January, 1999 I became a partner with the firm, then known as Schwartz, McLeod, Durant and Jordan. I

have remained there ever since and the firm is now known as Schwartz, McLeod and Jordan. I served on the Board of Directors for the Sumter County Public Defender Corporation from 1998 through 2007 and I have served on the Third Judicial Circuit Public Defender Selection Committee. I completed the Guardian ad litem training program through the South Carolina Bar in 2003. I served as chairman of the Third Judicial Circuit Fee Disputes Committee through the South Carolina Bar. I am a licensed title insurance agent with Old Republic National Title Insurance Company. I have been responsible as a partner for both law firm management and management of trust accounts, however until 2016 I was only a junior partner. I have been solely responsible for management and trust accounting since April, 2016. I maintain a title insurance account and am subject to bi-annual audits. I have always received a positive evaluation upon audit. I have helped train several associate attorneys during my legal career.

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:

- (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.

I have practiced before the Master-In-Equity court throughout my career, but not with great frequency. In the late 1990's my firm handled foreclosure actions for the National Bank of South Carolina in Sumter and surrounding counties. I would attend foreclosure proceedings and sales. I also handled supplemental proceedings in an effort to collect unsatisfied judgments. In recent years I have handled only foreclosure defense actions. Most mortgage lending institutions have gone to larger cities and law firms to engage foreclosure prosecutions. The issues involved in my last action before the Master-In-Equity were lender compliance with mandated loan modification efforts and lender breach of duty of good faith and fair dealing. I have appeared before the Master-In-Equity at least twice a year for the past five years. I have appeared before a Circuit Court Judge at least six to ten times a year, if not more.

- (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? I have not been elected to the bench.
- (a) federal: No appearances in court as all matters have settled prior to trial or other hearing. I have appeared in Social Security Disability hearings at least four times per year.
- (b) state: I have regularly appeared in both Common Pleas and General Sessions over the past five years. I would say at least 10 appearances per year.
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: 20%
- (b) criminal: 25%
- (c) domestic: 40%
- (d) other: 15%
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: 25%

(b) non-jury: 75%

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

Sole counsel most often.

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) Pools Plus, Inc. v. Angela Timmons
2003-CP-43-1404
 - (b) Randall Brummitt v. Patricia Brummitt
2008-DR-43-150
 - (c) Primerica Insurance Co., Inc., v. Ray K. Ingram, Sr.
2002-CP-43-992
 - (d) Bessie C. Pringle and Burdy Pringle v. SLR, Inc. of Summerton, D/B/A Knights, Inn.
2005-CP-14-071
 - (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) Primerica Insurance Company, Inc. v. Ray K. Ingram, Sr.
616 S.E.2d 737 (S.C. App. 2005)
Filed July 18, 2005
 - (b) Pools Plus, Inc. v. Angela Timmons
2008-UP-206, (S.C. App. 2008)
Filed March 25, 2008
 - (c) Randall W. Brummitt v. Patricia L. Brummitt
2010-UP-299 (S.C. App. 2010)
Filed June 2, 2010
 - (d) Bessie C. Pringle and Burdy Pringle v. SLR, Inc. of Summerton, D/B/A Knights Inn,
675 S.E.2d 783 (S.C. App. 2009)
Filed February 27, 2009
 - (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) I have not personally handled criminal appeals. I did participate in the appeal of The State v. Gary Long. The indictment was 1999-GS-43-791. This involved an indictment and guilty jury verdict for Felony DUI involving death. I tried the case in General Sessions and assisted on the appeal. The case was affirmed on appeal.

(b) I tried and appealed the case of In the interest of P.M. and J.H., Juveniles Under the Age of 17 Years. 99-JU-43-320 and 321. The juveniles were waived in the Family Court to be tried as adults for murder.

(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.

I have never held judicial office. I have handled several matters as a Special Referee.

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) Not applicable.

(b)

(c)

(d)

(e)

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.

South Carolina Supreme Court, admitted May 1994. Federal District Court for the District of South Carolina, admitted 1995. No administrative body admissions.

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.

I have not taught or lectured.

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

Please see attached.

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

I have not published any book or articles.

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.)

Please see attached.

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.

I am rated BV Distinguished by Martindale- Hubbell.

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) South Carolina Bar, Member 1994 to present
 - (b) Sumter County Bar, Member 1994 to present
 - (c)

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 have not held public office previously.

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.

Not applicable.

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

I have not sought any such office before the present time. In 2015 I requested the application to offer for Sumter County Master-In-Equity. At that time I was not sure whether the sitting Master-In-Equity would continue. When I learned that he would in fact seek re-appointment I returned my application.

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.

No. I have only practiced law as an occupation. During college in 1988 I participated in a cooperative work program where for one semester I worked at a construction company in Greenville, SC. This was in lieu of classroom attendance. The name of the construction company was Threatt-Michael. I assisted with construction project estimating.

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.

No.

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

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

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? No. Have you ever defaulted on a student loan? No. Have you ever filed for bankruptcy? No. If so, give details.

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?

No. If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved.

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.

I paid \$15.00 for fingerprinting. I have incurred a nominal amount for postage. If you have spent over \$100, have you reported your expenditures to the House and Senate Ethics Committees?

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.

No contributions.

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 funds have been solicited or collected.

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.

I own the office in which I currently practice law. The position I seek is a part-time position funded by Sumter County with a 2016 budget of \$160,000.00. The County will not want to subsidize my part-time private law practice and I do not want my part-time private practice to subsidize the part-time County position. I will keep all labor and expenses of the County position separate and distinct from my private law practice. I will seek out the advice and experience of other nearby part-time Masters-In-Equity to address the potential conflicts and learn from their experiences when possible.

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;
 - (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.

I am not aware of any such property interest.

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.

Not applicable.

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.

Not applicable.

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

Not applicable.

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.

I have not been arrested. Approximately five years I was detained briefly in Charleston by Ports Authority for crossing onto their property while attempting to walk to the SC Aquarium from the market. There was no sign posted and guard had fallen asleep. After a brief detention and identification check I was released, apologized to, and escorted to my destination.

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.

I have never been sued by a client. I was threatened with suit and I informed my carrier of same. The client filed a fee dispute with the South Carolina Bar and it was dismissed. The client made derogatory remarks about me on the internet. I have not had any pecuniary interest in in any civil or criminal proceeding, unless a contingency fee on a civil matter is considered a pecuniary interest. I have advanced costs before which I knew would not be recouped if the matter was unsuccessful.

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.

Yes, I am currently covered by malpractice insurance with \$500,000 in coverage and a \$5000 deductible. I have been covered since I started practicing law in 1994. For a short time I increased the coverage to \$1,000,000 but changed it back to \$500,000 based on the amount of annual revenues for my office. \$1,000,000 in coverage was not necessary and the additional cost was not justified. I have never been covered by a tail policy as I have continuously practiced in the same office and location with no breaks in coverage. I discussed a tail policy with my carrier recently due to changes in attorneys in the office. I was advised that I did not need a tail policy.

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.

I have not requested any pledge.

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.

I have not requested any third parties to contact members of the General Assembly on my behalf prior to the release of the screening report. I have inquired with local judges, local attorneys and the courthouse personnel as to my interest and whether they believed I was qualified and should make an application. I have not asked anyone to make any specific contact on my behalf. I have asked numerous people for their thoughts, input and advice.

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) Thomas E. Player, Jr.

305 North Main Street
Sumter, SC 29151
(803)775-2306

- (b) James C. Campbell
215 North Harvin Street
Sumter, SC 29150
(803)436-2227
- (c) David W. Durham
201 North Washington Street
Sumter, SC 29150
(803)775-1225
- (d) Milton Schwartz
345 West Wesmark Boulevard
Sumter, SC 29150
(803)305-4010
- (e) Carl L. Solomon
P.O. Box 1866
Columbia, SC 29202
(803)391-3120

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?

None.

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) South Carolina Association of Criminal Defense Lawyer
 - (b) Solo and Small Firm Committee of the South Carolina Bar
 - (c)

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 began my legal career in Sumter in August, 1994 and have remained in practice in Sumter since such time. I was not raised in Sumter so I am not subject to familial relations impacting my judgment or giving the appearance of any family related bias. I have practiced in various courts including, family court, criminal court, civil court, magistrate's court, probate court and before the Master-In-Equity. I have appeared before Administrative

Law Judges for social security disability cases and Workers Compensation Commissioners. I have twenty-four years of experience in these various courts and matters and I believe it enhances my ability to perform as a Master-In-Equity. I have won and lost cases and experienced first-hand how a decision impacts the party litigant. While, emotional response should never control the outcome of any matter, it is important to remember that the cases before the court represent individuals.

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 ____ day of _____, 2018.

(Notary Signature)

(Notary Printed Name)
Notary Public for South Carolina
My Commission Expires: _____