

NO. 3

**JOURNAL**  
**of the**  
**HOUSE OF REPRESENTATIVES**  
**of the**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2015

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THURSDAY, JANUARY 14, 2016  
(STATEWIDE SESSION)

~~Indicates Matter Stricken~~  
Indicates New Matter

The House assembled at 10:00 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Lamentations 3:22: "The steadfast love of the Lord never ceases."

Let us pray. Gracious and loving God, it is through faith in You that we keep going and doing what is expected of us. We praise You for Your healing presence and unfailing love for those of us who need Your tender care. Make Your presence known and felt as these Representatives work to accomplish the agenda. Bless our Nation, President, State, Governor, Speaker, staff, and all who contribute to this great cause. Protect our defenders of freedom as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER ordered it confirmed.

#### **MOTION ADOPTED**

Rep. D. C. MOSS moved that when the House adjourns, it adjourn in memory of Julian Hames Ivey, of Union, which was agreed to.

#### **REPORT RECEIVED**

The following was received:

#### **Judicial Merit Selection Commission Report of Candidate Qualifications for Fall 2015**

Date Draft Report Issued: Thursday, January 14,  
2016

Date and Time Final Report Issued: Noon, Tuesday, January 19,  
2016

THURSDAY, JANUARY 14, 2016

**Judicial candidates are not free to seek or accept commitments until Tuesday, January 19, 2016, at Noon.**

**Judicial Merit Selection Commission**

January 14, 2016

Dear Members of the General Assembly:

Enclosed is the Judicial Merit Selection Commission's Report of Candidate Qualifications. This Report is designed to assist you in determining how to cast your vote. The Commission is charged by law with ascertaining whether judicial candidates are qualified for service on the bench. In accordance with this mandate, the Commission has thoroughly investigated all judicial candidates for their suitability for judicial service. The Commission found all candidates discussed in this Report to be qualified.

The Commission's finding that a candidate is qualified means that the candidate satisfies both the constitutional criteria for judicial office and the Commission's evaluative criteria. The attached Report details each candidate's qualifications as they relate to the Commission's evaluative criteria.

Judicial candidates are **prohibited** from asking for your commitment until **12:00 Noon on Tuesday, January 19, 2016.** **Further, members of the General Assembly are not permitted to issue letters of introduction, announcements of candidacy, statements detailing a candidate's qualifications, or commitments to vote for a candidate until 12:00 Noon on Tuesday, January 19, 2016.** In summary, no member of the General Assembly should, orally or in writing, communicate about a candidate's candidacy until this designated time after release of the Judicial Merit Selection Commission's Report of Candidate Qualifications. If you find a candidate violating the pledging prohibitions or if you have questions about this report, please contact Elizabeth H. Brogdon, Chief Counsel to the Commission, at (803) 212-6629.

Thank you for your attention to this matter.

Sincerely,  
Rep. Alan D. Clemmons

**Judicial Merit Selection Commission**

January 14, 2016

[HJ]

THURSDAY, JANUARY 14, 2016

Dear Fellow Members of the General Assembly:

This letter is written to call your attention to issues raised during the December 2003 Judicial Merit Selection hearings concerning a judicial candidate's contact with members of the General Assembly, as well as third parties contacting members on a candidate's behalf. It is also to remind you of these issues for the Fall 2015 screening.

Section 2-19-70(C) of the South Carolina Code contains strict prohibitions concerning candidates seeking or legislators giving their pledges of support or implied endorsement through an introduction prior to 48 hours after the release of the final report of the Judicial Merit Selection Commission ("Commission"). The purpose of this section was to ensure that members of the General Assembly had full access to the report prior to being asked by a candidate to pledge his or her support. The final sentence of Section 2-19-70(C) provides that "the prohibitions of this section do not extend to ***an announcement of candidacy by the candidate and statements by the candidate*** detailing the candidate's qualifications" (emphasis added). Candidates may not, however, contact members of the Commission regarding their candidacy. Please note that six members of the Commission are also legislators.

In April 2000, the Commission determined that Section 2-19-70(C) means ***no member of the General Assembly should engage in any form of communication, written or verbal, concerning a judicial candidate before the 48-hour period expires following the release of the Commission's report.*** The Commission would like to clarify and reiterate that until at least 48 hours have expired after the Commission has released its final report of candidate qualifications to the General Assembly, ***only candidates, and not members of the General Assembly***, are permitted to issue letters of introduction, announcements of candidacy, or statements detailing the candidates' qualifications.

The Commission would again like to remind members of the General Assembly that ***a violation of the screening law is likely a disqualifying offense and must be considered when determining a candidate's fitness*** for judicial office. Further, the law requires the Commission to report any violations of the pledging rules by members of the General Assembly to the House or Senate Ethics Committee, as may be applicable.

Should you have any questions regarding this letter or any other matter pertaining to the judicial screening process, please do not hesitate

**THURSDAY, JANUARY 14, 2016**

to call Elizabeth H. Brogdon, Chief Counsel to the Commission, at (803) 212-6629.

Sincerely,

Representative Alan D. Clemmons  
Chairman

Senator Larry A. Martin  
Vice-Chairman

### **INTRODUCTION**

The Judicial Merit Selection Commission is charged by law to consider the qualifications of candidates for the judiciary. This report details the reasons for the Commission's findings, as well as each candidate's qualifications as they relate to the Commission's evaluative criteria. The Commission operates under the law that went into effect on July 1, 1997, and which dramatically changed the powers and duties of the Commission. One component of this law is that the Commission's finding of "qualified" or "not qualified" is binding on the General Assembly. The Commission is also cognizant of the need for members of the General Assembly to be able to differentiate between candidates and, therefore, has attempted to provide as detailed a report as possible.

The Judicial Merit Selection Commission is composed of ten members, four of whom are non-legislators. The Commission has continued the more in-depth screening format started in 1997. The Commission has asked candidates their views on issues peculiar to service on the court to which they seek election. These questions were posed in an effort to provide members of the General Assembly with more information about candidates and the candidates' thought processes on issues relevant to their candidacies. The Commission has also engaged in a more probing inquiry into the depth of a candidate's experience in areas of practice that are germane to the office he or she is seeking. The Commission feels that candidates should have familiarity with the subject matter of the courts for which they offer, and feels that candidates' responses should indicate their familiarity with most major areas of the law with which they will be confronted.

The Commission also used the Citizens Committees on Judicial Qualifications as an adjunct of the Commission. Since the decisions of our judiciary play such an important role in people's personal and professional lives, the Commission believes that all South Carolinians should have a voice in the selection of the state's judges. It was this desire for broad-based grassroots participation that led the Commission to create the Citizens Committees on Judicial Qualifications. These committees are composed of individuals who are both racially and

## THURSDAY, JANUARY 14, 2016

gender diverse, and who also have a broad range of professional experiences (*i.e.*, lawyers, teachers, businessmen, bankers, and advocates for various organizations). The committees were asked to advise the Commission on the judicial candidates in their regions. Each regional committee interviewed the candidates from its assigned area and also interviewed other individuals in that region who were familiar with the candidate either personally or professionally. Based on those interviews and its own investigation, each committee provided the Commission with a report on their assigned candidates based on the Commission's evaluative criteria. The Commission then used these reports as a tool for further investigation of the candidate if the committee's report so warranted. Summaries of these reports have also been included in the Commission's report for your review.

The Commission conducts a thorough investigation of each candidate's professional, personal, and financial affairs, and holds public hearings during which each candidate is questioned on a wide variety of issues. The Commission's investigation focuses on the following evaluative criteria: constitutional qualifications, ethical fitness, professional and academic ability, character, reputation, physical health, mental health, and judicial temperament. The Commission's investigation includes the following:

- (1) survey of the bench and bar through BallotBox online;
- (2) SLED and FBI investigation;
- (3) credit investigation;
- (4) grievance investigation;
- (5) study of application materials;
- (6) verification of ethics compliance;
- (7) search of newspaper articles;
- (8) conflict of interest investigation;
- (9) court schedule study;
- (10) study of appellate record;
- (11) court observation; and
- (12) investigation of complaints.

While the law provides that the Commission must make findings as to qualifications, the Commission views its role as also including an obligation to consider candidates in the context of the judiciary on which they would serve and, to some degree, govern. To that end, the Commission inquires as to the quality of justice delivered in the courtrooms of South Carolina and seeks to impart, through its questioning, the view of the public as to matters of legal knowledge and ability, judicial temperament, and the absoluteness of the Judicial

THURSDAY, JANUARY 14, 2016

Canons of Conduct as to recusal for conflict of interest, prohibition of ex parte communication, and the disallowance of the acceptance of gifts. However, the Commission is not a forum for reviewing the individual decisions of the state's judicial system absent credible allegations of a candidate's violations of the Judicial Canons of Conduct, the Rules of Professional Conduct, or any of the Commission's nine evaluative criteria that would impact a candidate's fitness for judicial service.

The Commission expects each candidate to possess a basic level of legal knowledge and ability, to have experience that would be applicable to the office sought, and to exhibit a strong adherence to codes of ethical behavior. These expectations are all important, and excellence in one category does not make up for deficiencies in another.

Routine questions related to compliance with ethical Canons governing ethics and financial interests are now administered through a written questionnaire mailed to candidates and completed by them in advance of each candidate's staff interview. These issues are no longer automatically made a part of the public hearing process unless a concern or question was raised during the investigation of the candidate. The necessary public record of a candidate's pledge to uphold the Canons is his or her completed and sworn questionnaire.

Written examinations of the candidates' knowledge of judicial practice and procedure were given at the time of candidate interviews with staff and graded on a "blind" basis by a panel of four persons designated by the Chairman. In assessing each candidate's performance on these practice and procedure questions, the Commission has placed candidates in either the "failed to meet expectations" or "met expectations" category. The Commission feels that these categories should accurately impart the candidate's performance on the practice and procedure questions.

This report is the culmination of lengthy, detailed investigatory work and public hearings. The Commission takes its responsibilities seriously, believing that the quality of justice delivered in South Carolina's courtrooms is directly affected by the thoroughness of its screening process. Please carefully consider the contents of this report, which we believe will help you make a more informed decision. **Please note that the candidates' responses included herein are restated verbatim from the documents that the candidates submitted as part of their application to the Judicial Merit Selection Commission. All candidates were informed that the Commission does not revise or alter the candidates' submissions, and thus, any errors or omissions**

**THURSDAY, JANUARY 14, 2016**

**in the information contained in this draft report existed in the original documents that the candidate submitted to the Commission.**

This report conveys the Commission's findings as to the qualifications of all candidates currently offering for election to the South Carolina Supreme Court, Court of Appeals, Circuit Court and Family Court, and Administrative Law Court.

**SUPREME COURT  
QUALIFIED AND NOMINATED**

**The Honorable Ralph King Anderson III  
Supreme Court Seat 2**

**Commission's Findings:        QUALIFIED AND NOMINATED**

**(1)        Constitutional Qualifications:**

Based on the Commission's investigation, Judge Anderson meets the qualifications prescribed by law for judicial service.

Judge Anderson was born in 1959. He is 56 years old and a resident of Columbia, South Carolina. Judge Anderson provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1984.

**(2)        Ethical Fitness:**

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Anderson.

Judge Anderson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Anderson reported that he has not made any campaign expenditures.

Judge Anderson testified he has not:

- (a)        sought or received the pledge of any legislator prior to screening;



**THURSDAY, JANUARY 14, 2016**

- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Anderson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Anderson to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Anderson described his continuing legal or judicial education during the past five years as follows:

	<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a)	The Fundamentals of Persuasion in Written Advocacy	7/17/2015;
(b)	The Art of Handling an Arbitration Case	6/26/2015;
(c)	Workplace Issues & Privacy	9/19/2014;
(d)	Natural Resources & Environmental Law	8/22/2014;
(e)	Ethics: The Law and News	6/20/2014;
(f)	Advanced Legal Research with WestLawNext	6/9/2014;
(g)	What's Next on WestLawNext for Government Attorneys	5/29/2014;
(h)	Administrative Law Update	1/10/2014;
(i)	Ethics/Mental Health	12/6/2014;
(j)	Selected Criminal Procedure Issues and Affordable housing	10/18/2013;
(k)	SC Law Review 2013 Symposium	3/1/2013;
(l)	Case Law Update: Latest and Greatest	8/16/2013;
(m)	SC Bar Convention (Admin. & Reg. Seminar)	1/25/2013;
(n)	Witness Preparation (SCAARLA)	11/9/2012;
(o)	Post Conviction Proceedings: Sexually Violent Predator and Victims Rights	9/28/2012;
(p)	Identity Theft Protection	8/24/2012;
(q)	Investigating and Prosecuting Internet	

**THURSDAY, JANUARY 14, 2016**

	Crimes Against Children	7/27/2012;
(r)	Medicaid Fraud	1/20/2012;
(s)	2011 Ethics Seminar (SCAARLA)	10/7/2011;
(t)	The Legislature and Law	9/16/2011;
(u)	Internet for Lawyers (SCAARLA)	8/19/2011;
(v)	Ethics and Professional Responsibility	12/3/2010;
(w)	Advanced Legal Writing & Editing	9/17/2010;
(x)	Criminal Domestic Violence in SC	6/18/2010;
(y)	Ethics Seminar	2/25/2010;
(y)	The Nuts and Bolts of an Ethics Complaint Before the ODC	1/29/2010.

Judge Anderson reported that he has taught the following law-related courses:

Recently, I spoke or taught at the following programs or seminars:

- (a) I lectured at to a class at the USC School of Law February 9, 2015 & March 3, 2014;
- (b) I lectured at a seminar for SC HHS Hearing Officers on 4/13/2015;
- (c) I lectured at Administrative Law & Practice in SC. Seminar on 1/31/2014;
- (d) I spoke and participated in a panel discussion at the at the SC Bar Convention on January 25, 2013;
- (e) I lectured at a Public Service Comm. CLE on March 20, 2013;
- (f) I lectured at two Administrative Law CLEs on February 21 & 22, 2013;
- (g) I spoke at a SC Bar CLE involving Hot Topics in Administrative Law on October 30, 2009;
- (h) I participated in a panel discussion in a Judicial Merit Selection Commission CLE on July 31, 2009.

Judge Anderson reported that he has published the following:

- (a) "A Survey on Attributes Considered Important for Presidential Candidates," Carolina Undergraduate Sociology Symposium, April 17, 1980;
- (b) "An Overview of Practice and Procedure Before the Administrative Law Judge Division," South Carolina Trial Lawyer, Summer 1996.

**THURSDAY, JANUARY 14, 2016**

(4) Character:

The Commission's investigation of Judge Anderson did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Judge Anderson did not indicate any evidence of a troubled financial status. Judge Anderson has handled his financial affairs responsibly.

The Commission also noted that Judge Anderson was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Anderson reported that his last available rating by a legal rating organization, Martindale-Hubbell, was AV Preeminent.

Judge Anderson reported that he has held the following public office:

Appointed and served as an Assistant Attorney General 1985 to January, 1995.

(6) Physical Health:

Judge Anderson appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Anderson appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Anderson was admitted to the SC Bar in 1985.

He gave the following account of his legal experience since graduation from law school:

- (a) I began my legal career at the SC Attorney General's Office. During my career at the AG's office I prosecuted numerous criminal cases of all types and handled a wide variety of civil litigation. My duties included:
  - (i) Statewide criminal prosecutor;

**THURSDAY, JANUARY 14, 2016**

- (ii) Assisted in the implementation of the Statewide Grand Jury;
  - (iii) Extradition hearing officer on behalf of the Governor of SC;
  - (iv) Counsel to the State Ethics Commission;
  - (v) Represented the State in a variety of civil litigation matters;
  - (vi) Represented the State in post-conviction relief matters;
  - (vii) Committee Attorney for the State Employee Grievance Committee;
  - (viii) Prosecutor for the Engineering and Land Surveyor's Board.
  - (ix) I also prosecuted Medical Board cases, wrote Attorney General Opinions and handled Criminal Appeals.
- (b) On May 25, 1994, I was elected to Administrative Law Judge Seat No. 6 and re-elected in 1996, 2001 and 2006. Administrative Law Judges hear appellate, injunctive and trial cases in a broad range of administrative matters involving governmental agencies and private parties;
- (c) On May 13, 2009, I was elected Chief Administrative Law Judge.

Judge Anderson reported the frequency of his court appearances prior to his service on the bench as follows:

- (a) federal: Infrequently;
- (b) state: At least, 100 times during the five year period.

Judge Anderson reported the percentage of his practice involving civil, criminal, and domestic matters prior to his service on the bench as follows:

- (a) civil: 70%;
- (b) criminal: 30%;

**THURSDAY, JANUARY 14, 2016**

- (c) domestic: 0%;
- (d) other: 0%.

Judge Anderson reported the percentage of his practice in trial court prior to his service on the bench as follows:

- (a) Jury: 30%;
- (b) Non-jury: 75%.

Judge Anderson provided that prior to his service on the bench he most often served as sole counsel.

- (a) State v. Dwight L. Bennett—This was a felony DUI case in which the victim lost the baby she was carrying and suffered horrible injuries. Although the defendant was convicted, this case was used as a legislative example as the need to increase the maximum felony DUI punishment;
- (b) Georgia v. Richard Daniel Starrett, aff'd., Richard Daniel Starrett v. William C. Wallace,—Starrett was convicted of several crimes in SC. Afterwards, Georgia sought his extradition in an attempt to convict him under the death penalty. Starrett's challenge to the Attorney General's Office authority to hold extradition hearings was denied;
- (c) State v. Michael Goings—Goings was a notorious City of Cayce police officer charged with assault and battery of a high and aggravated nature;
- (d) State v. Herbert Pearson and Terrance Singleton—The Defendants in this case were accomplices in the armed robbery, attempted murder and murder of attendants at a gas station in Sumter, SC;
- (e) State v. William Keith Victor—After the Defendant was convicted of murder and kidnapping, he was given the death penalty. His case was later reversed on appeal and I assumed the prosecution. The prosecution, under difficult circumstances, resulted in the Defendant's plea to murder and the aggravating circumstance of kidnapping.

The following is Judge Anderson's account of civil appeals he has personally handled:

**THURSDAY, JANUARY 14, 2016**

- (a) Bergin Moses Mosteller v. James R. Metts, SC Supreme Court, Not known when this case was decided;
- (b) Dennis G. Mitchell v. State of SC, SC Supreme Court, Not known when this case was decided;
- (c) Ex Parte, Bobby M. Stichert v. Carroll Heath, SC Supreme Court, Decided August 29, 1985 - 286 S.C. 456, 334 S.E. 2d 282;
- (d) Patrick C. Lynn, et al. State of SC, Supreme Court, Not known when this case was decided;
- (e) Paul David Tasker v. M.L. Brown, Jr., SC Supreme Court, Not known when this case was decided.

The following is Judge Anderson's account of criminal appeals he has personally handled:

I handled several criminal appeals while serving as an Assistant Attorney General. However, my service with the Attorney General's Office ended in February 1995 when I began serving as an Administrative Law Judge. As a result of the passage of time since that date, the briefs and specific case captions are no longer available.

Judge Anderson reported that he has held the following judicial office:

I was elected by the General Assembly to serve as an Administrative Law Judge, February 1, 1995 and have been serving continuously since that date.

Judge Anderson provided the following list of his most significant orders or opinions:

- (a) McNeil v. SC Department of Corrections, 00-ALJ-04-00336-AP (September 5, 2001) (en banc). Holding reviewed in Sullivan v. SC Dep't of Corr., 355 S.C. 437, 586 S.E.2d 124 (2003);
- (b) Providence Hospital v. SC Department of Health and Environmental Control and Palmetto Richland Memorial Hospital, Docket No. 02-ALJ-07-0155-CC;
- (c) Travelscape, LLC v. SC Department of Revenue, Docket No. 08-ALJ-17-0076-CC. Holding affirmed in Travelscape, LLC v. SC Dept. of Revenue, 391 S.C. 89, 705 S.E.2d 28 (2011);

**THURSDAY, JANUARY 14, 2016**

- (d) Duke Energy Corp. v. SC Department of Revenue, Docket No. 10-ALJ-17-0270-CC; Holding affirmed in Duke Energy Corp. v. S. Carolina Dep't of Revenue 410 S.C. 415, 417, 764 S.E.2d 712, 713 (Ct. App. 2014), reh'g denied (Nov. 21, 2014), cert. granted (Apr. 9, 2015);
- (e) Kiawah Development Partners, II v. SC Dept. of Health and Env'tl. Control, Docket No. 09-ALJ-07-0029-CC and S.C. Coastal Conservation League v. SC Dept. of Health and Env'tl. Control, Docket No. 09-ALJ-07-0039-CC (February 26, 2010) (consolidated cases). Holding originally reversed by the Supreme Court, then affirmed and then reversed 3-2 in Kiawah Dev. Partners, II v. SC Dep't of Health & Env'tl. Control, 411 S.C. 16, 766 S.E.2d 707 (2014).

Judge Anderson has reported no other employment while serving as a judge.

Judge Anderson further reported the following regarding unsuccessful candidacies:

- (a) Administrative Law Judge, Seat 3 (February 23, 1994);
- (b) Fifth Judicial Circuit Court, Seat 3 (May 24, 2000)-Found qualified and nominated, but withdrew prior to election;
- (c) Circuit Court, At-Large Seat 9 (January 16, 2003)-Found qualified, but not nominated;
- (d) Court of Appeals, Seat 9 (March 10, 2008)-Found qualified, but not nominated.

(9) Judicial Temperament:

The Commission believes that Judge Anderson's temperament is excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Anderson to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee found that based on the

**THURSDAY, JANUARY 14, 2016**

evaluative criteria, Judge Anderson meets and exceeds the requirements in each area.

Judge Anderson is married to Linda Anderson. He has no children.

Judge Anderson reported that he was a member of the following Bar and professional associations:

- (a) SC Bar;
- (b) Administration and Regulatory Law Committee of the SC Bar;
- (c) SC Administrative and Regulatory Law Association; President since 2009.

Judge Anderson provided that he was a member of the following civic, charitable, educational, social, or fraternal organization:

- (a) Shandon Baptist Church.

(11) Commission Members' Comments:

This candidate meets or exceeds the standards established by each of the nine evaluative criteria and, based upon extensive questioning by the Commission, exhibited a judicial attitude of strict adherence to Constitutional principles, particularly with regard to the separation of powers of the three branches of state government.

(12) Conclusion:

The Commission found Judge Anderson qualified and nominated him for election to the Supreme Court, Seat 2.

**The Honorable John Cannon Few  
Supreme Court, Seat 2**

**Commission's Findings:        QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Few meets the qualifications prescribed by law for judicial service as a Supreme Court Justice.



**THURSDAY, JANUARY 14, 2016**

Judge Few was born in 1963. He is 52 years old and a resident of Greenville, South Carolina. Judge Few provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1988.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Few.

Judge Few demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Few reported that he has not made any campaign expenditures.

Judge Few testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Few testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Few to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Few described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>		<u>Date(s)</u>
(a)	SC Judicial Conference	08/18–20/10;
(b)	Court of Appeals Workers' Compensation CLE	10/15/10;

## THURSDAY, JANUARY 14, 2016

- (c) Conference of Chief Judges, Napa, CA 11/9–13/10;
- (d) SC Bar Convention 01/20–22/11;
- (e) It's All a Game Evidence CLE 02/18/11;
- (f) SC Judicial Conference 08/17–19/11;
- (g) Southern High Court Conference 09/15–17/11;
- (h) Conference of Chief Judges, Miami, FL 10/23–27/11;
- (i) SC Bar Convention 01/19–21/12;
- (j) It's All a Game Evidence CLE 02/17/12;
- (k) SC Judicial Conference 08/22–24/12;
- (l) SC Bar Convention 01/24–26/13;
- (m) American Board of Trial Advocates—Mock Trial 02/01/13;
- (n) It's All a Game Evidence CLE 02/15/13;
- (o) Court of Appeals Workers' Compensation CLE 04/17/13;
- (p) SC Judicial Conference 08/21–23/13;
- (q) Appellate Practice Project CLE 10/24/13;
- (r) Conference of Chief Judges, St. Louis, MO 10/29–11/02/13;
- (s) National Center for State Courts Annual Meeting 11/21/13;
- (t) SC Bar Convention 01/23–25/14;
- (u) It's All a Game Evidence CLE 02/21/14;
- (v) SC Judicial Conference 08/20–22/14;
- (w) Conference of Chief Judges, New Orleans, LA 11/19–22/14;
- (x) SC Bar Convention 01/22–24/15;
- (y) It's All a Game Evidence CLE 02/20/15;
- (z) Court of Appeals Workers' Compensation CLE 05/20/15;
- (aa) Roscoe Pound Civil Justice Institute 07/11/15.

Judge Few reported that he has taught the following law-related courses:

- (a) August 3, 2015; "Practice before the SC Appellate Courts;" SC Bar/Bridge the Gap; West Columbia, SC;
- (b) July 9, 2015; "Appellate Court;" Orientation School for New Circuit Judges; Columbia, SC;
- (c) March 9, 2015; "Practice before the SC Appellate Courts;" SC Bar/Bridge the Gap; Columbia, SC;
- (d) February 27, 2015; "Panel Moderator: Significant Appellate Decisions from 2014;" Criminal Law Update CLE; SC Bar; Columbia, SC;

**THURSDAY, JANUARY 14, 2016**

- (e) February 20, 2015; “It’s All A Game-Top Trial Lawyers Tackle Evidence;” SC Bar; Columbia, SC;
- (f) February 13, 2015; “Recent Developments in Criminal Law;” Greenville County Bar “Year End” CLE; Greenville, SC;
- (g) February 13, 2015; “Appellate Practice Project;” Greenville County Bar “Year End” CLE; Greenville, SC;
- (h) January 9, 2015; “Practice before the SC Appellate Courts;” SC Bar/Bridge the Gap; Charleston, SC;
- (i) October 17, 2014; “Reflections on What it Means to be a Lawyer;” SCIRF Law Enforcement Defense Counsel Annual Meeting; Columbia, SC;
- (j) September 24, 2014; “Court of Appeals Update;” Public Defenders Conference; Myrtle Beach, SC;
- (k) September 22, 2014; “Significant Cases 2013–2014;” Solicitors’ Conference; Hilton Head, SC;
- (l) August 4, 2014; “Practice Before the South Carolina Appellate Courts;” SC Bar/Bridge the Gap; Columbia, SC;
- (m) July 10, 2014; “What It Means To Be a Lawyer in a Central Staff Attorneys’ Office;” National Association of Appellate Court Attorneys Annual Meeting; Savannah, Georgia;
- (n) May 3, 2014; “The Courage of a Lawyer;” Defense Research Institute—Regional Meeting; Charleston, SC;
- (o) April 10, 2014; “The Courage of a Lawyer;” Defense Research Institute—Product Liability Conference; Phoenix, Arizona;
- (p) March 10, 2014; “Practice Before the SC Appellate Courts;” SC Bar/Bridge the Gap; Columbia, SC;
- (q) February 28, 2014; “Panel Moderator: Update on Recent Appellate Decisions;” Criminal Law Update CLE; SC Bar; Columbia, SC;
- (r) February 27, 2014; “In Depth View of South Carolina Appellate Torts Cases;” SC Bar Tort Law Update CLE; Columbia, SC
- (s) February 21, 2014; “It’s All A Game-Top Trial Lawyers Tackle Evidence;” SC Bar; Columbia, SC;

**THURSDAY, JANUARY 14, 2016**

- (t) February 10, 2014; “The Courage of a Lawyer;” International Association of Defense Counsel; Carlsbad, California;
- (u) January 24, 2014; “The Appellate Practice Project and Update on the Court of Appeals;” Trial and Appellate Advocacy Section “Civil Update” Seminar; SC Bar Convention; Kiawah Island, SC;
- (v) January 2, 2014; “Practice Before the SC Appellate Courts;” SC Bar/Bridge the Gap; Charleston, SC;
- (w) November 8, 2013; “Perspective from the Court of Appeals—with Judge Huff;” Injured Workers’ Advocates Annual Meeting; Asheville, North Carolina;
- (x) October 24, 2013; “The Diverse Experience of a Great Lawyer;” Appellate Practice Project CLE; SC Bar; Columbia, SC;
- (y) October 11, 2013; “Briggs v. Elliott and the Lawyers Who Made it Happen;” Civil Rights Ride; Northeastern University School of Law; Camden/Summerton, SC;
- (z) September 23, 2013; “Panel Moderator: Behind the Bench—the Rulings, the Realities, & the Ramifications;” SC Solicitors’ Conference; Myrtle Beach, SC;
- (aa) September 5, 2013; “Role of a Trial Judge in the Administration of Justice;” Magistrate Judges’ Annual Conference; Myrtle Beach, SC;
- (bb) August 5, 2013; “Practice Before the SC Appellate Courts;” SC Bar/Bridge the Gap; Columbia, SC;
- (cc) August 1, 2013; “Panelist: Criminal Law Panel;” SCAJ Annual Meeting; Hilton Head Island, SC;
- (dd) July 12, 2013; “Thinking About Appeals;” New Judges’ Orientation; Columbia, SC;
- (ee) May 23, 2013; “Panelist: Trial Motions CLE;” South Carolina Defense Trial Attorneys’ Association; Greenville, SC;
- (ff) May 2, 2013; “Panel Moderator: Current Issues in Criminal Court;” Circuit Judges Conference; Greenville, SC;
- (gg) May 2, 2013; “Current Issues with Evidence;” Circuit Judges Conference; Greenville, SC;

**THURSDAY, JANUARY 14, 2016**

- (hh) March 28, 2013; “The Importance of Dissent in a Civilized Society;” Haynsworth/Perry Inn of Court; Greenville, SC;
- (ii) March 11, 2013; “Practice Before the SC Appellate Courts;” SC Bar/Bridge the Gap; Columbia, SC;
- (jj) February 22, 2013; “Panel Moderator: Update on Recent Appellate Decisions;” Criminal Law Update CLE; SC Bar; Columbia, SC;
- (kk) February 15, 2013; “It’s All A Game-Top Trial Lawyers Tackle Evidence;” SC Bar; Columbia, SC;
- (ll) January 25, 2013; “Evidence ‘Boot Camp’ for Young Lawyers;” Young Lawyers Division Seminar; SC Bar Convention; Myrtle Beach, SC;
- (mm) January 25, 2013; “Issue Preservation;” SC Bar Convention; Myrtle Beach, SC;
- (nn) December 16, 2012; “What It Means To Be a Lawyer;” Charleston School of Law Commencement Address; Charleston, SC;
- (oo) November 2, 2012; “Making a Compelling Case Before the Court of Appeals and Supreme Court of SC;” Injured Workers Advocates Annual Meeting; Asheville, North Carolina;
- (pp) October 15, 2012; “Practicing Workers’ Compensation Before the Court of Appeals;” SC Workers’ Compensation Education Association Annual Conference; Hilton Head Island, SC;
- (qq) October 12, 2012; “Panelist: Judiciary Squares;” Master in Equity Bench/Bar CLE; SC Bar; Columbia, SC;
- (rr) October 1, 2012; “Panelist: Access to Justice and the Judiciary;” National Legal Services Corporation Regional Meeting; Duke Fuqua School of Business; Durham, North Carolina;
- (ss) September 27, 2012; “Evidence ‘Boot Camp’ for Young Lawyers;” SC Defense Trial Attorneys’ Association; Greenville, SC;
- (tt) September 26, 2012; “Panel Moderator: The Most Significant Judicial Decisions from the Past Year and How They Impact How You Do Your Job;” SC Solicitors’ Conference; Myrtle Beach, SC;
- (uu) September 24, 2012; “Preserving Issues for Appeal;” Public Defender Conference; Myrtle Beach, SC;

## THURSDAY, JANUARY 14, 2016

- (vv) September 11, 2012; “The Other Side of Civility;” American Board of Trial Advocates; Columbia, SC;
- (ww) September 6, 2012; “Thinking Through the Structure of Evidence;” SC Magistrates’ Conference; Kingston Plantation; Myrtle Beach, SC;
- (xx) August 6, 2012; “The Role of Local Government in the Future of Our Courts;” SC Association of County Attorneys Annual Meeting; Hilton Head Island, SC;
- (yy) August 2, 2012; “Panelist: Fee Awards—Ethics and Practice;” SC Association for Justice; Hilton Head Island, SC;
- (zz) July 31, 2012; “Practice Before the SC Appellate Courts;” SCBar/Bridge the Gap; Columbia, SC;
- (aaa) April 11, 2012; “Common Pitfalls For, and Mistakes Made By, Young Lawyers;” Sowell Gray CLE at Trustus Theatre; Columbia, SC;
- (bbb) March 6, 2012; “Practice Before the SC Appellate Courts;” SC Bar/Bridge the Gap; Columbia, SC;
- (ccc) February 24, 2012; “Panel Moderator: Update on Recent Appellate Decisions;” Criminal Law Update CLE; SC Bar; Columbia, SC;
- (ddd) February 17, 2012; “It’s All A Game-Top Trial Lawyers Tackle Evidence;” SC Bar; Columbia, SC;
- (eee) February 17, 2012; “Ethics: The Importance of Dissent in a Democratic Society;” SC Bar; Columbia, SC;
- (fff) January 20, 2012; “Playing to the Discretion of a Trial Judge: Practicing the Art of Evidence from a Trial Lawyer’s Perspective;” Criminal Law CLE; SC Bar Convention; Columbia, SC;
- (ggg) January 20, 2012; “Developing Yourself as a CLE Speaker;” Young Lawyers Division Seminar; SC Bar Convention; Columbia, SC;
- (hhh) January 6, 2012; “Panelist: Play By the Rules; Evidence and Civil Procedure in Tort Cases;” SC Bar Tort Law Update; Columbia, SC;
- (iii) October 14, 2011; “Judicial Ethics;” Domestic Violence Seminar; Spartanburg, SC;
- (jjj) October 4, 2011; “The Importance of Dissent in a Civilized Society;” John Belton O’Neill Inn of Court; Columbia, SC;

## THURSDAY, JANUARY 14, 2016

- (kkk) September 16, 2011; “The Courage of a Lawyer,” North Carolina/SC Construction Sections Joint Meeting; SC Bar; Wild Dunes, SC;
- (lll) August 2, 2011; “Practice Before the SC Appellate Courts,” SC Bar/Bridge the Gap; Columbia, SC;
- (mmm) June 3, 2011; “The Importance of What You Do,” SC Family Court Judges Conference; Fripp Island, SC;
- (nnn) February 18, 2011; “It’s All A Game-Top Trial Lawyers Tackle Evidence,” South Carolina Bar; Columbia, South Carolina;
- (ooo) February 11, 2011; “The Courage of a Lawyer,” Greenville County Year End CLE; Greenville, SC;
- (ppp) February 4, 2011; “The Tactical Use of Allegations of Misconduct Against a Judge,” VIP GlobalNet Webinar Presentation;
- (qqq) February 4, 2011; “The Tactical Use of Allegations of Misconduct Against a Judge,” ABOTA Ethics CLE; USC Law School; Columbia, SC;
- (rrr) January 14, 2011; “The Tactical Use of Allegations of Misconduct Against a Judge,” VIP GlobalNet Webinar Presentation;
- (sss) December 21, 2010; “The Tactical Use of Allegations of Misconduct Against a Judge,” VIP GlobalNet Webinar Presentation;
- (ttt) November 19, 2010; “Panelist: Judicial Panel,” SC Legal Services Annual Meeting; Myrtle Beach, SC;
- (uuu) November 18, 2010; “The Courage of a Lawyer,” SC Legal Services Annual Meeting; Myrtle Beach, SC;
- (vvv) November 5, 2010; “Workers’ Compensation Update,” Injured Workers Advocates Annual Convention; Asheville, North Carolina;
- (www) September 24, 2010; “Judicial Ethics,” Domestic Violence Seminar; Spartanburg, SC;
- (xxx) August 5, 2010; Criminal Appellate Advocacy Seminar; National Advocacy Center; Columbia, SC;
- (yyy) August 3, 2010; “Practice Before the SC Appellate Courts,” SC Bar/Bridge the Gap; Columbia, SC;
- (zzz) June 25, 2010; “Appeals From the Commission to the Court of Appeals,” 75<sup>th</sup> Anniversary of the Workers’ Compensation Act; SC Bar; Columbia, SC;

## THURSDAY, JANUARY 14, 2016

- (aaaa) May 6, 2010; "Reflections of a Circuit Judge;" Circuit Court Judges Association Conference; Litchfield, SC;
- (bbbb) April 22, 2010; "The SC Court of Appeals;" Family Court Judges Association Conference; Columbia, SC;
- (cccc) March 5, 2010; "Thinking Through the Structure of Evidence;" SC Bar Golf Getaway CLE; Kiawah Island, SC;
- (dddd) February 12, 2010; "Opening Statements and Closing Arguments;" Masters in Trial; American Board of Trial Advocates and SC Bar; Columbia, SC;
- (eeee) February 5, 2010; "It's All A Game-Top Trial Lawyers Tackle Evidence;" SC Bar; Columbia, SC;
- (ffff) January 22, 2010; "Differences Between the State and Federal Rules of Evidence;" Criminal Law Update; SC Bar Convention; Kiawah Island, SC;
- (gggg) November 7, 2009; "Panelist: Judge's Panel;" SC Defense Trial Attorneys Association; Savannah, Georgia;
- (hhhh) October 29, 2009; "The Courage of a Lawyer;" Attorney's Information Exchange Group; Charleston, SC;
- (iiii) October 2, 2009; "Judicial Ethics;" SAFE Homes - Rape Crisis Coalition; Spartanburg, SC;
- (jjjj) September 27, 2009; "The Courage of a Lawyer;" SC Solicitor's Association; Hilton Head, SC;
- (kkkk) September 21-24, 2009; "Fundamentals of Evidence;" National Judicial College/New Mexico Judicial Education Center; Albuquerque, New Mexico;
- (llll) May 4, 2009; "The Courage of a Lawyer;" Thirteenth Circuit Solicitor's Office; Clemson, SC;
- (mmmm) February 13, 2009; "It's All A Game - Top Trial Lawyers Tackle Evidence;" SC Bar; Columbia, SC;
- (nnnn) February 10, 2009; "The Courage of a Lawyer;" Michelin Regional Counsel Meeting; Greenville, SC;
- (oooo) December 5, 2008; Ethics: "The Courage of a Lawyer;" SC Association for Justice - Auto Torts Seminar; Atlanta, Georgia;
- (pppp) November 21, 2008; "What It Means to Be a Lawyer;" Nexsen Pruet Associates Meeting; Greenville, SC;



## THURSDAY, JANUARY 14, 2016

- (qqqq) November 15, 2008; “The Courage of a Lawyer; and the Introduction of Matthew Perry;” SC Defense Trial Attorneys Association; Amelia Island, Florida;
- (rrrr) October 3, 2008; “Judicial Ethics;” SAFE Homes - Rape Crisis Coalition; Spartanburg, SC;
- (ssss) September 19, 2008; “What Civil Court Judges Want You To Know;” National Business Institute - Judicial Forum; Greenville, SC;
- (tttt) September 19, 2008; “What a Paralegal Means, to Who a Lawyer Is, to the People We Serve;” SC Upstate Paralegal Association; Greenville, SC;
- (uuuu) July 26, 2008; Ethics: “The Courage of a Lawyer;” SC Defense Trial Attorneys’ Association; Asheville, North Carolina;
- (vvvv) February 8, 2008; “It’s All A Game-Top Trial Lawyers Tackle Evidence;” SC Bar; Columbia, SC;
- (wwwv) November 30, 2007; “Discovery, Evidence and Technology;” National Business Institute - Advanced Discovery and Evidence; Columbia, SC;
- (xxxx) November 29, 2007; “Discovery, Evidence and Technology;” National Business Institute - Advanced Discovery and Evidence; Greenville, SC;
- (yyyy) November 3, 2007; “Panelist: Expert witnesses: Changing SC Law;” SC Defense Trial Attorneys’ Association; Pinehurst, North Carolina;
- (zzzz) October 26, 2007; “A View From the Bench;” SC Tort Law Update; SC Bar; Columbia, SC;
- (aaaa) October 26, 2007; “Judicial Ethics Workshop;” SAFE Homes – Rape Crisis Coalition; Spartanburg, SC;
- (bbbb) September 15, 2007; “A View From the Bench—Preparing for Trial in a Construction Case;” North and SC Bars Construction Law Sections Biennial Meeting; Wild Dunes, Charleston, SC;
- (cccc) August 20-23, 2007; “Fundamentals of Evidence;” National Judicial College; Reno, Nevada;
- (dddd) June 8, 2007; “A Circuit Judge’s Look Back, and Forward At the Role of the Lawyer;” Greenville County Bar Association; Greenville, SC;
- (eeee) February 22, 2007; “Complex Case / Class Action;” SC Judicial Seminar for Chief Judges of the Circuit Court; Columbia, SC;

## THURSDAY, JANUARY 14, 2016

- (fffff) July 28, 2006; “The Circuit Court Courtroom in the 21<sup>st</sup> Century: Technology and Tradition;” SC Defense Trial Attorneys’ Association; Grove Park Inn, Asheville, North Carolina;
- (ggggg) November 14-17, 2005; “Fundamentals of Evidence;” National Judicial College; Reno, Nevada;
- (hhhhh) November 11, 2004; “Perspective;” Michelin Regional Counsel Meeting; Greenville, SC;
- (iiiiii) November 5, 2004; “Thinking Through the Structure of Evidence;” SC Bar – Beyond the Bar II; Greenville, SC;
- (jjjjj) December 3, 2004; “An Ethical View From the Bench;” Greenville County Bar Association; Greenville, SC;
- (kkkkk) December 5, 2003; “An Ethical View From the Bench;” Greenville County Bar Association; Greenville, SC;
- (lllll) December 13, 2002; “An Ethical View From the Bench;” Greenville County Bar Association; Greenville, SC;
- (mmmmm) December 12, 2001; “Tips from the Bench – Guilty Pleas;” SC Bar; Kiawah Island, SC;
- (nnnnn) December 7, 2001; “Ethics;” Greenville County Bar Association; Greenville, SC;
- (ooooo) November 8, 2001; “Panelist: Products Liability Panel;” SC Defense Trial Attorneys’ Association; Kiawah Island, SC;
- (ppppp) January 29, 2001; “The Fundamentals of Trial Advocacy;” Thirteenth Circuit Solicitor’s Office; Clemson, SC;
- (qqqqq) August 3, 2000; “Environmental Lit. In the New Millennium and Its Expert Witnesses, If Any;” SC Trial Lawyers Association; Hilton Head Island, SC.

Judge Few reported that he has published the following books and articles.

- (a) The Courage of a Lawyer, ABA Litigation Journal, Winter 2013  
This article was also published in Voir Dire, the magazine of the American Board of Trial Advocates, and will soon be republished in SC Lawyer;
- (b) artofevidence, <http://artofevidence.wordpress.com/>

**THURSDAY, JANUARY 14, 2016**

This is a blog I publish for my students, formerly at the Charleston School of Law, currently at the USC School of Law;

- (c) Appellate Advocacy—“Speaking Frankly.” Foreword to Charleston Law Review; Volume 5, Number 1 (Fall 2010).

(4) Character:

The Commission’s investigation of Judge Few did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission’s investigation of Judge Few did not indicate any evidence of a troubled financial status. Judge Few has handled his financial affairs responsibly.

The Commission also noted that Judge Few was punctual and attentive in his dealings with the Commission, and the Commission’s investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Few reported that his last available rating by a legal rating organization, Martindale-Hubbell, was “AV.”

(6) Physical Health:

Judge Few appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Few appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Few was admitted to the SC Bar in 1988.

He gave the following account of his legal experience since graduation from law school:

- (a) 1989–1997–Private Civil Practice with J. Kendall Few, Judge Few’s father;
- (b) 1997–2000–Private Civil Practice by himself;
- (c) 2000–2010–Circuit Court Judge for the Thirteenth Judicial Circuit;

**THURSDAY, JANUARY 14, 2016**

(d) 2010–Present Chief Judge, SC Court of Appeals

Judge Few reported the frequency of his court appearances prior to his service on the bench as follows:

- (a) Federal: At least once a month;
- (b) State: At least once a month.

Judge Few reported the percentage of his practice involving civil, criminal, and domestic matters prior to his service on the bench as follows:

- (a) Civil: 100%;
- (b) Criminal: 0%;
- (c) Domestic: 0 % (Judge Few served as appointed council on 2-3 domestic matters);
- (d) Other: 0%.

Judge Few reported the percentage of his practice in trial court prior to his service on the bench as follows:

- (a) Jury: 90%;
- (b) Non-jury: 10%.

Judge Few provided that prior to his service on the bench the types of cases he handled called for more than one lawyer. He most often served as chief or associate counsel.

The following is Judge Few's account of his five most significant litigated matters:

- (a) Bagwell v. Nissan, US District Court, District of SC.  
This case is significant because I was able to play a major role in enabling a severely disabled quadriplegic, who was otherwise unable to provide for himself financially, to have his basic needs met for the rest of his life;
- (b) Shockley v. Hoechst Celanese, 793 F.Supp. 670 (D.S.C. 1992).  
This case is significant because an Order I wrote at the request of the district judge was published in the Federal Supplement, and has played a significant role in the development of the law of environmental contamination. The appeal of this case is listed in response to question 21;

**THURSDAY, JANUARY 14, 2016**

(c) Roshto v. Spartanburg Petroleum.

This Laurens County case was significant in that my co-counsel and I were able to get a settlement for a hotel (the old Holiday Inn at SC 56 and I-26) owner and operator that enabled the business to stay in operation despite the unwillingness of banks to finance the business because of groundwater contamination on the property caused by a gas station on adjoining property;

(d) Shook v. Golden Rule, 1993 WL 18754 (D.S.C. Jan. 7, 1993).

This case against a medical insurance provider is significant in that my co-counsel and I were able to get medical insurance payments immediately made for a severely disabled accident victim whose medical insurance had been denied in violation of the terms of the policy;

(e) Cameron v. General Motors Corp., 158 F.R.D. 581 (1994).

This case is significant because of the fact that the US District Judge who presided over it was essentially disqualified by the Fourth Circuit, and the case was transferred to a District Judge from West Virginia. The legal issues were substantial, and eventually involved litigation in West Virginia and Detroit, Michigan, in addition to SC.

The following is Judge Few's account of five civil appeals he has personally handled:

(a) Shockley v. Hoechst Celanese Corp., 996 F.2d 1212 (4th Cir. 1993).

I wrote the brief in this case, but did not personally argue the appeal;

(b) Ehlies v. Shirley, 2000-UP-250;

(c) Phillips v. Southland Life Insurance Co.

This was the first case I ever tried, and the first appeal I argued in State court. I do not have the case number of the unpublished opinion. I lost both the trial and the appeal;

(d) Clark v. Greenville County, 313 S.C. 205, 437 S.E.2d 117 (1993).

**THURSDAY, JANUARY 14, 2016**

I do not think I actually argued this appeal, but I wrote or substantially wrote the briefs;

- (e) Kelly v. Para-Chem Southern, Inc., 311 S.C. 223, 428 S.E.2d 703 (1993).

Judge Few reported that he has not personally handled any criminal appeals.

Judge Few reported that he has held the following judicial offices:

- (a) Circuit Judge for the Thirteenth Judicial Circuit, service from July 1 2000–February 3, 2010;
- (b) SC Court of Appeals, Chief Judge, February 2010–Present ;

Judge Few provided the following list of his most significant orders or opinions:

- (a) State v. Gray, 408 S.C. 601, 759 S.E.2d 160 (Ct. App. 2014) and State v. Collins, 398 S.C. 197, 727 S.E.2d 751 (Ct. App. 2012). I include these opinions together because their significance relates to the same issue—the admissibility of graphic autopsy photographs. A majority of the Supreme Court agreed with the Court of Appeals’ ruling in Collins, but the Supreme Court reversed the decision after finding the Circuit Court’s error was harmless. *See* 409 S.C. 524, 763 S.E.2d 22 (2014). Gray was not appealed;
- (b) Palms v. School District of Greenville County, 408 S.C. 576, 758 S.E.2d 919 (Ct. App. 2014). This opinion is significant because it addresses the limited role of the judiciary in the affairs of government;
- (c) Riley v. Ford Motor Co., 408 S.C. 1, 757 S.E.2d 422 (Ct. App. 2014). This opinion is significant because it upholds a litigant’s (Ford’s) constitutional right to a trial by jury. The Supreme Court granted certiorari in Riley on September 25, 2014;
- (d) AnMed Health v. S.C. Department of Employment & Workforce, 404 S.C. 224, 743 S.E.2d 854 (Ct. App. 2013). This opinion is significant because it upholds the right of hospitals to make patient-safety decisions unencumbered by employment considerations, and yet

**THURSDAY, JANUARY 14, 2016**

also upholds a State agency's right and duty to follow its statutory mandate to provide unemployment benefits under law;

- (e) State v. Dukes, 404 S.C. 553, 745 S.E.2d 137 (Ct. App. 2013). This opinion is significant because it explains novel issues regarding the limited right of a criminal defendant to due process of law in relation to a victim's or another witness's pretrial identification of the defendant as the person who committed a crime

Judge Few reported the following regarding his employment while serving as a judge:

I served as Adjunct Professor, and later Distinguished Visiting Professor, at the Charleston School of Law from the summer of 2008 until the summer of 2012. I taught Evidence and Advanced Evidence. It was a part-time position. My supervisor was the Associate Dean for Academic Affairs, first Nancy Zisk and later Margaret Lawton. For this work, I was paid a salary and given a per trip expense reimbursement.

In the Fall of 2012, 2013, and 2014, I taught Advanced Evidence at the University of South Carolina School of Law. I will teach the same class in the Fall of 2015. I hold no title, and I accept no compensation; I simply teach. My supervisor has been the Dean for Academic Affairs.

- (9) Judicial Temperament:

The Commission believes that Judge Few's temperament has been, and would continue to be, excellent.

- (10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Few to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Few is divorced. He has three children.

Judge Few reported that he was a member of the following Bar and professional associations:

**THURSDAY, JANUARY 14, 2016**

- (a) SC Bar, 1988–present;
- (b) Greenville County Bar;
- (c) Haynsworth/Perry Inn of Court.

Judge Few provided that he was a member of the following civic, charitable, educational, social, or fraternal organization:

- (a) Duke University Alumni Advisory Committee for the Upstate.

(11) Commission Members' Comments:

This candidate meets or exceeds the standards established by each of the nine evaluative criteria and, based upon extensive questioning by the Commission, exhibited a judicial attitude of strict adherence to Constitutional principles, particularly with regard to the separation of powers of the three branches of state government.

(12) Conclusion:

The Commission found Judge Few qualified and nominated him for election to the Supreme Court.

**The Honorable Harris Bruce Williams  
Supreme Court, Seat 2**

**Commission's Findings:        QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Williams meets the qualifications prescribed by law for judicial service as a Supreme Court Justice.

Judge Williams was born in 1956. He is 59 years old and a resident of Columbia, South Carolina. Judge Williams provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1982.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Williams.



**THURSDAY, JANUARY 14, 2016**

Judge Williams demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Williams testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Williams testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Williams to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Williams described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Annual Judicial Conference	8/10–8/14;
(b) SC Association for Justice, Annual Conference	8/10–8/13;
(c) Part 2: Criminal Law Section	1/23/15;
(d) Part 2: Criminal Law Section	1/25/13;
(e) Part 2: Criminal Law Section	1/21/11;
(f) Part 2: Criminal Law Section	1/22/10;
(g) Family Court Bench Bar	12/5/14;
(h) SC Defense Attorneys Association: Annual Meeting	11/10–11/14;
(i) Birdies, Bogeys, Pars, and Professionalism: What Golf Can Teach Lawyers about Winning with Integrity	11/6/14;
(j) Hot Tips from the Coolest Domestic Law Practitioners	9/26/14;

**THURSDAY, JANUARY 14, 2016**

- |      |                                                                                                                          |                   |          |
|------|--------------------------------------------------------------------------------------------------------------------------|-------------------|----------|
| (k)  | SC Solicitors' Association                                                                                               | Annual Conference | 9/21/14; |
| (l)  | SC Solicitors' Association                                                                                               | Annual Conference | 9/26/10; |
| (m)  | National Association of Drug Court Professionals                                                                         |                   | 5/28/14; |
| (n)  | National Association of Drug Court Professionals                                                                         |                   | 5/30/12; |
| (o)  | National Association of Drug Court Professionals                                                                         |                   | 5/2010;  |
| (p)  | Hot Tips from the Coolest Lawyers                                                                                        |                   | 9/28/12; |
| (q)  | Current Issues in the Law                                                                                                |                   | 8/12/12; |
| (r)  | National Foundation for Judicial Excellence: Class Actions and Aggregate                                                 |                   | 7/13/12; |
| (s)  | National Foundation for Judicial Excellence: Applied Science & the Law 21 <sup>st</sup> Century Technology in the Courts |                   | 7/15/11; |
| (t)  | National Foundation for Judicial Excellence: Annual Judicial Symposium                                                   |                   | 7/16/10; |
| (u)  | Southern Region High Court Conference                                                                                    |                   | 9/15/11; |
| (v)  | Family Court Judges' Conference                                                                                          |                   | 6/1/11;  |
| (w)  | Trial & Appellate Advocacy                                                                                               |                   | 1/21/11; |
| (x)  | Trial & Appellate Advocacy                                                                                               |                   | 3/05/10; |
| (y)  | 4 <sup>th</sup> Amendment for Appellate Judges                                                                           |                   | 3/10/10; |
| (z)  | Guardian Ad Litem Training, Civil Law Update                                                                             |                   | 1/20/10; |
| (aa) | Guardian Ad Litem Training, Civil Law Update                                                                             |                   | 1/22/10. |

Judge Williams reported that he has taught the following law-related courses:

- (a) I am an adjunct professor at the University of SC School of Law, teaching Family Law from 2012–present;
- (b) I have lectured at the SC Bar Program “Bridge the Gap” for new lawyers;
- (c) I have given presentations on the topics of appellate advocacy and domestic relations at the annual SC Bar meeting, as well as numerous presentations at SC Bar CLE events;

**THURSDAY, JANUARY 14, 2016**

- (d) I have given presentations in the areas of appellate law and domestic relations for the SC Association for Justice's annual meetings;
- (e) I have lectured to University of SC School of Law classes related to the following topics: alternative sentencing/drug court, abuse and neglect cases, domestic relations, and fundamentals of law practice and professionalism. I have also presented professionalism seminars to first-year students on the courts and civility;
- (f) I have lectured to undergraduate and graduate level classes at the University of SC regarding juvenile crime, drug court, and courtroom procedures in SC;
- (g) I have participated as a group leader in drug court training for new courts in programs sponsored by the National Association of Drug Court Professionals;
- (h) I have given numerous presentations at SC Solicitors' annual conferences concerning juveniles, case law updates, drug court, and civility in the courts. In addition, I have presented at the SC Public Defenders' Conference;
- (i) I have had the opportunity to speak at locally sponsored CLE events on appellate advocacy, abuse and neglect cases, and guardian ad litem training.

Judge Williams reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Williams did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Judge Williams did not indicate any evidence of a troubled financial status. Judge Williams has handled his financial affairs responsibly.

The Commission also noted that Judge Williams was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

**THURSDAY, JANUARY 14, 2016**

- (5) Reputation:  
Judge Williams reported that he is not rated by any legal rating organization.
- (6) Physical Health:  
Judge Williams appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:  
Judge Williams appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:  
Judge Williams was admitted to the SC Bar in 1982.

He gave the following account of his legal experience since graduation from law school:

- (a) 1982–1995 General practice of law with primary emphasis on family law and personal injury law;
- (b) 1982–1991 Scott, Mathews, and Williams, P.A.;
- (c) 1991–1995 Trotter & Williams, P.A.;
- (d) 1991–1995 Part-time municipal judge for Irmo, SC;
- (e) 1995–2004 Judge, SC Family Court;
- (f) 1997–present Presiding Judge, Richland County Juvenile Drug Court;
- (g) 2000–2002 Presiding Judge, Richland County Adult Drug Court;
- (h) 2004–present Judge, SC Court of Appeals.

Judge Williams reported the frequency of his court appearances prior to his service on the bench as follows:

- (a) Federal: low
- (b) State: high

Judge Williams reported the percentage of his practice involving civil, criminal, and domestic matters prior to his service on the bench as follows:

- (a) Civil: 30%;
- (b) Criminal: 5%;

**THURSDAY, JANUARY 14, 2016**

- (c) Domestic: 65%;
- (d) Other: 0%.

Judge Williams reported the percentage of his practice in trial court prior to his service on the bench as follows:

- (a) Jury: 5%;
- (b) Non-jury: 98%.

Judge Williams provided that prior to his service on the bench he most often served as sole counsel.

The following is Judge Williams's account of his five most significant litigated matters:

- (a) Melvin v. Melvin—a contested divorce case in which the parties had a long-term marriage and disputed equitable distribution of military retirement benefits;
- (b) Inman v. Inman—a custody case involving a mother who moved out of state;
- (c) Oswald v. Oswald—a contested custody case involving child support, visitation, equitable distribution, and attorney's fees;
- (d) Jackson v. Jackson—a domestic case in which custody was obtained for the mother, who had initially given up custody and visitation with her children;
- (e) Bullard v. Ehrhardt, 283 S.C. 557, 324 S.E.2d 61 (1984)—in this case, our Supreme Court established the duty a store owner owes to invitees for criminal acts of third parties in negligence actions.

The following is Judge Williams's account of four civil appeals he has personally handled:

- (a) Marvin E. Davis v. Bernice H. Davis, Docket No. 83-DR-38-684—brief filed with Supreme Court of SC on November 5, 1984;
- (b) Oyler v. Oyler, 293 S.C. 4, 358 S.E.2d 170 (Ct. App. 1987)—participation limited to responsibility for oral argument and assisting in writing the brief;
- (c) Bullard v. Ehrhardt, 283 S.C. 557, 324 S.E.2d 61 (1984);

**THURSDAY, JANUARY 14, 2016**

- (d) Francis June Rawl v. Roy Edwin Rawl, Sr., Docket No. 83-DR-40-4131—participation limited to oral argument; brief filed September 13, 1985.

Judge Williams reported he has not personally handled any criminal appeals.

Judge Williams reported that he has held the following judicial office(s):

- (a) Assistant Town Judge, Irmo, SC - October 1991–June 6, 1995  
Appointed by Town Council. Jurisdiction is limited to magistrate level criminal and traffic offenses. Duties included setting bonds for criminal defendants;
- (b) SC Family Court Judge, Fifth Judicial Circuit, Richland County, Seat 1, June 1995–June, 2004. Elected. Jurisdiction includes, but is not limited to, divorce, adoption, abuse and neglect cases, and juvenile cases;  
I have also presided over the Richland County Juvenile Drug Court since its inception in 1997;
- (c) SC Court of Appeals, Seat 2, June 2004–present. Elected. Jurisdiction over all appeals, except those reserved by statute to the original jurisdiction of the Supreme Court of SC;
- (d) I was appointed a special Circuit Court Judge to preside over the Richland County Adult Drug Court, (2000-2002), and I continue to preside over the Richland County Juvenile Drug Court as an acting Family Court Judge.

Judge Williams provided the following list of his most significant orders or opinions:

- (a) SC Dep't of Soc. Servs. v. Truitt, 361 S.C. 272, 603 S.E.2d 867 (Ct. App. 2004);
- (b) State v. Lynch, 375 S.C. 628, 654 S.E.2d 292 (Ct. App. 2007);
- (c) Hackworth v. Greywood at Hammett, LLC, 385 S.C. 110, 682 S.E.2d 871 (Ct. App. 2009);
- (d) Melton v. Medtronic, Inc., 389 S.C. 641, 698 S.E.2d 886 (Ct. App. 2010);

**THURSDAY, JANUARY 14, 2016**

- (e) Miranda C. v. Nissan Motor Co., Ltd., 402 S.C. 577, 741 S.E.2d 34 (Ct. App. 2013).

Judge Williams reported the following regarding his employment while serving as a judge:

Adjunct Professor, Family Law, University of SC School of Law, 2012–present

Supervisor: Jaclyn A. Cherry, Associate Dean for Academic Affairs.

(9) Judicial Temperament:

The Commission believes that Judge Williams’s temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee found Judge Williams to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also “Well Qualified” in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Midlands Citizens Committee went on to state they found Judge Williams to be “an outstanding candidate for this position and would be a superior Justice of the SC Supreme Court.”

Judge Williams is married to Sharon C. Williams. He has two children.

Judge Williams reported that he was a member of the following Bar and professional associations:

- (a) SC Bar, 1982–present;
- (b) Richland County Bar, 1982–present; Family Law Chair, 1993; Family Law Committee, 1991–1993;
- (c) SC Conference of Family Court Judges, 1995–2004; President, 1999–2000; President-Elect, 1998–1999; Secretary-Treasurer, 1997–1998;
- (d) SC Association of Drug Court Professionals; President, 2000–2001; 2008–2014; Board Member, 2006–present;
- (e) John Belton O’Neill Inn of Court, 2007–present;
- (f) American Bar Association, 2010;

**THURSDAY, JANUARY 14, 2016**

- (g) Board Member, National Association for Drug Court Professionals, 7/2015–present.

Judge Williams provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Matthew J. Perry Civility Award, presented by the Richland County Bar Association, 2012;
- (b) Columbia Urban League Ethel M. Bolden Community Service Award, 2011;
- (c) Palmetto Club;
- (d) The Members Club at Woodcreek Farms and Wildewood.

Judge Williams further reported:

I assisted in the design and implementation of the Richland County Juvenile Drug Court Program, a comprehensive drug treatment court for juvenile offenders with serious drug problems. I continue to preside over drug court on Monday evenings. We recently celebrated our 18-year anniversary for this program.

I am gratified and appreciative of the support and encouragement received from members of the Bar since serving on the Bench. I will continue in my efforts to serve the people of SC to the best of my ability.

My thirteen years of experience as a practicing lawyer, nine years of experience on the Family Court bench, and eleven years of experience on the Court of Appeals has been invaluable. I believe this experience, along with my service and involvement in the community, has given me significant perspective to serve on the Supreme Court of SC.

(11) Commission Members' Comments:

This candidate meets or exceeds the standards established by each of the nine evaluative criteria and, based upon extensive questioning by the Commission, exhibited a judicial attitude of strict adherence to Constitutional principles, particularly with regard to the separation of powers of the three branches of state government.



**THURSDAY, JANUARY 14, 2016**

(12) Conclusion:

The Commission found Judge Williams qualified and nominated him for election to the Supreme Court.

**COURT OF APPEALS  
QUALIFIED AND NOMINATED**

**The Honorable James Edward Lockemy  
Court of Appeals, Seat 9**

**Commission's Findings:        QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Lockemy meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Lockemy was born in 1949. He is 66 years old and a resident of Dillon, South Carolina. Judge Lockemy provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1974.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Lockemy.

Judge Lockemy demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Lockemy testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

**THURSDAY, JANUARY 14, 2016**

Judge Lockemy testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Lockemy to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Lockemy described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Annual Judicial Conference	2010–2015;
(b) American Bar Association Annual Meeting	2010–2015;
(c) The Annual Symposium on Judicial Independence	2010–2015;
(d) The Appellate Judges' Educational Institute	2013–2015;
(e) SC Bar Civil and Criminal Law Update	2010–2015;
(f) The Pound Institute	2011–13, 2015;
(g) National Forum on Judicial Excellence	2012, 2014.

Judge Lockemy reported that he has taught the following law-related courses:

- (a) I have lectured at several SC Bar CLE programs and American Bar Association conferences;
- (b) I have also lectured innumerable times on military legal subjects.

Judge Lockemy reported that he has published the following:

- (a) "Judging in Kosovo, When Duty Calls" Summer 2006 Edition of The Judges' Journal;
- (b) "Bumper Sticker for the People: Marbury vs. Madison" 50 The Judges' Journal 2011;
- (c) "The National Conference of State Trial Judges" Video Production 2008;
- (d) "The Appellate Judges' Conference of the ABA" Video Production 2014.

**THURSDAY, JANUARY 14, 2016**

(4) Character:

The Commission's investigation of Judge Lockemy did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Judge Lockemy did not indicate any evidence of a troubled financial status. Judge Lockemy has handled his financial affairs responsibly.

The Commission also noted that Judge Lockemy was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Lockemy reported that he is not rated by any legal rating organization.

Judge Lockemy reported the following military service:

- (a) December 1974–October 1977, US Army, Active Duty, Captain, Honorable Discharge;
- (b) February 1978–December 2004, SC National Guard, Colonel, Honorable Discharge;
- (c) February 2005–Present, SC Military Department, Joint Services Detachment, Commander, Major General.

Judge Lockemy reported that he has held the following public office:

Member, SC House of Representatives, 1982–1989. Elected. Timely filed State Ethics Commission reports.

(6) Physical Health:

Judge Lockemy appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Lockemy appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Lockemy was admitted to the SC Bar in 1974.

## THURSDAY, JANUARY 14, 2016

He gave the following account of his legal experience since graduation from law school:

- (a) 1974–1977, US Army Judge Advocate General’s Corps;
- (b) 1978–2004, SC Army National Guard, Judge Advocate General’s Corps;
- (c) 1977–January 1978, Associate, A. Glenn Greene, Jr., Latta, SC, General Practice;
- (d) 1978–September 1979, Legislative Assistant, US Senator J. Strom Thurmond. Minority Counsel, Senate Judiciary Committee’s Subcommittee on Antitrust;
- (e) Sept 1979–1989, Partner, Greene, Lockemy and Bailey, Dillon, SC, General Practice;
- (f) June 1989–2008, Judge, SC Circuit Court, At-large Seat 6;
- (g) 2009–present, Judge, SC Court of Appeals, Seat 9.

Judge Lockemy reported that he has held the following judicial offices:

- (a) SC Circuit Court, 1989–2008, elected by the General Assembly.
- (b) SC Court of Appeals, 2008–present, elected by the General Assembly.

Judge Lockemy provided the following list of his most significant orders or opinions:

- (a) State v. Young, No. 2015-UP-345, 2015 WL 4275973 (Ct. App. July 15, 2015);
- (b) State v. Moore, 404 S.C. 634, 746 S.E.2d 352 (Ct. App. 2013);
- (c) Fairchild v. SC Dep’t of Transportation, 385 S.C. 344, 683 S.E.2d 818 (Ct. App. 2009) aff’d, 398 S.C. 90, 727 S.E.2d 407 (2012);
- (d) Holst v. KCI Konecranes Int’l Corp., 390 S.C. 29, 33, 699 S.E.2d 715, 717 (Ct. App. 2010);
- (e) State v. Hinson, I was involved as the trial judge in this case from 2007. In Hinson, the defendant was charged with kidnapping two teenaged girls, keeping them in a dungeon, and raping them. The jury found the State had not proven guilt by a reasonable doubt and acquitted the defendant. This case received national news coverage.

**THURSDAY, JANUARY 14, 2016**

Judge Lockemy reported the following regarding his employment while serving as a judge:

- (a) Adjunct Professor of American History and American Government, Horry-Georgetown Technical College, 2012–present;
- (b) SC National Guard, 1978–2004;
- (c) SC Military Department, Commander of Joint Services Detachment, volunteer, 2005–present. Appointed to the rank of Major General by the Governor and Adjutant General.

(9) Judicial Temperament:

The Commission believes that Judge Lockemy's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Lockemy to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Lockemy is divorced. He has two children.

Judge Lockemy reported that he was a member of the following Bar and professional associations:

- (a) SC Bar Association;
- (b) Judge Advocates Association;
- (c) American Bar Association
  - (i) Executive Committee, National Conference of State Trial Judges, 2008;
  - (ii) Executive Committee, Appellate Judges' Conference, 2011–present;
  - (iii) Secretary, Appellate Judges' Conference, 2014–present;
  - (iv) Co-Chair Editorial Board, The Judges' Journal, 2015–present.

**THURSDAY, JANUARY 14, 2016**

Judge Lockemy provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Dillon Kiwanis Club, President 1986, Youth Baseball Coach since 1980;
- (b) Dillon County Theater Board, President (about 12 years ago);
- (c) Florence Theater Guild;
- (d) Dillon County Veterans' Committee, Co-Chair, 1988–present;
- (e) Kappa Alpha Fraternity.

Judge Lockemy further reported:

Growing up working in a country grocery store provided me with an opportunity to meet many people from different racial, ethnic, and economic backgrounds. Sharing with these amazing individuals illuminated a perspective of life that has been invaluable to me. In addition, the long periods between customers gave me an opportunity and desire to read book after book which led to my interest in history and the law. From these readings, I formed an appreciation of our country as well as the importance of justice and the rule of law in a democratic-republic such as ours. With this background, I have served my country, my state, and the interest of justice to the best of my ability.

(11) Commission Members' Comments:

The Commission commends Judge Lockemy for his nearly six years of excellent service on the Court of Appeals and thanks him for appearing before the Commission to answer members' questions. Judge Lockemy is an asset to the South Carolina judiciary.

(12) Conclusion:

The Commission found Judge Lockemy qualified and nominated him for re-election to the Court of Appeals.

THURSDAY, JANUARY 14, 2016

**CIRCUIT COURT  
QUALIFIED AND NOMINATED**

**The Honorable Edgar Warren Dickson  
Circuit Court, First Judicial Circuit, Seat 1**

**Commission's Findings:        QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Dickson meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Dickson was born in 1950. He is 65 years old and a resident of Orangeburg, South Carolina. Judge Dickson provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1977.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Dickson.

Judge Dickson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Dickson reported that he has not made any campaign expenditures.

Judge Dickson testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

**THURSDAY, JANUARY 14, 2016**

Judge Dickson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Dickson to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Dickson described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Criminal Law Update-Part	01/22/10;
(b) Civil Law Update	01/22/10;
(c) Circuit Judges Conference	05/05/10;
(d) SCAJ Annual Convention	08/05/10;
(e) Annual Judicial Conference	08/18/10;
(f) Solicitor's Conference-With Great Power Comes Great	09/26/10;
(g) NJC General Jurisdiction	10/10/10;
(h) SCDTAA Annual Meeting	11/11/10;
(i) Criminal Law Section	01/21/11;
(j) Civil Law Update	01/21/11;
(k) Circuit Judges Meeting	05/04/11;
(l) SCAJ Annual Convention	08/04/11;
(m) Annual Judicial Conference	08/17/11;
(n) SCDTAA Annual Meeting	11/03/11;
(o) Civil Law Update	01/20/12;
(p) Criminal Law Section-Part 2	01/20/12;
(q) Circuit Judges Conference	05/02/12;
(r) SCAJ Annual Convention	08/02/12;
(s) Annual Judicial Conference	08/22/12;
(t) SCDTAA Annual Meeting	11/08/12;
(u) Civil Law Update	01/25/13;
(v) Criminal Law Section-Part 2	01/25/13;
(w) Ethics with the Judges	04/25/13;
(x) Circuit Judges Meeting	05/01/13;
(y) SCAJ Annual Convention	08/01/13;
(z) Annual Judicial Conference	08/21/13;
(aa) Civil Law Update	01/24/14;
(bb) Criminal Law Section-Part 2	01/24/14;



**THURSDAY, JANUARY 14, 2016**

(cc)	Circuit Judges Meeting	03/24/14;
(dd)	SCAJ Annual Convention	08/07/14;
(ee)	Annual Judicial Conference	08/20/14;
(ff)	Civil Law Update	01/23/15;
(gg)	Criminal Law Update-Part 2	01/23/15;
(hh)	Circuit Judges Conference	03/09/15.

Judge Dickson reported that he has taught the following law-related courses:

- (a) I have made a presentation to the Calhoun County High School teacher's meeting in 2011 on how young people are at risk for lives of crime, and talked about how education can impact their lives and how important it is to take extra steps to keep the children in school;
- (b) I have made a presentation to the Kiwanis Club at one of their 2015 meetings about how Circuit Judges are elected, what their workload involves, and I reviewed the 2014 statistics for civil and criminal cases in Orangeburg County and circuit wide;
- (c) I participated in a panel at the 2009 Public Defender's Conference on "New faces on the bench;"
- (d) I participated in a panel at the 2010 Solicitor's Fall Conference regarding "Top 10 Appellate Decisions from 2009-2010;"
- (e) I participated in a panel speaking to the lawyers attending the 2012 Public Defender's Conference regarding difficulties that can take place when taking a deposition.

(4) Character:

The Commission's investigation of Judge Dickson did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Judge Dickson did not indicate any evidence of a troubled financial status. Judge Dickson has handled his financial affairs responsibly.

The Commission also noted that Judge Dickson was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

**THURSDAY, JANUARY 14, 2016**

- (5) Reputation:  
Judge Dickson reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.
- (6) Physical Health:  
Judge Dickson appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:  
Judge Dickson appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:  
Judge Dickson was admitted to the SC Bar in 1977.

He gave the following account of his legal experience since graduation from law school:

- (a) 1977–1978: Georgaklis and Korn. This was mainly a real estate practice, handling loan closings and foreclosures in every county in this state and some domestic litigation;
- (b) 1978–1982: Sole practitioner for a few months before creating a partnership of Clawson, Dickson and Wilson. We were a small general practice doing real estate, domestic and plaintiff's litigation;
- (c) 1982–1985: Attorney General's Office. Worked in the child support section which involved litigation in Family Court. I averaged fifty hearings per week. Since HLA blood tests and DNA tests were not used when I began, paternity trials were commonplace;
- (d) 1985–1987: The child support section was transferred to the Department of Social Services. I continued to try the same cases. Management duties were added and I was charged with coordinating child support collections for a number of assigned counties in the Midlands;
- (e) 1987–1991: General Counsel for the Second Injury Fund. I defended the Fund against claims of insurance carriers for reimbursement. Later I also defended the Uninsured Employer's Fund from the claims of injured workers. The cases began at a hearing before a single commissioner and appeals continued from the Full Commission, to Circuit

## THURSDAY, JANUARY 14, 2016

court, to Court of Appeals and finally to the Supreme Court;

- (f) 1991–2006: Charles H. Williams, P.A. in Orangeburg. This firm specialized in plaintiff's litigation and criminal defense. However, practicing law in a small city required providing general legal services to our clients. I handled real estate closings, litigation and claims of injured workers before the Workers' Compensation Commission. Additionally, I tried cases in Family Court and Circuit Court. In General Sessions Court, I defended and assisted in criminal defense cases. In Common Pleas, I defended accident cases and assisted in plaintiff's cases;
- (g) 2006: Attorney for the Chief State Information Officer. This involved contract preparation and negotiation in information technology and advising and participating in procurement hearings.
- (h) 2006–2009: Attorney and Assistant Director for General Services Division of the Budget and Control Board. I advised staff on legal matters and participated and monitored law suits involving General Services. I also managed all real estate owned or leased by the State of South Carolina, and appeared before the Joint Bond Review Committee and the Budget and Control Board;
- (i) 2009–present: Resident Circuit Court Judge for First Judicial Circuit. I preside over Common Pleas and General Sessions courts.

Judge Dickson reported that he has held the following judicial office:

I am presently serving as a Circuit Judge, Seat 1 in the First Judicial Circuit, since being elected in 2009.

Judge Dickson provided the following list of his most significant orders or opinions:

- (a) State of SC v. Mario Shivers, Walter Lee Harris, Christian Coleman, Danny Ryant and Ralph Bernard Coleman.

All five defendants were tried in one trial. A sixth defendant testified on behalf of the State. The defendants wanted their cases tried separately. Their motions to sever were each separately denied. The case

**THURSDAY, JANUARY 14, 2016**

took a week to try. All five were convicted of murder and all five appealed. All convictions were affirmed by the Court of Appeals in unpublished opinions: 2012-UP-646, 2012-UP-644, 2-12-UP-645, 2012-UP-647, and 2013-UP-001;

- (b) Henderson v. Summerville Ford-Mercury.

Defendant dealer sought to prevent filing of the confirmation of an arbitration award as a judgment in the county records by paying the award prior to confirmation. I decided that the plaintiff could file the arbitration award as a judgment but had to file the satisfaction as well. On appeal as a matter of first impression and my decision was affirmed. Opinion No. 27313, Appellate Case No. 2012-207606. Henderson v. Summerville Ford-Mercury, Inc., 405 S.C. 440, 748 S.E.2d 221 (2013);

- (c) Beason v. Lowden.

This was an accident case. The plaintiff substantiated medical expenses and lost wages totaling approximately \$40,000. The jury had very loud and aggressive deliberations that could be heard outside the jury room. The foreperson indicated that she had not taken part in the initial verdict and refused to sign the verdict form. After further deliberations where loud voices continued to be heard, the jury returned with a unanimous verdict of \$17,000. Plaintiff moved for new trial nisi additur and the motion was granted in the amount of \$80,000. The Court of Appeals affirmed citing the compelling reasons provided by the trial court for granting additur. See unpublished opinion 2015-UP-131;

- (d) State v. Shaquan Duley.

In this case a mother killed her two children. Just as in the Susan Smith case, this was a case of intense national interest even having the defendant interviewed by Oprah. Trial preparation required consideration of multiple media requests and demands. Eventually the defendant pled guilty;

- (e) State v. Combs.

In this case the Eutawville Police Chief who was white killed an unarmed black man who refused to accept a warrant. This case was one of a number of

**THURSDAY, JANUARY 14, 2016**

cases throughout the nation where white policemen had shot unarmed black men. This case also involved intense national interest. The case was tried in the spotlight for a week. After deliberating for most of a day, the jury at 2:30 a.m. was deadlocked and a hung jury was declared.

Judge Dickson has reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Dickson's temperament is excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge Dickson to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, experience, judicial temperament, and reputation.

Judge Dickson is married to Lessie Gayle Floyd Dickson. He has two sons.

Judge Dickson reported that he was a member of the following Bar and professional associations:

- (a) American Bar Association;
- (b) SC Bar Association;
- (c) Orangeburg County Bar Association-President, Vice President and Secretary-Treasurer offices were held in the 1990's.

Judge Dickson provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) First Presbyterian Church, Orangeburg, SC. Presently and in the past I have been an Elder;
- (b) Orangeburg Presbyterian Church Society—serving as President;

**THURSDAY, JANUARY 14, 2016**

- (c) Saint Andrews Society of Columbia, SC;
- (d) The Society of the High Hills of the Santee.

(11) Commission Members' Comments:

The Commissioners commented that Judge Dickson has ably served as a Circuit Court judge and they appreciate his dedicated service.

(12) Conclusion:

The Commission found Judge Dickson qualified and nominated him for re-election to the Circuit Court.

**The Honorable Diane Schafer Goodstein  
Circuit Court, First Judicial Circuit, Seat 2**

**Commission's Findings: QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Goodstein meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Goodstein was born in 1955. She is 60 years old and a resident of St. George, SC. Judge Goodstein provided in her application that she has been a resident of SC for at least the immediate past five years, and has been a licensed attorney in SC since 1981.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Goodstein.

Judge Goodstein demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges.

Judge Goodstein reported that she made \$75.00 in campaign expenditures for typing.

Judge Goodstein reported that she has not:

**THURSDAY, JANUARY 14, 2016**

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Goodstein reported that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Goodstein to be intelligent and knowledgeable. Her performance on the Commission's practice and procedure questions met expectations.

Judge Goodstein described her past continuing legal or judicial education during the past five years as follows:

	<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a)	2010 SC Bar Convention	01/21/10;
(b)	2010 SC Association for Justice Annual Convention	08/05/10;
(c)	2010 Annual Judicial Conference	08/18/10;
(d)	2010 SC Law Review Symposium: Law & Democracy	10/21/10;
(e)	SC Conference on Lawyer & Judicial Discipline	10/26/10;
(f)	2011 SC Defense Trial Attorneys' Association Annual Meeting	11/11/10;
(g)	2011 SC Bar Convention	01/20/11;
(h)	2011 SC Association for Justice Annual Convention	08/04/11;
(i)	2011 Annual Judicial Conference	08/17/11;
(j)	2011 Summary Court Judges' Conference	09/07/11;
(k)	2011 Commission on Judicial Conduct Seminar	11/01/11;
(l)	The National Judicial College "Theory & Practice of Judicial Leadership: Part 1"	04/23/12;
(m)	2012 SC Circuit Court Judges' Conference	05/02/12;
(n)	2012 SC Annual Judicial Conference	08/22/12;

**THURSDAY, JANUARY 14, 2016**

- (o) The National Judicial College “Theory &  
Practice of Judicial Leadership: Part 2” 09/10/12;
- (p) SC Conference on Lawyer and Judicial  
Discipline 11/07/12;
- (q) 2012 SC Defense Trial Attorneys’ Association  
Annual Meeting 11/08/12;
- (r) 2013 SC Bar Convention 01/24/13;
- (s) 2013 Circuit Court Judges Conference 05/01/13;
- (t) 2013 Annual Judicial Conference 08/21/13;
- (u) 2013 Commission on CLE and  
Specialization Seminar 10/30/13;
- (v) 2014 SC Bar Convention 01/23/14;
- (w) 2014 Circuit Court Judges’ Conference 03/24/14;
- (x) 2014 SC Association for Justice  
Annual Convention 08/07/14;
- (y) 2014 ABA Annual Meeting 08/10/14;
- (z) SC Women Lawyers Association Conference 10/09/14;
- (aa) 2014 Commission on CLE and  
Specialization Seminar 10/29/14;
- (bb) 2015 SC Bar Convention 01/22/15;
- (cc) SC Circuit Court Judges’ Conference 03/09/15;
- (dd) 2015 ABA Annual Meeting 07/30/15.

Judge Goodstein reported that she has taught the following law related courses:

- (a) Panelist for Tort Allocation at the SC Defense Trial  
Attorneys Association Annual Meeting 11/12/10;
- (b) Co-Lecturer at 2011 Orientation School for New  
Magistrates/Municipal Judges 03/25/11;
- (c) Co-Lecturer at 2011 Orientation School for New  
Magistrates/Municipal Judges 04/01/11;
- (d) Speaker at Dorchester County Courthouse Ceremony  
and Flag Dedication 05/19/11;
- (e) Co-Lecturer at 2011 Orientation School for New Circuit  
Court Judges 07/06/11;
- (f) Co-Lecturer at 2011 Orientation Summary Court Judges  
07/29/11;
- (g) Lectured at 2011 Summary Court Judges  
Conference 09/09/11;
- (h) Panelist for Civil Court Judicial Forum “What Civil  
Court Judges Want to Know” 09/16/11;



**THURSDAY, JANUARY 14, 2016**

- (i) Trial Advocacy Final Trials at Charleston School of Law 11/18/11;
- (j) Co-Lecturer at 2012 Orientation School for New Magistrates 03/16/12;
- (k) Co-Lecturer at 2012 Orientation School for New Circuit Court Judges 07/11/12;
- (l) Co-Lecturer at 2012 Orientation School for New Magistrates/Municipal Judges 07/27/12;
- (m) Panelist for Civil Court Judicial Forum “Advanced Discovery and Trial Practice” 10/26/12;
- (n) Co-Lecturer at 2013 Orientation School for Magistrates and Municipal Judges 03/29/13;
- (o) Co-Lecturer at 2013 Orientation School for New Circuit Court Judges 07/10/13;
- (p) Co-Lecturer at 2013 Orientation School for Summary Court Judges 08/02/13;
- (q) Panelist for Discovery Practices “Hide and Seek: A Practitioner’s Guide to Ethical and Effective Discovery Practices” 01/15/14;
- (r) Co-Lecturer at 2014 Orientation School for Magistrates and Municipal Judges 03/28/14;
- (s) Co-Lecturer at 2014 Orientation School for New Circuit Court Judges 07/01/14;
- (t) Lawyer Mentoring Program (Anna Richter Welch) 07/14/14;
- (u) Lawyer Mentoring Program (Angel Daniels) 10/02/14;
- (v) Co-Lecturer at 2015 Orientation School for New Circuit Court Judges 07/08/15.

Judge Goodstein reported that she has published the following books or articles:

- (a) SC Appellate Practice Handbook (SC Bar CLE 1985), Contributing editor;
- (b) Marital Litigation in SC Roy T. Stuckey and F. Glenn Smith (SC Bar CLE 1997);
- (c) I have authored materials to assist with my teaching opportunities however I do not consider them published.

(4) Character:

The Commission’s investigation of Judge Goodstein did not reveal evidence of any founded grievances or criminal

**THURSDAY, JANUARY 14, 2016**

allegations made against her. The Commission's investigation of Judge Goodstein noted, and she disclosed, that an erroneous tax lien was filed against her. She noted that the lien was removed shortly after it was erroneously filed.

(5) Reputation:

Judge Goodstein reported that her last available rating by a legal rating organization, Martindale-Hubbell, was "AV."

(6) Physical Health:

Judge Goodstein appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Goodstein appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Goodstein was admitted to the SC Bar in 1981.

She gave the following account of her legal experience since graduation from law school:

- (a) I began practice as an associate with the firm of Goodstein, Bowling, Douglas & Phillips from 1981 through 1983. I became a partner in Goodstein & Goodstein, PA from 1983 through 1998. After my election to the bench in 1998 and days before I concluded my practice, my law firm merged with the firm of Rosen, Rosen & Hagood, creating Rosen, Goodstein & Hagood. My husband continued to practice with that firm until the end of 2000;
- (b) My private practice was always a general one. However, it progressed from one which primarily was associated with the representation of plaintiffs, to one which represented both plaintiffs and defendants. In the later years, I practiced more often in the public sector, serving as Dorchester County Attorney, as General Counsel for the Charleston County Aviation Authority, and as counsel for Dorchester County School District Number Two. I prosecuted cases for the Charleston County Aviation Authority Police Department. In

## THURSDAY, JANUARY 14, 2016

1997, Goodstein & Goodstein began to represent the South Carolina Insurance Reserve Fund in cases arising in Charleston and Dorchester Counties. After sixteen years, my law practice had expanded into numerous areas of the private and public sector, representing both plaintiffs and defendants.

Judge Goodstein reported that she has held the following judicial offices:

- (a) I was elected as a Resident Judge, First Judicial Circuit, Seat 2 on May 6, 1998 for the term July 1, 1998 through June 30, 2004. I was re-elected on February, 2004 for a term July 1, 2004 through June 30, 2009. I was re-elected on February, 2010 and am currently serving my third term. Limitations on jurisdiction include only those matters for which exclusive jurisdiction lies in the Family Court. The Circuit Court is best described as a court of general jurisdiction;
- (b) I was the acting Master-in-Equity by order of the Chief Justice for a six month period beginning January 1, 2011.

Judge Goodstein provided the following list of her most significant orders or opinions

- (a) State v Bowman, 366 S.C. 45, 623 S.E.2d 378(2005): This was a death penalty case for which many pre-trial orders were issued, the most significant being the order to suppress defendant's confession. This matter was affirmed;
- (b) The Protestant Episcopal Church in the Diocese of SC et al. v. The Episcopal Church (a/k/a, The Protestant Episcopal Church in the United States of America); The Episcopal Church in SC, Case No. 13-CP-18-00013;
- (c) Mary Louise Fairy v. Exxon, Case No. 1994-CP-37-118, order denying motion to reconsider and other relief;
- (d) Aleksey v. State, Case No. 2001-CP-38-00628;
- (e) Timothy D. Rogers, Jr. v. State of SC, Case No. 2000-CP-18-00575; App. Case No. 2011-182846.

**THURSDAY, JANUARY 14, 2016**

Judge Goodstein has reported no other employment while serving as a judge.

Judge Goodstein reported the following regarding an unsuccessful candidacy:

I was a candidate for the SC Supreme Court in 2007 and 2008. I was found qualified, but not nominated.

(9) Judicial Temperament:

The Commission believes that Judge Goodstein's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee found Judge Goodstein to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Goodstein is married to Mr. Arnold Samuel Goodstein. She has two children.

Judge Goodstein reported that she was a member of the following Bar and professional associations:

- (a) SC Bar Association;
- (b) American Bar Association Judicial Delegate, 2001, 2014, 2015;
- (c) Dorchester County Bar Association, Secretary;
- (d) Circuit Judges Association;
- (e) SC Women Lawyers Association.

Judge Goodstein provided that she was a member of the following civic, charitable, educational, social, or fraternal organization:

- (a) Kahol Kadosh Beth Elohim Sisterhood.

(11) Commission Members' Comments:

The Commissioners commented that it appreciates Judge Goodstein's years of hard work and service as a Circuit Court judge.

**THURSDAY, JANUARY 14, 2016**

(12) Conclusion:

The Commission found Judge Goodstein qualified and nominated her for re-election to the Circuit Court.

**The Honorable Doyet A. Early, III  
Circuit Court, Second Judicial Circuit, Seat 1**

**Commission's Findings:        QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Early meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Early was born in 1948. He is 67 years old and a resident of Bamberg, South Carolina. Judge Early provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1974.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Early.

Judge Early demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Early reported that he has not made any campaign expenditures.

Judge Early testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

**THURSDAY, JANUARY 14, 2016**

Judge Early testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Early to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Early described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SC Bar Convention	01/21/10;
(b) October Sporting Clays CLE	10/28/10;
(c) SC Bar Convention	01/20/11;
(d) April Sporting Clays CLE	04/14/11;
(e) Fall Sporting Clays CLE	10/13/11;
(f) SC Bar Convention	01/19/12;
(g) Spring Sporting Clays CLE	04/12/12;
(h) Fall Sporting Clays CLE	10/18/12;
(i) Spring Sporting Clays CLE	04/25/13;
(j) Ethics With Judges Sporting Clays CLE	10/17/13;
(k) SC Bar Convention	12/16/13;
(l) SC Bar Convention	01/23/14;
(m) Ethics With Judges Sporting Clays CLE	04/24/14;
(n) Ethics With Judges Sporting Clays CLE	10/23/14;
(o) SC Bar Convention	01/22/15.

Judge Early reported that he has taught the following law-related courses:

- (a) I participated in a panel discussion at the Solicitor's Conference on recent legal developments in the area of criminal law;
- (b) I participated in a presentation with other judges at the Charleston School of Law on the professional responsibilities of attorneys before the student body;
- (c) I participated in a panel with other judges at the SC Defense Association; topic was "Observation from the Bench;"
- (d) While still in practice, I lectured at a number of CLEs on medical malpractice issues.

**THURSDAY, JANUARY 14, 2016**

Judge Early reported that he has published the following:  
Bifurcated Punitive Damages Proceedings, Doyet A. Early, III, Richard B. Ness and Norma A. T. Jett (SC Trial Lawyer, Summer 1998).

(4) Character:

The Commission's investigation of Judge Early did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Judge Early did not indicate any evidence of a troubled financial status. Judge Early has handled his financial affairs responsibly.

The Commission also noted that Judge Early was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Early reported that his last available rating by a legal rating organization, Martindale-Hubbell, was AV.

Judge Early reported the following military service:  
March 1970–February 1976, Air National Guard, Sergeant, Honorable Discharge.

(6) Physical Health:

Judge Early appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Early appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Early was admitted to the SC Bar in 1974.

He gave the following account of his legal experience since graduation from law school:

- (a) November 1974 to July 1976 practiced with W. D. Rhoad, Bamberg, SC—general practice;

**THURSDAY, JANUARY 14, 2016**

- (b) July 1976 opened as a sole practitioner—His practice grew and at the time he took the bench he was the senior and founding member of Early & Ness, a firm with three partners, two associates and staff. He served as the County Attorney for Bamberg County for over twenty-five years. His practice covered all general areas with particular emphasis on medical malpractice litigation.

Judge Early provided the following list of his most significant orders or opinions:

- (a) Estate of James Brown—the management of all of the numerous issues and resulting litigation continues to be the most challenging, interesting, complicated and contentious case that I have had during my tenure as a judge. Many of my rulings have been appealed, some reversed, some affirmed. Hopefully, the case is now in a posture for all issues to be resolved, of course, subject to further appeal. Reported cases are as follows: Wilson v. Dallas—Supreme Court, February 27, 2013 No. 27227; Cannon v. Georgia Attorney General's Office—Supreme Court, May 2, 2012 No. 27119; Ex Parte Cannon—Court of Appeals, June 23, 2009 No. 470; Pope v. Estate of James Brown—Supreme Court, June 10, 2015 No. 2015-MO-032; Ex Parte Pope—Supreme Court, June 10, 2015 No. 2015-MO-031; Hollander v. Irrevocable Trust established by James Brown—Court of Appeals, April 1, 2015 No. 2015-UP-169; Ex Parte Cannon—Court of Appeals, June 23, 2009 No. 4570;
- (b) The State v. Kenneth Simmons—This was a death penalty PCR case. Mr. Simmons had been convicted of murder and sentenced to death. All of his appeals had been exhausted. The case was assigned to me to determine whether he was mentally retarded as mandated by the US Supreme Court in Atkins v. Virginia. I found him to be mentally retarded thus commuting his sentence to life. This case is currently on appeal;
- (c) Heather Herron v. Rick Hendrick of Easley—This was the second case that I have tried regarding the interpretation of the car dealers act and its application to



**THURSDAY, JANUARY 14, 2016**

administrative or closing fees charged to car purchasers. Approximately three hundred cases involving dealers across SC have been filed. All have been consolidated for discovery, two tried. The first week long trial resulted in a defense verdict, the second week long trial resulted in a multi million dollar plaintiff's verdict. That case is currently on appeal. All of the other cases are being held in abeyance pending the Supreme Court's decision;

- (d) The State v. Michael R. Batchelor–Batchelor was convicted after a jury trial of several charges stemming from an automobile wreck in which his three minor sons were killed and three other minors were injured. The defendant supplied all of the minors with alcohol at his house and when they ran out of alcohol they all left the home to buy more alcohol and look for marijuana. The defendant decided that he was too drunk to drive and encouraged and allowed his fifteen year old son who did not have a license, beginner's permit or any driving experience to drive. He had a head-on collision resulting in the deaths and injuries. The minor driver's blood alcohol was .108 at the time of his death. The defendant was not driving, but was tried on a theory of accomplice liability. He was convicted. Numerous issues regarding the indictments and accomplice liability arose during the trial. The conviction and rulings were all affirmed by the SC Supreme Court in Opinion No. 26455 on April 21, 2008;
- (e) Julie Tuten v. David C. Joel–This was a legal malpractice suit tried in Aiken, SC which resulted in a \$275,000.00 verdict for the plaintiff. The case presented many complicated issues including granting the plaintiff a partial directed verdict and denying the defendant's motion for a new trial nisi remittitur. The case was affirmed on appeal by the SC Court of Appeals in Opinion No. 5268 filed August 27, 2014.

Judge Early has reported no other employment while serving as a judge.

**THURSDAY, JANUARY 14, 2016**

(9) Judicial Temperament:

The Commission believes that Judge Early's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Early to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. In comment, the Committee stated they found Judge Early to be a "hard working, fair, and dedicated jurist. His people skills and his intelligence also make him an outstanding Circuit Court Judge." In summary, the Committee stated that, "Judge Early is a credit to the SC Circuit Court, possessing all the traits most sought after for that position."

Judge Early is married to Linda Lee Foy Early. He has two children.

Judge Early reported that he was a member of the following Bar and professional association:

(a) SC Bar.

Judge Early provided that he was not a member of any civic, charitable, educational, social, or fraternal organizations.

Judge Early further reported:

I consider my election and service since May 1, 2004 as a Circuit Court Judge to be the highest professional honor and privilege that I have ever had. I take all of my duties, requirements and responsibilities with the strongest professional and personal commitment possible. I have attempted to conduct myself professionally and personally in such a manner to avoid any negative reflection on the Judicial system. I am sixty-seven years old, have been married for forty-six years, practiced law for thirty years, have been on the bench for eleven plus years, raised two boys, was the oldest of five children and now have two granddaughters. I use all of the experiences in the above roles to guide my everyday decisions as a judge.

**THURSDAY, JANUARY 14, 2016**

(11) Commission Members' Comments:

The Commission commends Judge Early for his nearly twelve years of service on the Circuit Court bench and thanks him for appearing before the Commission to answer its members' questions and respond to comments received from the SC Bar's survey and Midlands Committee's review.

(12) Conclusion:

The Commission found Judge Early qualified and nominated him for re-election to the Circuit Court.

**The Honorable Ralph Ferrell Cothran, Jr.  
Circuit Court, Third Judicial Circuit, Seat 1**

**Commission's Findings:            QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Cothran meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Cothran was born in 1952. He is 63 years old and a resident of Manning, South Carolina. Judge Cothran provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1977.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Cothran.

Judge Cothran demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Cothran reported that he has not made any campaign expenditures.

Judge Cothran testified he has not:

**THURSDAY, JANUARY 14, 2016**

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Cothran testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Cothran to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Cothran described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SC Circuit Court Judges Association	05/05/2010;
(b) SCAJ 2010 Annual Convention	08/05/2010;
(c) 2010 Judicial Conference	08/18/2010;
(d) 43rd Annual Meeting	11/11/2010;
(e) Criminal Law Section	01/21/2011;
(f) Trial and Appellate Advocacy Section	01/21/2011;
(g) SC Circuit Court Judges' Conference	05/04/2011;
(h) 2011 SCAJ Annual Convention	08/04/2011;
(i) 2011 Annual Judicial Conference	08/17/2011;
(j) Part 2 Criminal Law Section	01/20/2012;
(k) Trial and Appellate Advocacy Section	01/20/2012;
(l) Annual Circuit Court Judges Conference	05/02/2012;
(m) 2012 Annual Convention	08/02/2012;
(n) 2012 Annual Judicial Conference	08/22/2012;
(o) Annual Meeting	11/08/2012;
(p) Trial and Appellate Advocacy Section	01/25/2013;
(q) Part 2: Criminal Law Section	01/25/2013;
(r) Lawyer Mentoring Program	03/01/2013;
(s) Spring Conference CLE	05/01/2013;
(t) 2013 Annual Convention	08/01/2013;
(u) 2013 Annual Judicial Conference	08/21/2013;
(v) Fall Sporting Clays: Ethics with the Judges	10/17/2013;

**THURSDAY, JANUARY 14, 2016**

- (w) Criminal Law Section–Part 2 01/24/2014;
- (x) Trial and Appellate Advocacy Section Civil Law Update 01/24/2014;
- (y) 2014 Circuit Court Judges Conference 03/24/2014;
- (z) Sporting Clays CLE: Ethics with the Judges 04/24/2014;
- (aa) 2014 Annual Convention 08/07/2014;
- (bb) 2014 Annual Judicial Conference 08/20/2014;
- (cc) SCDTAA Annual Meeting 11/16/2014;
- (dd) Trial and Appellate Advocacy Section: Lessons from the “Fly on the Wall: What You Can Learn from the Buzz” Civil Law Update 01/23/2015;
- (ee) Part 2: Criminal Law Section 01/23/2015.

Judge Cothran reported that he has taught the following law-related courses:

- (a) I conducted a course at the Criminal Justice Academy over a five year period regarding Auto Theft and Chop Shop Law;
- (b) I have conducted classes on Search and Seizure to local law enforcement and the local bar, as well as a presentation to the Circuit Court Judges.

Judge Cothran reported that he has not published any books and/or articles.

(4) Character:

The Commission’s investigation of Judge Cothran did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission’s investigation of Judge Cothran did not indicate any evidence of a troubled financial status. Judge Cothran has handled his financial affairs responsibly.

The Commission also noted that Judge Cothran was punctual and attentive in his dealings with the Commission, and the Commission’s investigation did not reveal any problems with his diligence and industry.

**THURSDAY, JANUARY 14, 2016**

(5) Reputation:

Judge Cothran reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Cothran reported that he has held the following public offices:

- (a) Chairman, Election Commission, 1979–1990, appointed by John C. Land, III;
- (b) Assistant Solicitor, 1983–September 2006, appointed by Wade S. Kolb, Jr.

(6) Physical Health:

Judge Cothran appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Cothran appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Cothran was admitted to the SC Bar in 1977.

He gave the following account of his legal experience since graduation from law school:

- (a) Cothran, Chandler and Cothran, 1977–early 1979;
- (b) Cothran and Cothran, 1979–1997;
- (c) Cothran and Robinson, 1997–2000;
- (d) Clarendon County Attorney, 1979–September 2006;
- (e) Assistant Solicitor for the Third Judicial Circuit, 1983–September 2006;
- (f) Circuit Court Judge of the Third Judicial Circuit, September 2006–present.

My practice consisted of real estate, probate, family, civil and criminal matters.

Judge Cothran reported that he has held the following judicial offices:

- (a) February 15, 2006 to fill unexpired term of Thomas W. Cooper, Jr. (Elected);
- (b) October 1, 2006–present (Elected).

## THURSDAY, JANUARY 14, 2016

General civil and criminal jurisdiction throughout the state.

Judge Cothran provided the following list of his most significant orders or opinions:

- (a) Homeowners Services vs. Donald J. Hatcher, et al., (2006-CP-43-1688);
- (b) Oka Deas Gilliard, et al. vs. Darci Strickland, et al., (2008-CP-43-1384);
- (c) W.A. Berry, et al. vs. Lee County Landfill SC, LLC, et al., (2011-CP-31-166);
- (d) Janice H. Smith, et al. vs. Rebecca Baird, J.D., et al., (2012-CP-10-04064);
- (e) Gunner Palm, Jr. vs. Atlantic Pools & Water Features, Inc., (2014-CP-43-00643).

Judge Cothran has reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Cothran's temperament would be excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Cothran to "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Cothran is married to Deborah Jean Brakefield. He has three children.

Judge Cothran reported that he was a member of the following Bar and professional associations:

- (a) SC Bar;
- (b) Clarendon County Bar Association.

**THURSDAY, JANUARY 14, 2016**

Judge Cothran provided that he was a member of the following civic, charitable, educational, social, or fraternal organization:

- (a) First Presbyterian Church of Manning, Clerk of Session/Chairman.

Judge Cothran further reported:

In my judgeship, I have enjoyed serving the people of SC. I am aware of the importance of how each litigant feels about their case and I have tried to treat everyone with respect and in the same manner that I would want to be treated.

(11) Commission Members' Comments:

The Commission commented that Judge Cothran is known as an excellent Circuit Court judge who has diligently performed his duties since 2006.

(12) Conclusion:

The Commission found Judge Cothran qualified and nominated him for re-election to the Circuit Court.

**The Honorable Brian M. Gibbons  
Circuit Court, Sixth Judicial Circuit, Seat 1**

**Commission's Findings:      QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Gibbons meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Gibbons was born in 1966. He is 49 years old and a resident of Chester, South Carolina. Judge Gibbons provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1992.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Gibbons.



**THURSDAY, JANUARY 14, 2016**

Judge Gibbons demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Gibbons reported that he has not made any campaign expenditures.

Judge Gibbons testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Gibbons testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Gibbons to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Gibbons described his continuing legal or judicial education during the past five years as follows:

Conference/CLE Name	Date(s)
(a) Annual Judicial Conference for past 5 years	August of each year;
(b) SC Conference of FC Judges for past 5 years	April of each year;
(c) SC Bar Convention–Seminar	January of each year for past 5 years;
(d) Family Court Bench/Bar Seminar	December of each year;
(e) SC Circuit Judges Convention	Past two years;
(f) Solicitors/Public Defender's Conference	2013, 2014;
(g) SCAJ Convention	for past 5 years.

I have always carried over the full slate of CLE hours since I have been a judge.

**THURSDAY, JANUARY 14, 2016**

Judge Gibbons reported that he has taught the following law-related courses:

- (a) I have presented at the 2010 SC Bar Program “Bridge the Gap” for new lawyers as part of a panel dealing with Family Court;
- (b) National Business Institute–”What Family Court Judges want you to know. May 2010 Panel and May 2012 Panel;
- (c) SC Rules of Family Court-2/08, 2/10;
- (d) SC Bar–Rules, Rules, Rules Seminar;
- (e) I have also presented and moderated at the Family Court Bench/Bar seminars broadcast statewide in December of 2010 and 2011;
- (f) SCAJ Convention–Participated in a panel discussion on Family Court matters in 2009;
- (g) Solicitors Solicitors/Public Defender’s Convention–I have presented and served on a panel presentation for various issues for the past two years;
- (h) For the last two years I have instructed a Maymester course for 2 weeks at the Charleston School of Law. This class was at night so as not to interfere with my court schedule.

Judge Gibbons reported that he has not published any books and/or articles.

(4) Character:

The Commission’s investigation of Judge Gibbons did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission’s investigation of Judge Gibbons did not indicate any evidence of a troubled financial status. Judge Gibbons has handled his financial affairs responsibly.

The Commission also noted that Judge Gibbons was punctual and attentive in his dealings with the Commission, and the Commission’s investigation did not reveal any problems with his diligence and industry.

**THURSDAY, JANUARY 14, 2016**

- (5) Reputation:  
Judge Gibbons reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.
- (6) Physical Health:  
Judge Gibbons appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:  
Judge Gibbons appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:  
Judge Gibbons was admitted to the SC Bar in 1992.

He gave the following account of his legal experience since graduation from law school:

- (a) Associate–Hamilton, Hamilton & Delleney, PA; August 1992–December 1993;
- (b) Partner–Hamilton, Delleney & Gibbons, PA; 1994–May 25, 2005;
- (c) City Attorney–Chester; 1994–2000;
- (d) Town Attorney–Great Falls, 1997–May 2005;
- (e) Town Attorney–Fort Lawn, 1998–January 2005;
- (f) Prior to being elected to the Bench, I was involved in a general practice law firm. I primarily practiced in the areas of Family Law, Criminal, and Civil litigation for almost thirteen (13) years prior to being elected to the Bench. I have represented clients in civil litigation in Common Pleas and Magistrate Courts–both plaintiff and defense. I have represented many criminal defendants ranging in seriousness from DUI offenses to Armed Robbery. Being from a small, rural county, I was able to practice law in many different areas, which I believe has trained me to be a good judge who understands all the different areas of practicing law, thus ensuring fairness and justice for litigants, defendants, and lawyers.

Judge Gibbons provided that prior to his service on the bench he most often served as sole counsel.

## THURSDAY, JANUARY 14, 2016

Judge Gibbons reported that he has held the following judicial offices:

- (a) May 2005–Elected to Seat One of the Family Court, Sixth Judicial Circuit;
- (b) February 2007–Re-elected to the Family Court;
- (c) February 2013–Re-elected to the Family Court;
- (d) May 2013–elected to the Circuit Court, Seat One, Sixth Judicial Court, serving continuously since.

Judge Gibbons provided the following list of his most significant orders or opinions:

- (a) Pittman v. Pittman, (07-DR-46-967) SC Court of Appeals Opinion 4858;
- (b) State vs. Deel, Felony DUI case from Fairfield County;
- (c) Doe v. Lingerfelt, Creel, and Baby Girl B, (11-DR-11-11);
- (d) Purser v. Owens, (05-DR-29-496) SC Ct. App Opinion 4898;
- (e) Miles v. Miles, (06-DR-24-439) SC Sup. Ct. Opinion 26980 (a).

Judge Gibbons reported the following regarding his employment while serving as a judge:

May 2014 and 2015. I taught a May-Mester class at the Charleston School of Law. Class met at night for two weeks so as not to conflict with my court schedule.

(9) Judicial Temperament:

The Commission believes that Judge Gibbons’s temperament would be excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualifications found Judge Gibbons to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also “Well Qualified” in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. In summary, the Committee stated that, “Judge Gibbons is a hardworking and enthusiastic judge who combines a great deal of thoughtfulness and common sense. The Committee was

**THURSDAY, JANUARY 14, 2016**

struck by his evident diligence and conscientiousness and considers him a fine Circuit Court Judge.”

Judge Gibbons is married to Lorena Crouch Gibbons. He has three children.

Judge Gibbons reported that he was a member of the following Bar and professional associations:

- (a) SC Bar–Sixth Circuit Representative–Young Lawyers Division;
- (b) SC Trial Lawyers Association–Board of Governors, Sixth Circuit Representative;
- (c) Chester County Bar–Sec/Treas;
- (d) Municipal Attorneys Association;
- (e) SC Conference of Family Court Judges (05-13);
- (f) National Conference of Juvenile and Family Court Judges (05-13);
- (g) SC Circuit Judges Association.

Judge Gibbons provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Chester Rotary Club/Past President, Paul Harris Fellow;
- (b) Chester YMCA Board/Past President;
- (c) Chester/Fairfield Citadel Club–Past President, Sec/Treas;
- (d) Blackstock Bluegrass Inc.–Past President;
- (e) The Citadel Alumni Association;
- (f) Richard Winn Academy–Board member;
- (g) Palmetto Boys State Staff for 30+ years;
- (h) Board of Deacons, Chester ARP Church–Past Chairman/Currently Secretary.

Judge Gibbons further reported:

I have always been very involved in my church and community. I have coached all of my children in their various sport activities. I have been actively involved with the American Legion Palmetto Boys State program for the past 32 years. I continue to serve as a Junior High Youth Group leader with my church. I am currently serving as the Secretary of the Chester Associate Reformed Church Diaconate.

**THURSDAY, JANUARY 14, 2016**

(11) Commission Members' Comments:

The Commission commented on Judge Gibbons positive transition to the Circuit Court bench from Family Court and thanked him for his service to the state of South Carolina.

(12) Conclusion:

The Commission found Judge Gibbons qualified and nominated him for re-election to the Circuit Court.

**The Honorable Frank Robert Addy, Jr.  
Circuit Court, Eighth Judicial Circuit, Seat 1**

**Commission's Findings:            QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Addy meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Addy was born in 1967. He is 48 years old and a resident of Greenwood, South Carolina. Judge Addy provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1993.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Addy.

Judge Addy demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Addy reported that he has not made any campaign expenditures.

Judge Addy testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;

**THURSDAY, JANUARY 14, 2016**

- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Addy testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Addy to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Addy described his continuing legal or judicial education during the past five years as follows:

	<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a)	SC Bar Convention	1/21/10;
(b)	Probate Judges Legislative Conference	2/16/10;
(c)	SC Circuit Judges Conference	5/5/10;
(d)	New Circuit Judge's Orientation School	7/7/10;
(e)	SCAJ Conference	8/5/10;
(f)	Annual Judicial Conference	8/18/10;
(g)	SC Public Defenders Convention	9/27/10;
(h)	SC Bar Convention	1/21/11;
(i)	SC Circuit Judges Conference	5/4/11;
(j)	SCAJ Conference	8/4/11;
(k)	Annual Judicial Conference	8/17/11;
(l)	SCDTAA Conference	11/3/11;
(m)	SC Bar Convention	1/20/12;
(n)	National Judicial College, Reno, NV	4/2012;
(o)	SC Circuit Judges Conference	5/2/12;
(p)	SCDTAA Summer Conference	7/26/12;
(q)	SCAJ Conference	8/2/12;
(r)	Annual Judicial Conference	8/22/12;
(s)	SCDTAA Conference	11/8/12;
(t)	SC Bar Convention	1/25/13;
(u)	SC Circuit Judges Conference	5/1/13;
(v)	SCAJ Conference	8/1/13;
(w)	Annual Judicial Conference	8/21/13;
(x)	SCDTAA Conference	11/7/13;

**THURSDAY, JANUARY 14, 2016**

(y)	SC Bar Convention	1/24/14;
(z)	SC Circuit Judges Conference	3/24/14;
(aa)	SCAJ Conference	8/7/14;
(bb)	Annual Judicial Conference	8/20/14;
(cc)	SC Bar Convention	1/22/15;
(dd)	SC Circuit Judges Conference	3/9/15;
(ee)	SCAJ Conference	8/6/15;
(ff)	Annual Judicial Conference	8/20/15.

Judge Addy reported that he has taught the following law-related courses:

- (a) "Dual Diagnosis"  
SC Association of Probate Judges, October 9, 2001.  
Presentation addressed the problematic practical and procedural issues concerning stabilization and treatment of mentally ill/chemically dependent individuals;
- (b) "New Probate Judge's School"  
SC Court Admin. and SCAPJ, January 10, 2013 & March 15, 2007.  
Planned topics, organized speakers and materials, and moderated the 2003 New Probate Judge's School. Personally addressed topics of ethics and estate taxation at the 2003 and 2007 schools;
- (c) "Therapeutic Commitments–Judicial Issues and Supplemental Proceedings"  
SC Association of Probate Judges, August 6, 2004.  
Lecture on the jurisdictional validity of commitment orders throughout the state and between states with discussion of supplemental proceedings due to non-compliance;
- (d) "General Probate Issues"  
Greenwood County Bar, September 30, 2004.  
Presentation geared toward general practitioner. Presentation discussed recent changes in the law, disclaimers, omitted spouse and elective share petitions, and other matters related to probate jurisdiction;
- (e) "Creditor's Claim Presentment in the Probate Court"  
SC Morticians Assoc., October 24, 2004.  
Procedural law for presenting a claim against a decedent's estate;



**THURSDAY, JANUARY 14, 2016**

- (f) 13<sup>th</sup> Annual Probate Bench/Bar, Course Planner and Moderator  
SC Bar CLE Division, September 16, 2005.  
I planned and moderated the 2005 Bench/Bar and was subsequently told that the attendance for the event surpassed all previous bench/bar conferences;
- (g) “Temporary and Emergency Measures in Probate Proceedings”  
SC Assoc. of Probate Judges, September 25, 2005.  
Procedural overview of Rule 65, SCRCF, governing temporary injunctions as compared to Section 62-3-607 governing emergency orders in the estate context and 62-5-310 governing appointment of emergency temporary guardians;
- (h) “The Probate Process and Presentation of Creditors’ Claims in SC’s Probate Courts”  
SC Oncology Assoc., May 18, 2006.  
Presentation was a procedural overview of the process for probating an estate, presenting claims against an estate, and explanation of time limits involved;
- (i) “Roundtable Discussion”  
SC Assoc. of Probate Judges, August 4, 2006.  
Served as panel member and discussed recent issues/hypotheticals;
- (j) “Recent Issue in the Probate Court”  
Greenwood County Bar, February 23, 2007.  
Presentation discussed the Franklin and Brown cases concerning unauthorized practice of law and addressed competency issues when a client may be suffering from mental incapacity;
- (k) “Probate Potluck”–Round Table Discussion  
SC Assoc. of Probate Judges, September 12, 2007.  
Panel member for discussion of various probate topics;
- (l) “Involuntary Mental Illness Commitments”  
SC Summary Court Judges Assoc., May 6, 2008.  
Presentation on procedural and substantive law concerning involuntary commitments due to mental illness or chemical dependency.
- (m) Panel Discussion

**THURSDAY, JANUARY 14, 2016**

SC Public Defender's Assoc., September 27, 2010.

Participated as a panel member to discuss issues commonly seen in general sessions court;

- (n) "Motions Practice in Circuit Court"

SCDTTA Assoc., July 28, 2012.

Judge Young and I gave a presentation on effective techniques in making motions in the common pleas context;

- (o) "Top 10 things that annoy me...and probably other judges"

SC Bar Convention, January 24, 2014.

Served as a panel member with two other circuit judges to discuss inefficiencies and other common problems frequently observed in the Circuit Court;

- (p) "Petitions to Restore Firearm Rights"

SC Probate Judges Assoc., February 19, 2015.

Presentation addressed the recent changes in the law permitting individuals who were previously involuntarily committed to petition for restoration of their Second Amendment rights.

Judge Addy reported that he has not published any books and/or articles.

- (4) Character:

The Commission's investigation of Judge Addy did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Judge Addy did not indicate any evidence of a troubled financial status. Judge Addy has handled his financial affairs responsibly.

The Commission also noted that Judge Addy was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

- (5) Reputation:

Judge Addy reported that he is not rated by any legal rating organization.

**THURSDAY, JANUARY 14, 2016**

Judge Addy reported that he has held the following public offices:

- (a) Probate Judge for Greenwood County, Elected, June, 1999–April, 2010  
Responsible for contested hearings concerning all aspects within the court’s jurisdiction under Title 62.
- (b) Acting Circuit Court Judge, Appointed, September, 2006–2008
- (c) Eighth Circuit Drug Court Judge, Appointed, August 18, 2008–Present  
Appointed by the Chief Justice to serve as judge for the Eighth Circuit Drug Court program. Jurisdiction limited per the Chief Justice’s order.
- (d) Resident Circuit Judge, Eighth Judicial Circuit, Seat 1, Elected, April 16, 2010–Present  
Court of general, state-wide jurisdiction except as to domestic or probate matters. The Court addresses all manner of civil and criminal cases.

(6) Physical Health:

Judge Addy appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Addy appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Addy was admitted to the SC Bar in 1993.

He gave the following account of his legal experience since graduation from law school:

- (a) Eighth Circuit Solicitor’s Office, September, 1993–February, 1997  
Prosecuted all types of felony and misdemeanor cases, including homicides.  
Promoted Deputy Solicitor during my tenure and successfully reduced the backlog in the county for which I was responsible from 20 pages to 6 pages;
- (b) Sheek, Addy & Medlock, PA, March, 1997–February, 1998

## THURSDAY, JANUARY 14, 2016

Upon the passing of my father, I engaged in general private practice, including personal injury, domestic and criminal cases;

- (c) Chief Public Defender for Greenwood and Abbeville Counties, February, 1998–June, 1999

Responsible for defending clients charged in general sessions as well as juvenile court. Oversaw operation of office and defended all manner of criminal cases;

- (d) Probate Judge for Greenwood County, June, 1999–April, 2010

Responsible for contested hearings concerning all aspects of the court's jurisdiction.

Managed the case docket and substantially reduced delinquency in pending cases.

Also served as Special Referee for civil matters referred to me for trial or hearing;

- (e) Greenwood Clerk of Court, June, 2003–August, 2003

Upon the retirement of Greenwood's Clerk and per state law, I assumed the role of acting clerk of court until the Governor made an appointment;

- (f) Acting Circuit Court Judge, September, 2006–2008

Appointed by the Chief Justice while Greenwood's resident judge was recovering from a serious illness;

- (g) Eighth Circuit Drug Court Judge, August 18, 2008–Present

Appointed by the Chief Justice to serve as judge for the Eighth Circuit Drug Court program. Preside over and supervise drug court participants throughout their participation. Worked with the Solicitor in establishing the program and crafting the model;

- (h) Resident Circuit Judge, Eighth Judicial Circuit, Seat 1, April 16, 2010–Present

Preside over the Circuit Court, a court of general jurisdiction. The Court addresses all manner of civil and criminal cases.

Judge Addy provided that prior to his service on the bench he most often served as lead counsel.

Judge Addy reported that he has held the following judicial office(s):

## THURSDAY, JANUARY 14, 2016

- (a) Probate Judge for Greenwood County, Elected, June, 1999–April, 2010  
Responsible for contested hearings concerning all aspects within the court’s jurisdiction under Title 62.
- (b) Acting Circuit Court Judge, Appointed, September, 2006–2008
- (c) Eighth Circuit Drug Court Judge, Appointed, August 18, 2008–Present  
Appointed by the Chief Justice to serve as judge for the Eighth Circuit Drug Court program. Jurisdiction limited per the Chief Justice’s order.
- (d) Resident Circuit Judge, Eighth Judicial Circuit, Seat 1, Elected, April 16, 2010–Present  
Court of general, state-wide jurisdiction except as to domestic or probate matters. The Court addresses all manner of civil and criminal cases.

Judge Addy provided the following list of his most significant orders or opinions:

- (a) State v. Andrew Lee Harrison, 402 S.C. 288, 741 S.E.2d 727 (2013). Mr. Harrison was found guilty of leaving the scene of an accident involving death, and a substantial sentence was imposed. Counsel for Harrison argued that the penalty provisions of Section 56-5-1210 were unconstitutional under the Eighth Amendment, and I disagreed. On appeal and citing recent statistical evidence, the Supreme Court affirmed finding no Eighth Amendment violation and that the penalty provisions of the statute granted broad discretion under the Eighth Amendment. In commenting on my statements at sentencing, the Supreme Court stated that the court’s “statements at sentencing are the very embodiment of proportionality....” The case also served to outline the appropriate procedure for a trial court when faced with statistical, intrajurisdictional comparisons between sentencing statutes;
- (b) Forest Byrd v. Judy Livingston, TIAA Timberlands, II, LLC, 398 S.C. 237, 727 S.E.2d 620 (Ct. App. 2012) (cert. den’d. May 7, 2014). This case concerned an effort to set aside a settlement agreement which had not been reduced to a formal agreement but which had been

**THURSDAY, JANUARY 14, 2016**

agreed upon in mediation. The primary issue was whether the Byrd could insist on a term's inclusion in the agreement seeking to bind third-party to the agreement and then seek to avoid Byrd's obligations under the agreement when that third-party refused to join in the settlement. I found that Boyd was still bound under the agreement and that the added term did not constitute a condition precedent necessary to trigger Byrd's performance. The Court of Appeals affirmed and quoted from my order in holding that "Byrd should not be rewarded for asking that a term be included in the Agreement and then seek to avoid the Agreement [once the third-party fails to agree to that term].";

- (c) State v. Ashley N. Hepburn, 406 S.C. 416, 753 S.E.2d 402 (2013). This case involved charges of homicide by child abuse in a boyfriend/girlfriend scenario. The defendants were tried jointly and the case took roughly three weeks to try including pretrial motions. Bruton and Crawford issues were of primary concern at trial, the jury found Hepburn guilty, and the court sentenced her to forty-five years. On appeal, the Supreme Court took the opportunity to define the waiver rule as it relates to recent holdings concerning substantial circumstantial evidence at the directed verdict stage;
- (d) State v. Juan Burns, 12-GS-30-1044, 1045. This murder case concerned application of the castle doctrine prior to the Supreme Court's decision in State v. Curry, 406 S.C. 364, 752 S.E.2d 263 (2013). In denying application of the castle doctrine, my order essentially anticipated and parroted the Supreme Court's holding in Curry;
- (e) State v. Karlita Phillips, 2014-GS-01-212, 213. This was another murder case which I recently tried. The case was strange in that the State alleged Phillips hired a juvenile to murder her husband, yet he shot the brother of the intended victim, mistaking him for Phillips' husband. Preliminarily, much of the State's case relied upon statements by the non-testifying shooter given to third persons which provided motive and implicated Phillips; accordingly, Crawford and Bruton were implicated. Ms. Phillips was convicted.

**THURSDAY, JANUARY 14, 2016**

Judge Addy reported he has not personally handled any civil or criminal appeals.

Judge Addy has reported no other employment while serving as a judge.

Judge Addy further reported the following regarding an unsuccessful candidacy:

I sought Seat 2 of the Eighth Circuit Court in 2009 and withdrew prior to the election.

(9) Judicial Temperament:

The Commission believes that Judge Addy's temperament would be excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualifications found Judge Addy to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Addy is married. He has two children.

Judge Addy reported that he was a member of the following Bar and professional associations:

- (a) SC Bar Association, 1993–Present;
- (b) President, SC Assoc. of Probate Judges, 2005–06;
- (c) SC Association of Probate Judges, 1999–2010;
- (d) Chairman, Advisory Committee to the Chief Justice, 2001–03;
- (e) SC Circuit Judges Assoc., 2010–Present.

Judge Addy provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Greenwood Masonic Lodge AFM #91 (since 1998);
- (b) Links at Stoney Point (social and pool membership);
- (c) Greenwood Country Club (social, pool, and tennis membership);
- (d) Greenwood Cotillion Club.

**THURSDAY, JANUARY 14, 2016**

(11) Commission Members' Comments:

The Commission commented that Judge Addy has a very good reputation on the bench and thanked him for his lengthy service to South Carolina.

(12) Conclusion:

The Commission found Judge Addy qualified and nominated him for re-election to the Circuit Court.

**The Honorable David Garrison Hill  
Circuit Court, Thirteenth Judicial Circuit, Seat 4**

**Commission's Findings: QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Hill meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Hill was born in 1964. He is 51 years old and a resident of Greenville, SC. Judge Hill provided in his application that he has been a resident of SC for at least the immediate past five years, and has been a licensed attorney in SC since 1990.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Hill.

Judge Hill demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges.

Judge Hill reported that he has not made any campaign expenditures.

Judge Hill reported that he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;



**THURSDAY, JANUARY 14, 2016**

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Hill reported that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Hill to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Hill described his past continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Circuit Judge's Conference	3/9/15–3/11/15;
(b) SC Bar Annual Meeting Civil & Criminal Law Updates	1/23/15;
(c) SC Association of Counties	11/20/14;
(d) SC Bar Construction Law	9/26/14;
(e) Annual Judicial Conference	8/20/14;
(f) SCDTAA Summer Meeting	7/26/14;
(g) Ethics with the Judges	4/24/14;
(h) Trial and Appellate Advocacy Section Civil Law Update	1/24/14;
(i) SCDTAA Annual Meeting	11/7/13;
(j) Fall Sporting Clays: Ethics with the Judges	10/17/13;
(k) Annual Judicial Conference	8/21/13;
(l) Orientation School for New Circuit Court Judges	7/10/13;
(m) Spring Conference	5/1/13;
(n) Trial & Appellate Advocacy Section	1/25/13;
(o) Part 2: Criminal Law Section	1/25/13;
(p) SCDTAA Annual Meeting	11/8/12;
(q) Fall Sporting Clays	10/18/12;
(r) Annual Judicial Conference	8/22/12;
(s) SCAJ Annual Convention	8/2/12;
(t) Ethics Update	5/24/12;
(u) Annual Circuit Court Judges Conference	5/2/12;
(v) Part 2: Criminal Law Section	1/20/12;
(w) Trial & Appellate Advocacy Section	1/20/12;

**THURSDAY, JANUARY 14, 2016**

(x)	Ethics	10/13/11;
(y)	The Fourth Amendment	9/12/11;
(z)	Annual Judicial Conference	8/17/11;
(aa)	Orientation School for New Circuit Court Judges	7/6/11;
(bb)	SC Circuit Court Judges' Conference	5/4/11;
(cc)	Criminal Law Section	1/21/11;
(dd)	Trial & Appellate Advocacy Section	1/21/11;
(ee)	SCDTAA Annual Meeting	11/11/10;
(ff)	Sporting Clays: Ethics with Judges	10/28/10;
(gg)	Judicial Conference	8/18/10;
(hh)	Orientation School for New Circuit Court Judges	7/7/10;
(ii)	Circuit Court Judges Association	5/5/10;
(jj)	Civil Law Update	1/22/10;
(kk)	Criminal Law Update- Part 2	1/22/10.

Judge Hill reported that he has taught the following law related courses:

- (a) I have appeared on panels at SC Bar Ethics CLEs;
- (b) I have appeared on panels at the Solicitors' conference;
- (c) I have spoken on trial advocacy at CLEs held at the Southeastern Asbestos Conference;
- (d) I have spoken on Crawford v. Washington and the Confrontation Clause at a conference held by the Greenville Bar;
- (e) I have spoken on Batson v. Kentucky at a SCAJ conference;
- (f) I have spoken on Ethics to the SCDTAA Trial Academy;
- (g) I have given a case law update at a conference sponsored by the Colleton County Bar Association;
- (h) I have spoken at the York County Bar Association;
- (i) As a member of the Circuit Judges Advisory Committee, I have given annual presentations on "Judicial Ethics" and "Inherent Powers of Courts" to the New Judges' Orientation School sponsored by SC Court Administration.
- (j) I have taught a January Interim course at Wofford College entitled "The Bill of Rights and Modern Citizenship." This course involves intensive study of the origins and development of the Bill of Rights, and also provides the

**THURSDAY, JANUARY 14, 2016**

students the opportunity to be exposed to volunteer community service as they in turn teach what they have learned to students of a local literacy association who are preparing for the civics portion of the GED exam or the Naturalized Citizenship exam;

- (k) “Doing Business with SC Local Governments,” SC Bar CLE, 2001;
- (l) “Construction Contracting for Public Entities,” Lorman, 2001;
- (m) “Appellate Advocacy,” SC Bar 2000;
- (n) “Representing a Public Body,” SC Bar 1997;
- (o) “Freedom of Information Act Update” SC Ass’n of counties CLE, 1999;
- (p) I have spoken on the Freedom Information Act to a seminar for employees of the SC Department of Revenue and at conferences held by the SC Ass’n of Public Service Districts;
- (q) I have spoken on Trial Advocacy to the Construction Law section of the SC Bar, the SC Ass’n of Counties, and the SCDTAA.

Judge Hill reported that he has published the following books or articles:

- (a) “Back to the Future: United States v. Jones and the Search for Fourth Amendment Coherence,” South Carolina Lawyer (May 2012);
- (b) “Celebrate the Bill of Rights and Act as its Guardian,” Op-Ed Column in The Greenville News (December 12, 2010);
- (c) “Celebrate That We’re a Nation of Laws, Not Men,” Op-Ed Column in The Greenville News (May 2, 2008);
- (d) “Lay Witness Opinions,” South Carolina Lawyer at 34 (September 2007);
- (e) “Rule 30(j), Charlie McCarthy and the Potted Plant,” South Carolina Lawyer at 26 (September 2005);
- (f) Doing the Public’s Business, Book authored by Leo H. Hill (2001);
- (g) “Recent Changes to the South Carolina Freedom of Information Act,” South Carolina Lawyer (May/June 1999);

**THURSDAY, JANUARY 14, 2016**

- (h) “The Fourth Amendment, Substance Abuse and Drug Testing in the Public Sector,” South Carolina Lawyer (May/June 1997);
- (i) “Mayhem,” 7 SC Juris 213 (1991);
- (j) “Direct Criminal Contempt,” South Carolina Lawyer (September/October 1992);
- (k) From approx. 1994–1998 Judge Hill served on the editorial board of the South Carolina Lawyer magazine, published by the SC Bar. He was the editor-in-chief for three of these years;
- (l) Judge Hill published 3 student notes in Volume 40 of the South Carolina Law Review (1988). These notes examined recent state Supreme Court and US Court of Appeals cases dealing with post-conviction relief, the 6<sup>th</sup> amendment right to counsel, and federal civil procedure.

(4) Character:

The Commission’s investigation of Judge Hill did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission’s investigation of Judge Hill did not indicate any evidence of a troubled financial status. Judge Hill has handled his financial affairs responsibly.

The Commission also noted that Judge Hill was punctual and attentive in his dealings with the Commission, and the Commission’s investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Hill reported that his last available rating by a legal rating organization, Martindale-Hubbell, before he was elected to the bench was “AV.” He also reported he was listed in the Martindale-Hubbell Register of Preeminent Lawyers

(6) Physical Health:

Judge Hill appears to be physically capable of performing the duties of the office he seeks.

**THURSDAY, JANUARY 14, 2016**

(7) Mental Stability:

Judge Hill appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Hill was admitted to the SC Bar in 1990.

He gave the following account of his legal experience since graduation from law school:

- (a) From 1989-90 I was a law clerk to Judge Billy Wilkins on the United States Court of Appeals for the Fourth Circuit;
- (b) In 1990, I joined the law firm of Hill, Wyatt & Bannister. I became a partner in the firm in 1994. I had a general practice that included civil and criminal cases and appeals in all courts;
- (c) In 2000, I started the law firm of Hill & Hill, LLC with my late father, Leo H. Hill. We enjoyed a wide client base and practice area, concentrating in business litigation and representation of governmental bodies including municipalities and special purpose districts. I also handled numerous civil and criminal appeals. We were fortunate to be listed in the Martindale-Hubbell Register of Pre-Eminent Lawyers.

Judge Hill reported that he has held the following judicial office: Circuit Court Judge, Thirteenth Judicial Circuit, 2004–present.

Judge Hill reported the following regarding an unsuccessful candidacy:

In May 2014 Judge Hill was a candidate for the Court of Appeals, Seat 7. He was found qualified and nominated, but withdrew prior to the election.

(9) Judicial Temperament:

The Commission believes that Judge Hill's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Hill to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental

**THURSDAY, JANUARY 14, 2016**

stability, and also “Well Qualified” in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament. The Committee found that based on the evaluative criteria, Judge Hill meets and exceeds the requirements in each area.

Judge Hill is divorced. He has three children.

Judge Hill reported that he was a member of the following bar and professional associations:

- (a) SC Bar;
  - (i) Member House of Delegates, 1997–2004;
  - (ii) President, Government Law Section, 1999.
- (b) Greenville County Bar Association;
- (c) Haynsworth-Perry Inn of Court;
- (d) District of Columbia Bar;
- (e) Admitted to practice before the Federal District Court;
- (f) Admitted to practice before the Fourth Circuit Court of Appeals;
- (g) Admitted to practice before the US Supreme Court.

(11) Commission Members’ Comments:

The Commission commends Judge Hill for his eleven years of service on the Circuit Court bench and thanks him for appearing before the Commission to answer its members’ questions and respond to comments received from the Bench and Bar surveys.

(12) Conclusion:

The Commission found Judge Hill qualified and nominated him for re-election to the Circuit Court.

**The Honorable Steven H. John  
Circuit Court, Fifteenth Judicial Circuit, Seat 1**

**Commission’s Findings:            QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission’s investigation, Judge John meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

**THURSDAY, JANUARY 14, 2016**

Judge John was born in 1953. He is 62 years old and a resident of Little River, South Carolina. Judge John provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1978.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of disqualifying unethical conduct by Judge John.

Judge John demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge John reported that he has not made any campaign expenditures.

Judge John testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge John testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge John to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge John described his continuing legal or judicial education during the past five years as follows:

	<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a)	SC Bar-Trial & Appellate Advoc. & Criminal Law	1/23/15;
(b)	SCDTAA Annual Meeting	11/7-8/14;

## THURSDAY, JANUARY 14, 2016

- (c) SCCA 2014 Annual Judicial Conference 8/20/14;
- (d) SCAJ 2014 Annual Convention 8/7/14;
- (e) SCCJC 2014 Circuit Court Judges Conference 3/24/14;
- (f) SC Bar-Trial & Appellate Advoc. & Criminal Law 1/24/14;
- (g) SCDTAA Annual Meeting 11/7/13;
- (h) SCCA 2013 Annual Judicial Conference 8/21/13;
- (i) SCAJ 2013 Annual Convention 8/1/13;
- (j) SCCJC Spring Conference CLE 5/1/13;
- (k) SC Bar-Trial & Appellate Advoc. & Criminal Law 1/25/13;
- (l) SCDTAA Annual Meeting 11/8/12;
- (m) SCCA 2012 Annual Judicial Conference 8/22/12;
- (n) SCAJ 2012 Annual Convention 8/2/12;
- (o) SCCJC Annual Circuit Court Judges Conference 5/2/12;
- (p) SC Bar-Trial & Appellate Advoc. & Criminal Law 1/20/12;
- (q) SCDTAA Annual Meeting 11/3/11;
- (r) SCCA 2011 Annual Judicial Conference 8/17/11;
- (s) SCAJ 2011 Annual Convention 8/4/11;
- (t) SCCJC SC Circuit Court Judges' Conference 5/4/11;
- (u) SC Bar-Trial & Appellate Advoc. & Criminal Law 1/21/11;
- (v) SCDTAA 43<sup>rd</sup> Annual Meeting 11/11/10;
- (w) SCCA 2010 Judicial Conference 8/18/10;
- (x) SCAJ 2010 Annual Convention 8/5/10;
- (y) SCCJC SC Circuit Court Judges' Association 5/5/10;
- (z) SC Bar Civil & Criminal Law Update 1/22/10.

Judge John reported that he has taught the following law-related courses:

- (a) For the National Business Institute as a Panelist member on the Judicial Forum for Criminal Court on 2/24/12;
- (b) Participated as a Panelist member for the National Business Institute Judicial Forum for Civil Court on 9/16/11.

Judge John reported that he has not published any books and/or articles.



**THURSDAY, JANUARY 14, 2016**

(4) Character:

The Commission's investigation of Judge John did not reveal evidence of any criminal allegations made against him. The Commission's investigation of Judge John did not indicate any evidence of a troubled financial status. Judge John has handled his financial affairs responsibly.

The Commission also noted that Judge John was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge John reported that his last available rating by a legal rating organization, Martindale-Hubbell, was AV.

(6) Physical Health:

Judge John appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge John appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge John was admitted to the SC Bar in 1978.

He gave the following account of his legal experience since graduation from law school:

- (a) Law clerk to the Honorable Sidney T. Floyd, Resident Judge, Fifteenth Judicial Circuit, 1978–1980;
- (b) Private trial practice, 1981–May 2001. I first practiced with a lawyer in North Myrtle Beach, named, John R. Clarke, Esquire and I opened a solo practice in North Myrtle Beach, SC, in 1986, having an active trial practice in all of the State Courts. In Civil Court, cases ranging from contracts to automobile accidents to multi-million dollar construction cases; Criminal Court, cases ranging from traffic offenses to court appointed defense in death penalty cases; Family Court, cases from uncontested divorces to all manner of contested family disputes;

**THURSDAY, JANUARY 14, 2016**

- (c) Court appointed special referee in the Circuit Court, appointed by Judges Sidney T. Floyd and David H. Maring, Sr., in over fifty (50) cases;
- (d) Certified Circuit Court arbitrator, by SC Supreme Court Board of Arbitration;
- (e) Court appointed mediator in the Fifteenth Judicial Circuit, appointed by Judges Sidney T. Floyd and David H. Maring, Sr., in over (50) cases;
- (f) Court appointed guardian ad litem in disputed child custody cases in the Family Court of the Fifteenth Judicial Circuit, in over one hundred (100) cases;
- (g) City Of North Myrtle Beach Zoning Board, 1993–May 2001;
- (h) Pro bono lawyer for Horry County Disabilities And Special Needs Agency, 1993–May 2001.

Judge John reported that he has held the following judicial office:

I was elected as the Resident Judge of the Fifteenth Judicial Circuit, Seat 1, on May 30, 2001, and have served continuously since then. This is a court of general jurisdiction for civil and criminal court.

Judge John provided the following list of his most significant orders or opinions:

- (a) State v. Corey Sparkman, 358 S.C. 491, 596 S.E. 2d 375 (2007) SC Supreme Court;
- (b) Crossmann Communities v. Harleysville, 395 S.C. 40, 717 S.E. 2d 589 (2011) SC Supreme Court;
- (c) Crossmann Communities v. Harleysville, 411 S.C. 506, 769 S.E. 2d 453 (2015) SC Court of Appeals;
- (d) State of SC v. Stanley Dantonio, Jr., 376 S.C. 594, 658 S.E. 2d 337 (2008) SC Court of Appeals;
- (e) State v. Bruce Hill, 409 S.C. 760, S.E. 2d 802 (2014) SC Supreme Court.

Judge John has reported no other employment while serving as a judge.

Judge John further reported the following regarding unsuccessful candidacies:

**THURSDAY, JANUARY 14, 2016**

- (a) In 1998 I filed as a candidate for Circuit Court, Fifteenth Judicial Circuit, Seat 2. I was qualified as one of the three (3) candidates by the Judicial Merit Selection Commission for this seat. At-Large Judge Paula Thomas was the eventual successful candidate;
- (b) In the fall of 1998, I filed as a candidate for Circuit Court, At-Large, Seat 1. I withdrew as a candidate for this seat which the Honorable John Milling won by acclamation.

(9) Judicial Temperament:

The Commission believes that Judge John's temperament is excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge John to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, and judicial temperament, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and experience. The Committee stated in summary "feedback from multiple sources indicates Judge John is an excellent and fair judge who could be more patient as well as more kind in his comments."

Judge John is married to Susan Watts John. He has one child.

Judge John reported that he was a member of the following Bar and professional associations:

- (a) SC Bar Association, 1978–present;
- (b) Horry County Bar Association, 1978–2001, active;
- (c) Horry County Bar Association, 2001–present, honorary;
- (d) American Bar Association, Judicial Section, 2010–present.

Judge John provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Rotary International, 1987–present;
- (b) Rotary Club of North Myrtle Beach, 1987–2002;
- (c) Rotary Club of Conway, 2003–present;

**THURSDAY, JANUARY 14, 2016**

- (d) I was a member of the Rotary Club of North Myrtle Beach Board of Directors and held numerous offices and committee chairmanships;
- (e) I am also a Paul Harris Fellow and a Sustaining Member and have received the perfect attendance award each year since joining in 1987;
- (f) Citadel Brigadier Club;
- (g) Horry County Citadel Club;
- (h) University of SC Gamecock Club;
- (i) SC Circuit Judges Association, 2001–present. Currently I am the Vice President and will succeed as President for the years 2017 and 2018.

(11) Commission Members' Comments:

The Commission commends Judge John for his nearly fourteen years of service on the Circuit Court bench and thanks him for appearing before the Commission to answer its members' questions and respond to comments received from the SC Bar's survey and Pee Dee Citizens Committee's review.

(12) Conclusion:

The Commission found Judge John qualified and nominated him for re-election to the Circuit Court.

**The Honorable John Calvin Hayes III  
Circuit Court, Sixteenth Judicial Circuit, Seat 1**

**Commission's Findings:        QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Hayes meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Hayes was born in 1945. He is 70 years old and a resident of Rock Hill, South Carolina. Judge Hayes provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1971.

**THURSDAY, JANUARY 14, 2016**

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Hayes.

Judge Hayes demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Hayes reported that he has not made any campaign expenditures.

Judge Hayes testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Hayes testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Hayes to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Hayes described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SC Circuit Court Judges Association	05/05/2010;
(b) SC Circuit Court Judges Association	05/04/2011;
(c) SC Circuit Court Judges Association	05/02/2012;
(d) SC Circuit Court Judges Association	05/01/2013;
(e) SC Circuit Court Judges Association	03/24/2014;
(f) Orientation School for New Judges	07/07/2010;
(g) Orientation School for New Judges	07/06/2011;
(h) Orientation School for New Judges	07/10/2013;
(i) SCAJ Annual Convention	08/05/2010;

**THURSDAY, JANUARY 14, 2016**

(j)	SCAJ Annual Convention	08/04/2011;
(k)	SCAJ Annual Convention	08/02/2012;
(l)	SCAJ Annual Convention	08/01/2013;
(m)	Judicial Conference	08/18/2010;
(n)	Judicial Conference	08/17/2011;
(o)	Judicial Conference	08/21/2013;
(p)	Judicial Conference	08/20/2014;
(q)	SC Public Defender Conference	09/27/2010;
(r)	SC Defense Trial Attorneys Assoc. Annual Mtg.	11/11/2010;
(s)	SC Defense Trial Attorneys Assoc. Annual Mtg.	11/03/2011;
(t)	SC Defense Trial Attorneys Assoc. Annual Mtg.	11/08/2012;
(u)	SC Defense Trial Attorneys Assoc. Annual Mtg.	11/07/2013;
(v)	SC Defense Trial Attorneys Assoc. Annual Mtg.	11/06/2014;
(w)	SC Bar (Criminal Law Section and Trial & Appellate Advocacy Section)	01/21/2011;
(x)	SC Bar (Criminal Law Section and Trial & Appellate Advocacy Section)	01/20/2012;
(y)	SC Bar (Trial and Appellate Advocacy Section)	01/25/2013;
(z)	SC Bar (Criminal Law Section, Trial and Appellate Advocacy Section Civil Law Update and Construction Law Update)	01/24/2014;
(aa)	SCCA Substance Abuse Replay From	03/01/2012;
(bb)	SC Conference on Lawyer and Judicial	11/07/2012.

Judge Hayes reported that he has taught the following law-related courses:

- (a) SC Bar Convention–Construction Law;
- (b) SC Solicitors Conference–Numerous times on numerous topics;
- (c) SC Public Defenders conference;  
Three times: Case Law Update (2);  
Case Management Order (1);
- (d) York Technical College Classes–Several times–General Topics;

**THURSDAY, JANUARY 14, 2016**

- (e) Winthrop University—Several Times—General Topics and DUI Education;
- (f) High Schools—General law related topics;
- (g) Elementary Schools—General law related topics.

Judge Hayes reported that he has published the following:

- (a) Mail Fraud—22 SCLR 434 (1970);
- (b) Torts—Intrafamily Immunity 21 SCLR 813 (1969).

(4) Character:

The Commission's investigation of Judge Hayes did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Judge Hayes did not indicate any evidence of a troubled financial status. Judge Hayes has handled his financial affairs responsibly.

The Commission also noted that Judge Hayes was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Hayes reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Hayes reported the following military service:  
Army Reserve E-6, 1968–1974, Honorable Discharge.

Judge Hayes reported that he has held the following public office:

- (a) SC House of Representatives, 1980–1984. Elected;
  - (b) SC Senate, 1984–1991. Elected;
  - (c) Solicitor, City of Rock Hill, 1979. Appointed;
  - (d) SC Coastal Council, 1980–1991. Appointed;
- All ethics reports timely filed.

(6) Physical Health:

Judge Hayes appears to be physically capable of performing the duties of the office he seeks.

**THURSDAY, JANUARY 14, 2016**

(7) Mental Stability:

Judge Hayes appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Hayes was admitted to the SC Bar in 1971.

He gave the following account of his legal experience since graduation from law school:

- (a) 1971–1972, Law Clerk for Chief Justice Joseph R. Moss;
- (b) 1972–1991, Hayes, Brunson and Gatlin;
- (c) 1972–1991, General practice, litigation, Family Court (very little after 1980), Criminal Court (very little after approx. 1977); Workers Compensation (small amount), Social Security, Wills (small amount, Real Property (small amount);
- (d) 1991–present, Circuit Court Judge.

Judge Hayes provided that prior to his service on the bench he most often served as sole counsel.

Judge Hayes reported that he has held the following judicial office:

SC Circuit Court, Seat 1, Sixteenth Judicial Circuit, September 3, 1991–present.

Judge Hayes provided the following list of his most significant orders or opinions:

- (a) City of Rock Hill v. Suchenski, 374 S.E.12, 646 S.E.2d 879 (2007), DUI Video Recording Statute;
- (b) Glaze v. Grooms, 324 S.C. 249, 478 S.C. S.C. 841 (S. Ct. 1996), Town of James Island Incorporation;
- (c) State v. Ramsey, 409 S.C. 206, 762 S.E.2d 15 (S. Ct. 2014), Validity of arrest warrant;
- (d) State v. Berry, (Op. 5329, Ct. App. July15, 2015), Evidence Issues;
- (e) State v. Perry, 410 S.C. 191, 763 S.C.2d 603 (Ct. Ap. 2014), Evidence Issues.



**THURSDAY, JANUARY 14, 2016**

Judge Hayes has reported no other employment while serving as a judge.

Judge Hayes further reported the following regarding unsuccessful candidacies:

Sought seats on the Court of Appeals, 2003 and 2007.

(9) Judicial Temperament:

The Commission believes that Judge Hayes's temperament would be excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualifications found Judge Hayes to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. In summary, they stated that "Judge Hayes is a thoughtful, patient, and able judge—one of our most experienced on the Circuit Court bench. The Committee was extremely impressed by his cogent responses to our questions and his courtly demeanor. He is an outstanding judge."

Judge Hayes is married to Sarah Lynn Hayes. He has six children.

Judge Hayes reported that he was a member of the following Bar and professional association:

(a) SC Bar, 1971–present.

Judge Hayes provided that he was a member of the following civic, charitable, educational, social, or fraternal organization:

(a) Rock Hill Cotillion, no office.

(11) Commission Members' Comments:

The Commission found Judge Hayes to be well respected on the Circuit Court bench by the members of the Bar as evidenced by the numerous positive comments from the Ballotbox online surveys.

**THURSDAY, JANUARY 14, 2016**

(12) Conclusion:

The Commission found Judge Hayes qualified and nominated him for re-election to the Circuit Court.

**The Honorable Daniel Dewitt Hall  
Circuit Court, Sixteenth Judicial Circuit, Seat 2**

**Commission's Findings:        QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Hall meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Hall was born in 1954. He is 61 years old and a resident of York, South Carolina. Judge Hall provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina and North Carolina since 1988.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Hall.

Judge Hall demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Hall reported that he has not made any campaign expenditures.

Judge Hall testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

**THURSDAY, JANUARY 14, 2016**

Judge Hall testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Hall to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Hall described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) New Judges Orientation School	July 8–10, 2015;
(b) SC Circuit Judges Conference	March 9–11, 2015;
(c) SC Judicial Conference	August 20–22, 2014;
(d) SC Public Defender's Conf.,	September 23–25, 2013;
(e) SC Public Defender's Conf.,	September 24–26, 2012;
(f) SC Public Defender's Conf.,	September 26–28, 2011.

Judge Hall reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Judge Hall reported that he has published the following:

Clergy Confidentiality: "A Time to Speak and a Time to Be Silent," by Lynn Buzzard and Dan Hall, 1988 Christian Management Association.

(4) Character:

The Commission's investigation of Judge Hall did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Judge Hall did not indicate any evidence of a troubled financial status. Judge Hall has handled his financial affairs responsibly.

The Commission also noted that Judge Hall was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

**THURSDAY, JANUARY 14, 2016**

(5) Reputation:

Judge Hall reported that he is not rated by any legal rating organization.

Judge Hall reported that he has held the following public offices:

- (a) Sixteenth Judicial Circuit Solicitor's Office, Assistant Solicitor, 1988–1990;
- (b) Sole Practitioner, 1991–1999–General practice with focus on personal injury, worker's compensation and criminal defense;
- (c) Sixteenth Judicial Circuit Solicitor's Office, Assistant Solicitor, 1999–June, 2011;
- (d) Sixteenth Judicial Circuit Public Defender's office, Assistant Public Defender, June, 2011–August, 2014;

(6) Physical Health:

Judge Hall appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Hall appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Hall was admitted to the SC and NC Bars in 1988.

He gave the following account of his legal experience since graduation from law school:

- (a) Sixteenth Judicial Circuit Solicitor's Office, Assistant Solicitor, 1988–1990;
- (b) Sole Practitioner, 1991–1999–General practice with focus on personal injury, worker's compensation and criminal defense;
- (c) Sixteenth Judicial Circuit Solicitor's Office, Assistant Solicitor, 1999–June, 2011;
- (d) Sixteenth Judicial Circuit Public Defender's office, Assistant Public Defender, June, 2011–August, 2014;
- (e) Sixteenth Judicial Circuit Court Resident Judge–January 1, 2015–present.

## THURSDAY, JANUARY 14, 2016

Judge Hall reported that he has held the following judicial offices:

- (a) Resident Judge for Sixteenth Judicial Circuit. January 1, 2015–Present. Elected;
- (b) Municipal Judge–City of York, SC. Appointed by York City Council, January, 1993–May, 1999. Signed criminal warrants, set bonds and held preliminary hearings for General Sessions criminal matters occurring in the city limits. Presided over plea court, bench trials and jury trials for criminal or traffic charges in the City of York, in which the statutory penalty was no greater than 30 days in jail or the fine was not more than \$200.

Judge Hall provided the following list of his most significant orders or opinions:

- (a) Morningstar v. York County, (2013-CP-46-246);
- (b) City of Rock Hill v. Anthony Michael Ketchum, (2015-CP-46-1587);
- (c) State of SC v. Charles Todd Burns, (2015-CP-46-00824);
- (d) Jacqueline Rector v. Hallett James Bowen, (2013-CP-23-3482);
- (e) Travell L. Hill v. State of SC, (2014-CP-23-0129).

Judge Hall has reported no other employment while serving as a judge.

Judge Hall further reported the following regarding unsuccessful candidacies:

- (a) Republican Primary Candidate for Solicitor, Sixteenth Judicial Circuit–June, 1996;
- (b) Candidate for Judge, Sixteenth Judicial Circuit Family Court, 1998–Withdrew;
- (c) Candidate for Circuit Court Judge, At-Large, Seat 9, March, 2006–Qualified, but not nominated;
- (d) Candidate for Circuit Court Judge, At-Large, Seat 6, January, 2009–Qualified and nominated, but withdrew prior to February election;
- (e) Candidate for Circuit Court Judge, At-Large, Seat 8, January, 2010–Qualified, but not nominated;

**THURSDAY, JANUARY 14, 2016**

(9) Judicial Temperament:

The Commission believes that Judge Hall's temperament is excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee found Judge Hall to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. They further commented, "We have received a number of reports attesting to Judge Hall's diligence, courtesy, and ability during his relatively brief tenure on the bench so far. By all accounts, he is a fine Circuit Court judge."

Judge Hall is married to Cathleen McCreight Hall. They have four children.

Judge Hall reported that he was a member of the following Bar and professional associations:

- (a) York County Bar Association—Treasurer, 1992;
- (b) SC Bar Association;
- (c) NC Bar Association.

Judge Hall provided that he was a member of the following civic, charitable, educational, social, or fraternal organization: Filbert Presbyterian Church, Clerk of Session.

(11) Commission Members' Comments:

The Commission commented that Judge Hall, as a newer judge, had nevertheless already shown himself to be very able and was qualified to continue to serve as a judge.

(12) Conclusion:

The Commission found Judge Hall qualified and nominated him for re-election to the Circuit Court.

**THURSDAY, JANUARY 14, 2016**

**Jocelyn Newman  
Circuit Court, At-Large, Seat 10**

**Commission's Findings:        QUALIFIED AND NOMINATED**

**(1)    Constitutional Qualifications:**

Based on the Commission's investigation, Ms. Newman meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. Newman was born in 1977. She is 38 years old and a resident of Columbia, South Carolina. Ms. Newman provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2004.

**(2)    Ethical Fitness:**

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Newman.

Ms. Newman demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Newman testified she has not:

- (a)    sought or received the pledge of any legislator prior to screening;
- (b)    sought or been offered a conditional pledge of support by a legislator;
- (c)    asked third persons to contact members of the General Assembly prior to screening.

Ms. Newman testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

**(3)    Professional and Academic Ability:**

The Commission found Ms. Newman to be intelligent and knowledgeable. Her performance on the Commission's practice and procedure questions met expectations.

**THURSDAY, JANUARY 14, 2016**

Ms. Newman described her continuing legal or judicial education during the past five years as follows:

	<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a)	2015 Bar Examiner Credit2	03/03/15;
(b)	SC Bar Convention	01/25/15;
(c)	SCDTAA Annual Meeting	11/05/15;
(d)	2014 Bar Examiner Credit	03/01/14;
(e)	Social Media	02/26/14;
(f)	SC Bar Convention	01/23/14;
(g)	HIPPA and HITEC Implications	01/22/14;
(h)	SCDTAA Annual Meeting	11/07/13;
(i)	Gray's Inn of Court versus SC School of Law	09/11/13;
(j)	Identity Fraud & Abuse in Your Client's Industries	04/24/13;
(k)	SCDTAA Trial Academy	04/17/13;
(l)	2013 Bar Examiner Credit	03/01/13;
(m)	SCDTAA Annual Meeting	11/08/12;
(n)	SCIRF Law Enforcement Defense Seminar	10/05/12;
(o)	SCBLA Annual Retreat	09/26/12;
(p)	The State of the Judiciary in SC	08/07/12;
(q)	SCDTAA Trial Academy	06/07/12;
(r)	Seminar on Depression and Substance Abuse	05/23/12;
(s)	NCBE Annual Bar Admissions Conference	04/20/12;
(t)	Trials of a Young Lawyer: Avoiding a Comedy of Errors	04/11/12;
(u)	2012 Bar Examiner Credit	03/01/12;
(v)	SCDTAA Annual Meeting	11/03/11;
(w)	SCIRF Law Enforcement Defense Seminar	10/07/11;
(x)	Musical Chairs in the Jury Box	09/28/11;
(y)	Ethics Case Law Review	02/16/11;
(z)	2010 Ethics Case Law Review	12/15/10;
(aa)	Authenticating Digital Evidence	10/27/10;
(bb)	SCIRF Law Enforcement Defense Seminar	10/01/10;
(cc)	Trial and Error: A Day of Litigation Skills	08/20/10;
(dd)	Ethics Seminar	02/24/10.

Ms. Newman reported that she has taught the following law-related courses:



**THURSDAY, JANUARY 14, 2016**

- (a) I have given a lecture about fraudulent insurance claims at the Seibels Bruce Group, Inc., on behalf of the Claims and Litigation Management Alliance;
- (b) I have instructed paralegal education courses at Central Carolina Technical College in Sumter, SC;
- (c) From 2008 until 2009 I taught LSAT and SAT review courses at Kaplan Test Prep & Admissions.

Ms. Newman reported that she has published the following:

- (a) “Standing Your Ground” in Civil Actions, The Defense Line (SC Defense Trial Attorneys’ Association, Columbia, SC), Fall 2013, at 51;
- (b) C. Tyson Nettles, Unsung Hero, SC Young Lawyer, Aug, 2011, at 13;
- (c) Judicial Profile of The Honorable Clifton Newman, The Defense Line (SC Defense Trial Attorneys’ Association, Columbia, SC), Spring 2009, at 13.

(4) Character:

The Commission’s investigation of Ms. Newman did not reveal evidence of any founded grievances or criminal allegations made against her. The Commission’s investigation of Ms. Newman did not indicate any evidence of a troubled financial status. Ms. Newman has handled her financial affairs responsibly.

The Commission also noted that Ms. Newman was punctual and attentive in her dealings with the Commission, and the Commission’s investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Newman reported that her rating by a legal rating organization, Super Lawyers, is Rising Star in 2012, 2013, 2014, and 2015.

(6) Physical Health:

Ms. Newman appears to be physically capable of performing the duties of the office she seeks.

**THURSDAY, JANUARY 14, 2016**

(7) Mental Stability:

Ms. Newman appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Newman was admitted to the SC Bar in 2004.

She gave the following account of her legal experience since graduation from law school:

(a) Judicial Law Clerk for the Honorable G. Thomas Cooper, Jr.

For approximately half of that time, Judge Cooper served as Chief Administrative Judge for General Sessions Court in Richland County; therefore, I had the opportunity to research key issues in criminal law and to observe a wide range of criminal trials, guilty pleas, motions hearings and other administrative hearings (e.g., admission to pre-trial intervention and other diversion programs). I also assisted Judge Cooper in the trial and sentencing of a death penalty case;

(b) Assistant Solicitor in the Fifth Judicial Circuit.

I served as prosecutor for all types of criminal cases, whether felony or misdemeanor. I also served as lead counsel in the trials of several misdemeanor actions and as associate counsel in the trials of “most serious” felony cases. Finally, my job duties included representing the State of SC in Circuit Court in cases appealed from Magistrate’s Court;

(c) Associate Attorney, Richardson Plowden & Robinson, P.A.

Beginning in 2007, I practiced in the Lobbying and Governmental Affairs practice group. In that capacity, I served as counsel for both plaintiffs and defendants primarily in cases involving issues of governmental regulation. I also served as a lobbyist for one legislative season. In 2008, I changed focus and joined the General Litigation practice group. As a member of that practice group, I most often serve as defense counsel in cases involving personal injury, construction defects, real property, constitutional violations, and a number of other subjects. From time to time, I represent plaintiffs in

**THURSDAY, JANUARY 14, 2016**

similar actions and criminal defendants in minor cases. I very frequently serve as associate trial counsel for attorneys in all practice groups within the firm. For a period of time, I also served as appointed counsel in Family Court and Post-Conviction Relief actions;

- (d) Attorney at The DeQuincey Newman Law Firm, LLC beginning November 1, 2015.

Ms. Newman further reported regarding her experience with the Circuit Court practice area:

My criminal experience over the past five years has been limited, but has included the representation of the accused in a bank fraud action in which there were issues concerning the existence of evidence and the State's compliance with discovery rules. However, from 2005 until July 2007, I was employed as an Assistant Solicitor. During that time, I focused exclusively on criminal matters.

For the past five years, my primary focus has been civil matters. During that time, I have tried more than ten civil cases (representing the defendant in at least seven and the plaintiff in at least three) in both Magistrate's Court and Circuit Court. Those cases involved issues such as proper application of the SC Tort Claims Act ("SCTCA"), comparative negligence and its application to judgments awarded pursuant to the SCTCA, the propriety of advisory verdicts in civil actions and whether the Circuit Court is bound by such verdicts, violation of the constitutional rights of prison inmates, and a wide range of other issues.

Ms. Newman reported the frequency of her court appearances during the past five years as follows:

- (a) Federal: several times a year;
- (b) State: weekly.

Ms. Newman reported the percentage of her practice involving civil, criminal, and domestic matters during the past five years as follows:

- (a) Civil: 90%;
- (b) Criminal: 5%;
- (c) Domestic: 5%;
- (d) Other: 0%.

**THURSDAY, JANUARY 14, 2016**

Ms. Newman reported the percentage of her practice in trial court during the past five years as follows:

- (a) Jury: 50%;
- (b) Non-jury: 50%.

Ms. Newman provided that she most often serves as sole counsel.

The following is Ms. Newman's account of her five most significant litigated matters:

- (a) King v. American General Finance, Inc., 386 S.C. 82 (2009)—In this case, I represented the plaintiffs, each of whom had obtained loans from Defendant American General Finance, Inc. Plaintiffs alleged that Defendant violated the “attorney preference statute” (S.C. Code § 37-10-102) by lending money but failing to determine the borrower's preference for legal counsel to be involved in the transaction at the time of the loan application. This case was significant in that it lent judicial interpretation to the “attorney preference statute” and established that the law requires that such preference be determined contemporaneously with the credit application. The appellate court also reversed the trial court's decertification of the case as a class action;
- (b) Kelly v. White, 2011 WL 939015 (not reported in F.Supp.2d)—In this action, I represented the defendants, all of whom are employees of the SC Department of Corrections (“SCDC”). Plaintiff, an inmate, filed this action pursuant to 14 U.S.C. §1983, alleging that his civil rights were violated by the use of excessive force against him. This case is significant in that the court's decision turned on its determination of whether equitable tolling should apply to the statute of limitations. The court determined that where prisoners attempt to exhaust all available administrative remedies within SCDC yet SCDC fails to respond to their written requests, the statute of limitations will be equitably tolled for only one hundred fourteen days—the total length of SCDC's internal grievance procedure when properly used. Thus, “the 114-day rule” was established in prisoners' civil rights actions involving SCDC;

**THURSDAY, JANUARY 14, 2016**

- (c) State of SC v. Alphonso Simmons, (not reported)–I represented the State of SC as an Assistant Solicitor in this action. The defendant was charged with approximately 60 offenses at the time, both in Richland and Kershaw Counties. We elected to try him on 14 of those offenses–5 counts of armed robbery, 8 counts of kidnapping and 1 count of grand larceny. This case was significant in that there were significant disputes about the relevance, introduction and suppression of certain evidence, all of which arose because the defendant was on a “crime spree” throughout Richland and Kershaw Counties. Therefore, much of the evidence related to the case being tried was discovered at other crime scenes, and the introduction of that evidence could potentially infringe on the defendant’s presumption of innocence and his right to remain silent. Ultimately, the case was tried to jury and a guilty verdict was rendered on all 14 charges;
- (d) Crusader v. Thomas Robinson, 2009-CP-18-2300 (not reported)–In this trial I represented the plaintiff, a rent-to-own company who filed a claim and delivery action against the defendant in Magistrate’s Court. The defendant filed several counterclaims, which moved the case to Circuit Court. The case was tried over a seven-day period in the Dorchester County Court of Common Pleas. This action was significant to my legal career because I was able to win a directed verdict on my case-in-chief. In addition, the remainder of the trial involved a wide range of legal issues, including the authentication of evidence, impeachment of several witnesses, a witness’s misconduct during trial, opposing counsel’s absence from trial, opposing counsel’s improper statements during opening statements and closing arguments, and many, many other issues. The jury’s verdict (in favor of the plaintiff on the defendant’s counterclaims) rested on the distinction between liability and damages. Post-trial motions were filed and argued regarding the potential impropriety of the jury’s findings and whether the court should grant an additur–all of which were denied;

**THURSDAY, JANUARY 14, 2016**

- (e) Barnhill v. Barnold, 2007-CP-40-2358 (not reported)– In this case, I represented the defendant, a corporation owned by the ex-wife of the plaintiff. The plaintiff had done work for the company without pay since its inception in the 1980's. After the parties' divorce, the plaintiff sued for 25 years' worth of wages. This trial was significant in that it was an equitable matter tried in the Court of Common Pleas with an advisory jury—an uncommon occurrence in litigation. The advisory jury returned its verdict along with a note to the court explaining how they arrived at the verdict. Despite his request for the advisory jury, the plaintiff disagreed with its decision and petitioned the court for a judgment far in excess of that which was awarded by the jury. Ultimately, the court entered a judgment identical to the one advised by the jury.

The following is Ms. Newman's account of the civil appeal she has personally handled:

Herron v. Century BMW, Supreme Court of SC, decided April 19, 2010, reported at 387 S.C. 525 (2010).

Ms. Newman reported she has not personally handled any criminal appeals.

Ms. Newman further reported the following regarding unsuccessful candidacies:

- (a) In August 2012, I submitted an application and was a candidate for SC Circuit Court At-Large, Seat 16. I completed the judicial screening process in November 2012 and was found to be "qualified, but not nominated."
- (b) Similarly, in August 2014, I was again a candidate for a Circuit Court seat and was found "qualified, but not nominated."

(9) Judicial Temperament:

The Commission believes that Ms. Newman's temperament would be excellent.

**THURSDAY, JANUARY 14, 2016**

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Ms. Newman to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, mental stability, and experience, and also “Well Qualified” in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament. The Midlands Citizens Committee on Judicial Qualifications found Ms. Newman to be “smart and has a proper judicial temperament, but has limited experience.”

Ms. Newman is not married. She does not have any children.

Ms. Newman reported that she was a member of the following Bar and professional associations:

- (a) SC Bar;
- (b) Richland County Bar Association;
- (c) SC Board of Law Examiners, Associate Member, January 2012–present;
- (d) SC Defense Trial Attorneys’ Association;
- (e) Columbia Lawyers Association–President, 2012;
- (f) SC Black Lawyers Association; and
- (g) SC Bar Foundation–Member, Board of Directors, July 2012–present.

Ms. Newman provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Mensa;
- (b) Alpha Kappa Alpha Sorority, Inc.; and
- (c) John Belton O’Neill Inn of Court, Treasurer 2014-2016.

Ms. Newman further reported:

I have served our judicial system as counsel for both plaintiffs and defendants, as a prosecutor and as a criminal defense attorney, and in both civil and criminal practices. I am now eager to step into a different role within the system and take on more responsibility as a jurist who is confident, capable, and able to enhance the public’s trust and confidence in our legal system. I was raised in a family of public servants, which is, in

**THURSDAY, JANUARY 14, 2016**

part, what inspired me to become an attorney. Since graduating law school, I have hoped to one day become a judge.

(11) Commission Members' Comments:

The Commission commented that Ms. Newman is a confident, personable, and poised individual.

(12) Conclusion:

The Commission found Ms. Newman qualified and nominated her for election to the Circuit Court.

**Grady L. Patterson III  
Circuit Court, At-Large, Seat 10**

**Commission's Findings:        QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Patterson meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Patterson was born in 1952. He is 63 years old and a resident of Columbia, South Carolina. Mr. Patterson provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1979.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Patterson.

Mr. Patterson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Patterson reported that he has made \$0.96 in campaign expenditures for postage.



**THURSDAY, JANUARY 14, 2016**

Mr. Patterson testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Patterson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Patterson to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Mr. Patterson described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Opening Statements: A Civil Trial	09/07/10;
(b) Direct Examination: A Civil Trial	09/14/10;
(c) Cross-Examination: A Civil Trial	09/21/10;
(d) Closing Argument: A Civil Trial	09/28/10;
(e) Richland County Bar Ethics Seminar	11/05/10;
(f) Lexington County Bar Ethics Seminar	12/08/10;
(g) Ethics with the Judges (Sporting Clays)	04/14/11;
(h) Richland County Bar Ethics Seminar	11/04/11;
(i) 21st Annual Criminal Practice in SC	02/24/12;
(j) Civil Litigation: Deposition to Trial and Beyond	02/28/12;
(k) Richland County Bar Ethics Seminar	11/09/12;
(l) Lexington County Bar Annual Ethics CLE	12/06/12;
(m) Benefits for Veterans and Their Families	02/12/13;
(n) Lawyers Tackle Evidence	02/15/13;
(o) Ethics with the Judges (Sporting Clays)	04/25/13;
(p) Lexington County Bar Annual Ethics CLE	12/17/13;
(q) Top Lawyers Tackle Evidence	02/21/14;
(r) 2014 Tort Law Update	02/27/14;
(s) Ethics with the Judges (Sporting Clays)	04/24/14;
(t) Ethics with the Judges (Sporting Clays)	10/23/14;

**THURSDAY, JANUARY 14, 2016**

- |     |                                     |           |
|-----|-------------------------------------|-----------|
| (u) | Richland County Bar Ethics Seminar  | 11/07/14; |
| (v) | Top Lawyers Tackle Evidence         | 02/20/15; |
| (w) | 24th Annual Criminal Practice in SC | 02/27/15. |

Mr. Patterson reported that he has taught the following law-related courses:

- (a) Discovery in Administrative Proceedings, CLE Columbia, SC;
- (b) Soldiers' and Sailors' Civil Relief Act, CLE Columbia, SC;
- (c) Deployment Issues, US Air Force CLE Denver, CO;
- (d) Domestic Violence and the Military, US Air Force CLE Denver, CO;
- (e) Advocating the Rights of Service Members, CLE Columbia, SC;
- (f) Commander Legal Issues, Regular Lecturer at Commander's Course for several years Knoxville, TN;
- (g) Drug Forfeiture Act, Solicitors' Association Conference Myrtle Beach, SC.

Mr. Patterson reported that he has published the following:

- (a) Civil Forfeiture Manual (SC Attorney General, 1984), Co-author;
- (b) Materials for lectures set forth in items (a) through (e) in No. 11 above.

(4) Character:

The Commission's investigation of Mr. Patterson did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Mr. Patterson did not indicate any evidence of a troubled financial status. Mr. Patterson has handled his financial affairs responsibly.

The Commission also noted that Mr. Patterson was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

**THURSDAY, JANUARY 14, 2016**

(5) Reputation:

Mr. Patterson reported that his rating by a legal rating organization, Martindale-Hubbell, is AV.

Mr. Patterson reported the following military service:

I served in the SC Air National Guard from 1981 to 2012. I attained the rank of Brigadier General and at the end of my service received an Honorable Discharge.

(6) Physical Health:

Mr. Patterson appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Patterson appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Patterson was admitted to the SC Bar in 1979.

He gave the following account of his legal experience since graduation from law school:

(a) SC Attorney General's Office 1979–1985

Upon completion of law school and admission to the SC Bar I began practicing law with the SC Attorney General's Office. I was involved in a number of areas of the law including worker's compensation, tort claims, condemnation actions, construction law claims, enforcement actions for State agencies, drug forfeiture actions, tender offer actions, licensing board hearings, and writing legal opinions.

In connection with my worker's compensation work I represented the State Worker's Compensation Fund in all compensation cases involving the Fund which arose in one of the seven SC Industrial Commission administrative districts. I also handled tort claims against the State and State employees. The majority of my courtroom work was in connection with handling tort cases and condemnation cases.

## THURSDAY, JANUARY 14, 2016

Another significant aspect of my work with the Office concerned construction law. I was involved in contract drafting, contract administration, arbitration, and litigation. I also handled drug forfeiture actions for law enforcement agencies.

A major responsibility of attorneys in the Attorney General's Office was representation of State agencies. Representation included defending agencies against suits, prosecuting enforcement actions for licensing agencies, and rendering opinions. In connection with representing the Deputy Securities Commissioner I worked with review of tender offer securities transactions. I appeared before the Fourth Circuit Court of Appeals in defense of State tender offer review action.

I was involved in two cases brought in the original jurisdiction of the US Supreme Court. The first concerned the SC-Georgia boundary and the second concerned registration of state-issued bonds.

In addition, I was assigned to the Attorney General's Legislative Task Force which drafted and presented proposed legislation to the General Assembly;

(b) Quinn, Patterson & Willard 1985–1999

I entered private practice in 1985 with the Columbia firm of Quinn, Brown & Arndt, which later became Quinn, Patterson & Willard. The practice concentrated on business litigation. It was mainly a defense practice although a significant amount of plaintiffs' work was done. Contracts, business torts, unfair trade practices, and other business issues were the primary subjects of our practice. I also did condemnation actions, bankruptcy cases, and a case in the US Court of Federal Claims.

I handled a number of appeals including appeals to the SC Supreme Court, the SC Court of Appeals, and the US District Court;

(c) Montgomery, Patterson, Potts & Willard, L.L.P. 2000–2008

My practice at Montgomery, Patterson, Potts & Willard was similar to my practice at Quinn, Patterson & Willard. It centered on business issues and insurance

**THURSDAY, JANUARY 14, 2016**

defense. The business practice included both corporate work and litigation. Contracts, including leases, and business torts were a large part of the business litigation;

(d) Patterson Law Offices, LLC 2008–present

In April 2008 I started Patterson Law Offices, LLC. My practice consists primarily of litigation and corporate work. Litigation covers a broad area but focuses on contracts, leases, business torts, and construction law. Corporate work includes drafting of various contracts, leases, and other corporate documents;

(e) SC Air National Guard, 1981–2003

In addition to my regular practice I have been a Judge Advocate in the SC Air National Guard. After joining the Air Guard I attended Air Force law school where I finished first in my class. I was designated a Judge Advocate by the US Air Force and in my military legal work I prosecuted and defended airmen subject to discharge before discharge boards. I have also served as the legal advisor to boards which is a role similar to the role of a judge for the hearing. My judge advocate work included issues ranging from the law of armed conflict to preparing wills for deploying troops. During the course of my military career I received biennial update training in criminal and civil law. In 2003 I moved from the JAG position to become a line officer. Following command positions I was appointed the SC Assistant Adjutant General for Air in which position I served until 2012.

Mr. Patterson reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: Average of less than one per year;
- (b) State: Average of approximately six times per year.
- (c) Other: N/A.

Mr. Patterson reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:

- (a) Civil: 98%;
- (b) Criminal: 2%;

**THURSDAY, JANUARY 14, 2016**

- (c) Domestic: 0%;
- (d) Other: 0%.

Mr. Patterson reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 95%;
- (b) Non-jury: 5%.

Mr. Patterson provided that he most often serves as sole counsel.

The following is Mr. Patterson's account of his five most significant litigated matters:

- (a) Altman, et al. v. First Citizens Bank and Trust Company, Inc., et al.

Suit brought by thirty-nine customers of a bank for failure to adequately protect personal identifying information which had been stolen. The case involved issues of negligence, breach of fiduciary duty, and unfair trade practices, among others. Significant issues included the sources of and extent of the bank's duties to its customers and application of both the "unfair" and "deceptive" prongs of the unfair trade practices act. In addition, an insurance company filed a declaratory judgment action in the US District Court for the District of SC entitled Nationwide Mutual Fire Insurance Company v. First Citizens Bank and Trust Company, Inc. et al. to obtain a declaratory judgment that the policy it issued did not apply to the loss alleged. We also represented the thirty-nine customers who were named as defendants in that case;

- (b) H. Thomas Taylor v. Terry L. Cash, et al. (more than twenty cases).

Suit by lessor of nursing homes who was former business partner of the individual defendant. We represented the individual defendant and the defendant companies. Plaintiff lessor sought a declaratory judgment, alleged fraud, alleged breach of contract, sought claim and delivery of equipment, and sought ejectment of the lessees in connection with transfer of leases of six nursing homes and related covenants not to

**THURSDAY, JANUARY 14, 2016**

compete. Numerous issues resulted in more than twenty suits being brought in or removed to Bankruptcy Court and handled as adversary proceedings. Four trials were held (including a number of cases consolidated for trial). Three of the cases were appealed to the US District Court where they were briefed and argued. One of the cases was appealed to the US Fourth Circuit Court of Appeals where the issues were briefed prior to settlement. A significant trial involved the issue of whether plaintiff could sell the nursing homes and, thereby, eliminate defendants' interests. We were successful in preventing the sale. The case involved issues of first impression and is reported at In re Taylor, 198 B.R. 142 (D.S.C. 1996);

- (c) Turner Murphy Company v. City of York (two cases).

Suit by contractor against the City of York, SC, for the balance of the contract price on construction of new wastewater treatment plant. Represented the City of York in a two-week jury trial. The case was significant due to the number of issues involved including complex administrative issues involving the US Environmental Protection Agency. The second suit was brought several years later by the City against the contractor and engineer for defective work when a concrete filter structure leaked. Three-day jury trial in the York County Circuit Court resulted in a verdict for the City;

- (d) F.D.D. Ltd. v. GMK Construction, et al. (two cases).

I represented the plaintiffs in a suit prosecuted by the homeowners' association of a residential development. Suit was brought against the contractor, subcontractor, and engineer for defects in roadways and piping system in the development. Settled with contractor and subcontractor. Week long jury trial in the US District Court for the District of SC against the engineer resulted in verdict for the homeowners' association. Verdict and settlement amounts provided sufficient funds for the homeowners' association to effect all needed remedial work;

THURSDAY, JANUARY 14, 2016

- (e) Griggs v. Southern Electronic Manufacturing Company.

Suit by manufacturer's representative against manufacturer alleging breach of an agreement to pay the representative an ongoing commission. The case involved a significant issue of whether sales commissions can be received as long as a business sells to the customer introduced by the representative. I represented the defendant and obtained summary judgment for the client.

The following is Mr. Patterson's account of five civil appeals he has personally handled:

- (a) Rumpf, et al. v. Massachusetts Mutual Life Insurance Company, et al., 357 S.C. 386, 593 S.E.2d 183 (Ct.App. 2004).

This case involved a trucking company which entered a contract with Massachusetts Mutual to provide a pension plan for the company's employees. The contract gave retirement benefits to employees in the form of annuities. The issue was whether the pension plan administrator, who was deceased at the time the case was brought, had let the statute of limitations run on claims against the annuity provider. Summary judgment was granted to Defendant and the decision was upheld on appeal;

- (b) Rowe v. Hyatt, 321 S.C. 366, 468 S.E.2d 649 (1996).

This case involved the question of whether an individual owner who did not participate in the sale of an automobile could be liable under the Automobile Dealers Act, SC. Code Ann. Section 56-15-10, et seq. (Supp. 1998). Court of Appeals decision reported: Rowe v. Hyatt, 317 S.C. 172, 452 S.E.2d 356 (Ct.App. 1995);

- (c) D & D Leasing Co. of SC v. David Lipson, Ph.D., P.A., 305 S.C. 540, 409 S.E.2d 794 (Ct.App. 1991).

This case involved the issue of whether an automobile lease termination clause which provided for acceleration of unpaid lease payments and sale of the repossessed automobile was valid;

- (d) D & D Leasing Co. of SC v. Gentry, 298 S.C. 342, 380 S.E.2d 823 (1989).



**THURSDAY, JANUARY 14, 2016**

This case involved the question of whether a commercial lease of personality was governed or controlled by Article 2 (Sales) of the Uniform Commercial Code;

- (e) Gosnell v. SC Department of Highways and Public Transp., 282 S.C. 526, 320 S.E.2d 454 (1984).

This case involved the question of whether a directed verdict should have been granted to the Department in a collision case arising out of work being done on a highway.

Mr. Patterson further reported the following regarding unsuccessful candidacies:

- (a) SC House of Representatives, District 79, 1988 general election;
- (b) Circuit Court Judge, Fifth Judicial Circuit, Seat 3, Spring 2000;
- (c) Circuit Court Judge, Fifth Judicial Circuit, Seat 3, Fall 2011;
- (d) Circuit Court Judge, At-Large, Seat 16, Fall 2012;
- (e) Circuit Court Judge, At-Large, Seat 9, Fall 2014.

- (9) Judicial Temperament:

The Commission believes that Mr. Patterson's temperament has been, and would continue to be, excellent.

- (10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Patterson to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in summary, "it is impossible not to be very impressed with Mr. Patterson in every way. He could be an excellent addition to the bench." The Committee further stated that Mr. Patterson has "broad experience, although his criminal law practice has been somewhat limited."

Mr. Patterson is married to Sarah Jordan Patterson. He has three children.

**THURSDAY, JANUARY 14, 2016**

Mr. Patterson reported that he was a member of the following Bar and professional associations:

- (a) SC Bar
  - i. Member of the House of Delegates for the Fifth Judicial Circuit (1992–1998);
  - ii. Chairman of the Military Law Section (1990–1991);
  - iii. Member of the House of Delegates for Military Law Section (1991–1992);
  - iv. Member of the Military Law Section;
  - v. Member of the Committee on Continuing Education.
- (b) Richland County Bar Association;
  - i. Member of the Clerk of Court Committee.
- (c) Air Force Association;
- (d) American Legion;
- (e) National Guard Association of the US;
  - i. National Conference Delegate from SC (2005–2012 and 2015).
- (f) National Guard Association of SC;
  - i. President;
  - ii. President-Elect;
  - iii. Executive Council;
  - iv. By-Laws Committee Chairman.

Mr. Patterson provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) SC Aerospace Task Force Advisory Board;
- (b) Governor’s Military Base Task Force (Adjutant General Designee);
  - i. Executive Committee (Adjutant General Designee);
- (c) United Way Campaign;
- (d) Boy Scouts of America;
  - i. Chairman, Richland County Major Gifts–2008;
  - ii. Chairman, Richland County Leadership–2007.
- (e) SC Air National Guard;
  - i. Air Force Distinguished Service Medal;
  - ii. Legion of Merit Medal;
  - iii. Meritorious Service Medal (with one oak leaf cluster);

**THURSDAY, JANUARY 14, 2016**

- iv. Commendation Medal for service in SC during Operation Desert Storm;
- v. Global War on Terrorism Service Medal.
- (f) Graduate of USAF Air War College;
- (g) Graduate of USAF Air Command and Staff College;
- (h) Spring Valley Homeowners Association Board of Directors;
  - i. President (1995–1998).
- (i) Shandon Presbyterian Church, Columbia, SC;
  - i. Deacon;
  - ii. Trustee-Chairman of the Board of Trustees (2015–2016).

Mr. Patterson further reported:

I have a strong desire to serve on the bench. I believe my training and experience will be assets to the position. I believe in our system of justice and I will zealously seek the proper and just resolution of matters in dispute through appropriate application of the law. I feel that I can make a contribution to the cause of justice and the fair and orderly administration of the law in this state.

(11) Commission Members' Comments:

The Commission commented that Mr. Patterson has an impressive background and exceptional work ethic, proven by his continuation with his work in the military while during the practice of law.

(12) Conclusion:

The Commission found Mr. Patterson qualified and nominated him for election to the Circuit Court.

**Robert L. Reibold  
Circuit Court, At-Large, Seat 10**

**Commission's Findings: QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Reibold meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

**THURSDAY, JANUARY 14, 2016**

Mr. Reibold was born in 1970. He is 45 years old and a resident of Columbia, SC. Mr. Reibold provided in his application that he has been a resident of SC for at least the immediate past five years and has been a licensed attorney in SC since 1995.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Reibold.

Mr. Reibold demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Reibold testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Reibold testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Reibold to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Mr. Reibold described his past continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Employment & Labor Law	1/22/2010;
(b) Torts & Insurance Practice-Part 1	1/22/2010;
(c) Torts & Insurance Practice-Part 2	1/23/2010;
(d) Alternate Dispute Resolution	1/2011;
(e) Annual Free Ethics Seminar	11/4/2011;
(f) Dispute Resolution Section	1/20/2012;

**THURSDAY, JANUARY 14, 2016**

- (g) Trial and Appellate Advocacy Section 1/20/2012;
- (h) Employment and Labor Law Section 1/21/2012;
- (i) DL-265 Lawyer Depression and Mental Disorders 10/20/2012;
- (j) Circuit Court Judicial Forum: Advanced 10/26/2012;
- (k) Annual Free Ethics CLE 11/9/2012;
- (l) Dispute Resolution Section 1/24/2013;
- (m) Employment and Labor Law Section 1/25/2013;
- (n) Trial & Appellate Advocacy Section Civil Law Update 1/24/2014;
- (o) Criminal Law Section-Part 2 1/24/2014;
- (p) SC Circuit and Family Court Arbitrator 5/5/2014;
- (q) Emerging Mediation Trends 01/22/15;
- (r) Employment and Labor Law 01/23/15;
- (s) Criminal Law Update (Part 2) 01/23/15;
- (t) Riley Institute–Straight Talk, Crime and Punishment 07/21/15.

Mr. Reibold reported that he has taught the following law related courses:

- (a) I made a presentation as a speaker at the Automobile Torts CLE in the Fall of 2000; and
- (b) I made a presentation as a speaker at the Masters in Equity CLE in October of 2010.

Mr. Reibold has published the following:

- (a) The Unfair Trade Practices Act: Is It Time for a Change? (South Carolina Lawyer, May 2013) (Author);
- (b) South Carolina Equity: A Practitioner's Guide (SC Bar CLE 2010) (Co-Author);
- (c) Hidden Danger of Using Private Detectives (South Carolina Lawyer, July 2005) (Author);
- (d) Cutting the Fishing Trip Short: Protecting an Adjuster's Claim File (South Carolina Lawyer, July/August 2000) (Author);
- (e) The Big Catch: An Adjuster's Claim File (South Carolina Lawyer, July/August 2005) (Author).

(4) Character:

The Commission's investigation of Mr. Reibold did not reveal evidence of any founded grievances or criminal allegations

**THURSDAY, JANUARY 14, 2016**

made against him. The Commission's investigation of Mr. Reibold did not indicate any evidence of a troubled financial status. Mr. Reibold has handled his financial affairs responsibly.

The Commission also noted that Mr. Reibold was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Reibold reported that his rating by a legal rating organization, Martindale-Hubbell, is AV.

(6) Physical Health:

Mr. Reibold appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Reibold appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Reibold was admitted to the SC Bar in 1995.

He gave the following account of his legal experience since graduation from law school:

- (a) 1996, law clerk to the Honorable J. Ernest Kinard, Jr., Judge of the Circuit Court;
- (b) 1996–2000, associate at Swagart & Walker, P.A.;
- (c) 2000–2002, Swagart, Walker & Reibold, P.A.;
- (d) 2002–2005, Swagart, Walker, Martin & Reibold, P.A.;
- (e) 2005–2008, Walker, Martin & Reibold, LLC;
- (f) 2008–present, Walker & Reibold, LLC.

Mr. Reibold further reported regarding his experience with the Circuit Court practice area:

While my practice has predominantly civil in nature, I do have criminal experience. During my judicial clerkship, I participated in both criminal and civil matters. I assisted Circuit Court Judge Kinard with criminal trials, and other criminal matters, such as guilty pleas, sentencing, and expungements. I

**THURSDAY, JANUARY 14, 2016**

have personally handled two criminal cases in the past 5 years and before, that, I assisted in a third. Finally, I have handled a post-conviction relief proceeding within the past 5 years.

However, my experience has been predominately civil. I have primarily represented defendants, but, at times, I have represented Plaintiffs. I have trial experience in Magistrate's Court, Circuit Court, and the United States District Court. I have appellate experience in the Court of Appeals, and the South Carolina Supreme Court. I have argued a patent appeal before the United States Court of Appeals for the Federal Circuit. At least 95% of my practice has been devoted to litigation. The types of matters I have handled range from personal injury actions, to include wrongful death and survival claims. Employment discrimination litigation, products liability actions, breach of contract, fraud, and unfair trade practice claims.

I do believe my background has prepared me to handle criminal actions. As mentioned above, I assisted Judge Kinard with criminal matters during my clerkship, and have handled some criminal matters since that time. My civil practice has made me very familiar with the Rules of Evidence, which are applied in criminal matters. I have also made efforts to boost my competence in criminal matters. I have studied criminal legal texts, read Advance Sheets and attended criminal law Continuing Legal Education Seminars.

Mr. Reibold reported the frequency of his court appearances during the past five years:

In the past five years, I have handled approximately 20 cases in federal court. In the same time period, I have handled between 140 and 175 cases in SC state courts. I entered court appearances in all of these matters. Not all of these cases required physical appearances before a court.

Mr. Reibold reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:

- (a) civil: 98%;
- (b) criminal: 2%;
- (c) domestic: 0%;
- (d) other: 0%.

**THURSDAY, JANUARY 14, 2016**

Mr. Reibold reported the percentage of his practice in trial court during the past five years as follows:

- (a) jury: 97%;
- (b) non-jury: 3%.

Mr. Reibold stated that he served as sole or chief counsel in 60% of these cases, and that for the remainder he served as associate counsel.

The following is Mr. Reibold's account of his five most significant litigated matters:

(a) Michael Ritz v. Taylor Toyota

In this matter, my partner and I represented a Toyota dealership accused of charging documentation or procurement fees in violation of SC law. Plaintiff represented a group or class of thousands of customers attempting to recover allegedly improper fees. The case took almost six years to reach trial, and was tried to a jury verdict in Aiken County. Plaintiff sought a total judgment of approximately \$25,000,000. After a three day trial, the jury returned a verdict in favor of the defense;

(b) Roberts v. LaConey, 375 S.C. 97, 650 S.E.2d 474 (2007)

I sought permission to file an amicus brief in this case which was filed in the South Carolina Supreme Court's original jurisdiction. The case was decided in favor of the parties represented by my firm, and helped define what constitutes the unauthorized practice of law in the State of South Carolina;

(c) Brown v. Stewart, 348 S.C. 33, 557 S.E.2d 626 (Ct.App. 2001)

Among other things, this case involved the question of when a corporate shareholder may maintain a breach of fiduciary action against corporate board members or directors. I assisted in the trial of this case and argued the appeal, which helped to clarify an uncertain area of law in South Carolina;

(d) Fournil v. Turbeville Insurance Agency

In this matter, I represented a small start-up company. The founder of the company had split off from a larger insurance agency, which became involved in litigation



## THURSDAY, JANUARY 14, 2016

with my client. If the larger company's claims had been successful, the suit would crush the new business. My clients were facing an adversary with much greater resources. Its successful resolution meant survival of my client's business;

(e) Butler v. Ford Motor Company, et al., 724 F.Supp.2d 575 (D.S.C. 2010)

In this case, I represented a small tire company from Georgia who had been improperly sued in South Carolina. The case is significant to me because I was able to have the case relocated to a proper forum, and prevent what appeared to be forum shopping.

The following is Mr. Reibold's account of five civil appeals that he has personally handled:

- (a) Brown v. Stewart, et al., November 19, 2001 (reported at 348 S.C. 33, 557 S.E.2d 676 (Ct.App. 2001) (brief and argument);
- (b) Hall v. Fedor, March 25, 2002 (reported at 349 S.C. 169, 561 S.E.2d 654 (Ct.App. 2002) (on brief);
- (c) OptimumPath, LLC v. Belkin, et al., patent appeal before the US Court of Appeals for the Federal Circuit, May 7, 2012 (brief and oral argument);
- (d) Sign N Ryde v. Larry King Chevrolet, SC Court of Appeals, December 9, 2011 (brief and oral argument);
- (e) Diane Henderson v. Summerville Ford-Mercury, SC Supreme Court, September 11, 2013 (reported at 405 S.C. 440, 748 S.E.2d 221 (2013) (brief and oral argument).

Mr. Reibold reported that he has not personally handled any criminal appeals.

Mr. Reibold reported that he has never previously held a judicial office.

Mr. Reibold reported the following regarding unsuccessful candidacies:

- (a) Fall of 2011 for Circuit Court, Fifth Judicial Circuit, Seat 3, where he was found qualified, but not nominated;

**THURSDAY, JANUARY 14, 2016**

- (b) Fall of 2012 for Circuit Court, At-Large, Seat 16, where he was found qualified, but not nominated;
- (c) Fall of 2014 for Circuit Court, At-Large, Seat 9, where he was found qualified, but not nominated.

(9) Judicial Temperament:

The Commission believes that Mr. Reibold has a good judicial temperament.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Reibold to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also “Well Qualified” in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee also commented, “Like several of our candidates for this seat, Mr. Reibold lacks experience in criminal law, but he has already begun to remedy his shortcoming by taking seminars on criminal law and attending sessions of General Sessions Court. His hard work and dedication impresses us, as do his temperament and intelligence. Mr. Reibold is diligently remedying the one area where he had some deficiency and is a strong candidate for this position.”

Mr. Reibold is married to Shealy Bolan Reibold. He has one child.

Mr. Reibold reported that he was a member of the following Bar and professional associations:

- (a) SC Bar,
  - Member, House of Delegates 2008–2014
  - Member, Practice and Procedure Committee;
- (b) Richland County Bar Association.

Mr. Reibold also shared that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Member, Board of Directors, Keep the Midlands Beautiful;

**THURSDAY, JANUARY 14, 2016**

Honored as Board Member of the Year by South Carolina Keep America Beautiful Affiliates, 2005;

- (b) Appointed Member, City of Columbia Tree and Appearance Commission, 2007–2013;
- (c) Advisory Board Member, Salvation Army Command of the Midlands, 2013–present.

Mr. Reibold further reported he has been:

I have been involved in community affairs for some time. Over the past 15 years, I have worked as a volunteer at public events, raised money for the American Cancer Society, and served as a board member for local non-profit organizations. I am also a member of the 2002 Leadership Columbia class. I was appointed by Columbia City Council to its Tree and Appearance Commission. I am an advisory board member for the Salvation Army of the Midlands.

I have also been active in promoting the legal profession. I have been twice elected to the SC Bar House of Delegates. I am a member of the SC Bar Practice and Procedure Committee. I have also authored a number of articles and co-authored a legal text published by the SC Bar.

Service as a Circuit Court Judge is a natural outgrowth of this commitment service and the legal profession.

(11) Commission Members' Comments:

The Commission commented that Mr. Reibold is a hard-working, experienced practitioner with a good reputation.

(12) Conclusion:

The Commission found Mr. Reibold qualified and nominated him as a candidate for Circuit Court Judge.

**THURSDAY, JANUARY 14, 2016**

**FAMILY COURT  
QUALIFIED AND NOMINATED**

**The Honorable William J. Wylie, Jr.  
Family Court, First Judicial Circuit, Seat 2**

**Commission's Findings:        QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Wylie meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Wylie was born in 1958. He is 57 years old and a resident of Summerville, South Carolina. Judge Wylie provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1985.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Wylie.

Judge Wylie demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Wylie reported that he has not made any campaign expenditures.

Judge Wylie testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

**THURSDAY, JANUARY 14, 2016**

Judge Wylie testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Wylie to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Wylie described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SC Bar Family Law Section	01/21/11;
(b) Family Court Judges Conference	06/01/11;
(c) Orientation School for New Judges	06/08/11;
(d) NCJFCJ Annual Conference	07/23/11;
(e) Annual Judicial Conference	08/17/11;
(f) Family Court Bench/Bar	12/02/11;
(g) Family Court Judges Conference	04/18/12;
(h) Orientation School for New Judges	05/30/12;
(i) NCJFCJ Annual Conference	07/15/12;
(j) Annual Judicial Conference	08/22/12;
(k) Family Law Section	01/25/13;
(l) Family Court Judges Conference	04/17/13;
(m) Orientation School for New Judges	05/29/13;
(n) Annual Judicial Conference	08/21/13;
(o) Family Court Bench/Bar	12/06/13;
(p) Family Law Section	01/24/14;
(q) Family Court Judges Conference	04/23/14;
(r) Orientation School for New Judges	06/18/14;
(s) NCJFCJ Annual Conference	07/12/14;
(t) Annual Judicial Conference	08/20/14;
(u) NJC Complex Custody Disputes	10/20/14;
(v) Family Court Bench/Bar	12/05/14;
(w) Family Law Section	01/23/15;
(x) Family Court Judges Conferences	04/15/15.

Judge Wylie reported that he has taught the following law-related courses:

- (a) I served as a panelist at two Probate Court Bench/Bar Conferences;

**THURSDAY, JANUARY 14, 2016**

- (b) I lectured on probate procedure at a Court Administration seminar for new probate judges;
- (c) I spoke at a “Tips from the Bench” seminar on juvenile cases;
- (d) I lectured at a Probate Bench/Bar CLE on jurisdictional conflicts between family court and probate court;
- (e) I spoke at a Foster Parent Symposium on foster parent participation in abuse and neglect hearings;
- (f) I lectured on judge shopping at a Charleston Bar Family Law Division seminar;
- (g) I lectured at a CLE on DSS Abuse and Neglect cases;
- (h) For the past nine years, I have presented materials on Domestic Abuse and Self-Represented Litigation at the Orientation School for New Judges.

Judge Wylie reported that he has not published any books and/or articles.

(4) Character:

The Commission’s investigation of Judge Wylie did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission’s investigation of Judge Wylie did not indicate any evidence of a troubled financial status. Judge Wylie has handled his financial affairs responsibly.

The Commission also noted that Judge Wylie was punctual and attentive in his dealings with the Commission, and the Commission’s investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Wylie reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

(6) Physical Health:

Judge Wylie appears to be physically capable of performing the duties of the office he seeks.

**THURSDAY, JANUARY 14, 2016**

(7) Mental Stability:

Judge Wylie appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Wylie was admitted to the SC Bar in 1985.

He gave the following account of his legal experience since graduation from law school:

- (a) Partner in the Polito and Wylie law firm from November 1985 until January 1993. As an attorney, my primary area of practice was family law in Dorchester, Berkeley, and Charleston counties. I did a significant amount of pro bono work, including representing children in abuse and neglect cases. Additionally, I handled some personal injury cases, and maintained a few small business clients for whom I performed a variety of legal services;
- (b) Appointed part-time Magistrate in 1989;
- (c) Elected Dorchester County Probate Judge in 1993;
- (d) Elected Family Court Judge in 1998.

Judge Wylie reported that he has held the following judicial offices:

- (a) Dorchester County Magistrate (Appointed by Governor): June 1989–December 1992. Jurisdiction limited to small civil claims, and criminal offenses that carried a small fine or imprisonment not to exceed 30 days;
- (b) Dorchester County Probate Judge (Public Election): January 1993–June 1998. Statutory court with limited jurisdiction (decendent's estates, guardianship & conservatorship of incapacitated persons, involuntary commitments, approval of minor's settlements under \$10,000, concurrent jurisdiction for the approval of wrongful death settlements, litigation involving trusts and powers of attorney, marriage licenses);
- (c) Family Court, First Judicial Circuit (Elected by Legislature): July 1998–present. Statutory court with limited jurisdiction (divorce, separation, annulments, adoption, paternity, name change, abuse and neglect,

THURSDAY, JANUARY 14, 2016

juvenile delinquency, custody, child support, visitation).

Judge Wylie provided the following list of his most significant orders or opinions:

- (a) In Re Minor Child was a post-divorce visitation case that came before me on Mother's motion to require Father to attend counseling due to allegations that he was abusive to the parties' eight year old son. Father denied the allegations and insisted that he should not be required to attend counseling. Father was supported in court by a large number of persons identifying themselves as part of a Family Court reform movement upset by their perception that fathers were not treated equally or fairly in custody and visitation disputes. I suspended Father's visitation conditioned upon his attending counseling. The following is the text of the letter I received ten years later from the child (with the names redacted):

One day when I was 8 years old you changed my life and I am sure you saved my life. My former father abused me all of those 8 years of my life. My mother and step dad fought real hard in court for all of those years trying to save me from this man. So many doctors, judges, and hurt went by until that one day in Lexington, SC when my mother was to go in front of [another judge] again to try and stop visitation. My mom and step dad and even my lawyer was real nervous when they found out that it was you and not [another judge] that would be hearing the case. See Judge Wylie, mom and [lawyer] had been in front of [another judge] and all the other judges many times over the 8 years. My mom just would not give up on me! On that day you saved my life. I had all ready been in the hospital for suicide thoughts and I am sure I would have done it if I had to go over to [Father's] house much longer. What that man put me and my mom through was unbearable. I just wanted out. I appreciated you listening to the mental health professional's opinion. Nobody over the 8 years really would stand up to [Father]. You did. You took visitation away from [Father] unless he was willing to



THURSDAY, JANUARY 14, 2016

receive counseling. Well of course none of it was [his] fault so he thought and never went to counseling. So that day on I never had to go to that man's house again.

I am 18 years old now. I graduated high school with honors and am now going to college. My DAD [stepfather] adopted me and I have a wonderful family. I still suffer from PTSD from what [Father] did to me but I am still going to counseling. See my mom and [stepfather] when I was real young found this wonderful counselor that also really cared about me. I am sure I will always be going to her.

So Judge Wylie I thank you so very much. I will always remember what you did for me and my family. We need more Judges like you. You cared about me;

- (b) Haupt v. Haupt was a divorce case in which one of the most hotly contested issues was the mother's desire to deny visitation for the father. A counselor had recommended visitation be suspended due to the strained relationship between father and children, and he had not had any visitation for over a year when the case was tried before me. The father blamed the mother, and believed she was manipulating everyone including the Court to get her way. Under the particular circumstances of this case, I ordered that neither the mother nor the children could refuse visitation, but that the father could decline any period of visitation after consulting with the children's therapist. Though cumbersome, this provision gave father some control over the visitation and ultimately contributed to his re-establishing a good relationship with his children. I believe this order is significant because it demonstrates my efforts to find creative solutions to difficult problems;

- (c) McKenzie v. Lavender was a visitation case in which the Plaintiff sought to be declared the psychological parent of the Defendant's child at a temporary hearing. The mother had cut off all contact between the child and the Plaintiff despite having fostered a relationship between them. I ordered temporary visitation with detailed restrictions to protect the child from further confusion about the identity of his father. I ruled that the

psychological parent determination should not be made at a temporary hearing, but would have to be made following a trial on the merits with both parties having a full opportunity to be heard, and the child represented by a guardian ad litem. I believe this order is significant because it sought to protect a child caught up in litigation between his natural mother and a person who was neither his biological father, adoptive father nor step-father, but who had a viable cause of action to be declared the child's father under the "psychological parent doctrine;"

- (d) Patrick v. Britt, 613 S.E.2d 541, 364 S.C. 508 (S.C. App. 2005). This was a child support modification case in which I awarded an increase to the Plaintiff mother. Father was self-employed and claimed only \$66.01 per month income, despite his business grossing over \$400,000 annually. The business paid most of his personal expenses, but he insisted that the Court should use \$66.01 as his monthly income for the child support guidelines calculation. The evidence was convoluted and Defendant intentionally misled the Court about his actual income. I imputed an annual salary based upon his depreciation deductions. I believe this order is significant because it demonstrates my efforts to render a decision that was supported by the evidence even though Defendant tried to conceal his true income, and Plaintiff had no direct evidence of his income;
- (e) In Re Baby Girl was a declaratory judgment action. One partner of a lesbian couple sought to be declared the parent of a child born to her partner pursuant to the SC paternity statute. The first partner's egg was fertilized in vitro and then implanted into the other partner. Petitioners' raised an Equal Protection argument claiming that the paternity statute could not be constitutionally limited to fathers only. The petitioners were ably represented and presented compelling arguments, but I declined to issue the declaratory judgment as there were no adverse parties and no justiciable controversy for me to resolve. Petitioners' were in my judgment merely seeking to create new law through the courts.

**THURSDAY, JANUARY 14, 2016**

Judge Wylie has reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Wylie's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizen's Committee on Judicial Qualifications found Judge Wylie to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Wylie is married to Carol S. Wylie. He has three children.

Judge Wylie reported that he was a member of the following Bar and professional associations:

- (a) SC Bar;
- (b) SC Conference of Family Court Judges;
  - (i) Secretary-Treasurer, August 2012–August 2013;
  - (ii) Vice-President, August 2013–August 2014;
  - (iii) President, August 2014–August 2015.

Judge Wylie provided that he was not a member of any civic, charitable, educational, social, or fraternal organizations:

Judge Wylie further reported:

"I grew up in Brazil, the son of Presbyterian missionaries, where my parents worked with impoverished fishermen and their families. My parents' example of sacrificial service to others has had a tremendous impact on me. I grew up in a foreign culture where I counted the rejected of society among my friends. During college, I spent my summers as a construction laborer, farm hand, and factory worker. At college, I worked in the cafeteria and as a

**THURSDAY, JANUARY 14, 2016**

“Student Life Assistant” in my dormitory. Throughout my life, I have been exposed to and made friends with people from all walks of life and from diverse cultural, ethnic and social backgrounds. I believe these experiences have given me a great appreciation for the dignity and value of all human beings, and I am deeply committed to an even-handed administration of justice to the end that whether or not they agree with my decision, both the bank president and day laborer will agree that I listened to them and that they were treated fairly.”

(11) Commission Members’ Comments:

The Commission commends Judge Wylie for his nearly seventeen years of service on the Family Court bench and thanks him for appearing before the Commission to answer its members’ questions and respond to comments received from the SC Bar’s survey and Lowcountry Citizens Committee’s review.

(12) Conclusion:

The Commission found Judge Wylie qualified and nominated him for re-election to the Family Court.

**The Honorable Nancy Chapman McLin  
Family Court, First Judicial Circuit, Seat 3**

**Commission’s Findings:            QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission’s investigation, Judge McLin meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge McLin was born in 1963. She is 52 years old and a resident of Summerville, South Carolina. Judge McLin provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1988.

(2) Ethical Fitness:

The Commission’s investigation did not reveal any evidence of unethical conduct by Judge McLin.

**THURSDAY, JANUARY 14, 2016**

Judge McLin demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McLin reported that she has not made any campaign expenditures.

Judge McLin testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge McLin testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge McLin to be intelligent and knowledgeable. Her performance on the Commission's practice and procedure questions met expectations.

Judge McLin described her continuing legal or judicial education during the past five years as follows:

	<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a)	2015 Family Court Judges' Conference	04/16–17/15;
(b)	2014 Family Court Bench/Bar CLE	12/05/14;
(c)	2014 Annual Judicial Conference	08/21–22/14;
(d)	2014 Family Court Judges' Conference	04/24–25/14;
(e)	Family Law Section CLE, SC Bar Conference	01/24/14;
(f)	2013 Family Court Bench/Bar CLE	12/06/13;
(g)	2013 Annual Judicial Conference	08/22–23/13;
(h)	2013 Family Court Judges' Conference	04/18–19/13;
(i)	Family Law Section CLE, SC Bar Conference	01/25/13;
(j)	Mandatory Family Court Judges FCJA	12/6/12;
(k)	2012 Family Court Bench/Bar CLE	12/7/12;

**THURSDAY, JANUARY 14, 2016**

- (l) 2012 Annual Judicial Conference 08/22–23/12;
- (m) 2012 Family Court Judges' Conference 04/19–20/12;
- (n) Family Law Section CLE, SC Bar  
Conference 01/20/12;
- (o) 2011 Family Court Bench/Bar CLE 12/02/11;
- (p) 2011 Annual Judicial Conference 08/16–17/11;
- (q) 2011 Family Court Judges' Conference 06/01/11;
- (r) Family Law Section CLE, SC Bar  
Conference 01/21/11;
- (s) 2010 Family Court Bench/Bar CLE 12/03/10;
- (t) Mini Summit on Justice for Children 12/02/10;
- (u) 2010 Annual Judicial Conference 08/19–20/10;
- (v) 2010 Family Court Judges' Conference 04/22–23/10;
- (w) 2010 Family Law Update, SC Bar  
Conference 01/22/10;
- (x) 2009 Family Court Bench/Bar CLE 12/04/09;
- (y) 2009 Annual Judicial Conference 08/20–21/09;
- (z) 2009 Family Court Judges' Conference 04/23–24/09.

Judge McLin reported that she has taught the following law-related courses:

- (a) I lectured at the SC Bar Association CLE, Tips from the Bench, III. Topic: Adoptions;
- (b) I lectured at the SC Bar Association CLE, Tips from the Bench II. Topic: Adoptions;
- (c) I lectured at the Charleston County Bar Association CLE, Family Law, 11-30-01. Topic: Family Court Check Lists;
- (d) I lectured at a seminar on Domestic Law in SC, sponsored by the National Business Institute. The topics of the lecture included prenuptial agreements, alimony, child support, custody, equitable distribution issues and a SC Law update. I assisted in the preparation of the written materials with Diane Schafer Goodstein, who was originally scheduled to lecture; however, I ultimately lectured at the seminar along with another attorney when Goodstein was unable to participate. Domestic Law in SC, on or about August 25, 1992.

**THURSDAY, JANUARY 14, 2016**

Judge McLin reported that she has published articles and materials for the above referenced CLE's.

(4) Character:

The Commission's investigation of Judge McLin did not reveal evidence of any founded grievances or criminal allegations made against her. The Commission's investigation of Judge McLin did not indicate any evidence of a troubled financial status. Judge McLin has handled her financial affairs responsibly.

The Commission also noted that Judge McLin was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge McLin reported that her last available rating by a legal rating organization, Martindale-Hubbell, was BV.

(6) Physical Health:

Judge McLin appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge McLin appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge McLin was admitted to the SC Bar in 1988.

She gave the following account of her legal experience since graduation from law school:

- (a) June 1, 1998–Present, Family Court Judge for the First Judicial Circuit, Seat 3;
- (b) April/May 1998: Attorney with law firm of Rosen, Goodstein, and Hagood. I was technically an employee of Rosen, Goodstein & Hagood for approximately two (2) weeks when my previous firm of Goodstein & Goodstein merged with the firm of Rosen, Rosen & Hagood to form the new firm of Rosen, Goodstein &

**THURSDAY, JANUARY 14, 2016**

Hagood. During my brief employment with this firm, I was in the process of closing my law practice so I could begin my position as a Family Court Judge;

- (c) 1990-1998: Attorney with the firm of Goodstein & Goodstein, P.A. During my employment with Goodstein & Goodstein, I enjoyed a general law practice, including but not limited to family law, personal injury, products liability, education law, employment law, and criminal law. The majority of my legal practice was devoted to family court cases;
- (d) 1988-1990: Judicial Law Clerk for the Honorable William T. Howell. At the time of my employment, Judge Howell was an At-Large, Circuit Judge. He subsequently was elected as the Chief Judge for the South Carolina Court of Appeals. As Judge Howell's law clerk, I had the following responsibilities: legal research; drafting orders; docket management; coordination of motion hearings; review of briefs, memorandums, motions and other legal pleadings; and preparation of voir dire and jury charges.

(9) Judicial Temperament:

The Commission believes that Judge McLin's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge McLin to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge McLin is married to Ray E. McLin Jr. She has one child.

Judge McLin reported that she was a member of the following Bar and professional associations:

- (a) SC Conference of Family Court Judges;
- (b) SC Bar Association;



**THURSDAY, JANUARY 14, 2016**

- (c) Dorchester County Bar Association. President of the Dorchester County Bar Association, 1994–1996.

Judge McLin provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) SC Conference of Family Court Judges;
- (b) SC Bar Association;
- (c) Dorchester County Bar Association;
- (d) I attend Bethany United Methodist Church, although I may still be considered a member of Mt. Hebron United Methodist Church.

Judge McLin further reported:

It has been a great honor to serve the State of SC as a Family Court Judge for the First Judicial Circuit for the last seventeen (17) years. I have enjoyed serving as a Family Court Judge. I would greatly appreciate the opportunity to continue to serve the State of SC as a Family Court Judge for the First Judicial Circuit. Thank you for your consideration.

(11) Commission Members' Comments:

The Commission commends Judge McLin for her nearly eighteen years of service on the Family Court bench and thanks her for appearing before the Commission to answer its members' questions and respond to comments received from the SC Bar's survey and Lowcountry Committee's review.

(12) Conclusion:

The Commission found Judge McLin qualified and nominated her for re-election to the Family Court.

**The Honorable Vicki J. Snelgrove  
Family Court, Second Judicial Circuit, Seat 1**

**Commission's Findings:            QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Snelgrove meets the qualifications prescribed by law for judicial service as a Family Court judge.

**THURSDAY, JANUARY 14, 2016**

Judge Snelgrove was born in 1957. She is 58 years old and a resident of Aiken, South Carolina. Judge Snelgrove provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1982.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of disqualifying unethical conduct by Judge Snelgrove.

Judge Snelgrove demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Snelgrove reported that she has not made any campaign expenditures.

Judge Snelgrove testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Snelgrove testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Snelgrove to be intelligent and knowledgeable. Her performance on the Commission's practice and procedure questions met expectations.

Judge Snelgrove described her continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SC Bar Convention	1/21/10–1/24/10;
(b) Domestic Litigation Seminar	5/21/10;

**THURSDAY, JANUARY 14, 2016**

- (c) Hot Tips from the Coolest Domestic Law Practitioners 10/1/10;
- (d) SC Family Court Bench Bar 12/3/10;
- (e) SC Bar Convention 1/20/11–1/23/11;
- (f) Hot Tips from The Coolest Domestic Law Practitioners 9/16/11;
- (g) Family Law Intensive 10/6/11;
- (h) SC Family Court Bench Bar 12/2/11;
- (i) SC Bar Convention 1/19/12–1/22/12;
- (j) Presenting the Family Law Case 4/27/12;
- (k) Hot Tips from the Coolest Domestic Law Practitioners 9/28/12;
- (l) SC Family Court Bench Bar 12/7/12;
- (m) SC Bar Convention 1/24/13–1/27/13;
- (n) Hot Tips from the Coolest Domestic Law Practitioners 9/27/13;
- (o) Family Law Intensive 10/23/13;
- (p) SC Family Court Bench Bar 12/6/13;
- (q) SC Bar Convention 1/23/14–1/26/14;
- (r) In the Best Interests of the Child 1/31/14;
- (s) Hot Tips from the Coolest Domestic Law Practitioners 9/26/14;
- (t) SC Women Lawyers Association Program 10/10/14–10/11/14;
- (u) SC Family Court Bench Bar 12/5/14;
- (v) SC Bar Convention 1/22/15–1/25/15.

Judge Snelgrove reported that she has taught the following law-related courses:

- (a) I have lectured at Hot Tips from the Coolest Domestic Law Practitioners on 10/1/10 on issues relevant to the Family Court;
- (b) I have lectured at Hot Tips from The Coolest Domestic Law Practitioners on 9/16/11 on issues relevant to the Family Court;
- (c) I have lectured at Hot Tips from the Coolest Domestic Law Practitioners on 9/28/12 on issues relevant to the Family Court;
- (d) I have lectured at Family Law Intensive on 10/23/13 on issues relevant to the Family Court;

**THURSDAY, JANUARY 14, 2016**

- (e) I have lectured at Hot Tips from the Coolest Domestic Law Practitioners on 9/27/13 on issues relevant to the Family Court;
- (f) I have lectured at Hot Tips from the Coolest Domestic Law Practitioners on 9/26/14 on issues relevant to the Family Court.

Judge Snelgrove reported that she has published the following:

- (a) SC Family Lawyer Toolkit–First Edition
- (b) SC Client Handbook–First Edition

(4) Character:

The Commission’s investigation of Judge Snelgrove did not reveal evidence of any criminal allegations made against her. The Commission’s investigation of Judge Snelgrove did not indicate any evidence of a troubled financial status. Judge Snelgrove has handled her financial affairs responsibly.

The Commission also noted that Judge Snelgrove was punctual and attentive in her dealings with the Commission, and the Commission’s investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Snelgrove reported that her last available rating by a legal rating organization, Martindale-Hubble, was AV.

(6) Physical Health:

Judge Snelgrove appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Snelgrove appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Snelgrove was admitted to the SC Bar in 1982.

She gave the following account of her legal experience since graduation from law school:

**THURSDAY, JANUARY 14, 2016**

- (a) 1982–2010, Johnson, Johnson, Whittle and Snelgrove, Attorneys, P.A.; Family Court Work.
- (b) 2010–present, Family Court Judge; Family Court Work.

Judge Snelgrove reported that she has held the following judicial office:

July 2010–present, SC Family Court, Elected, Family Court issues only.

Judge Snelgrove provided the following list of her most significant orders or opinions:

- (a) Whitney Lynn Moore v. Arthur Rose Moore; 2011-DR-10-2120 (presently pending in SC Supreme Court;
- (b) Amea N. Patrick v. Andrew S. Patrick; 2015-DR-07-00887;
- (c) David Stoppenhagen v. Heide Thrum-Stoppenhagen; 2013-DR-02-668;
- (d) Judy Harriett-Brandt v. Donald M. Brandt; 2012-DR-05-158 ;
- (e) Natally Shadwick v. Clay Duple; 2014-DR-37-0536 and 2011-DR-37-0087.

Judge Snelgrove has reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Snelgrove’s temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Snelgrove to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also “Well Qualified” in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

The Committee further commented, “Judge Snelgrove is very Well Qualified and is an outstanding Family Court Judge.”

## THURSDAY, JANUARY 14, 2016

Judge Snelgrove is married to Von Pope Snelgrove. She has two children.

Judge Snelgrove reported that she was a member of the following Bar and professional associations:

- (a) SC Women Lawyer's Association 2009–present;
- (b) SC Bar Family Law Section 2000–present.

Judge Snelgrove further reported:

I find my job fascinating. I try to attend seminars that provide information that may be new or different. I enjoy talking with other judges about their cases and novel issues. I find that no matter how long one has practiced law or sat on the bench, there is a new issue at least once per week. I listen to attorneys at social occasions talk of problems. I ask them to tell me what habits or traits they find difficult in judges and find helpful in judges. If I am in a social situation where one does not know that I am a judge, and they are discussing his/her courtroom experience, I listen intently to see how their experience could have been better or worse, depending on the judge's demeanor.

(11) Commission Members' Comments:

The Commission commends Judge Snelgrove for her nearly six years of service on the Family Court bench and thanks her for appearing before the Commission to answer its members' questions and respond to comments received from the SC Bar's survey and Midlands Committee's review.

(12) Conclusion:

The Commission found Judge Snelgrove qualified and nominated her for re-election to the Family Court.

**THURSDAY, JANUARY 14, 2016**

**The Honorable George Marion McFaddin, Jr.  
Family Court, Third Judicial Circuit, Seat 1**

**Commission's Findings:            QUALIFIED AND NOMINATED**

**(1)    Constitutional Qualifications:**

Based on the Commission's investigation, Judge McFaddin meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge McFaddin was born in 1954. He is 61 years old and a resident of Gable, South Carolina. Judge McFaddin provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1985.

**(2)    Ethical Fitness:**

The Commission's investigation did not reveal any evidence of unethical conduct by Judge McFaddin.

Judge McFaddin demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McFaddin reported that he has not made any campaign expenditures.

Judge McFaddin testified he has not:

- (a)    sought or received the pledge of any legislator prior to screening;
- (b)    sought or been offered a conditional pledge of support by a legislator;
- (c)    asked third persons to contact members of the General Assembly prior to screening.

Judge McFaddin testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

**THURSDAY, JANUARY 14, 2016**

(3) Professional and Academic Ability:

The Commission found Judge McFaddin to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge McFaddin described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Family Law Section	1/2015;
(b) Family Court Judges Conference	4/2015;
(c) Family Law Section	1/2014;
(d) Family Court Judges Conference	4/2014;
I was excused by the Chief Justice due to my father's surgery.	
(e) Annual Judicial Conference	8/2014;
(f) Lawyer and Judicial Discipline Conference	11/2014;
(g) Family Court Bench Bar	12/2014;
(h) Family Law Section	1/2013;
(i) Family Court Judges Conference	4/2013;
I was excused by the Chief Justice due to my shoulder surgery done that week.	
(j) Annual Judicial Conference	8/2013;
(k) Lawyer and Judicial Discipline Conference	11/2013;
(l) Family Court Bench Bar	12/2013;
(m) Family Law Section	1/2012;
(n) Family Law Judges Conference	4/2012;
(o) Presenting the Family Law Case	4/2012;
(p) Annual Judicial Conference	8/2012;
Oddly this one does not show on my CLE records but I have never missed this conference.	
(q) Lawyer and Judicial Discipline Conference	11/2012;
(r) Mandatory Family Court Judges	12/2012;
(s) Family Court Bench Bar,	12/2012;
(t) Family Law Section	1/2011;
I did not attend and was excused to allow me to finish a trial of several days duration.	
(u) Family Court Judges Conference	6/2011;
(v) Annual Judicial Conference	8/2011;
(w) Lawyer and Judge Discipline Conference	11/2011;
(x) Family Court Bench Bar	12/2011;
(y) Family Law Section	1/2010;



**THURSDAY, JANUARY 14, 2016**

(z)	Family Court Judges Conference	4/2010;
(aa)	Domestic Litigation	5/2010;
(bb)	Annual Judicial Conference	8/2010;
(cc)	Hot Tips Family Law	10/2010;
(dd)	Lawyer and Judge Discipline Conference	10/2010;
(ee)	Introduction to Court Annexed ADR	10/2010;
(ff)	Mini-Summit on Justice for Children	12/2010;
(gg)	Family Law Bench Bar	12/2010.

Judge McFaddin reported that he has taught the following law-related courses:

In the early 1990s I taught torts, family law and trusts and estates at Central Carolina Technical College in the paralegal program. It was part-time work.

Judge McFaddin reported that he has not published any books and/or articles.

(4) Character:

The Commission's investigation of Judge McFaddin did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Judge McFaddin did not indicate any evidence of a troubled financial status. Judge McFaddin has handled his financial affairs responsibly.

The Commission also noted that Judge McFaddin was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge McFaddin reported that he is not rated by any legal rating organization.

Judge McFaddin reported that he has held the following public offices:

- (a) Magistrate, August 1998–July 2002. General jurisdiction magistrate/summary court work to include civil, landlord and tenant, criminal and traffic cases;

**THURSDAY, JANUARY 14, 2016**

- (b) Family Court, July 2002–present. Cases include divorces with all related issues, adoptions, child support enforcement, abuse and neglect child protections cases, vulnerable adult actions and juvenile criminal cases.

(6) Physical Health:

Judge McFaddin appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge McFaddin appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge McFaddin was admitted to the SC Bar in 1985.

He gave the following account of his legal experience since graduation from law school:

- (a) After law school in 1985 I worked as a law clerk to the Honorable Rodney A. Peeples until July 1986. My job included docket management, research, writing orders, office work to include answering the telephone, setting hearings, and anything else I was told to do;
- (b) I worked at the Bryan, Bahnmuller, King, Goldman and McElveen law firm in Sumter from July 1986 until June 1987. I was an associate and assisted with trial preparation, research, client intake, docket meetings and anything else I was told to do.
- (c) From June 1987 until May 1988 I worked as an associate with the Law Firm of John E. Miles. There I did the same as noted above in (b);
- (d) From May 1988 I was an associate at the firm of Atkinson and Davis. My duties were the same as noted above in (b) and (c);
- (e) From August 1990 until I became a full-time magistrate in 1988 I was a sole practitioner. I handled lots of family law cases. I served as the juvenile court public defender. For a short time I was a public defender in the court of general sessions. I had a small personal injury practice. I also served for two years as the county prosecutor in the magistrate court. After I left this

## THURSDAY, JANUARY 14, 2016

practice to become a full-time magistrate I never practiced law again. In 2002 I began my family court judgeship.

Judge McFaddin provided the following list of his most significant orders:

- (a) Ragsdale v. Ragsdale, an unpublished opinion issued under 2008-UP-291, Ct. App. in 2008.

In this case the central issue was the determination of whether certain improvements to the real estate were personal or real property. I determined the property was real property due to the non-removable nature of the property. The ruling was affirmed;

- (b) Lewis v. Lewis, 392 SC 381, 709 SE2d 650 (2011).

In this case the Court of Appeals reversed my ruling relating to the valuation of property, an antebellum house. The Supreme Court, on appeal from the Court of Appeals, reversed the Court of Appeals and reiterated that the Family Court judge has broad discretion when valuing property and that the Family Court gave proper weight and credibility to the valuation offered by an expert in the area of such property. This case is cited many times in Family Court opinions since 2011. (The case caption notes that Judge R. Wright Turbeville was involved. He was but only with regard to the temporary order, not my final ruling.);

- (c) Keefer v. Keefer, 394 SC 329, 716 SE2d 379 (Ct. App. 2011).

In this case the issue revolved around the interpretation of the parties' written agreement as it related to post-marriage retirement-related benefits. I ruled that the agreement was unambiguous and that the agreement did not include the benefits. The Court of Appeals affirmed noting that agreements are to be given the plain meaning of the agreement;

- (d) Argabright v. Argabright, 398 SC 176, 727 SE2d 748 (2012).

Here the central issue was whether the Family Court should allow the mother's boyfriend, a registered sex offender, to be in the presence of mother's teenaged daughter. Mother want the prior restraint lifted. I

**THURSDAY, JANUARY 14, 2016**

denied the request finding that mother, even as the child's parent, could not ignore the prior restraint. The Supreme Court agreed and affirmed;

- (e) Crossland v. Crossland, 408 SC 443, 759 SE2d 419 (2014).

In this case I issued an order equally dividing the marital assets based upon the conduct of the husband, to a degree, along with the other property division factors. I also noted the years of contributions of the wife to the property. The Court of Appeals reversed most of my rulings but the Supreme Court reversed that court and reinstated my rulings.

Judge McFaddin has reported no other employment while serving as a judge.

- (9) Judicial Temperament:

The Commission believes that Judge McFaddin's temperament is excellent.

- (10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge McFaddin to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee commented, "High level of dedication and sincere love of the people he serves as a Family Court judge. We are especially impressed with Adoption Days over which he presides."

Judge McFaddin is married to, but separated from, Cindy Johnston McFaddin. He has two adult daughters.

Judge McFaddin reported that he was a member of the following Bar and professional associations:

- (a) Sumter County Bar member, 1986–1998;
- (b) SC Bar member since 1985.

**THURSDAY, JANUARY 14, 2016**

Judge McFaddin provided that he was not a member of any civic, charitable, educational, social, or fraternal organizations.

(11) Commission Members' Comments:

The Commission commented that Judge McFaddin has an outstanding reputation as a jurist. They noted he has ably and humbly served as a judge and that his adoption days program cited by the citizens committee has been very successful.

(12) Conclusion:

The Commission found Judge McFaddin qualified and nominated him for re-election to the Family Court.

**The Honorable Cely Anne Brigman  
Family Court, Fourth Judicial Circuit, Seat 1**

**Commission's Findings:        QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Brigman meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Brigman was born in 1961. She is 54 years old and a resident of Darlington, South Carolina. Judge Brigman provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1986.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Brigman.

Judge Brigman demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Brigman reported that she has not made any campaign expenditures.

**THURSDAY, JANUARY 14, 2016**

Judge Brigman testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Brigman testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Brigman to be intelligent and knowledgeable. Her performance on the Commission's practice and procedure questions met expectations.

Judge Brigman described her continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Staff/Judges Annual Training	February 2, 2010;
(b) Mandatory School for Magistrates	November 5, 2011;
(c) Annual Legislative Seminar	March 9, 2011;
(d) The Trial of a Criminal Domestic Violence Case	July 1, 2011;
(e) Family Law Section Seminar	January 21, 2011;
(f) Children's Law Committee Seminar	January 22, 2011;
(g) Annual Magistrate Staff Seminar	February 8, 2012;
(h) Avoiding 20 Ethics Traps	July 13, 2012;
(i) 2012 Hot Tips From the Coolest Practitioners	September 28, 2012;
(j) Mandatory School for Magistrates	November 2, 2012;
(k) Family Law Symposium	April 19, 2013;
(l) Domestic Violence and Sexual Assault	May 17, 2013;
(m) 2012 Criminal Law: A View From the Bench	June 20, 2013;
(n) For the DUI Practitioner	June 30, 2013;
(o) Discovery: Problems and Solutions	July 8, 2013;
(p) Unusual Issues Involving Service of Process	July 8, 2013;

**THURSDAY, JANUARY 14, 2016**

- (q) Hot Tips From the Coolest Practitioners September 26, 2014;
- (r) Mandatory School for Magistrates November 7, 2014;
- (s) New Judges School–Family Court June, 2015.

Judge Brigman reported that she has taught the following law-related courses:

- (a) I made a presentation at a SC Women Lawyers Seminar on Criminal Domestic Violence in October 2006;
- (b) I lectured on the topic of Marriage Dissolution. Process and Procedure at a National Business Institute Seminar in October 2009;
- (c) I made a presentation at the SC Bar Hot Tips Seminar in September 2013, Should the Child Speak to the Judge?;
- (d) I was on the Faculty for Law School for Non-Lawyers in April 2014. I taught the Family Law section.

Judge Brigman reported that she has not published any books and/or articles.

(4) Character:

The Commission's investigation of Judge Brigman did not reveal evidence of any founded grievances or criminal allegations made against her. The Commission's investigation of Judge Brigman did not indicate any evidence of a troubled financial status. Judge Brigman has handled her financial affairs responsibly.

The Commission also noted that Judge Brigman was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Brigman reported that she is not rated by any legal rating organization.

(6) Physical Health:

Judge Brigman appears to be physically capable of performing the duties of the office she seeks.

**THURSDAY, JANUARY 14, 2016**

(7) Mental Stability:

Judge Brigman appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Brigman was admitted to the SC Bar in 1986.

She gave the following account of her legal experience since graduation from law school:

- (a) From August 1986 until May 1990, I practiced as an associate with Greene, Lockemy and Bailey in Dillon, SC. My responsibilities involved Family Court litigation, civil litigation primarily representing plaintiffs in personal injury actions, and limited criminal defense I also performed real estate closings;
- (b) From May 1990 until May 2004, I practiced as an associate with D. Kenneth Baker, P.A. in Darlington, SC. My responsibilities involved family court litigation, civil litigation primarily representing plaintiffs in personal injury actions and residential real estate closings. I also handled cases in Probate Court;
- (c) In March 2004, I was appointed to fill a position as a part-time Magistrate for Darlington County. I still hold this position and been serving as Chief Magistrate in Darlington County since 2004;
- (d) From May 2004 until November 2009, I practiced as an associate with McDougall and Self, LLP in Florence, SC. My practice was limited to Family Court litigation;
- (e) From November 2009 until June 2015, I have practiced with the Jebaily Law Firm in Florence, SC. My practice is limited to Family Court litigation and some matters in Probate Court;
- (f) From June 2010 until June 2011, I was a part-time attorney for the Clarendon County guardian ad litem program. I represented lay guardians in matters involving the Department of Social Services.;
- (g) On May 27, 2015, I was elected by the SC General Assembly to fill the unexpired term of Roger E. Henderson on the Fourth Judicial Circuit Family Court, Seat 1.



**THURSDAY, JANUARY 14, 2016**

The following is Judge Brigman's account of her five most significant litigated matters:

- (a) Trey Gerald Smith v. Jennifer Erin Williamson, 07-DR-16-0071

This was a custody/visitation action brought pursuant to the Uniform Child Custody Jurisdiction Act (UCCJA) and the Parental Kidnapping Prevention Act (PKPA). I represented the Defendant mother in this action. My client and the minor child lived in Mississippi. In a previous action between these parties it was established that Mississippi was the home state of the minor child. After the Family Court of Mississippi had issued an order regarding custody, the father filed a second action in SC seeking to modify the Mississippi order. After a full hearing on the merits, the Family Court in SC dismissed the father's complaint. I was able to demonstrate that pursuant to the PKPA the family court in SC lacked jurisdiction and the father would have to pursue his claim in Mississippi, my client's home state;

- (b) James Dustin Carnell v. Jessica Marie Carnell, Tonja Renee Carnell and minor children Brittany Ann Camell and Tiffany Nichole Carnell, 09-DR-16-1107

This was an action for termination of parental rights and adoption. I represented the biological father and potential adoptive step-mother. We were seeking to terminate the parental rights of the biological mother and allow the step-mother to adopt the minor children. The biological mother contested both the termination of parental rights and the adoption. I was able to establish that the biological mother had failed to visit or support the minor children and that pursuant to the statute, her parental rights to the children should be terminated. Upon terminating the parental rights of the biological mother, the Court allowed the step-mother to adopt the children, over the objections of the biological mother;

- (c) Gerald v. Gerald, 09-DR-21-1372, 09-DR-21-1372

This was a Rule to Show Cause action filed during the pendency of a divorce action. I represented the Plaintiff wife who alleged the Defendant had repeatedly violated a prior restraining order issued by the Court.

**THURSDAY, JANUARY 14, 2016**

There were numerous instances of unwanted and intrusive contact which the Defendant denied. Through testimony and the introduction of various exhibits I was able to demonstrate to the court that the Defendant had in fact violated the restraining order on numerous occasions. despite his adamant denials. The Court found the Defendant to be in contempt of the prior order;

- (d) Langston v. Langston, 2011-DR-21-758

This was an action for termination of alimony in which I represented the Plaintiff ex-husband. At the time of the parties' divorce, my client was ordered to pay permanent alimony. Several months after the divorce. the ex-wife began living with her paramour. The ex-wife denied that she and the paramour had cohabitated for the requisite 90 days as required by statute. Through extensive discovery, we were able to establish a time line demonstrating the 90 consecutive days. The case actually settled minutes before trial in my client's favor;

- (e) McPhail v. McPhail, 2013-DR-16-0321

This was an action for divorce, alimony and attorney fees. I represented the Plaintiff wife in a long term marriage. The Defendant husband was uncooperative throughout the litigation which required the filing of two Rules to Show Cause before we got to the final hearing. The Defendant husband denied he had substantial income and alleged he was unable to pay alimony.

I was able to prove through exhibits and testimony that the Defendant's income was significantly higher than he claimed. After a full hearing on the merits the Court awarded my client permanent periodic alimony and required the Defendant to reimburse a substantial portion of her attorney fees.

Judge Brigman reported she has not personally handled any civil or criminal appeals.

Judge Brigman reported that she has held the following judicial offices:

**THURSDAY, JANUARY 14, 2016**

- (a) March 2004–June 2015, I was appointed to serve as part-time Magistrate for Darlington County;
- (b) In 2004, I was appointed to serve as Chief Magistrate, a position I held until my resignation. I presided over civil matters in which the amount in controversy did not exceed \$7,500.00 and criminal matters that fell within the Magistrate’s Court jurisdiction. I also presided over preliminary hearings, all jury trials in the Hartsville area of Darlington County, and I conducted bond hearings;
- (c) I am currently a Family Court judge, having been elected by the SC General Assembly on May 27, 2015. I was sworn in July 1, 2015.

Judge Brigman provided the following list of her most significant orders or opinions:

The cases I presided over did not require written orders.

Judge Brigman reported the following regarding her employment while serving as a judge:

- (a) From August 1986 until May 1990, I practiced as an associate with Greene, Lockemy and Bailey in Dillon, SC. My responsibilities involved Family Court litigation, civil litigation primarily representing plaintiffs in personal injury actions, and limited criminal defense. I also performed real estate closings;
- (b) From May 1990 until May 2004, I practiced as an associate with D. Kenneth Baker, P.A. in Darlington, SC. My responsibilities involved family court litigation, civil litigation primarily representing plaintiffs in personal injury actions, and residential real estate closings. I also handled cases in Probate Court;
- (c) In March 2004, I was appointed to fill a position as a part-time Magistrate for Darlington County. I still hold this position and been serving as Chief Magistrate in Darlington County since 2004;
- (d) From May 2004 until November 2009, I practiced as an associate with McDougall and Self, L.L.P., in Florence, SC. My practice was limited to Family Court litigation;
- (e) From November 2009 until present, I have practiced with the Jebaily Law Firm in Florence, SC. My practice

**THURSDAY, JANUARY 14, 2016**

is limited to Family Court litigation and some matters in Probate Court;

- (f) From June 2010 until June 2011, I was a part-time attorney for the Clarendon County Guardian ad litem program. I represented lay guardians in matters involving the Department of Social Services.

Judge Brigman has reported no other employment while serving as a judge.

Judge Brigman further reported the following regarding unsuccessful candidacies:

- (a) In 2011 I was a candidate for a Family Court judgeship for the Fourth Judicial Circuit. I came out of screening but withdrew before the election. The seat was filled by Hon. Salley H. McIntyre;
- (b) In the fall of 2012 I was a candidate for a Family Court, At-Large Seat 4. I did not come out of screening.

(9) Judicial Temperament:

The Commission believes that Judge Brigman's temperament would be excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Brigman to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. In summary, the Committee stated, "we are excited to see Judge Brigman in her new capacity as a Family Court judge. She has been a favorite of this committee for some time, which corresponds with the feedback we have received from the Bar and community about her qualifications and her temperament."

Judge Brigman is married to Gregory Wendell Brigman. She has two children.

Judge Brigman reported that she was a member of the following Bar and professional associations:

**THURSDAY, JANUARY 14, 2016**

- (a) SC Bar Association;
- (b) Darlington County Bar Association;
- (c) Florence County Bar Association.

Judge Brigman provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Award of Excellence, SC Coalition Against Domestic Violence, 2008;
- (b) American Heart Association.

Judge Brigman further reported:

The last fifteen years of my practice were devoted primarily to the practice of family law. I tried to increase my professional skills by attending educational family law seminars and by speaking at these seminars. My service as a magistrate taught me the importance of exercising patience, understanding and restraint with both litigants and lawyers. I believe the skills learned in my practice and my magistrates work have transferred to my Family Court service and will serve me well.

(11) Commission Members' Comments:

The Commission commends Judge Brigman for her nearly six months of service on the Family Court bench and thanks her for appearing before the Commission to answer its members' questions and respond to comments received from the SC Bar's survey and Pee Dee Citizens Committee's review.

(12) Conclusion:

The Commission found Judge Brigman qualified and nominated her for re-election to the Family Court.

**THURSDAY, JANUARY 14, 2016**

**The Honorable Dorothy Mobley Jones  
Family Court, Fifth Judicial Circuit, Seat 1**

**Commission's Findings: QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Jones meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Jones was born in 1952. She is 63 years old and a resident of Columbia, SC. Judge Jones provided in her application that she has been a resident of SC for at least the immediate past five years, and has been a licensed attorney in SC since 1978.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Jones.

Judge Jones demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges.

Judge Jones reported that she has made campaign expenditures on paper, copies, and postage totaling \$10.00.

Judge Jones reported that she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Jones reported that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

**THURSDAY, JANUARY 14, 2016**

(3) Professional and Academic Ability:

The Commission found Judge Jones to be intelligent and knowledgeable. Her performance on the Commission's practice and procedure questions met expectations.

Judge Jones described her past continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SC Bar Bridge the Gap	8/3/15;
(b) New Judges Orientation School	6/3/15;
(c) SC Bar Bridge the Gap	3/9/15;
(d) SC Bar Convention	1/22/15;
(e) Bridge the Gap	1/19/15;
(f) Family Court Bench Bar	12/5/14;
(g) SC Bar Hot Tips	9/26/14;
(h) SC Bar Bridge the Gap	8/4/14;
(i) New Judges Orientation School	6/19/14;
(j) SC Bar Bridge the Gap	3/10/14;
(k) SC Bar Convention	1/23/14;
(l) SC Bar Bridge the Gap	1/2/14;
(m) SC Bar Convention	12/16/13;
(n) Family Court Bench/Bar	12/6/13;
(o) Annual Judicial Conference	8/21/13;
(p) New Judges Orientation School	5/3/13;
(q) Family Court Bench/Bar	12/7/12;
(r) SC Court Administration Annual Judicial Conference	8/19/12;
(s) New Judges Orientation School	6/1/12;
(t) Family Court Judges' Conference	4/18/12;
(u) SC Bar Annual Convention	1/15/12;
(v) SC Bar Family Court Bench/Bar CLE	12/2/11;
(w) SC Bar Hot Topics Domestic Law	9/16/11;
(x) SC Association of Justice Annual Convention- Family Law	8/4/11;
(y) New Judges Orientation School	6/8/11;
(z) Family Court Judges' Conference	6/1/11;
(aa) SC Bar Guardian Ad Litem Training	1/28/11;
(bb) SC Bar Annual Convention- Family Law Section	1/21/11;
(cc) SC Bar Family Court Bench/Bar CLE	12/3/10;

**THURSDAY, JANUARY 14, 2016**

- (dd) Children's Law Office Mini Summit on Justice for Children 12/2/10;
- (ee) SC Court Administration Annual Judicial Conference 8/18/10;
- (ff) SC Association of Justice Annual Convention-Family Law 8/15/10;
- (gg) New Judges Orientation School 6/3/10;
- (hh) Family Court Judges' Conference 4/22/10;
- (ii) SC Bar Annual Convention- Family Law Update 1/22/10.

Judge Jones reported that she has taught the following law related courses:

- (a) Judge Jones planned, moderated and spoke at the annual Family Court Bench Bar Seminar from 2008-2014. All issues presented at this seminar were intended to address issues of interest to Family Court Judges and practitioners;
- (b) Judge Jones presented at three SC Bar "Bridge the Gap" seminars in 2014, and to present she has presented at two "Bridge the Gap" seminars in 2015, to instruct law school graduates on Family Court procedures;
- (c) Judge Jones participated as a speaker in a Professionalism Series to law students regarding professionalism issues at the University of South Carolina School of Law on September 16, 2011;
- (d) Judge Jones participated as a speaker in a Professionalism Series to law students regarding professionalism issues at the Charleston School of Law on October 9, 2014;
- (e) Judge Jones participated in guardian ad litem training seminar for the Fifth Judicial Circuit on January 28, 2011;
- (f) Judge Jones lectured on courtroom procedures and participated in a training session for the Department of Juvenile Justice on February 9, 2011;
- (g) Judge Jones presented at the SC Bar Family Law Hot Tips seminar in 2011 and 2014 on family law issues of interest.



**THURSDAY, JANUARY 14, 2016**

Judge Jones reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Jones did not reveal evidence of any founded grievances or criminal allegations made against her. The Commission's investigation of Judge Jones did not indicate any evidence of a troubled financial status. Judge Jones has handled her financial affairs responsibly.

The Commission also noted that Judge Jones was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Jones reported that she received recognition in The Best Lawyers in America in 2005 before her election to the bench.

(6) Physical Health:

Judge Jones appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Jones appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Jones was admitted to the SC Bar in 1978.

She gave the following account of her legal experience since graduation from law school:

- (a) Judicial law clerk to Hon. Rodney A. Peeples, August 1978–November 1979. During my employment, I assisted Judge Peeples with jury and non-jury dockets; contacted attorneys for pre-trial conferences and trial appearances; researched legal issues and reviewed legal briefs submitted by attorneys; prepared Orders and jury charges and participated in law clerk seminars;
- (b) Yarborough, Fallon and Mobley in Florence, SC, November 1979–1982. Engaged in a general practice

## THURSDAY, JANUARY 14, 2016

including civil and criminal practice, domestic, probate, Workers Compensation, unemployment hearings and magistrate court cases. Despite a general practice, I developed a strong interest in family law, to include adoptions, divorce, custody litigation, termination of parental rights and juvenile matters;

- (c) Baker, Purvis and Mobley, in Darlington, SC, 1984–January 1987. Specialized in medical malpractice and products liability cases; also was actively involved in family law and tort practice;
- (d) Harvey L. Golden, P.A., in Columbia, SC, 1984–January 1987. Specialized in family law, with an emphasis on complex marital litigation involving closely held corporations and division of medical practices and other professional businesses. Return to Columbia was based upon the death of my father and need to be closer to my aging mother;
- (e) Hearn and Corbett, in Myrtle Beach, SC, January 1987–1989. This firm merged into Van Osdell, Lester, Hearn, Britton and Martin. Relocation to Myrtle Beach was based upon marriage to Ronald K. Jones of Myrtle Beach. I primarily engaged in sophisticated matrimonial litigation and contested custody cases;
- (f) Dorothy Mobley Jones, 1990–1993, in Myrtle Beach, SC. Subsequent to being a solo practitioner, I merged with Lester and Jones, where I remained until February 2005 when elected to the Family Court bench. These years of practice were dedicated solely to the practice of family law. Our office was based in Columbia, SC, with satellite offices in Myrtle Beach and Beaufort, SC;
- (g) I was elected to Seat 1, Fifth Judicial Circuit, Family Court in February 2005.

Judge Jones reported that she has held the following judicial office:

Family Court Judge, Fifth Judicial Circuit, 2005–present.

### (9) Judicial Temperament:

The Commission believes that Judge Jones's temperament has been, and would continue to be, excellent.

**THURSDAY, JANUARY 14, 2016**

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Jones to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also “Well Qualified” in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee found Judge Jones to be impressive on all levels and very well suited for her job.

Judge Jones is divorced. She has one child.

Judge Jones reported that she was a member of the following bar and professional associations:

- (a) SC Bar Association;
- (b) Richland County Bar Association;
- (c) Family Court Judges Advisory Committee (2012–present);
- (d) Chief Justice’s Commission on the Profession (2012–present);
- (e) Children’s Task Force, past member (ended 2011);
- (f) Docket Management Task Force (February 2011–present).

(11) Commission Members’ Comments:

The Commission commends Judge Jones for her ten years of service on the Family Court bench and thanks her for appearing before the Commission to answer its members’ questions. The Commission further commends Judge Jones for earning all positive comments on the Bench and Bar surveys.

(12) Conclusion:

The Commission found Judge Jones qualified and nominated her for re-election to the Family Court.

THURSDAY, JANUARY 14, 2016

**The Honorable Gwendlyne Young Jones  
Family Court, Fifth Judicial Circuit, Seat 4**

**Commission's Findings:            QUALIFIED AND NOMINATED**

(1)    Constitutional Qualifications:

Based on the Commission's investigation, Judge Jones meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Jones was born in 1962. She is 53 years old and a resident of Columbia, South Carolina. Judge Jones provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1989.

(2)    Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Jones.

Judge Jones demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Jones testified she has not:

- (a)    sought or received the pledge of any legislator prior to screening;
- (b)    sought or been offered a conditional pledge of support by a legislator;
- (c)    asked third persons to contact members of the General Assembly prior to screening.

Judge Jones testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3)    Professional and Academic Ability:

The Commission found Judge Jones to be intelligent and knowledgeable. Her performance on the Commission's practice and procedure questions met expectations.

**THURSDAY, JANUARY 14, 2016**

Judge Jones described her continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SC Public Defender Conference	09/28/2009;
(b) SC Black Lawyer's Annual Retreat	10/01/2009;
(c) Family Court Judge's Conference	04/22/2010;
(d) 2010 New Judge's Orientation	06/02/2010;
(e) SCAJ 2010 Annual Conference	08/05/2010;
(f) 2010 Judicial Conference	08/18/2010;
(g) 2010 Hot Tips Domestic Conference	10/01/2010;
(h) Mini Summit on Justice for Children	12/02/2010;
(i) 2010 SC Family Court Bench Bar	12/03/2010;
(j) Family Law Section Conference	01/21/2011;
(k) Family Court Judge's Conference	06/01/2011;
(l) 2011 New Judge's School Orientation	06/08/2011;
(m) 2011 SCAJ Annual Convention	08/04/2011;
(n) 2011 Annual Judicial Conference	08/17/2011;
(o) SC Black Lawyer's Retreat	10/14/2011;
(p) 2011 SC Family Court Bench Bar	12/02/2011;
(q) Family Law Section Seminar	01/20/2012;
(r) 2012 Family Court Judge's Conference	04/08/2012;
(s) 2012 Annual Judicial Conference	08/22/2012;
(t) 2012 Family Court Judge's Conference	12/06/2012;
(u) 2012 Family Court Bench Bar	12/07/2012;
(v) Family Law Section Conference	01/05/2013;
(w) NBI Judicial Forum	05/11/2012;
(x) Public Defender's Conference	09/24–25/2012;
(y) National Judicial College	10/15–25/2012;
(z) 2013 Family Court Judge's Conference	04/17/2013;
(aa) 2013 SCAJ Annual Convention	08/01/2013;
(bb) 2013 Annual Judicial Conference	08/21/2013;
(cc) 2013 Family Court Bench Bar	12/06/2013;
(dd) Family Law Section Seminar	01/24/2014;
(ee) 2014 Family Court Judge's Conference	04/23/2014;
(ff) 2014 SCAJ Annual Convention	08/07/2014;
(gg) 2014 Annual Judicial Conference	08/20/2014;
(hh) NBI Judicial Forum	11/07/2014;
(ii) 2014 Family Court Bench Bar	12/05/2015;
(jj) Family Law Section Conference	01/23/2015.

**THURSDAY, JANUARY 14, 2016**

Judge Jones reported that she has taught the following law-related courses:

- (a) I have made presentations at the Family Court New Judge's School Orientation on the topics of a new judge's perspective, and how to handle a domestic custody trial;
- (b) I have made presentations at the Family Court Bench and Bar on self-represented litigants and case law updates;
- (c) I made a presentation at the SC Black Lawyers' Annual Retreat on family law update;
- (d) I have served on a judge's panel conference for the NBI Judicial Forum;
- (e) I have made presentations regarding juvenile delinquency and compliance at the Department and Juvenile Justice and various schools.

Judge Jones reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Jones did not reveal evidence of any founded grievances or criminal allegations made against her. The Commission's investigation of Judge Jones did not indicate any evidence of a troubled financial status. Judge Jones has handled her financial affairs responsibly.

The Commission also noted that Judge Jones was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Jones reported that she is not rated by any legal rating organization.

(6) Physical Health:

Judge Jones appears to be physically capable of performing the duties of the office she seeks.

**THURSDAY, JANUARY 14, 2016**

(7) Mental Stability:

Judge Jones appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Jones was admitted to the SC Bar in 1989.

She gave the following account of her legal experience since graduation from law school:

- (a) 1989–1995: Richland County Public Defender’s Office-Responsible for the representation of indigent persons in jury trial, guilty pleas, bond hearings, preliminary hearings and probation violations;
- (b) 1994–1995: Supervisor of the Juvenile Division of the Richland County Public Defender’s Office-Responsible for overseeing two other attorneys in the public defender’s office. Duties included representing indigent persons in Family Court in bench trials, guilty pleas, probation violations, waivers and detention hearings;
- (c) 1992: Interim Chief Public Defender for the Richland County Public Defender’s Office-Responsible for the management of fifteen attorneys and support staff; presenting budget to County Council and maintaining an active caseload of approximately two hundred and fifty cases;
- (d) 1995–2010: Solo Practitioner, Law Offices of Gwendlyne Young Smalls-Practice in Family Court throughout the State of SC involving juvenile defense, divorces, abuse and neglect, adoptions, child custody and child support matters. Also practiced in General Sessions, US District Court for SC and Magistrate Courts throughout the state handling criminal defense matters;
- (e) 1995–1996: Kellogg Contract with the SC Department of Social Services-responsible for the litigation of termination of parental rights cases for five counties.

Judge Jones reported the following regarding her employment while serving as a judge:

- (a) Tommy Baker v. Marriion Baker, (2012-DR-28-0506);

**THURSDAY, JANUARY 14, 2016**

- (b) Maureen Weirick v. Daniel Canto, (2011-DR-40-1190);
- (c) Marcus Duncan v. Marjorie Metellus Duncan, (2009-DR-40-0003);
- (d) Saswati Samaddar v. Abhijit Samaddar, (2009-DDR-40-3928);
- (e) Jesse Grannis v. Christopher Grannis, (2013-DR-40-1813).

Judge Jones further reported the following regarding an unsuccessful candidacy:

Yes. I ran for Richland County Family Court, Seat 1 in 2005. I was successfully voted out of screening as qualified and nominated; however, I did not win the election.

(9) Judicial Temperament:

The Commission believes that Judge Jones's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Jones "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. In summary, the Committee stated that Judge Jones "has the respect of the Family Court for trying hard and improving constantly."

Judge Jones is married to Troy Manning Jones. She has five children.

Judge Jones reported that she was a member of the following Bar and professional associations:

- (a) Richland County Bar Association;
- (b) SC Conference of Family Court Judges, acting treasurer-secretary.

Judge Jones provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Delta Sigma Theta Sorority, Incorporated;



**THURSDAY, JANUARY 14, 2016**

- (b) Jack and Jill of America;
- (c) Member of Francis Burns United Methodist Church;
- (d) Regularly attend Journey United Methodist Church.

Judge Jones further reported:

My family, faith, legal career and education are all life experiences that have greatly influenced me while serving on the bench for the past five years. Unfortunately, my mother died nine months after I was elected to serve. In pain at my investiture, my mother never complained; she constantly whispered in my ear how proud she was of me and that I should strive daily to uphold the values my parents taught me at a very young age. The loss of my mother has been the fuel enabling me to be a judge that is knowledgeable, fair, exhibiting the appropriate demeanor and temperament and having an appreciation and respect for the attorneys and litigants that appear before me. Having been raised by devoutly religious parents, including a father who is a Baptist minister, I was taught that I will be held accountable for all of my actions. My parents taught me to be kind, patient and understanding. I strive daily to uphold those principals which were strongly instilled in me by my parents. With that in mind, I am acutely aware that the decisions that I make on a daily basis will strongly impact the lives of those that appear before me.

Because of the tremendous impact of the church in my household, I learned a great deal about compassion. This characteristic is vitally important in a court that is life-changing to the litigants. I am passionate about issues that affect children and families and I am eternally grateful that the traits of honesty and fairness have propelled me forward to doing the very best I can do each and every day.

(11) Commission Members' Comments:

The Commission commends Judge Jones for her five years of service on the Family Court bench and thanks her for appearing before the Commission to answer its members' questions and respond to comments received from the SC Bar's survey and Midlands Committee's review.

**THURSDAY, JANUARY 14, 2016**

(12) Conclusion:

The Commission found Judge Jones qualified and nominated her for election to the Family Court.

**The Honorable Usha J. Bridges  
Family Court, Seventh Judicial Circuit, Seat 3**

**Commission's Findings:        QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Bridges meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Bridges was born in 1960. She is 55 years old and a resident of Gaffney, South Carolina. Judge provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1993.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Bridges.

Judge Bridges demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Bridges reported that she has not made any campaign expenditures.

Judge Bridges testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

**THURSDAY, JANUARY 14, 2016**

Judge Bridges testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Bridges to be intelligent and knowledgeable. Her performance on the Commission's practice and procedure questions met expectations.

Judge Bridges described her continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SCJA Annual Convention	9/9/2009;
(b) SC Bar (2009 SC Family Court)	12/4/2009;
(c) SCCA 2010 Orientation School for New Judges	6/2/2010;
(d) SCAJ 2010 Annual Convention	8/5/2010;
(e) SCCA 2010 Judicial Conference	8/18/2010;
(f) CLO Mini Summit on Justice for Children	12/2/2010;
(g) SC Bar (2010 SC Family Court)	12/3/2010;
(h) SC Bar (Family Law Section)	1/21/2011;
(i) SCAJ Annual Convention	8/4/2011;
(j) SCCA 2011 Annual Judicial Conference	8/17/2011;
(k) SC Bar (2011 SC Family Court)	12/2/2011;
(l) SC Bar (Family Law Section)	1/20/2012;
(m) FCJA 2012 Family Court Judges' Conference	4/18/2012;
(n) SCCA 2012 Orientation School for New Judges	5/30/2012;
(o) SCAJ 2012 Annual Convention	8/2/2012;
(p) SCCA 2012 Annual Judicial Conference	8/22/2012;
(q) The National Judicial College	10/14/2012;
(r) FCJA Mandatory Family Court Judges	12/6/2012;
(s) SC Bar (Family Court Bench Bar)	12/7/2012;
(t) SC Bar (Family Law Section)	1/25/2013;
(u) FCJA 2013 Family Court Judges' Conference	4/17/2013;
(v) SCCA 2013 Orientation School for New Family Court Judges	5/29/2013;
(w) SCAJ 2013 Annual Convention	8/1/2013;
(x) SCCA 2013 Annual Judicial Conference	8/21/2013;

**THURSDAY, JANUARY 14, 2016**

(y)	SBLA Annual Retreat	9/26/2013;
(z)	SC Bar 2013 Family Court Bench Bar	12/6/2013;
(aa)	SC Bar Family Law Section	1/24/2014;
(bb)	FCJA Family Court Judges' Conference	4/23/2014;
(cc)	SCCA 2014 Orientation School for New Family Court Judges	6/18/2014;
(dd)	SC Bar (Family Law Essentials)	6/27/2014;
(ee)	SCCA 2014 Annual Judicial Conference	8/20/2014;
(ff)	SC Bar (2014 Family Court Bench Bar)	12/5/2014;
(gg)	SC Bar (Family Law Section)	1/23/2015.

Judge Bridges reported that she has taught or lectured at the following bar association conferences, educational institutions, or continuing legal or judicial education programs:

- (a) I have lectured at Orientation School for New Family Court Judges, 2012–present;
- (b) Lectured at trial lawyers;
- (c) Lectured at SCAJ Family Law Seminar, April 2011;
- (d) Spoke at SC Bar Seminar, December 2014.

Judge Bridges reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Bridges did not reveal evidence of any founded grievances or criminal allegations made against her. The Commission's investigation of Judge Bridges did not indicate any evidence of a troubled financial status. Judge Bridges has handled her financial affairs responsibly.

The Commission also noted that Judge Bridges was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Bridges reported that her last available rating by a legal rating organization, Martindale-Hubbell, was uncertain.

**THURSDAY, JANUARY 14, 2016**

- (6) Physical Health:  
Judge Bridges appears to be physically capable of performing the duties of the office she seeks.
- (7) Mental Stability:  
Judge Bridges appears to be mentally capable of performing the duties of the office she seeks.
- (8) Experience:  
Judge Bridges was admitted to the SC Bar in 1993.

She gave the following account of her legal experience since graduation from law school:

- (a) April 1993–November 1993, Fletcher N. Smith, Attorney at Law, Greenville, SC, General Practice;
- (b) December 1993–June 1996, Fulltime Public Defender in Cherokee County, SC (hired as juvenile public defender, although I assisted the other public defenders and did general sessions work as well as represented the volunteer guardian ad litem for the abuse and neglect cases);
- (c) July 1996–July 2010, Private Practice which includes contract public defender for juveniles, represented the volunteer guardian ad litem for abuse and neglect cases, part-time municipal judge (since 1999) for the City of Gaffney, basically alternating week-end jail duty for warrants and bonds, practice consist mainly of Family Court work, ie divorces, child support, child custody equitable division cases;
- (d) July 2010–present, Family Court Judge, Seventh Judicial Circuit, Seat 3.

Judge Bridges reported that she has held the following judicial offices:

- (a) Gaffney Municipal Judge, (July, 1999–May, 2010);
- (b) Family Court Judge, Seventh Judicial Circuit, Seat 3 (July, 2010–present).

Judge Bridges provided the following significant order or opinion:

2012-DR-42-2256 DSS vs. Doree Arter, et. al.

**THURSDAY, JANUARY 14, 2016**

Judge Bridges further reported the following regarding an unsuccessful candidacy:

I ran an unsuccessful bid for the Cherokee County School Board in 1994 or 1995. I filed a report with the State Ethics Commission.

(9) Judicial Temperament:

The Commission believes that Judge Bridge's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Bridges to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Bridges is married to Allie Bridges, Jr. She has five children.

Judge Bridges reported that she was a member of the following Bar and professional associations:

- (a) Commission on the Profession appointed October 6, 2011;
- (b) Family Court Advisory Committee appointed November 1, 2011 and again October 6, 2014 for an additional term;
- (c) County Court Security Committee appointed March 28, 2012;
- (d) Family Court Docketing Committee appointed May, 2013;
- (e) Summary Court Judges Pilot Mentoring Program appointed March 31, 2014;
- (f) SC Bar.

(11) Commission Members' Comments:

The Commission commends Judge Bridges for her five years of service on the Family Court bench and thanks her for appearing before the Commission to answer its members' questions and respond to comments received from the SC Bar's

**THURSDAY, JANUARY 14, 2016**

survey. The Commission noted that Judge Bridges is well respected among her peers.

(12) Conclusion:

The Commission found Judge Bridges qualified and nominated her for re-election to the Family Court.

**The Honorable John M. Rucker  
Family Court, Eighth Judicial Circuit, Seat 2**

**Commission's Findings:        QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Rucker meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Rucker was born in 1944. He is 71 years old and a resident of Newberry, South Carolina. Judge Rucker provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1969.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Rucker.

Judge Rucker demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Rucker reported that he has not made any campaign expenditures.

Judge Rucker testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;

**THURSDAY, JANUARY 14, 2016**

- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Rucker testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Rucker to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Rucker described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SCAJ 2010 Annual Conference	08/05/10;
(b) 2010 Judicial Conference	08/18/10;
(c) Mini Summit on Justice for Children	12/02/10;
(d) 2010 SC Family Court Bench Bar	12/03/10;
(e) SC Bar Family Law Section	01/21/11;
(f) Family Court Judges Conference	06/01/11;
(g) SCAJ 2011 Annual Conference	08/04/11;
(h) 2011 Judicial Conference	08/17/11;
(i) 2011 SC Family Court Bench Bar	12/02/11;
(j) SC Bar Family Law Section	01/20/12;
(k) Family Court Judges Conference	04/18/12;
(l) SCAJ 2012 Annual Conference	08/02/12;
(m) 2012 Judicial Conference	08/22/12;
(n) SC Bar Family Law Section	01/25/13;
(o) Family Court Judges Conference	04/17/13;
(p) SCAJ 2013 Annual Convention	08/01/13;
(q) 2013 Judicial Conference	08/21/13;
(r) 2013 SC Family Court Bench Bar	12/06/13;
(s) SC Bar Family Law Section	01/24/14;
(t) Family Court Judges Conference	04/23/14;
(u) SCAJ 2014 Annual Convention	08/07/14;
(v) 2014 Judicial Conference	08/20/14;
(w) 2014 SC Family Court Bench Bar	12/05/14;
(x) SC Bar Family Law Section	01/23/15;
(y) Family Court Judges Conference	04/15/15.



**THURSDAY, JANUARY 14, 2016**

Judge Rucker reported that he has taught the following law-related courses:

- (a) I was invited to participate as a speaker and a member of a panel at the Child Support Decision Making 2000, National Child Support Enforcement Association held in Washington D.C;
- (b) Through the years I have participated on panels in regard to Family Court practice at several SC Association for Justice Conferences as well as several SC Bar CLE's.

Judge Rucker reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Rucker did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Judge Rucker did not indicate any evidence of a troubled financial status. Judge Rucker has handled his financial affairs responsibly.

The Commission also noted that Judge Rucker was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Rucker reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Rucker reported that he has held the following public offices:

- (a) SC House of Representatives, elected, 1976–1980;
- (b) Commissioner, SC Tax Commission, appointed, February 1984–June 30, 1988.

All ethics reports were properly and timely filed.

(6) Physical Health:

Judge Rucker appears to be physically capable of performing the duties of the office he seeks.

**THURSDAY, JANUARY 14, 2016**

(7) Mental Stability:

Judge Rucker appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Rucker was admitted to the SC Bar in 1969.

He gave the following account of his legal experience since graduation from law school:

- (a) Associate, Tench P. Owens, Attorney, General Practice, Clinton, SC, June 1969–October 1969;
- (b) Solo Private Practice, General Practice, Clinton SC, October 1969–February 1971;
- (c) Solo Private Practice, General Practice, Newberry, SC, February 1971–June 30, 1988;
- (d) Family Court Judge, July 1, 1988–present.

Judge Rucker provided that, prior to his service on the bench, he most often served as sole counsel.

Judge Rucker reported that he has held the following judicial offices:

- (a) Recorder, City of Newberry, part-time, September 1971–June 1976, elected by City Council, jurisdiction limited to minor criminal and traffic offenses;
- (b) Family Court Judge, Eighth Judicial Circuit, July 1, 1988–present, elected, Jurisdiction limited to Family and Juvenile matters.

Judge Rucker provided the following list of his most significant orders or opinions:

- (a) Doe vs Queen. This case involves the question as to whether the father of an illegitimate had met the requirements of S.C. Code 20-7-1690 (A)(5)(b) requiring the father to pay fair and reasonable support for the child or expenses incurred with the pregnancy. I held that the father had made sufficient prompt and good faith efforts to assume parental responsibility. The Court of Appeals reversed my order in its opinion reported in 342 S.C. 204, 535 SE2d 658 (Ct. App.2000). The Supreme Court of SC granted certiorari and

**THURSDAY, JANUARY 14, 2016**

- reversed the Court of Appeals reinstating my order in its opinion reported in 347 S.C. 4, 552 SE2d 761 (2001);
- (b) McElveen vs McElveen, 332 S.C. 583, 552 SE2d 1 (Ct. App. 1998). This is an extremely complicated case involving proof required for divorce on the ground of adultery, alimony, child support, the division of marital property and the valuation of a medical practice. The Court of Appeals affirmed my ruling as to proof of adultery and child support. The Court of Appeals further ruled that a buy-sell agreement entered into by the partners in a medical practice could be an indicator of fair market value but must be considered in light of other evidence;
  - (c) In the interest of Amir X.S., a juvenile under the age of seventeen, 371 S.C. 380, 639 SE2d 144 (2006). This case involves a constitutional attack on a statute defining the offense of disturbing schools. The Court affirmed my ruling and found that the statute was not impermissibly overbroad in violation of the First Amendment;
  - (d) Kelley vs Kelley, 368 S.C. 602, 629 SE2d 388 (Ct. App. 2006). This was an action to recover unpaid alimony awarded in a 1974 divorce decree. The Court of Appeals upheld my ruling that the claim was barred by laches and equitable estoppel;
  - (e) Chanko vs Chanko, 327 S.C. 636, 490 SE2d 620 (Ct. App. 1997). Included in this case was the issue of whether TWOP Accounts (Time off with pay accounts) used by some businesses rather than sick leave or vacation days are income to be added to the employee's income for child support purposes. I determined that this was not to be included in the gross income. This was upheld by the Court of Appeals.

Judge Rucker has reported no other employment while serving as a judge.

Judge Rucker further reported the following regarding unsuccessful candidacies:

- (a) Candidate for House of Representatives, Democratic Primary 1974 and 1980;

**THURSDAY, JANUARY 14, 2016**

- (b) Candidate for At-Large Circuit Court Judgeship, 1982;
- (c) Candidate for Resident Circuit Court Judgeship, 1998.

(9) Judicial Temperament:

The Commission believes that Judge Rucker's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualifications found Judge Rucker to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated "From our interview and the comments of others, it is clear that Judge Rucker is a thoughtful jurist with both a good sense of humor and good common sense. His many years of experience on the bench and his practical, sensible approach to solving complicated domestic problems are a credit to our judiciary. We believe that he continues to be an outstanding judge."

Judge Rucker is married to Harriet Lee Rucker. He has two children.

Judge Rucker reported that he was a member of the following Bar and professional associations:

- (a) Newberry County Bar;
- (b) SC Bar;
- (c) SC Family Court Judges Association (President 1996–97).

Judge Rucker provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Central United Methodist Church;
- (b) Rotary Club of Newberry;
- (c) Newberry County Historical Society;
- (d) Mason.

**THURSDAY, JANUARY 14, 2016**

Judge Rucker further reported:

I know of no matters which would adversely affect my nomination for re-election.

(11) Commission Members' Comments:

The Commission commented that Judge Rucker has served the State well and he excels in all evaluative criteria.

(12) Conclusion:

The Commission found Judge Rucker qualified and nominated him for re-election to the Family Court.

**The Honorable Daniel E. Martin, Jr.  
Family Court, Ninth Judicial Circuit, Seat 1**

**Commission's Findings:        QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Martin meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Martin was born in 1963. He is 52 years old and a resident of Charleston, South Carolina. Judge Martin provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1989.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of disqualifying unethical conduct by Judge Martin.

Judge Martin demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Martin reported that he has not made any campaign expenditures.

**THURSDAY, JANUARY 14, 2016**

Judge Martin testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Martin testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Martin to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Martin described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SCAJ Auto Torts XXXII	12/04/09;
(b) SC Bar Estate Planning for Elderly	02/10/10;
(c) SC Bar Ethics in Digital Communication	02/18/10;
(d) SCBLA Annual Retreat	10/01/10;
(e) SCAJ Auto Torts XXXIII	12/03/10;
(f) FCJA 2011 Family Court Judges Conference	06/01/11;
(g) SCCA 2011 Orientation School/New Judges	06/08/11;
(h) SCCA 2011 Annual Judicial Conference	08/17/11;
(i) SC Bar 2011 SC Family Law	12/02/11;
(j) SC Bar Family Law Section	01/20/12;
(k) FCJA 2012 Family Court Judges Conference	04/18/12;
(l) SCCA 2012 Orientation School/New Judges	05/30/12;
(m) SCCA 2012 Annual Judicial Conference	08/22/12;
(n) Mandatory Family Court Judges	12/06/12;
(o) SC Bar Family Court Bench Bar	12/07/12;
(p) SC Bar Family Law Section	01/25/13;
(q) FCJA 2013 Family Court Judges Conference	04/17/13;
(r) SCCA 2013 Annual Judicial Conference	08/21/13;
(s) SC Bar 2013 Family Court Bench Bar	12/06/13;
(t) SC Bar Dispute Resolution Section	01/23/14;
(u) SC Bar Family Law Section	01/24/14;

**THURSDAY, JANUARY 14, 2016**

- (v) FCJA 2014 Family Court Judges Conference 04/23/14;
- (w) SCAJ 2014 Annual Convention 08/07/14;
- (x) SCCA Annual Judicial Conference 08/20/14;
- (y) SC Bar Family Court Bench Bar 12/05/14;
- (z) SC Bar Family Law Section 01/23/15.

Judge Martin reported that he has taught the following law-related courses:

- (a) I made a presentation at the New Judges School held in Columbia in 2012. I spoke about my experience as a new judge and gave reflections on things I learned during my first year. I also shared with the new judges things to consider in their day to day life on the bench.
- (b) I was a presenter at the 2014 SC Bar convention held on Kiawah Island. The presentation was on mediation and arbitration. As more and more counties were moving towards mandatory mediation, I explained the process of engaging litigants in mediation and the value of such services to the judicial system.

Judge Martin reported that he has not published any books and/or articles.

(4) Character:

The Commission's investigation of Judge Martin did not reveal evidence of any criminal allegations made against him. The Commission's investigation of Judge Martin did not indicate any evidence of a troubled financial status. Judge Martin has handled his financial affairs responsibly.

The Commission also noted that Judge Martin was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Martin reported that he is not rated by any legal rating organization.

**THURSDAY, JANUARY 14, 2016**

- (6) Physical Health:  
Judge Martin appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:  
Judge Martin appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:  
Judge Martin was admitted to the SC Bar in 1989.

He gave the following account of his legal experience since graduation from law school:

- |     |            |               |            |        |        |
|-----|------------|---------------|------------|--------|--------|
| (a) | Private    | practice      | at         | Martin | and    |
|     | Martin     | 1989–2011;    |            |        |        |
| (b) | Part-time  |               | Charleston |        | County |
|     | Magistrate | 1989–1993;    |            |        |        |
| (c) | Family     |               |            |        | Court  |
|     | Judge      | 2011–present. |            |        |        |

Since graduating from law school, I served for nearly four (4) years as a Magistrate for Charleston County (part-time) and presided over Small Claims Court, landlord tenant disputes and claim and deliveries. I also presided over preliminary hearings and Bond Court from time to time. I held that position from 1989 until 1993 and resigned to dedicated myself to the full time practice of law. I practiced law at 61 Morris Street with my father, Daniel E. Martin, Sr., from 1989 until I was elected to the Family Court in 2011.

In my general practice of law, I concentrated heavily in domestic relations and real estate. I had substantial experience in wrongful death cases, medical malpractice actions, excessive use of force actions, personal injury claims, wills and estates, general tort law, criminal defense and land disputes. I also served as legal counsel of the Town of Lincolnville from 1991-1998 and served as Grand Legal Advisor for the Prince Hall Affiliated Grand Lodge of the state of SC. I handled title work for the Charleston County Roadwise Project and was responsible for real estate closings involving the purchase of right-of-ways and land acquisitions. I represented SC State University in several lawsuits.



## THURSDAY, JANUARY 14, 2016

Judge Martin reported that he has held the following judicial offices:

- (a) Prior to serving as a Family Court Judge, I served for nearly four (4) years from 1989–1993 as a Magistrate for Charleston County (part-time) and presided over Small Claims Court. I was appointed to this position after being recommended by then Senator Herbert U. Fielding and the Charleston County Delegation. The Court was located in downtown Charleston (Old Citadel Complex) and handled landlord tenant disputes, claim and deliveries and civil claims up to \$5,000.00. As a magistrate, my duties also included the issuance of arrest warrants and search warrants. Also, I occasionally presided over bond court and preliminary hearings.
- (b) In February, 2011, I was elected by the SC General Assembly to Seat One (1) of the Charleston County Family Court. I was sworn in on April 15, 2011. As a Family Court Judge, I preside over adoptions, divorces, separations, paternity actions and child support enforcement proceedings. I also preside over child abuse and neglect actions, juvenile delinquent adjudications, vulnerable adult interventions and name changes.

Judge Martin provided the following list of his most significant orders or opinions:

- (a) Margaret Anne Curry vs. Allen T. Curry, Case No. 2010-DR-10-3738. Appellate Case No. 2011-198030.

This was the first contested trial over which I presided the first week I served on the bench in Charleston. This was a divorce action. The parties had been married thirty-three (33) years and had accumulated a significant marital estate. The parties made allegations of habitual drunkenness against each other as the grounds for the divorce. The Court determined that the wife had proven her allegations of habitually drunkenness but that the husband had failed to substantiate similar claims against the wife. The Court divided the marital estate by awarding the Wife forty-five (45%) percent of the marital estate. The husband appealed. The Court affirmed the decision but made a slight modification to the division;

**THURSDAY, JANUARY 14, 2016**

- (b) Adoptive Couple vs. Baby Girl, Birth Fathers and the Cherokee Indian Nation,

Case No. 2009-DR-10-3803. Appellate Case No.: 2011-205166 (Final Decree and Enforcement Orders).

This action involved custody of a minor child of Cherokee Indian decent. The mother, a white female, and father, a native of the Cherokee tribe, had a child out-of-wedlock. (The child has since come to be widely known as Baby Veronica) The child was placed for adoption without the knowledge of the father. Unbeknownst to the biological father, the adoptive parent obtained physical custody shortly after the child's birth. After later becoming aware of the pending adoption action, the biological father and the Cherokee Indian Nation objected to the adoption. At the adoption hearing, the trial judge granted the biological father's counter petition for adoption. The child was placed with the father and both left SC and moved to Oklahoma.

The adoptive parents appealed the case. A media storm brewed in SC and Oklahoma. The SC Supreme Court ultimately reversed the lower Court decision and remanded the case to Charleston County. I was assigned the case. At the first hearing, the Court approved the petition for adoption filed by the adoptive parents and issued a Decree of Adoption. The Court ruled that the child was to be returned to SC immediately. Because the father failed to comply with my ruling, it was also necessary to issue orders to enforce the ruling. The unfolding situation drew national attention with governors of both SC and Oklahoma getting involved. The father, after exhausting efforts in the Oklahoma state court system, the Indian tribal court system and the federal court system, ultimately allowed the child to be returned with her legal parents to SC;

- (c) SCDSS vs. Lorena Castillo and Jovanny Contreras, Case No. 2013-DR-10-1276.

This unfortunate case involved the death of an infant who was born to the Defendants. The one (1) year old was discovered in her bed not breathing. Four days before his demise, the child was taken to MUSC hospital by his mother for treatment for what the mother thought was

**THURSDAY, JANUARY 14, 2016**

poor respiration and problems with his breathing. He was discharged with a night watch system designed to monitor his heart rate and respiration. He was discovered breathless and unresponsive the same night of his discharge. He was taken to the hospital by EMS and was taken off life support five (5) days later. SCDSS initiated this action seeking a finding of substantial risk of harm of physical abuse and physical neglect.

The official cause of death was an anoxic brain injury. There was no prior history of either parent abusing or neglecting the children. The Coroner and an expert witness testified at the hearing. The Plaintiff also presented a videotape of a reenactment of the events involved including the deceased child's last evening at the mother's home. The Court found that the evidence failed to link the child's cause of death with anything that the mother did or failed to do. The Court determined that the burden of proof had not been met by the Plaintiff and the action was dismissed;

- (d) Alex Charles Grech vs. Brittany Mason, Case No.: 2013-DR-10-4236.

In this custody action, the father and mother each sought sole custody of their minor daughter. The parties had never been married to one another but did briefly live together in the home of the father's parents. The father pursued higher education and left the newborn and mother at home with his parents. The paternal grandparents became attached to the child. The mother soon left the home and took several jobs before getting established on her own. The father, after returning back to live in his parents' home, brought an action for custody. The mother married and found stable employment with benefits in Georgia. This case involved issues including custody, out-of-state visitation, child support and the award of attorney fees. The Court decided that custody should be awarded to the mother although she now lived in Georgia;

- (e) Garfield Capers vs. Rosemarie Capers, Case No.: 2013-DR-10-3379.

In this case, the parties ended a 24 year marriage. Although the Defendant represented herself in the action, she was well prepared and served herself well. The parties

## THURSDAY, JANUARY 14, 2016

resolved some issues involving personal property. Issues involving equitable apportionment of real property, retirement and alimony were unresolved. The Court ordered that the marital home be sold and the proceeds be equally divided between the parties. The Court also determined that lump sum alimony would be appropriate and ordered that it be paid in equal monthly payments. The Court assessed the factors for considering an award of attorney fees and ordered the Defendant to pay fees and expenses to the Plaintiff's counsel. The order detailed the Court's assessment of factors in each of the relevant areas.

Judge Martin has reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Martin's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge Martin to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee found that based on the evaluative criteria, Judge Martin meets and exceeds the requirements in each area.

Judge Martin is married to Reba Z. Hough-Martin. He has two children.

Judge Martin reported that he was a member of the following Bar and professional associations:

- (a) SC Bar Association;
- (b) Charleston County Bar Association, Executive Board member (1994–1995);
- (c) SC Black Lawyers Association, (former treasurer).

**THURSDAY, JANUARY 14, 2016**

Judge Martin provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Alpha Phi Alpha Fraternity, Inc.;
- (b) Prince Hall Masons, Nehemiah Lodge No. 51;
- (c) AAONMS, (Shriners) Arabian Temple No. 139, Past Potentate;
- (d) George Washington Carver Consistory No. 162;
- (e) United Supreme Council of 33 Masons;
- (f) Sigma Pi Phi Fraternity, Inc.;
- (g) SC Children's Act Task Force.

Judge Martin further reported:

During my life as a member of the bar, I participated in many activities which made me a well-rounded individual. In addition to the activities already mentioned above, I served as a member of the board of trustees of Mother Emanuel AME Church in Charleston, served as a board member of the Canon Street YMCA, and a board member for the Avery Center for African American History and Culture. I served as a commissioner for Mayor Joseph Riley's Commission for Children and served on the City of Charleston Community Development Advisory Committee. I served as the legal advisor for the Prince Hall Affiliated Grand Lodge of the State of SC.

As a husband and father, I have taken an active role in the rearing of my two children and participated in their school functions, church involvement and extra-curricular activities. I have been fortunate enough to travel with them out of the country and to have them exposed to other cultures. My son graduated from Howard University with honors and will attend the University of SC School of Law this fall. My daughter will begin her senior year in high school in August. My wife of 26 years has been supportive of my career and she has established herself as an advocate for the less fortunate as deputy director of Palmetto CAP, a community service organization headquartered in Charleston County.

Additionally, my training as a lawyer and a successful businessman is due in no small part to the guidance and inspiration I received from my father, Daniel E. Martin, Sr. My father's experience as a lawyer, prosecutor, member of the General Assembly and Circuit Court Judge exposed me to the highest standards of ethics, professionalism and judicial temperament.

**THURSDAY, JANUARY 14, 2016**

Most importantly, he dedicated his life to service to the community and demonstrated by example that sacrifice is required of all who have been afforded opportunities not available to others. It is if for that reason that our office consistently offered quality legal service at fees well below the average costs for lawyers in the Charleston community for more than 40 years.

(11) Commission Members' Comments:

The Commission commends Judge Martin for his reputation as a fair, intelligent judge with an excellent judicial temperament.

(12) Conclusion:

The Commission found Judge Martin qualified and nominated him for re-election to the Family Court.

**Spiros Stavros Ferderigos  
Family Court, Ninth Judicial Circuit, Seat 3**

**Commission's Findings:            QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Ferderigos meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Ferderigos was born in 1978. He is 37 years old and a resident of Charleston, South Carolina. Mr. Ferderigos provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2003.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Ferderigos.

Mr. Ferderigos demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

**THURSDAY, JANUARY 14, 2016**

Mr. Ferderigos reported that he has not made any campaign expenditures.

Mr. Ferderigos testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Ferderigos testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Ferderigos to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Mr. Ferderigos described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Competency Hearings	05/21/10;
(b) Prosecuting Cases in Family Court	08/16/10;
(c) With Great Power Comes Great Responsibility	09/26/10;
(d) NADCP 17 <sup>th</sup> Annual Training	07/17/11;
(e) 2011 SC Solicitors' Conference	09/25/11;
(f) 2011 Judges and Attorneys Substance Abuse	12/02/11;
(g) Prosecuting Cases in Family Court	08/24/12;
(h) 2012 SC Solicitors' Conference	09/23/12;
(i) Family Court Prosecutors' Workshop	02/13/13;
(j) Solicitor's Training	08/20/13;
(k) Prosecuting in Family Court	08/23/13;
(l) 2013 SC Solicitor's Association Annual Conference	09/22/13;
(m) NADCP 20 <sup>th</sup> Annual Training Conference	05/28/14;
(n) Update on Criminal Electronic Monitoring and GSC Management	06/13/14;

**THURSDAY, JANUARY 14, 2016**

- (o) 2014 SC Solicitor's Association Annual Conference 09/21/14;
- (p) Prosecuting in Family Court 05/18/15.

Mr. Ferderigos reported that he has taught the following law-related courses:

I have lectured at the 2011 and 2014 Judges and Attorneys Substance Abuse Seminars as a panelist discussing Drug Court Programs.

Mr. Ferderigos reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Ferderigos did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Mr. Ferderigos did not indicate any evidence of a troubled financial status. Mr. Ferderigos has handled his financial affairs responsibly.

The Commission also noted that Mr. Ferderigos was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Ferderigos reported that he is not rated by any legal rating organization.

(6) Physical Health:

Mr. Ferderigos appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Ferderigos appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Ferderigos was admitted to the SC Bar in 2003.



**THURSDAY, JANUARY 14, 2016**

He gave the following account of his legal experience since graduation from law school:

- (a) Law Offices of Paul E. Tinkler, Charleston, SC  
Civil Litigation, October 2003–March 2007  
Attorney for a civil litigation firm specializing in the field of domestic relations. Other areas of practice included personal injury, medical malpractice and business transactions. Complete autonomy in representing clients in a two lawyer firm;
- (b) Solicitor's Office, Ninth Judicial Circuit  
Criminal Litigation, March 2007–present  
Assistant Solicitor for the Ninth Judicial Circuit, Family Court Division.  
Includes complete autonomy in the prosecution of Murder, Armed Robbery, Narcotic and Weapon related charges;
- (c) Solicitor's Office, Ninth Judicial Circuit  
Special Counsel to the Ninth Judicial Circuit Juvenile Drug Court Program, January 2011–present  
Representative and member of the Ninth Judicial Circuit Juvenile Drug Court Program. Sole Assistant Solicitor assigned to the program and intricately involved in the program's oversight, day to day affairs and recruitment;
- (d) Solicitor's Office, Ninth Judicial Circuit  
Managing Assistant Solicitor, June 2013–present  
Promoted to Managing Assistant Solicitor in addition to the duties of Special Counsel to the Ninth Judicial Circuit Juvenile Drug Court Program and general duties of an Assistant Solicitor in the Ninth Judicial Circuit.

Mr. Ferderigos further reported regarding his experience with the Family Court practice area:

I have been blessed to practice extensively in both fields of domestic relations and juvenile justice in Family Court. I have personally and solely handled a large caseload of domestic relations matters in my approximate three and a half years in private practice. These cases involved nearly every aspect of domestic relations law. For divorces, I handled contested and non-contested cases. These include cases of adultery, habitual drunkenness, one year's separation, common law marriage and

annulment. I have handled equitable division cases with nominal financial estates as well as multi-million dollar financial estates. I have represented military spouses and drafted Qualified Domestic Relations Orders. I have handled both simple child custody cases and complex child custody cases. The simple child custody cases being when custodians agree on visitation and child custody. The complex child custody cases include a spouse who is hiding his or her abuse of narcotics or alcoholism, a spouse secretly exposing his or her young child to a paramour, one parent removing the child from his or her homestate without a court order, and non-custodians petitioning the court as the “psychological parent” to gain custody of a child over the biological parents. I have represented clients in Department of Social Services matters in cases of abuse and neglect, navigating those clients through the judicial process and treatment services they require for reunification with their child and fighting to put the family unit back together in a safe and nurturing environment. I have also handled numerous Rule to Show Cause hearings in Family Court domestic matters, ensuring that my client’s significant other or prior significant other follows the orders of the court.

For juvenile justice matters in Family Court, I have been an Assistant Solicitor for the Ninth Judicial Circuit for approximately seven and a half years. My prosecutions have resulted in numerous violent crime, non-violent crime and status offense adjudications that include Arson, Assault and Battery of a High and Aggravated Nature, Burglary, Disorderly Conduct, Lynching, Runaway and sexual misconduct crimes to name a few. Examples of contested cases resolved by trial include two Murder convictions, Armed Robbery convictions, narcotic related convictions, and weapon related convictions. I also successfully tried a contested Waiver Hearing where a juvenile defendant was transferred to General Sessions Court to be tried as an adult for Murder, Assault With Intent to Kill and Escape from Prison. I have also had the pleasure of spearheading the re-formation of the Charleston County Juvenile Drug Court Program where I have seen children addicted to narcotics and alcohol literally turn their lives around and become productive citizens of our community.

The area of domestic relations law that I do not have personal experience in, is adoptions. Although I have not represented a client in an adoption matter, I have personally observed numerous adoption hearings and would be comfortable

**THURSDAY, JANUARY 14, 2016**

as a presiding judge navigating through the statutes and case law relating to adoptions to ensure that the legal standards are satisfied and the best interests of the child are met.

Mr. Ferderigos reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: None;
- (b) State: Approximately three days a week for Family Court Juvenile Delinquency Proceedings;
- (c) Other: None.

Mr. Ferderigos reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:

- (a) Civil: None;
- (b) Criminal: 100 percent (Family Court Juvenile Delinquency Proceedings);
- (c) Domestic: None;
- (d) Other: None.

Mr. Ferderigos reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: None;
- (b) Non-jury: 100 percent.

Mr. Ferderigos provided that he most often serves as sole counsel.

The following is Mr. Ferderigos's account of his five most significant litigated matters:

- (a) State vs. Jones—I successfully prosecuted a contested juvenile delinquency waiver hearing resulting in the juvenile defendant being transferred to General Sessions Court to be tried as an adult for the charges of Murder, Assault with Intent to Kill and Escape from Prison. This matter is of significance as waiver hearings are one of the more complex and rare hearings to be held in Family Court. This matter is also of significance as I succeeded in bringing justice to a mourning family in a case where the court found that the juvenile defendant could not be

**THURSDAY, JANUARY 14, 2016**

rehabilitated after he hunted down a minor victim and shot the victim “execution style” in front of the victim’s sister. The same juvenile also repeatedly shot another minor victim resulting in permanent disfigurement. The family of the murdered victim desperately sought justice for the unnecessary death of their child. The other minor victim who was shot numerous times not only sought justice, but also feared for his safety should the defendant be adjudicated delinquent in Family Court where he could only be indeterminately committed for a period not to exceed his twenty-first birthday. By “waiving up” the juvenile defendant, the family of the murdered victim was able to receive the maximum justice afforded in our legal system, and the maimed second victim did not have to live in fear that the defendant would be released within a few short years of his conviction;

- (b) Rawlins v. Rawlins—This domestic relations matter is of significance as I represented a mother who was completely blind-sided by her spouse’s adultery with exotic dancers, abuse of narcotics, devaluation and concealment of marital/business assets, and attempts to transmute my client’s substantial inheritance to marital property. Motions for Emergency Hearing, Rules to Show Cause, Motions to Compel and other relief had to be sought to protect the minor child and protect the sanctity of the marital estate. Through the proper use of these motions, I succeeded in protecting my client’s minor child from her spouse’s dangerous behavior, preserved the marital estate, and used financial experts and private investigators to ensure the court had the proper evidence to issue a fair and proper ruling. After hearing testimony from my financial experts, private investigator, and other witnesses; the court imputed a significantly higher income to the spouse than he reported, awarded my client permanent periodic alimony, granted a divorce on the ground of adultery, granted primary custody to my client, denied the spouse’s demand to transmute my client’s significant non-marital estate to marital property, and awarded my client attorney’s fees and costs;
- (c) State vs. Williams and Gathers—This juvenile delinquency matter is of significance as I successfully prosecuted two

**THURSDAY, JANUARY 14, 2016**

juvenile defendants concurrently for Murder and received Murder adjudications against both defendants. This was a highly contested matter in which the juveniles denied shooting the victim when the victim came out to defend his younger brother who was being bullied by the defendants. By the end of the altercation, the victim was killed by a single gunshot wound to the head and another shot to the body. I worked diligently with police investigators to re-create the crime scene, analyze the possible trajectories of the bullets and offered into evidence audio recordings of the shots fired that ultimately led to the defendants being found guilty of Murder beyond a reasonable doubt. The Family Court's ruling was appealed by one of the defendants; however, the Court of Appeals affirmed the Murder adjudication in an unpublished opinion;

- (d) Schenkler vs. Schenkler—This matter is of significance as I represented a mother in a complex divorce case whose psychiatrist spouse had committed adultery by prescribing medications to and taking sexual advantage of his patients while they were under the influence of the medications. When I was retained to represent the mother in this action, she was aware of her spouse's obsession with pornography; however, she never imagined what our investigations would bring to light regarding his sexual exploits. Although the parties had a nominal financial estate, this matter became heavily contested as I fought for the safety of the minor children. As the evidence of his adultery and inappropriate behavior with patients began to solidify, the spouse unexpectedly left the country. After I successfully navigated through the procedural hurdles related to the spouse's flight during litigation, trial moved forward in the spouse's absence with my client being awarded custody of the children, a fair equitable division of the marital estate, restraining order from the spouse contacting the children, and the court granting my client attorney's fees and costs;
- (e) State vs. Felder—This juvenile delinquency matter is of significance as I successfully prosecuted a juvenile for numerous counts of Arson and Malicious Injury to Property after he intentionally entered a downtown

**THURSDAY, JANUARY 14, 2016**

residence at approximately 9:50 am, lit the drapes of the residence on fire and fled as the building collapsed from the flames. The fire spread to two additional residences and engulfed those homes as well. In total, five homes were damaged (three completely engulfed in flames), numerous vehicles damaged, and pets of the homeowners trapped in the blaze were killed. Fortunately, all of the residents had just left and were not asleep in their homes as the flames quickly spread through the buildings. This was a complex matter as the juvenile defendant initially denied his involvement. Numerous investigations had to be completed to determine where the fire started and a search for witnesses or individuals with information about the crime. In addition to working with the police department, I had the additional role of consoling and providing legal guidance to the victims who had lost everything. With the help of the Fire Marshal, police interviews and police surveillance video near the area; I was able to convince defense counsel that the juvenile defendant would be found guilty at trial. The juvenile pled accordingly and was committed to the Department of Juvenile Justice, providing some closure to the innocent victims as they began the process of slowly putting their lives back together.

The following is Mr. Ferderigos's account of three civil appeals he has personally handled:

- (a) Callen vs. Callen, 365 S.C. 618, 620 S.E.2d 59, S.C., 2005.

Date of Decision: September 19, 2005.

(Personally handled along with Paul E. Tinkler and Lori Stoney);

- (b) Simmons vs. Simmons, 370 S.C. 109, 634 S.E.2d 1, S.C.App., 2006.

Date of Decision: April 10, 2006.

(Personally handled along with Paul E. Tinkler);

- (c) Computer Products Inc. vs. JEM Restaurant Group, John E. McGrath, Monolith Software Solutions, Inc., and W. David Valmus, S.C.App., 2007.

Date of Decision: February 12, 2007; Not Published.

**THURSDAY, JANUARY 14, 2016**

Mr. Ferderigos reported he has not personally handled any criminal appeals.

Mr. Ferderigos further reported the following regarding an unsuccessful candidacy:

I was selected as a candidate by the Judicial Merit Selection Commission in 2014 for the vacancy of Seat 2, Charleston County Family Court. I withdrew my nomination a few days prior to the vote when it became apparent that my opponent would likely secure sufficient votes to win the nomination. As my local delegation appeared to be divided regarding support for a single nominee, I chose to withdraw from the contest and seek nomination to the next vacant Charleston County Family Court seat.

(9) Judicial Temperament:

The Commission believes that Mr. Ferderigos's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Mr. Ferderigos to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Citizens Committee further noted that Mr. Ferderigos has a "great passion for his work" and is "goal oriented."

Mr. Ferderigos is married to Laura Williams Ferderigos. He has three children.

Mr. Ferderigos reported that he was a member of the following Bar and professional association:

- (a) Charleston County Bar Association.

Mr. Ferderigos provided that he was not a member of any civic, charitable, educational, social, or fraternal organizations.

Mr. Ferderigos further reported:

**THURSDAY, JANUARY 14, 2016**

First and foremost I am a devoted husband and the father of three adorable children. My children are my life and I strive every day to set a good example for them and be the kind of father that they deserve. I believe that every child should have the same opportunities as my children and be raised in a nurturing and safe environment. I have devoted my legal career to the practice of family law because Family Court is the judicial arena where children are the primary focus of the law. Whether it is domestic relations where the “best interests of the child” is the cornerstone of the law, or juvenile delinquency proceedings that focus on rehabilitation rather than punishment; a Family Court judge is expected to make every effort within the law to protect children and attempt to bring normalcy in what is a tumultuous period in a child’s life. A Family Court judge also has the duty to set appropriate boundaries for adult litigants whose lives have been turned upside down from divorce proceedings. I have personally observed how divorce proceedings can turn the most rational individuals into irrational litigants whose sole aim is to harm their spouse rather than seek the best interests of their children and reasonable financial resolution for their families. Throughout the chaotic mental, physical and emotional state that many individuals find themselves in during a domestic matter, it is up to the presiding judge to set appropriate boundaries that will foster litigants to move forward in a dignified manner and provide an opportunity for all parties to present the appropriate evidence before the court.

I am also the son of an immigrant father and mother. My father relocated to the United States of America from Greece as a teenager and became an American citizen in search of a better life for himself and his family. The unfair laws and lack of opportunity in his origin of birth crippled my father’s ability to live in a dignified manner where he could raise a family and prosper through hard work. I have personally observed the unjust laws (or lack thereof) when visiting Greece where judicial verdicts are routinely given in favor of litigants who make the proper “contributions” to court officials, or observing officers imprison individuals with no warrant, no probable cause or any explanation whatsoever. I am very blessed that my father risked everything to seek a better life in the United States of America, a country where disputes are not handled in the streets or by a corrupt judiciary; but a country with a judiciary that allows all litigants from every walk



**THURSDAY, JANUARY 14, 2016**

of life, race and social status to have a truly fair trial. The necessity of a fair trial, following the rule of law, treating litigants with respect and a judiciary that is above reproach is something that is very dear to me and something that I will ensure should I be blessed with the opportunity to become a Family Court judge.

(11) Commission Members' Comments:

The Commission commented that Mr. Ferderigos was a very impressive candidate who showed enthusiasm and seemed very goal-oriented. They found his idea of initiating a "school court" for young offenders to be impressive and innovative. Overall, the members felt his intellect, temperament, and enthusiasm would serve him well if elected to the Family Court bench.

(12) Conclusion:

The Commission found Mr. Ferderigos qualified and nominated him for election to the Family Court.

**Michèle Patrão Forsythe  
Family Court, Ninth Judicial Circuit, Seat 3**

**Commission's Findings:            QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Forsythe meets the qualifications prescribed by law for judicial service as a Family Court Judge.

Ms. Forsythe was born in 1973. She is 42 years old and a resident of Charleston, South Carolina. Ms. Forsythe provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2003.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Forsythe.

Ms. Forsythe demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important

**THURSDAY, JANUARY 14, 2016**

to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Forsythe reported that she has spent “Forty Dollars and Zero Cents (\$40.00) on postage and paper” in furtherance of her candidacy.

Ms. Forsythe testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Forsythe testified that she is aware of the Commission’s 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Forsythe to be intelligent and knowledgeable. Her performance on the Commission’s practice and procedure questions met expectations.

Ms. Forsythe described her continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Domestic Litigation	05/21/2010;
(b) SC Traffic and DUI Updates	09/17/2010;
(c) HotTips-Family Law	10/01/2010;
(d) James L. Petigru Inn of Court	11/10/2010;
(e) SC Bar Law Office Technology	01/20/2011;
(f) SC Bar Trial Appellate Advocacy	01/21/2011;
(g) SC Bar Criminal Law Section	01/21/2011;
(h) US Sentencing Guidelines Seminar	04/08/2011;
(i) James L. Petigru Inn of Court	09/19/2011;
(j) James L. Petigru Inn of Court	10/12/2011;
(k) The Essentials of Foreclosure	10/18/2011;
(l) Foreclosure Dispute Resolution	03/23/2012;
(m) The 21 <sup>st</sup> Annual NACDL Convention	05/23/2012;
(n) SCAJ Annual Convention	08/02/2012;

**THURSDAY, JANUARY 14, 2016**

(o)	The Family Law Symposium	04/19/2013;
(p)	SCAJ Annual Convention	08/01/2013;
(q)	SC Bar Foundation Grantee	08/28/2013;
(r)	James L. Petigru Inn of Court	09/11/2013;
(s)	US Sentencing Guidelines Seminar	10/02/2013;
(t)	James L. Petigru Inn of Court	10/09/2013;
(u)	LEAPP Trust Account School	10/18/2013;
(v)	James L. Petigru Inn of Court	11/13/2013;
(w)	CCBA Annual What Works Seminar	02/07/2014;
(x)	CCBA Unfair Settlements	07/18/2014;
(y)	CCBA Top Ten Client Complaints	08/22/2014;
(z)	James L. Petigru Inn of Court	11/12/2014;
(aa)	CCBA Annual What Works Seminar	02/19/2015;
(bb)	SCAJ Annual Convention	08/06/2015;
(cc)	CCBA Family Law Seminar(registered)	08/14/2015.

Ms. Forsythe reported that she has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Ms. Forsythe reported that she has taught the following law-related courses:

- (a) She has lectured at the Charleston School of Law on the representation of Spanish speaking clients, and the impact of the language barrier on representation. She also discussed the collateral consequences of criminal charges on immigration status;
- (b) She has lectured at the Charleston School of Law on the representation of clients in criminal matters;
- (c) She is scheduled to lecture on Alternate Dispute Resolution Issues in Family Court at the Charleston County Bar Association Family Law Seminar on August 14, 2015.

Ms. Forsythe reported that she has published the following:  
Michèle Patrão Forsythe, Lady Luck Smiles on Environmentalists in Mississippi, 9 S.C. Env't'l. L.J. 231 (Spring 2002).

**THURSDAY, JANUARY 14, 2016**

(4) Character:

The Commission's investigation of Ms. Forsythe did not reveal evidence of any founded grievances or criminal allegations made against her. The Commission's investigation of Ms. Forsythe did not indicate any evidence of a troubled financial status. Ms. Forsythe has handled her financial affairs responsibly.

The Commission also noted that Ms. Forsythe was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Forsythe reported that her rating by a legal rating organization, AVVO, is 9.3/10.

Ms. Forsythe reported that her rating by a legal rating organization, Super Lawyer, is Rising Star, 2013.

(6) Physical Health:

Ms. Forsythe appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Forsythe appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Forsythe was admitted to the SC Bar in 2003.

She gave the following account of her legal experience since graduation from law school:

- (a) In 2002, I was a law clerk pending bar results at Nexsen Pruet, LLC. I worked on various matters in legal malpractice defense, and personal injury defense;
- (b) From late 2003 into 2004 I practiced as a contract attorney for Rosen Law Firm, LLC. I worked on various matters in family law, and business litigation;
- (c) From 2004 to 2005 I practiced as an associate attorney with Hulsey Litigation Group, LLC. My

**THURSDAY, JANUARY 14, 2016**

responsibilities involved legal research and writing regarding personal injury claims, business disputes, class action claims, including, but not limited to, mass tort cases. The majority of those matters were in federal district court;

- (d) In 2005, I practiced as a contract attorney with Grimball & Cabaniss, LLC. I handled all DSS appointments for abuse and neglect cases for the law firm in Charleston, SC and Kingstree, SC. I also handled all minor settlement hearings in Probate and Circuit Court, and worked on personal injury defense matters;
- (e) In 2005 to 2006 I also practiced as a contract attorney with Savage & Savage, P.A. I divided my time between Grimball and Cabaniss and Savage & Savage, P.A. While working for Savage & Savage, I worked on personal injury cases, securities litigation, and criminal defense matters. My responsibilities including legal research and writing on civil and criminal defense issues;
- (f) In 2006 I became as an associate with the law firm Query Sautter Gliserman & Price, LLC. My practice was extremely diverse. Immediately, I began representing clients in Family Court, in matters regarding child custody, divorce, and equitable distribution. During the course of my practice, I represented criminal defense clients in Magistrate Court, the Court of General Sessions, and United States Federal District Court. I have represented clients in business litigation disputes, serving as chief counsel in the trial of those cases. I have also represented clients in personal injury and wrongful death cases, serving as second chair during trials. As an associate and subsequently as a partner, I also appeared before the US Court of Appeals for the Fourth Circuit, in brief writing and oral argument. In 2008, I was certified as a Family Court Mediator and began mediating cases regarding abuse and neglect, divorce, equitable distribution, spousal support, child custody, and child support. During the time, I was also appointed as a guardian ad litem by the Family Court in contested custody cases.

**THURSDAY, JANUARY 14, 2016**

Many times, I was selected because I was fluent in Spanish;

- (g) In late 2011, I was offered partnership in the law practice, and it became known as Query Sautter Price & Forsythe, LLC, in 2012 and later Query Sautter Forsythe, LLC. As my practice continues to evolve, I represent clients in more complex litigation, particularly in Family Court. I am frequently asked to serve as co-counsel with other attorneys outside my law firm on complex Family Court matters, which require additional legal research or intense litigation and court room presentation.

Ms. Forsythe reported the frequency of her court appearances as follows:

- (a) Federal: I have appeared in federal court on many occasions in reference to civil matters and criminal matters. I have also handled two appellate level matters, and have appeared in oral argument before the US Courts of Appeal in the Fourth Circuit. One unpublished opinion was rendered. The second matter was resolved favorably by mediation prior to the scheduling of oral argument;
- (b) State: I have appeared regularly in Summary, Magistrate, Family, and Circuit Court in the last five years. I have handled civil and criminal matters in the circuit court. I am most frequently in the Family Court, appearing weekly to bi-weekly before a Family Court judge regarding matters of divorce, child custody, visitation, support, or abuse and neglect.

Ms. Forsythe reported the percentage of her practice involving civil, criminal, and domestic matters as follows:

- (a) Civil: 25%;  
(b) Criminal: 20%;  
(c) Domestic: 50%;  
(d) Other: Mediation and guardian ad litem work 5%.

**THURSDAY, JANUARY 14, 2016**

Ms. Forsythe reported the percentage of her practice in trial court as follows:

- (a) Jury: 5%;
- (b) Non-Jury: 75%.

Ms. Forsythe provided that she most often serves as associate/co-counsel. In one instance she has been chief counsel. In non-jury matters, she has served as chief counsel and associate/co-counsel.

The following is Ms. Forsythe's account of her five most significant litigated matters:

- (a) Mincey v. Mincey and MLM, Inc., 2005-CP-10-3899. This matter was a 2008 bench trial in the Court of Common Pleas regarding language in a Family Court Order. I represented the Defendant. The parties were divorced but continued working together in a partnership. A dispute arose during the winding up of the partnership. Plaintiff demanded additional money in distributions. Defendant denied that Plaintiff was entitled to any additional money. After a one day trial with various witnesses, the Court took the matter under advisement. The Court found in favor of the Defendant. This matter was significant because the language of the Final Order and Decree of Divorce was critical in the outcome of the Common Pleas case;
- (b) Angelic Brown and Trojan Bell, Individually and as Personal Representatives of the Estate of Travone L. Bell, Decedent v. The City of North Charleston Police Department and Charleston County Sheriff's Office, 2006-CP-10-2996. This was a wrongful death survival action where a minor died in the custody of the Charleston County Sheriff's Office after he was arrested by the North Charleston Police Department. The minor had ingested cocaine during his arrest. Police pulled a bag of crack cocaine from the minor's mouth. Despite the ingestion, North Charleston Police Department failed to obtain medical attention for the minor. On the night he was booked at the Charleston County Detention Center the minor suffered a cardiac infarction. He never regained consciousness and died weeks later. The case

**THURSDAY, JANUARY 14, 2016**

went to trial in 2009, but the jury did not find gross negligence as required under the SC Tort Claims Act. The case was important however, because the City of North Charleston changed its policies regarding the ingestion of narcotics and the appropriate law enforcement response;

- (c) Lewis v. Lewis, 2009-DR-10-1492. This was a highly contested child custody matter which included a relocation issue in a foreign country. I represented the Defendant/Mother against whom a variety of allegations were made. Prior to the temporary hearing, a guardian ad litem was appointed and conducted an investigation. In light of the Guardian ad Litem's report, the parties agreed Plaintiff/Father would have custody of the minor child. Plaintiff relocated with child to England. The matter was heavily litigated, with numerous motion hearings, emergency motion hearings, and rules to show cause. The parties engaged in extensive discovery which included, psychological evaluations of the parents and the child. During the course of the case, the guardian ad litem was removed from the case and the Family Court appointed a new guardian ad litem. The parties attended mediation on three separate occasions. On the eve of trial, and after two years of litigation, the parties came to an agreement in 2011. Plaintiff and Defendant would have joint custody of the minor child who would remain in the primary custody of Plaintiff. Defendant was not ordered to pay child support. Plaintiff agreed to pay Defendant/Mother a large portion of her attorney fees and costs associated with the action;
- (d) John Koon, as the Personal Representative of the Estate of Chavis Berley v. Ruby Deaton, 2011-CP-36-549. SC Farm Bureau Mutual Insurance Company v. Ruby Deaton, and John Koon, as the Personal Representative of the Estate of Chavis Berley, 2011-CP-36-91. This was a wrongful death and survival action, which was resolved after successful litigation in a declaratory judgment action. The action was filed on behalf of the estate of minor who had died as a result of strangulation on playground equipment. The declaratory judgment



THURSDAY, JANUARY 14, 2016

action was filed on the grounds that the minor child was a resident relative of the Defendant, Ruby Deaton and therefore fell under an exclusion in the homeowner's policy. Many family court documents were utilized as evidence in this case. The issue of grandparent custody played a prominent role in the litigation. The Circuit Court determined that the minor child was not a resident relative and therefore, Farm Bureau's Declaratory Judgment action was denied. We were subsequently able to settle the wrongful death survival action in favor of the Estate;

- (e) Griffin v. Weaver, 2012-DR-08-122. This was a UCCJEA case wherein the home state of the child was in dispute. The matter of jurisdiction, pursuant to the UCCJEA was at issue. At the commencement of the action, the Defendant had resided in Virginia with the minor child, but had moved to Arizona as a result of her new husband's honorable discharge from the US Navy. Defendant filed an action for custody in Arizona. Plaintiff filed an action for custody one day prior to Defendant's filing in SC-and was able to obtain emergency custody of the parties' minor child. I was associated as counsel and became chief counsel on behalf of Defendant. I filed a Motion to Dismiss for Lack of Jurisdiction under the UCCJEA. During the course of the case, the minor child was returned to Defendant. On Defendant's Motion, the SC Family Court determined it did not have exclusive continuing jurisdiction over the custody issues and determined Arizona was the more appropriate forum. The Motion to Dismiss was granted.

The following is Ms. Forsythe's account of two civil appeals she has personally handled:

- (a) Angelic Brown and Trojan Bell, Individually and as Personal Representatives of the Estate of Travone L. Bell, Decedent v. The City of North Charleston Police Department and Charleston County Sheriff's Office, No. 2008-1937 (4th Cir. Jan. 15, 2010);
- (b) United States of America v. James Robinson Bonding Company, No. 2011-6957, (4th Cir. May 24, 2012). The

**THURSDAY, JANUARY 14, 2016**

case was settled at mediation, prior to the scheduling of Oral Argument.

Ms. Forsythe reported she has not personally handled any criminal appeals.

(9) Judicial Temperament:

The Commission believes that Ms. Forsythe's temperament is, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Ms. Forsythe to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee commented: "Great zeal. Good diversity of experience. Bilingual."

Ms. Forsythe is married to Charles Robert Forsythe. She has one child.

Ms. Forsythe reported that she was a member of the following Bar and professional associations:

- (a) The James L. Petigru American Inn of Court 2009–present;
- (b) The James L. Petigru American Inn of Court Executive Committee 2009–2015;
- (c) The James L. Petigru American Inn of Court Secretary 2009–2015;
- (d) Berkeley County Bar Association 2010–2013;
- (e) Charleston County Bar Association 2004–present;
- (f) Charleston County Bar Association Executive Committee 2013–present;
- (g) Charleston County Bar Association CLE Co-Chair 2013–present;
- (h) Charleston School of Law Moot Court Volunteer 2009–2010;
- (i) SC Association for Justice, Member;
- (j) SC Bar, Member 2003–present;

**THURSDAY, JANUARY 14, 2016**

- (k) SC Bar Resolution of Fee Disputes Board Ninth Circuit 2012–present;
- (l) SC Bar House of Delegates 2010–2014, 2015–present;
- (m) SC Bar Civil Practice and Procedure Committee 2014;
- (n) SC Bar Lawyer Wellness Committee 2014, 2015;
- (o) SC Bar Lawyers Helping Lawyers Committee 2015;
- (p) SC Bar Future of the Profession Committee 2015;
- (q) SC Bar Ask-A-Lawyer Volunteer 2013–2014;
- (r) SC Bar Mock Trial Judge for Moultrie Middle School 2014;
- (s) The Supreme Court Lawyer Mentoring Program 2014.

Ms. Forsythe provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) James L. Petigru Inn of Court Outstanding Service Award 2015;
- (b) The Benevolent and Protective Order of Elks, Member 2014–present;
- (c) Lawyer’s Committee on Children’s Rights 2010–present;
- (d) Special Olympics Bocce Ball Tournament Volunteer 2004, 2013;
- (e) YES Carolina Volunteer Judge 2013;
- (f) Muscular Dystrophy Association Volunteer 2011.

Ms. Forsythe further reported:

“I have been married for almost seventeen (17) years and am a mother of a six year old. My life experiences and legal knowledge have given me opportunities for growth and development in ways I could have never imagined. Living overseas with people from all walks of life has allowed me to appreciate the diversity of the population a judge must serve. In my law practice I have grown to understand and appreciate how a family court judge has a tremendous responsibility to hear cases of a deeply personal nature to litigants, including children, and vulnerable adults. My legal work has given me a sense of humility and patience which I believe are important qualities for a family court judge, who must be mindful that the decisions made have a tremendous impact on people’s lives.”

**THURSDAY, JANUARY 14, 2016**

(11) Commission Members' Comments:

The Commission commented that Ms. Forsythe is passionate about the practice of family law, articulate, intelligent, and the Commission appreciated her public service experience.

(12) Conclusion:

The Commission found Ms. Forsythe qualified and nominated her for election to the Family Court.

**Rita J. Roache  
Family Court, Ninth Judicial Circuit, Seat 3**

**Commission's Findings:        QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Roache meets the qualifications prescribed by law for judicial service as a Family Court judge.

Ms. Roache was born in 1960. She is 55 years old and a resident of Mount Pleasant, South Carolina. Ms. Roache provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1988.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Roache.

Ms. Roache demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Roache reported that she has not made any campaign expenditures.

Ms. Roache testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;

**THURSDAY, JANUARY 14, 2016**

- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Roache testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Roache to be intelligent and knowledgeable. Her performance on the Commission's practice and procedure questions met expectations.

Ms. Roache described her continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Appleseed Family Law Training	4/10/15;
(b) SCLS Statewide Meeting	11/12–14/14;
(c) SCLS Statewide Meeting	12/4–6/13;
(d) Charleston Grantee Gathering	8/25/13;
(e) Schoolin' the Newbies	9/26/13;
(f) SCBLA Annual Retreat	9/26/13;
(g) Appleseed Family Law Training	6/1/12;
(h) Charleston Grantee Gathering	8/28/12;
(i) CLE for DSS Support Attorneys	11/2/12;
(j) SCLS Statewide Meeting	11/14–16/12;
(k) Family Law CLE	4/1/11;
(l) Handling your First...	6/3/11;
(m) Training for New Attorneys	8/26/11;
(n) Ethical Implications of Social Media	9/15/11;
(o) SCLS Statewide Meeting	11/9–11/11;
(p) Appleseed Family Law Training	3/26/10;
(q) Training for Attorneys Appointed in DSS Matters	4/30/10;
(r) SCLS Statewide Meeting	11/17–19/10;
(s) I have also served as a mentor for a new lawyer and will receive CLE credit for this in 2015.	

**THURSDAY, JANUARY 14, 2016**

Ms. Roache reported that she has taught the following law-related courses:

- (a) I presented on two CLEs sponsored by Neighborhood Legal Assistance program on the topic of physical cruelty divorces in 2001;
- (b) I presented on a CLE sponsored by the SC Bar in 1997 on law office management;
- (c) I have conducted presentations on numerous CLEs sponsored by SC Appleseed Legal Justice Center on several family law topics. Most recently, I did an hour presentation on Custody Issues on April 10, 2015;
- (d) At “Handling Your First...” shown above, I did a presentation on “Handling your first Order of Protection”;
- (e) I have presented on family law at several of the SC Legal Services Statewide Meetings;
- (f) I have done presentations at CLEs sponsored by the Children’s Law Office in the “Training for Attorneys Appointed in DSS Matters” and “Training for New Attorneys”.

Ms. Roache reported that she has not published any books or articles.

(4) Character:

The Commission’s investigation of Ms. Roache did not reveal evidence of any founded grievances or criminal allegations made against her. The Commission’s investigation of Ms. Roache did not indicate any evidence of a troubled financial status. Ms. Roache has handled her financial affairs responsibly.

The Commission also noted that Ms. Roache was punctual and attentive in her dealings with the Commission, and the Commission’s investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Roache reported that her rating by a legal rating organization, Martindale-Hubbell, is BV.

**THURSDAY, JANUARY 14, 2016**

(6) Physical Health:

Ms. Roache appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Roache appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Roache was admitted to the SC Bar in 1988.

She gave the following account of her legal experience since graduation from law school:

- (a) 1988–1990, Worked with the SC Department of Social Services, Office of Child Support Enforcement. I was responsible for handling child support matters in five counties, exclusively in the Family Court;
- (b) 1991–2000, I worked with Edward M. Brown, first in The Law Offices of Edward M. Brown and then Brown & Roache, a partnership was formed. My practice was concentrated in family law and other civil matters;
- (c) 2001–Present, I accepted a position with the Neighborhood Legal Assistance Program as the Department of Justice attorney handling matters for survivors of domestic violence. NLAP eventually became SC Legal Services. My practice has focused on family law.

Ms. Roache reported the frequency of her court appearances during the past five years as follows:

- (a) federal:
- (b) state: Several times per month.

Ms. Roache reported the percentage of her practice involving civil, criminal, and domestic matters during the past five years as follows:

- (a) civil 0%;
- (b) criminal: 0%;
- (c) domestic: 85%;
- (d) other: civil legal matters: education, probate, contract, housing: 15%.

**THURSDAY, JANUARY 14, 2016**

Ms. Roache reported the percentage of her practice in trial court during the past five years as follows:

- (a) Jury: 0%;
- (b) Non-jury: 100%.

Ms. Roache provided that she most often serves as sole counsel.

The following is Ms. Roache's account of her five most significant litigated matters:

- (a) Zayat and Johnson v. Footman and Berkeley County DSS—were two actions that were consolidated for trial in adoption and termination of parental rights cases that were tried for six days. I represented the Defendant/Mother whose rights were terminated and her twin children were adopted by two different former foster families. Information about the appeal is listed in the next question, Number 21. This matter was significant because of the extensive record created in the trial that supported the overturning of the trial court's decision on appeal;
- (b) Zayat and Johnson v. Footman—After losing the appeal the adoptions were overturned, the former foster parents filed to be recognized as *de facto* custodians and to obtain visitation with the minor children. The Plaintiffs were not successful. Defendant/Mother maintained custody and control of her children and this was of significance;
- (c) David v. David—A custody, divorce and equitable division matter in which I served as guardian ad litem for the minor child. There was protracted litigation. This matter is significant as it is the only action in my career that has been decided by binding arbitration;
- (d) Gabrish v. Gabrish—This case was a contested custody, visitation and equitable division matter that involved a business and more than a million dollars in assets. Extensive discovery was conducted. The matter was settled with the client obtaining custody and substantial assets, with limited responsibility for the debts of the marriage. This matter was significant due to the amount of assets and the successful negotiations;
- (e) The Matter of Hattie Edwards—was a Social Security matter where we sought to establish a common law



**THURSDAY, JANUARY 14, 2016**

marriage and entitlement to benefits for this wife and mother of five adult children, who was married to the father/decedent for almost 30 years. This matter was significant because I was able to translate the knowledge of family law and apply it in this matter before an Administrative Law Judge.

The following is Ms. Roache's account of the civil appeal she has personally handled:

Loe #1 and Loe#2 v. Mother, Father and Berkeley County Department of Social Services, 675 S.E.2d 807, 382 S.C. 457(S.C. Ct.App.) *cert.denied*. The Court of Appeals reversed and remanded the action on March 20, 2009 deciding that the Mother's parental rights should not have been terminated and that her children should not have been adopted, but returned to her custody. The Court further found that the Mother should not be responsible for the fees of the guardian ad litem or those of the attorney for the guardian ad litem. The SC Supreme Court denied certiorari in the matter.

Ms. Roache reported she has not personally handled any criminal appeals.

Ms. Roache further reported the following regarding unsuccessful candidacies:

Yes, I ran for Family Court judge in 2001 and 2010. Both times I was found qualified and was nominated in 2001.

(9) Judicial Temperament:

The Commission believes that Ms. Roache's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Ms. Roache to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee found that based on the

**THURSDAY, JANUARY 14, 2016**

evaluative criteria, Ms. Roache meets and exceeds the requirements in each area.

Ms. Roache is married to John Perry Buncum, Jr. She has two children.

Ms. Roache reported that she was a member of the following Bar and professional associations:

- (a) SC Bar–Children’s Committee;
- (b) Dorchester County Bar Association.

Ms. Roache provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Junior League of Charleston–Board Member at Large;
- (b) Junior League of Charleston Volunteer of the Year Award;
- (c) Charleston Chapter of the Links, Inc.–corresponding secretary and committee chair;
- (d) Alpha Kappa Alpha Sorority, Inc.;
- (e) Outstanding Twenty Year Alumnus Award from Hampton University;
- (f) National Hampton Alumni Association, Inc.–Board of Directors;
- (g) Service Award from National Hampton Alumni Association, Inc.

(11) Commission Members’ Comments:

The Commission commented that Ms. Roache is a very pleasant, patient, and academically qualified candidate.

(12) Conclusion:

The Commission found Ms. Roache qualified and nominated her for election to the Family Court.

**THURSDAY, JANUARY 14, 2016**

**The Honorable Jack Alan Landis  
Family Court, Ninth Judicial Circuit, Seat 6**

**Commission's Findings:            QUALIFIED AND NOMINATED**

**(1)    Constitutional Qualifications:**

Based on the Commission's investigation, Judge Landis meets the qualifications prescribed by law for judicial service as a Family Court Judge.

Judge Landis was born in 1955. He is 60 years old and a resident of Moncks Corner, South Carolina. Judge Landis provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1980.

**(2)    Ethical Fitness:**

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Landis.

Judge Landis demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Landis reported that he has not made any campaign expenditures.

Judge Landis testified he has not:

- (a)    sought or received the pledge of any legislator prior to screening;
- (b)    sought or been offered a conditional pledge of support by a legislator;
- (c)    asked third persons to contact members of the General Assembly prior to screening.

Judge Landis testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

**THURSDAY, JANUARY 14, 2016**

(3) Professional and Academic Ability:

The Commission found Judge Landis to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Landis described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SCCA New Judges School	6/3/2015;
(b) SC Bar Convention, Family Law Section	1/23/2015;
(c) Family Court Judges Annual Conf.	4/15–17/2015;
(d) Family Court Bench/Bar CLE	12/5/2014;
(e) SCCA Annual Judicial Conference	8/20/2014;
(f) SCAJ Annual Convention	8/7/2014;
(g) SCCA New Judges School	6/18/2014;
(h) Family Court Judges Annual Conf.	4/23/2014;
(i) SC Bar Convention, Family Law Section	1/24/2014;
(j) Family Court Bench/Bar CLE	12/6/2013;
(k) SCCA Annual Judicial Conference	8/21/2013;
(l) SCAJ Annual Convention	8/1/2013;
(m) SCCA New Judges School	6/29/2013;
(n) Family Court Judges Annual Conf.	4/17/2013;
(o) SC Bar Convention, Family Law Section	1/20/2013;
(p) Family Court Bench/Bar CLE	12/2/2012;
(q) SCCA Annual Judicial Conference	8/17/2012;
(r) SCAJ Annual Convention	8/4/2012;
(s) SCCA New Judges School	6/8/2012;
(t) Family Court Judges Annual Conf.	4/18/2012;
(u) SC Bar Convention, Family Law Section	1/20/2012;
(v) Family Court Bench/Bar CLE	12/2/2011;
(w) SCCA Annual Judicial Conference	8/17/2011;
(x) SCAJ Annual Convention	8/4/2011;
(y) SCCA New Judges School	6/8/2011;
(z) Family Court Judges Annual Conf.	6/1/2011;
(aa) SC Bar Convention, Family Law Section	1/21/2011;
(bb) Family Court Bench/Bar CLE	12/3/2010;
(cc) Mini-Summit on Justice for Children	12/2/2010;
(dd) SCCA Annual Judicial Conference	8/18/2010;
(ee) SCAJ Annual Convention	8/5/2010;
(ff) SCCA New Judges School	6/2/2010;

**THURSDAY, JANUARY 14, 2016**

(gg) Family Court Judges Annual Conf. 4/22/2010;  
(hh) SC Bar Convention, Family Law Section 1/2010.

Judge Landis reported that he has taught the following law-related courses:

- (a) May 14, 1997, One Day Seminar, "Paralegals in Family Law;"
- (b) Oct. 26, 2000, Charleston County Bar Association Family Law-Seminar, "What a Judge Wants, What a Judge Needs;"
- (c) Dec. 14, 2001, SC Bar Association CLE, "Tips From the Bench;"
- (d) May 1, 2003, Annual Family Court Judges Conference "Computer Forms and Templates for Judges;"
- (e) SCCA Orientation School for New Judges, annually in June;
- (f) April 23, 2014, "Best Practices in dealing with Self-Represented Litigants" Annual Family Court Judges Conference.

Judge Landis reported that he has not published any books and/or articles.

(4) Character:

The Commission's investigation of Judge Landis did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Judge Landis did not indicate any evidence of a troubled financial status. Judge Landis has handled his financial affairs responsibly.

The Commission also noted that Judge Landis was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Landis reported that his last available rating by a legal rating organization, Martindale-Hubbell, is BV.

**THURSDAY, JANUARY 14, 2016**

- (6) Physical Health:  
Judge Landis appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:  
Judge Landis appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:  
Judge Landis was admitted to the SC Bar in 1980.

He gave the following account of his legal experience since graduation from law school:

- (a) 1980–1984, Assistant Public Defender, Berkeley County, SC (part-time) I represented indigent defendants in General Sessions and Family Court;
- (b) 1980–1984, Sole Practitioner, 311 E. Main St., Moncks Corner, SC General practice of law including domestic and civil litigation, real estate transactions, and criminal defense litigation;
- (c) 1984–Aug. 1989 Partner-Williams & Landis, 209 E. Main St., Moncks Corner, SC. General practice of law including domestic and civil litigation, real estate transactions, and criminal defense;
- (d) 1989–1993 Partner-Dennis, Dennis & Landis, 337 E. Main St., Moncks Corner, SC. General practice of law including domestic and civil litigation, real estate transactions, and criminal defense;
- (e) 1993–1998 Partner- Landis & Loudon, 295 N. Highway 52, Moncks Corner, SC. General practice of law including domestic and civil litigation, real estate transactions, and criminal defense;
- (f) 1987–1998 Municipal Judge for the Town of Moncks Corner (part-time) PO Box 276, Carolina Ave., Moncks Corner, SC;
- (g) 1998–Present Judge, Family Court for the Ninth Judicial Circuit Seat 6, PO Box 1707, 300 B California Ave., Moncks Corner, SC.

**THURSDAY, JANUARY 14, 2016**

Judge Landis reported that he has held the following judicial offices:

- (a) Part-time Municipal Judge for the town of Moncks Corner, 1987–1998;
- (b) Current position as Family Court Judge for the Ninth Judicial Circuit, 1998–present.

Judge Landis provided the following list of his most significant orders or opinions:

- (a) Widman v. Widman, 557 SE 2d 693, 348 S.C. 97, (Ct App. 2001). This matter involved a number of issues including the determination of child support when the income of the parties exceeded Guideline amounts, equitable division of a marital estate with a value in excess of six million dollars, co-mingling of funds, valuation of limited partnership stock, family trusts and allegations of contempt;
- (b) Middleton v. Middleton, 633 SE 2d 162, 369 S.C. 585, (Ct App. 2006). Plaintiff was an individual unrelated by either blood or marriage to the subject minor child. He was seeking visitation privileges against the wishes of a fit biological Mother, claiming that he was a “psychological parent.” I ruled that the law did not provide for an unrelated third party to seek visitation against the wishes of a fit parent. The SC Court of Appeals overruled and established the criteria by which an unrelated third party could establish his or her status as a psychological parent and seek rights previously denied under the law;
- (c) Pendergast v. Pendergast, 579 SE2d 530, 354 S.C. 32, (Ct App. 2003). This was an action by Plaintiff Father for modification of unallocated child support alimony as a result of the graduation of the parties’ child from college. I granted a modification of child support based upon changed circumstances but denied a modification of alimony and awarded attorney fees and costs to Defendant Mother. The SC Court of Appeals affirmed;
- (d) Wall v. Wall, S.C. Ct. App., Unpublished Opinion No. 2002-UP-405. Child custody, visitation, legal fees, alimony, child support, and valuation of assets were the issues presented in Wall. Husband was seeking alimony

**THURSDAY, JANUARY 14, 2016**

and a downward deviation from the Guidelines alleging diminished earning capacity. Husband was seeking and interest in Wife's veterinary clinic and Wife was claiming an interest in proceeds from Husband's personal injury settlement. My order was affirmed on eleven of the twelve appealed issues;

- (e) Charleston County Department of Social Services v. Cutler, Pollard, and Sumpter, Docket # 00-DR-10-4108, 2001. DSS filed for termination of the parental rights of the Defendants who had had their children removed as a result of neglect or abuse. The Defendants were accused of extreme malnourishment of the children resulting in hospitalization for at least two. Defendants entered treatment plan with the stated goal being reunification. The Defendants completed all of the requirements of the treatment plan.

Due to the unconventional lifestyle and the religious beliefs of the Defendants, the GAL and DSS caseworker opposed reunification regardless of Defendants' compliance with the approved treatment plan.

After two and a half weeks of testimony it became clear that the GAL and DSS had decided to seek TPR even before the Defendants had had an opportunity to complete the plan. Additionally, obstacles were placed in an attempt to thwart successful completion.

Judge Landis further reported the following regarding unsuccessful candidacies:

- (a) In February, 1996, I ran unsuccessfully for Seat 5, Family Court for the Ninth Judicial Circuit. I was found qualified by the Joint Legislative Screening Committee as well as the SC Bar Screening Committee;
- (b) In February, 2007, I ran unsuccessfully for Seat 2, Circuit Court for the Ninth Judicial Circuit. I was found qualified and nominated as one of three candidates by the Judicial Merit Selection Commission. I withdrew my candidacy prior to the matter coming to a vote by the General Assembly.

Judge Landis has reported no other employment while serving as a judge.



**THURSDAY, JANUARY 14, 2016**

(9) Judicial Temperament:

The Commission believes that Judge Landis' temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge Landis to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Landis is separated from Sharon Bennett Landis. He has two children.

Judge Landis reported that he was a member of the following Bar and professional associations:

- (a) SC Bar Association;
- (b) Berkeley County Bar association;
- (c) SC Conference of Family Court Judges;
  - a. President 2011–2012;
  - b. Vice President 2010–2011;
  - c. Secretary/Treasurer 2009–2010.

Judge Landis provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) First Presbyterian Church of Moncks Corner, Elder (inactive);
- (b) Berkeley County YMCA;
- (c) Coach, Berkeley High School Mock Trial Team, 16 years including 2005 and 2006.

Judge Landis further reported:

There is little that I can add that has not already been covered by this Questionnaire, however, I do believe that my number of years in the private practice of law taught me that the practice is not an easy profession. As a result, I do my best to be understanding of the stress faced by the attorneys who appear before me, and I am committed to remembering how I hoped to

**THURSDAY, JANUARY 14, 2016**

be treated by the judges before whom I appeared. Also, being a parent myself, now being separated, and having been through the difficulties that we as adults in this world all face in our day-to-day lives, helps me be compassionate for those appearing before me who are experiencing the same type of situations in their lives.

(11) Commission Members' Comments:

The Commission commends Judge Landis for his seventeen years of service on the Family Court bench and thanks him for appearing before the Commission to answer its members' questions and respond to comments received from the SC Bar's survey. The Commission noted that Judge Landis has a long history of public service.

(12) Conclusion:

The Commission found Judge Landis qualified and nominated him for re-election to the Family Court.

**The Honorable Karen F. Ballenger  
Family Court, Tenth Judicial Circuit, Seat 2**

**Commission's Findings:            QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Ballenger meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Ballenger was born in 1957. She is 58 years old and a resident of Walhalla, South Carolina. Judge Ballenger provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1987.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Ballenger.

Judge Ballenger demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations

**THURSDAY, JANUARY 14, 2016**

important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Ballenger testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Ballenger testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Ballenger to be intelligent and knowledgeable. Her performance on the Commission's practice and procedure questions met expectations.

Judge Ballenger described her continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) 2010 Guardian Ad Litem Update	01/29/2010;
(b) Legal Education Seminar	03/19/2010;
(c) 2010 Hot Tips from the Coolest Domestic Practitioners	10/01/2010;
(d) 2011 Guardian Ad Litem	01/28/2011;
(e) Ethics Seminar	03/11/2011;
(f) 2011 Family Law Intensive	10/02/2011;
(g) Family Court Bench/Bar	12/02/2011;
(h) Legal Education Seminar	04/13/2012;
(i) 2012 Orientation for New Judges	05/30/2012;
(j) Family Court Bench Bar	12/07/2012;
(k) 2013 Annual Judicial Conference	08/21/2013;
(l) 2013 Family Court Bench Bar	12/06/2013;
(m) Family Law Section	01/24/2014;
(n) Family Court Judges Conference	04/28/2014;
(o) The Indian Welfare Act and Child Welfare	06/27/2014;
(p) 2014 Annual Convention	08/07/2014;

**THURSDAY, JANUARY 14, 2016**

- |     |                                 |             |
|-----|---------------------------------|-------------|
| (q) | 2014 Annual Judicial Conference | 08/20/2014; |
| (r) | 2014 Family Court Bench Bar     | 12/05/2014; |
| (s) | Family Law Section              | 01/23/2015; |
| (t) | Family Court Judges Conference  | 04/16/2015. |

Judge Ballenger reported that she has taught the following law-related courses:

- (a) I was an instructor in domestic law at Columbia Junior College in the paralegal program in the summer of 1988;
- (b) I was a presenter at a conference held at the Sheraton in Columbia, SC. The subject matter of the conference was legal issues relating to child abuse and neglect. At the time of the presentation, I was the attorney for the Oconee County guardian ad litem program. The audience consisted of lay guardians, Department of Social Services workers, and attorneys. To the best of my recollection, the seminar was sponsored by the SC Children's Law Center. I have not been able to locate any information as to the date of the course. I contacted the Children's Law Center but was not able to get the information regarding the seminar since I could not give them the identifying information for the conference.

Judge Ballenger reported that she has not published any books and/or articles.

(4) Character:

The Commission's investigation of Judge Ballenger did not reveal evidence of any founded grievances or criminal allegations made against her. The Commission's investigation of Judge Ballenger did not indicate any evidence of a troubled financial status. Judge Ballenger has handled her financial affairs responsibly.

The Commission also noted that Judge Ballenger was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

**THURSDAY, JANUARY 14, 2016**

- (5) Reputation:  
Judge Ballenger reported that her last available rating by a legal rating organization, Martindale-Hubbell, was BV Distinguished.
- (6) Physical Health:  
Judge Ballenger appears to be physically capable of performing the duties of the office she seeks.
- (7) Mental Stability:  
Judge Ballenger appears to be mentally capable of performing the duties of the office she seeks.
- (8) Experience:  
Judge Ballenger was admitted to the SC Bar in 1987.

She gave the following account of her legal experience since graduation from law school:

- (a) Kennedy, Price & Dial, Columbia, SC, 1987–June, 1988. My duties included research and drafting of pleadings and other legal documents; assisting in trial preparation; maintaining client contact; and a limited amount of real estate work;
- (b) Judicial Law Clerk, June 1988–January 1990.  
The Honorable Carol Connor, Resident Circuit Judge for the Fifth Judicial Circuit. Judge Connor had recently been elected as circuit court judge, and she needed a clerk for the summer. As Judge Connor’s law clerk, my duties included overseeing the docket, performing legal research, reviewing orders, and order preparation;
- (c) The Honorable Marion H. Kinon. After clerking for Judge Connor, Judge Marion H. Kinon asked me to serve as his law clerk for approximately 6 weeks while his law clerk was in training with the SC National Guard;
- (d) The Honorable William Howard Ballenger. In October of 1988, the Honorable William Howard Ballenger, Resident Circuit Court Judge of the Tenth Judicial Circuit, offered me a position as his law clerk. During my time as Judge Ballenger’s law clerk, he presided

**THURSDAY, JANUARY 14, 2016**

over two death penalty cases. I was employed as Judge Ballenger's law clerk until January of 1990;

- (e) Ross, Stoudemire & Awde, P.A., Seneca, SC, Associate, 1990. In July of 1992, I became a named partner in the firm—Ross, Stoudemire, Ballenger & Sprouse, P.A. I was with this firm until December 31, 1994. During this time, I had a general practice which included domestic; civil litigation; criminal (very limited); workers' compensation and social security. I would estimate that approximately 60% of my practice during this time was within the jurisdiction of the family court;
- (f) After leaving the above firm, I began a solo practice in Walhalla, SC. Very shortly thereafter, I became a principal/partner in the firm of Ballenger, Fedder, Cain & Norton, L.L.P. I was with this firm until June of 1998. My practice during this time included domestic; personal injury; workers' compensation; probate; social security; civil and a very limited amount of real estate;
- (g) From June of 1998 to 2001 (to the best of my recollection), I had a solo practice in Walhalla, SC. During this time, I maintained a general practice. However, the main focus of my practice was Family Court matters;
- (h) In 2001, I began practicing with the firm of Fedder, Norton, Ballenger and Enderlin, P.A. The area of my practice did not change. The majority of my practice was appearing in the Family Court and handling domestic issues. Subsequently, Derek Enderlin left the firm and accepted a job as the Oconee County Public Defender, and Julie Mahon became a part of the firm. The firm's name changed to Norton, Ballenger and Mahon, P.A. on April 23, 2004 based on the records of the Secretary of State. Subsequently, Julie Mahon married and moved from Oconee County, SC. Bradley Norton and I continued to practice in Walhalla, SC. Then on or about July 11, 2011, Keith Denny became a named partner in the firm. The name of the firm was changed to Norton, Ballenger, and Denny, P.A.;

**THURSDAY, JANUARY 14, 2016**

- (i) On May 23, 2012, I had the honor of being elected as Family Court Judge for the Tenth Judicial Circuit. I have served in this position since that date.

Judge Ballenger reported she has not personally handled any civil or criminal appeals.

Judge Ballenger reported that she has held the following judicial office:

Family Court, Tenth Judicial Circuit, Seat 2, 2012–present.

Judge Ballenger provided the following list of her most significant orders or opinions:

- (a) SC vs. Michelle G and Robert Dale L, Anderson County. Issues: Termination of Parental Rights. This case is significant for me because it was the first case that I heard that was decided on appeal, and I was affirmed. SC Department of Social Service v. Michelle G and Robert L, 407 S.C. 499, 757 S.E.2d 388 (S.C., 2014);
- (b) David Tyler vs. Gina Argo, Charleston County. Issues: Child Custody. This case is significant to me because it was my first long (5 day) trial after becoming a family court judge. It is also significant to me because the trial lasted for 5 days and the parties settled it on the morning that I was going to issue my decision;
- (c) Stephanie L. Couch vs. James A. Couch, Oconee County. Issues: Equitable Division of Marital Property. This case is significant to me because it was a multi-day trial with a self-represented litigant;
- (d) Moss, Juvenile case, Oconee County. Issues: Criminal Sexual Conduct, Second Degree. This case is significant to me because it was a multi-day case in a juvenile case;
- (e) SC Department of Social Services, Malcolm, Bell, Miller and Grishman, Anderson County. Issue: Termination of Parental Rights case.

Judge Ballenger has reported no other employment while serving as a judge.

**THURSDAY, JANUARY 14, 2016**

Judge Ballenger further reported the following regarding an unsuccessful candidacy:

In 1999, I submitted an application for the Judge of the Family Court for the Tenth Judicial Circuit, Seat 2. I was found to be qualified for the position. I withdrew my application by letter dated January 21, 2000. The Honorable Timothy M. Cain was elected to the judicial office where he served admirably until he was elected to the federal bench.

(9) Judicial Temperament:

The Commission believes that Judge Ballenger's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Ballenger to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial Temperament.

Judge Ballenger is divorced. She has one child.

Judge Ballenger reported that she was a member of the following Bar and professional associations:

- (a) Oconee County Bar Association, President in 1996;
- (b) SC Bar;  
I am a member of the Family Law Section;
- (c) SC Conference of Family Court Judges;
- (d) In the past, I have been a member of the SC Trial Lawyer's Association.

Judge Ballenger provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Walhalla Rotary Club;
- (b) Paul Hayne Circle (literary club);
- (c) The Oconee County Assembly.



**THURSDAY, JANUARY 14, 2016**

Judge Ballenger further reported:

- (a) Oconee County Drug Court (Pro Bono);
- (b) James M. Brown Parent Teacher Organization (Community Leader).

(11) Commission Members' Comments:

The Commission commented that Judge Ballenger's enthusiasm for the bench was evident and she had done well in her first stint on the bench. The Commission also thanked her for her service to South Carolina.

(12) Conclusion:

The Commission found Judge Ballenger qualified and nominated her for re-election to the Family Court.

**The Honorable William Gregory Seigler  
Family Court, Eleventh Judicial Circuit, Seat 1**

**Commission's Findings:        QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Seigler meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Seigler was born in 1974. He is 41 years old and a resident of McCormick, South Carolina. Judge Seigler provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2000.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of disqualifying unethical conduct by Judge Seigler.

Judge Seigler demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

**THURSDAY, JANUARY 14, 2016**

Judge Seigler reported that he has not made any campaign expenditures.

Judge Seigler testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Seigler testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Seigler to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Seigler described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Family Court Judge's Conference	4/16/15–4/17/15;
(b) Family Court Bench/Bar	12/2014;
(c) Trial Lawyers Family Court CLE	8/2014;
(d) Annual Public Defender Conference	9/28/2013;
(e) Annual Public Defender Conference	9/27/2012;
(f) Annual Public Defender Conference	9/26/2011;
(g) Annual Public Defender Conference	9/27/2010;
(h) Annual Public Defender Conference	9/28/2009.

Judge Seigler reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Judge Seigler reported that he has not published any books and/or articles.

**THURSDAY, JANUARY 14, 2016**

(4) Character:

The Commission's investigation of Judge Seigler did not reveal evidence of any criminal allegations made against him. The Commission's investigation of Judge Seigler did not indicate any evidence of a troubled financial status. Judge Seigler has handled his financial affairs responsibly.

The Commission also noted that Judge Seigler was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Seigler reported that he is not rated by any legal rating organization.

Judge Seigler reported that he has held the following public office:

- (a) Tri-County Public Defender (Edgefield, McCormick, Saluda Counties) 2007–2008 part-time. I represented indigent defendants charged with crimes in all three counties, in General Session Court, Family Court, and in Magistrates/Municipal Court;
- (b) Eleventh Circuit Public Defender's Office/Lexington County as the Tri-County Public Defender (Edgefield, McCormick, Saluda Counties) 2008–2014 full time. I represented indigent defendants charged with crimes in all three counties, in General Session Court, Family Court, and in Magistrates/Municipal Court;

(6) Physical Health:

Judge Seigler appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Seigler appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Seigler was admitted to the SC Bar in 2000.

## THURSDAY, JANUARY 14, 2016

He gave the following account of his legal experience since graduation from law school:

- (a) Law Offices of W. Greg Seigler, Inc., 2000–2010. Solo Practitioner with a general practice that focused on family law, but included criminal, probate, personal injury, and real estate law. During this time I was attorney for the Town of Troy (Greenwood County), Plum Branch (McCormick County);
- (b) Chief Municipal Judge-Calhoun Falls (Abbeville County), 2005–2007;
- (c) Tri-County Public Defender (Edgefield, McCormick, Saluda Counties) 2007–2008 part-time. I represented indigent defendants charged with crimes in all three counties, in General Session Court, Family Court, and in Magistrates/Municipal Court;
- (d) Eleventh Circuit Public Defender's Office/Lexington County as the Tri-County Public Defender (Edgefield, McCormick, Saluda Counties) 2008–2014 full time. I represented indigent defendants charged with crimes in all three counties, in General Session Court, Family Court, and in Magistrates/Municipal Court;
- (e) Family Court Judge, Eleventh Circuit Seat 1, May 28, 2014–current.

Judge Seigler reported that he has held the following judicial office(s):

- (a) Family Court Judge, Eleventh Circuit Seat 1, May 28, 2014–current, elected by the South Carolina General Assembly. The Family Court has exclusive jurisdiction over all matters involving domestic or family relationships, including all cases involving marriage, divorce, legal separation, custody, visitation, termination of parental rights, adoption, support, alimony, division of marital property, and name change, minors under 17 charged with crimes;
- (b) Chief Municipal Court Judge-Calhoun Falls (Abbeville County) 2005–2007, appointed by the mayor and town council. Municipal Courts have jurisdiction over cases arising under ordinances of the town, and to all offenses subject to fines less than \$500.00 or 30 days. The

THURSDAY, JANUARY 14, 2016

powers are identical to magistrate, except they have no civil jurisdiction.

Judge Seigler provided the following list of his most significant orders or opinions:

- (a) Barnes v Williams-trial where grandparents were seeking custody of grandson from his mother;
- (b) Downs v Downs-trial involving parental custody of four children and divorce;
- (c) DSS v Jane Doe and John Doe-trial with DSS seeking termination of parental rights;
- (d) Brown v Jones-trial involving an unmarried couple who were parents of a minor child, both seeking custody;
- (e) I could list many orders that are significant that I have issued as could every family court judge in this state, because each and every order involving a minor child or children is extremely and uniquely significant.

Judge Seigler reported the following regarding his employment while serving as a judge:

Law Offices of W. Greg Seigler, Inc., 2005–2007.

Judge Seigler further reported the following regarding unsuccessful candidacies:

I was a judicial candidate for Family Court At-Large, Seat 2. Five people filed for the seat. I was found qualified and nominated, but I withdrew my candidacy prior to election.

(9) Judicial Temperament:

The Commission questioned Judge Seigler regarding his judicial temperament and was satisfied with his responses.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Seigler to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also “Well Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee further stated in summary, Judge Seigler “... has

**THURSDAY, JANUARY 14, 2016**

grown in his position nicely. He has the qualities required to be a very good Family Court Judge.”

Judge Seigler is married to Jennifer P. Seigler. He has three children.

Judge Seigler reported that he was a member of the following Bar and professional associations:

- (a) SC Bar;
- (b) Family Court Judge’s Association.

Judge Seigler provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) The Citadel Alumni Association-Life Member;
- (b) Mason-Mine Lodge 117, Master 2005;
- (c) Shriner;
- (d) National Wild Turkey Federation;
- (e) NRA;
- (f) SC Wildlife Endowment;
- (g) Bethany Baptist Church-member.

Judge Seigler further reported:

I am very humbled and proud to serve as a Family Court judge in this great state, and I hope to continue doing so for a long time. My experiences thus far have been incredible, and I look forward with keen anticipation to continuing as a distinguished member of our fine judiciary. I simply hope to fulfill my duties as a Family Court judge with great pride and dedication, as I feel that I have since being elected such an honorable position.

(11) Commission Members’ Comments:

The Commission questioned Judge Seigler thoroughly regarding judicial temperament and the other evaluative criteria. The Commission found that Judge Seigler responded appropriately to the Commission’s questions. The Commission also found that Judge Seigler’s knowledge of the law was confirmed by his performance on the test administered by the Commission.

**THURSDAY, JANUARY 14, 2016**

(12) Conclusion:

The Commission found Judge Seigler qualified and nominated him for election to the Family Court.

**The Honorable Jerry Deese Vinson, Jr.  
Family Court, Twelfth Judicial Circuit, Seat 3**

**Commission's Findings:        QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Vinson meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Vinson was born in 1960. He is 55 years old and a resident of Florence, South Carolina. Judge Vinson provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1985.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Vinson.

Judge Vinson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Vinson reported that he has not made any campaign expenditures.

Judge Vinson testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

**THURSDAY, JANUARY 14, 2016**

Judge Vinson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Vinson to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Vinson described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SC Bar Civil Law Update	1/22/10;
(b) SC Bar Family Law Section	1/22/10;
(c) SC Bar Child Welfare Seminar	1/23/10;
(d) NCJFCJ National Conference	3/14/10–3/17/10;
(e) SCFCJA Conference	4/22/10;
(f) NCJFCJ 73 <sup>rd</sup> Annual Conference	7/16/10–7/21/10;
(g) SCAJ 2010 Annual Convention	8/5/10–8/7/10;
(h) SCCA 2010 Judicial Conference	8/18/10–8/20/10;
(i) SC Bar-Solo & Small Firm Seminar	9/24/10;
(j) SC Bar-Hot Tips	10/1/10;
(k) CLE for Class of 1985 Reunion	9/25/10;
(l) Family Court Judges Mini Summit on Justice for Children	12/2/10;
(m) SC Bench/Bar–Family Court Judges	12/3/10;
(n) SC Bar Family Law Section	1/21/11;
(o) SCFCJA Conference	6/1/11–6/3/11;
(p) Orientation School for New Family Court Judges	6/8/11;
(q) NCJFCJ 74 <sup>th</sup> Annual Conference	7/24/11–7/27/11;
(r) SCAJ Annual Convention	8/4/11–8/7/11;
(s) SCCA Annual Judicial Conference	8/17/11–8/19/11;
(t) SC Bar Hot Tips Seminar	9/16/11;
(u) Florence County Bar-Clarence Darrow's Search for Truth	10/21/11;
(v) SC Bar Family Court Bench/Bar	12/2/11;
(w) SCFCJA Family Court Judges' Conference	4/18/12–4/20/12;
(x) NCJFCJ 75 <sup>th</sup> Annual Conference	7/14/12–7/18/12;
(y) SCAJ Annual Convention	8/2/12–8/4/12;



**THURSDAY, JANUARY 14, 2016**

- (z) SCCA Annual Judicial Conference 8/22/12–8/24/12;
- (aa) SC Bar Family Court Bench/Bar 12/7/12;
- (bb) Mandatory Family Court Conference 12/6/12;
- (cc) SC Bar Family Law Section 1/25/13;
- (dd) SC Bar Trial and Appellate  
Advocacy Section 1/25/13;
- (ee) SCFCJA Family Court Judges’  
Conference 4/17/13–4/19/13;
- (ff) NCJFCJ 76<sup>th</sup> Annual Conference 7/14/13–7/18/13;
- (gg) SCAJ Annual Conference 8/1/13–8/3/13;
- (hh) SCCA Annual Judicial Conference 8/21/13–8/23/14;
- (ii) SC Bar Family Court Bench/Bar 12/6/13;
- (jj) SC Bar Office Technology 1/23/14;
- (kk) SC Bar Family Law Section 1/24/14;
- (ll) SC Bar Substance Abuse/Mental Health 1/25/14;
- (mm) SCFCJA Family Court Judges  
Conference 4/23/14–4/25/14;
- (nn) NCJFCJ 77th Annual Conference 7/13/14–7/16/14;
- (oo) ABA Annual Conference 8/6/14–8/11/14;
- (pp) SCCA Annual Judicial Conference 8/20/14–8/22/14;
- (qq) SCWLA Conference 10/10/14;
- (rr) SC Bar Family Court Bench/Bar 12/5/14;
- (ss) SC Bar Family Law Section 1/23/15;
- (tt) SCFCJA–Family Court Judges  
Conference 4/15/15–4/17/15;
- (uu) SCCA Orientation School for New Judges 6/4/15.

Judge Vinson reported that he has taught the following law-related courses:

- (a) SC Bar Hot Tips Seminar 9/12/97;
- (b) SC Bar Hot Tips Seminar 8/28/98;
- (c) SC Bar Hot Tips Seminar 9/24/99;
- (d) Family Law Ethics Seminar 12/4/99;
- (e) SC Bar Hot Tips Seminar 9/15/00;
- (f) SC Bar Hot Tips Seminar 9/21/01;
- (g) SC Bar Hot Tips Seminar 9/20/02;
- (h) Ethical Issues in Appointed Issues 10/18/02;
- (i) Guardian Ad Litem Certification 1/10/03;
- (j) SC Bar Cool Tips Seminar 4/25/03;
- (k) Training for Attorneys appointed in Abuse & Neglect  
Cases 1/15/10;

**THURSDAY, JANUARY 14, 2016**

- (l) SC Bar Child Welfare Seminar–Best Legal Practices 1/23/10;
- (m) Speaker at Best Legal Practices Conference 4/22/10;
- (n) SCCFCJ Conference–Best Legal Practices 4/22/10;
- (o) Guardian ad litem training on Best Legal Practices 5/17/10;
- (p) SC Bar–Solo & Small Firm Seminar 9/24/10;
- (q) SC Bar–Hot Tips 10/1/10;
- (r) Child Support Enforcement CLE–Best Legal Practices 10/29/10;
- (s) Family Court Judges Mini Summit on Justice for Children 12/2/10;
- (t) Orientation School for New Family Court Judges 6/8/11;
- (u) SC Bar Hot Tips Seminar 9/16/11;
- (v) SC Bar Family Court Judges Bench/Bar 12/2/11;
- (w) Orientation School for New Family Court Judges 5/31/12;
- (x) SC Supreme Court Institute 6/19/12;
- (y) SC Bar Hot Tips Seminar 9/28/12;
- (z) Orientation School for New Family Court Judges 5/30/13;
- (aa) SC Bar Hot Tips Seminar 9/27/13;
- (bb) Orientation School for New Family Court Judges 6/19/14;
- (cc) Children’s Law Seminar–ICWA 6/27/14;
- (dd) SC Bar Hot Tips Seminar 9/26/14;
- (ee) Orientation School for New Family Court Judges 6/4/15;
- (ff) Participated in the SC Bar LRE Mock Trial Competitions as a Presiding Judge 7/04–present.

Judge Vinson reported that he has not published any books and/or articles.

(4) Character:

The Commission’s investigation of Judge Vinson did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission’s investigation of Judge Vinson did not indicate any evidence of a troubled

**THURSDAY, JANUARY 14, 2016**

financial status. Judge Vinson has handled his financial affairs responsibly.

The Commission also noted that Judge Vinson was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Vinson reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

(6) Physical Health:

Judge Vinson appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Vinson appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Vinson was admitted to the SC Bar in 1985.

He gave the following account of his legal experience since graduation from law school:

- (a) August 1985–April 1986, I practiced as an associate with Haigh Porter in Florence, SC. My responsibilities primarily involved mortgage foreclosure actions and real estate transactions;
- (b) April 1986–July 1987, I served as a law clerk to the Honorable John H. Waller, Jr., Circuit Judge for the Twelfth Judicial Circuit. My responsibilities involved assisting Judge Waller with research and reviewing Orders and other documents presented for execution by Judge Waller;
- (c) July 1997–April 1992, I practiced as an associate with Turner, Padgett Graham and Laney, P.A. in Florence, SC. My practice involved civil litigation in State and Federal Court, primarily related to defense of insureds in personal injury, premises liability and business litigation;

**THURSDAY, JANUARY 14, 2016**

- (d) April 1992–December 1992, I practiced as an attorney with the Fallon Law Firm in Florence, SC. My practice involved civil litigation primarily representing plaintiffs in personal injury cases;
- (e) January 1993–January 2001, I was a shareholder with the Vinson Law Firm, PA, in Florence, SC. My practice involved civil and domestic litigation, including personal injury cases and business litigation as well as divorce and custody actions. I also represented the Department of Social Services as a contract attorney for four (4) years during this period of time, litigating abuse and neglect cases. From 1993 until 2001, my practice gradually became more concentrated in Family Court so that by 1998, I practiced almost exclusively in Family Court;
- (f) In January 2001, I merged my practice and became a partner in McDougall and Self, L.L.P, practicing in the Florence, SC office. My practice was limited to Family Court;
- (g) On February 4, 2004, I was elected by the Legislature to the Twelfth Judicial Circuit, Family Court, Seat Three. I have served in that position since July 1, 2004.

Judge Vinson reported that he has held the following judicial office:

July 1, 2004–present, Family Court, Twelfth Judicial Circuit, elected.

Judge Vinson provided the following list of his most significant orders or opinions:

- (a) The State v. Tyquan Jared Amir Jones, 709 S.E.2d 696, 392 S.C. 647 (Ct. App. 2011).

This appeal arose from a waiver hearing held in 2006. The juvenile pled guilty to voluntary manslaughter following the waiver of jurisdiction from the Family Court. The Court of Appeals noted that the trial court had properly considered all of the Kent factors, and also took into account the lack of opportunities and the environment in which the juvenile had lived. Noting that the record contained a great deal of evidence

**THURSDAY, JANUARY 14, 2016**

supporting the Family Court decision, the Court of Appeals affirmed the waiver of jurisdiction;

- (b) Sandra K. Jackson v. Franklin Jackson, Op. No. 2011–UP–110 (S.C. Ct. App. Filed March 16, 2011).

This appeal arose from an award of equitable distribution and alimony as set forth in the trial court’s divorce decree. In its unpublished decision, the Court of Appeals found that the Family Court properly considered the relevant factors in apportioning marital property, making extensive written and oral findings regarding the factors. The Court of Appeals also affirmed the award of alimony, again finding that the court properly considered the relevant factors in determining the amount of alimony. This case was significant because it required me to weigh the husband’s ability to continue working in juxtaposition with the wife’s diminishing ability to work due to a chronic health condition. I also had to take into account the non-marital property of the wife when determining her income and needs;

- (c) Punam Hiral Gopaldas v. Hiral Ranjit Gopaldas, 2009-DR-21-2483 and 2011-DR-21-1255.

This divorce case primarily involved issues of custody and equitable distribution. Shortly before the scheduled final hearing, the mother and maternal grandmother were found murdered in the former marital residence. The parties’ two year old child was present at the time of the murders. Following the homicides, the Department of Social Services became involved. There was significant public and press interest in this case, particularly after the father was charged with the double homicide. The matter was brought before me on an emergency motion related to custody. As DSS was a party to the action and there was a need to protect the child and the families, I instituted a gag order and sealed the file during the pendency of the action. I also retained jurisdiction to ensure that the child would be protected throughout the ongoing criminal investigation, especially with regard to multiple interviews;

**THURSDAY, JANUARY 14, 2016**

- (d) South Carolina Department of Social Services v. John Doe, Jane Doe, Mary Roe, and John Roe, 2013-DR-23-5379.

This three day trial arose from the request of DSS for termination of the parental rights (TPR) of the biological parents or, in the alternative, to make a finding of physical abuse and adopt a placement plan. The parties' two month old child had sustained fifteen unexplained fractures. DSS believed that the severity of the abuse of the minor child should result in TPR. During its case, however, testimony was elicited that a placement plan could be adopted which would allow for reunification. The biological parents requested an involuntary nonsuit as to TPR, which the law required that I grant. At that time, the biological parents withdrew as they were facing criminal charges arising from the same allegations and did not wish to testify. Considering the testimony of injuries suffered by the minor child and the proposed placement plan, I was able to order a placement plan which provided significant protection for the minor child;

- (e) Christina Lynn Lowry v. Thomas Lowry, 2011-DR-21-1277.

This case demonstrated the demands placed on the court by self-represented litigants. The plaintiff represented herself in this two day custody case. The defendant was represented by counsel. The plaintiff, who was well educated, faced significant challenges in presenting her case for custody. The experienced Family Court litigator representing the defendant properly challenged the plaintiff throughout the presentation of her case. As a trial judge, I could not assist the plaintiff in presenting her case. It was, however, vitally important that I obtain as much information as possible concerning the best interest of the parties' children. This is the challenge presented in self-represented litigation. Through careful, thorough and appropriate questioning by the guardian ad litem and the court, I was able to obtain significant information which ultimately led me to conclude that it

**THURSDAY, JANUARY 14, 2016**

was in the children's best interest that the plaintiff be granted primary custody.

Judge Vinson reported the following regarding his employment while serving as a judge:

Other than part-time positions held while in high school, college and law school, I have held no other positions other than practicing law and my current judicial seat.

(9) Judicial Temperament:

The Commission believes that Judge Vinson's temperament would be excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Vinson to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee found that based on the evaluative criteria, Judge Vinson meets and exceeds the requirements in each area.

Judge Vinson is married to Flora Sue Lester Vinson. He has does not have any children.

Judge Vinson reported that he was a member of the following Bar and professional associations:

- (a) SC Bar;
  - i. Judicial member (Current);
  - ii. House of Delegates;
  - iii. Family Law Section council-Chair (2001–2002);
  - iv. Law Related Education Committee (Current)-Chair (2010–2012).
- (b) SC Women Lawyers Association (Current);
- (c) National Council of Juvenile and Family Court Judges (Current);
  - i. Served on Board of Trustees from 2008–2011;
  - ii. Finance Committee member from 2010–present (Current Vice-Chair).
- (d) Family Court Judges Association (Current);

**THURSDAY, JANUARY 14, 2016**

- i. President (2012–2013);
- ii. President Elect (2011–2012);
- iii. Secretary/Treasurer (2010–2011).
- (e) Bench/Bar Committee (Current)–Chair (2012–2014);  
Best practices Subcommittee (Current)–Chair and Co-Chair (2009–present).
- (f) Governor’s Task Force for Adoption and Foster Care (2007–2008);
- (g) American Bar Association–Judicial Division (Current);
- (h) Family Court Judges Advisory Committee (2010–2013).

Judge Vinson provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Confirmed Communicant at St. John’s Church & former Vestry Member;
- (b) Former Vice-Chair of Francis Marion University Foundation Board;
- (c) Past President of Francis Marion University Alumni Association;
- (d) Graduate of Leadership Florence;
- (e) Recipient of Francis Marion University Outstanding Member of Alumni Association (1997);
- (f) Kiwanian of the Year (1994);
- (g) Participant at National Security Seminar, United States Army War College (2008);
- (h) Recipient of Francis Marion University John S. Boyce Award (2010).

Judge Vinson further reported:

For the 10 years prior to my election to the bench, I deliberately modified my practice to become exclusively a family court practitioner. I made a commitment to seek to improve my professional skills by my involvement in various organizations, including the Family Law Section Council of the SC Bar, and by attending and speaking at numerous continuing legal education seminars. Since my election to the bench, I have continued to attend and speak at seminars. I have attended the National Judicial College for the General Jurisdiction course, as well as the Advanced Evidence course. I am involved in the National Council of Juvenile and Family Court Judges, attending seminars and conferences dealing with national and



**THURSDAY, JANUARY 14, 2016**

international issues affecting juveniles and families in our legal system. I also serve on the Bench/Bar Committee where I work with representatives of the Department of Social Services (including General Counsel's office), practicing attorneys, members of the Governor's guardian ad litem program, Foster Care Review Board and other Judges, seeking ways to improve our legal process particularly as it relates to children and families. To that end, I have also been involved as chair of the Best Legal Practices subcommittee in developing best legal practices to be followed in abuse and neglect cases and termination of parental rights cases. This was an extension of my involvement in the Governor's Task Force for Foster Care and Adoption. Calling on my experience as a family court practitioner, a former contract attorney for the Department of Social Services prosecuting abuse and neglect cases, and my experience on the Family Court Bench, I am committed to improving the judicial system and its responsiveness to the needs of children and families in South Carolina. This includes families involved in Department of Social Services cases; Department of Juvenile Justice cases; and private domestic relations cases. I consider it a great privilege to have the opportunity to serve in a position that I thoroughly enjoy.

(11) Commission Members' Comments:

The Commission noted that Judge Vinson has an excellent reputation in his community and he has ably served on the Family Court bench since 2004.

(12) Conclusion:

The Commission found Judge Vinson qualified and nominated him for re-election to the Family Court.

**THURSDAY, JANUARY 14, 2016**

**The Honorable Alex Kinlaw, Jr.  
Family Court, Thirteenth Judicial Circuit, Seat 6**

**Commission's Findings:            QUALIFIED AND NOMINATED**

**(1)    Constitutional Qualifications:**

Based on the Commission's investigation, Judge Kinlaw meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Kinlaw was born in 1952. He is 63 years old and a resident of Greenville, South Carolina. Judge Kinlaw provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1978.

**(2)    Ethical Fitness:**

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Kinlaw.

Judge Kinlaw demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Kinlaw reported that he has not made any campaign expenditures.

Judge Kinlaw testified he has not:

- (a)    sought or received the pledge of any legislator prior to screening;
- (b)    sought or been offered a conditional pledge of support by a legislator;
- (c)    asked third persons to contact members of the General Assembly prior to screening.

Judge Kinlaw testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

**THURSDAY, JANUARY 14, 2016**

(3) Professional and Academic Ability:

The Commission found Judge Kinlaw to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Kinlaw described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Family Court Judges' Conference	04/02/2009;
(b) Orientation School for New Family	06/03/2009;
(c) Annual Convention	08/06/2009;
(d) 2009 Annual Judicial Conference	08/19/2009;
(e) SCBLA Annual Retreat	10/01/1990;
(f) Family Law Update	01/22/2010;
(g) Family Court Judges Conference	04/22/2010;
(h) 2010 Judicial Conference	08/18/2010;
(i) Mini Summit on Justice for Children	12/02/2010;
(j) 2010 SC Family Court	12/03/2010;
(k) Family Law Section	01/21/2011;
(l) Family Court Judges Conference	06/01/2011;
(m) 2011 SCAJ Annual Convention	08/04/2011;
(n) 2011 Annual Judicial Conference	08/17/2011;
(o) Annual Retreat	10/14/2011;
(p) 2011 SC Family	12/02/2011;
(q) Family Law Section	01/20/2012;
(r) 2012 Family Court Judges Conference	04/18/2012;
(s) 18 <sup>th</sup> Annual Training Conference	05/30/2012;
(t) 2012 Annual Convention	08/22/2012;
(u) Annual Retreat	09/26/2012;
(v) Mandatory Family Court Judges	12/06/2012;
(w) Family Court Bench Bar	12/07/2012;
(x) Family Law Section	01/25/2013
(y) 2013 Family Court Judges Conference	04/17/2013;
(z) 2013 Annual Convention	08/01/2013;
(aa) 2013 Annual Judicial Conference	08/21/2013;
(bb) SCBLA Annual Retreat	09/26/2013;
(cc) 2013 Family Court Bench Bar	12/06/2013;
(dd) Family Law Section	01/24/2014.

Judge Kinlaw reported that he has taught the following law-related courses:

**THURSDAY, JANUARY 14, 2016**

- (a) 2006—I did a seminar on Custody at SC Black Lawyers Retreat;
- (b) 2009—I lectured at a CLE on Alimony Issues;
- (c) 2015—I did a CLE on Domestic Abuse Petitions at a Bar Conference.

Judge Kinlaw reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Kinlaw did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Judge Kinlaw did not indicate any evidence of a troubled financial status. Judge Kinlaw has handled his financial affairs responsibly.

The Commission also noted that Judge Kinlaw was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Kinlaw reported that he is not rated by any legal rating organization.

(6) Physical Health:

Judge Kinlaw appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Kinlaw appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Kinlaw was admitted to the SC Bar in 1978.

He gave the following account of his legal experience since graduation from law school:

- (a) 1978–1980, Staff Attorney with Legal Services Agency;

**THURSDAY, JANUARY 14, 2016**

- (b) 1980–1981, Assistant Public Defender for Greenville County, SC;
- (c) 1982–2009, I was engaged in general practice;
- (d) 2009–Present, Family Court Judge.

Judge Kinlaw reported that he has held the following judicial office:

I was elected a Family Court Judge in February 2009 for the Thirteenth Judicial Circuit.

Judge Kinlaw provided the following list of his most significant orders or opinions:

- (a) George Francis Brown vs. Julie Krick Brown, Ct. of Appeals, Appellate Case 2013-001259, 4-8-15;
- (b) Linda T. Terry vs. William E. Terry, Jr., 450S.C.453, 11/21/12;
- (c) Peter Kucera vs. Ashley Moss;
- (d) Jerry Robert Cantrell, Jr. vs. Catherine Elizabeth Cantrell;
- (e) South Carolina Department of Social Services vs. Keowsha Shicole Golden and Jerrick Clement.

Judge Kinlaw has reported no other employment while serving as a judge.

Judge Kinlaw further reported the following regarding an unsuccessful candidacy:

I ran for a seat on the Family Court in 2008 and lost. I was successful in 2009.

(9) Judicial Temperament:

The Commission believes that Judge Kinlaw’s temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Kinlaw to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also “Well Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

**THURSDAY, JANUARY 14, 2016**

Judge Kinlaw is married to Yvette Wiggins Kinlaw. He has two children.

Judge Kinlaw reported that he was a member of the following Bar and professional associations:

- (a) SC Bar Association;
- (b) National Bar Association;
- (c) SC Black Lawyer's Association.

Judge Kinlaw provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Urban League of the Upstate;
- (b) Sigma Pi Phi Fraternity;
- (c) Alpha Phi Alpha Fraternity.

(11) Commission Members' Comments:

The Commission commented that Judge Kinlaw has an outstanding reputation as a jurist. They noted his intellect, temperament, and work ethic which has ably served him in discharging his responsibilities on the Family Court Bench.

(12) Conclusion:

The Commission found Judge Kinlaw qualified and nominated him for re-election to the Family Court.

**The Honorable Peter L. Fuge  
Family Court, Fourteenth Judicial Circuit, Seat 2**

**Commission's Findings:      QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Fuge meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Fuge was born in 1947. He is 68 years old and a resident of Bluffton, South Carolina. Judge Fuge provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1974.

**THURSDAY, JANUARY 14, 2016**

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Fuge.

Judge Fuge demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Fuge reported that he has not made any campaign expenditures.

Judge Fuge testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Fuge testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Fuge to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Fuge described his continuing legal or judicial education during the past five years as follows:

Conference/CLE

<u>Name</u>	<u>Date(s)</u>
(a) Family Court Judges Conference	04/22/10;
(b) SCAJ 2010 Annual Convention	08/05/10;
(c) 2010 Judicial Conference	08/18/10;
(d) Mini Summit on Justice for Children	12/02/10;
(e) 2010 SC Family Court	12/03/10;
(f) Family Law Section	01/21/11;
(g) Family Law Judge's Conference	06/01/11;
(h) 2011 Annual Judicial Conference	08/17/11;

**THURSDAY, JANUARY 14, 2016**

(i)	2011 SC Family	12/02/11;
(j)	Family Law Section	01/20/12;
(k)	2012 Family Court Judges Conference	04/18/12;
(l)	2012 Annual Judicial Conference	08/22/12;
(m)	Mandatory Family Court Judges	12/06/12;
(n)	Family Court Bench Bar	12/07/12;
(o)	Family Court Law Section	01/25/13;
(p)	2013 Family Court Judges Conference	04/17/13;
(q)	2013 Annual Judicial Conference	08/21/13;
(r)	2013 Family Court Bench Bar	12/06/13;
(s)	Family Law Section	01/04/14;
(t)	Family Court Judges Conference	04/23/14;
(u)	2014 Annual Conference	08/07/14;
(v)	2014 Annual Judicial Conference	08/20/14;
(w)	2014 Family Court Bench Bar	12/05/14;
(x)	Family Law Section	01/23/15;
(y)	Mental Health & Substance Use	07/24/15.

Judge Fuge reported that he has taught the following law-related courses:

- (a) I have lectured on “Alimony” at the SCTL Annual Meeting on August 14–16, 1986;
- (b) I have lectured on “Trends: Retirement & Pension” at the SC Bar Annual Meeting;
- (c) I have lectured on the topic, “Getting and Keeping Military Benefits” at Hot Tips from the Experts in February, 1989;
- (d) I have lectured on the topic, “Returning Military Dependents to the United States: The Survivor’s Benefits Plan in Marital Dissolution Actions,” in June, 1990;
- (e) I have lectured on the topic, “1990 Alimony Statute and Other Alimony Issues” at the Family Law Issues CLE, in November, 1990;
- (f) I have lectured on the topic, “Other Alimony: What is it and Sequestration to Preserve Assets” for Hot Tips from the Experts in May, 1992;
- (g) I made presentation on the topic, “Moderator,” at the mid-year meeting of the SC Bar;



**THURSDAY, JANUARY 14, 2016**

- (h) I have lectured on the topic, “Common Evidentiary Problems in Family Court Cases” for Hot Tips from the Experts in August, 1998;
- (i) I have lectured on the topic, “Clauses in Marital Settlement Agreements Which May Help Avoid Common Pitfalls,” for Hot Tips from the Experts in September, 2002;
- (j) I have lectured on the topic, “A Survey of Recent Developments in the Law Concerning Ante nuptial Agreements,” for Hot Tips from the Experts in September, 2003;
- (k) I have lectured on the topic, “Pitfalls You May Incur if Your Settlement Agreement Provides for Court Ordered Arbitration or Mediation” for Hot Tips from the Experts in September, 2004;
- (l) I have lectured on the topic, “What Happens When One of the Parties Dies During Litigation” for Hot Tips from the Experts in September, 2005;
- (m) I have lectured on the topic, “Putative Father Registry” for Hot Tips from the Experts in September, 2006;
- (n) I have lectured on the topic, “Temporary Hearings and Temporary Relief in the Family Court” for Hot Tips from the Experts in September, 2007.

Judge Fuge reported that he has not published any books or articles.

(4) Character:

The Commission’s investigation of Judge Fuge did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission’s investigation of Judge Fuge did not indicate any evidence of a troubled financial status. Judge Fuge has handled his financial affairs responsibly.

The Commission also noted that Judge Fuge was punctual and attentive in his dealings with the Commission, and the Commission’s investigation did not reveal any problems with his diligence and industry.

**THURSDAY, JANUARY 14, 2016**

- (5) Reputation:  
Judge Fuge reported that his last available rating by a legal rating organization, Martindale-Hubbell, was AV.
- (6) Physical Health:  
Judge Fuge appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:  
Judge Fuge appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:  
Judge Fuge was admitted to the SC Bar in 1974.

He gave the following account of his legal experience since graduation from law school:

- (a) 1974–1976                      Dowling, Dowling,  
                                 Sanders & Dukes, P.A.,  
                                 Beaufort, SC,  
                                 General Practice;
- (b) 1976–1977                      Peter L. Fuge,  
                                 Attorney at Law,  
                                 Beaufort, SC ,  
                                 General Practice;
- (c) 1977–1980                      Fuge & Denton, P.A.,  
                                 Beaufort, SC,  
                                 General Practice;
- (d) 1980–1995                      Harvey & Battey, P.A.,  
                                 Beaufort, SC,

During the early stages of my practice at Harvey & Battey, I was the general practice of law with a primary emphasis on litigation. As time went on, I began to focus on the field of matrimonial law. Since the early 1980's, the general emphasis of my practice has been in domestic relations;

- (e) 1995–2/2008                      Peter L. Fuge, P.A.,  
                                 Beaufort, SC,  
                                 General Practice with emphasis on domestic relations;
- (f) 02/2008–Present                      Family Court Judge  
                                 14th Judicial Circuit, Seat 2.

## THURSDAY, JANUARY 14, 2016

Judge Fuge reported that he has held the following judicial office:

In February 2008, I was elected by our Legislature to Family Court Judge, Fourteenth Judicial Circuit, Seat 2, Beaufort, SC. I was reelected on February 3, 2010 to serve a second term for the Fourteenth Judicial Circuit, which I am currently serving. This term expires July 30, 2016.

Judge Fuge provided the following list of his most significant orders or opinions:

- (a) Jennifer Nicknadarvich N/K/A, Jennifer Aiken v. Seth Bowers, Case No.: 2014-DR-07-0245.

This Order is an example of one of the most difficult decisions that must be made by a Family Court Judge. This case involved relocation by one parent and modification of child custody. I will not say more as a Motion to Reconsider has been filed;

- (b) Christine Renee Duis v. Peter D. Ponte, Case No: 2012-DR-07-0571.

This Order deals with the issue of continuing jurisdiction of our SC Family Court to make custody determinations in disputes between the parties when one party moves out of state and attempts to litigate custody and jurisdiction issues in that state when the other party continues to maintain residency in SC and seeks to have our Family Court retain jurisdiction;

- (c) Susan Brown v. Eric Brown, Case No: 2009-DR-07-1213.

This Final Order and Decree of Divorce is an example of the types of issues that are presented to a Family Court Judge by litigants who are difficult and do not provide the Court with proper asset valuations or debt details used do not provide the Court with sufficient evidence of values and debts. It would be unfair to Order payments of certain debts knowing it may be impossible to pay them. Such an Order could later result in a Contempt Order against a party who is financially unable to comply with this prior Order. This Order deals with difficult litigants and justly disposes of the issues presented to the Court in the parties

**THURSDAY, JANUARY 14, 2016**

pleadings even though they both lived well above their means;

- (d) Pamela Boatright, n/k/a Pamela Wilderom v. Matthew Boatright, and Cliff and Deborah Boatright, Case No: 2007-DR-07-1339.

I tried to be as thorough as possible and I issued a lengthy memo to counsel which the order tracks. This is a sad case because you can see that the grandparents love their grandson very much but they came to believe they would exclude the biological mother from this child's life. I followed the decision of Moore v. Moore and I applied the law to the facts. The mother was possessed of limited resources yet she continued to fight for the custody of her son. She was awarded custody by this court on July 28, 2009;

- (e) Kimberley O'Dell v. Todd B. O'Dell, Case No. 2006-DR-07-380.

I include this order to show the court that I attempt to be as thorough as possible when applying the law to the facts. This is an Order on Rule to Show Cause and it discusses the use of a Limited Power of Attorney not revoked by the wife which was sent to the husband's counsel under the misimpression that she would receive a portion of the proceeds from the sale of real estate and the husband's unilateral decision to lower support without prior court approval.

Judge Fuge has reported no other employment while serving as a judge.

Judge Fuge further reported the following regarding an unsuccessful candidacy:

Yes. I ran for Family Court Judge for the Fourteenth Judicial Circuit in 1998 and lost by one vote to the Honorable Robert S. Armstrong. We remain good friends. He served our state well.

- (9) Judicial Temperament:

The Commission believes that Judge Fuge's temperament has been, and would continue to be, excellent.

**THURSDAY, JANUARY 14, 2016**

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge Fuge to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health and mental stability, and also “Well Qualified” in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament. The Committee found that based on the evaluative criteria, Judge Fuge meets the requirements in each area.

Judge Fuge is married to Meredith Ann Brantley. He has three children.

Judge Fuge reported that he was a member of the following Bar and professional associations:

- (a) SC Bar, 1974–Present;
  - Family Law Section Council;
  - Secretary–1994;
  - Vice Chairman–1995;
  - Chairman–1996;
  - House of Delegates–1995 (to fill unexpired term of Honorable Jane D. Fender);
  - Lawyers Caring about Lawyers–1990-2007;
  - Lawyers Helping Lawyers–2007-Present.
- (b) Supreme Court Commission on Continuing Legal Education & Specialization;
  - Commission Member 1990-1996;
  - Chairman 1995-1996.
- (c) Supreme Court Family Law Specialization Advisory Board (Past Chairman);
- (d) Supreme Court Commission on Lawyers Caring about Lawyers;
  - Commission Member 2002-2007;
  - Commission Member 2014-Present.
- (e) American Bar Association 1979-2008;
  - Member, Family Law Section.
- (f) SC Trial Lawyers Association 1974-2008;
  - Family Law Section;
  - Chairman 1986-1987.
- (g) Association of Trial Lawyers of America 1979-2008;

**THURSDAY, JANUARY 14, 2016**

- (h) Advisory Board of Directors for Beaufort County Drug Court;  
Board Member 2004-2008.
- (i) National Council of Juvenile and Family Court Judges;  
Member 2008-2011.

Judge Fuge provided that he was a member of the following civic, charitable, educational, social, or fraternal organization:

- (a) Church of the Cross, Episcopal Church, Bluffton, SC.

Judge Fuge further reported:

I am of Irish ancestry and my family has been riddled with the disease of alcoholism. I was fortunate enough to join AA and on December 25, 1985 stopped drinking before bad things happened. My older brother had a terrible time with alcohol and I chose not to follow his path. I have remained abstemious from alcohol since December 25, 1985. I have had the privilege of helping other members of the Bar and members of the general public recover from alcoholism. This has been one of the most positive influences in my life.

I helped draft the bylaws of the SC Bar's Lawyers Helping Lawyers. I was a member of the selection committee when we chose Robert Turnbull, Esquire to be the Committee Director and I served on the Board until 2007. I was reappointed by Justice Toal as a Commissioner in 2014. I currently serve in that position. I try to be an example to others. I am honored to have helped many good men and women overcome their drinking problems and be restored to a responsible and productive life.

For many years, I was a member of the steering committee for the annual Attorneys and Judges Substance Abuse and Ethics seminar put by MUSC and the SC Bar. We present a seminar annually at MUSC to educate attorneys and judges concerning the legal issues facing the bench and bar and developments in the law concerning substance abuse and related issues.

I am currently one of two presiding judges for a Juvenile Drug Court program in the Fourteenth Judicial Circuit, which I helped create in 2009 with the help of our Solicitor. I hold Court on Tuesday evenings at 5:00 p.m. I do this as a public service.

**THURSDAY, JANUARY 14, 2016**

(11) Commission Members' Comments:

The Commission commented that Judge Fuge is a great Family Court judge and was an excellent practitioner. They noted that he will continue to serve the Lowcountry well.

(12) Conclusion:

The Commission found Judge Fuge qualified and nominated him for re-election to the Family Court.

**The Honorable Melissa J. Buckhannon**  
**(f/k/a Melissa Johnson Emery)**  
**Family Court, Fifteenth Judicial Circuit, Seat 2**

**Commission's Findings:        QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Buckhannon meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Buckhannon was born in 1969. She is 46 years old and a resident of Myrtle Beach, South Carolina. Judge Buckhannon provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1994.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Buckhannon.

Judge Buckhannon demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Buckhannon reported that she has not made any campaign expenditures.

**THURSDAY, JANUARY 14, 2016**

Judge Buckhannon testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Buckhannon testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Buckhannon to be intelligent and knowledgeable. Her performance on the Commission's practice and procedure questions met expectations.

Judge Buckhannon described her continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Steering Your Way Through Family Court	05/21/10;
(b) ABA 2010 Annual Meeting–Family Court Seminar	08/05/10;
(c) Family Court Procedural & Substantive Law	12/09/10;
(d) The 8 Types of Clients and How to Survive 7 of Them	02/23/11;
(e) Family Court Procedural & Substantive Law	12/08/11;
(f) ADR: An Ethical Perspective	12/28/11;
(g) Presenting the Family Law Case: The Basic Essentials	04/27/12;
(h) 2011 Richland County Bar Ethics Seminar	01/19/13;
(i) What Every Lawyer Should Know to Enjoy the Practice of Law	06/21/13;
(j) 2013 Hot Tips from the Coolest Domestic Law Practitioners	09/27/13;
(k) Family Court Procedure and Substantive Law	12/12/13;
(l) Family Court Judges Conference	04/23/14;



**THURSDAY, JANUARY 14, 2016**

- (m) 2014 Orientation School for New Family Court Judges 06/18/14;
- (n) 2014 Annual Judicial Conference 08/20/14;
- (o) 2014 Hot Tips from the Coolest Domestic Law Practitioners 09/26/14;
- (p) 2014 Family Court Bench Bar 12/05/14;
- (q) SC Bar Convention-Family Law Section 01/23/15;
- (r) Family Court Procedure and Substantive Law 02/11/15.

Judge Buckhannon reported that she has taught the following law-related courses:

- (a) I have coordinated and participated as a presenter for the annual Horry County Family Court Procedural & Substantive Law Seminar from 2000 to 2013. I presented at the seminar on February 11, 2015. This is an annual seminar that is conducted each year by the Horry County Family Court Bar. In working closely with our resident judges, the committee presents a practical nuts & bolts type seminar which aides the Family Court practitioner with substantive and procedural issues dealt with in Family Court;
- (b) I was part of the presentation faculty for the seminar presenting the Family Law Case: The Basic Essentials on April 27, 2012. This is a seminar presented by the Family Law Council of the SC Bar on a bi-annual basis to teach attorneys who are new to Family Court the basic procedures for practicing in Family Court;
- (c) I was part of the presentation faculty for the seminar Steering Your Way Through Family Court on May 21, 2010. This is the first seminar presented by the Family Law Council of the SC Bar, now done on a bi-annual basis to teach attorneys who are new to Family Court the basic procedures for practicing in Family Court;
- (d) I was part of the presentation faculty for the seminar Children's Issues in Family Court on March 17, 2006 and March 28, 2008. This seminar dealt directly with the issues of children in Family Court. It also served as training for guardians ad litem in Family Court;
- (e) I was part of the presentation faculty for the seminar Hot Tips from the Coolest Domestic Law Practitioners on

**THURSDAY, JANUARY 14, 2016**

September 23, 2005 and on September 26, 2014. This is a seminar conducted by the Family Law Council each year to educate new and experienced attorneys alike in Family court;

- (f) I was part of the presentation faculty for the seminar guardian ad litem training on March 5, 2004. This seminar dealt directly with the issues of children in Family Court and served as training for guardians ad litem in Family Court.

Judge Buckhannon reported that she has published the following:

South Carolina Family Lawyer's Toolkit, Second Edition.  
Published by the SC Bar in 2010.

(4) Character:

The Commission's investigation of Judge Buckhannon did not reveal evidence of any founded grievances or criminal allegations made against her. The Commission's investigation of Judge Buckhannon did not indicate any evidence of a troubled financial status. Judge Buckhannon has handled her financial affairs responsibly.

The Commission also noted that Judge Buckhannon was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Buckhannon reported that her last available rating by a legal rating organization, Martindale-Hubbell, was BV (4.4).

Judge Buckhannon reported that she has held the following public offices:

- (a) Family Court, Fifteenth Judicial Circuit; February 21, 2014–present; Elected by the General Assembly.
- (b) Francis Marion University Board of Trustees–May 1998–June 2013. All reports were timely filed.

**THURSDAY, JANUARY 14, 2016**

- (6) Physical Health:  
Judge Buckhannon appears to be physically capable of performing the duties of the office she seeks.
- (7) Mental Stability:  
Judge Buckhannon appears to be mentally capable of performing the duties of the office she seeks.
- (8) Experience:  
Judge Buckhannon was admitted to the SC Bar in 1994.

She gave the following account of her legal experience since graduation from law school:

- (a) Law Clerk to the Honorable James E. Lockemy, Circuit Judge of the Fourth Judicial Circuit, August 1994–August 1995;
- (b) Law Offices of John R. Clarke, North Myrtle Beach, SC, Associate, Civil and Domestic Litigation, August 1995–November 1996;
- (c) Jeffcoat Pike & Nappier, LLC, Myrtle Beach, SC, Associate, Domestic Litigation to include GAL work and mediation, November 1996–August 2000;
- (d) Monckton Law Firm, Myrtle Beach, SC, Associate, Domestic Litigation to include GAL work and mediation, August 2000–March 2001;
- (e) Jeffcoat Pike & Nappier, LLC, Myrtle Beach, SC, Partner, Domestic Litigation to include GAL work and mediation, March 2001–October 2007;
- (f) McLain & Lee, LLC, Conway, SC, Partner, Domestic Litigation to include GAL work and mediation, October 2007–December 2010;
- (g) Melissa Johnson Emery, LLC, Conway, SC, Owner, Domestic Litigation to include GAL work and mediation, January 2011–February 2014;
- (h) Family Court Judge of the Fifteenth Judicial Circuit, Seat 2, February 2014–present.

Judge Buckhannon reported that she has held the following judicial office:

Family Court, Fifteenth Judicial Circuit; February 21, 2014–present; Elected by the General Assembly.

**THURSDAY, JANUARY 14, 2016**

Judge Buckhannon provided the following list of her most significant orders or opinions:

- (a) Roger Gorby v. Tiffany Richardson, 2013-DR-26-485 (Heard March 26, 2014). This case dealt with the issue of custody, visitation, and child support for the parties' two minor children. The parties requested to treat the children differently in regards to visitation due to the fact of their differences in ages and the oldest child was a teenager. Separate schedules had to be determined for the two children by the Court, as the parties wanted to consider the input of their older child. An issue that complicated the case was the matter of uncovered medicals and the request to make the issue retroactive;
- (b) South Carolina Department of Social Services v. Iris Bridges, Robert Lee Stokes, Daniel Kirkpatrick, and Lorenzo Jackson, 2012-DR-33-376 (Heard August 12, 2014). This was a termination of parental rights brought by SCDSS. While Defendant Mother had been served with the action, the Defendant Fathers had not been properly served; therefore, SCDSS proceeded against Defendant Mother only. The basis of the TPR was that the children in the home had been harmed and because of the severity or repetition of the abuse or neglect, it is not reasonably likely that the home can be made safe within twelve months. Defendant Mother's four minor children were placed in foster care when the home they lived in with Defendant Mother was destroyed by fire. She could not afford a new place to live, so she had to live with her father and step-mother. Unfortunately, the home was not large enough for all of the children to stay in the home with her. While Defendant Mother was not able to provide a home for the children, she visited with them regularly, paid child support regularly, and provided food and clothing for the children. She also sought help from the Fatherhood group to obtain employment. Due to the fact that SCDSS believed she could not remedy the situation of her housing, they stopped offering her services and help, and they sought to terminate her parental rights. I found SCDSS had failed to carry its burden of proof and did not terminate Defendant Mother's parental rights to her children.

**THURSDAY, JANUARY 14, 2016**

SCDSS was also required to re-institute services for the Defendant Mother and offer her a treatment plan with reunification as the ultimate plan;

- (c) Lori McCormick v. Jesse McCormick, 2013-DR-26-676 (Heard on August 27, 2014). This primary issue of this case dealt with the transmutation of non-marital property and the equitable division of the property determined to be marital. There were allegations that personal property of the Defendant had been disposed of and a determination had to be reached regarding if the property had been disposed of, the value of the property and how to incorporate the value into the division of assets. Both parties had issues with credibility as they seemed to want more than they were entitled to. Once all marital property was identified, it was equally divided between the parties and strict instructions were given on how the division was to be accomplished;
- (d) State of South Carolina v. Landon Dias, 2015-JU-10-0015 (Heard March 19, 2015). This is a criminal juvenile trial in which the Defendant was charged with Malicious Injury to Personal Property. The charges dealt with the vandalism of a school bus on the property of the First Baptist Church. Witnesses came upon the Defendant and a friend looking at the graffiti on the bus, and the Defendant and friend ran when confronted. However, the State was unable to show that the Defendant committed the vandalism. The Defendant was not found to have any paint in his possession, nor was there any paint on his hands, hair or clothing, even though the graffiti was extensive. The Defendant was found not guilty;
- (e) Tammy and Maurice Broughton v. Jennifer Benge and Joseph Benge, 2013-DR-16-1004 (Heard on April 22, 2015). The Plaintiffs in this case are the paternal grandparents of the Defendants' minor child. They sought to terminate the parental rights of the Defendant Mother and custody of the minor child. The Defendant Father sought custody of the minor child in his counterclaim. The Defendant Mother sought a set visitation schedule. Testimony of the parties showed that the Defendant Mother left Father and the minor

**THURSDAY, JANUARY 14, 2016**

child, who lived with the Plaintiffs, and moved out of state. She had not seen the minor child for over four years, and had made little effort to do so. She had not paid any child support for the child, and Plaintiffs had been primarily responsible for the child and his welfare for over four years, even though their son lived with them and the child. While Defendant Mother's actions may have given grounds to have her parental rights terminated, a prior court ruling had denied the appointment of her an attorney, even though she contested the TPR, and required her to pay for her own attorney if she were to be represented. Mother was disabled, and while she did obtain a check during the pendency of the action after she was deemed to be disabled, she testified she could not afford an attorney. The GAL did not believe it to be in the child's best interest to grant the TPR, and I agreed and did not grant the TPR as requested by Plaintiffs. I did find it in the best interest of the minor child to grant the Plaintiffs custody of the minor child due to the fact that neither Defendant was fit to have custody of him.

Judge Buckhannon has reported no other employment while serving as a judge.

Judge Buckhannon further reported the following regarding unsuccessful candidacies:

- (a) I ran for Horry County Family Court, Seat 3 in 2008. I withdrew from the race in January 2008.
- (b) I ran for Family Court At-Large, Seat 5 in 2013. I lost the race by vote of the General Assembly.

(9) Judicial Temperament:

The Commission believes that Judge Buckhannon's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Buckhannon to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining

## THURSDAY, JANUARY 14, 2016

evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Buckhannon is married to Thomas E. Buckhannon, IV. She has two children.

Judge Buckhannon reported that she was a member of the following Bar and professional associations:

- (a) SC Bar Association;
- (b) Horry County Bar Association;
- (c) SC Bar Family Law Section Council, 2003–February 2014; Section Delegate, 2012; Chair, 2010; Vice Chair, 2009; Secretary 2008;
- (d) SC Fee Disputes Board, April 2012–June 2013;
- (e) Horry County Family Court Executive Committee, 2000–February 2014;
- (f) Certified Family Court Mediator, 1999–February 2014;
- (g) Coastal Women’s Law Society, 2000–present; President 2000–2003.

Judge Buckhannon provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Coastal Inn of Court–2014–Present;
- (b) Your Sister’s Closet charitable organization–2015–Vice President;
- (c) Francis Marion University Board of Trustees, 1998–June 2013;
- (d) Burgess Elementary School Improvement Council, 2008–present; Secretary 2008–2009.

Judge Buckhannon further reported:

With the exception of my first year in practice, I have dedicated my entire professional life to practicing in Family Court and have practiced in no other area. I am very passionate about this area of the law. We deal with people’s children, livelihood, and assets that they have worked their entire lives to acquire. They are truly at their most vulnerable and have put their complete trust in their lawyer to take care of their family issues and the presiding judge to make a fair decision. Having

**THURSDAY, JANUARY 14, 2016**

gone through the process of adopting a child and also a divorce myself, I have been on the “litigant” side of Family Court as well. Therefore, I am well acquainted with the fact that someone going into the Family Court arena has to put their trust in the system and the fact that the judge presiding over the matter has the requisite knowledge of law and concern for the litigants. I believe that my life experience has prepared me to be a judge who understands the fact that those appearing in front of me are not just a caption and case number but people who need to know that the judge is compassionate and is striving to be as fair as possible.

(11) Commission Members’ Comments:

The Commission commented that Judge Buckhannon has become a respected judge during her tenure on the bench.

(12) Conclusion:

The Commission found Judge Buckhannon qualified and nominated her for re-election to the Family Court.

**The Honorable Thomas H. White IV  
Family Court, Sixteenth Judicial Circuit, Seat 1**

**Commission’s Findings:            QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission’s investigation, Judge White meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge White was born in 1957. He is 58 years old and a resident of Union, South Carolina. Judge White provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1983.

(2) Ethical Fitness:

The Commission’s investigation did not reveal any evidence of unethical conduct by Judge White.



**THURSDAY, JANUARY 14, 2016**

Judge White demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge White reported that he has not made any campaign expenditures.

Judge White testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge White testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge White to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge White described his continuing legal or judicial education during the past five years as follows:

	<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a)	Family Court Judges Conference	4/16/15;
(b)	Family Law Section (SC Bar Convention)	1/23/15;
(c)	2014 Family Court Bench Bar	12/5/14;
(d)	2014 SCAJ Annual Judicial Conference (Family Court CLE)	8/20/14;
(e)	2014 Annual Convention/SC Association for Justice	8/7/14;
(f)	2014 Orientation School for New Family Court Judges	6/18/14;
(g)	Family Court Judges Conference	4/23/14;
(h)	2013 Family Court Bench Bar	12/6/13;
(i)	Annual Reese I. Joye DUI Defense Seminar	11/8/13;

**THURSDAY, JANUARY 14, 2016**

- (j) 2013 Hot Tips from the Coolest Domestic Law Practitioners 9/27/13;
- (k) Blues, BBQ CLE 7/12/13;
- (l) Ethics & Mental Health Study 1/31/13;
- (m) DUI Defense From A to Z 11/9/12;
- (n) Greenville County Bar Association Year End CLE 2/10/12;
- (o) DUI Defense From A to Z 11/11/11;
- (p) Blues, BBQ & Bar CLE 7/8/11;
- (q) Blues, BBQ & Bar CLE 7/9/10.

Judge White reported that he has taught the following law-related courses:

- (a) I have served as a presenter on two separate occasions at continuing legal education seminars sponsored by the SC Association of Criminal Defense Lawyers. My presentations covered the general topic of case investigation and preparation for rural lawyers in economically-challenged locations;
- (b) I have been a frequent guest speaker to public school classrooms in Union County, SC over the years on law-related topics and on law-related careers. In particular, I have participated as a regular presenter in the Opportunity Fair program at the middle school and high school levels in Union County, SC public schools. These presentations have been particularly focused on educating students regarding our legal system, the advantages of a legal education, and employment opportunities in the legal field.

Judge White reported that he has published the following:

I have not published any books or scholarly articles; however, as president of the SC Association of Criminal Defense Lawyers in 2002, I did author three President's Columns in "The Advocate", the original newsletter for the organization.

(4) Character:

The Commission's investigation of Judge White did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Judge White did not indicate any evidence of a troubled

**THURSDAY, JANUARY 14, 2016**

financial status. Judge White has handled his financial affairs responsibly.

The Commission also noted that Judge White was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge White reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV-Distinguished.

(6) Physical Health:

Judge White appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge White appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge White was admitted to the SC Bar in 1983.

He gave the following account of his legal experience since graduation from law school:

I was in the private practice of law in Union, SC from the time of my admission to the SC Bar in 1983 until February 24, 2014, when I began my duties as a Family Court judge. Initially, I was hired in 1983 as an associate with the law office of William E. Whitney, Jr. I was an associate with this office from 1983 to 1985. In 1985, I became a partner and the firm name was changed to Whitney and White. This association remained intact from 1985 through 1989. In January, 1989, Pete G. Diamaduros joined the firm and the firm name was changed to Whitney, White and Diamaduros. This partnership remained intact from 1989 through August 1992. In August 1992, Sammy G. Diamduros joined the firm and the firm name was changed to Whitney, White, Diamaduros & Diamaduros. In May 2000, Pete G. Diamaduros, Sammy G. Diamaduros and I established the firm of White, Diamaduros & Diamaduros. This partnership remained intact

## THURSDAY, JANUARY 14, 2016

from May 2000 until February 21, 2014. Throughout my legal career, I maintained a general practice. My areas of practice have included domestic litigation, criminal defense, civil trial law, and a modicum of trust and estates. I have served as Family Court Judge of the Sixteenth Judicial Circuit, Seat 1, from February 24, 2014, to the present.

Judge White reported that he has held the following judicial offices:

During my years of private law practice, I was appointed as Special Referee on innumerable occasions. Though the vast majority of these appointments over the years have been in default mortgage foreclosure cases, I have been appointed on several occasions to cases involving boundary disputes, partition actions, actions to quiet title to real estate, and supplemental proceedings. I have held my current judicial office as a Family Court Judge since February 24, 2014.

Judge White provided the following list of his most significant orders or opinions:

- (a) Davis vs. Gill, Case No. 2013-DR-44-448. (Child custody modification) No Appellate Record;
- (b) Pagoota vs. Pagoota, Case No. 2013-DR-46-2122. (Child support modification) No Appellate Record;
- (c) Wallace vs. Wallace, Case No. 2013-DR-23-5404. (Equitable distribution) No Appellate Record;
- (d) Dinino vs. Duro, Case No. 2014-DR-46-241. (Child visitation modification) No Appellate Record;
- (e) Any and all of the dozen or more adoptions that I have heard over the last 17 months. No Appellate Record.

Judge White has reported no other employment while serving as a judge.

Judge White further reported the following regarding an unsuccessful candidacy:

I was a candidate for Sixteenth Circuit Family Court Judge, Seat 1 in the Fall of 1999. The legislative election was held in late January or early February of the 2000 legislative session. I was favorably reported out after screening, qualified and nominated; however, I voluntarily withdrew prior to the actual election.

**THURSDAY, JANUARY 14, 2016**

(9) Judicial Temperament:

The Commission believes that Judge White's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge White to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge White is married to Ann Brueckner White. He has two children.

Judge White reported that he was a member of the following Bar and professional associations:

- (a) SC Bar Association
- (b) SC Conference of Family Court Judges

Judge White provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Local legal counsel to Habitat for Humanity for Union County;
- (b) Elder, First Presbyterian Church, Union, SC;
- (c) Moderator, Providence Presbytery;
- (d) Member, Administrative Ministry Team, Providence Presbytery;
- (e) Member, Presbytery Response Team, Providence Presbytery;
- (f) Trustee, Providence Presbytery.

Judge White further reported:

I was reared by my saintly parents to live my life on the foundational principle that all human beings are created equal and that all human beings are entitled to be treated with fairness, dignity, courtesy, and respect. I have lived my life by that foundational principle. My life circumstances have put me in positions where I have had opportunities to relate with people ranging from high social standing and significant wealth to folks from third world countries who would be considered by many to

**THURSDAY, JANUARY 14, 2016**

live in circumstances that placed them as the “lowest of the low”. I have mined value from all of these experiences and relationships, and that value has served me well as I strive to be, and continue to be, a fair, just and equitable jurist.

(11) Commission Members’ Comments:

The Commission commented that Judge White has an outstanding reputation as a jurist. They noted on his great intellect which has ably served him in discharging his responsibilities on the Family Court Bench.

(12) Conclusion:

The Commission found Judge White qualified and nominated him for re-election to the Family Court.

**ADMINISTRATIVE LAW COURT  
QUALIFIED AND NOMINATED**

**The Honorable Sebastien Phillip Lenski  
Administrative Law Court, Seat 6**

**Commission’s Findings:            QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission’s investigation, Judge Lenski meets the qualifications prescribed by law for judicial service as an Administrative Law Court Judge.

Judge Lenski was born in 1963. He is 52 years old and a resident of Columbia, South Carolina. Judge Lenski provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995. He was also admitted to the Colorado Bar in 1989.

(2) Ethical Fitness:

The Commission’s investigation did not reveal any evidence of unethical conduct by Judge Lenski.

Judge Lenski demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important

**THURSDAY, JANUARY 14, 2016**

to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Lenski reported that he has not made any campaign expenditures.

Judge Lenski testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Lenski testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Lenski to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions exceeded expectations.

Judge Lenski described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Dates:</u>
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No CLE during 2011, as I was mobilized on active duty and out of state the entire year.

- |     |                                              |                 |
|-----|----------------------------------------------|-----------------|
| (a) | Administrative and Regulatory Law Conference | 1/20/2012;      |
| (b) | Probate, Estate Planning                     | 1/20/2012;      |
| (c) | Health Law Symposium (SC Med. Association)   | 2/17/2012;      |
| (d) | SE JAG On-Site Legal Conference              | 2/24–2/26/2012; |
| (e) | Significant Developments in Ethics           | 2/28/2012;      |
| (f) | Bridge the Gap (Lecturer)                    | 3/11/2013;      |
| (g) | SE On-Site Legal Training Conference         | 6/21–6/23/2013; |
| (h) | Bridge the Gap (Lecturer)                    | 11/4/2013;      |
| (i) | SS/SSDI Benefits CLE                         | 11/4/2013;      |
| (j) | SCARLA Annual Seminar                        | 1/10/2014;      |
| (k) | Bridge the Gap (Lecturer)                    | 9/4/2014;       |

**THURSDAY, JANUARY 14, 2016**

- |     |                           |            |
|-----|---------------------------|------------|
| (l) | SCARLA Annual Seminar     | 1/16/2015; |
| (m) | Bridge the Gap (Lecturer) | 7/3/2015.  |

Judge Lenski reported that he has taught the following law-related courses:

- (a) I have lectured on Administrative Law at all Bridge the Gap conferences since 2012;
- (b) I lectured on Administrative Law at a conference in Charleston and then in Columbia on February 21 and 22, 2013;
- (c) I lectured on contested cases before the ALC at the USC School of Law's Administrative Law and Practice symposium on January 2014;
- (d) I lectured on Administrative Law to the SC Dept of Health and Human Services' Division of Appeals and Hearings on April 13, 2015;
- (e) I lectured on Administrative Law at the USC Law School on March 3, 2014 and Feb 9, 2015.

(4) Character:

The Commission's investigation of Judge Lenski did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Judge Lenski did not indicate any evidence of a troubled financial status. Judge Lenski has handled his financial affairs responsibly.

The Commission also noted that Judge Lenski was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Lenski reported that he is not rated by any legal rating organization.

Judge Lenski reported the following military service:

I was a Judge Advocate in the US Army from 1990–1995 (active duty) and then in the Army Reserves from 1996–June of 2014. Generally, I practiced law in that position, however, I was required to undergo regular non-legal military



**THURSDAY, JANUARY 14, 2016**

training and maintain my skills as a soldier, which included land navigation, marksmanship, and leadership.

(6) Physical Health:

Judge Lenski appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Lenski appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Lenski was admitted to the SC Bar in 1995.

He gave the following account of his legal experience since graduation from law school:

- (a) Upon graduation from law school I entered active duty in the US Army on January 2, 1990. I was on active duty from January 1990 until September of 1995, stationed in Virginia, Alaska, and SC. During that time, I worked as a public defender (Trial Defense Service) and a prosecutor for the Army, and I also practiced administrative law;
- (b) I left active duty and took a position as litigation counsel for the SC Department of Insurance in December of 1995, where I handled disciplinary actions against insurance agents and brokers (held before the SC Administrative Law Court) and handled insurance insolvency matters. I left the Department of Insurance in February of 1997 and took a position as a litigation counsel for the SC Department of Labor, Licensing and Regulation. There, I handled disciplinary cases involving licensees of various professions (doctors, nurses, accountants, architects, engineers, contractors, real estate agents and brokers, appraisers, etc.) both at the trial and appellate level;
- (c) In October of 2002 I took a position with the SC Senate in the Clerk's office. I served as the Counsel to the Clerk until the summer of 1994. However, in February of 1993, I was mobilized with the Army and sent to Iraq in 2003 in support of Operation Iraqi Freedom. I served

## THURSDAY, JANUARY 14, 2016

as the Chief Prosecutor for the Army's Coalition Forces from March through August of 1993. My unit was demobilized in September of 1993 and I returned to the SC Senate in October;

- (d) In 2010 I was elected to the Administrative Law Court bench, Seat 6. I have been on the court since that time. However, in December of 2010 I was again mobilized with the Army and sent to Fort Bragg, North Carolina, where I served as the Chief of the Administrative Law Office for the XVIIIth Airborne Corps. I performed that duty through January of 2012. I returned to my position on the court in February of 2012;
- (e) At all times from 1990 through 2014 I served in the Army Judge Advocate General's Corps. Aside from my active duty service from 1990–1995, and then again in 2003 and 2011, I was a Reservist assigned to the 12th Legal Operations Detachment (formerly the Legal Support Organization) where I performed legal duties for the Army, drafting wills and health care directives, serving on administrative boards, conducting administrative investigations, and teaching courses in International Law and the Law of War to soldiers. I retired from the US Army Reserves in June of 2014.

Judge Lenski reported that he has held the following judicial office:

I am currently an Administrative Law Judge. I was elected to Seat 6 of the Administrative Law Court on February 3, 2010. The Administrative Law Court is a court of limited jurisdiction with both contested case and appellate jurisdiction over most state agencies in SC (not the Public Service Commission or the Worker's Compensation Commission).

Judge Lenski provided the following list of his most significant orders or opinions:

- (a) Midlands Math and Business Academy Charter School v. Richland County School District One Board of Commissioners, Docket No. 10-ALJ-30-0437-AP (S.C. Admin. Law Ct. January 25, 2012).

I heard this case on appeal from the Richland County School District One Board of Commissioners' decision

**THURSDAY, JANUARY 14, 2016**

to revoke the charter of the Midlands Math and Business Academy Charter School. I affirmed the Board's decision;

- (b) John D. Cottingham, DVM v. SC Department of LLR, Board of Veterinary Medical Examiners, Docket No. 10-ALJ-11-0482-AP (S.C. Admin. Law Ct. April 25, 2011), aff'd, Op. No. 2013-UP-027 (S.C. Ct. App. Filed January 16, 2013), 2013 WL 8482257.

I heard this case on an appeal of the SC Dept. of Labor, Licensing and Regulations, Veterinary Medical Examiner's Board to discipline the veterinarian's license for misconduct. My decision was affirmed by the SC Court of Appeals;

- (c) Amisub of SC, Inc. d/b/a Piedmont Medical Center d/b/a Fort Mill Medical Center v. South Carolina DHEC and the Charlotte Mecklenburg Hospital Authority d/b/a Carolinas Medical Center-Fort Mill, Docket No. 11-ALJ-07-0575-CC (S.C. Admin Law Ct. December 15, 2014), Ct. App. Docket No. 2015-000056 (filed Jan. 14, 2015).

This was a contested case hearing involving two competing hospital systems vying for a certificate of need to construct a hospital in Fort Mill. The matter is currently on appeal before the SC Court of Appeals;

- (d) Thalma Barton v. SC Department of Probation, Pardon and Parole Services, Docket No. 12-ALJ-15-0004-AP (S.C. Admin. Law Ct. October 3, 2012), rev'd, 404 S.C. 395, 745 S.E.2d 110 (2013).

This case was an appeal of the Department of Probation, Pardon and Parole Services decision to deny parole to the Appellant. I interpreted the law regarding the number of votes the Appellant needed from the Board to gain parole to be based on all of the Board members, irrespective of whether they were present and voting. The Supreme Court of SC reversed my decision, holding that the number of votes needed was based solely upon those members present and voting;

- (e) Fowler v. SC Department of Corrections, Docket No. 2014-ALJ-04-0355-AP (S.C. Admin. Law Ct. August 28, 2014), Ct. App. Docket No. 2014-002040 (filed Sept. 24, 2014).

**THURSDAY, JANUARY 14, 2016**

In this case, which I heard on appeal, I held that the 2010 amendments to the parole statutes (S.C. Code Ann. § 44-53-370 et seq.) exempted certain drug offenses from the 85 percent time service requirement for parole. This case is currently on appeal before the SC Court of Appeals.

Judge Lenski has reported no other employment while serving as a judge.

Judge Lenski further reported the following regarding an unsuccessful candidacy:

I unsuccessfully ran for the SC Administrative Law Court in the spring of 2008 before successfully running for a seat in 2010.

(9) Judicial Temperament:

The Commission believes that Judge Lenski's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Lenski to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee went on to state, "Judge Lenski has the required demeanor, knowledge, and experience for his position. He approaches his judgeship with seriousness and dedication. Judge Lenski is an excellent judge and is very qualified for his position."

Judge Lenski is married to Laura Brant Lenski. He has three children.

Judge Lenski reported that he was a member of the following Bar and professional associations:

- (a) Richland County Bar Association (since 1995);
- (b) Colorado Bar Association (since 1995);
- (c) American Bar Association (since 1983).

**THURSDAY, JANUARY 14, 2016**

(11) Commission Members' Comments:

The Commission commented on Judge Lenski's high test scores and service to our country. He is Well Qualified to serve as an Administrative Law Court Judge.

(12) Conclusion:

The Commission found Judge Lenski qualified and nominated him for re-election to the Administrative Law Court.

**QUALIFIED, BUT NOT NOMINATED**

**The Honorable Aphrodite Konduros  
Supreme Court, Seat 2**

**Commission's Findings: QUALIFIED, BUT NOT  
NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Konduros meets the qualifications prescribed by law for judicial service as a Supreme Court Justice.

Judge Konduros was born in 1959. She is 56 years old and a resident of Greenville, South Carolina. Judge Konduros provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1985.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Konduros.

Judge Konduros demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Konduros testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;

**THURSDAY, JANUARY 14, 2016**

- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Konduros testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Konduros to be intelligent and knowledgeable. Her performance on the Commission's practice and procedure questions met expectations.

Judge Konduros described her continuing legal or judicial education during the past five years as follows:

	<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a)	The Changing Nature of Legal Representation	4/21/09;
(b)	SCDTAA Annual Meeting	11/5/09;
(c)	SC Bar Civil Law Update	1/22/10;
(d)	SC Bar Criminal Law Update	1/22/10;
(e)	Criminal Punishment in Society	2/19/10;
(f)	Greenville Bar Family Law Update	2/12/10;
(g)	Summer Associate Luncheon	7/21/10;
(h)	SCAJ Annual Conference	8/5/10;
(i)	SCDTAA Annual Meeting	11/3/10;
(j)	Orientation School for New Judges	6/8/11;
(k)	Annual Judicial Conference	8/17/11;
(l)	SCDTAA Annual Meeting	11/3/11;
(m)	Greenville Bar Year End CLE	2/10/12;
(n)	SCAJ Annual Convention	8/2/12;
(o)	Annual Judicial Conference	8/22/12;
(p)	SCCA Annual Meeting	11/2/12;
(q)	SCDTAA Annual Meeting	11/8/12;
(r)	Family Court Bench Bar	12/7/12;
(s)	SC Bar Trial and Appellate Advocacy	1/25/13;
(t)	Criminal Law Section	1/25/13;
(u)	SCDTAA Summer Meeting	7/24/14;
(v)	SCAJ Annual Conference	8/7/14;
(w)	Annual Judicial Conference	8/20/14;
(x)	SCWLA Conference	10/10/14;

**THURSDAY, JANUARY 14, 2016**

- (y) SC Bar Appellate Section 1/23/15;
- (z) SC Bar Criminal Section 1/23/15.

Judge Konduros reported that she has taught the following law-related courses:

- (a) SCTLA 2003-spoke on Ethical considerations in Family Court;
- (b) Family Law Lawyers Annual Conference 2002-spoke on Elder Law issues to fellow judges;
- (c) Numerous Omnibus Adult Protection Act presentations at the Criminal Justice Academy;
- (d) DSS-sponsored CLE seminars on Termination of Parental Rights, Adult Abuse issues and Adoptions;
- (e) Abuse and Neglect trainings to Greenville School District teachers;
- (f) “Grand Rounds” training to interns at Greenville Hospital on recognizing abuse;
- (g) Annual training to Greenville Chamber young members on the court system and moderating law enforcement panel;
- (h) Annual training to “Leadership Greenville” on recognizing abuse;
- (i) Summer School on Gerontology, Winthrop University;
- (j) Various judicial panels at the SC Bar Family Law section;
- (k) Panelist on the Chief Justice’s Mini-Summit on Children, August 2006;
- (l) Spoken for many years at the SCDTAA Conference on appellate issues;
- (m) Spoken for many years at the SC Access to Justice Conference on appellate issues;
- (n) Spoken to the inaugural class of the USC SC Legal Writing Academy;
- (o) Addressed the Biannual National Court Technology Conference in Baltimore, Maryland on use of the iPad for appellate review of cases;
- (p) Taught a “Maymester” class at CSOL on DSS Abuse and Neglect law;
- (q) Taught a summer school class at CSOL on practice tips and practical application for new lawyers for three years;

**THURSDAY, JANUARY 14, 2016**

- (r) Addressed the National Governor's Conference in Washington on sentencing considerations;
- (s) Have spoken for many years at the Greenville Bar Year end CLE on family and appellate law updates;
- (t) James Otis Speaker, ABOTA Annual Youth Competition for three years;
- (u) Spoken to the SC Magistrates and Municipal Judges Annual conference twice;
- (v) Spoken to the SC Clerks of Court on docketing issues for Family Court;
- (w) Greenville Kiwanis on adoptions;
- (x) Greenville Bar luncheon on judicial temperament;
- (y) Girls State programs across the State for many years;
- (z) Greenville Tech Paralegal Association on Ethical Responsibilities;
- (aa) Addressed the State Probate Judges Conference twice;
- (bb) Furman Foundations Annual Meeting;
- (cc) Training to "Fatherhood Program" on the logic of Child Support;
- (dd) I spoke at most of the CLE's listed above since joining the Court of Appeals.

Judge Konduros reported that she has published the following:

- (a) "Chief of the Catawbas," Sandlapper Magazine, Summer Issue, 1999;
- (b) "An Unlikely Mentor," SCWLA "Briefcase," Spring Issue 2007;
- (c) SC Adoption Law and Practice (SC Bar 2010), Editorial Board;
- (d) Marital Litigation in SC, Professor Emeritus Roy T. Stuckey (SC Bar 2010), Third and Fourth Editions Editorial Board.

(4) Character:

The Commission's investigation of Judge Konduros did not reveal evidence of any founded grievances or criminal allegations made against her. The Commission's investigation of Judge Konduros did not indicate any evidence of a troubled financial status. Judge Konduros has handled her financial affairs responsibly.



**THURSDAY, JANUARY 14, 2016**

The Commission also noted that Judge Konduros was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Konduros reported that her last available rating by a legal rating organization, Martindale-Hubbell, is AV.

(6) Physical Health:

Judge Konduros appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Konduros appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Konduros was admitted to the SC Bar in 1985.

She gave the following account of her legal experience since graduation from law school:

- (a) 1984–85, Weinberg, Brown & McDougall, Sumter, SC  
General practice, civil, criminal defense, appellate practice, Armed Services Board of Contract Appeals;
- (b) 1985–87, Law Clerk to the Hon. David F. McInnis, Circuit Court, Third Circuit  
Accompanied the judge to 33 counties in our state, assisting him in civil and criminal court;
- (c) Todd & Barber, Columbia, SC  
General practice including residential and commercial real estate and development, domestic, probate, appellate practice, criminal, civil, outdoor advertising licensure, and collection;
- (d) 1989–94, SC Department of Disabilities and Special Needs, Assistant and Deputy General Counsel, Columbia, SC  
Practice included Family Court juvenile hearings, unemployment hearings, workers compensation, civil, criminal, probate commitments, Medicaid, and Social Security benefits practice;

**THURSDAY, JANUARY 14, 2016**

- (e) 1994–97, SC Department of Social Services, Greenville, SC  
County attorney for DSS prosecution of abuse and neglect cases, child support, unemployment, appellate practice, and probate;
- (f) 1997, The Code Law Firm, Greenville, SC  
Private practice including divorce, child support, DSS, DJJ, civil defense in state and federal court, Insurance Reserve Fund defense for the SCDOT, Department of Education, DSS, DDSN, City of Greenville, Greer Police Department, Department of Corrections, Magistrate’s Court, appellate practice;
- (g) 1997–2000, SC Department of Social Services, Asst. General Counsel, Columbia, SC  
Adoptions, DSS prosecution, appellate practice, state procurement, day care licensure appeals, State employee grievances;
- (h) 2000–2002, Director, Greenville Department of Social Services, Greenville, SC  
Managed 314 state employees and multi-million dollar budget, administering Medicaid, food stamps, child and adult protective services, foster care licensing, and over 400 foster children. Supervised five lawyers handling child abuse and neglect cases, adoptions, termination of parental rights cases. Continued to handle a small number of DSS cases, unemployment hearings personally;
- (i) 2002–2008, Family Court Judge, Thirteenth Circuit, Seat 3;
- (j) 2008–present, SC Court of Appeals, Seat 6.

Judge Konduros reported the frequency of her court appearances prior to her service on the bench as follows:

- (a) Federal: 3 times;
- (b) State: Mostly Family Court, with a fair percentage of Circuit Court and appellate appearances.

Judge Konduros reported the percentage of her practice involving civil, criminal, and domestic matters prior to her service on the bench as follows:

- (a) Civil: 6%;

**THURSDAY, JANUARY 14, 2016**

- (b) Criminal: 4%;
- (c) Domestic: 90%;

Judge Konduros reported the percentage of her practice in trial court prior to her service on the bench as follows:

- (a) Jury: 5%;
- (b) Non-jury: 95%.

Judge Konduros provided that prior to her service on the bench she most often served as sole counsel.

The following is Judge Konduros's account of her five most significant litigated matters:

- (a) SCDSS v Elizabeth Rochelle Maddox, et al., Termination of parental rights case concerning mother and father's rights to remaining siblings of murdered siblings. Mother and father had been convicted of murdering one child and the case raised the issue of whether the termination of their rights to their other children was premature, as the criminal convictions were on appeal;
- (b) SCDSS v Partridge, Harris, et al., Children were sexually abused, but too young to testify. The mother, mother's boyfriend, father, and maternal grandparents were all suspects. The grandparents were barred from any contact with the children, from which they did not appeal. I wish to note they was no finding of abuse by the grandparents;
- (c) SCDSS v Walker, Thompson, et al., Complicated neglect and custody case where father of all the children and both mothers of the children were all individuals with mental retardation. Each litigant had a lawyer and guardian because of the mental retardation, and the case was tried carefully in an attempt to allow the litigants to understand the issues at bar;
- (d) SCDSS v Plunkett, Sullivan, et al., Contested four day termination of parental rights and contested adoption trial between the natural parents, who are also full siblings and their mother, versus the foster/adoptive parent. The parents relinquished their rights, and then changed their minds forcing a two day trial on the

**THURSDAY, JANUARY 14, 2016**

voluntariness of their relinquishments, followed by a two day contested adoption between the grandmother and the adoptive mother;

- (e) Hooper v Rockwell, SCDSS, et al., 334 S.C. 281, 513 S.E.2d 358 (1999). Mother appealed termination of her parental rights, which the court upheld. The case is still the current law on what matters in Family Court are interlocutory and what matters are final for appeal.

The following is Judge Konduros's account of three civil appeals she has personally handled:

- (a) SCDSS v Beeks, et al., 325 S.C. 243, 481 S.E. 2d 703 (1997)—joined in other brief;
- (b) Hooper v Rockwell, et al., 334 S.C. 281, 513 S.E. 2d 358 (1999);
- (c) Charging v J.P.Scurry & Company, Inc., 296 S.C. 312, 372 S.E. 2d.120 (Ct. App. 1988).

Judge Konduros reported she has not personally handled any criminal appeals.

Judge Konduros reported that she has held the following judicial offices:

- (a) Family Court Judge in the Thirteenth Circuit, Elected February 6, 2002, and February 4, 2004 to February 6, 2008. Jurisdiction is set forth in S.C. Code Ann. § 63-3-530, et seq.;
- (b) Court of Appeals Judge, Elected February 6, 2008, and February 4, 2015 to expire June 30, 2021. Jurisdiction is set forth in S.C. Code Ann. § 14-8-200.

Judge Konduros provided the following list of her most significant orders or opinions:

- (a) SCDSS v Williams, 412 S.C. 458, 772 S.E.2d 279 (Ct. App. 2015);
- (b) Nakatsu v. Encompass Indem. Co., 390 S.C. 172, 700 S.E.2d 283 (Ct. App. 2010) (affirmed by Carter v Standard Fire Ins. Co., 406 S.C, 609, 753 S.E. 2d 515 (2013));
- (c) Neeltec Enters., Inc. v. Long, 402 S.C. 524, 741 S.E.2d 767 (Ct. App. 2013), (rehearing denied May 16, 2013);

**THURSDAY, JANUARY 14, 2016**

- (d) State v. McGee, 408 S.C. 278, 758 S.E.2d 730 (Ct. App. 2014) (cert. denied Dec.4, 2014);
- (e) State v. Pradubsri, 403 S.C. 270, 743 S.E.2d 98 (Ct. App. 2013) (cert. denied June 25, 2014).

Judge Konduros reported the following regarding her employment while serving as a judge:

I taught summer school courses for the Charleston School of Law in 2013, 2014, and 2015. My responsibilities were that of a guest professor.

Judge Konduros further reported the following regarding unsuccessful candidacies:

- (a) I ran unsuccessfully for SC Court of Appeals, Seat 3, to which the Honorable Paula Thomas was elected on February 7, 2007;
- (b) I ran unsuccessfully for the SC Court of Appeals, Seat 7, to which the Honorable Daniel Pieper was elected May 23, 2007.

(9) Judicial Temperament:

The Commission believes that Judge Konduros's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Konduros to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Konduros is married to Samuel James Konduros. She does not have any children.

Judge Konduros reported that she was a member of the following Bar and professional associations:

- (a) SC Women's Law Association member;
- (b) Greenville County Bar since 1994;
- (c) SC Bar since 1985;

**THURSDAY, JANUARY 14, 2016**

- (d) Richland County Young lawyers in the 1990's;
- (d) Family Court Judges Association 2002–2008;
- (e) Haynesworth-Perry Inn of Court 2013–present.

Judge Konduros further reported:

- (a) Co-recipient of the Claude N. Sapp Award for Outstanding Law Graduate (with David Dukes, Esq. of Columbia);
- (b) Served as an Acting Associate Justice of the SC Supreme Court on June 22, 2004;
- (c) 2007–2008 Vocational Service Award from the Greenville East Rotary;
- (d) Recipient of the Statewide Fatherhood Advocate Award, 2005;
- (e) Award of Excellence, The SC Coalition Against Domestic Violence and Sexual Assault, 2005;
- (f) The SC American Board of Trial Advocates (ABOTA) Jurist of the Year, 2013;
- (g) Vice-chairman of the Chief Justice's Supreme Court Commission on the Profession;
- (h) Chairman of the Family Court Docketing section of the Supreme Court Docketing Commission;
- (i) Vice-chairman of the Common Pleas Docketing section of the Supreme Court Docketing Commission;
- (j) Chairman of the Magistrates and Municipal Judges Mentoring Program-Devised through the Commission on the Profession, this program assigns new magistrates;
- (k) Recipient of a certificate for exemplary and exceptional service to the Chief Justice's Commission on the Profession, November 13, 2015.

(11) Commission Members' Comments:

The Commission commented that Judge Konduros is a hard-working, dedicated jurist with an excellent temperament. They noted her great intellect as well.

(12) Conclusion:

The Commission found Judge Konduros qualified, but not nominated to serve as a Supreme Court judge.

**THURSDAY, JANUARY 14, 2016**

**Jerome P. Askins III  
Circuit Court, At-Large, Seat 10**

**Commission's Findings: QUALIFIED, BUT NOT  
NOMINATED**

**(1) Constitutional Qualifications:**

Based on the Commission's investigation, Mr. Askins meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Askins was born in 1952. He is 63 years old and a resident of Hemingway, South Carolina. Mr. Askins provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1976.

**(2) Ethical Fitness:**

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Askins.

Mr. Askins demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Askins reported that he has not made any campaign expenditures.

Mr. Askins testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Askins testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

**THURSDAY, JANUARY 14, 2016**

(3) Professional and Academic Ability:

The Commission found Mr. Askins to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Mr. Askins described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Civil Court Mediation Certification	02/23/2006;
(b) Mandatory ADR Training	09/08/2006;
(c) Title Insurance Seminar	10/04/2006;
(d) Title Insurance Seminar	11/02/2007;
(e) Title Insurance Seminar	11/07/2008;
(f) Ethics Update	12/19/2008;
(g) A Beacon You Can Count On-Title Insurance	04/21/2009;
(h) Handling Social Security Disability	06/11/2009;
(i) Introduction to Court-Annexed ADR	10/29/2010;
(j) Florence County Bar-Ethics	12/10/2010;
(k) Plaintiff's Personal Injury	02/28/2011;
(l) Protecting Assets while Qualifying for Medicaid	12/21/2011;
(m) 21 <sup>st</sup> Annual Criminal Trial Practice in SC	02/24/2012.

(I am now exempt from CLE because I am over 60 years of age and I have practiced law for over 30 years.)

Mr. Askins reported that he has taught the following law-related courses:

I have served as moderator for these two CLE seminars sponsored by the Williamsburg Bar Association.

- (a) Ethical Issues in Appointed Cases, 03/06/2003;
- (b) Recent Significant Ethical Issues, 05/05/2004.

Note—I have also spoken on several occasions to students at Johnsonville High School and Hemingway High School, including Career Day, etc.

Mr. Askins reported that he has not published any books and/or articles.



(4) Character:

The Commission's investigation of Mr. Askins did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Mr. Askins did not indicate any evidence of a troubled financial status. Mr. Askins has handled his financial affairs responsibly.

The Commission also noted that Mr. Askins was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Askins reported that his rating by a legal rating organization, Martindale-Hubbard, is BV.

(6) Physical Health:

Mr. Askins appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Askins appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Askins was admitted to the SC Bar in 1976.

He gave the following account of his legal experience since graduation from law school:

After graduation from USC Law School in May 1976, I took a study course to prepare for the SC Bar Exam, which I took in July 1976. After the bar exam, I was employed as an associate of my father, Jerome P. Askins, Jr., who practiced in Hemingway, SC. I was employed by him until the end of 1980. We were joined by my brother, Gregory B. Askins, in the summer of 1980. My father retired in 1980 (died 1981), and my brother and I began a partnership in 1981, practicing as Askins and Askins. In April 1984, our firm merged with another two person firm to form Askins, Chandler, Ruffin and Askins. C. B. Ruffin withdrew in 1985, and I practiced with my brother and William H. (Bill) Chandler (Askins, Chandler and Askins, LLP) from 1985 until

**THURSDAY, JANUARY 14, 2016**

December, 2006 when Bill Chandler died. My brother and I have continued the partnership through the present. My nephew, Carson J. Askins, was employed as an associate in 2011.

My practice has been a general practice. I have handled civil litigation representing mostly plaintiffs with some defense work, probate and estate matters, domestic relations cases, real property matters, contracts and some criminal cases. Most of my criminal defense work was court appointed. I served as Assistant Williamsburg County Public Defender for about 3 years in the 1990's. I am a certified Circuit Court mediator.

Mr. Askins reported the frequency of his court appearances during the past five years as follows:

- (a) federal: 0;
- (b) state: Approximately 25.

Mr. Askins reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:

- (a) civil: 50%;
- (b) criminal: less than 1%;
- (c) domestic: less than 5%;
- (d) other: less than 45%.

Mr. Askins reported the percentage of his practice in trial court during the past five years as follows:

- (a) jury: less than 5%;
- (b) non-jury: over 95%.

Mr. Askins provided that he most often served as sole counsel.

The following is Mr. Askins's account of his five most significant litigated matters:

- (a) State v. E. Douglas and K. Douglas, This was a night hunting case. It was my first jury trial in General Sessions Court.
- (b) Smith, et. al. v. McClam, et. al., This was an action to set aside a deed from an elderly woman to her son. We had a jury trial in Common Pleas, appeal to SC Court of Appeals, remand and appeal to SC Supreme Court.

**THURSDAY, JANUARY 14, 2016**

- (c) State v. Bobby Gene Ellison, The defendant was charged with attempt to buy cocaine. We had a jury trial in General Sessions. The defendant was deaf and mute so it was necessary to have an interpreter from the SC Association of the Deaf.
- (d) State v. Steven Hanna, Jury trial in General Sessions Court for armed robbery. The defendant had a prior conviction for armed robbery, and was facing mandatory life in prison upon conviction.
- (e) State v. E. D. Wilson, This was a capital murder case. The defendant was charged with murdering two elderly people with an axe. Jury trial in General Sessions. After dealing with some constitutional issues, the defendant was allowed to plead guilty, and was sentenced to life in prison without parole.

The following is Mr. Askins's account of three civil appeals he has personally handled:

- (a) Smith, et. al. v. McClam, et. al., SC Court of Appeals, 280 S. C. 398, 312 S.E.2d 260 (1984); SC Supreme Court, 289 S. C. 452, 346 S.E.2d 720 (1986);
- (b) Ray Realty, Inc. v. Badger R. Bazen, Inc., SC Court of Appeals, 96-UP-161 (May 23, 1996). Sole counsel at trial, co-counsel on appeal;
- (c) Anderson Brothers Bank v. EBT Property Holding Company, Inc., et. al., SC Court of Appeals, unpublished opinion—sole counsel at trial, co-counsel on appeal.

Mr. Askins reported that he has not personally handled any criminal appeals.

Mr. Askins further reported the following regarding unsuccessful candidacies:

- (a) Unsuccessful candidate for mayor of Johnsonville, SC in November, 1998 (lost by 4 votes);
- (b) Unsuccessful candidate for Circuit Court, At-Large, Seat 15 in 2012–2013 (withdrew before election);
- (c) Unsuccessful candidate for Circuit Court, At-Large, Seat 9 in 2014–2015 (lost by 3 votes).

**THURSDAY, JANUARY 14, 2016**

(9) Judicial Temperament:

The Commission believes that Mr. Askins's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Mr. Askins to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee found that based on the evaluative criteria, Mr. Askins meets and exceeds the requirements in each area.

Mr. Askins is married to Donna A. Askins. He has two children.

Mr. Askins reported that he was a member of the following Bar and professional associations:

- (a) SC Bar Association;
- (b) Williamsburg County Bar Association, President 2003 and 2004;
- (c) Florence County Bar Association;
- (d) Previously, SC Trial Lawyers Association;
- (e) Appointed to SC Bench-Bar Committee by then SC Chief Justice David W. Harwell 1993–1994.

Mr. Askins provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Johnsonville-Hemingway Lions Club—past president, board member, tail twister;
- (b) Phi Beta Kappa Honor Society;
- (c) Indiantown Masonic Lodge #165—past Master and Shriner (not active in recent years);
- (d) Hemingway First United Methodist Church—past Chairman of Administrative Council, Chairman of Pastor/Staff Parish Relations Committee, past Trustee, Head Usher, President of United Methodist Men;
- (e) Florence County School District #5 Election Commission.

**THURSDAY, JANUARY 14, 2016**

Mr. Askins further reported:

I have aspired to be a circuit judge for some time. My father was an attorney and I was exposed to the legal profession at an early age. He was a country lawyer, as I am. I witnessed how he was as kind, respectful and patient with a poor uneducated sharecropper as he was with a wealthy businessman. I had good parents, good upbringing. Good grades and good behavior at school were demanded, not merely encouraged. Sunday school was mandatory. I decided as a boy that I wanted to be an attorney. During my years of practicing law, I decided that I wanted to be a judge someday. For me, the timing seems right—my wife has retired from teaching school and my children are adults. As far as I know, I am in good health and I intend to work indefinitely. In my thirty-eight plus years of practicing law, I have handled a wide array of cases for a vastly diverse group of clients. I believe the experience gained thus far during my career would be of great benefit—not just time in the courthouse, but time dealing with all kinds of people and all kinds of legal problems. Over the years, I have encountered outstanding judges—skilled and capable with the temperament to maintain order and decorum in the courtroom and control the proceeding while being patient, dignified, courteous and respectful to attorneys, parties, jurors and courtroom personnel. Unfortunately, I have also encountered judges who were rude, arrogant, impatient and inconsiderate of those around them. I very much want to serve and I am committed to being one of the good guys. I was an unsuccessful candidate for Circuit Court At Large Seat 9 a year ago, losing the election by three votes.

(11) Commission Members' Comments:

The Commission complimented Mr. Askins on his depth and breadth of experience as well as the positive race he ran for the Circuit Court previously in a closely contested seat.

(12) Conclusion:

The Commission found Mr. Askins qualified, but not nominated to serve as a Circuit Court judge.

**THURSDAY, JANUARY 14, 2016**

**Jeffrey P. Bloom  
Circuit Court, At-Large, Seat 10**

**Commission's Findings: QUALIFIED, BUT NOT  
NOMINATED**

**(1) Constitutional Qualifications:**

Based on the Commission's investigation, Mr. Bloom meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Bloom was born in 1956. He is 59 years old and a resident of Columbia, South Carolina. Mr. Bloom provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1985. He was also admitted to the North Carolina Bar in 1983 and to the New York Bar in 2010.

**(2) Ethical Fitness:**

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Bloom.

Mr. Bloom demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Bloom testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Bloom testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

**THURSDAY, JANUARY 14, 2016**

(3) Professional and Academic Ability:

The Commission found Mr. Bloom to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Mr. Bloom described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SC Lawyer Mentoring Program	4/23/15;
(b) Reinventing How You Practice	2/10/15;
(c) Federal Criminal Practice	10/30/14;
(d) National Habeas Corpus	8/14/14;
(e) CJA Mini-Seminar	5/2/14;
(f) Federal Criminal Practice	10/24/13;
(g) CJA Mini-Seminar	5/3/13;
(h) Capital Case Litigation	4/29/13;
(i) Federal Criminal Practice	10/20/11;
(j) Multi-Track Seminar	8/18/11;
(k) CJA Mini-Seminar	5/13/11;
(l) Capital Case Litigation	5/1/11;
(m) Federal Criminal Practice	5/28/10;
(n) Capital Case Litigation	8/12/10;
(o) CJA Mini-Seminar	5/7/10;
(p) Sentencing Guidelines	12/3/09;
(q) Rich. Co. Ethics Seminar	11/6/09;
(r) Federal Criminal Practice	10/29/09.

Mr. Bloom reported that he has taught the following law-related courses:

- (a) Clinical Assistant Professor, Dept. of Neuropsychiatry and Behavioral Science, University of SC School of Medicine, 1999–2012;
- (b) "Creating the Sentencing Argument," Federal Criminal Practice Seminar, Charleston, SC, October 30, 2014;
- (c) "Entrapment as a Defense: All You Need to Know and Then Some," Federal Mini-Seminar, Columbia, SC, May 3, 2013;
- (d) "Ethical Issues in Complex Litigation and Mental Health", Capital Case Litigation Initiative, Litchfield Beach, SC, May 2, 2013;

**THURSDAY, JANUARY 14, 2016**

- (e) “Capital Pre-Trial Preparation: A Case Study”, Capital Case Litigation Initiative, Litchfield Beach, SC, May 2011;
- (f) Arizona v. Gant (U.S. Sup. Ct. decision, April 21, 2009) and its Impact on Law Enforcement Automobile Searches,” Presentation to the First Circuit Law Enforcement Assn., June 4, 2009;
- (g) “Legal and Practical Developments in Psychiatry and the Law,” Psychiatry and the Law Seminar for Graduate Fellows, University of SC School of Medicine, Wm. S. Hall Psychiatric Institute, Columbia, SC, March 2009;
- (h) Adjunct Professor, USC College of Criminal Justice, 1998–1999. Taught: Constitutional Law; and American Criminal Court System;
- (i) Numerous other CLE’s, seminars, and lectures, from 1990–present.

Mr. Bloom reported that he has not published any books or articles.

(4) Character:

The Commission’s investigation of Mr. Bloom did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission’s investigation of Mr. Bloom did not indicate any evidence of a troubled financial status. Mr. Bloom has handled his financial affairs responsibly.

The Commission also noted that Mr. Bloom was punctual and attentive in his dealings with the Commission, and the Commission’s investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Bloom reported that he is not rated by any legal organization.

Mr. Bloom reported that he has held the following public offices:

- (a) Commission Member, SC Comm. on Indigent Defense: 2006–07;



**THURSDAY, JANUARY 14, 2016**

- (b) Chair, Appellate Defense Comm.: 1990–98;
- (c) Commission Member, SC Sentencing Guidelines Comm.: 1990–96;
- (d) Zoning Board of Appeals, City of North Myrtle Beach, SC: 1989–92.

All offices above were appointed. Reports were timely filed with State Ethics Comm., and I was never subject to a penalty.

(6) Physical Health:

Mr. Bloom appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Bloom appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Bloom was admitted to the SC Bar in 1985.

He gave the following account of his legal experience since graduation from law school:

- (a) 1984, Brunswick County, NC; Juvenile Court;
- (b) 1985, Neighborhood Legal Aid Assn., Conway, SC: Civil and Family Court;
- (c) 1985–1992, Horry County Public Defender Office, Conway, SC. Began as an Assistant Public Defender. Served as Chief Public Defender 1988–1992;
- (d) 1992–1999, Richland County Public Defender Office, Columbia, SC. Served as Chief Public Defender;
- (e) 1999–Present. Private Practice. I have handled capital trial, appellate, and post-conviction cases, in both state and federal court. In February 2006, I began accepting appointments and assisting the Calhoun County Public Defender Office, St. Matthews, SC, which continued through 2014. For the past three years, I have been associated in civil litigation cases, assisting in cases involving general negligence, personal injury, and similar cases. I have also handled pro bono cases in civil court, including bankruptcy, landlord-tenant, magistrate court, workers compensation, and

**THURSDAY, JANUARY 14, 2016**

similar cases. I continue to donate more than 100 hours pro bono services annually.

Mr. Bloom reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: more than 40 cases;
- (b) State: more than 100 cases.

Mr. Bloom reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:

- (a) Civil: 40%;
- (b) Criminal: 60%;
- (c) Domestic: 0%;
- (d) Other: 0%.

Mr. Bloom reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 25%;
- (b) Non-jury: 75%.

Mr. Bloom provided that he most often served as chief counsel.

The following is Mr. Bloom's account of his five most significant litigated matters:

- (a) State v. Barnes, 413 S.C. 1, 774 S.E.2d 454 (2015). Court affirmed Sixth Amendment right to counsel in a case also involving aspects of self-representation;
- (b) State v. (Rita) Bixby, 373 S.C. 74, 644 S.E.2d 54 (2007). This case set the precedent in that a defendant charged as an accessory before the fact to murder cannot be subject to capital punishment as a principal;
- (c) Kelly v. Ozmint, 7th Cir. Court of Common Pleas and S.C. Sup.Ct.; 5/24/06, cert. den., affirming Circuit Court's grant of relief (no reported decision). This case established a number of significant constitutional claims, including the constitutional mandate that race cannot play any part of the prosecutorial decision to seek the death penalty;

**THURSDAY, JANUARY 14, 2016**

- (d) Von Dohlen v. State, 360 S.C. 598, 602 S.E.2d 738 (2004). First SC Supreme Court case which adopted, interpreted and applied the US Supreme Court recent precedent of Wiggins v. Smith, 539 U.S. 510 (2003);
- (e) Served as a Special Master in civil case of Hall v. Murphree (Case No. 08-CP-09-101).

The following is Mr. Bloom's account of five civil appeals he has personally handled:

- (a) Charping v. Ozmint, Mem. Op. 2006-MO-024 (S.C., July 3, 2006), affirming Circuit Court's grant of relief;
- (b) Kelly v. Ozmint, Seventh Circuit Court of Common Pleas and SC Sup.Ct.; 5/24/06, cert. den. On appeal by the State, Court affirmed Circuit Court's grant of relief;
- (c) Von Dohlen v. State, 360 S.C. 598, 602 S.E.2d 738 (2004). See #19 above;
- (d) Lawrence v. State, First Circuit Court of Common Pleas and SC Sup. Ct.; 8/08, cert. den., affirming Circuit Court's grant of relief. (handled appeal pro bono);
- (e) Credell v. State, appeal dismissed. (appeal handled pro bono); In federal court, appeal granted.

The following is Mr. Bloom's account of four criminal appeals he has personally handled:

- (a) State v. Barnes, 2015 S.C. LEXIS 235 (SC July 1, 2015). See above;
- (b) State v. (Rita) Bixby, 373 S.C. 74, 644 S.E.2d 54 (2007). See above;
- (c) State v. Crisp, 362 S.C. 412, 608 S.E.2d 429 (2005). Established the parameters for Circuit Court in accepting a guilty plea in a capital case. (I was appointed by the SC Supreme Court and served pro bono in this appeal);
- (d) State v. Cockerham, 294 S.C. 380, 365 S.E.2d 22 (1998). Established 5<sup>th</sup> Amendment protections for the defendant as applied to the prosecutor's closing argument. (Brief no longer available due to age of case; may be requested from SC Supreme Court library if necessary).

**THURSDAY, JANUARY 14, 2016**

Mr. Bloom further reported the following regarding unsuccessful candidacies:

- (a) Candidate for Circuit Court, First Judicial Circuit, Seat 1; August 2008–February 2009;
- (b) Candidate for Circuit Court, At-Large, Seat 8; August 2009–December 2009.

(9) Judicial Temperament:

The Commission believes that Mr. Bloom’s temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Bloom to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also “Well Qualified” in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee reported, “Mr. Bloom is a bright, forthcoming lawyer who has a wealth of experience in both criminal and civil practice. In addition, Mr. Bloom has considerable courtroom experience including having tried death penalty cases.” The Committee also reported that Mr. Bloom “has all the qualifications to be an excellent Circuit Court Judge.”

Mr. Bloom is married to Karen Newell Fryar. He has three children.

Mr. Bloom reported that he was a member of the following Bar and professional associations:

- (a) SC Bar;
- (b) NC Bar;
- (c) NY Bar;
- (d) Federal Bar;
- (e) SC Assn. of Criminal Defense Lawyers;
- (f) Calhoun County Bar;
- (g) Richland County Bar;
- (h) American Society of Trial Consultants;
- (i) Formerly a member of the SC Public Defender Assn.; and served as President from 1990–96.

**THURSDAY, JANUARY 14, 2016**

Mr. Bloom provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Scoutmaster, Boy Scouts of America, Troop 397, Asbury Methodist Church, 2005–Present. Eagle Scout. Have received the following honors: National President’s Scoutmaster Award of Merit; Scouter’s Key; Scouter’s Training Award; Silver Beaver recipient; and Vigil Honor;
- (b) Awarded Pro Bono Attorney of the Year by the SC Bar (1/26/06) for 2005;
- (c) Asst. Clinical Professor of Neuropsychiatry and Behavioral Science, USC School of Medicine, 1999–2012 (served pro bono);
- (d) Former Board Member, Domestic Abuse Center.

Mr. Bloom further reported:

- (a) I am an Eagle Scout and registered member of the Boy Scouts of America (BSA) for over 20 years. I am a member of the honored society in BSA of the Order of the Arrow, as a Vigil Honor member. I have been through adult “Woodbadge” training which centers on group and leader dynamics. Boy Scouts is a very big part of my life, and the Boy Scout Oath and Law guide my life;
- (b) Awarded Pro Bono Attorney of the Year by the SC Bar (1/26/06) for 2005. I donate more than 100 pro bono hours annually;
- (c) Moot Court judge at the USC-School of Law for numerous years;
- (d) Victim Outreach training, along with Restorative Justice training, as noted above, has sensitized me to the needs of victims and victims’ families.

(11) Commission Members’ Comments

The Commission noted that Mr. Bloom is a very experienced lawyer and showed a very good understanding of what is necessary for the proper demeanor for a judge. They also noted he showed good enthusiasm for the position of Circuit Court judge during his public hearing.

THURSDAY, JANUARY 14, 2016

(12) Conclusion:

The Commission found Mr. Bloom qualified, but not nominated to serve as a Circuit Court judge.

**Joseph M. Epting, Jr.**  
**Circuit Court, At-Large, Seat 10**

**Commission's Findings: QUALIFIED, BUT NOT  
NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Epting meets the qualifications prescribed by law for judicial service as a Circuit Court Judge.

Mr. Epting was born in 1970. He is 45 years old and a resident of Columbia, South Carolina. Mr. Epting provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1997.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Epting.

Mr. Epting demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Epting reported that he has spent "less than \$20.00 for postage" in campaign expenditures.

Mr. Epting testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

**THURSDAY, JANUARY 14, 2016**

Mr. Epting testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Epting to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Mr. Epting described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SCAJ Annual Convention	08/05/2010;
(b) 2010 Auto Torts	12/03/2010;
(c) RPWP 2011 Litigation Seminar	04/28/2011;
(d) 2011 SCAJ Annual Convention	08/04/2011;
(e) Auto Torts XXXIV	12/02/2011;
(f) DUI from A-Z	11/09/2012;
(g) SCACDL Blues BBQ & Bar	07/13/2012;
(h) RPWP 2013 Litigation Seminar	04/25/2013;
(i) SCACDL Blues BBQ & Bar	07/12/2013;
(j) SCAJ Annual Convention	08/01/2013;
(k) 2013 SCAJ Auto Torts	12/06/2013;
(l) RPWP 2013 Litigation Seminar	04/24/2014;
(m) SCAJ Auto Torts	12/05/2014;
(n) AAJ Annual Convention	08/10/2014.

Mr. Epting reported that he has taught the following law-related courses:

- (a) Fair Labor Standards Act  
Paper and CLE Presentation  
2002 SCAJ Annual Convention;
- (b) 16 Tons and What Do You Get...A Retaliation Claim  
Paper and Presentation regarding employment  
retaliation claims.  
2011 SCAJ Annual Convention.

Mr. Epting reported that he has not published any books and/or articles.

**THURSDAY, JANUARY 14, 2016**

(4) Character:

The Commission's investigation of Mr. Epting did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Mr. Epting did not indicate any evidence of a troubled financial status. Mr. Epting has handled his financial affairs responsibly.

The Commission also noted that Mr. Epting was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Epting reported that he is not rated by any legal rating organization.

(6) Physical Health:

Mr. Epting appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Epting appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Epting was admitted to the SC Bar in 1997.

He gave the following account of his legal experience since graduation from law school:

- (a) 8/1997–8/1998, Law Clerk for The Hon. J. Ernest Kinard. Immediately after graduation from law school I was hired as a law clerk to Judge Ernest Kinard, 5th Judicial Circuit. We spent 6 months as the chief administrative judge in the Eighth Circuit with the remaining time in other parts of the state. We handled capital murder cases and complex litigation cases as well as pro-se litigants. I enjoyed my work traveling with the Judge to so many counties throughout the state and witnesses some great trial attorneys that I would not have seen otherwise. Above all else, Judge Kinard taught me to treat everyone in the court room with



**THURSDAY, JANUARY 14, 2016**

respect. I would not be the lawyer I am today without that wonderful start;

- (b) 8/1998–8/2006, The Epting Law Firm, LLC. After I finished clerking with Judge Kinard, I began to practice law with my father. Our practice was a general practice located in Irmo, SC. We handled corporate litigation and collections for a number of small businesses including Epting Distributors, Inc., a business started by my grandfather and currently run by other members of my family. My father was/is also the town judge in Irmo. I began to handle more personal injury litigation and a small amount of employment litigation. There was also work on estate probate and estate planning. Working in a family business when you are 28 is a complex endeavor at best. However, there seem to be a couple of truths. You are comfortable in the solid moral and ethical character of your law firm because they are the same traits you were taught when you were 10. They don't change. Second, I often find myself looking back now to instances where I was convinced my way/ my logic/ my answer was correct and with age and wisdom I realize my father was right. I worry about recent graduates who start their careers as a solo attorney without the benefits of someone like my father to steer them around the legal minefields we often face;
- (c) 8/2006–8/2012, Epting & Gillis, LLC. In 2006 my father and I joined Derek Gillis, a former Citadel classmate of mine. Derek is a real estate lawyer. Our practice grew to 5 attorneys and 10 staff. I tried more cases during this period, increasingly focusing my practice on civil litigation. I would also characterize this period as increasingly understanding how to run a business and not just practice law. Our firm experienced a great deal of growth and we also faced the contraction of the economy with the recession that began during 2007. I also saw a dramatic increase in clients who came to my office because they were not paid their wages or they were forced to work off of the clock in violation of state and federal wage laws;
- (d) 8/2012–12/2014, The Epting Law Group, LLC. In 2012, I went into practice as a solo attorney. I wanted

**THURSDAY, JANUARY 14, 2016**

to spend more of my time on the trial of cases and less on management. As a small firm, I was able to handle fewer cases that were more complex in nature. These included death cases, class action wage cases and complex personal injury cases;

- (e) 1/2015–Present, Mullis Law Firm, LLC. Pam Mullis and I have been friends since we passed the bar together in 1997. Long ago we began trying cases together in an effort to get more trial experience. We also each practiced law with our fathers. In 2015, Pam was practicing law by herself (her father passed away) and I was practicing by myself as my father was largely winding down his law practice. I joined her this year and have continued to enjoy having a very good trial attorney right down the hall to bounce ideas off.

Mr. Epting reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: No Trial. Usually at least one civil case pending per year;
- (b) State: Around 20 cases filed at any one time around the state with 2-4 trials per year.

Mr. Epting reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:

- (a) Civil: 90%;
- (b) Criminal: 8%;
- (c) Domestic: 2%.

Mr. Epting reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 100%;
- (b) Non-jury: 0%.

Mr. Epting provided that he most often serves as sole counsel or co-counsel with his law partner.

The following is Mr. Epting's account of his five most significant litigated matters:

- (a) Simmons, et al. vs. Sylvan Food Systems,

**THURSDAY, JANUARY 14, 2016**

This case was significant to me because of the large number of individuals who had worked in fairly tough conditions and were not paid wages that were owed to them. Wages that were not very high to begin with. There was a great deal of satisfaction with the number of people we were able to help.

Richland County.

Settled obtaining all back pay and liquidated damages on behalf of clients;

(b) Antoinette Cooper vs Benjamin Spears, 2011-CP-21-0695;

(c) Laverne McCray v Jose W Valle,

Both case b and c involved defendants who were drinking and driving. I always feel good about drunk defendant cases when we are successful. In Mrs. Cooper's case, it was additionally challenging to convey to a jury the mental anguish associated with losing a child, a daughter, in the last trimester of the case. A value the insurance company had refused to factor in. Money could not make it right; however, we did achieve a more appropriate result for her;

(d) Jennifer Strike vs. Raju Visveswara, (2012),

Client was participating in a 5K run and was hit by erratic driving vehicle. It is always special with you can help someone you have known most of your life like I had Mrs. Sturkie. While not the worst case in terms of damages, I did find the runner vs vehicle angle interesting. I think I learned a great deal in how to try cases in which stereotypes of race or venue are concerned.

Lexington County;

(e) Vickee Doe vs Trucking Company X, (2009),

My client was a wonderful lady who came to me after litigation had begun. She was experiencing significant symptoms that we determined were related to an undiagnosed Traumatic Brain injury. As a result of the case she was able to get the treatment that she needed to begin living a functional life again.

Mr. Epting reported he has not personally handled any civil or criminal appeals.

**THURSDAY, JANUARY 14, 2016**

Mr. Epting reported the following regarding an unsuccessful candidacy:

March 2003–Candidate in the Republican Primary for Richland County Council.

(9) Judicial Temperament:

The Commission believes that Mr. Epting’s temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Epting to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also “Well Qualified” in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee commented: “Mr. Epting has a good mix of criminal and civil experience. All reports, and our observations confirmed, that he has a good demeanor for a judge. His colleagues think of him as a fair person. Mr. Epting is Well Qualified to be a Circuit Court Judge, both in experience and demeanor.”

Mr. Epting is married to Kelly M. Epting. He has three children.

Mr. Epting reported that he was a member of the following Bar and professional associations:

- (a) SC Bar Association;
- (b) SC Association of Justice. Past Board Member;
- (c) American Association for Justice.

Mr. Epting provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Optimist Club of St. Andrews. Past President. Member (2003–2013);
- (b) Washington Street United Methodist Church.

(11) Commission Members’ Comments:

The Commission commented that Mr. Epting has a diverse background, is experienced, and has a good reputation.

THURSDAY, JANUARY 14, 2016

(12) Conclusion:

The Commission found Mr. Epting qualified, but not nominated, to serve as a Circuit Court judge.

**William Patrick Frick**  
**Circuit Court, At-Large, Seat 10**

**Commission's Findings: QUALIFIED, BUT NOT  
NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Frick meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Frick was born in 1975. He is 40 years old and a resident of Winnsboro, South Carolina. Mr. Frick provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Frick.

Mr. Frick demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Frick reported that he has not made any campaign expenditures.

Mr. Frick testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

**THURSDAY, JANUARY 14, 2016**

Mr. Frick testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Frick to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Mr. Frick described his continuing legal or judicial education during the past five years as follows:

	<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a)	Annual Public Defender Conference	9/27/10;
(b)	Omnibus Crime Reduction Act CLE	11/22/10;
(c)	Annual Public Defender Conference	9/26/11;
(d)	SCAJ Annual Convention	8/2/12;
(e)	Annual Public Defender Conference	9/24/12;
(f)	SCAJ Annual Convention	8/1/13;
(g)	Annual Public Defender Conference	9/23/13;
(h)	SC School Board Assoc. School Law	8/30/14.

Mr. Frick reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Mr. Frick reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Frick did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Mr. Frick did not indicate any evidence of a troubled financial status. Mr. Frick has handled his financial affairs responsibly.

The Commission also noted that Mr. Frick was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

**THURSDAY, JANUARY 14, 2016**

(5) Reputation:

Mr. Frick reported that he is not rated by any legal rating organization.

Mr. Frick reported that he has held the following public office:

Fairfield County School Board-Representative for District 6, 2012–present.

I was fined for not timely filing of my Pre-election report in 2012. I was unopposed and did not raise any funds so I did not believe I needed to file a report. I was incorrect, paid my fine and have filed all subsequent documents in a timely fashion.

(6) Physical Health:

Mr. Frick appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Frick appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Frick was admitted to the SC Bar in 2001.

He gave the following account of his legal experience since graduation from law school:

- (a) Aiken Public Defender's Office, 2001–2002, Assistant Public Defender;
- (b) Fourth Circuit Solicitor's Office, 2002–2003, Assistant Solicitor (Gun Crime Prosecutor & Juvenile Prosecutor);
- (c) SC Attorney General's Office, 2003–2005, Assistant Attorney General for Prosecution & State Grand Jury;
- (d) Sixth Circuit Solicitor's Office, 2005–2006, Assistant Solicitor (Chief Prosecutor for Fairfield County);
- (e) Law Offices of Koon & Cook, 2006–2009, Associate & Winnsboro Office Manager  
General Practice (Criminal, Personal Injury, Domestic);
- (f) Sixth Circuit Public Defender's Office, 2009–2015, Deputy Public Defender.

**THURSDAY, JANUARY 14, 2016**

Mr. Frick further reported regarding his experience with the Circuit Court practice area:

As a prosecutor in the Fourth and Sixth Circuits, an Assistant Attorney General handling matters throughout the State, a public defender in the Second and Sixth Circuits, and a general practitioner, I have handled almost all criminal offenses from traffic tickets to murder, burglary to animal fighting, and everything in between. While in private practice in Winnsboro, I was responsible for a general practice firm with two attorneys and two paralegals. My focus was on criminal law, personal injury, worker's compensation, social security disability and domestic cases. With this experience, I am fully prepared to handle the broad array of criminal and civil matters that come before the Circuit Court.

Mr. Frick reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: 0%;
- (b) State: 100%;
- (c) Other: 0%.

Mr. Frick reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:

- (a) Civil: 0%;
- (b) Criminal: 100%;
- (c) Domestic: 0%;
- (d) Other: 0%.

Mr. Frick reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 100%;
- (b) Non-jury: 0%.

Mr. Frick provided that he most often serves as sole counsel.

The following is Mr. Frick's account of his five most significant litigated matters:

- (a) State v. James J. Curry, (752 S.E.2d 263, 406 S.C. 364 (2013)). I was the defense attorney in this matter where Mr. Curry requested immunity under the provisions 16-



**THURSDAY, JANUARY 14, 2016**

11-440(C) of the Protection of Persons & Property Act, commonly referred to as the “Stand Your Ground” law. As this case was argued prior to clarification of the procedure in these matters, it was a very unique situation in which the defense requested and was granted a jury charge on the provisions of the statute. Ultimately, Mr. Curry was convicted of voluntary manslaughter;

- (b) State v. Bobby Ray Hill, (2008-UP-453). I served as the prosecutor in this double homicide. The defendant had a very lengthy history of mental health issues and ultimately pled guilty under the provisions of the Guilty But Mentally Ill statute;
- (c) State v. Randolph Frazier, (715 S.E.2d, 394 S.C. 213 (2011)). I defended Mr. Frazier in this burglary first degree trial in which there were issues regarding the initial seizure and detention of Mr. Frazier as a suspect. Additionally there were issues regarding the show up identification. Mr. Frazier was convicted and sentenced to life due to his criminal record;
- (d) State v. Marico Stevens, I successfully defended Mr. Stevens on the charge of murder in a trial in Lancaster County in which the defendant was charged under the principle of accomplice liability where it was uncertain as to whom fired the fatal shot and from which direction it came;
- (e) State v. Art Parker, I was the prosecutor on this animal fighting case in Chester County in which the defendants were charged under the provisions of this statute for conducting “hog-dog rodeos” which were not specifically prohibited by law. The defendants were found not guilty by the jury, but this ultimately led the passage of a law specifically prohibiting hog dog events in SC.

Mr. Frick reported he has not personally handled any civil or criminal appeals.

Mr. Frick further reported the following regarding unsuccessful candidacies:

- (a) Circuit Court, At-Large, Seat 8, 2009. Qualified, but not nominated;

**THURSDAY, JANUARY 14, 2016**

- (b) Circuit Court, At-Large, Seat 9, 2010. Qualified, but not nominated;
- (c) Sixth Circuit Solicitor, 2014. Defeated in the General Election.

(9) Judicial Temperament:

The Commission believes that Mr. Frick's temperament would be excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualifications found Mr. Frick to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, and judicial temperament, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and experience. The Piedmont Citizens Committee further reported that: "Mr. Frick received high marks from numerous references for his ability, intellect, and energy. Responders commented that he is a zealous advocate who vigorously defends the rights of his clients. There was some concern, however, that occasionally Mr. Frick's zeal turns into a short temper. He will need to restrain that impulse if he becomes a Circuit Judge, but the Committee did not consider that tendency to be disqualifying."

Mr. Frick is married to Ruxandra Elena Tudor. He has one child.

Mr. Frick reported that he was a member of the following Bar associations and professional associations:

- (a) SC Bar;
- (b) Fairfield County Bar, Secretary/Treasurer;
- (c) SC Criminal Defense Attorneys Association.

Mr. Frick provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Winnsboro Rotary Club, President & Board of Directors;
- (b) Fairfield Behavioral Health Services, Chairman of Board of Directors;
- (c) First Steps of Fairfield County, Chairman of Board of Directors;

**THURSDAY, JANUARY 14, 2016**

- (d) Richard Winn Academy, Board of Directors;
- (e) Believers & Achievers of Fairfield County.

Mr. Frick further reported:

It takes longer for criminal cases to get into court in the Sixth Circuit than any other circuit in the State. On the civil side, the situation is better, but not markedly so, with the Sixth Circuit having the fourth worst percentage of cases pending the longest. There is only one judge for the Sixth Circuit. This judge faces the worst criminal backlog in the State with just under five thousand pending warrants and sixty one percent of those criminal cases are over eighteen months old. On the civil side there are over one thousand pending actions. According to Court Administration data from the end of June 2015, this one judge has a total of five thousand eight hundred eighty nine combined criminal and civil matters pending, the most per capita for any judge in any circuit in the State. Simply put, we need another judge in the Sixth Circuit.

(11) Commission Members' Comments:

The Commission commented that Mr. Frick was found to be intelligent, energetic, and bright. The members noted his experience as both a prosecutor and a public defender would serve him well to be a fair and effective candidate for the bench, and highlighted his dedicated service on the Fairfield County School Board.

(12) Conclusion:

The Commission found Mr. Frick qualified, but not nominated, to serve as a Circuit Court judge.

**THURSDAY, JANUARY 14, 2016**

**The Honorable John Lawrence Duffy III  
Family Court, Ninth Judicial Circuit, Seat 3**

**Commission's Findings: QUALIFIED, BUT NOT  
NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Duffy meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Duffy was born in 1976. He is 39 years old and a resident of North Charleston, South Carolina. Judge Duffy provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2006.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Duffy.

Judge Duffy demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Duffy reported that he has not made any campaign expenditures.

Judge Duffy testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Duffy testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

**THURSDAY, JANUARY 14, 2016**

(3) Professional and Academic Ability:

The Commission found Judge Duffy to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Duffy described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Charleston County Summary Court Judges Association	5/22/2015;
(b) Federal Criminal Practice	10/30/2015;
(c) Adoption Law in SC and Beyond	8/1/2014;
(d) Prosecuting the Impaired Driver	7/22/2014;
(e) High Risk Issues	4/16/2014;
(f) Fifth Annual SC Gun Law Seminar	2/21/2014;
(g) In the Best Interest of the Child, 2014	1/31/2014;
(h) Prosecuting the Impaired Driver	7/17/2013;
(i) Federal Criminal Practice	10/24/2013;
(j) Orientation School for Municipal Judges	7/16/2012;
(k) US Sentencing Guidelines	9/26/2012;
(l) DUI Defense A-Z	11/11/2011;
(m) Federal Criminal Practice	10/20/2011;
(n) Blues, Bar-B-Q and Bar CLE	7/8/2011;
(o) US Sentencing Guidelines	4/8/2011;
(p) Federal Drug Court Seminar	12/20/2010;
(q) Third Annual Reese I. Joye DUI	11/5/2010;
(r) Federal Criminal Practice-Fall 2010	10/28/2010;
(s) Presentation by Chief Justice Toal	7/15/2010.

Judge Duffy reported that he has taught the following law-related course:

Charleston County Summary Judges Association Luncheon (Course 154343) May 22, 2015: This case was offered to all Summary Court Judges in the Charleston County area. The class presenters were Scarlett Wilson, Ashley Pennington, and the Honorable Roger Young. I was on the committee that prepared the seminar and curriculum.

Judge Duffy reported that he has not published any books or articles.

**THURSDAY, JANUARY 14, 2016**

(4) Character:

The Commission's investigation of Judge Duffy did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Judge Duffy did not indicate any evidence of a troubled financial status. Judge Duffy has handled his financial affairs responsibly.

The Commission also noted that Judge Duffy was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Duffy reported that his rating by a legal rating organization, Super Lawyers, is Rising Star 2014 and 2015.

Judge Duffy reported that his rating by a legal rating organization, National Association of Criminal Defense Lawyers, is Top 10 under 40 in 2014.

(6) Physical Health:

Judge Duffy appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Duffy appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Duffy was admitted to the SC Bar in 2006.

He gave the following account of his legal experience since graduation from law school:

- (a) The Wigger Law Firm–Plaintiff's work; June 2006–July 2007,  
Personal injury, employment law, social security disability;
- (b) O'Neill & Phipps, LLC–General Practice; July 2007–February 2012,  
Criminal representation and plaintiff's representation in civil matters;

**THURSDAY, JANUARY 14, 2016**

- (c) The Duffy Law Firm, LLC—General Practice; February 2012—present,  
Family law, criminal representation, plaintiff representation in civil matters;
- (d) The City of North Charleston—Associate Municipal Judge; February 2012—present,  
Handling of criminal matters handled on the municipal level, code enforcement, setting of bonds, and courtesy summons court.

Judge Duffy reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: 3-5 appearances a year;
- (b) State: 4-5 appearances a week.

Judge Duffy reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:

- (a) Civil: 5%;
- (b) Criminal: 20%;
- (c) Domestic: 70%;
- (d) Other: 5%.

Judge Duffy reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 1-2%;
- (b) Non-jury: 10-15%.

Judge Duffy provided that he most often served as sole counsel or chief counsel.

The following is Judge Duffy's account of his five most significant litigated matters:

- (a) A.M.and K.M. v. J.B.M and SCDSS,

This case is significantly important in that it involved a contested adoption of a child that had been in long term foster care. J.M. had been placed with my clients since he was seven (7) months old. At the age of three, SCDSS made the decision that they were going to remove J.M. from my clients' care and that J.M. would be placed in the home of grandparents that he had never

**THURSDAY, JANUARY 14, 2016**

met. I had already intervened in both the child protective services case and the adoption case in order to protect my clients' interest in the action. During the course of this litigation we successfully obtained the termination of the parents' parental rights. Subsequently to the termination of parental rights trial the grandparents filed to intervene and adopt J.M. After their intervention, DSS began to show bias on the basis that the grandparents were 'family' and there was an issue of race that was continually insinuated at which involved the involvement of Associate General Counsel for DSS. I was able to secure several injunctions against DSS, have the grandparents removed for lack of standing, and a year to the day after the rights of the parents had been terminated, J.M. was adopted by my clients became a legally secure family, and J.M. was given the permanency and protection that he was entitled to;

(b) Payton v. Platts.

This was a personal injury matter that was tried before a jury in Berkeley County as a multiday trial. My client was a retired Marine Corps Special Forces officer that was forced to retire due to an injury he sustained. My client was hit head on by the Defendant while my client was at a dead stop on the side of the road with engine trouble. What made this case stand out from all the other personal injury cases that I had previously handled was that my client had obtained a JD, and was getting ready to take the Bar Exam at the time of his injuries. My client underwent several years of treatment for the pain associated with his injuries, which included electroshock therapy. By the time the doctors had my client's pain under control and cleared him from treatment, he had lost so much of his memory that he no longer retained the education or skills that he had learned in law school and has never been able to pass the exam. I brought suit against my client's own insurance company as the Defendant did not have coverage on his vehicle. The matter was tried over three days, the jury was charged and verdict was rendered in



favor of my client; regretfully not in sufficient amount to truly compensate him for his loss;

- (c) Thomas v. Gulf Stream Coach, Inc. and Boat 'N RV Megastore,

In this matter, my clients had purchased their dream RV and were set to achieve their lifelong dream of retiring and traveling the US in their RV. Within days of purchasing this luxury vehicle, it was rendered useless by the presence of fungus and mold. My client attempted to have the matter corrected by cleaning as thoroughly as possible and by taking the vehicle back to the dealer for assistance. It was discovered by the dealer that the floor of the vehicle had severe rot and that there was water leakage present. The dealer and manufacturer outright refused to take repossession of the vehicle and left my clients with no recourse other than to seek the assistance of an attorney. Resolution was attempted prior to filing, but the Defendant's proved unreasonable. The matter was filed in Common Pleas and was eventually subjected to binding arbitration. Verdict was rendered in favor of my client; to which the Defendant's promptly filed for appeal. The matter is now complete with all remedies for both sides exhausted; I am now waiting for my clients' award to be paid;

- (d) Schwuchow v. Schwuchow,

This matter involved a simple divorce on the statutory basis of one year's continuous separation. There were no children of the marriage and the only matter that was contested was the equitable division of the marital estate. My client was from Russia and had come over at the request of her husband to get married and start a new life with him. The relationship was a failure from the beginning due to the isolation that my client was subjected to by her husband. The parties major assets were the husband's retirement and the marital residence. Opposing counsel and I were able to work out the retirement matters very quickly. This left the marital home. It was the position of opposing counsel that my client was not entitled to any part of the residence or the land that the home was located on due to the facts that her client had inherited the land and had purposefully

**THURSDAY, JANUARY 14, 2016**

only used his own funds to pay for the house to be built. After extensive research on the matter, I was able to determine that my client was entitled to an equitable share of the home. The Defendant in the case had habitually taken the benefit of married filing joint and claimed the home on taxes to receive the additional benefit of that deduction. Through discovery, and extremely thorough research, I was able to convince opposing counsel that there was transmutation and that her client needed to make a substantial offer to buy out my client's share of that property. An offer was made that gave my client the ability to invest her share of the funds received and continue to move towards the better life that she had sought in coming to SC;

(e) United States of America v. Eliseo Milian Tapia,

In this matter, I was appointed to represent Mr. Tapia who was charged with Conspiracy to Possess with Intent to Distribute Narcotics after he was arrested by a joint task force consisting of the Department of Homeland Security and the Beaufort County Sheriff's Department. While there was some evidence that my client may have know about what was taking place in the home that he was residing in, I felt that the evidence did not support the offense under which he was charged and that the evidence needed to be reviewed more closely. Discovery was conducted and I spent weekends reviewing the evidence that was collected by the joint task force. I pulled my Guidelines and line by line reviewed what the charge should have been, what the sentence should be and what deviation factors the Court should consider. I produced a motion for departure from the guidelines for the Court's consideration that outlined what the evidence actually presented against my client and why my client should be granted downward deviation from the Guidelines. Despite the Assistant United States' Attorney's arguments, the Court did find that there were mitigating circumstances that he should take into consideration and that justified the requested downward departure that greatly reduced the sentence that my client received from the Court.

**THURSDAY, JANUARY 14, 2016**

The following is Judge Duffy's account of three civil appeals he has personally handled:

- (a) Amy Lynn Lapp v. South Carolina Department of Motor Vehicles, SC Court of Appeals 2010, 387 S.C. 500, 692 S.E.2d 565 (Reported);
- (b) Khoury v. Harrison; SC Court of Appeals 2013, 2013-001148 (Unreported);
- (c) Thomas v. Gulf Stream Coach, Inc. et al., SC Court of Appeals 2014, 2012-213361 (Unreported).

Judge Duffy reported he has not personally handled any criminal appeals.

Judge Duffy further reported the following regarding unsuccessful candidacies:

I submitted an application in August 2014 to fill Family Court, Charleston County, Seat 2. I understand that I was well received by both the local bar through the Ballot Box system and by the Citizens Committees here in Charleston. I also believe that I did well on the interview with the SC Bar and was told that I had received very high recommendations from my peers. I tested and passed; I also completed my public interview. Ultimately I was found to be Qualified for the position, but I was not one of the nominated candidates.

(9) Judicial Temperament:

The Commission believes that Judge Duffy's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee found Judge Duffy to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, professional and academic ability, experience, and judicial temperament, and also "Well Qualified" in the remaining evaluative criteria of ethical fitness, character, and reputation.

Judge Duffy is married to Abigail Scudder. He has one child.

Judge Duffy reported that he was a member of the following Bar associations and professional associations:

**THURSDAY, JANUARY 14, 2016**

- (a) Charleston County Bar Association;
- (b) SC Association for Justice;
- (c) SC Bar.

Judge Duffy provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Hibernian Society: I am a member of the Social Committee. This is an Irish historical for the promotion of Irish History and Culture;
- (b) Charleston Rifle Club: I am presently the Club's Solicitor and held the previous position of Director of Membership. I regularly engage in the league bowling there. The Club is a charitable organization that is well known for its annual bowling competition for the March of Dimes;
- (c) SC Irish Historical Society: The SC Irish Historical Society is a society that promotes Irish culture and heritage. The Society was instrumental in securing the Irish memorial located in Charleston. To be a member of this Society one must prove that they are of Irish decent.

Judge Duffy further reported:

Throughout my life I was always told that I would be a lawyer; it was in my blood. I fought against this notation for several years after graduating from college before I really thought about what I wanted to do, and I realized that being a lawyer was what I wanted and that it was in my blood. My family has taken a very active role in the legal community in Charleston, and it was a tradition that I wished to continue. In all, there are six attorneys in my family: the Honorable John Lawrence Duffy, Jr. (Mt. Pleasant and Sullivan's Island Municipal Courts), the Honorable Michael P. Duffy (US District Court), Brian C. Duffy of Duffy and Young, myself, Tim Amey and my wife. Each member of my family has sought to assist in the access of the legal system to the underprivileged and has always taken the position or role that they occupy seriously and with great consideration as to the outcome. This is a tradition that I wish to continue by seeking to fill this position. I want to continue to serve the people of SC by being a fair, neutral, and considerate member of the Judiciary. I want to serve on the Family Court bench in particularly as I believe making

## THURSDAY, JANUARY 14, 2016

an impact on the lives of children and families will give us the best chance for societal progress.

As an Assistant Judge in North Charleston, I have become known to being fast, thorough and fair in my rulings. I am known for permitting the parties to present their cases and for ruling as the law requires. I will not “rubber stamp” a ticket simply because the matter was brought to me by the police. We were told in Judge’s School that the number one complaint of litigants was that they did not feel that the Court had “heard” them on their concerns. I have taken that matter to heart, and I ensure that the litigants are heard, and, to the best of my abilities explain to them why I can or cannot rule as they are requesting.

I love being a judge. I love the new challenges that are presented on a daily basis. I love being a municipal judge and will continue to do that if I am unsuccessful in securing this position. Family Court requires a high degree of nuance and creativity that you do not see in other areas of the law. Family Court permits litigants to be creative and to show the Court new perspective with every case. Family Law develops and changes; I want the challenge of that constant fluidity and to know every morning where I am going to work, but never knowing what will be presented to the Court. Additionally, I have made strong contacts with several members of the Family Court Bench and have been told that they are not just a group of officials who get together, but they are a family that relies on each other. This is the group of professionals I would be honored to spend my career with if selected for this position and for as long as I was permitted to have the pleasure.

It was also mentioned in my last application that I had concerns about my daughter and seeing her. She has grown amazingly during the last year, and I believe the concern has been quelled. My wife has great flexibility as a law firm owner to ensure that I will have daily contact with my daughter; I have a strong and supportive partner in my wife. With that understanding and reliance, I have no further concerns about being away from my child for any period of time.

(11) Commission Members’ Comments:

The Commission commented that Judge Duffy’s knowledge of Spanish is a great asset, and appreciated his willingness to use that in court. They also found his suggestions on resolving the

**THURSDAY, JANUARY 14, 2016**

back log of cases in Family Court to be thoughtful and constructive.

(12) Conclusion:

The Commission found Judge Duffy qualified, but not nominated to serve as a Family Court judge.

**Sean F. Keefer**  
**Family Court, Ninth Judicial Circuit, Seat 3**

**Commission's Findings: QUALIFIED, BUT NOT  
NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Keefer meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Keefer was born in 1966. He is 49 years old and a resident of Charleston, South Carolina. Mr. Keefer provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1997.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Keefer.

Mr. Keefer demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Keefer reported that he has not made any campaign expenditures.

Mr. Keefer testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;

**THURSDAY, JANUARY 14, 2016**

- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Keefer testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Keefer to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Mr. Keefer described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SC Bar DR Section Emerging Mediation Trends	1/22/2015;
(b) Mediation and Meeting Center of Charleston Family Mediation Topics	2/5/2015;
(c) In the Best Interest of the Child	2/6/2015;
(d) SC Bar DR Section Counsel Attended/Presenter	1/24/2014;
(e) Guardians in School	11/20/2013;
(f) Schoolin' the Newbies Attended/Presenter	9/25/2013;
(g) 2013 GAL Update	8/15/2013;
(h) Introduction to Court Annexed ADR	7/19/2013;
(i) What Works	2/1/2013;
(j) 2012 Judges and Attorneys Substance Abuse	12/07/2012;
(k) Using Early Neutral Evaluation in Family Court	6/22/2012;
(l) SC Bar Convention DR Section Counsel Presenter	1/19/2012;
(m) Taking the Children Out of the Fire (Presented/Attended omitted inclusion on CLE report)	6/17/2011;
(n) Guardian Ad Litem Program Workshop	6/2/2011;
(o) SC Bar Convention DR Section Counsel Presenter	1/20/2011;
(p) Family Mediation Training (Assistant Instructor)	1/3–1/7/2011;

**THURSDAY, JANUARY 14, 2016**

- |                                         |            |
|-----------------------------------------|------------|
| (q) Mini Summit on Justice for Children | 12/2/2010; |
| (r) SCDTAA Joint Meeting                | 7/22/2010; |
| (s) Representing the Volunteer          | 5/7/2010.  |

Mr. Keefer reported that he has taught the following law-related courses:

- (a) I am presently planning a CLE that will be presented in August of 2014 on the current SC Child Support Guidelines that will include reconciliation of divergence between different available calculators;
- (b) I was a co-presenter at the annual SC Bar guardian ad litem update on the topic of technology and beneficial smart device applications for the benefit of the private action guardian ad litem;
- (c) I have presented to the Charleston Mediation and Meeting Center on the issue of current topics in Mediation including, marketing, payment, involvement of guardians ad litem and other issues;
- (d) I have presented at the last five SC Bar Conventions during the Dispute Resolution Section program. My topics have always been related to Family Law Dispute Resolution issues. This has also included moderation of panels related to the same issues. For the presentation in 2015, I was the course moderator and also planned and organized the course;
- (e) I was a presenter at the Charleston County Bar Family Liaison Committee's annual "Schoolin' the Newbies" seminar in September of 2013. I co-presented on the issues of Fast Track Custody Cases and Civility in the Practice;
- (f) I have presented on the Fast Track Process at the Charleston County Family Court Liaison Committee's CLE "Taking the Children out of the Fire." My presentation was part of a panel designed to address the issues faced by children during litigation and strategies to remove them from conflict;
- (g) I have guest lectured at the Charleston School of Law on the Department of Social Services abuse and neglect process and on mediation. Please note these were guest lectures as part of a class for other instructors.



**THURSDAY, JANUARY 14, 2016**

Mr. Keefer reported that he has published the following:

Legal

The Path to Alternative Dispute Resolution (Volume I–Issue I–  
Fall 2012–Resolved–Journal of Alternative Dispute  
Resolution–Charleston School of Law) Author;

Non-Legal

The Trust (Old Line Publishing–2011) Author.

(4) Character:

The Commission’s investigation of Mr. Keefer did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission’s investigation of Mr. Keefer did not indicate any evidence of a troubled financial status. Mr. Keefer has handled his financial affairs responsibly.

The Commission also noted that Mr. Keefer was punctual and attentive in his dealings with the Commission, and the Commission’s investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Keefer reported that his rating by a legal rating organization, Martindale-Hubbell, is B/V Peer Rating, 5.0 Client Rating.

Mr. Keefer reported that he has held the following public office:

- (a) I was a member of the City of Charleston Board of Zoning Appeals, Site Design from 2003–2005. My reason for departure was my resignation. The Mayor of Charleston appointed me to this board. I am not aware of any filing requirement with the State Ethics Commission and thus did not make any filings with the Commission.
- (b) In 2004 I was appointed to a citizens committee created to make recommendations regarding a potential smoking ban in the City of Charleston. The Mayor of Charleston appointed me to the Committee. While on the Committee, I served as chairperson. I served until the Committee concluded its work and made recommendations in 2004. I did not make any filings with the State Ethics Commission.

**THURSDAY, JANUARY 14, 2016**

- (6) Physical Health:  
Mr. Keefer appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:  
Mr. Keefer appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:  
Mr. Keefer was admitted to the SC Bar in 1997.

He gave the following account of his legal experience since graduation from law school:

(a) 1997–2000-THE MASON LAW FIRM, PA

My first legal employment post-law school was at The Mason Law Firm, PA. While I engaged in a variety of practice areas, including civil, real estate, criminal and probate, my focus was domestic matters. During my time with The Mason Law Firm, I was involved in virtually every type of domestic matter including, child custody, child support, spousal support, equitable distribution, divorce, DSS matters, juvenile criminal defense, adoption and name changes.

During my first year of practice, I was trained as a Family Court mediator and following this I began to work as a mediator in the Family Courts.

While at The Mason Law Firm, I handled all aspects of case preparation from intake to trial. This also included numerous and frequent court appearances in all aspects of Family Court matters with a concentration on custody, support matters (child and spousal), equitable distribution and alimony, to include temporary hearings, trials, and Rules to Show Cause. It was while at The Mason Law Firm that I was first exposed to juvenile justice cases as well as Department of Social Services matters from protective services, termination of parental rights and vulnerable adult perspectives. During my time with The Mason Law Firm, I represented with equal weight, both Plaintiffs and Defendants;

(b) 2000–2005-ANDREWS & SHULL, PC

## THURSDAY, JANUARY 14, 2016

In 2000 I accepted a position as an associate attorney with the law firm of Andrews & Shull, PC, a firm with a focus on domestic relations. As a result of the firm's focus on family law matters, my practice and focus changed, accordingly allowing me more exposure to the Family Courts.

In addition to continuing the concentration on Family Law litigation matters, I began to do private guardian ad litem work that I continue to this day.

As a result of the domestic relations focus of Andrews & Shull, I was exposed to more complex domestic relations matters. Not only did I build my own practice, but through work with other attorneys in the office, I was regularly involved in complex litigation matters. This resulted in my involvement, both on my own and as second chair, in numerous contested cases where resolution was reached through a variety of avenues including trial, direct negotiation, and alternative dispute resolution.

During my time with Andrews & Shull, I continued to be involved in a variety of Family Court cases. My criminal practice was minimized and replaced by my guardian ad litem work.

In addition to my regular Family Court litigation practice and guardian ad litem work, I continued to grow my dispute resolution practice by expanding my mediation practice and also beginning to do Family Court arbitrations. I also handled the firm's DSS appointments;  
(c) 2006–2010-SEAN F. KEEFER, LLC

In 2006, I opened my own solo practice. I continued to handle contested domestic matters, though the focus of my practice became alternative dispute resolution of Family Court cases. During this time, I also began to handle more Department of Social Services abuse and neglect cases, as well as termination of parental rights cases, regularly appearing on behalf of defendants or as a guardian ad litem for children. I continued with my private guardian ad litem work.

It was at this time that largely all of my other non-Family Court work ended thus allowing me to devote

**THURSDAY, JANUARY 14, 2016**

substantially all of my time to Family Court and Family Court related issues;

(d) 2010–PRESENT–KEEFER & KEEFER, LLC

In 2010, my wife left the law firm of Haynsworth, Sinkler, Boyd and the law firm of Sean F. Keefer, LLC became Keefer & Keefer, LLC. My Family Court work continued, though I ceased to represent Defendants in Department of Social Services cases following my accepting the position of Contract Attorney with the SC guardian ad litem Program. I served as the Contract Attorney for Berkeley County.

In 2012, following my leaving the Berkeley County GAL contract attorney position, I have focused my practice on domestic mediation and private guardian ad litem work. While mediation and guardian work make up a large part of my practice, I still take contested cases in the Family Courts, assisting clients with adoptions, divorces, property division, custodial matters, post-separation/divorce support enforcement and modification matters and other issues.

Presently my law partner and Wife serves as the Contract Attorney for the Berkeley County Volunteer guardian ad litem Program which allows me to, as needed, appear in DSS cases to assist should she have conflicts.

Mr. Keefer reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: 0%;
- (b) State: 100%;
- (c) Other: 0%.

Mr. Keefer reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:

- (a) Civil: 0%;
- (b) Criminal: 0%;
- (c) Domestic: 96%;
- (d) Other: 4%.

**THURSDAY, JANUARY 14, 2016**

Mr. Keefer reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 0%;
- (b) Non-jury: 100%.

Mr. Keefer provided that he most often serves as sole counsel or as guardian ad litem.

The following is Mr. Keefer's account of his five most significant litigated matters:

- (a) R.M. v. S.M., 2014, Charleston County Family Court,

The issues presented in this case centered around 1) a contempt action where a former spouse alleged gross underpayment as to alimony and child support on the part of my client, seeking reimbursement and incarceration and, 2) a modification action brought by my client to terminate his alimony obligation.

The case was prepared for trial which included all aspects of pretrial work such as mediation, motions, and discovery (both written and depositions). Ultimately the case proceeded to trial. My client's case in chief began with the testimony of the Defendant and resulted in a settlement wherein there was no contempt found and my client's alimony obligation was forever terminated.

This case is significant as my client has been a client for many years and there had always been a desire to end and provide closure in a case that the opposing party would not allow the case to end, even in light of numerous efforts. Through my counsel and preparation we were able to obtain this closure;

- (b) M. R. E. v. J. O. E., 2010, Charleston County Family Court,

This was a post-divorce, spousal support termination/modification case.

The Plaintiff brought the action seeking the termination of his previously established alimony obligation. While the Plaintiff was able to show a change of circumstances based on a reduction in his income, the critical issue was that of underemployment and voluntariness of this reduction.

**THURSDAY, JANUARY 14, 2016**

Through careful and focused discovery and preparation for trial, my client was able to encourage a settlement that resulted in the establishment of a non-modifiable sum of permanent alimony. While the case could have resulted in a very drastic and life altering result for my client by termination of her alimony, the result not only concluded the matter, but likely served to keep the issue of her spousal support payments from later being revisited;

(c) T. C. v. S. C., 2012, Charleston County Family Court,

In this post-divorce action, I represented a Mother against whom an action had been filed wherein the Father was seeking a change of custody based on a variety of allegations including the Mother's decision-making capacity and the minor child's performance at school. I assisted the Mother by successfully defending a Temporary Hearing where custody was not changed and child support was increased over the objection of the Plaintiff. Litigation continued and ultimately the matter was settled in mediation in a fashion that resulted in no change of custody for my client, a further increase in child support and the payment of my client's attorneys' fees;

(d) J.M.B. v. E.W., 2011, Charleston County Family Court,

I had the pleasure of representing a Father who had suspected for years he was the father of a minor child. The child's mother had given lip service to agreeing to a paternity test, but she never followed through and kept the Father from having a relationship with his child. Following the Mother's unexpected death, paternity was established.

At the time the action was filed, the minor child was living with the deceased Mother's Husband. The case began in a very heated fashion with the Husband indicating a claim for custody of the minor child. As litigation proceeded, I was able to work to establish counseling for the minor child and his Father. As the case continued, I was able to assist my client by shifting the focus of the case away from a potential trial and to one of focusing on a resolution that served the best interest of my client and his child. Ultimately, the case concluded with my client and his son being reunited and with care given

**THURSDAY, JANUARY 14, 2016**

to allow for and to foster the relationship the minor child had with his half-sibling;

- (e) DSS v. C.B., J.D., C.L. and L.W., 2008, Berkeley County Family Court,

I represented a Defendant Father in this Department of Social Services Termination of Parental Rights. My client, after a long blue collar-working career had retired and then become involved with the Mother, though they were never married. A child resulted from their relationship.

Through the child's life, my client had regularly been involved with her and had provided for her support. When the child was taken into DSS custody, the Mother hid this fact from the Father. Ultimately he learned of the DSS involvement and requested an attorney.

After I was appointed, I learned the Father did not want to have his parental rights terminated. A trial resulted.

The case was significant in that at trial I was able to show that both the Mother, through overt actions, and the Department of Social Services, through minimal contact with my client, had done little to allow my client to participate in the action at the child protective services stage. The Court denied the Department's request to terminate my client's parental rights and through my efforts I was able to assist the Father in preserving his relationship with his daughter.

Mr. Keefer reported he has not personally handled any civil or criminal appeals.

Mr. Keefer further reported the following regarding unsuccessful candidacies:

- (a) In August of 2012, I applied for Family Court, At-Large, Seat 4. I was determined by the Judicial Merit Selection Commission to be Qualified, but not selected.
- (b) In August of 2011, I applied for Family Court, Charleston County, Seat 2. I was determined by the Judicial Merit Selection Commission to be Qualified, but not selected.

**THURSDAY, JANUARY 14, 2016**

(9) Judicial Temperament:

The Commission believes that Mr. Keefer's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Mr. Keefer to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability, and also "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee found that based on the evaluative criteria, Mr. Keefer meets and exceeds the requirements in each area.

Mr. Keefer is married to Wendy R. Johnson Keefer. He does not have any children.

Mr. Keefer reported that he was a member of the following Bar and professional associations:

- (a) SC Bar Association
  - Member–Ninth Circuit Resolution of Fee Dispute Board, 2007–2009;
  - Member–SC Bar Dispute Resolution Council, 2009–Present;
  - Secretary–SC Bar Dispute Resolution Council, 2012–2013;
  - Vice-Chairman–SC Bar Dispute Resolution, 2013;
  - Chairperson Elect–SC Bar Dispute Resolution, 2014;
  - Chair–SC Bar Dispute Resolution, 2015;
  - Ad Hoc Member SC ADR Commission, 2015.
- (b) Charleston County Bar Association.

Mr. Keefer provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Mediation and Meeting Center of Charleston;
  - Board Member, 2008–2012;
  - Board Treasurer, 2009–2011;
  - Vice-Chair, 2011–2012.
- (b) SC Collaborative Law Institute;
  - Board Member, 2007–2009;



**THURSDAY, JANUARY 14, 2016**

Treasurer, 2008–2009.

- (c) Free and Accepted Masons–Oxford Lodge #67, Oxford, Ohio.

Mr. Keefer further reported:

Through my career, I have been fortunate and privileged to regularly and frequently appear before many different Family Court Judges. From my experience and exposure to these individuals, I have formed the belief that a successful judge is one who is attentive, consistent, fair in applying the law, respectful of parties and attorneys and who will, when necessary, make a well reasoned decision, even if difficult.

I have been fortunate to have assisted numerous individuals at different stages of the Family Court process by serving as counsel, as guardian for their children or even as a guardian for parties, as mediator or arbitrator.

My time before numerous judges and working with so many in the Family Court process has educated me to understand that it is paramount to remember that while an issue may be crystal clear to an attorney or a judge because of his or her background and experience. Often for clients and parties this is their first exposure to the Family Court process. They simply do not have the same understanding of the process. I believe that this is a proposition that should be remembered by Family Court Judges and should guide them in a fair and consistent application of the law and in their dealings with parties who appear before them.

I believe that litigants come to the Court seeking and expecting a fair and consistent approach and that in performing their duties judges should not seek to be activist, but rather should strive for the consistent application of existing law.

Dockets may be heavy, but for each litigant his or her case is unique and often singularly import to them. I believe Judges should remember and be cognizant of this reality.

My background exposed me to virtually every type of case that could be heard by the Family Court. Through my work as a guardian ad litem I have even frequently found myself on the witness stand. The totality of my experience, I humbly submit, has created a foundation upon which a successful judicial career as a Family Court Judge can be built.

**THURSDAY, JANUARY 14, 2016**

- (11) Commission Members' Comments:  
The Commission commented that Mr. Keefer has attention to detail and is a compassionate person.
- (12) Conclusion:  
The Commission found Mr. Keefer qualified, but not nominated to serve as a Family Court judge.

**CONCLUSION**

The Judicial Merit Screening Commission found the following candidates QUALIFIED AND NOMINATED:

**SUPREME COURT**

SUPREME COURT, SEAT 2

The Honorable Ralph King Anderson III  
The Honorable John Cannon Few  
The Honorable Harris Bruce Williams

**COURT OF APPEALS**

COURT OF APPEALS, SEAT 9

The Honorable James Edward Lockemy

**CIRCUIT COURT**

FIRST JUDICIAL CIRCUIT, SEAT 1

The Honorable Edgar Warren Dickson

FIRST JUDICIAL CIRCUIT, SEAT 2

The Honorable Diane Schafer Goodstein

SECOND JUDICIAL CIRCUIT, SEAT 1

The Honorable Doyet A. Early III

THIRD JUDICIAL CIRCUIT, SEAT 1

The Honorable Ralph Ferrell Cothran, Jr.

SIXTH JUDICIAL CIRCUIT, SEAT 1

The Honorable Brian M. Gibbons

EIGHTH JUDICIAL CIRCUIT, SEAT 1

The Honorable Frank Robert Addy, Jr.

THIRTEENTH JUDICIAL CIRCUIT, SEAT 4

The Honorable David Garrison Hill

FIFTEENTH JUDICIAL CIRCUIT, SEAT 1

The Honorable Steven H. John

SIXTEENTH JUDICIAL CIRCUIT, SEAT 1

The Honorable John Calvin Hayes III

**THURSDAY, JANUARY 14, 2016**

SIXTEENTH JUDICIAL CIRCUIT, SEAT 2

The Honorable Daniel Dewitt Hall

AT-LARGE, SEAT 10

Jocelyn Newman

Grady L. Patterson III

Robert L. Reibold

**FAMILY COURT**

FIRST JUDICIAL CIRCUIT, SEAT 2

The Honorable William J. Wylie, Jr.

FIRST JUDICIAL CIRCUIT, SEAT 3

The Honorable Nancy Chapman McLin

SECOND JUDICIAL CIRCUIT, SEAT 1

The Honorable Vicki J. Snelgrove

THIRD JUDICIAL CIRCUIT, SEAT 1

The Honorable George Marion McFaddin,

Jr.

FOURTH JUDICIAL CIRCUIT, SEAT 1

The Honorable Cely Anne Brigman

FIFTH JUDICIAL CIRCUIT, SEAT 1

The Honorable Dorothy Mobley Jones

FIFTH JUDICIAL CIRCUIT, SEAT 4

The Honorable Gwendlyne Young Jones

SEVENTH JUDICIAL CIRCUIT, SEAT 3

The Honorable Usha J. Bridges

EIGHTH JUDICIAL CIRCUIT, SEAT 2

The Honorable John M. Rucker

NINTH JUDICIAL CIRCUIT, SEAT 1

The Honorable Daniel E. Martin, Jr.

NINTH JUDICIAL CIRCUIT, SEAT 3

Spiros Stavros Ferderigos

Michèle Patrão Forsythe

Rita J. Roache

NINTH JUDICIAL CIRCUIT, SEAT 6

The Honorable Jack Alan Landis

TENTH JUDICIAL CIRCUIT, SEAT 2

The Honorable Karen F. Ballenger

ELEVENTH JUDICIAL CIRCUIT, SEAT 1

The Honorable William Gregory Seigler

TWELFTH JUDICIAL CIRCUIT, SEAT 3

The Honorable Jerry Deese Vinson, Jr.

[HJ]

**THURSDAY, JANUARY 14, 2016**

THIRTEENTH JUDICIAL CIRCUIT, SEAT 6

The Honorable Alex Kinlaw, Jr.

FOURTEENTH JUDICIAL CIRCUIT, SEAT 2

The Honorable Peter L. Fuge

FIFTEENTH JUDICIAL CIRCUIT, SEAT 2

The Honorable Melissa J. Buckhannon

(f/k/a Melissa Johnson Emery)

SIXTEENTH JUDICIAL CIRCUIT, SEAT 1

The Honorable Thomas H. White IV

**ADMINISTRATIVE LAW COURT**

ADMINISTRATIVE LAW COURT, SEAT 6

Sebastien Phillip Lenski

Respectfully submitted,

/s/Rep. Alan D. Clemmons

/s/Sen. Larry A. Martin

/s/Rep. Bruce W. Bannister

/s/Sen. George E. Campsen III

/s/Rep. David J. Mack III

/s/Sen. Gerald Malloy

/s/Ms. Susan T. Wall

/s/Ms. Kristian C. Bell

/s/Mr. Robert M. Wilcox

/s/Mr. Michael Hitchcock

Received as information.

**APPENDIX**

Report from the South Carolina Bar Judicial Qualifications  
Committee

**The Honorable Ralph King Anderson III, Columbia, SC  
Supreme Court, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports  
that the collective opinion of those Bar members surveyed regarding  
Judge Anderson's candidacy for Supreme Court, Seat 2 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified

**THURSDAY, JANUARY 14, 2016**

Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable John Cannon Few, Greenville,  
SC Supreme Court, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Few's candidacy for Supreme Court, Seat 2 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional Academic Ability	Well-Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

**The Honorable Harris Bruce Williams, Columbia, SC  
Supreme Court, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Williams's candidacy for Supreme Court, Seat 2 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified

**THURSDAY, JANUARY 14, 2016**

Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable James Edward Lockemy, Dillon , SC  
Court of Appeals, Seat 9**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Lockemy's candidacy for Court of Appeals, Seat 9 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Edgar Warren Dickson, Orangeburg, SC  
Circuit Court, 1st Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Dickson's candidacy for Circuit Court, 1st Circuit, Seat 1 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified

**THURSDAY, JANUARY 14, 2016**

Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Diane Schafer Goodstein, Summerville, SC  
Circuit Court, 1st Circuit, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Goodstein 's candidacy for Circuit Court, 1st Circuit, Seat 2 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Doyet A. Early III, Bamberg, SC  
Circuit Court, 2nd Circuit, Seat 1**

The South Carolina Bar' s Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Early' s candidacy for Circuit Court, 2nd Circuit, Seat 1 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified

[HJ]

**THURSDAY, JANUARY 14, 2016**

Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Ralph Ferrell Cothran, Jr., Manning, SC  
Circuit Court, 3rd Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Cothran 's candidacy for Circuit Court , 3rd Circuit, Seat 1 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Brian Michael Gibbons, Chester, SC  
Circuit Court, 6th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Gibbons 's candidacy for Circuit Court, 6th Circuit, Seat 1 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified



**THURSDAY, JANUARY 14, 2016**

Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Frank Robert Addy, Jr., Greenwood, SC  
Circuit Court, 8th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Addy's candidacy for Circuit Court, 8th Circuit, Seat 1 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable David Garrison Hill, Greenville, SC  
Circuit Court, 13th Circuit, Seat 4**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Hill's candidacy for Circuit Court, 13th Circuit, Seat 4 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified

**THURSDAY, JANUARY 14, 2016**

Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Steven H. John, Little River, SC  
Circuit Court, 15th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge John 's candidacy for Circuit Court, 15th Circuit, Seat 1 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Qualified

**The Honorable John Calvin Hayes III, Rock Hill, SC  
Circuit Court, 16th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Hayes's candidacy for Circuit Court, 16th Circuit, Seat 1 is as follows:

**THURSDAY, JANUARY 14, 2016**

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Daniel Dewitt Hall, York, SC  
Circuit Court, 16th Circuit, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Hall's candidacy for Circuit Court, 16th Circuit , Seat 2 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**Jocelyn Newman, Columbia, SC  
Circuit Court, At-Large, Seat 10**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Newman's candidacy for Circuit Court, At-Large, Seat 10 is as follows:

**THURSDAY, JANUARY 14, 2016**

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

**Grady L. Patterson III, Columbia, SC**  
**Circuit Court, At-Large, Seat 10**

The South Carolina Bar 's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Patterson's candidacy for Circuit Court, At-Large, Seat 10 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**Robert L. Reibold, Columbia, SC**  
**Circuit Court, At-Large, Seat 10**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Reibold's candidacy for Circuit Court, At-Large, Seat 10 is as follows:

**THURSDAY, JANUARY 14, 2016**

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable William J. Wylie, Jr., Summerville, SC  
Family Court, 1st Circuit, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Wylie's candidacy for Family Court, 1st Circuit, Seat 2 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Nancy Chapman McLin, Summerville, SC  
Family Court, 1st Circuit, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee report s that the collective opinion of those Bar members surveyed regarding Judge McLin 's candidacy for Family Court, 1st Circuit, Seat 3 is as follows:

**THURSDAY, JANUARY 14, 2016**

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Vicki J. Snelgrove, Aiken, SC  
Family Court, 2nd Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Snelgrove's candidacy for Family Court, 2nd Circuit, Seat 1 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable George Marion McFaddin, Jr., Gable, SC  
Family Court, 3rd Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge McFaddin's candidacy for Family Court, 3rd Circuit, Seat 1 is as follows:

**THURSDAY, JANUARY 14, 2016**

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Cely A. Brigman, Darlington, SC**  
**Family Court, 4th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Brigman's candidacy for Family Court, 4th Circuit, Seat 1 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Dorothy Mobley Jones, Columbia, SC**  
**Family Court, 5th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Jones's candidacy for Family Court, 5th Circuit, Seat 1 is as follows:

**THURSDAY, JANUARY 14, 2016**

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Gwendlyne Young Jones, Columbia, SC**  
**Family Court, 5th Circuit, Seat 4**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Jones's candidacy for Family Court, 5th Circuit, Seat 4 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

**The Honorable Usba J. Bridges, Gaffney, SC**  
**Family Court, 7th Circuit, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Bridges's candidacy for Family Court, 7th Circuit, Seat 3 is as follows:



**THURSDAY, JANUARY 14, 2016**

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

**The Honorable John M. Rucker, Newberry, SC  
Family Court, 8th Circuit, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Rucker 's candidacy for Family Court, 8th Circuit , Seat 2 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Daniel E. Martin, Jr., Charleston, SC  
Family Court, 9th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Martin 's candidacy for Family Court, 9th Circuit, Seat I is as follows:

**THURSDAY, JANUARY 14, 2016**

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**Spiros S. Ferderigos, Charleston, SC**  
**Family Court, 9<sup>th</sup> Circuit, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Ferderigos' candidacy for Family Court, 9th Circuit, Seat 3 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Qualified
Reputation	Qualified
Experience	Well-Qualified
Judicial Temperament	Qualified

**Michele Patrao Forsythe, Charleston, SC**  
**Family Court, 9<sup>th</sup> Circuit, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Forsythe's candidacy for Family Court, 9th Circuit, Seat 3 is as follows:

**THURSDAY, JANUARY 14, 2016**

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

**Rita J. Roache, Mt. Pleasant, SC  
Family Court, 9th Judicial Circuit, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Roache's candidacy for Family Court, 9th Judicial Circuit, Seat 3 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

\*Committee was unable to reach goal of 30 interviews completed, indicating knowledge of candidate, despite extraordinary effort.

**THURSDAY, JANUARY 14, 2016**

**The Honorable Jack Alan Landis, Moncks Corner, SC  
Family Court, 9th Circuit, Seat 6**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Landis's candidacy for Family Court, 9th Circuit, Seat 6 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Karen F. Ballenger, Walhalla, SC  
Family Court, 10<sup>th</sup> Circuit, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Ballenger's candidacy for Family Court, 10<sup>th</sup> Circuit, Seat 2 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

**THURSDAY, JANUARY 14, 2016**

**The Honorable William Gregory Seigler, McCormick, SC  
Family Court, 11th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Seigler's candidacy for Family Court, 11th Circuit, Seat 1 is as follows:

Overall	Unqualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional Academic Ability	Unqualified
Reputation	Unqualified
Experience	Unqualified
Judicial Temperament	Unqualified

**The Honorable Jerry Deese Vinson, Jr., Florence, SC  
Family Court, 12<sup>th</sup> Circuit, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Vinson's candidacy for Family Court, 12th Circuit, Seat 3 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**THURSDAY, JANUARY 14, 2016**

**The Honorable Alex Kinlaw, Jr., Greenville, SC  
Family Court, 13th Circuit, Seat 6**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Kinlaw's candidacy for Family Court, 13th Circuit, Seat 6 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

**The Honorable Peter L. Fuge, Bluffton, SC  
Family Court, 14th Circuit, Seat 2**

The South Carolina Bar 's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Fuge' s candidacy for Family Court, 14th Circuit, Seat 2 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

**THURSDAY, JANUARY 14, 2016**

**The Honorable Melissa Johnson Emery, Myrtle Beach, SC  
Family Court, 15th Circuit, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Emery's candidacy for Family Court, 15th Circuit, Seat 2 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Thomas H. White IV, Union, SC  
Family Court, 16th Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge White's candidacy for Family Court, 16th Circuit, Seat 1 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**THURSDAY, JANUARY 14, 2016**

**The Honorable Sebastien Phillip Lenski, Columbia, SC  
Administrative Law Court, Seat 6**

The South Carolina Bar 's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Lenski's candidacy for Administrative Law Court, Seat 6 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Aphrodite Konduros , Greenville, SC  
Supreme Court, Seat 2**

The South Carolina Bar 's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Konduros's candidacy for Supreme Court, Seat 2 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified



**THURSDAY, JANUARY 14, 2016**

**Jerome P. Askins III Johnsonville, SC  
Circuit Court, At-Large, Seat 10**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Askins' candidacy for Circuit Court, At-Large, Seat 10 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**Jeffrey P. Bloom, Columbia, SC  
Circuit Court,  
At-Large, Seat 10**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Bloom 's candidacy for Circuit Court, At-Large, Seat 10 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**THURSDAY, JANUARY 14, 2016**

**Joseph M. Epting, Jr., Irmo, SC  
Circuit Court, At-Large, Seat 10**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Epting's candidacy for Circuit Court, At-Large, Seat 10 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Well-Qualified
Professional Academic Ability	Qualified
Reputation	Well-Qualified
Experience	Qualified
Judicial Temperament	Qualified

**William Patrick Frick, Winnsboro, SC  
Circuit Court, At-Large, Seat 10**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Frick's candidacy for Circuit Court, At-Large, Seat 10 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Qualified
Reputation	Well-Qualified
Experience	Qualified
Judicial Temperament	Qualified

**THURSDAY, JANUARY 14, 2016**

\*Committee was unable to reach goal of 30 interviews completed, indicating knowledge of candidate, despite extraordinary effort.

**The Honorable John L. Duffy III, North Charleston, SC  
Family Court, 9<sup>th</sup> Circuit, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Duffy's candidacy for Family Court, 9th Circuit, Seat 3 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Qualified
Reputation	Well-Qualified
Experience	Qualified
Judicial Temperament	Well-Qualified

**Sean F. Keefer, Charleston, SC  
Family Court, 9<sup>th</sup> Circuit, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Keefer's candidacy for Family Court, 9th Circuit, Seat 3 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional Academic Ability	Well-Qualified
Reputation	Well-Qualified

**THURSDAY, JANUARY 14, 2016**

Experience  
Judicial Temperament

Well-Qualified  
Well-Qualified

**HOUSE RESOLUTION**

The following was introduced:

H. 4669 -- Rep. Lucas: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE JEFFERSON DIXIE YOUTH "O" ZONE BASEBALL TEAM FOR ITS IMPRESSIVE WIN OF THE 2015 SOUTH CAROLINA DIXIE YOUTH "O" ZONE STATE CHAMPIONSHIP TITLE AND TO CONGRATULATE THE PLAYERS AND COACHES ON A SUPERB SEASON.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4670 -- Rep. Lucas: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE JEFFERSON DIXIE YOUTH "O" ZONE BASEBALL TEAM, COACHES, AND LEAGUE OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON THEIR OUTSTANDING SEASON AND FOR CAPTURING THE 2015 SOUTH CAROLINA DIXIE YOUTH "O" ZONE STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Jefferson Dixie Youth "O" Zone baseball team, coaches, and league officials, at a date and time to be determined by the Speaker, for the purpose of recognizing and commending them on their outstanding season and for capturing the 2015 South Carolina Dixie Youth "O" Zone State Championship.

The Resolution was adopted.

**THURSDAY, JANUARY 14, 2016**

**HOUSE RESOLUTION**

The following was introduced:

H. 4671 -- Rep. Finlay: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE COURAGEOUS AND SELFLESS RESPONSE OF SO MANY RESIDENTS IN THE MIDLANDS WHO RISKED THEIR LIVES IN THE DEVASTATING FLOOD OF 2015 TO SAVE FRIENDS, NEIGHBORS, AND STRANGERS FROM THE RAVAGES OF THE WATERS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4675 -- Reps. George and Hayes: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE LATTA HIGH SCHOOL BASEBALL TEAM, ITS COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2015 CLASS A STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Latta High School baseball team, its coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2015 Class A State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4676 -- Reps. George, Hayes, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning,

## THURSDAY, JANUARY 14, 2016

Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE LATTA HIGH SCHOOL BASEBALL TEAM FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THE PLAYERS ON WINNING THE 2015 CLASS A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

### HOUSE RESOLUTION

The following was introduced:

H. 4677 -- Reps. G. A. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO

**THURSDAY, JANUARY 14, 2016**

EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES, UPON THE PASSING OF EDNA MAE HOLLOMON OF LEE COUNTY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4680 -- Reps. Bernstein and Finlay: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE HAMMOND SCHOOL WESTERN EQUESTRIAN TEAM, ITS COACH, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2015 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Hammond School Western Equestrian team, its coach, and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2015 South Carolina Independent School Association State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4681 -- Reps. Bernstein and Finlay: A HOUSE RESOLUTION TO SALUTE THE HAMMOND SCHOOL WESTERN EQUESTRIAN TEAM, ITS COACH, AND SCHOOL OFFICIALS ON A MAGNIFICENT SEASON AND TO CONGRATULATE THEM FOR

**THURSDAY, JANUARY 14, 2016**

WINNING THE 2015 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4672 -- Reps. Clemmons, Mack and Bannister: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 3, 2016, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUSTICE OF THE SUPREME COURT, SEAT 2, UPON HIS SWEARING IN AS CHIEF JUSTICE OF THE SUPREME COURT, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JULY 31, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIRST JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIRST JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO CERTAIN



**THURSDAY, JANUARY 14, 2016**

JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 10, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2015, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 3 UPON HER RETIREMENT ON OR BEFORE JUNE 30, 2016, AND THE SUCCESSOR WILL SERVE A NEW TERM OF THAT OFFICE, WHICH EXPIRES ON JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL

**THURSDAY, JANUARY 14, 2016**

CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE, OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2016.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4678 -- Rep. Bernstein: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES INTERSTATE HIGHWAY 20 ALONG TRENHOLM ROAD IN RICHLAND COUNTY "MARVIN CLIFTON 'CLIFF' MOORE, JR. MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE THAT CONTAIN THIS DESIGNATION.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 992 -- Senators Shealy, Courson, Cromer, Setzler and Massey: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR

**THURSDAY, JANUARY 14, 2016**

SHERRY P. CARIENS, PRINCIPAL OF OAK GROVE ELEMENTARY SCHOOL, FOR HER YEARS AS AN OUTSTANDING EDUCATOR IN THE PALMETTO STATE, AND TO CONGRATULATE HER FOR BEING NAMED THE 2016 SOUTH CAROLINA ELEMENTARY PRINCIPAL OF THE YEAR.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**INTRODUCTION OF BILLS**

The following Bills were introduced, read the first time, and referred to appropriate committees:

H. 4673 -- Reps. Hicks, Funderburk, Dillard, Whipper, Johnson, Duckworth, Hardee, Brannon, Atwater, Gagnon, Gambrell, Hill, Hosey, Pitts and Thayer: A BILL TO AMEND SECTION 56-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A MOTOR VEHICLE BEGINNER'S PERMIT AND VEHICLE OPERATION, SO AS TO PROVIDE THAT A PERMITTEE MAY NOT OPERATE A MOTORCYCLE, MOTOR SCOOTER, OR LIGHT MOTOR DRIVEN CYCLE AT ANY UNPERMITTED TIME UNLESS SUPERVISED BY A LICENSED MOTORCYCLE, MOTOR SCOOTER, OR LIGHT MOTOR-DRIVEN CYCLE OPERATOR, AND TO PROVIDE THAT THE ACCOMPANYING DRIVER MUST BE WITHIN A SAFE VIEWING DISTANCE OF THE PERMITTEE WHEN THE PERMITTEE IS OPERATING A MOTORCYCLE OR A THREE-WHEEL VEHICLE.

Referred to Committee on Education and Public Works

H. 4674 -- Rep. Atwater: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-105 SO AS TO DEFINE THE TERMS "INSTRUCTION SERVICES" AND "INSTRUCTIONAL SERVICES" BEGINNING WITH THE 2017-2018 SCHOOL YEAR.

Referred to Committee on Education and Public Works

H. 4679 -- Reps. Forrester, Huggins, Clemmons, Burns, Sandifer, Gambrell, Cobb-Hunter, Sottile, Collins, McCoy, Allison, Clary, D. C. Moss, Brannon, Williams, Crosby, Loftis, Atwater, Jordan, Hardee, Jefferson, Erickson, McEachern, George, Newton, Willis, Ballentine, Bedingfield, Bingham, Cole, Duckworth, Gagnon,

**THURSDAY, JANUARY 14, 2016**

Goldfinch, Hamilton, Hayes, Lucas, V. S. Moss, Pope, Simrill, G. R. Smith, Stringer, Tallon, Thayer and Weeks: A BILL TO AMEND SECTION 58-9-576, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ELECTION BY AND DUTIES OF THE LOCAL EXCHANGE CARRIER AND ALTERNATIVE FORMS OF REGULATION, SO AS TO PROHIBIT CERTAIN ACTIONS BY THE PUBLIC SERVICE COMMISSION AND PROVIDE EXCEPTIONS, AND TO DEFINE THE TERM "VOICE SERVICE"; TO ALLOW THE PUBLIC SERVICE COMMISSION TO CONDUCT AN INVESTIGATION IN CERTAIN CIRCUMSTANCES WHEN A CUSTOMER FILES A REQUEST FOR VOICE SERVICE WITH THE COMMISSION; AND TO DELINEATE THE COMMISSION'S ACTIONS UPON CONCLUSION OF THE INVESTIGATION.

Referred to Committee on Labor, Commerce and Industry

**ACTING SPEAKER SOUTHARD IN CHAIR**

**ROLL CALL**

The roll call of the House of Representatives was taken resulting as follows:

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bamberg	Bannister
Bedingfield	Bernstein	Bingham
Bowers	Bradley	Brannon
G. A. Brown	R. L. Brown	Burns
Clary	Clemmons	Clyburn
Cobb-Hunter	Cole	Collins
Corley	Crosby	Daning
Delleney	Dillard	Duckworth
Erickson	Felder	Finlay
Forrester	Fry	Funderburk
Gagnon	Gambrell	George
Gilliard	Goldfinch	Hamilton
Hardee	Hayes	Henderson
Henegan	Hiott	Hixon
Hodges	Hosey	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Loftis	Long	Lowe
Lucas	McCoy	McEachern

[HJ]

**THURSDAY, JANUARY 14, 2016**

M. S. McLeod	W. J. McLeod	D. C. Moss
V. S. Moss	Nanney	Norman
Ott	Pitts	Pope
Putnam	Ridgeway	Riley
Rivers	Robinson-Simpson	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Southard	Spires	Stringer
Tallon	Taylor	Thayer
Tinkler	Weeks	Wells
Whipper	White	Whitmire
Williams	Willis	Yow

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, January 14.

Jerry Govan	Chris Hart
William G. Herbkersman	Donna Hicks
Ralph Kennedy	H.B. "Chip" Limehouse
David Mack	Cezar McKnight
Harold Mitchell	Mandy Powers Norrell
Todd Rutherford	Leon Stavrinakis
Heather Crawford	MaryGail Douglas
Joe Neal	Leon Howard

**Total Present--115**

**DOCTOR OF THE DAY**

Announcement was made that Dr. James J. McCoy, Jr., of North Charleston was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

"5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on

**THURSDAY, JANUARY 14, 2016**

second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee."

**CO-SPONSORS ADDED**

Bill Number: H. 3105  
Date: ADD:  
01/14/16 COLLINS, HOSEY and ANDERSON

**CO-SPONSOR ADDED**

Bill Number: H. 3177  
Date: ADD:  
01/14/16 BRANNON

**CO-SPONSOR ADDED**

Bill Number: H. 4387  
Date: ADD:  
01/14/16 PITTS

**CO-SPONSOR ADDED**

Bill Number: H. 4384  
Date: ADD:  
01/14/16 PITTS

**CO-SPONSOR ADDED**

Bill Number: H. 4385  
Date: ADD:  
01/14/16 PITTS

**CO-SPONSOR ADDED**

Bill Number: H. 4398  
Date: ADD:  
01/14/16 PITTS

**THURSDAY, JANUARY 14, 2016**

**CO-SPONSOR ADDED**

Bill Number: H. 4400  
Date: ADD:  
01/14/16 PITTS

**CO-SPONSOR ADDED**

Bill Number: H. 4416  
Date: ADD:  
01/14/16 PITTS

**CO-SPONSORS ADDED**

Bill Number: H. 4448  
Date: ADD:  
01/14/16 HUGGINS and BALLENTINE

**CO-SPONSOR ADDED**

Bill Number: H. 4566  
Date: ADD:  
01/14/16 THAYER

**CO-SPONSOR ADDED**

Bill Number: H. 4546  
Date: ADD:  
01/14/16 THAYER

**CO-SPONSOR ADDED**

Bill Number: H. 4666  
Date: ADD:  
01/14/16 HENEGAN

**SPEAKER IN CHAIR**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. TOOLE a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. CHUMLEY a leave of absence for the day due to a death in the family.

**THURSDAY, JANUARY 14, 2016**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. HORNE a leave of absence for the day.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. MERRILL a leave of absence for the day.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. MURPHY a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. HILL a leave of absence for the day due to family obligations.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. NEWTON a leave of absence for the day due to family obligations.

**SENT TO THE SENATE**

The following Joint Resolution was taken up, read the third time, and ordered sent to the Senate:

H. 4633 -- Reps. Bingham and Limehouse: A JOINT RESOLUTION TO EXTEND THE DATE BY WHICH AN INDEPENDENT SCHOOL MUST APPLY TO BECOME AN ELIGIBLE INSTITUTION FOR PURPOSES OF THE EDUCATIONAL TAX CREDIT FOR EXCEPTIONAL NEEDS CHILDREN UNTIL FEBRUARY 15, 2016.

**H. 4632--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 4632 -- Rep. Allison: A JOINT RESOLUTION TO REVISE APPLICABILITY OF CERTAIN STUDENT ASSESSMENT STATUTES FOR THE 2015-2016 SCHOOL YEAR.

Rep. ALLISON spoke in favor of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 95; Nays 0



**THURSDAY, JANUARY 14, 2016**

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bamberg	Bannister
Bedingfield	Bernstein	Bingham
Bowers	Bradley	Brannon
G. A. Brown	R. L. Brown	Burns
Clary	Clemmons	Clyburn
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Dillard	Duckworth	Erickson
Fry	Funderburk	Gagnon
Gambrell	George	Gilliard
Goldfinch	Govan	Hamilton
Hardee	Henegan	Herbkersman
Hiott	Hixon	Hodges
Hosey	Huggins	Jefferson
Jordan	Kennedy	King
Kirby	Knight	Loftis
Long	Lowe	Lucas
Mack	McCoy	McEachern
M. S. McLeod	W. J. McLeod	D. C. Moss
V. S. Moss	Nanney	Norman
Norrell	Ott	Pitts
Pope	Putnam	Riley
Rivers	Robinson-Simpson	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Southard	Spires	Stringer
Tallon	Taylor	Thayer
Tinkler	Weeks	Wells
Whipper	White	Williams
Willis	Yow	

**Total--95**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**THURSDAY, JANUARY 14, 2016**

**H. 4632--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. ALLISON, with unanimous consent, it was ordered that H. 4632 be read the third time tomorrow.

**H. 4340--RECALLED AND REFERRED TO COMMITTEE  
ON AGRICULTURE, NATURAL RESOURCES AND  
ENVIRONMENTAL AFFAIRS**

On motion of Rep. HIOTT, with unanimous consent, the following Bill was ordered recalled from the Committee on Medical, Military, Public and Municipal Affairs and was referred to the Committee on Agriculture, Natural Resources and Environmental Affairs:

H. 4340 -- Reps. Horne and King: A BILL TO AMEND CHAPTER 55, TITLE 46, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INDUSTRIAL HEMP, SO AS TO CHANGE AND ADD DEFINITIONS; TO PROVIDE FOR THE CHAPTER'S PURPOSE; TO REQUIRE THE DEPARTMENT OF AGRICULTURE TO CREATE AND MANAGE AN INDUSTRIAL HEMP RESEARCH PROGRAM TO FACILITATE THE GROWTH OF COMMERCIAL MARKETS FOR INDUSTRIAL HEMP AND HEMP PRODUCTS; TO REQUIRE THE DEPARTMENT OF AGRICULTURE TO CREATE AND OPERATE AN INDUSTRIAL HEMP REGISTRY TO ALLOW INDIVIDUALS TO BE PERMITTED TO GROW, MANUFACTURE, PROCESS, AND SELL INDUSTRIAL HEMP AND HEMP PRODUCTS; TO ESTABLISH LIMITATIONS ON THE ALLOWABLE QUANTITY OF TETRAHYDROCANNABINOL IN INDUSTRIAL HEMP AND HEMP PRODUCTS; TO ESTABLISH LABELING, INSPECTION, TESTING, AND RECORDKEEPING REQUIREMENTS; TO PROTECT CERTAIN INDIVIDUALS FROM LIABILITY FOR ENGAGING IN CONDUCT AUTHORIZED BY THE ARTICLE; AND TO CREATE CRIMINAL PENALTIES.

**H. 3440--SENT TO THE SENATE**

The following Bill was taken up:

H. 3440 -- Reps. Crosby, Daning, George and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 56-3-115 AND 56-5-3715 SO AS TO PROVIDE THAT A MOPED MUST BE REGISTERED, CARRY LIABILITY

**THURSDAY, JANUARY 14, 2016**

INSURANCE, AND MAY NOT BE OPERATED ON A PUBLIC ROAD THAT HAS A SPEED LIMIT GREATER THAN THIRTY-FIVE MILES AN HOUR; TO AMEND SECTIONS 56-1-1720 AND 56-1-1730, RELATING TO THE OPERATION OF MOPEDS ALONG THE STATE'S HIGHWAYS, SO AS TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON WHOSE DRIVER'S LICENSE HAS BEEN SUSPENDED MAY NOT BE ISSUED A MOPED OPERATOR'S LICENSE OR ALLOWED TO OPERATE A MOPED DURING HIS PERIOD OF SUSPENSION.

Rep. W. J. MCLEOD moved to adjourn debate on the Bill until Tuesday, January 19.

Rep. DANING moved to table the motion.

Rep. WEEKS demanded the yeas and nays which were taken, resulting as follows:

Yeas 52; Nays 43

Those who voted in the affirmative are:

Allison	Anthony	Bales
Ballentine	Bannister	Bingham
Bradley	G. A. Brown	R. L. Brown
Burns	Clary	Clemmons
Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Duckworth	Erickson
Felder	Finlay	Fry
George	Gilliard	Goldfinch
Hardee	Hiott	Hixon
Huggins	Jefferson	Kennedy
Kirby	Loftis	Lucas
McCoy	Nanney	Norman
Pitts	Pope	Riley
Rivers	G. R. Smith	Sottile
Spires	Tallon	Taylor
Wells	Williams	Willis
Yow		

**Total--52**

**THURSDAY, JANUARY 14, 2016**

Those who voted in the negative are:

Anderson	Atwater	Bamberg
Bedingfield	Bernstein	Bowers
Brannon	Clyburn	Dillard
Forrester	Funderburk	Gagnon
Hamilton	Henegan	Hicks
Hodges	Hosey	Jordan
King	Lowe	McEachern
M. S. McLeod	W. J. McLeod	Mitchell
D. C. Moss	Norrell	Ott
Putnam	Ridgeway	Robinson-Simpson
Ryhal	Sandifer	Simrill
G. M. Smith	Southard	Stavrinakis
Stringer	Thayer	Tinkler
Weeks	Whipper	White
Whitmire		

**Total--43**

So, the motion to adjourn debate was tabled.

The question then recurred to the passage of the Bill.

The Bill was read the third time and ordered sent to the Senate.

Rep. FRY moved that the House do now adjourn, which was agreed to.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4615 -- Reps. Duckworth, Clemmons, Tinkler, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse,

**THURSDAY, JANUARY 14, 2016**

Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO CELEBRATE THE LIFE AND ACHIEVEMENTS OF LOUTREL W. BRIGGS (1893-1977), RENOWNED AMERICAN LANDSCAPE ARCHITECT, BELOVED CREATOR OF NUMEROUS CHARLESTON GARDENS, AND PRESERVER OF CHARLESTON'S HISTORIC GARDENING LEGACY.

H. 4616 -- Reps. Limehouse, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE THE COLLEGE OF CHARLESTON SAILING TEAM AND ITS COACHES ON A STELLAR SEASON AND TO CELEBRATE THEIR WIN OF THE 2015 ICSA MATCH RACING NATIONALS.

H. 4614 -- Rep. Allison: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LIEUTENANT JAMES NELSON, DIRECTOR OF SPARTANBURG COUNTY ENVIRONMENTAL ENFORCEMENT, AND TO CONGRATULATE HIM ON WINNING

**THURSDAY, JANUARY 14, 2016**

THE NATIONAL KEEP AMERICA BEAUTIFUL LAW  
ENFORCEMENT AWARD.

**ADJOURNMENT**

At 10:50 a.m. the House, in accordance with the motion of Rep.  
D. C. MOSS, adjourned in memory of Julian Hames Ivey of Union, to  
meet at 10:00 a.m. tomorrow.

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**THURSDAY, JANUARY 14, 2016**

H. 3105 .....	397	H. 4633 .....	399
H. 3177 .....	397	H. 4666 .....	398
H. 3440 .....	401	H. 4669 .....	387
H. 4340 .....	401	H. 4670 .....	387
H. 4384 .....	397	H. 4671 .....	388
H. 4385 .....	397	H. 4672 .....	391
H. 4387 .....	397	H. 4673 .....	394
H. 4398 .....	397	H. 4674 .....	394
H. 4400 .....	398	H. 4675 .....	388
H. 4416 .....	398	H. 4676 .....	388
H. 4448 .....	398	H. 4677 .....	389
H. 4546 .....	398	H. 4678 .....	393
H. 4566 .....	398	H. 4679 .....	394
H. 4614 .....	404	H. 4680 .....	390
H. 4615 .....	403	H. 4681 .....	390
H. 4616 .....	404		
H. 4632 .. 399, 401, 399, 401		S. 992 .....	393