



**JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE  
2024**

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

1. Name: The Honorable James Otto Spence

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

Are you currently serving in some capacity as a judge? If part-time, please note.  
(Includes Municipal, Magistrate, Etc.) Yes. Lexington County Master-in-Equity (2007-)

Home Address: [Redacted]

County of Residence: Lexington

Business Address: Lexington County Judicial Center, 205 East Main Street, Suite 204,  
Lexington, S.C. 29072

E-Mail Address: [Redacted]

Telephone Number: (home): [Redacted]  
(office): 803 785-8291  
(cell): [Redacted]

2. Date of Birth: [Redacted]1959  
Place of Birth: Staten Island, NY  
Social Security Number: [Redacted]

3. Are you a citizen of South Carolina? Yes  
Have you been a resident of this state for at least the immediate past five years?  
Yes.

4. SCDL# or SCHD#: SCDL [Redacted]  
Voter Registration Number: [Redacted]

5. Have you served in the military? No. If so, give the dates, branch of service, highest rank attained, serial number (if applicable), present status, and the character of your discharge or release. Please provide a copy of your DD214 concerning your discharge.

6. Family Status: Married June 15, 1985 to Natalie Lynn Mincey.

- (a) State whether you are single, married, widowed, divorced, or separated.  
Married. Never divorced.
  - (b) If married, state the date of your marriage and your spouse's full name and occupation. June 15, 1985 Natalie Lynn Mincey Spence Retired Lexington 1 Elementary School Teacher (Oak Grove , White Knoll, Pelion and Forts Pond Elementary Schools)
  - (c) If widowed, list the name(s) of spouse(s). NA
  - (d) If you have ever been divorced or are in the process of obtaining a divorce, state the date, name of the moving party, court, and grounds. NA
  - (e) State the names of your children and their ages. If your children are NOT full-time students, also include the occupation and employer of each child. Two adult sons:  
[Redacted]
7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure. (a) Presbyterian College 1977- 1981 BA English/History (b) USC Law School 1981-1984 JD.
  8. List the significant activities in which you took part during your attendance at law school. Give the years you were involved in these activities and list any leadership positions you held. Clerked for short time House Ethic Commission and then clerked for House Judiciary Chairman Bob Sheheen for about a year. Then, I clerked with Dooley Law Firm in Lexington, S.C. during portions of 2<sup>nd</sup> and all of third year of law school.
  9. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. Please indicate the number of times you took the exam in each state. Took S.C. Bar exam one time. Admitted November 15, 1984.
  10. Describe chronologically, since graduation from law school, your legal experience. Please include a list of all positions held in which you worked in a legal capacity. Describe the general character of your practice and divide it into periods with dates if its character changed over the years. Please also describe the extent to which you were involved with the administrative and financial management of each of these entities, including management of trust accounts. I clerked for Dooley Law firm the last year or so of law school (1983- 1984). Dooley Law Firm was a small father-son general practice law firm concentrating on real estate and probate matters. The first several years I did title searches, closings and simple wills. Then, I began to represent Lexington State Bank (latter BB & T) in foreclosure and collection cases. Soon I began doing general real estate litigation, mainly before various state Master-in-Equity or Special Referees in various counties. I became a certified Mediator/Arbitrator in the mid 1990' s and helped develop the Mediation for Lexington County Pilot Program. I mediated /arbitrated many real estate type disputes. I also

represented adoptive couples through Bethany Christian Services. During the late 1990's I began to represent generally existing clients in personal injury cases. I also served as party or court suggested Special Referee in various real estate cases. Was not in charge of Trust Account or the office account.

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

11. Please answer the following: NA
  - (a) If you are a candidate for Family Court, please provide a brief written description of your experience within each of the following Family Court practice areas: divorce and equitable division of property, child custody, adoption, abuse and neglect, and juvenile justice. Include information about cases you have handled in each of these practice areas, or if you have not practiced in an area, describe how your background and procedural knowledge has prepared you to preside over such matters as a Family Court judge. Please also indicate the frequency of your appearances before a Family Court judge within the past five years.
  - (b) If you are a candidate for Circuit Court, please provide a brief written description of your experience in criminal matters, including any cases handled over the past five years, and include a brief description of the issues involved. Further, please provide a brief written description of your experience in civil matters, including any cases handled over the past five years, and include a brief description of the types of matters handled, issues involved, and procedural history. Please include information such as the primary areas in civil court in which you practice, and whether you represent plaintiffs or defendants, or both. You may go back further than five years if you feel it would assist the Commission with its assessment of your experience. If you lack experience in an area, describe how your background and procedural knowledge has prepared you to preside over such matters as a Circuit Court judge, or how you would compensate for your lack of experience in this area. Please also indicate the frequency of your appearances before a Circuit Court judge within the past five years.
  - (c) If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master's court, including any cases handled over the past five years, and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity or a Circuit Court judge within the past five years.
  - (d) If you are a candidate for Administrative Law Court, please provide a brief written description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law or Circuit Court within the past five years.

12. What was the frequency of your court appearances during the past five years or in the five years prior to your election to the bench? NA
- (a) federal:
  - (b) state:
13. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years or in the five years prior to your election to the bench? NA
- (a) civil:
  - (b) criminal:
  - (c) domestic:
  - (d) other:

14. During the past five years NA
- (a) What percentage of your practice was in trial court, including cases that settled prior to trial?
  - (b) What number of cases went to trial and resulted in a verdict?
  - (c) What number of cases went to trial and resolved after the plaintiff's or State's case? (Resolved may include settlement, plea, by Judge's order during a motion hearing, etc.
  - (d) What number of your cases settled after a jury was selected but prior to opening statements?

During the past five years, did you most often serve as sole counsel, chief counsel, or co-counsel?

For sitting judges seeking a judgeship different than your current position, During the five years prior to your election to the bench, what percentage of your practice was in trial court, including matters that settled prior to trial?

15. List five of the most significant litigated matters you have personally handled in either trial or appellate court, or before a state or federal agency. Give citations if the cases were reported and describe why these matters were significant. NA
- (a)
  - (b)
  - (c)
  - (d)
  - (e)
16. List up to five civil appeals you have personally handled. Give the case name, the court, the date of decision, and the citation if the case was reported. NA
- (a)
  - (b)
  - (c)

- (d)
- (e)

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

18. Have you ever held judicial office? Yes. If so, list the periods of your service, the courts involved, and whether you were elected or appointed. Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.

I was appointed pursuant to statute to serve as Lexington County Master-in-Equity for the term beginning January 1, 2007 and have served continuously since that date. A Master-in-Equity is a non-jury Circuit Court Judge with civil authority defined by Order of Reference and Rules of Civil Procedure (mostly Rule 52, 53 and 71). As do most Full time Masters, I would hear matters as a Special Circuit Judge until Chief Justice Beatty did not issue Special Circuit Court Orders. A Master-in-Equity does not have family court or criminal court authority.

19. If the answer to question 18 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also, list citations to any appellate review of these orders or opinions.
- (a) Deutsche Bank v Houck, 440 S.C. 409, 863 S.E.2<sup>nd</sup> 829 (S.C. 2023) Foreclosure Mandatory Counter-claim case.
  - (b) First Reliance v Bishop, 2022-UP 408 (S.C. Ct. App. Filed November 16, 2022) Foreclosure Appraisal Panel Appeal case.
  - (c) Drafts v Levy, 2022-UP-311 (S.C. Ct. App. Filed July 27, 2022) Attorney fails to appear when noticed to trial case.
  - (d) Village Of White Knoll v Dewitt, Jr. 2019-CP-32-02842 Feb. 6, 2020 HOA Process Case Sample RTC before home sold.
  - (e) Tartar v Cobbs Hill HOA 2021-CP-32-00980. July 12, 2023 Sample HOA Restriction Case illustrating law and equity principles.

20. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.
- (a) State of South Carolina November 15, 1984
  - (b) United States District Court March 2, 1989
  - (c) United States Court of Appeals (Fourth Circuit) September 27, 2002

21. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture.  
For 2019- 2024:
- 2024 Lexington County Bench-Bar (three during current year) current case law update, annual judicial conference and circuit court and Mental health and AI seminar reviews .  
2023 MIE Judge Panel at Bankruptcy Seminar Kiawah March 11, 2023. We discussed bankruptcy and equity court interactions, particularly focusing on when a sale is final if bankruptcy filed on public sale date. Lexington County Bench -Bar. (Nov. 17, 2023 & May 26)  
2022 Chicago Title From the Bench Perspective October 3, 2022 Terin Callen/ Judge Cynthia Howe and me. May 20, 2022 (Lexington County Bench-Bar)  
2021 Lexington County Bench-Bar March 19, 2021.  
2020 Lexington County Bench- Bar May 12, 2020 and October 23, 2020)  
2019 Lexington County Bench-Bar March 22, 2019, May 17, 2019, September 27, 2019, October 18, 2019)  
Spartanburg Circuit Court Judges Meeting/ Presented on Sovereign Citizens' South Carolina Annual Judicial Conference presented Faretta Issues to Appellate Law Clerks.
22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.  
Attached.
23. List all published books and articles you have written and give citations and the dates of publication for each. South Carolina Foreclosure Law Manual 4<sup>th</sup> Edition (2021) Co-Author/Editor.
24. Please furnish as a separate attachment, two examples of legal articles, briefs, orders, or other legal writings for which you can claim sole or primary authorship. If you cannot claim sole authorship, please explain the extent to which you are the primary author, to include a description of the other authors and their contributions. The writing samples are for the Commission's use only and will not be published. (If you are a judge and are not seeking a different type of judgeship, this question is inapplicable.) Not applicable since sitting judge and not seeking different judgeship.
25. What is your rating or membership status, if any, by any legal rating organization; such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, Million Dollar Advocates Forum, etc.? If you are currently a member of the judiciary, list your last available rating, if any. I am currently a member of the judiciary . I get emails often stating that I can buy a book that says I am an AV rated Lawyer.
26. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.  
Lexington County Bar Association member and President 1997-1998.

27. Have you ever held public office other than judicial office? If so, list the periods of your service, the office or offices involved, and whether you were elected or appointed. Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office. If not, were you ever subject to a penalty? If so, give details, including dates. No other public offices.
28. For sitting or former judges, list all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial office. Specify your dates of employment, employer, major job responsibilities, and supervisor. No other employment.
29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates. No.
30. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? If so, give details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer. Was in a family corporation BD & S, Inc. that owned 30 acres or so of undeveloped property near Edmund, S.C. Brother Russell Spence was majority shareholder. Property sold in 2018 and Corporation dissolved pursuant to statute. (Mark Hendrix/ Burkett CPA)
31. Are you now an officer or director or involved in the management of any business enterprise? Explain the nature of the business, your duties, and the term of your service. No.
32. Are you now or have you ever been employed as a “lobbyist,” as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a “lobbyist’s principal,” as defined by S.C. Code § 2-17-10(14)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed. NO.
33. Provide, **as a separate attachment**, a complete, current financial net worth statement that itemizes in detail:
  - (a) the identity and value of all financial assets held, directly or indirectly, including, but not limited to, bank accounts, real estate, securities, trusts, investments, and other financial holdings; and
  - (b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000, including, but not limited to, debts, mortgages, loans, and other financial obligations.

**A complete, current financial net worth statement was provided to the Commission.**  
(A net worth statement form is provided with this questionnaire and you must use this format for submission of your financial statement.) Attached.

**NOTE: The Commission may require written confirmation that financial obligations have been satisfied or that the parties have agreed upon a payment schedule.**

34. (a) Have you filed state and federal income tax returns for the last 5 years? If no, please provide details. Yes  
 (b) Have you or any business with which you are associated been delinquent in any local, state, or federal taxes? If yes, please provide details. No.  
 (c) Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? If yes, please provide details. No.  
 (d) Have you ever defaulted on a student loan? If so, please provide details. No.  
 (e) Have you ever filed for bankruptcy? If so, please provide details, along with proof of satisfaction of any liens or defaults. No.
35. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved. No.
36. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek. If you have spent over \$100, have you reported your expenditures to the House and Senate Ethics Committees? Answer. No. July 26, 2024 Candidacy Announcement Post Cards Pine Press Printing \$76.65. ( to be mailed at appropriate time after application filed ).
37. List the recipient and amount of all contributions made by you, a member of your immediate family, or by a business with whom you are associated, to members of the General Assembly within the past four years. If you participate in any employer-mandated contributions to a PAC or any other political entity, please describe and note your personal involvement in contributions. If you are a sitting judge, please include such contributions since your last screening. None
38. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? If so, please specify the amount, solicitor, donor, and date of the solicitation. No.
39. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek or currently hold. Explain how you would resolve any potential conflict of interest. None.
40. Describe any interest you or a member of your immediate family has in real property:
- (a) in which there is a potential conflict of interest with your involvement in a South Carolina state or local public agency;
  - (b) in which there have been public improvements of \$200 or more that adjoins property in which there have been public improvements of \$200 or more; or
  - (c) which was sold, leased, or rented to a state or local public agency in South Carolina.

List the interest you hold and the value and location of the property. Identify as applicable the:



- (a) nature of any potential conflict of interest;
- (b) nature and value of any public improvements; and
- (c) South Carolina state or local public agency which purchased or is leasing or renting such property.

Attach a copy of any contract or agreement. No agreement No copies.

My wife and I own property as previously described. We deeded 6+ acres to our son and his wife / our daughter in law (married 2019) They have built a home on this property located near our house along HWY #302. There always seems to be some type of work going on in our area along the highways.

- 41. Identify any personal property interest you or a member of your immediate family sold, leased, or rented to a South Carolina state or local public agency. Identify the property, its amount or value, and the name of the agency. Attach a copy of any contract or agreement. None.
- 42. For sitting judges, if you currently hold an interest in stock or other securities or have held such an interest, list each stock you currently own or owned during the prior calendar year. If you prefer, you may attach broker or account records containing the requested information instead of listing it here. None.
- 43. For sitting judges, have you ever accepted anything of value from an attorney or litigant in a matter currently or previously before you or your court? If so, please give the details, including the name of the attorney or litigant and the thing of value you received. No. None.
- 44. For sitting judges, have you used the services of your staff, for which you did not pay, while campaigning for this office? No.
- 45. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law? If so, give details but do not include traffic violations subject to a penalty of \$125 or less. You must include any and all arrests, including, but not limited to, offenses for driving under the influence or similar traffic offenses. Include all arrests that resulted in expungement, which will be redacted. If you have questions regarding whether to include an offense, please contact the Commission.

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

- 46. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, explain. No.
- 47. Have you ever been sued by a client? Have you ever been a named party (personally or professionally) in or had a pecuniary interest in any civil or criminal proceedings? If so,

give details, including, but not limited to, dates, and resolutions. No, never sued by a client or had any interest in ta lawsuit.

48. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance? If applicable, have you ever been covered by a tail policy? If so, please explain when you were covered by a tail policy. Also, if applicable, indicate your coverage and deductible for your current malpractice policy N/A.

49. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been cautioned with or without a finding of misconduct, sanctioned, or disciplined for lawyer, judicial, or other professional misconduct or has any jurisdiction found that you committed any misconduct? If so, give the details and describe any final disposition. Include any and all confidential and public sanctions, disciplines, letters of caution, or findings of misconduct of any kind. Private or confidential dispositions will be redacted.

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

50. Have you ever been investigated by the Department of Social Services? If so, give the details and the resolution. Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? If so, give the details. No.

51. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened, or have you been offered a conditional pledge of support by any legislator pending the outcome of your screening? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened? If so, give details. No. No. No.

52. Have you requested any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Describe the campaigning you have done for this election and include a list of those individuals you have asked to campaign on your behalf and, to the best of your knowledge, those who have campaigned for you on their own initiative. No.

53. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges until after the draft report becomes final, which occurs on the day and time specified on the Commission's published screening schedule? Yes.

54. Since submitting your letter of intent to become a candidate, have you or has anyone acting on your behalf contacted any member of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? If so, give details. No.

55. List the names, addresses, and telephone numbers of five (5) persons from whom you are providing references. Also, provide the Commission with original letters of

recommendation from each person listed herein, including their signature (preferably in blue ink). **The Commission will not accept a photocopy or electronic submission of a letter of recommendation and failure to include all five (5) original letters of recommendation in your packet when you submit it will render your packet incomplete.** Please **do not** have references mail your reference letters to the Commission directly. *You must return the five (5) original letters of recommendation to the Commission with your application.*

(a) Ms. Shirley Snelgrove [Redacted]

(b) John T. "Terry" Burnett (SC BAR/CLE) [Redacted]

(c) Gail R. Faircloth (retired Lexington County Equity and Probate Court) [Redacted]

(d) Sgt. Danny L. Lewis, Jr.

[Redacted]

(e) Lisa Comer (Lexington County Clerk of Court) Lexington County Courthouse,  
[Redacted]

56. Are you active on or a member of a social media or Internet site such as, Facebook, LinkedIn, Twitter, Instagram, etc.? No!

If so, please list the account names for each account and the relevant platform.

How would your use of social media or other similar types of Internet sites be affected if you were serving in a judicial capacity?

57. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, and any professional honors, awards, or other forms of recognition received and not listed elsewhere.

We attend Red Bank United Methodist Church where I was an adult Sunday school teacher until Covid. Since things back to normal, I have served as a Trustee and am currently on Missions Committee. I also serve as designated as greeter, usher, Servant leader and work when able on special events where I do supervised labor and do not solicit funds or canned goods.

58. Provide any other information that may reflect positively or negatively on your candidacy, or which you believe should be disclosed in connection with consideration of you for nomination for the position you seek. **This information may include how your life experiences have affected or influenced the kind or type of judge you have been or plan to be.**

I am very humbled to go to work every day and try to help and to explain the legal process to folks who are very often in a stressful citation. Normal life experiences with COVID, societal anger, can sometimes be a difficult combination. I am humbled at how folks still struggle to do what they believe is right; that they try to be fair; that they mostly just want to be heard, and to feel and believe they were listened to respectfully and given a fair hearing.

I work with a great bunch of co-workers who do their best to explain things and help people overwhelmed by life and the legal system. They challenge me and are not shy about the military "permission to speak frankly" procedure when they have questions

The attorney who practice in our Equity Courts are outstanding. They deal respectfully with other parties while in court. We use our Bench-Bar meetings to continually stress the importance of respecting all people- with or without lawyers.

We have the finest legal system in the world, but it is not guaranteed that it will last. In many places in the world, disputes are resolved by violence, intimidation or money. We as lawyers and judges have to work diligently to protect our legal system for all people.

Being a judge is an honor; we are stewards who are accountable, and we will have to give an account of how we treated the least, the most vulnerable of the folks who appear before us. We are not perfect; everyone is deeply flawed, but as a judge I know I can and do make a difference in people's lives.

I really enjoy having law students during JOE program. There is a lot of negative stuff said about young folks, but I have not seen any of that in the law students I am blessed to work with during their time with us. I sleep better at night because of these students.

I have been blessed to serve as Lexington County Master-in- Equity. I could have no better, no higher calling.

Respectfully to all,

YOUR SIGNATURE WILL BE HELD TO CONSTITUTE A WAIVER OF THE CONFIDENTIALITY OF ANY PROCEEDING BEFORE A GRIEVANCE COMMITTEE OR ANY INFORMATION CONCERNING YOUR CREDIT.

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

Signature: \_\_\_\_\_  
James Otto Spence

Sworn to before me this \_\_\_\_ day of August, 2024.

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

\_\_\_\_\_  
(Notary Printed Name)

Notary Public for South Carolina  
My Commission Expires: \_\_\_\_\_