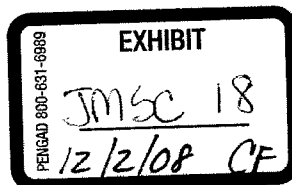


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

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

1. NAME: Mr. Martin R. Banks
BUSINESS ADDRESS: 716 Huff Drive
St. Matthews, SC 29135
BUSINESS NUMBER: (803) 874-2100

2. Date of Birth: 1961
Place of Birth: Columbia, SC
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.
5. Family Status: Married on August 20, 1994, to Kathy Newman Banks. Never divorced. One child.
6. Have you served in the military? NO.
7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
 - (a) CLEMSON UNIVERSITY 1979-80;
 - (b) TRANSFERED TO U. OF S. CAROLINA 1980-83 RECEIVING BS-BUSINESS ADMINISTRATION;
 - (c) COLUMBIA GRADUATE SCHOOL OF BIBLE AND MISSIONS 1985 DIPLOMA IN BIBLE;
 - (d) COLUMBIA INTERNATIONAL UNIVERSITY 1987-89 MA-C.E.;
 - (e) U. OF S. CAROLINA SCHOOL OF LAW 1989-92 RECEIVING JD.
8. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.
ADMITTED TO SOUTH CAROLINA IN 1992; TOOK NO OTHER BAR EXAMS.
9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.
 - (a) TREAS. OF GERMAN CLUB AT USC;
 - (b) PRES. OF MASTERS CLASS AT CIU;
 - (c) MEMBER OF CHRISTIAN LEGAL SOCIETY AT USC SCHOOL OF LAW.
10. Describe your continuing legal or judicial education during the past five years. Include **only** the title and date of any continuing legal or judicial education course completed.



- | | <u>Conference/CLE Name</u> | <u>Date(s)</u> |
|--|--|----------------|
| | (a) 2007 Title Insurance Seminar | 9/11/2007; |
| | (b) 2007 Annual Judicial Conference | 8/22/2007; |
| | (c) 2007 Public Defender Conference | 9/24/2007; |
| | (d) Best Practices Indigent Defense | 1/19/2007; |
| | (e) 2006 Title Insurance Seminar | 11/3/2006; |
| | (f) 2006 Master in Equity Bench Bar | 10/13/2006; |
| | (g) 2006 Public Defender Conference | 9/25/2006; |
| | (h) 2006 Annual Judicial Conference | 8/23/2006; |
| | (i) Master in Equity Annual Meeting | 2/24/2006; |
| | (j) 2005 Master in Equity Bench Bar | 10/14/2005; |
| | (k) 2005 SC Public Defender Conference | 9/26/2005; |
| | (l) 2005 Annual Judicial Conference | 8/24/2005; |
| | (m) 2005 Title Insurance Seminar | 8/16/2005; |
| | (n) 2004 Title Insurance Seminar | 11/12/2004; |
| | (o) Revised Lawyer's Oath CLE | 9/28/2004; |
| | (p) 2004 SC Public Defenders | 9/27/2004; |
| | (q) Celebrating 40 Years of Gideon | 9/29/2003; |
| | (r) 2003 Title Insurance Seminar | 10/2/2003. |
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? NO.
12. List all published books and articles you have written and give citations and the dates of publication for each. N/A.
13. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.
UNITED STATES DISTRICT COURT FOR SC 5/17/1994.
14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.
I HAVE PRACTICED IN THE SAME OFFICE SINCE LAW SCHOOL. I WAS RECRUITED BY THOMAS P. CULCLASURE AND WORKED IN ASSOCIATION WITH HIM FOR 3 MONTHS. WHEN HE LEFT, I CONTINUED AS A SOLO-PRACTITIONER IN A GENERAL PRACTICE. THE ONLY CHANGES TO MY PRACTICE HAVE BEEN A REDUCTION IN THE CRIMINAL SIDE, HAVING BEEN REPLACED BY MUCH MORE REAL ESTATE WORK IN THE LAST 4 YEARS.
15. What is your rating in Martindale-Hubbell?
I AM NOT LISTED IN MARTINDALE-HUBBELL. I DO NOT KNOW WHY.

Retired judges/justices and judges/justices applying for reelection to their current position may omit Questions 16-21. If a candidate is seeking a judgeship different

than his or her current position, Questions 16-21 should be answered based on experience prior to serving on the bench.

16. What was the frequency of your court appearances during the last five years?
(a) federal: 0;
(b) state: approximately 100 per year.
17. What percentage of your practice involved civil, criminal, and domestic matters during the last five years?
(a) civil: 10%;
(b) criminal: 25%;
(c) domestic: 25%.
18. What percentage of your practice in trial court during the last five years involved matters that went to a jury?
(a) jury: 10%;
(b) non-jury: 90%.

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

19. List five of the most significant litigated matters that you have personally handled in either trial or appellate court or before a state or federal agency. Give citations if the cases were reported and describe why these matters were significant.

- (a) JACOBS V. JACOBS
MY FIRST APPEAL OF A FAMILY COURT MATTER (UNREPORTED);
- (b) STATE V. TUCKER
(1998 SC SUPREME CT. OPINION #24864): I SAT AS 3RD CHAIR ON MY FIRST DEATH PENALTY CASE;
- (c) STATE V. BRAZELL
(1997 SC SUPREME CT. OPINION #24545): MY VERY FIRST TRIAL WHICH LAID THE FOUNDATION FOR A SIGNIFICANT RULING ON PRE-INDICTMENT DELAY BEFORE TRIAL. MY VERY FIRST APPEARANCE IN ARGUMENT BEFORE THE SUPREME COURT;
- (d) STATE V. MATTHEWS
MY THIRD CONSECUTIVE WIN FOR MR. MATTHEWS ON HIS THIRD ARMED ROBBERY CHARGE (UNREPORTED).

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

JACOBS V. JACOBS: APPEAL FROM FAMILY COURT DECIDED (UNREPORTED).

21. List up to five criminal appeals that you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported. Please attach one copy of briefs filed by you in each matter.

STATE V. BRAZELL: I PARTICIPATED WITH MUCH HELP FROM ROBERT DUDECK (AS PUBLIC DEFENDER I NO LONGER HANDLE CRIMINAL APPEALS).

22. Have you ever held judicial office?
SINCE MARCH OF 2005, I AM THE CALHOUN COUNTY MASTER IN EQUITY, APPOINTED BY THE GOVERNOR WITH APPROVAL OF THE SENATE. I AM A PART OF THE CIRCUIT COURT LIMITED ONLY BY HAVING TO BE REFERENCED ON A CASE, AND WITHOUT THE POWER TO EMPANEL A JURY.
23. If the answer to question 22 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.
N/A. Have not heard any case that was appealed or published.
24. 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? N/A.
25. 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.
SELF-EMPLOYED BEFORE AND DURING MY WHOLE TERM IN OFFICE, AND INTO THE DISTANT FUTURE.
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? NO.
27. 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? N/A.
28. 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.
29. A complete, current financial net worth statement was provided to the Commission.
30. Describe any financial arrangements or business relationships that you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest. N/A.
31. 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?
THERE WAS A TRAFFIC VIOLATION WHERE THE FINE MAY HAVE BEEN OVER \$125, IT WAS OVER 20 YEARS AGO IN NORTH CAROLINA AND I NO LONGER HAVE ANY RECORD OF IT.
32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? NO.

33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? NO.
34. Have you ever been sued, either personally or professionally?
I DISCOVERED DURING MY LAST SCREENING PROCESS THAT A FORMER PUBLIC DEFENDER CLIENT FILED A 1983 ACTION AGAINST ME IN FEDERAL COURT, BUT I WAS NEVER SERVED AND THE SUIT WAS DISMISSED BY THE FEDERAL MAGISTRATE, ALL WITHOUT MY KNOWLEDGE.
36. 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)? NO.
37. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? NO.
38. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. N/A.
39. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. N/A.
40. 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. N/A.
41. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship. N/A.
42. 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? 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? NO.
43. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? NO.
44. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? NO.

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45. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? NO.
46. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
- (a) SC BAR;
 - (b) SC PUBLIC DEFENDER ASSOCIATION;
 - (c) ABA.
47. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, any professional honors, awards, or other forms of recognition received and not listed elsewhere.
TREASURER OF THE HISPANIC EDUCATIONAL ASSOCIATION.
48. Provide any other information which 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. N/A.
49. References:
- (a) BENJAMIN LAFOND
843-832-2007
120 S. Magnolia St.
SUMMERVILLE, SC 29483;
 - (b) Magistrate BOB LAKE
803-874-1112
PO BOX 191
ST. MATTHEWS, SC 29135;
 - (c) Al Bynum
803—
Columbia, SC 29;
 - (d) SHERIFF THOMAS SUMMERS
803-874-2741
120 MILL STREET
ST. MATTHEWS, SC 29135;
 - (e) Michelle Foxworth
803-655-7174
CPM FEDERAL CREDIT UNION
606 HUFF DRIVE
ST. MATTHEWS, SC 29135.

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.

S/Martin R. Banks

Date: 09/09/08

JUDICIAL MERIT SELECTION COMMISSION
Sworn Statement to be included in Transcript of Public Hearings

Master-in-Equity
(Incumbent)

Full Name: Martin R. Banks
Business Address: 716 Huff Drive
St. Matthews, SC 29135
Business Telephone: 803-874-2100

1. Do you plan to serve your full term if re-appointed? YES
2. Do you have any plans to return to private practice one day? YES (This is a part-time position)
3. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice? YES
4. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated? OTHER THAN ADMINISTRATIVE OR SCHEDULING MATTERS, I DO NOT ENTERTAIN *EX PARTE* COMMUNICATIONS. I HAVE MY SECRETARY RUN INTERFERENCE FOR ME. HOWEVER, SOME *PRO SE* LITIGANTS DO FIND THEIR WAY TO YOU OCCASIONALLY. THEN I POLITELY EXPLAIN MY POSITION AND DISCLOSE THIS CONVERSATION TO THE OTHER PARTY.
5. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you? I HAVE NO FORMER ASSOCIATES OR LAW PARTNERS. I COULD NOT FORSEE RECUSING MYSELF SIMPLY BECAUSE A LAWYER-LEGISLATOR WAS BEFORE ME. IF A MEMBER OF MY DELEGATION WAS BEFORE ME I WOULD DISCLOSE THIS TO THE OTHER SIDE.
6. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference would you give a party that requested your recusal? Would you grant such a motion? I WOULD LIKELY GRANT THE MOTION.
7. What standards have you set for yourself regarding the acceptance of gifts or social hospitality? I DON'T ACCEPT GIFTS FROM ANYONE BUT CLOSE FRIENDS OR RELATIVES. I HAVE NEVER BEEN OFFERED SUCH A GIFT.
8. How would you handle a situation in which you became aware of misconduct of a lawyer or of a judge? SADLY, I WOULD HAVE TO REPORT THIS, IF I WAS CERTAIN THAT THE MISCONDUCT OCCURRED.

9. Are you affiliated with any political parties, boards or commissions that need to be re-evaluated? NO
10. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations? NO
11. How do you handle the drafting of orders? I WOULD REQUEST THE SUCCESSFUL PARTY DRAFT A PROPOSED ORDER ACCORDING TO MY RULING, FORWARD IT TO THE OPPOSING COUNSEL FOR REVIEW AND CHANGES.
12. What methods do you use to ensure that you and your staff meet deadlines? I PUT EVERYTHING ON MY CALENDAR, WITH REMINDERS.
13. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy? I AM MORE OF A FOLLOWER OF WHAT PUBLIC POLICY ALREADY IS. I DO NOT INTEND TO BE AN "ACTIVIST".
14. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. What activities do you plan to undertake to further this improvement of the legal system? AS I HAVE GOTTEN MORE COMFORTABLE IN THE POSITION, I HAVE DONE SOME RESEARCH INTO THE MASTER'S ROLE AND HIS UNDER-UTILIZATION. I HAVE BECOME AN ADVOCATE FOR SOME CHANGES IN THIS AREA.
15. Do you feel that the pressure of serving as a judge strains personal relationships (i.e. spouse, children, friends, or relatives)? How do you address this? NO, AS THIS IS A PART TIME MASTER'S POSITION.
16. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality? NO
17. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved? YES, AFTER DISCLOSURE
18. Do you belong to any organizations that discriminate based on race, religion, or gender? NO
19. Have you met the mandatory minimum hours requirement for continuing legal education courses? YES
20. What do you feel is the appropriate demeanor for a judge? A JUDGE SHOULD BE SOBER, DISCREET, CALM, DELIBERATIVE, INFORMED, RESPECTFUL, OPEN, TRUSTWORTHY, DEPENDABLE, TRUTHFUL, PATIENT, KIND.
21. Would the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or do these rules apply seven days a week, twenty-four hours a day? ALTHOUGH NOT NECESSARY 24/7, THEY ARE GOOD QUALITIES TO PRACTICE DAILY. THEY ARE MORE IMPORTANT WHILE YOU ARE ON THE JOB

AND OTHER PLACES WHERE YOU ARE KNOWN TO HOLD THE POSITION.

22. Do you feel that it is ever appropriate to be angry with a member of the public who would appear before you? Is anger ever appropriate in dealing with attorneys or a pro se litigant? DISPLAYS OF ANGER FROM THE BENCH TOWARD ANYONE ARE DISTASTEFUL AND TAINT THE EQUITABLE NATURE OF THE PROCEEDINGS, SO ANGER SHOULD BE RARELY DISPLAYED. HOWEVER, THERE ARE TIMES WHEN SUCH ANGER IS APPROPRIATE (I.E., PERJURY, COMPLETE DISRESPECT FOR THE PROCEEDINGS, ETC.)
23. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees? NOTHING
24. While campaigning for this office, have you used judicial letterhead or the services of your staff for your campaign? NO
25. Have you sought or received the pledge of any legislator prior to this date? NO
26. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening? NO
27. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? NO
28. Have you contacted any members of the Judicial Merit Selection Commission? NO
29. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges for 48 hours after the draft report has been submitted? YES

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

s/Martin R. Banks

Sworn to before me this 11th day of September, 2008.

Notary Public for S.C.

My commission expires:

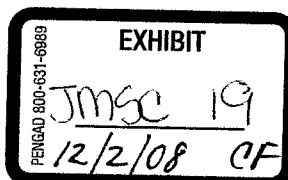
**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

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

1. NAME: Mr. Charles B. Simmons, Jr.
BUSINESS ADDRESS: 305 East North Street, Ste 313
Greenville, S.C. 29601
E-MAIL ADDRESS: csimmons@greenvillecounty.org
BUSINESS NUMBER: (864) 467-8556

2. Date of Birth: 1956
Place of Birth: Greenville, S.C.
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.
5. Family Status: Married on April 26, 1986, to Elizabeth Spencer Simmons.
Never divorced. Three children.
6. Have you served in the military? Not Applicable.
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) Spartanburg Methodist College, Spartanburg SC (1975-1977; AA Criminal Justice);
 - (b) East Tennessee State University, Johnson City, TN (1977-1979; BS Political Science and Criminal Justice);
 - (c) University of South Carolina School of Law, Columbia, SC (1979-1982; JD).
8. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.
South Carolina Bar - 1982.
9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.
Honor Council, USC School of Law (Chairman 1981-82).
10. Describe your continuing legal or judicial education during the past five years. Include **only** the title and date of any continuing legal or judicial education course completed.

- | | <u>Conference/CLE Name</u> | <u>Date</u> |
|-----|----------------------------|-------------|
| (a) | Masters in Equity | 2/15/02; |



- | | | |
|-----|---|-----------|
| (b) | 8 th Annual Drug Court Con. | 6/13/02; |
| (c) | Foundations of American Justice | 8/17/02; |
| (d) | Master in Equity Bench Bar | 10/11/02; |
| (e) | Masters in Equity | 1/31/03; |
| (f) | Current Issues in Philosophy | 6/21/03; |
| (g) | Judicial Conference | 8/21/03; |
| (h) | Masters in Equity | 2/6/04; |
| (i) | Drug Court Training Con. | 6/2/04; |
| (j) | Constitutional Law | 7/3/04; |
| (k) | Judicial Conference | 8/19/04; |
| (l) | Judicial Oath of Office | 8/19/04; |
| (m) | Master in Equity Bench Bar | 10/15/04; |
| (n) | Masters in Equity | 2/25/05; |
| (o) | 10 th Annual Drug Court Con. | 6/8/05; |
| (p) | Judicial Conference | 8/24/05; |
| (q) | SC Drug Court Con. | 3/27/06; |
| (r) | Bridge the Gap | 3/6/06; |
| (s) | 12 th Annual Drug Court Con. | 6/31/06; |
| (t) | Judicial Conference | 8/23/06. |
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
- Frequent lecturer at SC Bar and Greenville County Bar C.L.E.'s;
 - Speaker, S.C. Supreme Court "Bridge the Gap";
 - Occasional Lecturer at Charleston School of Law.
12. List all published books and articles you have written and give citations and the dates of publication for each.
- "Tips for Non-Jury Practice," published in SC Lawyer (May/June 1993);
 - S.C. Jurisprudence contributing writer (8/1995);
 - "Drafting Enforceable Non-Compete Agreements," SC Bar (5/1995);
 - "Mortgage Foreclosures; a Primer," published in S.C. Lawyer (1995).
13. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.
- South Carolina Supreme Court (11/1982)
District Court of South Carolina (2/1983)
United States Court of Appeals for the 4th Circuit (6/1986)
14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.
- I served as law clerk to the Honorable C. Victor Pyle, Jr. from 1982-1983. I then joined the Carter-Smith Law Firm from 1983-1985. My practice was primarily civil. From 1986-1989, I was with the Wilkins Law Firm doing civil

- and domestic relations law. In 1989 I became the Master in Equity for Greenville County, where I have served up to the present time. I am also designated as a Special Circuit Court Judge by our Supreme Court. I also serve as the Adult Drug Court Judge for the 13th Circuit Adult Drug Court.
15. What is your rating in Martindale-Hubbell? Never rated.
 22. Have you ever held judicial office? Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.
 - (a) Master in Equity for Greenville County (1989-present);
 - (b) Special Circuit Court Judge for the 13th Circuit (1989-present);
 - (c) Adult Drug Court Judge for the 13th Circuit (1999-present).
 23. If the answer to question 22 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) First Baptist v. City of Mauldin
417 SE2d 592 (SC 1992);
 - (b) Culler v. Blue Ridge Electric
422 SE2d 91 (SC 1992);
 - (c) Ft. Hill Nat. Gas v. City of Easley
26 SE2d 787 (SC App. 1993);
 - (d) Rhodes v. Benson Chrysler
647 SE2d 249 (SC App. 2007);
 - (e) Hitachi v. Platinum Tech.
621 SE2d 38 (SC 2005).
 24. 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.
 25. 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.
 - (a) Part-time instructor at Greenville TEC Paralegal Program (1987- 1992);
 - (b) Pursuant to agreement of attorneys, and with permission of the Greenville County Administrator, I occasionally hear cases from different circuits as a Special Referee (1989-present).
 26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?
 - (a) 1992, SC Court of Appeals;
 - (b) 1994, SC Supreme Court;
 - (c) 1996, SC Court of Appeals.
 27. 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? I own several pieces of rental property in Greenville, SC. I am not involved in any other business or outside activity.
28. 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.
 29. A complete, current financial net worth statement was provided to the Commission.
 30. Describe any financial arrangements or business relationships that you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest. None.
 31. 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? No.
 32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? No.
 33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? No.
 34. Have you ever been sued, either personally or professionally? No.
 36. 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)? No.
 37. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? No.
 38. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None.
 39. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None.
 40. 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. None.

41. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship. None.
42. 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? 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? No.
43. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No.
44. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No.
45. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? No.
46. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
 - (a) S.C. Bar Association (1982-present);
 - (b) Greenville County Bar Association (1982-present).
47. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, any professional honors, awards, or other forms of recognition received and not listed elsewhere.
 - (a) Member and Elder, First Presbyterian Church, Greenville SC;
 - (b) National Association of Drug Court Professionals, Washington, DC.
48. Provide any other information which 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 have served as Master in Equity since 1989. During that time, I have endeavored to be well-prepared, fair, impartial and caring. I strive to do the right things for the right reasons. I am hopeful that, based upon my record, my SC Bar Survey ratings, and the accomplishments the Office has achieved over the years, that I will re-appointed to the position.
49. References:
 - (a) Art Seaver
Greenville First Bank
100 Verdae Blvd.
Greenville, SC 29607
 - (b) Rev. Robert Jones

1st Presbyterian Church
200 W. Washington
Greenville, SC 29601

- (c) George Conits
2080 Cleveland Street Ext.
Greenville, SC 29607
- (d) Mitchell Poe
310 Bridgewater Lane
Greenville, SC 29615
- (e) Wallace McNair
2 East Avondale
Greenville SC 29609

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.

S/ Charles B. Simmons, Jr.

Date: 09/10/08

JUDICIAL MERIT SELECTION COMMISSION
Sworn Statement to be included in Transcript of Public Hearings

Master-in-Equity
(Incumbent)

Full Name: Charles B. Simmons, Jr.
Business Address: Suite 313, 305 East North Street
Greenville, SC 29601
Business Telephone: (864) 467-8556

1. Do you plan to serve your full term if re-appointed?
Yes.
2. Do you have any plans to return to private practice one day?
No plans at this time.
3. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice?
Yes.
4. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated? As a general rule, I avoid any type *ex parte* communication in that they are prohibited and can easily give an appearance of impropriety. A possible *ex parte* communication could be where an attorney is seeking an *ex parte* Restraining Order, etc. In that event, I believe procedural matters could be discussed on a very limited basis.
5. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you? If there is a reasonable and articulable basis for a party to request that a judge recuse himself, I believe that should be granted. However, that must be balanced against a party merely not liking a particular judge or using the request as a basis for delay.
6. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference would you give a party that requested your recusal? Would you grant such a motion? I would err towards, if there was a legitimate appearance of bias, recusing myself.
7. What standards have you set for yourself regarding the acceptance of gifts or social hospitality? As a matter of personal policy, I do not accept any type social hospitality from any lawyer that has a case pending in my Court. Even beyond that, I do not allow lawyers to buy meals, etc unless I am part of a group and the other judges are being treated the same way (e.g. Bar functions).

8. How would you handle a situation in which you became aware of misconduct of a lawyer or of a judge? Depending on the severity, I would either sit down with them or report them.
9. Are you affiliated with any political parties, boards or commissions that need to be re-evaluated? No.
10. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations? No.
11. How do you handle the drafting of orders? Most Orders are drafted by counsel with a copy to the opposing side. I then review them to ensure accuracy.
12. What methods do you use to ensure that you and your staff meet deadlines? All staff has "tickler systems" that are monitored. And, we have regular staff meetings to review status of cases, etc.
13. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy? The Court (and judge) are charged with interpreting and applying the law; not making it. I do not believe that a judge should attempt to legislate nor be an "activist".
14. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. What activities do you plan to undertake to further this improvement of the legal system? I regularly attend and participate in various CLE's. I am also very active in our Equity Court Council (consisting of all Masters). I served as President of that group for over 5 years.
15. Do you feel that the pressure of serving as a judge strains personal relationships (i.e. spouse, children, friends, or relatives)? How do you address this? Serving as a judge can easily strain relationships since friends and relatives will at times call and want advice or help with certain legal matters. I address it by explaining that I am bound by the Code of Judicial Ethics and cannot give any type of assistance or help.
16. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality? No.
17. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved? It would depend on the size of the "party involved". If it was a case involving a National or Multi-National corporation and I or my family owned a truly insignificant interest, I would disclose that on the record and still hear the case. If it was a small business or closely-held corporation, I would not hear the case.
18. Do you belong to any organizations that discriminate based on race, religion, or gender? No.

19. Have you met the mandatory minimum hours requirement for continuing legal education courses? Yes.
20. What do you feel is the appropriate demeanor for a judge? Humility, preparation, attitude of listening, and remembering the pressures and stress of practicing law.
21. Would the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or do these rules apply seven days a week, twenty-four hours a day? If # 20 are done the right way, it is a lifestyle.
22. Do you feel that it is ever appropriate to be angry with a member of the public who would appear before you? Is anger ever appropriate in dealing with attorneys or a pro se litigant? Anger can be an appropriate emotion even for a judge. However, it's how you handle the anger that is the key. A judge should let their anger result in a perceived bias/prejudice or inappropriate behavior towards anyone.
23. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees? No amounts have been spent.
24. While campaigning for this office, have you used judicial letterhead or the services of your staff for your campaign? No.
25. Have you sought or received the pledge of any legislator prior to this date? No.
26. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening? No.
27. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No.
28. Have you contacted any members of the Judicial Merit Selection Commission? No.
29. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges for 48 hours after the draft report has been submitted? Yes.

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

s/Charles B. Simmons, Jr.

Sworn to before me this 10th day of September, 2008.

Notary Public for S.C.

My commission expires: 3/18/2013

**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

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

1. NAME: Mr. Gordon G. Cooper
BUSINESS ADDRESS: 180 Magnolia Street, Ste 901
Spartanburg, SC
E-MAIL ADDRESS: gcooper@spartanburgcounty.org
BUSINESS NUMBER: (864) 596-2501

2. Date of Birth: 1946
Place of Birth: Walhalla, SC
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.
5. Family Status: Married on September 6, 1992, to Linda D. Cooper.
Divorced on July 26, 1990, Circuit Court of the 17th Judicial Circuit in and for Broward County, Florida, Mr. Cooper was moving party, Case No 90-15808 09, Marriage Irretrievably Broken.
Three Children.
6. Have you served in the military?
August 5, 1968-May 6, 1971. US Army (Counter Intelligence Special Agent, 801st MI Detachment, 6th Special Forces Group, 1st Special Forces, Fort Bragg, NC) SGT (E-5) RA 12905016 Obligation fulfilled-Honorable Discharge.
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) Carson-Newman College, BA Degree (1968);
(b) University of Tennessee, JD Degree (1973).
8. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.
(a) Florida Bar – 1974;
(b) South Carolina Bar – 1993.
9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.

Carson-Newman College

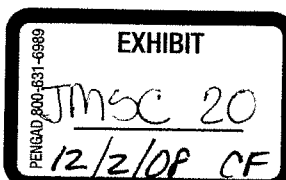
Alpha Phi Omega

University of Tennessee

Dates

1965-1968.

Dates



Phi Alpha Delta 1971-1973;
 Legal Clinic (provided free legal aid
 to qualified residents of Knox County) 1973.

10. Describe your continuing legal or judicial education during the past five years. Include **only** the title and date of any continuing legal or judicial education course completed.

<u>Conference/CLE Name</u>	<u>Date</u>
(a) SC Foreclosure and Related Title Issues	9/24/2003;
(b) Master-in-Equity Bench and Bar	10/17/2003;
(c) New Lawyer's Oath CLE	7/7/2004;
(d) Annual Judicial Conference	8/19/2004;
(e) Solo & Small Firm Section w/law	1/20/2005;
(f) 20 th Annual Criminal Law Update	1/21/2005;
(g) 2005 Annual Meeting	2/25/2005;
(h) 2005 Annual Judicial Conference	8/24/2005;
(i) 2005 Master-in-Equity Bench/Bar	10/14/2005;
(j) Agent's Underwriting Seminar	10/14/2005;
(k) Real Estate Practice Section	1/27/2006;
(l) Trial and Appellate Advocacy	1/28/2006;
(m) Solo & Small Firm Practitioners	1/28/2006;
(n) 2006 Annual Judicial Conference	8/23/2006;
(o) 2007 Annual Judicial Conference	8/22/2007;
(p) Master-in-Equity Bench/Bar	10/12/2007;
(q) Real Estate Seminar	10/12/2007;
(r) Law Office Technology	1/24/2008;
(s) 6 th Annual Civil Law Update	1/25/2008;
(t) 23 rd Annual Criminal Law Update	1/25/2008;
(u) Real Estate Practice/Tax Law Section	1/26/2008.

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture.

- (a) Lectured at the Bridge the Gap program for the SC Bar CLE relating to the Master-in-Equity and the procedures.
- (b) Legal Research and Writing Course, Broward County Community College, Fort Lauderdale, Florida. This was an introductory course for students planning to attend law school.

12. List all published books and articles you have written and give citations and the dates of publication for each. None.

13. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.

<u>Court</u>	<u>Date of Admission</u>
US Supreme Court	February 19, 1980
US District Court, Southern District of Florida	March 31, 1976

US District Court, District of South Carolina November 7, 1995.

14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.

(a) 1974-1976

Associate with the Law Firm of Devitt, Geiger, O'Neal & Booth, Fort Lauderdale, Florida. General Practice;

(b) 1976-1993

Private Practice, Fort Lauderdale, Florida. General Practice;

(c) 1978-1983

Assistant City Attorney, City of Oakland Park, Florida. Duties included advising all boards of the City, Police Department and attend all meetings of the City Council. Also, filed forfeiture actions on behalf of the Police Department relating to seized property. Also, handled appeals for the City of Oakland Park;

(d) 1993-February 10, 2004

Partner with the Law Firm of Johnson, Smith, Hibbard & Wildman. General Practice;

(e) February 10, 2004

Appointed by Chief Justice Toal to serve as Special Master-in-Equity for Spartanburg County;

(f) June 16, 2004

Appointed by Governor to serve as Master-in-Equity for the term ending June 30, 2009.

15. What is your rating in Martindale-Hubbell? BV.

22. Have you ever held judicial office? Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.

(a) February 10, 2004

Appointed by Chief Justice Toal to serve as Special Master-in-Equity for Spartanburg County;

(b) June 16, 2004

Appointed by Governor to serve as Master-in-Equity for the term ending June 30, 2009.

23. If the answer to question 22 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.

Since being appointed as the Master-in-Equity for Spartanburg County, I have handled more than 7,000 foreclosures plus the general cases that were referred to me for final hearings. One of the most significant matters was the foreclosure of the Marriott Hotel and the associated cases. I also serve as a Special Circuit Judge and in that position handle probation revocations, restitution hearings, bond estreatments, death settlements and minor settlements. Significant cases that were appealed are:

- (a) American General Financial Services, Inc. v Brown
376 S.C. 580;
 - (b) Protective Life Insurance Company v Fletcher Bright Co.
2008-UP-066;
 - (c) Brian Lancaster v Launeil Saunders
2006-UP-431;
 - (d) State v Barlow
Opinion 26294, Filed March 26, 2007;
 - (e) State v Stoudemire
2007-UP-150.
24. 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.
- Served as a Member and Chairman of the City of Wilton Manors, Florida, Pension Board 1987-1990. Appointed by the City Council.
25. 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. None.
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?
- Unsuccessful candidate for Circuit Court Judge for 17th Judicial Circuit, Broward County, Florida in 1991. Approximately 25 candidates were interviewed on the first round of interviews. Made second round of interviews which was made up of 11 candidates. Did not make third round for consideration.
27. 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? No.
28. 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.
29. A complete, current financial net worth statement was provided to the Commission.
30. Describe any financial arrangements or business relationships that you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest.
- Former partner with the Law Firm of Johnson, Smith, Hibbard and Wildman located in Spartanburg, South Carolina. When a partner or associate of this firm appears before me, I advise all parties of my former association with the

firm on the record. If the parties agree to my hearing the matter, the agreement is placed on the record. If a party objects to my hearing the matter, I recuse myself.

31. 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? No.
32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? No.
33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? No.
34. Have you ever been sued, either personally or professionally? No.
36. 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)? No.
37. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? No.
38. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None.
39. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None.
40. 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. None.
41. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship. None.
42. 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? 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? No.

43. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? If so, give details. Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? If so, give details. No.

44. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No.

45. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? No.

46. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.

(a) Florida Bar;

(b) South Carolina Bar;

(c) Spartanburg County Bar Association.

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

(a) Palmetto Statesmen Chorus;

(b) Croft Homeowners Association;

(c) Honorary Member of the Spartanburg County Legal Staff Professionals.

48. Provide any other information which 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 was in private practice dealing with a wide variety of cases from 1974 until I was appointed as the Master-in-Equity for Spartanburg County in February 2004. This experience has given me a good background to consider the matters that appear before me. Also, my tour of duty in the US Army Military Intelligence trained me to fully review all of the facts involved before making a decision on any case. It is very important to have had the experiences on the other side of the bench so that I am able to appreciate the pressures and issues that the attorneys are dealing with when they appear before me.

49. References:

(a) Roy R. Oates, Jr.
609 E. Main Street
Duncan, SC 29334
(864) 949-6444

(b) Piero Bussani
Executive VP & General Counsel, Luxury Resorts

501 East Camino Real
Boca Raton, FL 33432
(561) 447-3036

- (c) Greg Scanio
VP & State Manager, First American Title Insurance Company
200 Center Point Circle, Suite 250
Columbia, SC 29210
(800) 828 5006
- (d) Sandie Hilka, Client Manager, VP
Premier Banking and Investments
Bank of America
295 East Main Street
Spartanburg, SC 29302
(864) 594-6411
- (e) D. Glenn Breed
Spartanburg County Administrator
366 North Church Street, Ste. 1000
Spartanburg, SC 29303
(864) 596-2526

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.

S/ Gordon G. Cooper

Date:08/19/08

JUDICIAL MERIT SELECTION COMMISSION
Sworn Statement to be included in Transcript of Public Hearings

Master-in-Equity
(Incumbent)

Full Name: Gordon G. Cooper
Business Address: 180 Magnolia Street, Suite 901
Spartanburg, SC 29306
Business Telephone: (864) 596-2501

1. Do you plan to serve your full term if re-appointed?
YES
2. Do you have any plans to return to private practice one day?
NO
3. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice?
YES
4. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?
I do not allow *ex parte* communications. In the event that an *ex parte* communication does occur, by reason of scheduling or an emergency situation, I would immediately notify all parties of the *ex parte* communication and the content of the communication. I would give all parties the opportunity to respond to the *ex parte* communication.
5. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?
I go on the record and advise all parties of the relationship or other basis for my recusal and ask the parties if they want to waive the disqualification. I then give the parties time to discuss this with their clients out of my presence. If the parties agree that I should hear the case, then the agreement to waive the disqualification is placed on the record.
6. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference would you give a party that requested your recusal? Would you grant such a motion?
Even if I believed that there would be no bias, I would give deference to the party requesting the recusal. I would grant the motion.

7. What standards have you set for yourself regarding the acceptance of gifts or social hospitality?
My family and I only accept gifts from family or friends on special occasions such as birthdays, Christmas, etc. We attend ordinary social functions for church, friends and bar related activities.
8. How would you handle a situation in which you became aware of misconduct of a lawyer or of a judge?
I would contact the lawyer or judge personally and advise them of the misconduct. Also, I would report the violation to the appropriate authority.
9. Are you affiliated with any political parties, boards or commissions that need to be re-evaluated?
No
10. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations?
No
11. How do you handle the drafting of orders?
Generally, I prepare a rough draft of my findings and fax or email those findings to all parties to the action. The prevailing party is requested to prepare a proposed final order. The proposed order is provided to all parties prior to sending it to me for signature. If there are objections to the order, I review the objections. If the objections cannot be resolved, a hearing is held to finalize the order.
12. What methods do you use to ensure that you and your staff meet deadlines?
All hearings and deadlines are handwritten in a scheduling book. Also, the main calendar is on the computer which is accessed by me and the staff. The computer has a "tickler" system to advise me and the staff of hearings and upcoming deadlines.
13. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?
Judges should not be involved in setting or promoting public policy.
14. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. What activities do you plan to undertake to further this improvement of the legal system?
I have spoken at the Bridge the Gap seminars presented by the South Carolina Bar and will continue to speak at these seminars relating to the Master-in-Equity functions. I have also participated in presenting a program on judges at the E P Todd Elementary School career day.
15. Do you feel that the pressure of serving as a judge strains personal relationships (i.e. spouse, children, friends, or relatives)? How do you address this?
No. My family fully supports my serving as the Master-in-Equity for Spartanburg County.

16. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?
No
17. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?
No
18. Do you belong to any organizations that discriminate based on race, religion, or gender?
No
19. Have you met the mandatory minimum hours requirement for continuing legal education courses?
Yes
20. What do you feel is the appropriate demeanor for a judge?
A judge should always be patient and courteous with everyone that he comes in contact with either in an official capacity or private life. All litigants who appear in court should be treated with respect. Judge should not in any way, by word or conduct, manifest any bias or prejudice.
21. Would the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or do these rules apply seven days a week, twenty-four hours a day?
As far as I am concerned, these rules apply seven days a week, twenty-four hours a day
22. Do you feel that it is ever appropriate to be angry with a member of the public who would appear before you? Is anger ever appropriate in dealing with attorneys or a pro se litigant?
No
23. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees?
None
24. While campaigning for this office, have you used judicial letterhead or the services of your staff for your campaign?
No
25. Have you sought or received the pledge of any legislator prior to this date?
No
26. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening?
No
27. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report

has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf?

No

28. Have you contacted any members of the Judicial Merit Selection Commission?

No

29. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges for 48 hours after the draft report has been submitted?

Yes

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

s/Gordon G. Cooper

Sworn to before me this 19th day of September, 2008.

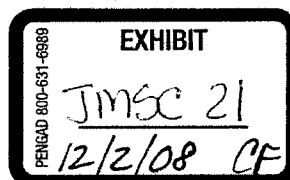
Notary Public for S.C.

My commission expires:1/31/2015

**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying: Master-In-Equity, York County

1. NAME: Mr. Stonewall Jackson Kimball, III
BUSINESS ADDRESS: 1 North Congress St.
P.O. Box 627
York, S.C., 29745
E-MAIL ADDRESS: jack.kimball@yorkcountygov.com
BUSINESS NUMBER: (803) 628-3930
2. Date of Birth: 1944
Place of Birth: York County
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.
5. Family Status: Married on August 3, 1968, to Noel Ann Coleman Kimball. Never Divorced. Five Children.
6. Have you served in the military?
I was a member of the advanced ROTC unit at Davidson College. My rank was Private E1 (Serial No. ER14907221). I was disqualified from service due to medical reasons. I received an Honorable Discharge from the U. S. Army dated September 3, 1965.
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) Davidson College, Davidson, N.C., (1962-1966) BA degree;
(b) U.S.C. School of Law, Columbia, S.C., (1968-1971) JD degree.
8. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.
South Carolina (1971) – I took the Bar exam once.
9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.
- | | <u>Davidson College Activity</u> | <u>Dates</u> |
|-----|--|--------------------|
| (a) | Alpha Phi Omega service fraternity | 1965-1966; |
| (b) | ROTC and Advanced ROTC
Sergeant Major | 1962-1965
1965; |
| (c) | YMCA, Solicitor; Business-Economics | |



- (d) Association, Director 1965-1966;
Kappa Alpha Order
Secretary; House Manager 1962-1966.

- | | <u>USC School of Law Activity</u> | <u>Dates</u> |
|-----|--|--------------------|
| (a) | S.C. Law Review
Articles, Editor | 1969-1971
1970; |
| (b) | Research Assistant to Prof. William McAninch | Summer 1970. |

10. Describe your continuing legal or judicial education during the past five years. Include **only** the title and date of any continuing legal or judicial education course completed.

	<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a)	Annual Judicial Conference	08/21/03;
(b)	Master-in-Equity Bench/Bar	10/17/03;
(c)	Annual M.I.E. meeting	01/31/03;
(d)	Judgment Enforcement in S.C.	03/26/04;
(e)	Annual Judicial Conference	08/19/04;
(f)	Master-in-Equity Bench/Bar	10/15/04;
(g)	Annual M.I.E. meeting	02/06/04;
(h)	Annual Judicial Conference	08/24/05;
(i)	Master-in-Equity Bench/Bar	10/14/05;
(j)	Annual M.I.E. meeting	02/25/05;
(k)	Annual Judicial Conference	08/23/06;
(l)	Master-in-Equity Bench/Bar	10/13/06;
(m)	Annual Judicial Conference	08/23/07;
(n)	Master-in-Equity Bench/Bar	10/12/07;
(o)	Annual Judicial Conference	08/21/08.

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture.

I have lectured in S.C. Bar accredited seminars on three occasions. Twice I lectured on warranty law in residential construction. The first occasion was at a Bar convention on May 22, 1981, in Savannah, and the second was on October 14, 1988, at a CLE seminar in Columbia. On one occasion, I lectured in a S.C. Bar CLE seminar in Columbia on a lawyer's legal and ethical obligations in charging and collecting fees. I do not have a record of the date, but believe that it was in the mid-1990's.

I have lectured on two other occasions to private groups, once to an organization of construction materials vendors on mechanic's lien law and debt collection, and once to a commercial contractor organization on warranty law, limitation of warranties and general liability. I have no available record of the dates, but they were between 1986 and 1994.

I was the moderator and organizer of the 2006 Master-in-Equity Bench/Bar seminar, and was a panel member for the discussion portion of the program.

12. List all published books and articles you have written and give citations and the dates of publication for each.
- (a) I have three legal writings published in the S.C. Law Review as follows:
- (1) "The Modern Drug Industry's Increased Exposure To Damages" (23 S.C.L.R.771 (1971));
 - (2) "Search And Seizure - Warrant Requirements for Welfare Searches" (22 S.C.L.R. 241 (1970));
 - (3) "State Finance - Special Fund Doctrine" (22 S.C.L.R. 126 (1970)).
- (b) I am a co-author of the S.C. Bar publication South Carolina Foreclosure Law Manual published in 2006.

13. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.

<u>Court</u>	<u>Date of Admission</u>
Courts of South Carolina:	9/21/71
US District Court for the District of SC	1/21/72
US Circuit Court of Appeals for the Fourth Circuit	10/15/74.

14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.

- (a) 7/5/71 - 10/31/77
 Roddey, Sumwalt & Carpenter: General civil, family court and limited criminal practice. Initially, most of my experience was in personal injury and other tort litigation. Beginning in about 1975, I began to become involved in construction-related litigation, which included representing home owners, contractors and building supply businesses. Often, this involved representing clients in mechanic's lien litigation.
- (b) 11/1/77 - mid 1985
 S. Jackson Kimball, Attorney: General civil practice primarily devoted to commercial and construction litigation, as described above, and personal injury cases and litigation. I also did a significant amount of real estate closing work.
- (c) Mid 1985 - 3/31/90
 Kimball & Dove, P.A.: More of a specialized civil practice primarily devoted to litigation involving construction, contracts, business and commercial matters, real estate related cases, and land planning and zoning. The firm had a broad general practice, but I continued to specialize more in the areas described above.
- (d) 4/1/90 - 6/30/00

Kimball, Dove & Simpson, P.A.: Specialized civil practice primarily devoted to litigation involving construction, contracts, business and commercial matters, real estate related cases, and land planning and zoning. The firm had a broad general practice.

(e) 7/1/00 – 6/30/03

Kimball Law Firm, P.A.: Specialized civil practice primarily devoted to litigation involving construction, contracts, business and commercial matters, real estate related cases, and land planning and zoning. My practice is now limited almost exclusively to these areas.

15. What is your rating in Martindale-Hubbell? AV.
22. Have you ever held judicial office? Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court. Master-in-Equity, York County (7/1/03 – present).
23. If the answer to question 22 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) Springs Global U.S., Inc. v. DeLyra et al. Case No. 2006CP4601601
Order granting preliminary injunctive relief in regard to trade secrets and disloyalty of former employees of international textile products company;
- (b) Stearns Bank National Association v. Glenwood Falls, L.P., et al.
Case No. 2004CP4600245; Reported at 373 S.C. 331, 644 S.E.2d 793 (Ct.App. 2007) Denial of relief from default judgment;
- (c) West v. Alliance Capital, et al.
Case No. 2004CP4601818; reported at 368 S.C. 246, 628 S.E.2d 279 (Ct.App. 2007) Workers compensation claimant injury arose out of his employment;
- (d) Nash v. Tara Plantation Homeowners Asso. Et al. Case No. 2005CP4603174. Order in trial regarding application of restrictive covenants to subdivided lots;
- (e) Mortgage Electronic Registration Systems, Inc. v. Loretta Byers et al.
Case No. 2006CP4600139. Mortgage foreclosure and counterclaims of violation of the S.C. Consumer Credit Code.
24. 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?
I served for three years (May, 1998 - May, 2001) as a member of the City of Rock Hill Board of Zoning Appeals. I was appointed by the City Council.
25. 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. None.

26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? No.
27. 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?
- (a) I worked from June, 1966, through July, 1968, for the DuPont Corporation. I worked in a management capacity as a supervisor in two different manufacturing facilities, a Dacron® plant in Kinston, N.C., and an x-ray film plant in Brevard, N.C.;
- (b) While in the private practice of law, I engaged in the land development business, specifically the creation of five residential subdivisions, and one condominium project. This activity began in 1983, but is concluded. The projects were developed in the name of separate corporate entities. Those names are Olde Pointe, Inc., Clearview Properties, LLC., Miller Pond, LLC., Mariners' Bluff, LLC., The Kimball Partnership, and Ebenezer Title, Inc.;
- (c) I have not included Summer jobs while in college or law school.
28. 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.
29. A complete, current financial net worth statement was provided to the Commission.
30. Describe any financial arrangements or business relationships that you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest.
- I will not hear any case where a former partner/co-shareholder in any business venture was a party. That involves three people, in addition to three former law partners.
- Additionally, my son is employed with a law firm that practices in South Carolina. I do not hear cases in which that law firm represents a party.
31. 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?
- When I was 14, I and four other boys were arrested and charged with damaging or destroying rural mail boxes. The total damage was in the range of \$100 - \$150. We were required by the Juvenile and Domestic Relations Judge to make restitution, and did so.
32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? No.
33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? No.

34. Have you ever been sued, either personally or professionally?
My former law partner and law firm were sued. (*See Moore v. Simpson* 275 S.C. 395, 271 S.E.2d 768, 10 ALR 4th 379 (1979).
I have been named as a defendant in regard to my judicial office in a collection case, but I do not recall the party. The matter was turned over to the County attorney.
36. 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)? No.
37. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? No.
38. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None to my knowledge.
39. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None to my knowledge.
40. 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.
Only the stamps and materials to send letters to the parties providing recommendations for my reelection application. I do plan to mail a letter indicating my intent to seek reappointment to the members of my county delegation.
41. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship. None.
42. 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? 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? No.
43. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No.

44. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No.
45. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate?
My only contact is my response to prior communications concerning any intended retirement. I responded by indicating that I intended to seek reappointment.
46. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
(a) Master-in-Equity Association - President - 2006 to the present;
(b) York County Bar Association.
47. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, any professional honors, awards, or other forms of recognition received and not listed elsewhere.
Elder, Ebenezer A.R.P. Church.
48. Provide any other information which 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. None known.
49. References:
(a) J. Martin Cope, Jr., President
J.M. Cope Construction Company, Inc.
1830 Baskins Rd.
Rock Hill, S.C. 29730
803-329-3250
(b) David A. White, Esq.
P.O. Drawer 12070
Rock Hill, S.C. 29731
803-325-2900
(c) John D. Rinehart
Rinehart Realty Corporation
1339 Ebenezer Rd.
Rock Hill, S.C.
803-329-3333
(d) James B. Pierce, CPA
124 Oakland Ave.
P.O. Box 2529
Rock Hill, S.C. 29732
803-366-1461
(e) Kathy H. Revels, Sr., V.P. (Banker)

S.C. Bank & Trust of the Piedmont
1127 Ebenezer Rd.
Rock Hill, S.C. 29732
803-328-1991

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.

S/ Stonewall Jackson Kimball, III

Date: 09/08/08

JUDICIAL MERIT SELECTION COMMISSION
Sworn Statement to be included in Transcript of Public Hearings

Master-in-Equity
(Incumbent)

Full Name: Stonewall Jackson Kimball, III
Business Address: 1 North Congress St.
York, S.C., 29745
Business Telephone: 803-628-3930

1. Do you plan to serve your full term if re-appointed? Yes.
2. Do you have any plans to return to private practice one day? No.
3. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice? Yes.
4. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?
Ex parte communications concerning cases before the Court are not permitted or tolerated. I believe that some communications, such as the transmittal of proposed orders or other documents requested or required by the Court, are permitted, so long as a copy of the communication and the document are also sent to the opposing counsel or party. *Ex parte* communications, such as matters pertaining to scheduling of cases is permitted with the express consent of the opposing counsel or party.
5. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?
I do not believe that recusal is required in the cases posed. My "philosophy" and practice is that if I feel that a situation would impair my impartial judgment, I recuse myself. In addition, if a situation presented an 'appearance of impropriety', I recuse myself, even if no real conflict exists. If a party or counsel requests recusal, I consider the facts presented to support to the request, and rule based on the preceding principles. As a matter of practice, I do not hear cases of former law partners, or members of the firm in which my son now practices.
6. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference would you give a party that requested your recusal? Would you grant such a motion? Assuming that there is a genuine appearance of bias, I give great deference to the motion for recusal. The appearance of bias would be an appearance of impropriety. If I cannot reasonably satisfy the concerned party that there is not any actual bias, I recuse myself.
7. What standards have you set for yourself regarding the acceptance of gifts or social hospitality?

My standard is no gifts. As to hospitality, my standard is that I do not accept social hospitality directed to me individually, such as payment for my meal or my admission to a sporting event. I believe it is proper to accept general social invitations, where I or my family were among a group of invited guests, such as a wedding reception, or a small group of people at someone's home, such as a friend, neighbor or church member, etc.

8. How would you handle a situation in which you became aware of misconduct of a lawyer or of a judge?
I would first inquire of the person apparently guilty to be sure I correctly understood the facts. If the fact of misconduct was established, I would be obligated to report it.
9. Are you affiliated with any political parties, boards or commissions that need to be re-evaluated? No.
10. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations? No.
11. How do you handle the drafting of orders?
I draft most orders myself. Also, I typically request that a prevailing party's attorney prepare a proposed order in some cases. My procedure is to receive a proposed order by email and then edit it as needed to suit my findings and conclusions in the case. I request orders by letter, email, or conference call, always involving all parties or their attorneys. I specify my general findings and conclusions to assist in the preparation of the order.
12. What methods do you use to ensure that you and your staff meet deadlines?
I and my staff keep deadlines calendared on our computer network, and one staff person also keeps a written calendar of the deadlines. I keep a file of notes on cases in which orders are due on my desk, and work through that regularly.
13. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?
My philosophy is to follow established precedent, or any clear inference to be drawn from that precedent. I do not attempt to set, establish, or promote any particular public policy. I recognize and enforce public policy where applicable statutory or case law does so. I equate "judicial activism" with a "judicial agenda", and I do not have an agenda other than to apply the law fairly.
14. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. What activities do you plan to undertake to further this improvement of the legal system?
I am currently a member of the Chief Justice's Commission on the Profession, and am committed to the promotion of professionalism in, and among the members of the S.C. Bar. As part of that position, I have reviewed and made recommendations to the Commission regarding the use and purpose "Standards of Professionalism" published by the S.C. Bar. I am also a co-author of the "South Carolina Foreclosure Manual", which was published in 2006.
Also, it is always my goal to maintain a court where the judicial process is open to public scrutiny, and, without exception, to maintain the public trust.

15. Do you feel that the pressure of serving as a judge strains personal relationships (i.e. spouse, children, friends, or relatives)? How do you address this?
I have not found, and do not believe that my service has been a strain on any personal relationships to this point.
16. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality? No.
17. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?
No, although I do not think that I would be automatically disqualified in such a case.
18. Do you belong to any organizations that discriminate based on race, religion, or gender? No.
19. Have you met the mandatory minimum hours requirement for continuing legal education courses? Yes.
20. What do you feel is the appropriate demeanor for a judge?
Courteous, temperate, patient, deliberate, decisive and firm.
21. Would the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or do these rules apply seven days a week, twenty-four hours a day?
I believe the first three apply to the judge's entire lifestyle – 24/7. The last three have to do more with my judicial function.
22. Do you feel that it is ever appropriate to be angry with a member of the public who would appear before you? Is anger ever appropriate in dealing with attorneys or a pro se litigant?
The responsibility to uphold the integrity of the legal and judicial system, and respect for the judicial office, requires a clear and firm response. This may sometimes be expressed in the form of displeasure towards apparent or actual disregard for the adjudicatory process, the judicial system or the judicial office. However, I do not think that a judge has the "privilege" of "venting" personal anger toward any member of the public or attorney. The proper objective is always to correct improper behavior.
23. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees?
Only materials and stamps in mailing letters to the parties providing recommendations for my reappointment. I do not anticipate spending more than \$100 in mailing, telephone calls, and travel.
24. While campaigning for this office, have you used judicial letterhead or the services of your staff for your campaign? No.
25. Have you sought or received the pledge of any legislator prior to this date?
No.
26. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening? No.
27. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No.

28. Have you contacted any members of the Judicial Merit Selection Commission? No.
29. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges for 48 hours after the draft report has been submitted? Yes.

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

s/Stonewall Jackson Kimball, III

Sworn to before me this 8th day of September, 2008.

Notary Public for S.C.

My commission expires: 3/3/2014

Memo

TO: Judicial Merit Selection Commission
FROM: Upstate Citizens Committee
DATE: November, 2008
RE: Judicial Screening

The committee utilized the Investigative Plan that was adopted by its members and previously published to the Commission. Members of the committee also entertained presentations and interviews of candidates.

Benjamin H. Shealy

Based on the investigation of this committee, we find that Mr. Shealy meets the qualifications as set forth in the evaluative criteria. The interviews and other sources utilized, have led us to determine that he is well qualified for the position he seeks.

Patrick C. Fant

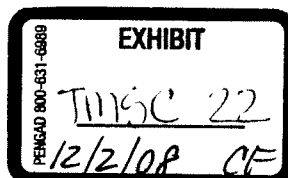
Based on the investigation of this committee, we find that Mr. Fant meets the qualifications as set forth in the evaluative criteria. The interviews and other sources utilized, have led us to determine that he is well qualified for the position he seeks.

Rob Stilwell

Based on the investigation of this committee, we find that Mr. Stilwell meets the qualifications as set forth in the evaluative criteria. The interviews and other sources utilized, have led us to determine that he is well qualified for the position he seeks.

Hon. J. Mark Hayes, II

Based on the investigation of this committee, we find that Judge Hayes meets and exceeds the qualifications as set forth in the evaluative criteria. He is a most competent and excellent jurist. The interviews and other sources utilized, have led us to determine that he is well qualified for the position he seeks.



Hon. Edward W. "Ned" Miller

Based on the investigation of this committee, we find that Judge Miller meets and exceeds the qualifications as set forth in the evaluative criteria. He is a most competent and excellent jurist. The interviews and other sources utilized, have led us to determine that he is well qualified for the position he seeks.

Hon. Robert N. Jenkins, Sr.

Based on the investigation of this committee, we find that Judge Jenkins meets the qualifications as set forth in the evaluative criteria. The interviews and other sources utilized, have led us to determine that he is well qualified for the position he seeks.

Hon. J Cordell Maddox, Jr.

Based on the investigation of this committee, we find that Judge Maddox meets and exceeds the qualifications as set forth in the evaluative criteria. He is a most competent and excellent jurist. The interviews and other sources utilized, have led us to determine that he is well qualified for the position he seeks.

Hon. Charles B. Simmons

Based on the investigation of this committee, we find that Judge Simmons meets and exceeds the qualifications as set forth in the evaluative criteria. He is a most competent and excellent jurist. The interviews and other sources utilized, have led us to determine that he is well qualified for the position he seeks.

Hon. Gordon G. Cooper

Based on the investigation of this committee, we find that Judge Cooper meets and exceeds the qualifications as set forth in the evaluative criteria. He is a most competent and excellent jurist. The interviews and other sources utilized, have led us to determine that he is well qualified for the position he seeks.

David E. Phillips

Based on the investigation of this committee, we find that Mr. Phillips meets the qualifications as set forth in the evaluative criteria. The interviews and other sources utilized, have led us to determine that he is well qualified for the position he seeks.

Edgar H. Long

Based on the investigation of this committee, we find that Mr. Long meets the qualifications as set forth in the evaluative criteria. The interviews and other sources utilized, have led us to determine that he is well qualified for the position he seeks.

M. Scott McElhannon

Based on the investigation of this committee, we find that Mr. McElhannon meets the qualifications as set forth in the evaluative criteria. The interviews and other sources utilized, have led us to determine that he is well qualified for the position he seeks.

Catherine C. Christophillis

Based on the investigation of this committee, we find that Ms. Christophillis meets the qualifications as set forth in the evaluative criteria. The interviews and other sources utilized, have led us to determine that she is well qualified for the position she seeks.

David J. Rutledge

Based on the investigation of this committee, we find that Mr. Rutledge meets the qualifications as set forth in the evaluative criteria. The interviews and other sources utilized, have led us to determine that he is qualified for the position he seeks. He explained the circumstances surrounding his bankruptcy action in 2001, to our satisfaction.

Carol I. McMahan

Based on the investigation of this committee, we find that Ms. McMahan meets the qualifications as set forth in the evaluative criteria. The interviews and other sources utilized, have led us to determine that he is well qualified for the position she seeks.

Allen Fretwell

The committee has found no additional information that would alter our report from earlier this year.

Catherine E. Fairey

The committee has found no additional information that would alter our report from earlier this year.

Alex Kinlaw, Jr.

The committee has found no additional information that would alter our report from earlier this year.

W. Marsh Robertson

The committee has found no additional information that would alter our report from earlier this year.

Michael Don Stokes

The committee has found no additional information that would alter our report from earlier this year.

W. Wallace Culp, III

The committee has found no additional information that would alter our report from earlier this year.

MEMORANDUM

TO: S.C. JUDICIAL MERIT SELECTION COMMISSION
FROM: UPSTATE CITIZENS COMMITTEE
DATE: MARCH 27, 2008
RE: CANDIDATES FOR JUDICIAL OFFICE

In order to more thoroughly provide information to the Commission, the Committee has decided to comment on each qualification required of the candidates as established by the Commission. However, there are two candidates in the current round of screening who have been previously and recently reviewed by this Committee. We have continued investigating, as is typical, and we have found nothing to change our previous favorable recommendations for the following candidates:

The Honorable Robert N. Jenkins, Sr.
The Honorable J. Mark Hayes, II

The remaining candidates were closely screened utilizing interviews with references, others who know the candidates, and their legal peers. Additionally, each candidate was interviewed by the committee as a whole. The following are our findings:

Chace D. Campbell

Constitutional qualifications

Based on the Personal Data Questionnaire, this candidate appears to have all the necessary qualifications.

Ethical fitness

The committee has not discovered any information that would lead us to question the ethical fitness of this candidate.

Professional and academic ability

The candidate appears to have all the necessary professional and academic ability.

Character

The committee has no reason to believe this candidate has any negative character traits.

Reputation

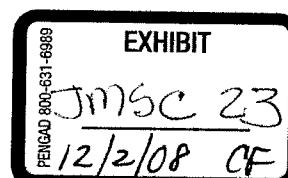
The candidate enjoys a favorable reputation in the community and amongst his legal peers.

Physical health and mental stability

The candidate appears to be in good physical and mental health.

Experience

The candidate has sufficient experience in the Family Court setting.



Judicial temperament

This committee found nothing that would indicate this candidate would have any problems in this area.

W. Wallace Culp, III**Constitutional qualifications**

Based on the Personal Data Questionnaire, this candidate appears to have all the necessary qualifications.

Ethical fitness

The committee has not discovered any information that would lead us to question the ethical fitness of this candidate.

Professional and academic ability

The candidate appears to have all the necessary professional and academic ability

Character

The committee has no reason to believe this candidate has any negative character traits.

Reputation

The candidate enjoys a favorable reputation in the community and amongst his legal peers.

Physical health and mental stability

The candidate appears to be in good physical and mental health.

Experience

The candidate has sufficient experience in the Family Court setting.

Judicial temperament

The committee believes that this candidate would have an excellent judicial temperament.

Catherine E. Fairey**Constitutional qualifications**

Based on the Personal Data Questionnaire, this candidate appears to have all the necessary qualifications.

Ethical fitness

The committee has not discovered any information that would lead us to question the ethical fitness of this candidate.

Professional and academic ability

The candidate appears to have all the necessary professional and academic ability

Character

The committee has no reason to believe this candidate has any negative character traits.

Reputation

The candidate enjoys a favorable reputation in the community and amongst her legal peers.

Physical health and mental stability

The candidate appears to be in good physical and mental health.

Experience

The candidate has extensive experience (18 years) in practicing in Family Court. She does not have significant experience in juvenile matters.

Judicial temperament

The committee believes that this candidate would have an excellent judicial temperament.

Letitia H. Verdin

Constitutional qualifications

Based on the Personal Data Questionnaire, this candidate appears to have all the necessary qualifications.

Ethical fitness

The committee has not discovered any information that would lead us to question the ethical fitness of this candidate.

Professional and academic ability

The candidate appears to have all the necessary professional and academic ability

Character

The committee has no reason to believe this candidate has any negative character traits.

Reputation

The candidate enjoys a favorable reputation in the community and amongst her legal peers.

Physical health and mental stability

The candidate appears to be in good physical and mental health.

Experience

The candidate has significant experience in prosecuting juveniles in Family Court. While she does not actually participate in DSS cases, they often parallel the cases she prosecutes in the solicitor's office. However, the candidate has had no experience in matrimonial cases.

Judicial temperament

The committee believes that this candidate would have an excellent judicial temperament.

Mary Alice Godfrey

Constitutional qualifications

Based on the Personal Data Questionnaire, this candidate appears to have all the necessary qualifications.

Ethical fitness

The committee has not discovered any information that would lead us to question the ethical fitness of this candidate.

Professional and academic ability

The candidate appears to have all the necessary professional and academic ability

Character

The committee has no reason to believe this candidate has any negative character traits.

Reputation

The candidate enjoys a favorable reputation in the community and amongst her legal peers.

Physical health and mental stability

The candidate appears to be in good physical and mental health.

Experience

The candidate has sufficient experience in the Family Court setting.

Judicial temperament

The committee believes that this candidate would have an excellent judicial temperament.

Alex Kinlaw, Jr.

Constitutional qualifications

Based on the Personal Data Questionnaire, this candidate appears to have all the necessary qualifications.

Ethical fitness

The committee has not discovered any information that would lead us to question the ethical fitness of this candidate.

Professional and academic ability

The candidate appears to have all the necessary professional and academic ability

Character

The committee has no reason to believe this candidate has any negative character traits.

Reputation

The candidate enjoys a favorable reputation in the community and amongst his legal peers.

Physical health and mental stability

The candidate appears to be in good physical and mental health.

Experience

This candidate has been practicing for 30 years. He has vast experience in every area that is within the Family Court's jurisdiction.

Judicial temperament

The committee believes that this candidate would have an excellent judicial temperament.

W. Marsh Robertson

Constitutional qualifications

Based on the Personal Data Questionnaire, this candidate appears to have all the necessary qualifications.

Ethical fitness

The committee has not discovered any information that would lead us to question the ethical fitness of this candidate.

Professional and academic ability

The interview with this candidate revealed that he is a member of the American Academy of Matrimonial Attorneys. This credential alone is impressive. However, the committee believes it is especially telling of his professional and academic abilities.

Character

The committee has no reason to believe this candidate has any negative character traits.

Reputation

The candidate enjoys a favorable reputation in the community and amongst his legal peers.

Physical health and mental stability

The candidate appears to be in good physical and mental health.

Experience

This candidate has practiced 100% family law for 18 years. He is a member of the American Academy of Matrimonial Attorneys, which evidences his experience and commitment to family law.

Judicial temperament

The committee believes that this candidate would have an excellent judicial temperament.

Michael Don Stokes

Constitutional qualifications

Based on the Personal Data Questionnaire, this candidate appears to have all the necessary qualifications.

Ethical fitness

The committee has not discovered any information that would lead us to question the ethical fitness of this candidate.

Professional and academic ability

The candidate possesses the professional and academic ability to qualify for the position he seeks.

Character

The committee has no reason to believe this candidate has any serious negative character traits, with the exception of having a short temper as described below.

Reputation

This candidate has a reputation that concerns the committee. The areas of concern are regarding Judicial Temperament and are more detailed below.

Physical health and mental stability

The candidate appears to be in good physical and mental health.

Experience

The candidate has sufficient experience in the Family Court setting.

Judicial temperament

This candidate is a sitting magistrate and based on comments from several people, who have observed his conduct, this committee has serious concerns about his judicial temperament.

REPORT OF MIDLANDS CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
November 2008

During the course of its investigation, members of the Midlands Citizens Committee on Judicial Qualifications contacted numerous persons including lawyers and non-lawyers in the communities where the following candidates reside. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reported:

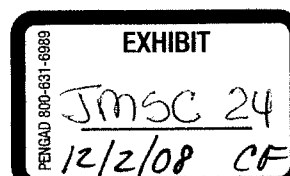
Honorable G.Thomas Cooper, Jr
5th Circuit Court, Seat 3

1. Constitutional Qualifications: Judge Cooper meets the constitutional qualifications for the judicial position he seeks.
2. Ethical Fitness: Persons interviewed by the committee indicated that Judge Cooper was considered highly ethical.
3. Professional and Academic Ability: The committee gave Judge Cooper a outstanding rating in this area.
4. Character: The committee reported that Judge Cooper's character was unquestioned.
5. Reputation: Judge Cooper enjoys an outstanding reputation in the community and among his peers.
6. Physical and Mental Health: There is no evidence that Judge Cooper is not physically and mentally capable of performing the duties required of a judge of the Circuit Court.
7. Experience: The committee recognized Judge Cooper's outstanding legal and judicial experience.
8. Judicial Temperament: The committee gave Judge Cooper a most outstanding rating in this category.

Summary: The Midlands Citizens Committee found Judge Cooper to be a very highly qualified and a most highly regarded candidate, who would continue to serve on the Circuit Court bench in a most outstanding manner.

Date: November 3, 2008

Signed: John Grantland, Chairman



REPORT OF MIDLANDS CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
November 2008

During the course of its investigation, members of the Midlands Citizens Committee on Judicial Qualifications contacted numerous persons including lawyers and non-lawyers in the communities where the following candidates reside. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reported:

Honorable James R. Barber, III
Circuit Court, At Large Seat 10

1. Constitutional Qualifications: Judge Barber meets the constitutional qualifications for the judicial position he seeks.
2. Ethical Fitness: Persons interviewed by the committee indicated that Judge Barber was considered highly ethical.
3. Professional and Academic Ability: The committee gave Judge Barber an outstanding rating in this area.
4. Character: The committee reported that Judge Barber's character was unquestioned.
5. Reputation: Judge Barber enjoys an excellent reputation in the community and among his peers.
6. Physical and Mental Health: There is no evidence that Judge Barber is not physically and mentally capable of performing the duties required of a judge of the Circuit Court.
7. Experience: The committee recognized Judge Barber's outstanding legal and judicial experience.
8. Judicial Temperament: The committee gave Judge Barber an outstanding rating in this category.

Summary: The Midlands Citizens Committee found Judge Barber to be a most highly qualified and a most highly regarded candidate, who would continue to serve on the Circuit Court bench in a most outstanding manner.

Date: November 3, 2008
Signed: John Grantland, Chairman

REPORT OF MIDLANDS CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
November 2008

During the course of its investigation, members of the Midlands Citizens Committee on Judicial Qualifications contacted numerous persons including lawyers and non-lawyers in the communities where the following candidates reside. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reported:

Honorable J. Michelle Childs
Circuit Court, At Large Seat 9

1. Constitutional Qualifications: Judge Childs meets the constitutional qualifications for the judicial position she seeks.
2. Ethical Fitness: Persons interviewed by the committee indicated that Judge Childs was considered highly ethical.
3. Professional and Academic Ability: The committee gave Judge Childs a superior rating in this area.
4. Character: The committee reported that Judge Childs' character was unquestioned.
5. Reputation: Judge Childs enjoys a most outstanding reputation in the community and among her peers.
6. Physical and Mental Health: There is no evidence that Judge Childs is not physically and mentally capable of performing the duties required of a judge of the Circuit Court.
7. Experience: The committee recognized Judge Childs' outstanding legal and judicial experience.
8. Judicial Temperament: The committee gave Judge Childs a most outstanding rating in this category.

Summary: The Midlands Citizens Committee found Judge Childs to be a very eminently qualified and a most highly regarded candidate, who would ably continue to serve on the Circuit Court bench in a most outstanding manner.

Date: November 3, 2008
Signed: John Grantland, Chairman

REPORT OF MIDLANDS CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
November 2008

During the course of its investigation, members of the Midlands Citizens Committee on Judicial Qualifications contacted numerous persons including lawyers and non-lawyers in the communities where the following candidates reside. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reported:

Honorable Joseph M. Strickland
Richland County Master-in-Equity

1. Constitutional Qualifications: Judge Strickland meets the constitutional qualifications for the judicial position he seeks.
2. Ethical Fitness: Persons interviewed by the committee indicated that Judge Strickland was considered highly ethical.
3. Professional and Academic Ability: The committee gave Judge Strickland a outstanding rating in this area.
4. Character: The committee reported that Judge Strickland's character was unquestioned.
5. Reputation: Judge Strickland enjoys an excellent reputation in the community and among his peers.
6. Physical and Mental Health: There is no evidence that Judge Strickland is not physically and mentally capable of performing the duties required of a judge of the Circuit Court.
7. Experience: The committee recognized Judge Strickland's excellent legal and judicial experience.
8. Judicial Temperament: The committee gave Judge Strickland an outstanding rating in this category.

Summary: The Midlands Citizens Committee found Judge Strickland to be a very highly qualified and a very highly regarded candidate, who would ably serve on as the Master-in-Equity for Richland County

Date: November 3, 2008
Signed: John Grantland, Chairman

REPORT OF MIDLANDS CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
November 2008

During the course of its investigation, members of the Midlands Citizens Committee on Judicial Qualifications contacted numerous persons including lawyers and non-lawyers in the communities where the following candidates reside. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reported:

Mrs. Lisa C. Glover
Circuit Court, At Large Seat 1

1. Constitutional Qualifications: Mrs. Glover meets the constitutional qualifications for the judicial position she seeks.
2. Ethical Fitness: Persons interviewed by the committee indicated that Mrs. Glover was considered highly ethical.
3. Professional and Academic Ability: The committee gave Mrs. Glover an outstanding rating in this area.
4. Character: The committee reported that Mrs. Glover's character was unquestioned.
5. Reputation: Mrs. Glover enjoys an outstanding reputation in the community and among her peers.
6. Physical and Mental Health: There is no evidence that Mrs. Glover is not physically and mentally capable of performing the duties required of a judge of the Circuit Court.
7. Experience: The committee recognized Mrs. Glover's outstanding legal experience and judicial experience as a Worker's Compensation Commissioner.
8. Judicial Temperament: The committee gave Mrs. Glover an outstanding rating in this category.

Summary: The Midlands Citizens Committee found Mrs. Glover to be a highly qualified and a highly regarded candidate, who would ably serve on the Circuit Court bench.

Date: November 3, 2008

Signed: John Grantland, Chairman

REPORT OF MIDLANDS CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
November 2008

During the course of its investigation, members of the Midlands Citizens Committee on Judicial Qualifications contacted numerous persons including lawyers and non-lawyers in the communities where the following candidates reside. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reported:

Mrs. Deborah Durden
Administrative Law Court, Seat 4

1. Constitutional Qualifications: Mrs. Durden meets the constitutional qualifications for the judicial position she seeks.
2. Ethical Fitness: Persons interviewed by the committee indicated that Mrs. Durden was considered highly ethical.
3. Professional and Academic Ability: The committee gave Mrs. Durden an outstanding rating in this area.
4. Character: The committee reported that Mrs. Durden's character was unquestioned.
5. Reputation: Mrs. Durden enjoys a most outstanding reputation in the community and among her peers.
6. Physical and Mental Health: There is no evidence that Mrs. Durden is not physically and mentally capable of performing the duties required of a judge of the Administrative Law Court.
7. Experience: The committee recognized Mrs. Durden's outstanding legal experience.
8. Judicial Temperament: The committee gave Mrs. Durden a most outstanding rating in this category.

Summary: The Midlands Citizens Committee found Mrs. Durden to be a most highly qualified and a highly regarded candidate, who would ably serve on the Administrative Law Court.

Date: November 3, 2008

Signed: John Grantland, Chairman

REPORT OF MIDLANDS CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
November 2008

During the course of its investigation, members of the Midlands Citizens Committee on Judicial Qualifications contacted numerous persons including lawyers and non-lawyers in the communities where the following candidates reside. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reported:

Ms. Melody James
Administrative Law Court, Seat 4

1. Constitutional Qualifications: Ms. James meets the constitutional qualifications for the judicial position she seeks.
2. Ethical Fitness: Persons interviewed by the committee indicated that Ms. James was considered highly ethical.
3. Professional and Academic Ability: The committee gave Ms. James an outstanding rating in this area.
4. Character: The committee reported that Ms. James's character was unquestioned.
5. Reputation: Ms. James enjoys an excellent reputation in the community and among her peers.
6. Physical and Mental Health: There is no evidence that Ms. James is not physically and mentally capable of performing the duties required of a judge of the Administrative Law Court.
7. Experience: The committee recognized Ms. James excellent legal experience and judicial experience as a City Judge for the Town of Cayce.
8. Judicial Temperament: The committee gave Ms. James an excellent rating in this category.

Summary: The Midlands Citizens Committee found Ms. James to be a highly qualified and a highly regarded candidate, who would ably serve on the Administrative Law Court.

Date: November 3, 2008

Signed: John Grantland, Chairman

REPORT OF MIDLANDS CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
November 2008

During the course of its investigation, members of the Midlands Citizens Committee on Judicial Qualifications contacted numerous persons including lawyers and non-lawyers in the communities where the following candidates reside. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reported:

Mrs. Kelly Hunter Rainsford
Administrative Law Court, Seat 4

1. Constitutional Qualifications: Mrs. Rainsford meets the constitutional qualifications for the judicial position she seeks.
2. Ethical Fitness: Persons interviewed by the committee indicated that Mrs. Rainsford was considered highly ethical.
3. Professional and Academic Ability: The committee gave Mrs. Rainsford a most outstanding rating in this area.
4. Character: The committee reported that Ms. Rainsford's character was unquestioned.
5. Reputation: Mrs. Rainsford enjoys a most outstanding reputation in the community and among her peers.
6. Physical and Mental Health: There is no evidence that Mrs. Rainsford is not physically and mentally capable of performing the duties required of a judge of the Administrative Law Court.
7. Experience: The committee recognized Mrs. Rainsford's outstanding legal experience.
8. Judicial Temperament: The committee gave Mrs. Rainsford a superior rating in this category.

Summary: The Midlands Citizens Committee found Mrs. Rainsford to be an eminently and most highly qualified and a most highly regarded candidate. She is a driven, enthusiastic, and highly motivated candidate who would most ably serve on the Administrative Law Court.

Date: November 3, 2008
Signed: John Grantland, Chairman

REPORT OF MIDLANDS CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
November 2008

During the course of its investigation, members of the Midlands Citizens Committee on Judicial Qualifications contacted numerous persons including lawyers and non-lawyers in the communities where the following candidates reside. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reported:

Mr. Leonard P. Odom
Administrative Law Court, Seat 4

1. Constitutional Qualifications: Mr. Odom meets the constitutional qualifications for the judicial position he seeks.
2. Ethical Fitness: Persons interviewed by the committee indicated that Mr. Odom was considered highly ethical.
3. Professional and Academic Ability: The committee gave Mr. Odom a most superior rating in this area.
4. Character: The committee reported that Mr. Odom's character was unquestioned.
5. Reputation: Mr. Odom enjoys a most outstanding reputation in the community and among his peers.
6. Physical and Mental Health: There is no evidence that Mr. Odom is not physically and mentally capable of performing the duties required of a judge of the Administrative Law Court.
7. Experience: The committee recognized Mr. Odom's outstanding legal experience.
8. Judicial Temperament: The committee gave Mr. Odom a superior rating in this category.

Summary: The Midlands Citizens Committee found Mr. Odom to be an eminently and most highly qualified and a most highly regarded candidate. He is a driven, enthusiastic, and highly motivated candidate who would most ably serve on the Administrative Law Court.

Date: November 3, 2008
Signed: John Grantland, Chairman

REPORT OF MIDLANDS CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
November 2008

During the course of its investigation, members of the Midlands Citizens Committee on Judicial Qualifications contacted numerous persons including lawyers and non-lawyers in the communities where the following candidates reside. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reported:

Ms. Shirley Robinson
Administrative Law Court, Seat 4

1. Constitutional Qualifications: Ms. Robinson meets the constitutional qualifications for the judicial position she seeks.
2. Ethical Fitness: Persons interviewed by the committee indicated that Ms. Robinson was considered highly ethical.
3. Professional and Academic Ability: The committee gave Ms. Robinson an excellent rating in this area.
4. Character: The committee reported that Ms. Robinson's character was unquestioned.
5. Reputation: Ms. Robinson enjoys an excellent reputation in the community and among her peers.
6. Physical and Mental Health: There is no evidence that Ms. Robinson is not physically and mentally capable of performing the duties required of a judge of the Administrative Law Court.
7. Experience: The committee recognized Ms. Robinson's excellent legal experience.
8. Judicial Temperament: The committee gave Ms. Robinson an outstanding rating in this category.

Summary: The Midlands Citizens Committee found Ms. Robinson to be a highly qualified and a highly regarded candidate, who would ably serve on the Administrative Law Court.

Date: November 3, 2008
Signed: John Grantland, Chairman