



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

Court, Position, and Seat # for which you are applying:
Circuit Court, Eleventh Judicial Circuit, Seat 1

1. Name: The Honorable Kyliene L. Keesley

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

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

Yes. I am a full-time Magistrate Judge in Lexington County.

Home Address: [Redacted]

County of Residence: Lexington

Business Address: 650 Knox Abbott Drive, Cayce, SC 29033

E-Mail Address: [Redacted]

Telephone Number: (office): 803.785.6267
(cell): [Redacted]

2. Date of Birth: [Redacted], 1979
Place of Birth: Augusta, GA
Social Security Number: [Redacted]

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

4. SCDL# or SCHD#: [Redacted]

Voter Registration Number: [Redacted]

5. Have you served in the military? If so, give the dates, branch of service, highest rank attained, serial number (if applicable), present status, and the character of your discharge or release. Please provide a copy of your DD214 concerning your discharge.

I have never served in the military.

6. Family Status:
 - (a) State whether you are single, married, widowed, divorced, or separated.
 - (b) If married, state the date of your marriage and your spouse's full name and occupation.
 - (c) If widowed, list the name(s) of spouse(s).
 - (d) If you have ever been divorced or are in the process of obtaining a divorce, state the date, name of the moving party, court, and grounds.
 - (e) State the names of your children and their ages. If your children are NOT full-time students, also include the occupation and employer of each child.

Single; Never divorced; No children.

7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
 - (a) Wofford College, September 1997-May 2001, B.S. in Government and Sociology received May 2001;
 - (b) University of South Carolina Aiken; June 1999-July 1999, obtained two class credits towards my undergraduate degree received from Wofford College in May 2001;
 - (c) University of South Carolina School of Law, August 2001-May 2004, J.D. received May 2004.
8. List the significant activities in which you took part during your attendance at law school. Give the years you were involved in these activities and list any leadership positions you held.
 - (a) Legislative clerkship with S.C. House of Representatives Judiciary Committee, 2002-2004;
 - (b) Legislative clerkship with S.C. House of Representatives Labor, Commerce and Industry Committee, 2002;
 - (c) Clerkship at James C. Anders, PA & Associates, 2002.
9. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. Please indicate the number of times you took the exam in each state.
 - (a) South Carolina; admitted in 2004; took the bar exam once
10. Describe chronologically, since graduation from law school, your legal experience. Please include a list of all positions held in which you worked in a legal capacity. Describe the general character of your practice and divide it into periods with dates if its character changed over the years. Please also describe the extent to which you were involved with the

administrative and financial management of each of these entities, including management of trust accounts.

(a) Judicial Law Clerk for the Honorable James R. Barber, III

During my clerkship, Judge Barber was the Chief Administrative Judge for the Court of Common Pleas in Richland County. I performed administrative tasks including scheduling and tracking outstanding matters that required ruling. I drafted Orders and responded to voluminous correspondence from attorneys and inmates. I reviewed proposed Orders, motions, memoranda, and case file materials and reported to the Judge on my findings and opinions. I conducted legal research on both criminal and civil topics. While serving as a judicial clerk, I observed and assisted in all aspects of both criminal and civil Court, including but not limited to the following: civil trials, criminal trials, non-jury motion hearings, pre-trial conferences and hearings in both civil and criminal matters, guilty pleas, bond hearings, post-conviction relief hearings, probation revocation hearings and status conferences. I was not involved in any financial management in this position.

(b) Associate Attorney/Partner, Howser, Newman & Besley, LLC

My primary practice has been civil litigation. I have represented defendants in cases involving a wide range of topics including, but not limited to, automobile liability, professional negligence, premises liability, and breach of contract. My early years of practice included appearances in Family Court as a guardian ad litem and as attorney for parties in both hearings and trial. In more recent years, my practice expanded to include representation of plaintiffs in breach of contract actions and on personal injury and property damage claims. I have performed all aspects of litigation tasks from the initial client interview to the conclusion of trial and supplemental proceedings for collection of a judgment obtained at trial. Outside of Court matters, I have provided advice to clients regarding the validity and formation of contract language and have responded to pre-suit claims on their behalf. In the final years of my practice, I spent time observing criminal court proceedings and was associated to assist a criminal defense attorney in certain matters. This included assisting in legal research and advising criminal defendants of considerations related to trial, sentencing, and pleas.

I represented clients as sole counsel and chief counsel in Magistrate's Court, Circuit Court, Family Court, and the U.S. District Court for the District of SC. I appeared before the Master-in-Equity and Probate Court in many counties seeking approval of settlements and to assert liens on behalf of my clients. Over the course of my legal career, I have had to research and apply complex legal theories and law to advocate for my clients. I have written briefs, motions, Orders, pleadings, petitions, memoranda of law, and complex coverage opinions utilizing my evaluation and application of the laws of the State of South Carolina.

In 2011, I became a Certified Circuit Court Mediator. In this role, I have mediated hundreds of actions primarily involving claims of personal injury, property damage, breach of contract, false imprisonment, construction defects, and medical malpractice. I have also served as an Arbitrator for property damage actions in multiple counties in South Carolina since becoming a Certified Circuit Court Arbitrator in 2014. Service as an Arbitrator allowed me to make legal determinations and issue rulings in civil matters. In addition to mediation and arbitration, I was appointed as a Special Hearing Officer to preside over a Fast Track Trial in Richland County.

My involvement in financial administration of the firm included preparation and production of invoices to clients and collection of payments. This required production,

maintenance, and editing of thousands of data entries of task-based, billable-time descriptions. Although I delegated certain responsibilities to my legal assistant and other office staff, I handled a majority of administrative tasks myself. I had no management duties regarding trust accounts.

(c) Magistrate Court Judge, Lexington County

I was appointed as a Magistrate Judge in June of 2024. In this role, I oversee deposits of funds and issuance of funds by the Cayce-West Columbia District office but do not have any managerial responsibilities related to a trust account. My administrative duties include, but are not limited to, management of scheduling and execution of Orders or Writs along with issuance and retention of warrants. Following my appointment, I attended two weeks of training on criminal and civil procedural considerations. This included extensive training regarding application of the S.C. Rules of Evidence in criminal and civil actions, defenses, and protection of Constitutional rights.

In the role of a Magistrate, my jurisdiction is set by statute to include criminal trial jurisdiction over all offenses subject to a fine of \$500.00 or less or imprisonment not to exceed 30 days, or both and to include civil jurisdiction over matters in which the amount in controversy does not exceed \$7,500 (exclusive of fees and costs that may be awarded). In Lexington County, Magistrates also have jurisdiction over certain criminal matters that exceed the basic statutory limits including third degree domestic violence, forgery with no dollar amount involved, and third offense of driving under suspension. Lexington County Magistrates are also assigned to hear certain General Sessions cases including those with a penalty of up to 1 year imprisonment and/or a fine of \$5,500. My duties as a Magistrate primarily include issuance of search and arrest warrants and presiding over bond Court and claims for eviction, claim and delivery, property damage recovery, and restraining orders along with hearings and trials on domestic violence offenses, traffic offenses (including driving under the influence of alcohol or drugs), trespass, and code enforcement matters. Additionally, my duties include presiding over Magistrate sales and preliminary hearings in criminal matters.

The position requires care in informing criminal defendants of their constitutional rights and ensuring that civil parties have the opportunity to fairly assert their claims and defenses. The variety of matters and claims before the Magistrate Court is very broad. Interaction with claimants and parties, including law enforcement officers acting on behalf of the State, requires my exercise of patience and fair application of the law daily.

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

11. Please answer the following:
 - (a) If you are a candidate for Family Court, please provide a brief written description of your experience within each of the following Family Court practice areas: divorce and equitable division of property, child custody, adoption, abuse and neglect, and juvenile justice. Include information about cases you have handled in each of these practice areas, or if you have not practiced in an area, describe how your background

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

N/A

- (b) If you are a candidate for Circuit Court, please provide a brief written description of your experience in criminal matters, including any cases handled over the past five years, and include a brief description of the issues involved. Further, please provide a brief written description of your experience in civil matters, including any cases handled over the past five years, and include a brief description of the types of matters handled, issues involved, and procedural history. Please include information such as the primary areas in civil court in which you practice, and whether you represent plaintiffs or defendants, or both. You may go back further than five years if you feel it would assist the Commission with its assessment of your experience. If you lack experience in an area, describe how your background and procedural knowledge has prepared you to preside over such matters as a Circuit Court judge, or how you would compensate for your lack of experience in this area. Please also indicate the frequency of your appearances before a Circuit Court judge within the past five years.

- (a) My experience in criminal matters derives from my service as a judicial law clerk, representation of clients with pending or past criminal charges in civil actions, observations through association with criminal defense counsel, and my current service as a Magistrate Court Judge. Early in my legal career, I also served as a guardian ad litem and an attorney on several abuse and neglect and runaway cases which required investigation of and defense against pending criminal charges.

During my judicial clerkship, I assisted a Circuit Court Judge in the performance of his duties in all proceedings of criminal Court and was able to observe numerous trials, pre-trial hearings, *in camera* hearings to determine admissibility of evidence, bond hearings, guilty pleas, probation revocation hearings, Jackson-Denno hearings (Jackson v. Denno, 378 U.S. 368 (1964)) on admissibility of statements/confessions, Batson motion hearings during jury selection (Batson v. Kentucky, 476 U.S. 79(1986)), and the provision of Allen charges when juries reported that they were deadlocked (Allen v. U.S., 164 U.S. 492 (1896)). Although civil in nature, I also observed many post-conviction relief hearings that involved evaluation of criminal procedures, consideration of evidentiary issues, and evaluation of effectiveness of counsel at trial. These included the Donney Council PCR proceedings which resulted in creation of South Carolina precedent regarding competency and admissibility standards for certain evidence. That matter involved the early application and use of mtDNA testing and considerations of the effectiveness of counsel in criminal proceedings. State v. Council, provides guiding law on the Sixth Amendment right to counsel and admissibility of inculpatory statements that is applied constantly in criminal matters in South Carolina, and I have witnessed the application of those standards and had the unique opportunity to observe and hear testimony of Mr. Council. 335 S.C.1, 515 S.E.2d 508 (1999). My clerkship responsibilities

required that I research criminal procedure and case law which familiarized me with the standards and law for application in criminal matters before the Circuit Court.

One of my first cases in private practice included defense against legal malpractice allegations of inadequate representation of a client in a criminal matter which required my research and evaluation of criminal penalties, charges, and investigation in order to assert a defense. Throughout my practice, I handled numerous claims resulting from alleged criminal acts of my client or my client's employees. These acts most often included battery, rape, or driving under the influence. I had to evaluate the effect of the criminal charges on negotiation of claims, discovery, and settlement document language including extensive research and application of the Fifth Amendment privilege and other constitutional rights in my advice and representation of clients. I have engaged in motions practice related to my client's assertion of the Fifth Amendment privilege and have worked closely with criminal defense counsel regarding discovery practice throughout my legal career. Although my practice was primarily civil in nature, it was not void of consideration and research of criminal penalties and procedure. Additionally, in recent years, I observed criminal proceedings in Circuit Court and was associated as counsel for criminal defendants in both trial and pre-trial matters to assist with research and advising of criminal defendants related to plea considerations and trial.

As a Magistrate Judge, I preside over criminal matters weekly. As a part of this job, I have obtained legal education to promote my understanding and application of criminal statutes and penalties as well as the S.C. Rules of Evidence in criminal matters before the Court. My role requires that I ensure protection of the constitutional rights afforded defendants in criminal court while maintaining efficiency in the disposition of cases. My service as a Magistrate requires interaction with individuals charged with crimes, victims, and representatives of the State on a variety of matters and proceedings, which include those involved in issuance of warrants and appearing for bond Court.

My experience described above and in application of the South Carolina Rules of Evidence during my practice and as a Magistrate has prepared me to preside over criminal matters as a Circuit Court Judge. Additionally, I understand the requirements of a Judge and have had the opportunity to both study and apply a Judge's considerations in a multitude of criminal proceedings. I am confident that I can perform any requisite research and study of criminal matters, and welcome the opportunity to expand upon my knowledge, to fairly and efficiently apply the Rules of Criminal Procedure and precedent to pending criminal matters.

- (b) Over the past five years, I have handled many civil matters representing parties in all aspects of litigation from asserting a pre-suit claim to obtaining a judgment at trial. This included representation of both plaintiffs and defendants. I have conducted all aspects of investigation and discovery. During the large majority of the past five years, I have appeared before a Circuit Court Judge multiple times a month. My practice was statewide requiring my appearance in Court in almost every county in the State over my career. I handled hundreds of civil

matters in private practice as sole counsel for my clients, both individuals and corporations. The types of claims that I primarily handled included the following: automobile liability, premises liability, construction defects, legal malpractice, professional negligence, negligent supervision or hiring, breach of contract, homeowner's association disputes, dram shop liability, and mechanic's liens. During my time in private practice, I presented hundreds of minor settlements and wrongful death and survival action settlements to the Court for approval, and these matters involved the issues listed above along with claims of negligent supervision and the application of the Tort Claims Act. Outside of Court matters, I have provided advice to clients regarding the validity and formation of contract language and have responded to pre-suit claims on their behalf. As my mediation practice grew, it expanded my knowledge of legal claims and provided insight on the considerations of both sides of a civil case. My experience in civil matters through my practice as a litigator, mediator, and arbitrator has given me the skills and knowledge to successfully serve as a Circuit Court Judge. I employ these skills in my current role as a Magistrate Court Judge to hear civil claims weekly. My current job requires that I routinely make determinations of jurisdiction and equity that prepare me to efficiently do so in service as a Circuit Court Judge in civil matters.

- (c) If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master's court, including any cases handled over the past five years, and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity or a Circuit Court Judge within the past five years.

N/A

- (d) If you are a candidate for Administrative Law Court, please provide a brief written description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law or Circuit Court within the past five years.

N/A

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

(a) federal: none

(b) state: prior to 2020, several times a month; 2020-2024, approximately twice a month

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

(a) civil: 85%

(b) criminal: 1%

(c) domestic: 0%

(d) other: 14%

14. During the past five years
- (a) What percentage of your practice was in trial court, including cases that settled prior to trial? Approximately 65%
 - (b) What number of cases went to trial and resulted in a verdict? 2
 - (c) What number of cases went to trial and resolved after the plaintiff's or State's case? 0
(Resolved may include settlement, plea, by Judge's order during a motion hearing, etc.)
 - (d) What number of your cases settled after a jury was selected but prior to opening statements? 0

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

For sitting judges seeking a judgeship different than your current position,
During the five years prior to your election to the bench, what percentage of your practice was in trial court, including matters that settled prior to trial? Approximately 65%

15. List five of the most significant litigated matters you have personally handled in either trial or appellate court, or before a state or federal agency. Give citations if the cases were reported and describe why these matters were significant.
- (a) Jones and Jones v. Williams. This case is significant in that it included the only trial in which I have been involved for a claim of claim of traumatic brain injury. All other such claims that I handled resolved prior to trial. The case involved an automobile collision in Richland County. Negligence was admitted by the defense. The jury returned a verdict of \$0 for the Plaintiff. The trial of this case commenced less than a week after another trial that I participated in, so I was subject to the time constraints of back-to-back trials creating a memorable experience of the stresses that accompany the excitement of trial work.
 - (b) Houston v. Ray Products Co. and PolyOne Designed Structures and Solutions, LLC; PolyOne Designed Structures and Solutions, LLC v. PODS Enterprises, Inc.; PODS Enterprises, Inc. v. Houston. I represented a third-party defendant/cross-claimant. This case is significant, because it involved sophisticated professional parties located in various states and required travel to Florida and California to conduct discovery and depositions. Although the primary claim was Houston's product liability claim, litigation of the case involved disputes regarding breach of contract, application of OSHA standards, and business best practices. The case required examination of experts in very specialized fields and required that I prepare business executives to give deposition testimony on behalf of a national corporation. Unlike other product liability actions that I have handled, this case involved complex contract issues upon which liability hinged. After extensive litigation and multiple motions, the claims against my client were dismissed by an Order Granting Summary Judgment.
 - (c) Umphreyville v. Gittins. This is one of the first legal malpractice cases that I handled in private practice. It is significant due to the fact that it uniquely combined a civil claim with considerations of criminal penalties. It educated me on proper defense of professional negligence claims. The plaintiff was accused of committing crimes while a member of the United States Marine Corps and sued his lawyer for inadequate representation and negligence. This matter involved research of both the Uniform Code of Military Justice and penalties thereunder, and the application of sections of the U.S.

Code of Laws to the plaintiff's criminal case. I prepared motions and memoranda in this matter and was ultimately successful on a Motion to Dismiss.

(d) Limbrey v. American Home Shield. This case involved a breach of contract claim. It is significant in that it was one of the first cases in which I acted as sole counsel for a business entity as defendant and prepared experts to testify at trial. It was also my first case as sole counsel that was not settled or dismissed by motion prior to a verdict. The case included a claim for recovery of legal fees that required research and submission of pre-trial briefs. The plaintiff claimed that the defendant owed a duty to replace heating, ventilation, and air conditioning units at his home. The defendant was found not liable for breach of contract.

(e) Frazier v. Family Circle Cup, LLC, et al. This case involved allegations of general negligence, negligent supervision, and negligent hiring as the result of an injury sustained during participation in a product demonstration that involved hitting tennis balls propelled from a machine. I drafted two memoranda in support of a Motion for Summary Judgment, argued the Motion, and prepared the Order Granting Summary Judgment. The granting of Summary Judgment was appealed to the S.C. Court of Appeals, but the appeal was later dismissed. This case is significant, because it involved the doctrine of primary implied assumption of risk and strengthened my understanding of the principle of assumption of the risk for application to dozens of premises liability cases throughout my legal career including those for which I served as Mediator. Other attorneys in my firm utilized my research results from this case to support their position in other premises liability cases. This is one of the cases that strengthened the foundation of knowledge on which my mediation practice was formed.

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

Although I have assisted on drafting of appellate briefs and have had cases that involved appeals, I have not been chief counsel on an appeal.

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

None

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

Yes. I was appointed as a Magistrate Judge by Governor McMaster in June of 2024 upon confirmation by the Senate. My term expires in April of 2027.

My jurisdiction is set by statute to include criminal trial jurisdiction over all offenses subject to a fine of \$500.00 or less or imprisonment not to exceed 30 days, or both and to include civil jurisdiction over matters in which the amount in controversy does not exceed \$7,500 (exclusive of fees and costs that may be awarded). In Lexington County, Magistrates also have jurisdiction over certain criminal matters that exceed the basic statutory limits including third degree domestic violence, forgery with no dollar amount involved, and third offense of driving under suspension. Lexington County Magistrates are also assigned to hear certain General Sessions cases including those with a penalty of up to 1 year imprisonment and/or a fine of \$5,500. My duties as a Magistrate primarily include issuance

of search and arrest warrants and presiding over bond Court and claims for eviction, claim and delivery, property damage recovery, and restraining orders along with hearings and trials on domestic violence offenses, traffic offenses (including driving under the influence of alcohol or drugs), trespass, and code enforcement matters. Additionally, my duties include presiding over Magistrate sales and preliminary hearings in criminal matters.

19. If the answer to question 18 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also, list citations to any appellate review of these orders or opinions.
My Court predominantly utilizes form Orders (or Writs) or rulings issued verbally in open court with both parties present. In my first month as a Magistrate, I have issued dozens of form Orders ruling on claims for damages and evictions and issuing sentences for criminal traffic violations. None have been appealed.
20. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.
(a) South Carolina, November 2004;
(b) U.S. District Court for the District of S.C., December 2007.
21. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture.
(a) I am currently teaching my eighth semester of Alternative Dispute Resolution at the University of South Carolina Joseph F. Rice School of Law which involves instruction on negotiation, mediation, arbitration, and early neutral evaluation;
(b) As a member of the Dispute Resolution Section Council of the South Carolina Bar, I have served as course planner and speaker and/or moderator for multiple CLEs, including development of Bar Convention agendas. Some topics of CLEs that I have personally moderated or assisted in development of include implicit bias, emotional intelligence, skills to combat narcissistic and domineering behavior in parties, and best practices in Alternative Dispute Resolution;
(c) I assisted in the South Carolina Defense Attorneys' Association Trial Academy, by service as a juror and a breakout session leader. This service did not include a specific lecture topic but did include responding to questions of young attorneys and individuals in a Paralegal Studies Certificate program regarding trial procedure and preparation for trial;
(d) I taught a course on Alternative Dispute Resolution as a part of the Law School for Non-lawyers program offered by the South Carolina Bar;
(e) I presented at the Lexington County Bar Association Annual CLE on the topic of Alternative Dispute Resolution;
(f) I am preparing additional CLEs for offering by the South Carolina Bar regarding the effect of the 2019 amendments to the Probate Code on minor settlement approval procedure, utilization of ABLE accounts for disbursement of settlement proceeds, explanation of Mediation procedure for non-lawyers, and fast-track trial procedure and am scheduled to

speak at the 2025 South Carolina Bar Convention to provide an Alternative Dispute Resolution rules and case law update.

22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.
The reports are attached hereto.
23. List all published books and articles you have written and give citations and the dates of publication for each.
I have not published any books or articles to date.
24. Please furnish as a separate attachment, two examples of legal articles, briefs, orders, or other legal writings for which you can claim sole or primary authorship. If you cannot claim sole authorship, please explain the extent to which you are the primary author, to include a description of the other authors and their contributions. The writing samples are for the Commission's use only and will not be published. (If you are a judge and are not seeking a different type of judgeship, this question is inapplicable.)
 - (a) Memorandum in Opposition to Motion for Relief from Default Judgment;
 - (b) Memorandum in Support of Defendant Prince, Inc.'s Motion for Summary Judgment.
25. What is your rating or membership status, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, Million Dollar Advocates Forum, etc.? If you are currently a member of the judiciary, list your last available rating, if any.
To date, I have not requested such a rating and am not a member of any legal rating organization.
26. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
 - (a) South Carolina Bar: 2023 Chair of the Dispute Resolution Section Council, 2022 Vice-chair of the Dispute Resolution Section Council, member of the Dispute Resolution Section Council since January 2019, member of Dispute Resolution Section and the CLE Committee;
 - (b) 2024 Member of S.C. Supreme Court's Commission on ADR;
 - (c) Richland County Bar Association;
 - (d) Lexington County Bar Association; and
 - (e) SC Women Lawyers Association.
27. Have you ever held public office other than judicial office? If so, list the periods of your service, the office or offices involved, and whether you were elected or appointed. Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office. If not, were you ever subject to a penalty? If so, give details, including dates.
I have not held public office other than judicial office.

28. For sitting or former judges, list all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial office. Specify your dates of employment, employer, major job responsibilities, and supervisor.
- (a) I am an adjunct professor at the University of South Carolina Joseph F. Rice School of Law for the Fall 2024 semester requiring that I provide instruction and learning materials to students and evaluate those students to assign them a letter grade at the conclusion of the semester. Several Deans of the Law School serve a supervisory function. I believe that Dean William Hubbard and Dean Susan Kuo hire and oversee the function of the adjuncts.
29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.
- I was an unsuccessful candidate for judicial office for a term beginning July 1, 2018. I applied for Circuit Court, Eleventh Judicial Circuit, Seat 2 in July of 2017 and was nominated for that seat by the Judicial Merit Selection Commission in November of 2017. I withdrew from the race in January of 2018, prior to the election.
- I also submitted an application for Circuit Court, At-Large, Seat 2 in July of 2018 and withdrew from the race in November 2018 as well as an application for Circuit Court, At-Large, Seat 13 in July of 2019 and withdrew from the race in November 2019.
30. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? If so, give details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer.
- I worked as a judicial law clerk in 2004-2005 during which time I was employed by the State of South Carolina and did not practice law. Some may consider service as a Mediator to be outside of the practice of law as a Mediator does not offer legal advice or render a legal decision in the position of a neutral. Non-lawyers can be certified to act as Mediators. I have been serving as a Mediator since 2011.
31. Are you now an officer or director or involved in the management of any business enterprise? Explain the nature of the business, your duties, and the term of your service.
- No.
32. Are you now or have you ever been employed as a “lobbyist,” as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a “lobbyist’s principal,” as defined by S.C. Code § 2-17-10(14)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.
- No.
33. Provide, **as a separate attachment**, a complete, current financial net worth statement that itemizes in detail:
- (a) the identity and value of all financial assets held, directly or indirectly, including, but not limited to, bank accounts, real estate, securities, trusts, investments, and other financial holdings; and

- (b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000, including, but not limited to, debts, mortgages, loans, and other financial obligations.

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

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

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

34. (a) Have you filed state and federal income tax returns for the last 5 years? If no, please provide details.
Yes.
(b) Have you or any business with which you are associated been delinquent in any local, state, or federal taxes? If yes, please provide details.
No.
(c) Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? If yes, please provide details.
No.
(d) Have you ever defaulted on a student loan? If so, please provide details.
No.
(e) Have you ever filed for bankruptcy? If so, please provide details, along with proof of satisfaction of any liens or defaults.
No.
35. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved.
No.
36. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek. If you have spent over \$100, have you reported your expenditures to the House and Senate Ethics Committees?
(a) \$1.46 on August 28, 2024, for postage of two letters required as a part of my judicial application to allow for the release of information by the Commission on Judicial Conduct and the Commission on Lawyer Conduct and/or the Supreme Court.
37. List the recipient and amount of all contributions made by you, a member of your immediate family, or by a business with whom you are associated, to members of the General Assembly within the past four years. If you participate in any employer-mandated contributions to a PAC or any other political entity, please describe and note

your personal involvement in contributions. If you are a sitting judge, please include such contributions since your last screening.

None

38. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? If so, please specify the amount, solicitor, donor, and date of the solicitation.

No.

39. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek or currently hold. Explain how you would resolve any potential conflict of interest.

Recusal would be required on any case in which Howser, Newman & Besley, LLC or any of its former employees were involved during my employment with the firm. Additionally, I would disclose any prior client relationship that I have with any party or business that comes before the Court so that the parties and counsel to the pending action have an opportunity to request recusal.

Any business relationship that has formed as a part of my association of or by an attorney from another firm on a legal matter would be disclosed to counsel on actions before the Court involving that attorney or their law firm as a prior business relationship. Recusal would be granted on any such matters if requested or if I believed that the appearance of bias required recusal.

While teaching as an employee of the University of South Carolina, I would recuse myself on any case in which the University is a party.

40. Describe any interest you or a member of your immediate family has in real property:

- (a) in which there is a potential conflict of interest with your involvement in a South Carolina state or local public agency;
- (b) in which there have been public improvements of \$200 or more that adjoins property in which there have been public improvements of \$200 or more; or
- (c) which was sold, leased, or rented to a state or local public agency in South Carolina.

None

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

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

Attach a copy of any contract or agreement.

N/A

41. Identify any personal property interest you or a member of your immediate family sold, leased, or rented to a South Carolina state or local public agency. Identify the property, its amount or value, and the name of the agency. Attach a copy of any contract or agreement.

None

42. For sitting judges, if you currently hold an interest in stock or other securities or have held such an interest, list each stock you currently own or owned during the prior calendar year. If you prefer, you may attach broker or account records containing the requested information instead of listing it here.
- (a) Alphabet Inc CL A (Google)
 - (b) Amazon.com, Inc.
 - (c) Etsy Inc Com
 - (d) Pinterest Inc CL A
 - (e) Walt Disney Co Hldg Co.
 - (f) Sprouts Farmers Market Inc.
 - (g) Constellation Brands, Inc.-A
 - (h) TJX Cos Inc New
 - (i) Target Corporation
 - (j) Lucid Group Inc.
 - (k) Organigram Hldgs Inc.
 - (l) Quantumscape Corp Com CL A
 - (m) Canopy Growth Corp.
 - (n) Thredup Inc CL A

43. For sitting judges, have you ever accepted anything of value from an attorney or litigant in a matter currently or previously before you or your court? If so, please give the details, including the name of the attorney or litigant and the thing of value you received.
- I have not.

44. For sitting judges, have you used the services of your staff, for which you did not pay, while campaigning for this office?
- No.

45. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law? If so, give details but do not include traffic violations which are subject to a penalty of \$125 or less. You must include any and all arrests, including, but not limited to, offenses for driving under the influence or similar traffic offenses. Include all arrests that resulted in expungement, which will be redacted. If you have questions regarding whether to include an offense, please contact the Commission.

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

46. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, explain.
- No.

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

I have never been sued by a client. I was a claimant on a workers' compensation claim related to an injury sustained in February 2016 that was resolved by settlement in 2020.

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

I am no longer in private practice. I have never been covered by a tail policy. My prior employer provides malpractice coverage for work performed during my term of employment with that office. Upon present information and belief, that policy provides coverage of \$5,000,000.00 per claim with a \$20,000 deductible per claim and has a current policy period of April 10, 2024, to April 10, 2025.

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

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

50. Have you ever been investigated by the Department of Social Services? If so, give the details and the resolution. Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? If so, give the details.

No; No.

51. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened, or have you been offered a conditional pledge of support by any legislator pending the outcome of your screening? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened? If so, give details.

I have not requested a pledge or vote for election from any member of the General Assembly nor have I been offered a conditional pledge.

I have not received assurance of any public official or public employee that they will seek a pledge for support from any member of the General Assembly for my election.

52. Have you requested any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Describe the campaigning you have done for this election and include a list of those individuals you have

asked to campaign on your behalf and, to the best of your knowledge, those who have campaigned for you on their own initiative.

I have not requested that anyone contact members of the General Assembly for any pledges or support in this election nor have I campaigned for this election or asked anyone to do so on my behalf. I do not have knowledge of anyone campaigning for me on their own initiative.

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

Yes.

54. Since submitting your letter of intent to become a candidate, have you or has anyone acting on your behalf contacted any member of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? If so, give details.

No.

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

(a) Susan S. Kuo, [Redacted]

(b) Barry B. George, [Redacted]

(c) The Honorable Joseph F. Anderson, Jr., [Redacted]

(d) Pamela R. Mullis, [Redacted]

(e) Katie P. Cox, [Redacted]

56. Are you active on or a member of a social media or Internet site such as, Facebook, LinkedIn, Twitter, Instagram, etc.?

Yes.

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

(a) [Redacted] Facebook

(b) [Redacted], Instagram

(c) I receive contact requests from LinkedIn, but I have not created a profile and do not know if one exists in my name.

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

I rarely post or comment on anything on Facebook or Instagram. I do not believe that my service in a judicial capacity affects my personal use of social media, because my use is very minimal. I do not comment on political or significant social issues.

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

(a) The Phi Beta Kappa Society

(b) Delta Delta Delta Sorority

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

I have had the unique opportunity to be personally and professionally acquainted with many South Carolina Judges during my life. I believe that my interactions with them have given me insight into which personality components work well in service of the position. The statewide nature of my law practice and the frequency of my Court appearances since 2005 have provided exposure to the courtroom demeanor and reasoning of numerous Judges. I feel that I combine the positive traits that I have observed to be a conscientious and respectful public servant. I strive to protect the perception of a diligent and intelligent judiciary and want to do all that I can to promote civility and respect between and among our bench and bar. I believe that service as a Circuit Court Judge is the best means for me to do so.

My legal practice grew over the years to include many different types of law. While practicing with a law firm that handles primarily civil defense cases, I expanded my work to include plaintiff's personal injury, property damage, and breach of contract claims. I have also asserted liens and sought judgments on behalf of several of my corporate clients including contractors, homeowner's associations, and property management companies. More recently, I became a teacher at the University of South Carolina School of Law. As a litigator, Mediator, Arbitrator, and educator, I have gained many perspectives on the field of law. Mediation practice strengthened my ability to remain patient and reasonable in emotional and tense situations. Working as an adjunct professor has fortified my patience and time management skills. Arbitration practice provided me with the opportunity to issue rulings in civil matters which prepared me for issuance of rulings in my Magistrate position. The confidence in my knowledge and experience exhibited by legal professionals who chose my service as Mediator on hundreds of cases encouraged me to seek a judicial office. I believe that my experiences and perspectives from both my law practice and current judgeship provide me with the tools to handle any matter that would come before me as a Circuit Court Judge in a composed and informed manner.

In addition to exposure to the legal profession my entire life, I have personally experienced all roles of the judicial process. I have worked and appeared in Court as staff, as a judge, and as an attorney. I have been a party to an injury claim. These experiences make me uniquely qualified to understand the stresses, considerations, and responsibilities of both a judge and those appearing before the Circuit Court. I am well prepared to serve as an empathetic and efficient Circuit Court Judge.

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

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

Signature: s/Kyliene L. Keesley

Date: August 29, 2024

Sworn to before me this ____ day of _____, 2024.

(Notary Signature)

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