



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

Court, Position, and Seat # for which you are applying: Family Court, Fifth Judicial Circuit, Seat 2

1. Name: The Honorable Michelle Manigault Hurley

Name that you are known by if different from above
(Example: A Nickname): I am sometimes referred to as Michelle Hurley Johnson.

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

Home Address: [Redacted]

County of Residence: Richland

Business Address: P.O. Box 192, Columbia, SC 29202-0192

E-Mail Address: [Redacted]

Telephone Number: (home): [Redacted]
(office): (803) 576-1756
(cell): [Redacted]

2. Date of Birth: [Redacted] 1969
Place of Birth: Columbia, South Carolina
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? No. If so, give the dates, branch of service, highest rank attained, serial number (if applicable), present status, and the character of your discharge or release. Please provide a copy of your DD214 concerning your discharge. N/A

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.

Family Status: Married to George Craig Johnson on November 22, 2003.
Never divorced, two children.
[Redacted]

- 7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
 - (a) Howard University, 1987-1991, Bachelor of Arts;
 - (b) Gupton-Jones College of Funeral Service, 1993-1994, Associate of Science;
 - (c) University of South Carolina School of Law, 1998-2001, Juris Doctor.
- 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) Black Law Student's Association, 1998-2001;
 - (b) Chair of the BLSA banquet, 1999.
- 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, 2001. I took the bar exam one time.
- 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) November 2001 to January 2002: I worked for the Finney Law Firm. I had previously worked for the firm as a law clerk and was offered a position after I passed the bar exam. I mostly handled juvenile and probate matters. I left this position to become a judicial law clerk.

- (b) January 2002 to September 2003: I was employed as a law clerk for the Honorable Alison Renee Lee (Retired), South Carolina Circuit Court, At –Large Seat 11. As a judicial law clerk, I managed the judge's docket, reviewed files and briefed the judge on the issues, accompanied the judge to various circuits to hear civil and criminal cases, sat with the judge and assisted her during hearings, prepared civil and criminal charges for the jury, performed research, and drafted orders.
- (c) September 2003 to October 2005: I was employed as a staff attorney for the Richland County Department of Social Services. I handled cases involving abused and neglected children, and vulnerable adults. I represented the agency in probable cause, merits, judicial review, permanency planning, and termination of parental rights hearings.
- (d) October 2005 to April 2012: I was employed as a legal trainer and resource attorney for the Children's Law Center at the University of South Carolina School of Law. As a legal trainer, I trained attorneys and child welfare professionals on such topics as trial advocacy, rules of evidence, effective testifying, legal writing, best practices, best interests, case theory, the Indian Child Welfare Act (ICWA), the Fostering Connections to Success and Increasing Adoptions Act of 2008, the Multi-Ethnic Placement Act (MEPA), the Interstate Compact on the Placement of Children (ICPC), mandatory reporting of child abuse and neglect, child custody and guardianship, what constitutes reasonable efforts, permanency planning, devising meaningful treatment and placement plans, kinship foster care, alternative placements, and the administrative hearing process.

As a resource attorney, I provided legal guidance to child advocacy professionals and members of the legal community who contacted the children's Law Center. I also presented at CLEs on various topics and authored, co-authored, updated and/or edited manuals and publications. Additionally, I provided research and drafted legal memos for family court judges.

I served as a guest speaker at the South Carolina Foster Parent Association's (FPA) annual convention and at many of the FPA's monthly county meetings, on such topics as foster parents' rights, advocating for foster children, what happens when foster parents are accused of abuse and/or neglect, and independent living services for foster children. I also served as the advisor to the Children's Advocacy Law Society at the University of South Carolina School of Law;

- (e) July 2011 to March 2013: I served as an Associate Municipal Court Judge for the City of Columbia. As a part-time judge, I held court an average of two to five days per month. With exceptions, Municipal Court has jurisdiction over criminal offenses that are subject to fines of not more than \$500.00 and/or imprisonment of not more than 30 days. Municipal Court judges preside over criminal, criminal domestic violence, traffic, quality of life and bond courts.
- (f) April 2012 to April 2013: In April 2012, I left the Children's Law Center to become the Assistant Director of the SCDSS Office of Individual & Provider Rights/Administrative Hearings. I served as the legal advisor for the department and as supervisor of four

administrative hearing officers. This office is responsible for hearing and deciding appeals regarding different federal and state social services programs including, but not limited to, foster care licensing denials and revocations, adoption application denials, adoption supplemental benefits, adoption investigator certifications, foster child removals from foster homes, Out-of-Home Abuse and Neglect (OHAN) investigations of foster parents and institutions, placement of perpetrators on the Central Registry of Child Abuse and Neglect, group home and daycare licensing, Family Independence (FI) program, Supplemental Nutrition Assistance Program (SNAP), and the ABC Child Care program. This office also handles civil rights and Health Insurance Portability and Accountability Act (HIPAA) issues. Appeals from decisions from this office are heard in Family Court or the Administrative Law Court.

- (g) April 2013 to Present: I serve as a Family Court Judge for the Fifth Judicial Circuit. As a Family Court Judge, I have jurisdiction to hear and determine a myriad of matters, including, but not limited to, issues related to marriage, separation, divorce, division of marital property and debts, name changes, paternity determinations, child custody, visitation, child and spousal support, abuse and neglect of children and vulnerable adults, termination of parental rights, adoption, juveniles charged with violating laws and/or ordinances, and requests for Orders of Protection by victims of domestic abuse.

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

prepared you to preside over such matters as a Circuit Court judge, or how you would compensate for your lack of experience in this area. Please also indicate the frequency of your appearances before a Circuit Court judge within the past five years.

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

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

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:
- (b) state:

N/A

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:
- (b) criminal:
- (c) domestic:
- (d) other:

N/A

14. During the past five years

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

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

For sitting judges seeking a judgeship different than your current position,

During the five years prior to your election to the bench, what percentage of your practice was in trial court, including matters that settled prior to trial?

N/A

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)
- (b)
- (c)
- (d)
- (e)

N/A

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

- (a)
- (b)
- (c)
- (d)
- (e)

N/A

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

- (a)
- (b)
- (c)
- (d)
- (e)

N/A

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

- (a) July 2011 to March 2013: I was appointed by City Council to serve as an Associate Municipal Court Judge for the City of Columbia. As a part-time judge, I held court an average of two to five days per month. With exceptions, Municipal Court has jurisdiction over criminal offenses that are subject to fines of not more than \$500.00 and/or imprisonment of not more than 30 days. Municipal Court judges preside over criminal, criminal domestic violence, traffic, quality of life and bond courts.

- (b) April 2013 to Present: In 2013, I was elected by the General Assembly to serve as a Family Court Judge for the Fifth Judicial Circuit. Family Court has jurisdiction to hear and determine a myriad of matters, including, but not limited to, issues related to marriage, separation, divorce, division of marital property and debts, name changes, paternity determinations, child custody, visitation, child and spousal support, abuse and neglect of children and vulnerable adults, termination of parental rights, adoption, juveniles charged with violating laws and/or ordinances, and requests for Orders of Protection by victims of domestic abuse.
19. If the answer to question 18 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also, list citations to any appellate review of these orders or opinions.
- (a) Noojin v. Noojin, 417 S.C. 300, 789 S.E.2d 769 (Ct. App. 2016), this case addresses the concept of parental alienation and "forced" visitation and is significant because it is the first in South Carolina to address these issues.
- (b) SCDSS v. SB, L.B. and O.G., Appellate Case No.: 2015-002008, 2017-UP-091. This was an appeal from a merits/removal hearing involving abused and/or neglected children. This case is significant because it demonstrates the important role Family Court plays in protecting the safety and wellbeing of children against the interests of their parents/guardians.
- (c) SCDSS v. Mack, Appellate Case No.: 2014-000815, 2014-UP-363 and Appellate Case No.: 2014-000470, 2014-UP-412. This case is significant to me because it was my first case appealed after I was elected to Family Court. It was a termination of parental rights case and I was affirmed by the Court of Appeals. I listed it only because it was a moment of validation for me.
- (d) SCDSS v. Frank, Appellate Case No.: 2019-001084, Opinion No. 5957 (Ct. App. filed January 4, 2023). This case is significant because it involves the application of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) to abuse and neglect actions. Father argued that I improperly analyzed the UCCJEA in determining that South Carolina had subject matter jurisdiction because the case did not involve child custody and the abuse occurred in North Carolina. The Court of Appeals affirmed the application of the UCCJEA and found that under the UCCJEA, a child custody proceeding includes a proceeding involving abuse and/or neglect of a child.
- (e) Thompson v. Thompson, App. Case No.: 2016-000122, 2017-UP-428. This case is significant because it involves bigamy and common law marriage.
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 13, 2001

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.

The Following are my CLE Presentations:

- a) “Judicial Hollywood Squares”, SC Bar Convention, January 19, 2024.
This was a fun game to test lawyers’ knowledge of family law issues.
- b) “Running of a Court”, Orientation School for New Family Court Judges, May 14, 2024.
Co-presented on issues such as punctuality, appearance, temperament/demeanor, recusals, court personnel, controlling the courtroom, the importance of making a record, court reporters, interpreters, time and docket management, virtual hearings and preparation for court.
- c) “Running of a Court”, Orientation School for New Family Court Judges, May 23, 2023
Co-presented on issues such as punctuality, appearance, temperament/demeanor, recusals, court personnel, controlling the courtroom, the importance of making a record, court reporters, interpreters, time and docket management, virtual hearings and preparation for court.
- d) “Running of a Court”, Orientation School for New Family Court Judges, May 24, 2022.
Co-presented on issues such as punctuality, appearance, temperament/demeanor, recusals, court personnel, controlling the courtroom, the importance of making a record, court reporters, interpreters, time and docket management, virtual hearings and preparation for court.
- e) “Running of a Court”, Orientation School for New Family Court Judges, May 25, 2021.
Co-presented on issues such as punctuality, appearance, temperament/demeanor, recusals, court personnel, controlling the courtroom, the importance of making a record, court reporters, interpreters, time and docket management, virtual hearings and preparation for court.
- f) “Running of a Court”, Orientation School for New Family Court Judges, May 29, 2019.
Co-presented on issues such as punctuality, appearance, temperament/demeanor, recusals, court personnel, controlling the courtroom, the importance of making a record, court reporters, interpreters, time and docket management, virtual hearings and preparation for court.
- g) “Things I Like to See and Things I Don’t”, SC Bar Family Law Hot Tips, September 22, 2023.
- h) CASA National Convention Judges Panel, October 20, 2020.
Discussed the role and importance of the guardian ad litem in abuse and neglect cases.
- i) “Civility Inside/Outside the Courtroom”, SCDSS, November 13, 2020.
- j) “Temporary Hearings”, Family Law Essentials August 20, 2021.
- k) “Human Trafficking”, Family Court Judges Conference, April 11, 2019.
Co-presented with 3 other family court judges, an Assistant U.S. Attorney and an FBI agent regarding the dynamics of human trafficking, and presiding over cases where a party or child is a victim of trafficking.
- l) “Sample Approval Hearing”, Family Law Essentials, July 29, 2019.

- m) "So You Want to Be a Judge: Judicial Bootcamp", SC Black Lawyers' Association, October 14, 2022.
- n) "Family Law Update", SC Black Lawyer's Association, September 26, 2013.
This was a panel presentation on the new laws regarding family law.
- o) "Reflections from the Newbies: Is there an Escape Clause?" Family Court Bench Bar, December 2013.
This was a panel presentation from the newly elected Family Court judges.
- p) "As Family Court Judges See It: Top Mistakes Attorney's Make in Litigating Divorce", National Business Institute (NBI), November 7, 2014.
This was an all-day panel discussion on various issues related to litigating divorce cases.
- q) "Keep Out! SC and the School to Prison Pipeline", SC Bar Convention, January 24, 2015.
This was a panel discussion on the "school to prison pipeline".
- r) "Now That I Have My Sea Legs-Thoughts from the Bench", SC Bar, Hot Tips from the Coolest Domestic Law Practitioners, September 25, 2015.
I provided insight on practicing in Family Court.
- s) "Tips from the Family Court Bench", SC Bar, Fifth Circuit Tips From the Bench, January 8, 2016.
I polled the family court judges and presented "pet peeves" and helpful tips.
- t) "Pathway to Judgeship in SC", SC Women's Law Association (SCWLA), June 9, 2016.
A panel of female judges from different courts discussed our backgrounds and the process of becoming a judge in South Carolina.
- u) "What Judges Want You to Know About Family Court", National Business Institute (NBI), November 14, 2016.
This was an all-day panel discussion on various issues related to Family Court.
- v) "Judicial Hollywood Squares", SC Bar Convention, January 20, 2017.
This was a fun game to test lawyers' knowledge of legal issues.
- w) "Parental Alienation, its Impact on Children and its Remedies", SC Association for Justice, Annual Convention, August 3, 2017.
I presented on the issue of parental alienation and the Noojin v. Noojin case.
- x) "Standardizing "Standard" Visitation: A View from the Bench", SC Bar, Family Court Bench Bar, December 1, 2017.
This was a presentation on the judicial view of different visitation plans.
- y) "Children and the Family Court: Evidentiary Issues", Children's Law Center, February 16, 2018.
I discussed evidentiary issues related to child abuse and neglect cases, such as presenting a child witness and S.C. Code Ann. Section 19-1-180.
- z) "Lunch and Learn" (Nelson Mullins), May 16, 2012.
I discussed handling DSS Appointments: registering the appointment; meeting with the client; information to gather from the client; discovery requests; avoiding foster care through relative/non-relative placements; time frames for hearings; the purpose of each hearing and the applicable standards of proof.
- aa) "Homeless Experience Legal Protection Project Training", October 27, 2011.
I presented on the issue of representing the Homeless in Child Protection Cases.

bb) "Training for New Attorneys Subject to Appointment in Abuse and Neglect Cases", May 13, 2011 and August 6, 2011.

This CLE was presented in the 5th and 9th Circuits. This course was aimed at preparing new attorneys for the inevitable DSS appointment. I explained the child protection process and the applicable laws, and provided helpful navigation tips.

cc) "Immigration Issues and Educational Needs of Children in Foster Care", May 23, 2011, June 22, 2011, July 8, 2011 and July 15, 2011.

I lectured on the Fostering Connections to Success and Increasing Adoptions Act of 2008. Particularly, the importance of a foster child having as few foster home moves as possible; the importance of school stability and the negative impact multiple homes and schools have on a foster child's success in education, relationships, and mental and physical health. Also spoke on the roles of the caseworker, guardian ad litem, and foster parent in advocating for the educational and health care needs of foster children, the law in South Carolina as it relates to school enrollment requirements for children, the roles of DSS and schools in ensuring that foster children remain in their schools of origin, and their roles and duties, under the Fostering Connections Act, when foster children must change schools.

I discussed other mandates in the Fostering Connections Act such as, the ongoing duty of child welfare agencies to locate and connect foster children with their relatives for placement and/or adoption; placement of siblings in the same foster home; the importance of children to be able to maintain significant relationships with relatives and friends while they are in foster care, particularly when the child's permanent plan is reunification with his/her family; placement of children in foster homes within or near their home communities and school zones; and the duty of child welfare agencies to recruit foster homes near a child's biological home, when a foster home is not available in that community.

dd) "DSS Upstate/Court Improvement CLE", 2010.

I presented on best practices in child protection hearings.

ee) "Representing Parents in Child Maltreatment Cases", November 2010

Provided helpful tips to attorneys hired and/or subject to appointment in child protection cases.

ff) *SCDSS Child Support Enforcement*, June 4, 2010

I spoke on child support issues in abuse and neglect cases.

gg) "Basic Training for Juvenile Public Defenders", April 2010

I discussed home assessments vs. home studies; children being placed into emergency protective custody at disposition hearings; coordinating cases and services when both DSS and DJJ are involved with a family.

hh) "Lunch and Learn, Handling DSS Appointments" (Nelson Mullins), June 2009

I gave a similar lecture as item "x".

ii) "Training for Child Support Enforcement Division", November 2009

Discussed the duties of DSS county attorneys.

jj) "Representing Volunteer Guardians ad Litem", March 14, 2008

Discussed the role of the guardian ad litem and his/her attorney in child abuse and neglect and Termination of Parental Rights cases.

kk) "Training for Attorneys Appointed in DSS Cases", July 27, 2007

I presented on handling DSS appointments.

ll) "Complex Issues in Family Law", March 2006.

Provided an overview of the grounds for Termination of Parental Rights.

I have taught/lectured the following law related courses:

a) *Trial Advocacy Training for DSS Case Workers and Attorneys*, 2005-2012.

I taught a three-day lecture and mock trial course for newly hired DSS employees. The course entailed a day and a half of lecture and a day and a half of testifying. This course was held on average once per month, except in 2009, when it was held three times per month. I lectured on the family court system, the Children's Code, Family Court Rules, evidence; standards of proof, court preparation and appearance, effective testifying, and the grounds for termination of parental rights.

During the mock trial portion of the course, a retired family court judge presided over the hearings. Using fictional case files, the participants testified in probable cause, merits, permanency planning and termination of parental rights hearings. Newly hired attorneys played the role of the DSS attorney. Both the attorneys and caseworkers were videotaped and were provided constructive feedback.

b) *Advanced Legal Training for Caseworkers*, 2006-2012.

This was an 8-hour course for DSS caseworkers. In 2006 and 2007, I traveled to each of the sixteen circuits to teach this course. From 2008-2012, I taught this course four to five times per year in the four regions of the state. This course was designed to help caseworkers gain a better understanding and appreciation of the procedural and legal requirements of their jobs by connecting the South Carolina Children's Code, the 14th Amendment, and federal laws to the DSS policy and procedure manual.

This training covered administrative hearings, developing and using case theories, the Indian Child Welfare Act (ICWA), the Adoption and Safe Families Act (ASFA), The Fostering Connections to Success and Increasing Adoptions Act, Title IV-E requirements and the meaning of Reasonable Efforts, making decisions in the best interests of children, child custody and guardianship, avoiding foster care through alternative placements, diligent searches, the Responsible Father Registry, relinquishments for adoption, and termination of parental rights.

c) *Multi-Ethnic Placement Act (MEPA)*, 2010-2012.

This training was a result of the South Carolina Department of Social Services being placed under a federal Corrective Action Plan, to correct the discriminatory practices of the agency in the placement of children in foster and adoptive homes. The practices in effect delayed positive permanence and caused children to languish in foster care longer than necessary.

The Multi-Ethnic Placement Act is a federal law enacted in 1994 and amended by President Clinton in 1996. The Act prohibits the delay or denial of the placement of a

child in a foster home or prospective adoptive home based on the race, color or national origin (RCNO) of the child, foster parent or adoptive parent. MEPA applies to all public child welfare placing agencies and all private child-placing agencies that receive any federal funding either directly or indirectly.

This training was held twice per year in each of the 16 circuits. I became a federally approved MEPA trainer in 2010.

- d) Guest Lecturer, *Child Advocacy Studies*, USC Upstate, 2011.
Lectured to undergraduate students on the mandated reporting laws of South Carolina.
 - e) Guest Lecturer, USC School of Social Work, 2010.
Lectured to graduate students on the laws pertaining to child protection. I discussed each phase of a case and the different avenues a case can take from the moment a report is made of suspected child abuse and neglect. Topics included: the investigation of the allegations, treatment cases vs. removal of children from the home, placement plans, the purpose of each court hearing, reunification, alternative placements, and termination of parental rights and adoption.
 - f) Guest Lecturer, Summer Institute for School Guidance Counselors, 2008, 2009, 2010, 2011.
Lectured to guidance counselors about when and where to report suspected child abuse and neglect; the intake process and response time when a report is made; the information the reporter will need to provide to DSS and/or law enforcement; and their rights and duties as mandated reporters.
 - g) Guest Lecturer, *Children and the Courts*, USC School of Law, 2007, 2008, 2009, 2010, 2011.
Lectured to law students about "a day in the life of a child welfare attorney".
 - h) Legal Training for Foster Care Licensing, Adoptions, and Out-of-Home Abuse and Neglect Unit (OHAN), 2007.
Provided legal training for DSS staff involved in licensing foster and adoptive homes, the unit charged with investigation institutional abuse, and the administrative hearing officers.
22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years. (See attachments.)
23. List all published books and articles you have written and give citations and the dates of publication for each.

While employed at the Children's Law Center, I authored or co-authored the following manuals and publications.

- (a) A Guide for the Use of Expert Witnesses in Child Abuse and Neglect Cases, 2010;
- (b) Guide to Title IV-E Requirements, 2010 (Provided to Family Court Judges);
- (c) Termination of Parental Rights Evidence Checklist, 2010 (Provided to Family Court Judges and DSS Attorneys);
- (d) Information for Clergy as Mandated reporters, 2010;

- (e) Information for Healthcare Workers as Mandated Reporters, 2010;
- (f) Advanced Legal Training Manual for Caseworkers, 2005, revised 2007, 2009 and 2010.

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.)

N/A

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 my knowledge, I am not rated by any organization because I have worked for an agency or institution of the State of South Carolina for nearly my entire legal career.

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 Association
- (b) South Carolina Black Lawyers Association
- (c) Family Court Bench-Bar Committee, Chair 2019-2023
- (d) SC Family Law American Inn of Court

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.

N/A

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) From 2013 until 2014, I assisted in a family-owned business. I did not receive any compensation for my services, and the business closed in 2014.

b) From July 2011 to March 2013, I served as an Associate (part-time) Municipal Court Judge for the City of Columbia. During this time, I was employed full-time at the Children's Law Center. I received permission for dual employment from the Division of Human Resources at the University of South Carolina to accept the appointment to Municipal Court. The Chief Administrative Judge for Columbia Municipal Court during that time was The Honorable Dana D. Turner. The Director of the Children's Law Center at the time was Harry Davis.

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

No.

30. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? If so, give details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer.

(a) 1984 to 1990: During high school and college vacations, I worked as a sales associate for the Understatement, a small, local boutique.

(b) 1990 to 1991: while in college, I worked for the General Services Administration (GSA) as a part-time childcare worker in its in-house daycare.

(c) 1991 to 1992: My first post college job was with the Student Loan Marketing Association (SALLIEMAE). I began as a data processor but was promoted to Specialized Borrower Services, where I researched and analyzed "problem loans" to identify and correct errors in loan origination, accrued interest, deferments, forbearances and loan repayments. I served as a liaison between borrowers, attorneys and SALLIEMAE. I was also one of two employees authorized to assist deaf clients on a specialized telecommunications device.

(d) 1976-2014: My family owned a fourth-generation funeral business that closed in 2014. I grew-up next door to the business and started earning an allowance by doing age-appropriate duties that expanded as I aged and matured. (I began filing taxes in 1976, at age 6.) My duties included everything such as, making copies, running errands, answering phones, cleaning, washing cars, raising and lowering the American flag, greeting visitors, arranging flowers, going on funerals, handing out funeral programs and fans, and reading acknowledgments and making announcements during funerals. I began driving on funerals when I got my driver's license.

After completing Gupton-Jones College of Funeral Service, passing state and national boards, and completing an internship, I became a licensed funeral director and

embalmer, and an assistant manager with the business. My duties expanded to arranging and directing funerals and preparing the deceased.

After law school, I continued to assist in the family business, when needed; however, after law school, I did not receive a salary or any kind of compensation for my services.

- (e) 1999 to 2000: I was employed as a law clerk with the law office of Jerry Leo Finney. I worked on probate, juvenile, criminal and workers' compensation matters.
- (f) 2000 to 2001: I was employed as a law clerk for the South Carolina Department of Social Services, assigned to the Richland County Office. My duties included sending foster parents notices of hearings, drafting complaints and orders, and arranging for service of pleadings on defendants.

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.)

See attached.

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

34. (a) Have you filed state and federal income tax returns for the last 5 years? If no, please provide details. Yes.

(b) Have you or any business with which you are associated been delinquent in any local, state, or federal taxes? If yes, please provide details. No.

(c) Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? If yes, please provide details. No.

(d) Have you ever defaulted on a student loan? If so, please provide details. No.

(e) Have you ever filed for bankruptcy? If so, please provide details, along with proof of satisfaction of any liens or defaults. No.

35. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved.

No.

36. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek. If you have spent over \$100, have you reported your expenditures to the House and Senate Ethics Committees?

I have not made any expenditures.

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.

I have not contributed to any member of the General Assembly.

My husband, George C. Johnson, Esq., has made the following contributions to members of the General Assembly:

- a) \$600 to Senator Deon Tedder
- b) \$100 to Representative W. Weston Newton
- c) \$250 to Representative J. Todd Rutherford
- d) \$500 to Senator Mia McLeod
- e) \$250 to Senator Tameika Isaac Devine
- f) \$200 to Representative Tiffany Spann-Wilder
- g) \$250 to Representative Ivory Thigpen

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.

I am not aware of any financial arrangements or business relationships that would constitute or result in a possible conflict of interest in my duties as a family court judge; however, if a possible conflict as described above does present itself, I will recuse myself from the matter.

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.

N/A

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.

N/A

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.

N/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.

No.

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

No.

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

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

46. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, explain.

No. To my knowledge, I have never been under federal, state, or local investigation for possible violation of a criminal statute.

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.

Unbeknownst to me until I "Googled" my name on 8/10/2024, I was named as one of many defendants in United States District Court in Civil Action 3:22-02119-MGL, (D.S.C. 03-31-2023), that was summarily dismissed with prejudice against another judge and myself, without service of process (neither of us was served or noticed with the action). The case caption is below:

Reverend Dr. Samuel T. Whatley, Plaintiff, v. Richland County Family Court Columbia, South Carolina; Phoebe S. Whatley; Family Court Judge Monet S. Pincus; Family Court Judge Michelle M. Hurley Leevy-Johnson; Family Court Attorney GAL Thomas M. Neal, III; Family Court Attorney and Family Court SCBAR Former President Richard G. Whiting; Family Court Paralegal for Attorney Richard G. Whiting Kristen Cannon; SC Assistant Disciplinary Counsel Kelly B. Arnold; Counselor Larry Medlin; Christian Counseling Center First Presbyterian Church Columbia SC; Psychiatrist Marc Harari; Attorney Jewett Dooley; Dutch Fork High School Student Records Mary Mundy; Dutch Fork High School Psychiatrist Dr. Sobotowica; Oak Point Elementary School Cassy

Paschal; Attorney Wendy Levine; William Watlington; Neighbor Destroyed Trees; and Richland County Sheriff Department on Truancy, et al., Defendants.

I have never been sued by a client and, to my knowledge, I have not been named as a party in any other matter. I do not have, nor have I had a pecuniary interest in any civil or criminal proceeding.

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

N/A

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

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

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

No. I have never been investigated by the Department of Social Services and my name is not on the Central Registry of Child Abuse and Neglect.

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

No. I have not directly or indirectly requested the pledge of any member of the General Assembly. I have not been offered a conditional pledge of support. I have not received the assurance of any public official or employee that they will seek the pledge of any member of the General Assembly.

52. Have you requested any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Describe the

campaigning you have done for this election and include a list of those individuals you have asked to campaign on your behalf and, to the best of your knowledge, those who have campaigned for you on their own initiative.

I have not requested any third party contact any member of the General Assembly on my behalf. I have not campaigned nor have I asked anyone to campaign on my behalf. To my knowledge, no one has campaigned 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.

I have not contacted any member of the Judicial Merit Selection Commission about my candidacy or my intention to seek re-election, and I have not asked anyone to do so on my behalf.

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) Walter Tobin, President
Orangeburg-Calhoun Technical College
[Redacted]

(b) I.S. Leevy Johnson, Esq.
Johnson, Toal & Battiste, P.A.
[Redacted]

(c) Charles Culp
Richland County Sheriff's Dept.
[Redacted]

(d) Tara M. Lyons, Esq.
[Redacted]

(e) The Honorable DeAndrea Gist Benjamin
Circuit Judge, U.S. Court of Appeals for the Fourth Circuit
[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.

Facebook: [Redacted]

Instagram: [Redacted]

LinkedIn: [Redacted]

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 am very mindful about what I post and what I allow to be posted on my account pages. I am also careful about the people I "friend" and do not accept friend requests from people I do not know. I have made only one post on Instagram. I mostly use both Facebook and Instagram for entertainment and to maintain contact with high school and college friends. I have an old LinkedIn account; however, I have never been active on the site.

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 Moles. Inc., co-chair of Resolutions/Recommendations Committee;

(b) Jack & Jill of America, Inc., Chapter Historian;

(c) Columbia Historic Foundation, Advisory Committee;

(d) Delta Sigma Theta Sorority, Inc.;

(e) Midlands Foundation for Foster Children Award (2018);

(f) Superhero Award, Richland County CASA (2019)

(g) The Emanuel Nine Award, Alpha Phi Alpha Fraternity, Inc. (2022)

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 endeavor every day to live by the Gold Rule. From my years of exposure to, and experience in working in the funeral industry, I learned not to judge people by their appearance, but to treat everyone with dignity and respect no matter their race, creed, color, religion, sexual orientation, age or perceived status in life. I believe that everyone's life is important and everyone has a story worth telling. A funeral director has to strike a delicate balance between the personal and professional. For example, a funeral director must be kind, patient and

sympathetic to a family's situation, but at the same time, must ensure the transactional side of planning a funeral is also handled.

Like a funeral director, a judge comes into contact with people going through difficult times, which requires a certain decorum and temperament. As I judge, I believe that I have carried what I have learned to the bench. I give everyone a chance to tell their story to the Court. I constantly strive to be patient, unbiased, respectful, and understanding, while at the same time decisive, equitable, firm and professional.

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

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

Signature: _____

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

(Notary Signature)

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