

Memo

TO: Judicial Merit Selection Commission
FROM: Upstate Citizens Committee
DATE: April 2009
RE: Judicial Screening

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

Eric K. Englebardt

Mr. Englebardt has been previously investigated by this committee but since it had been some years since we last met with him, we did a completely new investigation and interviewed him again. Based on the evaluative criteria that this committee is charged with examining regarding each candidate, Mr. Englebardt meets and exceeds the requirements in each area.

Rivers Lawton McIntosh

Based on the evaluative criteria that this committee is charged with examining regarding each candidate, Mr. McIntosh meets and exceeds the requirements in each area.

Rame Lambert Campbell

Based on the evaluative criteria that this committee is charged with examining regarding each candidate, Mr. Campbell meets and exceeds the requirements in each area.

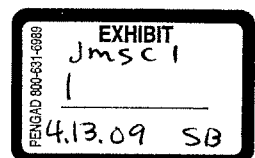
Kristie Bjorndal Hodge

Based on the evaluative criteria that this committee is charged with examining regarding each candidate, Mrs. Hodge meets the requirements in each area, however, there was some concern regarding her lack of civil trial experience, but based on our understanding of the criteria, this would not prevent her from being a competent jurist.

Judge John Few

The committee has found no additional information that would alter our most recent report for Judge Few.

Benjamin H. Shealy



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

Rob Stilwell

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

Carol I. McMahan

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

Allen Fretwell

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

Memo

TO: Judicial Merit Selection Commission
FROM: Upstate Citizens Committee
DATE: October 18, 2007
RE: Judicial Screening

The Hon. John C. Few

Judge Few was found to be a most competent and excellent jurist. His qualifications greatly exceed the expectations set forth in the evaluative criteria.

The Hon. John W. Kittredge

Judge Kittredge was found to be a most competent and excellent jurist. His qualifications greatly exceed the expectations set forth in the evaluative criteria.

The Hon. Timothy L. Brown

Judge Brown was found to be a most competent and excellent jurist. His qualifications greatly exceed the expectations set forth in the evaluative criteria.

The Hon. J. Mark Hayes, II

Judge Hayes was found to be a most competent and excellent jurist. His qualifications greatly exceed the expectations set forth in the evaluative criteria.

The Hon. Aphrodite Konduros

Judge Konduros was found to be a most competent and excellent jurist. Her qualifications greatly exceed the expectations set forth in the evaluative criteria.

The Hon. Robert N. Jenkins, Sr.

Judge Jenkins was found to be a most competent and excellent jurist. His qualifications greatly exceed the expectations set forth in the evaluative criteria.

The Hon. C. Victor Pyle, Jr.

Judge Pyle was found to be a most competent and excellent jurist. His qualifications greatly exceed the expectations set forth in the evaluative criteria.

Allen O. Fretwell

Mr. Fretwell's qualifications meet and exceed the expectations set forth in the evaluative criteria.

Memo

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

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

Benjamin H. Shealy

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

Patrick C. Fant

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

Rob Stilwell

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

Hon. J. Mark Hayes, II

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

Hon. Edward W. "Ned" Miller

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

the position he seeks.

Hon. Robert N. Jenkins, Sr.

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

Hon. J Cordell Maddox, Jr.

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

Hon. Charles B. Simmons

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

Hon. Gordon G. Cooper

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

David E. Phillips

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

Edgar H. Long

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

M. Scott McElhannon

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

Catherine C. Christophillis

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

David J. Rutledge

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

Carol I. McMahan

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

Allen Fretwell

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

Catherine E. Fairey

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

Alex Kinlaw, Jr.

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

W. Marsh Robertson

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

REPORT OF LOWCOUNTRY ADVISORY COMMITTEE
ON JUDICIAL QUALIFICATIONS
November 5, 2007

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

Honorable Deadra L. Jefferson
Supreme Court, Associate Justice, Seat 3

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

Summary: The Lowcountry Citizens Advisory Committee found Judge Deadra L. Jefferson to be an eminently qualified and very highly regarded candidate, who would ably serve on the Supreme Court bench.

Date: November 5, 2007

Signed: Mike Hammond, Chairman

REPORT OF LOWCOUNTRY CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
October 29, 2008

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

Christopher McGowan Holmes
Administrative Law Court, Seat 4

1. Constitutional Qualifications: Mr. Holmes meets the constitutional qualifications for the judicial position he seeks.
2. Ethical Fitness: Persons interviewed by the committee indicated that Mr. Holmes was considered ethical.
3. Professional and Academic Ability: The committee gave Mr. Holmes a good rating in this area.
4. Character: The committee reported that Mr. Holmes' character is unquestionable.
5. Reputation: Mr. Holmes enjoys a good reputation in the community and among his peers.
6. Physical and Mental Health: There is evidence that Mr. Holmes is physically and mentally capable of performing the duties required of a judge of the Administrative Law Court.
7. Experience: The committee recognized Mr. Holmes' good legal experience.
8. Judicial Temperament: The committee gave Mr. Holmes a good rating in this category.

Date: October 29, 2008
Signed: Mike Hammond, Chairman

REPORT OF PEE DEE CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
APRIL 2, 2008

During the course of its investigation, members of the Pee Dee Citizens Committee on Judicial Qualifications contacted numerous persons, including lawyers and non-lawyers, in the community where the following resides. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reports as follows:

Bryan Braddock
Family Court, 4th Circuit, Seat 3

1. Constitutional Qualifications: Mr. Braddock meets the constitutional qualifications for the judicial position he seeks.
2. Ethical Fitness: Persons interviewed by the committee deem Mr. Braddock to be highly ethical.
3. Professional and Academic Ability: The committee gives Mr. Braddock a very high rating in this area.
4. Character: The committee believes Mr. Braddock's character is unquestionable.
5. Reputation: Mr. Braddock enjoys an excellent reputation in the community and among his peers.
6. Physical and Mental Health: The committee believes Mr. Braddock is physically and mentally capable of performing the duties required of a judge of the Family Court.
7. Experience: The committee recognizes Mr. Braddock's substantial legal experience.
8. Judicial Temperament: The committee believes Mr. Braddock would have a very good temperament on the bench.

Summary: The Pee Dee Citizens Committee finds Mr. Braddock to be a well-regarded candidate who would ably serve on the Family Court bench.

Diane Rabon Bagnal

April 3, 2009.

REPORT OF PEE DEE CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
APRIL 2, 2008

During the course of its investigation, members of the Pee Dee Citizens Committee on Judicial Qualifications contacted numerous persons, including lawyers and non-lawyers, in the community where the following resides. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reports as follows:

W. T. Geddings, Jr.
Family Court, 3rd Circuit, Seat 2

1. Constitutional Qualifications: Mr. Geddings meets the constitutional qualifications for the judicial position he seeks.
2. Ethical Fitness: Persons interviewed by the committee deem Mr. Geddings to be ethical.
3. Professional and Academic Ability: The committee gives Mr. Geddings a very good rating in this area.
4. Character: The committee believes Mr. Geddings' character is unquestionable.
5. Reputation: Mr. Geddings enjoys an excellent reputation in the community and among his peers.
6. Physical and Mental Health: The committee believes Mr. Geddings is physically and mentally capable of performing the duties required of a judge of the Family Court.
7. Experience: The committee recognizes Mr. Geddings' significant legal experience.
8. Judicial Temperament: The committee believes Mr. Geddings would have an excellent temperament on the bench.

Summary: The Pee Dee Citizens Committee finds Mr. Geddings to be a well-regarded candidate who would ably serve on the Family Court bench.

Diane Rabon Bagnal

April 3, 2009.

REPORT OF PEE DEE CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
APRIL 2, 2008

During the course of its investigation, members of the Pee Dee Citizens Committee on Judicial Qualifications contacted numerous persons, including lawyers and non-lawyers, in the community where the following resides. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reports as follows:

**Judge Kaye G. Hearn
Supreme Court, Seat 4**

1. Constitutional Qualifications: Judge Hearn meets the constitutional qualifications for the judicial position she seeks.
2. Ethical Fitness: Persons interviewed by the committee deem Judge Hearn to be highly ethical.
3. Professional and Academic Ability: The committee gives Judge Hearn an excellent rating in this area.
4. Character: The committee believes Judge Hearn's character is unquestionable.
5. Reputation: Judge Hearn enjoys a stellar reputation in the community and among her peers.
6. Physical and Mental Health: The committee believes Judge Hearn is physically and mentally capable of performing the duties required of a judge of the Supreme Court.
7. Experience: The committee recognizes Judge Hearn's vast legal and judicial experience.
8. Judicial Temperament: The committee gives Judge Hearn a superb rating in this category.

Summary: The Pee Dee Citizens Committee finds Judge Hearn to be a highly qualified candidate who would ably serve on the Supreme Court bench.

Diane Rabon Bagnal

April 3, 2009.

REPORT OF PEE DEE CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
APRIL 2, 2008

During the course of its investigation, members of the Pee Dee Citizens Committee on Judicial Qualifications contacted numerous persons, including lawyers and non-lawyers, in the community where the following resides. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reports as follows:

Michael Holt
Family Court, 4th Circuit, Seat 3

1. Constitutional Qualifications: Mr. Holt meets the constitutional qualifications for the judicial position he seeks.
2. Ethical Fitness: Persons interviewed by the committee deem Mr. Holt to be highly ethical.
3. Professional and Academic Ability: The committee gives Mr. Holt a good rating in this area.
4. Character: The committee believes Mr. Holt's character is unquestionable.
5. Reputation: Mr. Holt is well-respected in the community and among his peers.
6. Physical and Mental Health: The committee believes Mr. Holt is physically and mentally capable of performing the duties required of a judge of the Family Court.
7. Experience: The committee recognizes Mr. Holt's varied legal experience.
8. Judicial Temperament: The committee anticipates Mr. Holt would have a good temperament on the bench.

Summary: The Pee Dee Citizens Committee finds Mr. Holt to be a well-regarded candidate who would ably serve on the Family Court bench.

Diane Rabon Bagnal

April 3, 2009.

REPORT OF PEE DEE CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
APRIL 2, 2008

During the course of its investigation, members of the Pee Dee Citizens Committee on Judicial Qualifications contacted numerous persons, including lawyers and non-lawyers, in the community where the following resides. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reports as follows:

Salley Huggins McIntyre
Family Court, 4th Circuit, Seat 3

1. Constitutional Qualifications: Ms. McIntyre meets the constitutional qualifications for the judicial position she seeks.
2. Ethical Fitness: Persons interviewed by the committee deem Ms. McIntyre to be highly ethical.
3. Professional and Academic Ability: The committee gives Ms. McIntyre an excellent rating in this area.
4. Character: The committee believes Ms. McIntyre's character is unquestionable.
5. Reputation: Ms. McIntyre enjoys a very good reputation in the community and among her peers.
6. Physical and Mental Health: The committee believes Ms. McIntyre is physically and mentally capable of performing the duties required of a judge of the Family Court.
7. Experience: The committee recognizes Ms. McIntyre's extensive legal experience.
8. Judicial Temperament: The committee believes Ms. McIntyre would be a strong presence on the bench.

Summary: The Pee Dee Citizens Committee finds Ms. McIntyre to be a dynamic candidate who would ably serve on the Family Court bench.

Diane Rabon Bagnal

April 3, 2009.

REPORT OF PEE DEE CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
APRIL 2, 2008

During the course of its investigation, members of the Pee Dee Citizens Committee on Judicial Qualifications contacted numerous persons, including lawyers and non-lawyers, in the community where the following resides. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reports as follows:

**Judge A.E. Morehead, III
Supreme Court, Seat 4**

1. Constitutional Qualifications: Judge Morehead meets the constitutional qualifications for the judicial position he seeks.
2. Ethical Fitness: Persons interviewed by the committee deem Judge Morehead to be highly ethical.
3. Professional and Academic Ability: The committee gives Judge Morehead an excellent rating in this area.
4. Character: The committee believes Judge Morehead's character is unquestionable.
5. Reputation: Judge Morehead enjoys a stellar reputation in the community and among his peers.
6. Physical and Mental Health: The committee believes Judge Morehead is physically and mentally capable of performing the duties required of a judge of the Supreme Court.
7. Experience: The committee recognizes Judge Morehead's extensive legal and judicial experience.
8. Judicial Temperament: The committee gives Judge Morehead a superb rating in this category.

Summary: The Pee Dee Citizens Committee finds Judge Morehead to be a highly qualified candidate who would ably serve on the Supreme Court bench.

Diane Rabon Bagnal

April 3, 2009.

REPORT OF PEE DEE CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
APRIL 2, 2008

During the course of its investigation, members of the Pee Dee Citizens Committee on Judicial Qualifications contacted numerous persons, including lawyers and non-lawyers, in the community where the following resides. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reports as follows:

Elizabeth R. Munnerlyn
Family Court, 4th Circuit, Seat 3

1. Constitutional Qualifications: Ms. Munnerlyn meets the constitutional qualifications for the judicial position she seeks.
2. Ethical Fitness: Persons interviewed by the committee deem Ms. Munnerlyn to be highly ethical.
3. Professional and Academic Ability: The committee gives Ms. Munnerlyn a very high rating in this area.
4. Character: The committee believes Ms. Munnerlyn's character is unquestionable.
5. Reputation: Ms. Munnerlyn enjoys an excellent reputation in the community and among her peers.
6. Physical and Mental Health: The committee believes Ms. Munnerlyn is physically and mentally capable of performing the duties required of a judge of the Family Court.
7. Experience: The committee recognizes Ms. Munnerlyn's extensive legal experience.
8. Judicial Temperament: The committee believes Ms. Munnerlyn would have a very good temperament on the bench.

Summary: The Pee Dee Citizens Committee finds Ms. Munnerlyn to be a well-regarded candidate who would ably serve on the Family Court bench.

Diane Rabon Bagnal

April 3, 2009.

REPORT OF PEE DEE CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
APRIL 2, 2008

During the course of its investigation, members of the Pee Dee Citizens Committee on Judicial Qualifications contacted numerous persons, including lawyers and non-lawyers, in the community where the following resides. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reports as follows:

J. Alex Stanton, IV
Family Court, 4th Circuit, Seat 3

1. Constitutional Qualifications: Mr. Stanton meets the constitutional qualifications for the judicial position he seeks.
2. Ethical Fitness: Persons interviewed by the committee deem Mr. Stanton to be ethical.
3. Professional and Academic Ability: The committee gives Mr. Stanton a high rating in this area.
4. Character: The committee believes Mr. Stanton's character is unquestionable.
5. Reputation: Mr. Stanton enjoys an excellent reputation in the community and among his peers.
6. Physical and Mental Health: The committee believes Mr. Stanton is physically and mentally capable of performing the duties required of a judge of the Family Court.
7. Experience: The committee recognizes Mr. Stanton's extensive legal experience.
8. Judicial Temperament: The committee believes Mr. Stanton would have an excellent judicial temperament.

Summary: The Pee Dee Citizens Committee finds Mr. Stanton to be a well-regarded candidate who would ably serve on the Family Court bench.

Diane Rabon Bagnal

April 3, 2009.

REPORT OF PEE DEE CITIZENS COMMITTEE
ON JUDICIAL QUALIFICATIONS
APRIL 2, 2008

During the course of its investigation, members of the Pee Dee Citizens Committee on Judicial Qualifications contacted numerous persons, including lawyers and non-lawyers, in the community where the following resides. Based upon these contacts and personal interviews with the candidates who have not been screened in the last year, the committee reports as follows:

Angela R. Taylor
Family Court, 3rd Circuit, Seat 2

1. Constitutional Qualifications: Ms. Taylor meets the constitutional qualifications for the judicial position she seeks.
2. Ethical Fitness: Persons interviewed by the committee deem Ms. Taylor to be highly ethical.
3. Professional and Academic Ability: The committee gives Ms. Taylor an extremely high rating in this area.
4. Character: The committee believes Ms. Taylor's character is without reproach.
5. Reputation: Ms. Taylor is well-respected in the community and among her peers.
6. Physical and Mental Health: The committee believes Ms. Taylor is physically and mentally capable of performing the duties required of a judge of the Family Court.
7. Experience: The committee recognizes Ms. Taylor's extensive legal experience.
8. Judicial Temperament: The committee believes Ms. Taylor would have an excellent temperament on the bench.

Summary: The Pee Dee Citizens Committee finds Ms. Taylor to be an excellent candidate who would ably serve on the Family Court bench.

Diane Rabon Bagnal

April 3, 2009.

REPORT OF MIDLANDS ADVISORY COMMITTEE
ON JUDICIAL QUALIFICATIONS
March 31, 2009

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

Honorable H. Bruce Williams
Supreme Court, Seat 4

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

Summary: The Midlands Citizens Advisory Committee found the Honorable H. Bruce Williams to be a very eminently qualified and most highly regarded candidate, who would most ably serve on the Supreme Court in a most outstanding manner.

Date: March 31, 2009

Signed: John M. Grantland, Chairman

REPORT OF MIDLANDS ADVISORY COMMITTEE
ON JUDICIAL QUALIFICATIONS
March 31, 2009

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

Honorable Ralph King "Tripp" Anderson, III
Administrative Law Court, Seat 1

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

Summary: The Midlands Citizens Advisory Committee found the Honorable Ralph King "Tripp" Anderson III to be a most eminently qualified and a most highly regarded candidate, who would most ably serve Seat 1 of the Administrative Law Court in an outstanding manner.

Date: March 31, 2009

Signed: John M. Grantland, Chairman

REPORT OF MIDLANDS ADVISORY COMMITTEE
ON JUDICIAL QUALIFICATIONS
March 18, 2008

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

Honorable Carolyn Matthews
Administrative Law Court, Seat 1

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

Summary: The Midlands Citizens Advisory Committee found the Honorable Carolyn Matthews to be a very eminently qualified and a most highly regarded candidate, who would most ably serve Seat 1 of the Administrative Law Court in an outstanding manner.

Date: March 31, 2009

Signed: John M. Grantland, Chairman

REPORT OF MIDLANDS ADVISORY COMMITTEE
ON JUDICIAL QUALIFICATIONS
March 31, 2009

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

Latonya Dillgard Edwards
Administrative Law Court, Seat 5

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

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

Date: March 31, 2009

Signed: John M. Grantland, Chairman

REPORT OF MIDLANDS ADVISORY COMMITTEE
ON JUDICIAL QUALIFICATIONS
March 31, 2009

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

Ms. Shirley Robinson
Administrative Law Court, Seat 5

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

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

Date: March 31, 2009

Signed: John M. Grantland, Chairman

REPORT OF MIDLANDS ADVISORY COMMITTEE
ON JUDICIAL QUALIFICATIONS
March 31, 2009

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

Mr. Phillip Lenski
Administrative Law Court, Seat 5

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

Summary: The Midlands Citizens Advisory Committee found Mr. Lenski to be a most highly qualified and a most highly regarded candidate, who would most ably serve on the Administrative Law Court in an outstanding manner.

Date: March 31, 2009

Signed: John M. Grantland, Chairman

REPORT OF MIDLANDS ADVISORY COMMITTEE
ON JUDICIAL QUALIFICATIONS
March 31, 2009

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

Mr. Lee Zimmerman
Administrative Law Court, Seat 5

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

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

Date: April 6, 2009

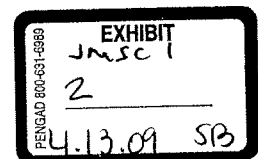
Signed: John M. Grantland, Chairman

**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying: Supreme Court, Associate Justice, Seat 4

1. NAME: Ms. Kaye Hearn
BUSINESS ADDRESS: P.O. Box 438, Conway, SC 29528-0438
E-MAIL ADDRESS: khearnj@scccourts.org (work)
TELEPHONE NUMBER: (office): (843) 915-8980
2. Date of Birth: 1950
Place of Birth: Delaware, OH
3. Are you a citizen of South Carolina? Yes
Have you been a resident of this state for at least the immediate past five years? Yes
5. Family Status: Married February 16, 1980, to George M. Hearn, Jr.. One child. Divorced by decree of the Richland County Family Court dated November 13, 1978; R. Howard Grubbs; desertion for a period of one year.
6. Have you served in the military? No.
7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
 - (a) Bethany College, 1968-72, B.A. History, cum laude;
 - (b) Edinboro College, 1973-74 (left the Master's Degree program in Political Science to attend law school);
 - (c) University of South Carolina School of Law, 1974-77; J.D., cum laude;
 - (d) University of Virginia, 1998, L.L.M., Judicial Process.
8. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.

Admitted to practice law in South Carolina in 1977. I am and always have been a member in good standing. I have not taken the bar exam in any other state.
9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.
 - (a) Bethany College: (1968-72)
Member, Who's Who in American Colleges and Universities
Resident Assistant
Alpha Xi Delta sorority (President)
Association of Women Students (Vice- president)
History honorary (President)
Cheerleader (Captain)



Leadership honorary
Recipient, Vira Heinz Award (scholarship for study abroad awarded to junior woman based on scholarship, leadership, and conduct)
Senior Fellow in History Department
Earned Distinction on Senior Comprehensive Exam in History
Recipient, Senior History Prize
Cum Laude graduate

- (b) USC Law School: (1974-77)
Member, Wig and Robe
Member, International Law Moot Court Team (team won regionals and advanced to semi-final round at nationals)
Legal writing instructor
Research assistant to Professor Randall Bell
American Jurisprudence Award, Conflict of Laws
Recipient, Coleman Karesh Scholarship
Cum Laude graduate

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

2004

Using Electronic Evidence in Civil Litigation – 7-15-04
South Carolina Judicial Conference – 8-04
Hot Tips from the Coolest Domestic Practitioners – 9-24-04
Wofford and the Law – 9-25-04
National Council of Chief Judges' Conference – 11-04

2005

South Carolina Judicial Conference – 8-06
National Council of Chief Judges' Conference – 11-05
Summit on Children, Minneapolis, MN – 11-05

2006

Trial and Appellate Advocacy – 1-28-06
Appellate Issues (Bridge the Gap) – 3-6-06
S.C. Family Court Summit – 7-06
South Carolina Judicial Conference – 8-06
National Council of Chief Judges' Conference – 11-06
AutoTorts – 12-2-06

2007

South Carolina Judicial Conference – 8-07
National Council of Chief Judges' Conference – 11-07
Combined NC/SC Appellate Judges' Conference – 11-07

2008

South Carolina Judicial Conference – 8-08

National Council of Chief Judges' Conference – 11-08

2009

Symposium on State Constitutional Reform in the New South – 1-15 and 1-16-09

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture. Do NOT attach a separate list.

- (1) Hearsay Rule in the Family Court, Columbia, S.C., July 21, 1979
- (2) Order Writing for Circuit Judges, Columbia, S.C., Aug. 1979
- (3) Order Writing for Family Court Judges, Columbia, S.C., Nov. 16, 1979
- (4) Moderator, Organizer, and Presenter at People's Law School, Horry Georgetown Tech, 1980-1984.
- (5) Appellate Court Writs, Columbia, S.C., June 19, 1980
- (6) Order Writing for Law Clerks, Columbia, S.C. Aug. 1980
- (7) Order Writing for Law Clerks and Staff Attorneys, Columbia, S.C., Aug. 1981
- (8) Rules and Procedures of the Family Court, S.C. Trial Lawyers Convention, Hilton Head, S.C., Aug. 20, 1981
- (9) Appellate Advocacy Brief Writing, Greenville, S.C., Apr. 2, 1982
- (10) Appellate Advocacy Brief Writing, Charleston, S.C., May 1982
- (11) Appellate Advocacy Brief Writing, Florence, S.C., June 25, 1982
- (12) Appellate Advocacy Preservation of the Record, Columbia, S.C. July 15, 1983
- (13) Opinion Writing for Appellate Judges, Columbia, S.C., Oct. 1983
- (14) Separation and Antenuptial Agreements, Columbia, S.C., Oct. 12, 1984
- (15) Effective Order Writing, Columbia, S.C., Dec. 6-7, 1984.
- (16) Order Writing, New Family Court Judges' School, Columbia, S.C., Feb. 28, 1985
- (17) Order Writing, Bridge the Gap, Columbia, S.C., Mar. 1985
- (18) Order Writing, Bridge the Gap, Columbia, S.C., August 1985.
- (19) Complex Issues in Family Court, Statutory Update, and Alimony Perspective – Co-Moderator, Columbia, S.C., Nov. 19-20, 1987
- (20) Practical Problems in Legal Ethics, Columbia, S.C. Dec. 1987
- (21) Order Writing, New Family Court Judges' School, Columbia, S.C., July 21-22, 1988
- (22) Children's Rights, SCDSS Family Violence Conference, Columbia, S.C., Mar. 19-20, 1990
- (23) Judge's Perspective on Adoption, Columbia, S.C., April 6, 1990
- (24) Domestic Relations, Bridge the Gap, Columbia, SC, Aug. 1990
- (25) Domestic Relations, Bridge the Gap, Columbia, SC, March 1991
- (26) The Future of Families in the Courts, Greenville, S.C., Apr. 4, 1991
- (27) Domestic Relations, Bridge the Gap, Columbia, SC, Aug. 1991

- (28) Order Writing, New Alimony Statute, Abuse and Neglect, and Contempt – Moderator, New Family Court Judges' School, Columbia, S.C., Aug. 27-28, 1991
- (29) Domestic Violence, Magistrate's JCLE, Columbia, S.C., November 8, 1991
- (30) Domestic Relations, Bridge the Gap, Columbia, SC, March 1992
- (31) Adoption, Abuse and Neglect – Moderator, New Family Court Judges' School, Columbia, S.C., July 28,, 1992
- (32) Separation Agreements, Columbia, S.C., Dec. 1992
- (33) Domestic Relations, Bridge the Gap, Columbia, SC, May 17, 1993
- (34) The Future of Family Court, S.C. Trial Lawyers Convention, Hilton Head, S.C. , August 18, 1993
- (35) Suppression Hearings in Family Court, Solicitors' Conference, Myrtle Beach, S.C., Oct. 4, 1993
- (36) How the Family Court is Using ADR and Mediation in the Courtroom, S.C. Bar Mid-Winter Meeting, Charleston, S.C., Jan. 21, 1994
- (37) Domestic Relations, Bridge the Gap, Columbia, SC, February 28, 1994
- (38) Juvenile Delinquency, Family Court Judges' School, Columbia, S.C., June 24, 1994
- (39) Family Court Rules, Columbia, S.C. July 29, 1994
- (40) Waiver Hearings, Family Court Bench/Bar Seminar, Columbia, S.C., Aug. 19, 1994
- (41) Domestic Relations, Bridge the Gap, Columbia, SC, March 6, 1995
- (42) Domestic Relations, Bridge the Gap, Columbia, SC, May 16, 1995
- (43) The Hot Evidentiary Issues Under the New Rules, The Judicial Conference, Columbia, S.C. , Aug. 24, 1995
- (44) Judicial Perspective on Briefs and Oral Arguments, Ethical Issues Facing Family Law Practitioners, Columbia, S.C., Dec. 19, 1995
- (45) Domestic Relations, Bridge the Gap, Columbia, SC, March 5, 1996
- (46) The Future of Appellate Courts, Seminar for New Appellate Court Judges, Columbia, S.C., May 1, 1996
- (47) Preserving the Trial Record, Circuit Court Judges Seminar, Fripp Island, S.C., May 1996
- (48) Preserving the Trial Record, The Judicial Conference, Columbia, S.C., Aug. 22, 1996
- (49) Ethics: A View from the Bench, S.C. Public Defenders' Conference, North Myrtle Beach, S.C., Sept. 30, 1996
- (50) A View from the Bench, Ethics for Family Law Practitioners, Columbia, S.C., Dec. 10, 1996
- (51) Appellate Writs and Motions Practice, S.C. Bar Mid-Winter Meeting, Charleston, S.C., Jan. 25, 1997
- (52) Family Law Update, The Judicial Conference, Columbia, S.C., Aug. 22, 1997
- (53) Perspectives on Judging, S.C. Student Trial Lawyers Association, Columbia, S.C., Oct. 1, 1997

- (54) The Rules of Evidence and The Dead Man's Statute, S.C. Probate Judges Conference, Myrtle Beach, S.C., Oct. 13, 1997
- (55) Automatic Stay, Petitions for Supersedeas, Family Court Seminar, Conway, S.C., Oct. 21, 1997
- (56) Appellate Ethics Update, Ethics Seminar, Columbia, S.C., Nov. 14, 1997
- (57) Order Writing, Probate Judges Conference, Columbia, S.C., Feb. 26, 1998
- (58) Important Rules of Appellate Practice, S.C. Practice and Procedure Update, Columbia, S.C., March 20, 1998
- (59) Comparative Negligence Developments, S.C. Tort Law Update, Columbia, S.C., Sept. 25, 1998
- (60) Preserving Evidentiary Matters on Appeal, Winning Evidence, Columbia, S.C. Feb. 19, 1999
- (61) Appellate Issues, Court of Appeals Bench/Bar seminar, Columbia, S.C., October 22, 1999.
- (62) Appellate Issues, Bridge the Gap, Columbia, S.C. May 2000
- (63) Appellate Issues, Family Court Bench/Bar seminar, Columbia, S.C., Dec. 1, 2000
- (64) Appellate Issues, Bridge the Gap, Columbia, S.C. March 2001
- (65) Issues in Comparative Negligence, 2001 South Carolina Tort Law Update, Columbia, S.C., September 28, 2001
- (66) Appellate Issues, Ring Out the Old, Ring In the New, Columbia, S.C. December 21, 2001
- (67) Appellate Issues, Bridge the Gap, Columbia, S.C., May 15, 2002
- (68) Appellate Issues, Family Court Bench/Bar, Conway, S.C., Dec. 6, 2002
- (69) Appellate Issues, Bridge the Gap, Columbia, S.C., March 10, 2003
- (70) Oral Argument, South Carolina Trial Lawyers' Association Convention, 2003
- (71) Now we have Campbell, what do we do with it?, South Carolina Defense Trial Attorneys' Association, Sea Island, GA, Nov. 7, 2003
- (72) Appellate Issues, Family Court Bench/Bar, Conway, S.C., Dec. 5, 2003
- (73) Appellate Issues, Bridge the Gap, Columbia, S.C., March 8, 2004
- (74) Using Electronic Evidence in Civil Litigation, July 15, 2004
- (75) Hot Tips from the Coolest Domestic Practitioners, Columbia, S.C., September 24, 2004.
- (76) Wofford and the Law, Panel Leader for Legal Symposium, Spartanburg, SC, September 25, 2004
- (77) Appellate Issues, South Carolina Family Court Bench/Bar, Conway, S.C., December 3, 2004
- (78) Appellate Issues, Bridge the Gap, Columbia, S.C., March 7, 2005
- (79) Professionalism, Forum on Professionalism at the Charleston School of Law, Charleston, S.C.
- (80) Oral Arguments, S.C. Bar Convention, January 28, 2006

- (81) Appellate Issues, Bridge the Gap, Columbia, S.C., March 6, 2006
- (82) Expediting Appeals in Dependency Cases, S.C. Family Court Summit, Columbia, S.C., July 2006
- (83) Appellate Advocacy, Charleston School of Law, Visiting Adjunct Professor, Fall 2006 semester
- (84) Order Writing, 14th Annual Probate Bench/Bar, Columbia, S.C., Sept. 15, 2006
- (85) Keeping Your Verdicts Without Compromising Your Ethics, AutoTorts, Atlanta, G.A., December 2, 2006
- (86) Oral Argument, Family Court Bench/Bar, Conway, S.C., December 7, 2006
- (87) Appellate Advocacy, Charleston School of Law, Visiting Adjunct Professor, Fall 2007 semester
- (88) Ethics, Summary Court Judges' Conference, Myrtle Beach, S.C., September 7, 2007
- (89) Panel on the Constitution, Wofford College, Spartanburg, S.C., September 26, 2007
- (90) Appellate Issues, Bridge the Gap, Columbia, S.C., March 10, 2008
- (91) Appellate Issues, Bridge the Gap, Columbia, S.C., May 12, 2008
- (92) New Appellate Rules in Workers' Compensation Cases, Clarion Townhouse, Columbia, S.C., May 2008
- (93) Appellate Advocacy, Charleston School of Law, Visiting Adjunct Professor, Fall 2008 semester
- (94) Change to Appellate Court Rules, Grove Park Inn, Asheville, N.C., November 7, 2008
- (95) South Carolina Family Court Bench/Bar, Columbia, S.C., December 2008
- (96) State Constitutional Reform in the New South, January 15-16, presented by the Charleston Law Review at the Charleston School of Law and The Riley Institute at Furman, Charleston, S.C., January 15-16, 2009

12. List all published books and articles you have written and give citations and the dates of publication for each.
- (a) S.C. Appellate Practice Handbook (S.C. Bar CLE 1985), Contributing Author;
 - (b) Marital Litigation in S.C., Roy T. Stuckey and F. Glenn Smith (S.C. Bar CLE 1997), Editorial Board;
 - (c) South Carolina Damages, Terry E. Richardson, Jr., and Daniel S. Haltiwanger (S.C. Bar CLE 2004), authored chapter titled, "S.C. Modified Comparative Negligence;"
 - (d) The Appellate Prosecutor: A Practical and Inspirational Guide to Appellate Advocacy, Ronald H. Clark (S.C. Bar CLE 2005), authored chapter on oral argument.
13. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.

- (a) Admitted to practice before the State Courts of South Carolina in 1977;
 - (b) Also admitted to practice before the Federal District Court and Fourth Circuit Court of Appeals in 1980.
14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.
- (a) 1977-1979: Law clerk to the Honorable Julius B. Ness, Associate Justice of the S.C. Supreme Court;
 - (b) 1979-1985: Associate and partner in firm which eventually became Stevens, Stevens, Thomas, Hearn & Hearn; located in Loris and Myrtle Beach, S.C.;
 - (c) 1985-1995: Family Court Judge for the Fifteenth Judicial Circuit (Chief Administrative Judge from 1987-1995);
 - (d) 1995-1999: Judge, S.C. Court of Appeals;
 - (e) 1999-present: Chief Judge, S.C. Court of Appeals.
15. What is your rating in Martindale-Hubbell? b.v. as of May 1986.
Retired judges/justices and judges/justices applying for reelection to their current position may omit Questions 16-21. If a candidate is seeking a judgeship different than his or her current position, Questions 16-21 should be answered based on experience prior to serving on the bench.
16. What was the frequency of your court appearances during the last five years?
- (a) federal: 4-5 times per year;
 - (b) state: weekly.
17. What percentage of your practice involved civil, criminal, and domestic matters during the last five years?
- (a) civil: 45%;
 - (b) criminal: 10%;
 - (c) domestic: 45%.
18. What percentage of your practice in trial court during the last five years involved matters that went to a jury, including those that settled prior to trial?
- (a) jury: 40%;
 - (b) non-jury: 60%;
- Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? Chief Counsel.
19. 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) Graham v. Whitaker, 282 S.C. 393, 321 S.E.2d 40 (1984) (I was trial and appellate counsel; the supreme court upheld the trial court's grant of plaintiff's motion for new trial nisi additur). This case has been cited in sixty-one different cases and eighteen secondary sources;
 - (b) Gasque v. Heublein, Inc., 281 S.C. 278, 315 S.E.2d 556 (1984) (I was trial and appellate counsel in this case; the supreme court found the two-issue rule required affirmance of jury's verdict in favor of plaintiff whose vision was

impaired when a champagne cork prematurely ejected). This case has been cited in twenty-five different cases and twenty-seven different secondary sources;

- (c) Creel v. Creel (1983) (I was trial counsel in this six-day family court case involving complex valuations of business entities.);
- (d) King v. Williams, 276 S.C. 478, 279 S.E.2d 618 (1981) (I was appellate counsel in this medical malpractice case wherein the supreme court abolished the locality rule);
- (e) Hellum v. Todd, (1980) (I was trial counsel in this Horry County personal injury action wherein the plaintiff was rendered quadriparetic as a result of a motor vehicle accident. The case is significant because, for the first time, a "day-in-the-life" video produced by co-counsel and myself was admitted into evidence.)

20. 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. If you are a candidate for an appellate court judgeship (please attach one copy of briefs filed by you in each matter).

- (a) King v. Williams, 276 S.C. 478, 279 S.E.2d 618 (1981);
- (b) Gasque v. Heublein, Inc., 281 S.C. 278, 315 S.E.2d 556 (1984);
- (c) Sweatt v. Norman, 283 S.C. 443, 322 S.E.2d 478 (Ct. App. 1984);
- (d) Graham v. Whitaker, 282 S.C. 393, 321 S.E.2d 40 (1984);
- (e) Todd v. S.C. Farm Bureau Mutual Ins. Co., 287 S.C. 190, 336 S.E.2d 472 (1985).

* I no longer have the briefs in any of these cases.

21. List up to five criminal appeals that you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported. If you are a candidate for an appellate court judgeship (please attach one copy of briefs filed by you in each matter). Do NOT attach a separate list of your briefs.

- (a) State v. Drew, 281 S.C. 440, 316 S.E.2d 367 (1984) (reversing appellants' convictions because the trial court improperly admitted evidence of other crimes);
- (b) State v. Miller, 287 S.C. 280, 337 S.E.2d 83 (1985) (affirming in part and reversing in part the circuit court's grant of jnov in favor of defendant);
- (c) State v. Cox, 279 S.C. 205, 305 S.E.2d 76 (1983);
- (d) State v. David Cook (unpublished);
- (e) Greene v. State (unpublished).

22. Have you ever held judicial office?

Yes. I was elected Family Court Judge in 1986 and served until 1995. The family court has jurisdiction over domestic matters, such as divorce, division of marital property, custody, visitation rights, adoptions, and termination of parental rights. The family court also has jurisdiction over minors under the age of seventeen who have committed crimes, unless those crimes are serious enough for jurisdiction to be transferred to General Sessions Court.

In 1995, I was elected to serve as a judge on the South Carolina Court of Appeals, and in 1999, I was elected Chief Judge of the Court of Appeals. I continue to serve

in that position. The court of appeals has jurisdiction over all appeals, with the following seven exceptions (see § 14-8-200 of the South Carolina Code):

- (1) death penalty cases;
 - (2) final decisions of the Public Service Commission setting public utility rates;
 - (3) challenges to the constitutionality of a statute or ordinance (unless the Supreme Court deems the constitutional question raised insignificant);
 - (4) final judgments from the circuit court involving "the authorization, issuance, or proposed issuance of general obligation debt, revenue, institutional, industrial, or hospital bonds of the State, its agencies, political subdivisions, public service districts, counties, and municipalities, or any other indebtedness authorized by Article X of the Constitution of this State;"
 - (5) judgments dealing with elections or election procedures;
 - (6) orders limiting the investigation of the state grand jury; and
 - (7) orders dealing with an abortion by a minor.
23. If the answer to question 22 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also list citations to any appellate review of these orders or opinions.
- (a) Shaw v. Atlantic Coast Life Ins. Co., 322 S.C. 139, 470 S.E.2d 382 (Ct. App. 1996), cert. denied, 520 U.S. 1167 (1987) (holding that an employee seeking to recover benefits under ERISA was entitled to a jury trial);
 - (b) State v. Hamilton, 327 S.C. 440, 486 S.E.2d 512 (Ct. App. 1997), cert. denied, 525 U.S. 904 (1998) (finding no error in trial judge's decision to allow the State to prove defendant had two prior burglary convictions despite defendant's willingness to stipulate to his prior convictions);
 - (c) State v. Slater, 360 S.C. 487, 602 S.E.2d 90 (Ct. App. 2004) (Hearn, C.J., dissenting and finding Slater was not entitled to a self defense charge), rev'd, 373 S.C. 66, 644 S.E.2d 50 (2007) (agreeing with dissent that charge of self defense was not warranted);
 - (d) In re Expediting Appeals from Termination of Parental Rights Proceedings, 366 S.C. 670, 623 S.E.2d 661 (Ct. App. 2005) (recognizing the need for stability in children's lives and implementing an expedited procedure for handling appeals from termination of parental rights proceedings, adoption proceedings, and/or DSS actions involving the custody of a minor child);
 - (e) Guider v. Churpeyes, Inc., 370 S.C. 424, 635 S.E.2d 562 (Ct. App. 2006) (reversing jury verdict in favor of plaintiff and finding the trial court should have granted a directed verdict in favor of corporation, which was sued by a former employee for malicious prosecution and abuse of process).
24. Have you ever held public office other than judicial office? No.
25. List all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial office. Specify your dates of employment, employer, major job responsibilities, and supervisor.
- Adjunct Professor of Appellate Advocacy for the Charleston School of Law. Employed for the Fall Semesters of 2006, 2007, and 2008, from August through November. The class meets two hours per week, and I co-teach with my former law clerk, William Cook.

26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?
Yes. In May of 2007, I ran for Seat 5 on the South Carolina Supreme Court. The Judicial Merit Selection Committee nominated Donald W. Beatty, H. Bruce Williams, and me for the seat. The Honorable Donald W. Beatty was elected. In February of 2008, I ran for Seat 3 on the South Carolina Supreme Court. The Judicial Merit Selection Committee nominated John Kittredge, John Few, and me for the seat. I withdrew, and the Honorable John Kittredge was elected.
27. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? 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.
None, other than occasional employment during high school and college.
28. Are you now an officer or director or involved in the management of any business enterprise? No.
29. A complete, current financial net worth statement was provided to the Commission.
30. 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. Explain how you would resolve any potential conflict of interest. None.
31. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law?
No.
32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? No.
33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? No.
34. Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law?
I was sued for divorce by my first husband in 1978. The action was uncontested. I was also sued in my capacity of Bar Examiner in the case of John V. Crangle v. Board of Law Examiners of South Carolina, et al. The case was dismissed.
36. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a "lobbyist's principal," as defined by S.C. Code § 2-17-10(14)? No.
37. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals,

- beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? No.
38. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. N/A.
39. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. N/A.
40. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek.
I have spent approximately \$150 in mailing letters announcing my candidacy to members of the General Assembly (excluding the members of the Judicial Merit Selection Commission).
41. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship. None.
42. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened? No.
43. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? If so, give details. Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No.
44. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No.
45. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? No.
46. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
- (a) South Carolina Bar Association;
 - (b) Council of Chief Judges
President, 2005-2006
Chair, Education Committee, 2003

Member, Executive Board, 2001-2007
Member, Education Committee, 2000-2002;

- (c) Conference of Family Court Judges
Treasurer, 1990
Secretary, 1991
President, 1992.

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

None, other than my active participation at St. Paul's Episcopal Church in Conway.

48. 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.

Throughout my life, I have had the great fortune to learn from "giants." The unconditional love and life lessons I received from my parents, the experience and mentoring I gained from Judge Julius B. Ness and James Stevens, and the pure joy and support which emanates from my husband and daughter have been the guideposts of my life. I have also been blessed by a strong network of close friends and professional associates who inspire me and lift me up regularly. Because of the support and guidance of these people, I have been able to achieve both professional success and great personal fulfillment. In addition to thanking God every day for the many wonderful people who have graced my life, I try to always remember that to whom much has been given, much is expected. If I am so fortunate as to be elected to the highest court in this state, I pledge to work hard, to listen well, and to not disappoint those who believe in me.

49. List the names, addresses, and telephone numbers of five persons, including your banker, from whom references could be obtained.

- (a) Jennings Duncan
c/o Conway National Bank
1360 Hwy. 501
P.O. Box 320
Conway, SC 29528
843-347-4601
- (b) The Rev. Ed Kelaher
P.O. Drawer 14547
Surfside Beach, SC 29587
843-238-5648
- (c) The Honorable David W. Harwell
Nelson Mullins Riley & Scarborough
Beach First Center, 3rd Floor
3751 Robert M. Grissom Parkway
Myrtle Beach, SC 29577
843- 946-5673
- (d) The Hon. William L. Howard
P.O. Box 993

Charleston, SC 29402-0993
843-724-6669

(e) The Rev. Charles Jackson
1802 Middle Loop Rd.
West Columbia, SC 29169
803-796-7525

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

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

s/Kaye Hearn

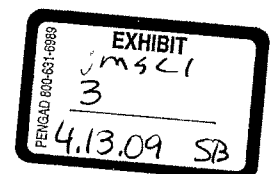
Date: 03/05/09

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

Supreme Court/Court of Appeals
(New Candidate)

Full Name: Kaye Gorenflo Hearn
Business Address: P.O. Box 438
Conway, SC 29528
Business Telephone: (843) 915-8980

1. Do you plan to serve your full term if elected?
Yes
2. If elected, do you have any plans to return to private practice one day?
No
3. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice?
Yes
4. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?
In my fourteen years as an appellate judge, I have rarely found *ex parte* communications to be a problem. My office staff is trained to screen telephone calls for *ex parte* communications. Most of the attempts at *ex parte* communications that I encounter are parties, particularly inmates, attempting to contact me through letters. My administrative assistant and law clerks have been instructed to transmit any such letters directly to the clerk of court. The court itself has procedures in place to handle emergency motions and petitions for supersedeas which may require communications with the court.
5. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?
I recuse myself whenever there is a possibility that my impartiality might be questioned. I maintain a list of standing disqualifications which is frequently updated.



6. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference would you give a party that requested your recusal? Would you grant such a motion?
I would defer to granting the motion. Even though I might not feel that my partiality would be affected, if a party reasonably believes I would be less than fair, I would recuse myself.
7. What standards have you set for yourself regarding the acceptance of gifts or social hospitality?
I accept only ordinary social hospitality among family and friends.
8. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?
If I were to receive information that a judge or an attorney likely committed a violation of the Code of Judicial Conduct or the Rules of Professional Conduct, I would take appropriate action, which might include direct communication with the lawyer or judge. If I had knowledge that a violation had been committed by a judge or lawyer, I would take appropriate action, which may include sanctions if it occurred in a case over which I was presiding or may include reporting to the appropriate authority governing judicial or lawyer discipline.
9. Are you affiliated with any political parties, boards or commissions that need to be evaluated?
No
10. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations?
No
11. How would you prepare for cases that were before you?
My method of preparation has always been and will continue to be to read all briefs and records in cases which come before me and to thoroughly research the applicable law.
12. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?
I believe a judge's responsibility is to follow the law as enacted by the General Assembly. With regard to construing statutory provisions, I consider myself a strict constructionist. I am not a judicial activist in any way; however, some decisions do ultimately turn on a policy decision. In those instances, I endeavor to make my decision based on what I discern to be the public policy of our state as expressed in legislative enactments and in prior decisions by the South Carolina Supreme Court.
13. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. What activities would you plan to undertake to further this improvement of the legal system?

I have always been extremely active in continuing legal education in South Carolina. I have been a presenter at more than 90 CLEs since I began to practice law. I also speak frequently at civic meetings and such events as Palmetto Girls State because I believe it is important to educate the public about our excellent judicial system. I am a past member of the CLE Commission. I am an active member of the National Council of Chief Judges of State Courts of Appeal, an arm of the National Center for State Courts whose membership is composed of chief judges from across the country. I served as President of the organization from November of 2005 until November of 2006. I have also served as an adjunct faculty member at the Charleston Law School since 2006, teaching appellate advocacy. I plan to continue being active in education programs for lawyers, judges, and the public.

14. Do you feel that the pressure of serving as a judge would strain personal relationships (i.e. spouse, children, friends, or relatives)? How would you plan to address this?

Any demanding job presents opportunities for stress on one's family. I am fortunate to have a lawyer-husband who is keenly aware of the demands of my position and completely supportive of me. My mother has lived with us since the birth of our daughter (now a junior at Wofford) and has been a tremendous help to me in maintaining a balance between work and family commitments. I am very actively involved in my church and find that maintaining my spiritual strength helps greatly in relieving stress.

15. Are you currently serving on any boards or committees? If so, in what capacity are you serving?

I am a Past President of the National Council of Chief Judges and continue to be actively involved in that organization. I am also a member of the University of South Carolina's Law School Partnership Board, the Board of Advisors for the Charleston Law School, and the Advisory Board of the Charleston Law School Law Review.

16. Please describe your methods of analysis in matters of South Carolina's Constitution and its interpretation by explaining your approach in the following areas. Which area should be given the greatest weight?

- a) The use and value of historical evidence in practical application of the Constitution:

I would consider historical evidence in reaching any decision on the practical application of the Constitution because such evidence helps to reveal the drafters' intent; however, I would not consider historical evidence controlling.

- b) The use and value of an agency's interpretation of the Constitution:

I would give an agency's interpretation of the Constitution little weight. Interpreting the constitution is a function of the judiciary, not an agency.

- c) The use and value of documents produced contemporaneously to the Constitution, such as the minutes of the convention:
I believe that documents produced contemporaneously with the Constitution should be given the greatest weight because they may provide insight into the intention of the drafters. However, there is no need to consider these areas when the language of the Constitution is clear and unambiguous.
17. Is the power of the South Carolina General Assembly plenary in nature unless otherwise limited by some specific Constitutional provision?
It is plenary in nature.
18. Presuming that the three branches of government have plenary power for their responsibilities, do any other levels of government (i.e. local governments) have plenary authority, or do all grants of authority to other levels of government flow from the state level in our Constitution and statutes?
All grants of authority, including that of local governments, flow from the plenary power of one of the three branches of state government.
19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?
No
20. Do you belong to any organizations that discriminate based on race, religion, or gender?
No
21. Have you met the mandatory minimum hours requirement for continuing legal education courses?
Yes
22. Have you written any scholarly articles?
I have written a chapter on Comparative Negligence for South Carolina Damages (S.C. Bar CLE 2004), and I have written a chapter on oral argument for The Appellate Prosecutor: A Practical and Inspirational Guide to Appellate Advocacy (S.C. Bar CLE 2005).
I was a contributing author to the South Carolina Appellate Practice Handbook (S.C. Bar CLE 1985), and I was on the editorial board for Roy T. Stuckey and F. Glenn Smith's treatise, Marital Litigation in S.C. (S.C. Bar CLE 1997).
I also wrote a thesis as part of the L.L.M. program at the University of Virginia, from which I graduated in 1998.
23. What do you feel is the appropriate demeanor for a judge?
A judge should reflect sincere interest in matters before the court and should be extremely well prepared for every case. A judge should conduct himself or herself in a calm and dignified manner and should

be polite and courteous to litigants, lawyers, court personnel, and the public.

24. Would the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or would these rules apply seven days a week, twenty-four hours a day?

The rules apply twenty-four hours a day, seven days a week.

25. Would there be a role for sternness or anger in meetings with attorneys?

There is rarely, if ever, a place for sternness at the appellate level. There is never a place for anger by a judge in a courtroom.

26. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees?

I have spent approximately \$150 in mailing letters and resumes to the members of the General Assembly. This amount has been reported to the House and Senate Ethics Committees.

27. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office?

No

28. Have you sought or received the pledge of any legislator prior to this date?

No

29. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening?

No

30. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf?

No

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

No

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

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

s/Kaye G. Hearn

Sworn to before me this 5th day of March 2009.

Notary Public for S.C.

My Commission Expires: 5/27/2013

**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying: Supreme Court, Associate Justice, Seat #4

1. NAME: Ms. Deadra L. Jefferson
BUSINESS ADDRESS: P.O. Box 375, Charleston, SC 29402
E-MAIL ADDRESS: djeffersonsc@sccourts.org
TELEPHONE NUMBER: (office): (843) 958-5147

2. Date of Birth: 1963
Place of Birth: Charleston, SC

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

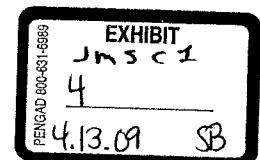
5. Family Status: Single, never divorced, no children.

6. Have you served in the military?
I have never served in the military.

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) Converse College, 1981-1985, BA English and Politics;
 - (b) College of Charleston, Fall 1985, Classes in Masters of Public Administration Program, No degree received left to attend law school at the University of South Carolina;
 - (c) University of South Carolina, 1986-1989, Juris Doctor.

8. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.
Admitted to practice law in South Carolina on November 15, 1989. I took the bar exam one time. I am currently a member in good standing. There has never been a time in which I was not a member in good standing. I have not taken the bar exam in any other state.

9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.
 - (a) Converse College Newspaper Staff, Reporter 1981-1983, Co-editor Politics Column 1983-1985, Best Editorial Award 1985;
 - (b) Converse College Student Admissions Board 1982-1985;
 - (c) Co-Founder Converse College Minority Student Union,



- Second Vice-President 1984-1985;
- (d) Converse College Gospel Ensemble 1981-1985, Secretary 1984-1985;
 - (e) Delta Sigma Theta Sorority, Inc., 1982 to the present, Corresponding Secretary 1983-1985;
 - (f) Who's Who Among American College and University Students 1984-1985;
 - (g) Student Bar Association 1986-1989;
 - (h) Black Law Student Association 1986-1989, Editor Advocate 1988-1989.
10. Describe your continuing legal or judicial education during the past five years. Include **only** the title and date of any continuing legal or judicial education course completed.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Annual Criminal Law Update	1/25/2001;
(b) Family Law Section Seminar	1/26/2001;
(c) 2001 Family Court Judges Conference	5/3/2001;
(d) 2001 Orientation School for New Circuit Judges	7/2/2001;
(e) Annual Judicial Conference	8/23/2001;
(f) SCBLA Conference	9/14/2001;
(g) Annual Criminal Law Update, Annual Civil Law Update	1/25/2002;
(h) Circuit Judges' Annual Conference	5/8/2002;
(i) SCTL A Annual Convention	8/1/2002;
(j) Annual Judicial Conference	8/22/2002;
(k) Annual Criminal Law Update	1/23/2003;
(l) Annual Civil Law Update	1/23/2003;
(m) Annual Criminal Law Update	1/24/2003;
(n) Women Lawyers in the New Millennium	4/11/2003;
(o) SC Circuit Judges' Conference	5/7/2003;
(p) National Judicial College General Jurisdiction Course	7/14/2003;
(q) SCTL A Annual Convention	8/7/2003;
(r) Annual Judicial Conference	8/21/2003;
(s) SCDTAA Annual Conference	11/6/2003;
(t) Annual Criminal Law Update	1/23/2004;
(u) Annual Civil Law Update	1/23/2004;
(v) National Conference on Racial and Ethnic Fairness in the Courts	4/14/2004;
(w) SC Circuit Judges' Annual Conference	5/5/2004;
(x) SCTL A Annual Conference	8/6/2004;
(y) Annual Judicial Conference	8/19/2004;
(z) Supreme Court Judicial Oath of Office	8/19/2004;
(aa) National Judicial College Advanced Evidence	11/15/2004;

- (bb) Annual Civil Law Update 11/19/2004;
1/21/2005;
 - (cc) Annual Criminal Law Update 1/21/2005;
 - (dd) National Conference on Racial and Ethnic Fairness
in the Courts 4/13/2005;
 - (ee) Annual Circuit Judges Conference 5/11-13/2005;
 - (ff) Annual Judicial Conference 8/24/2005;
 - (gg) Annual SC Solicitors Conference 9/25/2005
 - (hh) Annual Criminal Law Update 1/27/2006;
 - (ii) Annual Civil Law Update 1/27/2006;
 - (jj) National Conference on Racial and Ethnic Fairness
in the Courts 4/26/2006;
 - (kk) National Judicial College Handling Capital Cases 6/10-15/2006;
 - (ll) Annual Circuit Judges Conference 5/10/2006;
 - (mm) Annual Judicial Conference 8/23/2006;
 - (nn) SCDTAA Annual Conference 11/9/2006;
 - (oo) Annual Criminal Law Update 1/26/2007;
 - (pp) Annual Civil Law Update 1/26/2007;
 - (qq) National Conference on Racial and Ethnic Fairness
in the Courts 5/2-5/5/2007;
 - (rr) Annual Circuit Court Judges Conference 5/16/2007;
 - (ss) SCTLA Annual Conference 8/2-8/3/2007;
 - (tt) Annual Judicial Conference 8/22/07;
 - (uu) Annual Civil Law Update 1/25/08;
 - (vv) Annual Criminal Law Update 1/25/2008;
 - (ww) National Conference on Racial and Ethnic Fairness
in the Courts 4/26-5/2/08;
 - (xx) Annual Circuit Court Judges Conference 5/14/2008;
 - (yy) Annual Judicial Conference 8/20-22/2008;
 - (zz) SC Defense Trial Lawyers Association 11/13-11/14/08;
 - (aaa) Annual Civil Law Update 1/23/2009;
 - (bbb) Annual Criminal Law Update 1/23/2009.
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
- (a) Business Law Instructor, Trident Technical College Paralegal Program, 1993-1994 School Term;
 - (b) "Rules, Rules, Rules" South Carolina Practice and Procedures Update, Presenter on the issue of Family Court Rules, SC Bar, March 20, 1998;
 - (c) Speaker/Panel Participant Wiley A. Branton Symposium, National Bar Association, October 24, 1998;
 - (d) "Current Issues in Attorney's Fees", Presenter, SC Bar Association, November 6, 1998;

- (e) Recent Developments in Family Law, "Six by Six" CLE Seminar, Presenter, Charleston County Bar Association, December 10, 1998;
- (f) "Adjudication Hearings", Presenter and Contributor to Family Court Judges Juvenile Workbook, SC Association of Family Court Judges, May 20, 1999;
- (g) "Tips from the Bench", Adoption, Presenter, SC Bar Association, February 25, 2000;
- (h) "The Role of the Judge and Guardian ad Litem in Abuse and Neglect Proceedings" Judges Panel, South Carolina Guardian ad Litem Conference, April 14, 2000;
- (i) "Women, Leadership and the Law", Brown Bag Lunch Panel Participant, SC Women Lawyers Association and College of Charleston Women's Studies Program, September 22, 2000;
- (j) Family Law Update and Tips from the Bench, Presenter, Charleston Lawyers Club, May 2, 2001;
- (k) "The Use of Psychological Evaluations in Juvenile Proceedings", Panel, Children's Law Center, May 18, 2001;
- (l) Judges Panel, 3rd Annual Children's Law Conference, May, 2001;
- (m) December 13, 2002, Hot Tips III, "Appeals and Motions";
- (n) April 11, 2003, Women Lawyers in the New Millennium, "Ethics Issues from Various Judicial Perspectives";
- (o) November 15-19-2004, National Judicial College, Advanced Evidence, Group Discussion Leader;
- (p) June 20, 2003, SCDTAA Trial Academy Judge;
- (q) December 2004, 2004 Local Government Attorneys' Institute, Administered Oath;
- (r) January 2005 9th Annual Probate Court Seminar, Administered Oath;
- (s) September, 2005, SCBLA, Judicial Selection in South Carolina, Judicial Panel;
- (t) September 26, 2005 SC Solicitors' Association Conference, Criminal Law Update, "Recent Court Decisions";
- (u) October 20, 2005, Charleston School of Law Professionalism Series, "Civility and Ethics";
- (v) November 4, 2005 SC Defense Trial Lawyers Ethics and Civility **In Trial unable to make the presentation;
- (w) February 15, 2006 Charleston School of Law Ethics & Professionalism presentation;
- (x) May 1, 2006, Law Day, Panel Presentation Judicial Selection in South Carolina Charleston School of Law;
- (y) 6/10/2006 National Judicial College, Handling Capital Cases, Group Discussion Leader;
- (z) September 29, 2006, SCBLA, "Civil Practice;"

- (aa) November 16, 2006, Young Lawyers Division, New Admitees Reception, Presentation;
 - (bb) May 24, 2007, Young Lawyers Division, "Tips for Young Lawyers in Circuit Court;"
 - (cc) January 3, 2008 "Oath of office" D. Ashley Pennington Chief Public Defender;
 - (dd) March 1, 2008, "We Shape the World" Charleston School of Law, Minority Law Day;
 - (ee) March 8, 2008, Women of Wisdom Expo 2008 "Daring to Embrace New Beginnings "Bible Way Church, Columbia, SC;
 - (ff) March 10, 2008, National Association for Court Management, Mid Year Conference, Welcome Address;
 - (gg) June 11, 2008 Pro-Bono Legal Service Summer Intern Class, In-Court Seminar;
 - (hh) June 12, 2008 "Governors' School of SC" Summer Class;
 - (ii) July 29, 2008, Magistrate Seminar;
 - (jj) August 21, 2008, Annual Judicial Conference, South Carolina Access to Justice Commission, Panelist;
 - (kk) December 9, 2008, Young Lawyers Association Luncheon.
12. List all published books and articles you have written and give citations and the dates of publication for each.
- I have provided written seminar materials for the courses listed above and these materials have been published by the S.C. bar as a part of their published seminar materials. I have not published any books or articles.
13. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.
- (a) All South Carolina Courts-November 1989;
 - (b) United States District Court-District of South Carolina-December 29, 1992;
 - (c) United Sates Supreme Court-May 17, 2004.
14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.
- (a) Law Clerk to the Honorable Richard E. Fields of the Ninth Judicial Circuit, Charleston, S.C., August 1989 through August 1990. Primary Responsibilities: legal research, preparation of jury charges, preparation of Orders, scheduling of motions, all tasks required to prepare the Judge and myself for trials/hearings during the term and all other daily tasks as required by the Judge that ensured the smooth operation of Court;
 - (b) McFarland and Associates, Attorney, October 1990 through March 1996. Trial practice focusing on the following areas: Domestic

Relations, Civil Litigation (all types), Probate Law, Real Estate Law and Criminal Law;

- (c) Resident Family Court Judge of the Ninth Judicial Circuit, elected to serve February 14, 1996 through June 2001;
- (d) Resident Circuit Court Judge of the Ninth Judicial Circuit, elected to serve May 31, 2001 to the present.

15. What is your rating in Martindale-Hubbell?

I am listed in Martindale-Hubbell but have not been rated.

Retired judges/justices and judges/justices applying for reelection to their current position may omit Questions 16-21. If a candidate is seeking a judgeship different than his or her current position, Questions 16-21 should be answered based on experience prior to serving on the bench.

16. What was the frequency of your court appearances during the last five years?

I have been a sitting judge since April 1, 1996 and am therefore providing the responses from my previous judicial screening application dated October 1995.

- (a) federal: approximately 15 times;
- (b) state: approximately 50-60 times.

17. What percentage of your practice involved civil, criminal, and domestic matters during the last five years? I have been a sitting judge since April 1, 1996 and am therefore providing the responses from my previous judicial screening application dated October 1995.

- (a) civil: 47%;
- (b) criminal: 6%;
- (c) domestic: 47%.

18. What percentage of your practice in trial court during the last five years involved matters that went to a jury, including those that settled prior to trial? I have been a sitting judge since April 1, 1996 and am therefore providing the responses from my previous judicial screening application dated October 1995.

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

Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? Sole Counsel.

19. List five of the most significant litigated matters 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.

I have been a sitting judge since April 1, 1996 and am therefore providing the responses from my previous judicial screening application dated October 1995.

- (a) Blake v. County of Charleston. This case involved complex (federal) civil rights litigation. It was tried for two (2) weeks and involved many motions and other complex legal issues relating to evidence and the new federal rules. The case also resulted in a mistrial and was

later tried a second time for one (1) week. I tried this case with two (2) other lawyers, both of whom had been practicing more than eighteen (18) years. During this process I was treated as an equal and an integral part of the litigation team. I was entrusted with a great deal of responsibility which included arguing motions, examination of witnesses, preparation of motions, and preparation of jury charges. This case challenged many current practices within the Charleston County Police Department. This case caused the Charleston County Police Department to evaluate and change many of their policies and practices;

- (b) Hymes v. Khoury. This case was a simple auto accident which I did not think would be successful. This case taught me the importance of the strategic application of the civil rules of procedure and case law. Although this case took one (1) day to try, the jury deliberated for two (2) days and returned a verdict in favor of my client;
 - (c) In Re: The Estate of Joseph J. White, Jr., et. al. This was a probate court case. The central issue in this case involved the paternity of a two (2) year old minor child of the victim of an automobile fatality. The case involved an intense three (3) day probate trial. The trial involved approximately forty (40) witnesses. It also involved a unique question of law concerning the jurisdictional conflict between the probate and family courts. A favorable ruling was returned by the Probate Judge and the Circuit Court on appeal. In addition, I handled the wrongful death cause of action on behalf of the minor which resulted in a substantial recovery for the minor;
 - (d) Ashby v. Ashby. In this case I represented the plaintiff/husband who sought custody of his three (3) children. The Court applied the primary caretaker doctrine in awarding custody to the father. The case also involved issues of equitable distribution, adultery, child support and attorney's fees;
 - (e) Thompson v. Polite. This case involved a hotly contested issue of visitation between the plaintiff/husband and his minor son. The defendant/wife was adamant in her refusal to allow visitation. My client was awarded reasonable visitation at the Temporary Hearing of this case. Prior to the Final Hearing the parties submitted to mediation. Through this process they were able to come to an amicable agreement regarding visitation and the rearing of their child. This case reinforced my belief in the value of alternative dispute resolution (mediation) as a method of improving the efficient use of court time and resources.
20. 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. **If you are a candidate for an appellate court judgeship (please attach one copy of briefs filed by you in each matter).**

- None.
21. List up to five criminal appeals that you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported. **If you are a candidate for an appellate court judgeship (please attach one copy of briefs filed by you in each matter).**
- None.
22. Have you ever held judicial office?
- Yes. Resident Family Court Judge of the Ninth Judicial Circuit, Seat Five, elected February 14, 1996. My service in this seat began April 1, 1996, and concluded in June 2001 when I was elected to the Circuit Court. I was elected to this position by the General Assembly. The Family Court is a statutory court of limited and specific jurisdiction. The jurisdiction of the Family Court is set forth in S.C. Code Annotated section 20-7-420, et seq. (i.e. divorce, custody, child support, name changes, juveniles, equitable distribution, adoptions, abuse and neglect, and as further set forth in the statute).
- Currently a Resident Circuit Court Judge of the Ninth Judicial Circuit, Seat 1. My service in this seat began in June 2001. I was elected to this position by the General Assembly on May 30, 2001. The Circuit Court is South Carolina's Court of general jurisdiction. It has a civil court, the Court of Common Pleas, and a criminal court, the Court of General Sessions. In addition to its general trial jurisdiction, the Circuit Court has limited appellate jurisdiction over appeals from the Probate Court, Magistrate's Court, and Municipal Court.
23. If the answer to question 22 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also list citations to any appellate review of these orders or opinions.
- (a) Beachfront Entertainment, Inc., et al. v. Town of Sullivan's Island, 379 SC 602,666 SE2d 921 (2008);
 - (b) Evening Post Publishing Company, et al. v. City of North Charleston, 357 S.C. 59, 591 S.E.2d 39 (Ct. App. 2003), 363 S.C. 452, 611 S.E.2d 496 (2005);
 - (c) State v. Washington, 367 S.C. 76, 623 S.E.2d 836 (Ct. App. 2006);
 - (d) Owner's Insurance v. Clayton, et al., 364 S.C. 555, 614 S.E.2d 611 (2005);
 - (e) Home Port Rentals, Inc. v. Moore, 369 S.C. 493, 632 S.E.2d 862 (2006);
 - (f) State v. Stephen C. Stanko, 99-GS-22-918. 376 SC 571,658 SE2d94 (2008).
24. Have you ever held public office other than judicial office?
- None, the question is not applicable.
25. List all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial

office. Specify your dates of employment, employer, major job responsibilities, and supervisor.

None, question is not applicable.

26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?

Yes, I ran for the seat that was to be vacated by the Hon. Robert R. Mallard in or about January 1995 through March of 1995. I went through the screening process successfully and was found qualified to hold judicial office. I voluntarily withdrew from the process prior to the election. I was subsequently elected to the Family Court of the Ninth Judicial Circuit, Seat 5 on February 14, 1996.

I ran for the seat to be vacated by the Hon. Justice James E. Moore in or about September 2007. I went through the screening process successfully and was found qualified to hold judicial office but not nominated.

27. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office?

None. I was employed in various part and full time jobs during college and law school.

28. Are you now an officer or director or involved in the management of any business enterprise?

I am not an officer, director or involved in the management of any business enterprise.

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

30. 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. Explain how you would resolve any potential conflict of interest.

None.

31. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law?

No.

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

33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? No.

34. Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law?

I was sued personally due to an automobile collision. This occurred approximately ten (10) to fifteen (15) years ago. This was a minor fender

bender. The case was settled by my automobile insurance company and dismissed approximately two (2) weeks after I was served with notice of the lawsuit. I have never been sued professionally.

36. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a "lobbyist's principal," as defined by S.C. Code § 2-17-10(14)? No.
37. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? No.
38. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None.
39. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None.
40. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek.
None. I anticipate that I will expend less than \$100.00 in furtherance of my candidacy.
41. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship. None.
42. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened? No.
43. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No.
44. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No.
45. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? No.

46. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
- (a) South Carolina Bar Association;
 - (b) Charleston County Bar Association;
 - (c) S.C. Circuit Court Judges Association;
 - (d) S.C. Women Lawyers Association.
47. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, any professional honors, awards, or other forms of recognition received and not listed elsewhere.
- (a) The Life Center Cathedral, Charleston, S.C.
Trustee Ministry, 2001-present;
Co-Founder and Director of Young Women's Ministry "YWCE", 1999-present;
 - (b) Charleston Chapter of the Links, Inc., Co-Chair Services to Youth 2000-2001; Corresponding Secretary 2004-2006; Chair Bylaws Committee 2006-2007; Vice President 2007-present;
 - (c) Former member Junior League of Charleston, former Strategic Planning Committee, Community Project Development Committee, Advisory Planning Committee, and President's Ad Hoc Committee on Diversity; 1993-2003;
 - (d) Delta Sigma Theta Sorority, Inc., 1982-present;
 - (e) The Post and Courier Feature Article August 6, 2001;
 - (f) The Post and Courier "High Profile" Article May 7, 2005;
 - (g) "The Heritage List, 9 Dazzling Women of Spirit and Humility" Celebrate Your Heritage Magazine, Spring 2005;
 - (h) NAACP Lifetime Achievement Award 2003;
 - (i) Greater Charleston YWCA Lifetime Achievement Award 2004;
 - (j) Advisory Board Charleston School of Law 2002-present;
 - (k) Converse College Board of Trustees 2002-present, Committee on Trustees, Enrollment Committee and Student Affairs; Academic Affairs Committee;
 - (l) Converse College Board of Visitors 2001-2002;
 - (m) April 24, 2003 Founder's Day Speaker Converse College;
 - (n) Governor's Juvenile Justice Advisory Committee 2000 to the present;
 - (o) South Carolina Commission on Alternative Dispute Resolution 2002-2006, User Education Sub-Committee;
 - (p) Co-Chair 9th Circuit Courthouse Security Commission 2006;
 - (q) Associate Acting Justice South Carolina Supreme Court for the terms December 1, 2005 and June 10, 2004;
 - (r) Associate Acting Judge South Carolina Court of Appeals for the term June 19-13, 2003 during this term I sat En Banc with the Court, authored two (2) opinions and participated on seven (7) other

- panels/opinions;
- (s) Designated by Hon. Chief Justice Toal as state liaison to the National Consortium on Racial and Ethnic Fairness in the Courts 2003-present;
 - (t) Designated as Chief Judge for Administrative Purposes for the 9th Circuit as follows: General Sessions July 1, 2002-January 5, 2003; Common Pleas January 6, 2003-January 3 2004; General Sessions January 4, 2004-July 3, 2004 and Common Pleas January 1, 2006-December 30, 2006; General Sessions, Jan. 1-July 31, 2008. Common Pleas January 1, 2009-December 31, 2009;
 - (u) Assigned exclusive jurisdiction of the following cases by the Supreme Court: April 29, 2003 (03-GS-47-4) Statewide Grand Jury, State v. Bunker, et al.; December 2, 2003 (01-CP-18-0074A) Boyd v. Nationwide; June 28, 2004 (03-GS-38-2411-2413), State v. Levi Bing, Jr.; October 3, 2004 (2002-CP-15-471 and 494) Carter v. Steedley, et. al.; May 6, 2005 (05-GS-22-0918) State v. Stephen C. Stanko; October 3, 2005 (1996-GS-32-3341) State v. Jeffrey L. Jones; March 7, 2006 (04-CP-18-1951) Price v. Jones Ford, Inc.; October 5, 2007 State v. Broughton; (2006-GS-082164,2165,2182,2183,2184 & 2185);
 - (v) September 6, 2005 Nominated for the inaugural class of the Lowcountry Diversity Leadership Academy developed by the American Institute for Managing Diversity and the Richard W. Riley Institute of Government, Politics and Public Leadership at Furman (had to decline due to the demands of the Court schedule);
 - (w) September 21, 2006 Nominated for the Lowcountry Diversity Leadership Academy (had to decline due to the demands of the Court Schedule);
 - (x) July 2006 Invited by the National Judicial College to be a group discussion leader for the General Jurisdiction Course (had to decline due to the demands of the Court schedule, however, I have been asked to participate when the schedule will allow my participation);
 - (y) Supreme Court Access to Justice Commission 2007-present;
 - (z) S.C. Liberty Fellow-Class of 2009. 2007-present;
 - (aa) Bon Secour St. Francis Hospital Board Member. July 1, 2008-present.

48. 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.

I served as law clerk to the Hon. Richard E. Fields of the Circuit Court of the Ninth Judicial Circuit. During my time with him I had the unique opportunity to observe and participate in dozens of trials and hearings and observe a "master jurist." He taught me the importance of "people skills." I learned the role of judge is central to the lawyers and the litigants perception that the system afforded them a fair trial/hearing. In addition, my legal research and writing skills were refined during this process. These skills were further

refined during my time on the bench. I count myself fortunate to have found my vocation in life and attempt to walk worthy of that vocation. It is a rare privilege to have been allowed to serve the citizens of South Carolina as a Family Court Judge and Circuit Court Judge for the past thirteen (13) years. The last thirteen (13) years have been enjoyable, rewarding and intellectually challenging. I have learned much about the law and human nature. I was taught that the position of a judge should be a continual growth process. I believe that I have continuously grown in my judicial perspective. I still have the same enjoyment for my work as the day I began thirteen (13) years ago. The Circuit Court has one of the largest caseloads within the judicial system with over four thousand (4000) filings per judge. I believe that I have been a productive member of the Court. My potential election to the Supreme Court will create the opportunity for continued intellectual growth while allowing my continued contribution to the court system and the welfare of this state.

49. References:

- (a) Hon. Richard E. Fields
65 Spring Street
Charleston, S.C. 29403
(843) 577-4374
- (b) Bishop Brian D. Moore
Pastor, Life Center Cathedral
7190 Cross County Road
Charleston, SC 29418
(843) 551-4111
- (c) I.S. Leevy Johnson, Esquire
P.O. Box 1431
Columbia, SC 29201
(803) 252-9700
- (d) Richard M. Gergel
1519 Richland Street
Columbia, SC 29201
(803) 779-8080
- (e) Sabrina Winslow, Financial Specialist
Wachovia National Bank
Charleston Main Financial Center
177 Meeting Street
Charleston, SC 29401
(843) 727-1000

YOUR SIGNATURE WILL BE HELD TO CONSTITUTE A WAIVER OF THE CONFIDENTIALITY OF ANY PROCEEDING BEFORE A GRIEVANCE COMMITTEE OR ANY INFORMATION CONCERNING YOUR CREDIT.
I HEREBY CERTIFY THAT MY ANSWERS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

s/Deadra L. Jefferson
Date: 03/13/09

DEADRA L. JEFFERSON
P.O. BOX 375
CHARLESTON, SC 29402
843-958-5147

BY HAND

Jane O. Shuler, Chief Counsel
Katherine Wells, Esquire
Post Office Box 142
Columbia, SC 29202

Dear Ms. Shuler,

I was unaware that in the year 2001 I had been sued in my official capacity by King David Singletary. The suit was summarily dismissed by the Federal Magistrate prior to service of process being effected. Therefore, I will need to amend question number 34 of my PDQ to reflect this information. I am enclosing 2 amended pages to correct the record.

If you have any questions or require further clarification do not hesitate to contact me.

With best regards, I am

Sincerely,


Deadra L. Jefferson

DLJ/ms

Enclosures

None.

31. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law? If so, give details but do not include traffic violations for which a fine of \$125 or less was imposed.

No.

32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, explain. No.
33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? If so, give details. No.

34. **Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law? If so, give details, including but not limited to dates, and resolution. (original question Have you ever been sued, either personally or professionally? If so, give details)**

I was sued personally due to an automobile collision. This occurred approximately ten (10) to fifteen (15) years ago. This was a minor fender bender. The case was settled by my automobile insurance company and dismissed approximately two (2) weeks after I was served with notice of the lawsuit.

I have been sued in my official capacity while serving on the Family Court bench on October 2, 2001 by King David Singletary (Case Number: 4:01-CV-03916-JFA). This case was dismissed without prejudice and without issuance and service of process on November 19, 2001. ...

35. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been sanctioned for lawyer, judicial, or other professional misconduct or been found to have committed such misconduct? If so, give the details and describe any final disposition. No.
36. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a "lobbyist's principal," as defined by S.C. Code § 2-17-10(14)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.

No.

None.

31. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law? If so, give details but do not include traffic violations for which a fine of \$125 or less was imposed.

No.

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

33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? If so, give details. No.

34. **Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law? If so, give details, including but not limited to dates, and resolution. (original question *Have you ever been sued, either personally or professionally? If so, give details*)**

I was sued personally due to an automobile collision. This occurred approximately ten (10) to fifteen (15) years ago. This was a minor fender bender. The case was settled by my automobile insurance company and dismissed approximately two (2) weeks after I was served with notice of the lawsuit.

I have been sued in my official capacity while serving on the Family Court bench on October 2, 2001 by King David Singletary (Case Number: 4:01-CV-03916-JFA). This case was dismissed without prejudice and without issuance and service of process on November 19, 2001.

35. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been sanctioned for lawyer, judicial, or other professional misconduct or been found to have committed such misconduct? If so, give the details and describe any final disposition. No.

36. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a "lobbyist's principal," as defined by S.C. Code § 2-17-10(14)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.

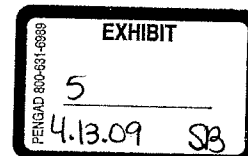
No.

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

Supreme Court/Court of Appeals
(New Candidate)

Full Name: Deadra L. Jefferson
Business Address: Post Box 375
 Charleston, SC 29402
Business Telephone: (843) 958-5147

1. Do you plan to serve your full term if elected?
 Yes, I plan to serve the full term if elected.
2. If elected, do you have any plans to return to private practice one day?
 I have no plans to return to private practice.
3. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice?
 I have met the Constitutional requirements for this position regarding age, residence and years of practice.
4. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?
 Code of Judicial Conduct Canon 3(A)(4) provides that a judge should accord to every person who is legally interested in a proceeding, or his lawyer, full right to be heard according to law, and, except as authorized by law, neither initiate nor consider *ex parte* or other communications concerning a pending or impending proceeding. A judge, however, may obtain the advice of a disinterested expert on the law applicable to a proceeding before him if he gives notice to the parties of the person consulted and the substance of the advice, and affords the parties reasonable opportunity to respond. Pursuant to the Judicial Canons of Ethics, Rule 501, Canon C, SCRCP 65 and S.C. Code Annotated Section 20-7-880, a judge is allowed to engage in *ex parte* communications for emergencies where the conditions warrant such communications as long as the opposing party has the opportunity to be heard and neither party will gain a tactical advantage by such action. *Ex parte* communication is permissible in the following situations: to seek emergency restraining orders, to apply for search warrants or wiretaps, to obtain default judgments when a party has notice but fails to appear, consultation with a disinterested expert on the law, consultation with other judges, consultation with court personnel and scheduling purposes. *Ex parte* communication is prohibited by the canons with the exception of the circumstances



outlined herein. I have a strict policy regarding ex parte communication and have trained my staff regarding the canons. In addition, my secretary and law clerk screen my calls and mail to eliminate the possibility of ex parte contact. A letter is also sent in response to all ex parte communication received in the office that is mailed to the attorneys and the writer of the letter all of which is made part of the Court record. Where the statute and canons provide ex parte contact is allowed. I must emphasize that such contact is in rare circumstances where an emergency exists and there is a possibility of irreparable harm. The statutes prescribe in these instances that the Order must state the date and time the relief is granted and provide for an immediate hearing. The Order must also specify a date for expiration of the Order (within 10 days of issuance). Circumstances requiring the issuance of an ex parte Order are very rare. Although the rules allow such contact for scheduling purposes I have a policy of speaking to all affected parties via conference call, when feasible, for this purpose. In the past, I have clearly posted the rules regarding ex parte communication on my chambers door. However, we now have secure chambers that do not allow public access so I no longer find this practice necessary. My reputation in this regard is well known and as a result I rarely, if ever, encounter this issue. However, if confronted with such a situation, I immediately advise that ex parte communication is unethical and terminate the conversation or contact immediately.

5. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?

Code of Judicial Conduct Canon 1 and 2 govern this issue. A judge should avoid impropriety and the appearance of impropriety in all his activities. Canon 3(C)(1) provides that a judge should disqualify himself in a proceeding in which his impartiality might reasonably be questioned, including but not limited to instances where he served as a lawyer in the matter in controversy, or a lawyer with whom he previously practiced law served during such association as a lawyer concerning the matter. Consistent with the canons I do not hear matters in which I have been previously involved. In addition, I do not hear contested cases with attorneys with whom I have had previous legal associations. A judge should recuse himself in a proceeding in which his impartiality might reasonably be questioned, including but not limited to, instances where he has a personal bias or prejudice against a party. Murphy v. Murphy, 319 S.C. 324, 461 S.E.2d 39 (1995) and Mallett v. Mallett, 323 S.C. 141, 473 S.E.2d. 804 (Ct. App. 1996). Such bias must stem from an extrajudicial source and result in decisions based on considerations other than information that

the judge learned from his participation in the case. The alleged bias must be personal as distinguished from judicial. Recusal is not required based on the judge's demonstrated tendency to rule or particular judicial leaning derived from his experience on the bench. United States v. Grinnell Corp., 384 U.S. 563 (1966). I am not aware of any particular rule that requires a judge to recuse himself in a case involving a lawyer-legislator unless the criteria set forth herein is established. If the criteria for recusal are met a judge should certainly disqualify himself from the case. As a matter of course I would recuse myself from a contested personal case involving a lawyer-legislator from my local delegation. I also recuse myself from contested cases involving the attorney from my previous law practice.

6. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference would you give a party that requested your recusal? Would you grant such a motion?

Code of Judicial Conduct Canon 3(C)(1)(a) provides that a judge should disqualify himself in a proceeding in which his impartiality might reasonably be questioned, including but not limited to the instances where: he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding. I would give great deference to the request, even though I believed that I could be impartial and that any decision I made would not be influenced by actual bias and would not result in actual prejudice to the litigants involved. I would grant the motion for recusal based on the canons of judicial ethics. A judge should at all times avoid the appearance of impropriety or bias. The way this question is posed it is apparent that an appearance of bias is created and therefore recusal, in this instance, would appear to be the most prudent course of action.

7. What standards have you set for yourself regarding the acceptance of gifts or social hospitality?

Code of Judicial Conduct Canon 5(C)(4) subsections a-c provide that neither a judge nor a member of his family residing in his household shall accept a gift, bequest, favor, or loan from anyone except in the following circumstances: a public testimonial, complimentary books for official use, an invitation to a bar related function or activity related to the improvement of law, the legal system or the administration of justice. A judge or a member of his family may accept ordinary social hospitality such as a gift, bequest, favor, or loan from a relative, a wedding or engagement gift, a loan from a lending institution in its regular course of business and on the same terms as the general public, a scholarship or fellowship on the same terms as other applicants. A judge or his family residing in his household may accept

any other gift, bequest, favor or loan only if the donor is not a party or other person whose interests have come or are likely to come before him, and, if its value exceeds \$100, the judge reports it in the same manner as he reports compensation in Canon 6(C). The canons make a distinction between gifts and ordinary social hospitality. As a sitting judge I have established the practice of not accepting gifts from attorneys or anyone who may be trying to gain an unfair advantage. In addition, I do not allow my staff (secretary, law clerk or court reporter) to accept gifts because of their close relationship to me and the appearance their acceptance of gifts could create.

8. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?

Code of Judicial Conduct Canon 3(D)(1) and (2) provide that a judge should take or initiate appropriate action or disciplinary measures against a judge or lawyer when the judge receives information that indicates a substantial likelihood or has knowledge that raises a substantial question regarding a violation. This rule contemplates a judge taking appropriate disciplinary measures when becoming aware of the unprofessional conduct of a lawyer or judge which may include reporting a lawyer or judge's misconduct to an appropriate disciplinary body. The rules mandate that the judge take appropriate action and/or report the offending conduct to disciplinary counsel. Consistent with the canons I would take appropriate disciplinary measures and/or appropriate action and report the matter to disciplinary counsel.

9. Are you affiliated with any political parties, boards or commissions that need to be evaluated?

Code of Judicial Conduct Canon 7 provides that a judge should refrain from political activity inappropriate to his judicial office. I am not affiliated with any political boards or commissions, which, if elected, I would need to re-evaluate.

At the time of my election in February of 1996, I resigned from all boards or activities that could be considered questionable.

10. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations? No.

11. How would you prepare for cases that were before you?

I would review the transcript of the proceedings before the lower court, other relevant documents and exhibits and the parties' briefs. During this review process I would pay particular attention to the issues raised by the parties' briefs and their supporting authority. I would personally research the issues and applicable law. I would prepare a bench memorandum. Subsequently, I would conference with my law clerks who would have completed their review of the record and research. After a thorough discussion, a pre-hearing report would be prepared which would take the form of a draft opinion. The

preparation of this document would be a collaborative effort between me and the law clerks. I would then review, edit, and rewrite the pre-hearing report prior to argument. I would prepare questions, as applicable, for oral argument. After oral arguments I would carefully consider the thoughts and views of my colleagues on the Court and if necessary conduct further research as may be appropriate. I would also discuss with my colleagues any change in the proposed disposition of the case as a result of arguments. If the case were assigned to me as author of the opinion I and my law clerks would begin working on the final opinion in the case.

12. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?

Code of Judicial Conduct Canon 4(A-C) and Canon 5(G) provide that a judge may engage in activities to improve the law, the legal system and the administration of justice. A judge may speak, write, lecture, teach and participate in other activities concerning the law, the legal system, and the administration of justice. A judge may appear at a public hearing before an executive or legislative body or official on matters concerning the law, the legal system, and the administration of justice and he may consult with such bodies concerning the administration of justice. A judge may serve as a member, officer, or director of an organization or governmental agency devoted to the improvement of the law, the legal system or the administration of justice. The commentary provides that a judicial officer is in a unique position to contribute to the improvement of the law, the legal system and the administration of justice and should do so to the extent that his schedule permits. A judge may do so independently, through a bar convention, a judicial conference, or other organizations dedicated to the improvement of the law. A judge should not become involved in activities that are concerned with issues of fact or policy on matters other than the improvement of the law, the legal system or the administration of justice. A judge may represent his country, state or locality on ceremonial occasions in connection with historical, educational, and cultural activities. My philosophy is that a judge should not be concerned with issues of fact and policy. A judge should take no role in judicial activism. A judge should, however, actively participate and contribute his particular knowledge and skill to the improvement of the law, the legal system and the administration of justice (to the extent that his schedule permits).

13. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. What activities would you plan to undertake to further this improvement of the legal system?

To the extent the Court schedule allows I participate as a speaker at CLE and JCLE programs. In addition, I formerly served as a member of

the South Carolina Commission on Alternative Dispute Resolution that is charged with the responsibility of developing a uniform system of rules and procedures for ADR to be used statewide by the Court system. As a former member I served on the User Education subcommittee. I also serve on the Advisory Board of the Charleston School of Law, which provides a wealth of opportunities to improve the legal system and the administration of justice. I have participated in civic programs such as the S.C. Bar High School Mock Trial Program and SCDAAs Trail Academy as a judge. I have participated in Law Week, which is a wonderful opportunity to educate attorneys and the public about the legal system. I am involved as a member of the Governor's Juvenile Justice Advisory Committee. This committee works much like the Governor's Youth Councils. As a member I contribute to working on the development of community alternatives for juveniles within the system and community based juvenile crime prevention programs. As a member of the Charleston S.C. Chapter of the Links I participate in mentor and other programs targeted to youth through our Services to Youth, National Trends and Arts Facets. I also participate as a mentor for local elementary, middle and high schools. In addition, I routinely speak at my college alma mater and local schools.

14. Do you feel that the pressure of serving as a judge would strain personal relationships (i.e. spouse, children, friends, or relatives)? How would you plan to address this?
I do not feel that the pressure of serving as a judge has strained my personal relationships. My family, friends and relatives understand the nature of my character and my need to preserve the integrity of the office I hold and the legal process I have sworn to uphold. As a result, this is not an issue that I have had to address.
15. Are you currently serving on any boards or committees? If so, in what capacity are you serving?
Converse College Board of Trustees
Advisory Board Charleston School of Law
Charleston S.C. Chapter of the Links, Inc.- Vice President
Board of Trustees Life Center Cathedral
Supreme Court Commission on Access to Justice
Board Bon Secours Roper St. Francis Hospital
16. Please describe your methods of analysis in matters of South Carolina's Constitution and its interpretation by explaining your approach in the following areas. Which area should be given the greatest weight?
a) The use and value of historical evidence in practical application of the Constitution:

I would consider historical evidence to be immensely valuable because such evidence is revelatory of the drafter's intent. Such an understanding of the historical evidence facilitates a practical application of the Constitution.

- b) The use and value of an agency's interpretation of the Constitution:

Our Constitution grants the judicial branch the province and duty to interpret the constitution therefore, agency interpretation of constitutional issues has been accorded little to no weight. To the extent that an agency is empowered to adopt regulations not pertaining to constitutional matters, then courts generally defer to the relevant administrative agency's interpretations and accord weight to their regulatory intent.

- c) The use and value of documents produced contemporaneously to the Constitution, such as the minutes of the convention:

Historical documents produced contemporaneously with the Constitution should be given the greatest weight. Such documents are invaluable in ascertaining the drafter's intent. However, care must be directed to enforce the terms of the Constitution in accordance with the recognized meaning of its terms. The Court's primary function in interpreting the Constitution is to ascertain and give effect to the drafter's intentions. Clear and unambiguous terms must be given their plain and ordinary meaning without resort to subtle or forced construction that expands or limits the meaning of a constitutional provision. When the constitution is clear and unambiguous there is no room for construction and the courts are required to apply terms according to their literal meaning.

17. Is the power of the South Carolina General Assembly plenary in nature unless otherwise limited by some specific Constitutional provision?
Yes.

18. Presuming that the three branches of government have plenary power for their responsibilities, do any other levels of government (i.e. local governments) have plenary authority, or do all grants of authority to other levels of government flow from the state level in our Constitution and statutes?

All grants of authority, including that of local governments, flow from the state level through our Constitution and state statutes. S.C. Constitution Article VIII and S.C. Code Ann. Section 5-7-30 restored home rule; thus granting renewed autonomy to local government. This authority is limited to enacting regulations for government services deemed necessary and proper for the security, general welfare and convenience of the municipality or for preserving health, peace, order

and good government. However, such action cannot be inconsistent with the Constitution and the general law of this state.

19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?
None.
20. Do you belong to any organizations that discriminate based on race, religion, or gender?
Code of Judicial Conduct Canon 2(c) provides that a judge should not hold membership in any organization that practices invidious discrimination on the basis of race, sex, religion or natural origin. Membership in such an organization gives rise to perceptions that the judge's impartiality is impaired. Consistent with the requirements of the canons I do not belong to any organizations that discriminate based on race, religion, or gender.
21. Have you met the mandatory minimum hours requirement for continuing legal education courses?
I have attended all mandatory continuing legal education courses. I have exceeded the minimum hour requirements every year.
22. Have you written any scholarly articles?
None. I was on the editorial board for Roy T. Stuckey and F. Glenn Smith's Treatise, Marital Litigation in South Carolina (S.C. Bar CLE, 3rd Ed., 2001).
23. What do you feel is the appropriate demeanor for a judge?
Code of Judicial Conduct Canon 3(A)(3) provides that a judge should be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, and others with whom he deals in his official capacity, and should require similar conduct of lawyers, and of his staff, court officials, and others subject to his direction and control. I feel that the appropriate demeanor for a judge is to be patient, courteous, dignified and deliberate while conducting the Court in an efficient and businesslike manner.
24. Would the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or would these rules apply seven days a week, twenty-four hours a day?
Code of Judicial Conduct Canon 1 provides that a judge should uphold the integrity and independence of the judiciary by observing high standards of conduct so that the integrity and independence of the judiciary may be preserved. Further, Code of Judicial Conduct Canon 2(A) provides that a judge should respect and comply with the law and should conduct himself at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary. The rules expressed in my previous answer apply seven days a week, twenty-four hours a day. A judge's conduct on the bench and in public are a reflection on himself and the entire judiciary. A judge

should conduct himself in a manner that promotes public confidence in the integrity and impartiality of the judiciary. A judge's duty to conduct himself professionally does not end at the courthouse door.

25. Would there be a role for sternness or anger in meetings with attorneys?

Code of Judicial Conduct Canon 1, Canon 2(A), and Canon 3(A)(3) require a judge to be patient, dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom he deals in his official capacity. Even though judges are often confronted with patience trying situations it is not appropriate to deal in anger with a member of the public, litigants, a criminal defendant or an attorney. It is appropriate for the judge to be stern in maintaining the appropriate decorum of the courtroom and the dignity of the process.

26. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees?

I estimate that I will spend less than \$100.00 on stationary, postage and copying costs prior to the election. The remainder of the question is not applicable.

27. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office?

I have not used judicial letterhead or the services of my staff for my campaign.

28. Have you sought or received the pledge of any legislator prior to this date? I have not sought or received the pledge of any legislator prior to this date.

29. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening?

I have not sought or been offered a conditional pledge of support by any legislator pending the outcome of screening.

30. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf?

I have not asked any third parties to contact members of the General Assembly on my behalf. I am not aware of any friends or colleagues contacting members of the General Assembly on my behalf.

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

I have not contacted any members of the Judicial Merit Selection Commission.

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

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

s/Deadra L. Jefferson

Sworn to before me this 13th day of March 2009.

Notary Public for S.C.

My Commission Expires: 2/7/2013