

JUDICIAL MERIT SELECTION COMMISSION)
)

In the Matter of: The Honorable Frances P. "Charlie" Segars-Andrews)
Candidate for: Family Court, Ninth Circuit, Charleston County, Seat 1)

Affidavit of James T. McLaren

Personally appeared before me James T. McLaren, who first being duly sworn, testifies as follows:

1. I am an attorney licensed to practice in South Carolina. I was admitted to the South Carolina Bar in 1976 and have practiced continuously since that time. The primary area of my practice is Family Law. I am a partner in the Columbia firm of McLaren & Lee, from which I practice statewide. A biographical sketch which details my credentials and experience is attached to this affidavit as Attachment One.
2. With Jan Warner (who is now deceased) I served as counsel to Becky Simpson in Simpson v. Simpson, the divorce of Becky Simpson and her husband William Robert Simpson, Jr. Our representation of Mrs. Simpson in this matter followed work done for Mrs. Simpson's mother in law, Daisy Wallace Simpson, who divorced Mrs. Simpson's father in law William Robert Simpson, Sr. in 2004. Through the representation of Daisy Simpson and the work in the elder Simpsons' divorce matter, I became familiar with the business holdings and financial dealings of the Simpson family, and particularly those involving William Robert Simpson, Jr. William Simpson, Jr. was a party to the elder Simpsons' divorce matter because of his business relationship with his father, and for other reasons. The elder Simpsons' divorce was far from simple or straightforward, particularly due to the financial dealings and manner in which assets were held. By



18
EXHIBIT
12.2.09 JB

representing Daisy Simpson, Mr. Warner and I learned a great deal about William Simpson, Jr.'s financial affairs, which enabled us to provide effective representation to Becky Simpson in her divorce.

3. When Mr. Warner and I were first contacted to represent Becky Simpson, she had executed a settlement agreement drawn by William Simpson, Jr.'s attorney Scott L. Robinson and which had been presented to and approved by Family Court Judge George McFaddin. At that time Becky Simpson did not have a lawyer, an opportunity to review or understand the financial affairs of her husband, or sufficient knowledge to enter an informed agreement. The agreement itself was patently unfair, and provided to Becky very little in the way of marital property. One of the first things we did for Becky was to seek and obtain court relief vacating the order approving the agreement, and allowing Becky to undertake discovery, and pursue her legal claims on a more level playing field.
4. The divorce case of Becky and William Simpson, Jr. lasted for about two years, ultimately consummating in a trial held before Judge Segars-Andrews on February 14 and 16, 2006. At the outset of the trial we presented for approval an agreement on the custody and visitation issues, and then tried the economic issues (equitable apportionment and attorney's fees and costs). The trial took two full days to complete.
5. About one month after the trial, Judge Segars-Andrews sent counsel a memo containing instructions for preparation of an order on the financial issues. Instructions such as these are common in Family Court, as lawyers are frequently asked to prepare proposed orders. After receiving these instructions, which detailed her intended ruling on all the issues presented at trial, William Simpson Jr.'s lawyer, Mr. McKenzie, moved to disqualify Judge Segars-Andrews from hearing the case. The stated basis for the motion was the

A handwritten signature in black ink, appearing to be the initials 'H2' followed by a stylized, cursive signature.

fact that in the elder Simpson's divorce Mr. Warner and I submitted an affidavit from Lon Shull regarding the issue of attorney's fees and costs, and Mr. Shull is a partner with Judge Segars-Andrews' husband (Mark Andrews). Although Mr. McKenzie served as counsel to William Simpson, Sr., in the elder Simpson trial, it is curious this motion was not filed until after Judge Segars-Andrews announced her intended ruling, and ruled in a manner disagreeable to William Simpson, Jr.

6. On April 14, 2006, Judge Segars-Andrews conducted a hearing on William Simpson Jr.'s motion. As appropriate, she denied the motion, finding no connection between Mr. Shull's service as a witness in the elder Simpson's divorce, and the matters presented to her for trial in the junior Simpsons' trial. At the time of this hearing, however, she told counsel she believed she needed to recuse herself because Mr. Shull had been co-counsel with me in another matter (a personal injury case) which resulted in a significant fee paid to the firm of Andrews and Shull. This personal injury case did not involve Mr. Andrews, was concluded prior to the commencement of the junior Simpson divorce matter, and was completely unrelated to any of the Simpsons or their matrimonial litigation. Regardless, she made known that she believed she needed to recuse herself because the fee was paid to her husband's firm from a case in which I served as co-counsel with her husband's law partner. On behalf of Becky Simpson, Mr. Warner and I requested the opportunity to research and brief the issue. She afforded both sides this opportunity. We presented to her our research in the form of a brief, supported by the expert opinion (in the form of an affidavit) from Professor Nathan Crystal. Mr. McKenzie did not present a memo, and submitted only a brief response which claimed Professor Crystal had a misunderstanding of the facts.

#3


5

6

7

7. The research confirmed not only did Judge Segars-Andrews not have a disqualifying conflict of interest, but also that she had a duty to sit. In other words, she was ethically obligated to conclude the case tried before her. Upon review of this research and Professor Crystal's opinion, Judge Segars-Andrews did what she should have done – she signed an order detailing the reasons why she was not recusing herself, and then subsequently signed an order consistent with the written instructions she had issued before the issue of recusal ever arose. The fact that she signed a written order which was different from the intention she announced verbally is permitted in any Court in this state. In fact, our law is clear that an order does not exist until it is signed and filed by a judge.
8. William Simpson, Jr. appealed Judge Segars-Andrews' orders. The Court of Appeals affirmed both orders, in separate opinions. In affirming Judge Segars-Andrews' decision, the Court of Appeals agreed she had a duty to rule (or "duty to sit"). As such, she fulfilled her ethical and sworn obligations. Mr. Simpson did not pursue any further appeal to the South Carolina Supreme Court. Stated succinctly, he had his day in court, lost, appealed the substantive, procedural and ethical issues, lost again, and abandoned any further effort to change Judge Segars-Andrews' decisions.
9. A timeline summary of these events is attached to this affidavit as Attachment Two.
10. I have reviewed the transcript of the hearing held on November 7, 2009 before the Judicial Merit Selection Commission, including all of the testimony of William Simpson Jr. and Mr. McKenzie. While the timeline of events at Attachment Two more accurately and in greater detail provides history of this litigation, and while the Record on Appeal and briefs filed in the Court of Appeals from the Simpson appeals (all of which I understand are being made part of the record in this proceeding) provide substantial

A handwritten signature in black ink, appearing to be the initials 'HJ' followed by a stylized flourish.

information to the Commission, from the questions asked and answers given to the Commission at the November 7, 2009 hearing, I can provide new and additional facts to the Commission in the following areas:

- a. To the extent the Commission has any concerns about the use of the computer by Judge Segars-Andrews during the Simpson trial, I can testify from my own observations she was attentive, and from my own experience in other trials/hearings before her that she types notes during the course of the hearing. I am not aware of any instant messaging or other similar communications conducted by Judge Segars-Andrews during the Simpson trial.
- b. To the extent there is any question about the relationship between myself and Mr. Shull regarding the personal injury case and fee paid to Mr. Shull's firm, and the timing of that relationship and fee, I can answer these questions and clarify this relationship ended before the Simpson trial before Judge Segars-Andrews.
- c. The prior business relationship I had with Mr. Shull, which led to a personal injury fee paid to his firm, had nothing to do with any of the Simpson family or anyone connected to or with the Simpson cases.
- d. Mr. Shull's only role in the Simpson matrimonial litigation was as a witness, by affidavit, as to the issue of attorney's fees and costs in the elder Simpsons' divorce trial, but not in the junior Simpsons' divorce. Judge Segars-Andrews had nothing to do with the elder Simpsons' divorce trial. *We did not present an affidavit from Mr. Shull in the junior Simpsons' trial before Judge Segars-Andrews.*
- e. If there is any question about any business dealings I have had with Mr. Shull or his firm I can answer those questions. Mr. Simpson, Jr. made vague allegations

A handwritten signature in black ink, consisting of stylized initials and a long horizontal stroke extending to the right.

that I have a continuing relationship with this firm. The firm no longer exists, and unless Judge Segars-Andrews' husband is either opposing counsel or serving as a neutral mediator in a given case I have no business dealings with him.

- f. Judge Segars-Andrews made a preliminary decision on the financial issues before realizing the prior business relationship I had with Mr. Shull.
- g. At the time of the Simpson trial I did not have a "history" or "relationship" with Professor Crystal as alleged by Mr. Simpson, although I had called upon him for his opinion and advice on ethical issues, just as I have done with other experts.
- h. Mr. Simpson had an opportunity, through his lawyer, to respond to Professor Crystal's affidavit.
- i. Judge Segars-Andrews herself first presented the issue of my prior business relationship with Mr. Shull. In my opinion, the fact that she raised the issue is indicative of her desire to avoid even the appearance of impropriety.
- j. Judge Segars-Andrews' decision on the issue of equitable apportionment is fair and equitable in light of all the circumstances, as recognized and affirmed by the Court of Appeals. Contrary to William Simpson, Jr.'s testimony, Judge Segars-Andrews did not give Becky Simpson "everything". In fact, the ruling provides for a division of the marital estate which reflects about sixty percent of the net assets to Mr. Simpson and about forty percent of the net marital assets to Becky Simpson. In making this apportionment Judge Segars-Andrews actually awarded significantly more of the gross marital estate to Mr. Simpson, because she awarded most of the marital debt to him. She gave appropriate credits for advances made during the litigation and recognized the assets previously received

#6


by Mrs. Simpson. It is simply false to represent the outcome of the property division in the manner which Mr. Simpson tried to portray to the Commission at the first hearing. In addition, it is noteworthy that Mr. Simpson did not present independent evidence regarding the values of assets and other financial concerns during the trial, leaving the weight of the evidence before Judge Segars-Andrews as being that which Becky Simpson presented in her case in chief.

- k. Judge Segars-Andrews did not require William Simpson, Jr. to pay all of Becky Simpson's attorney's fees and costs. She ordered him to contribute an amount which was less than half of what Becky spent. A Family Court Judge's decision on the issue of attorney's fees and costs is a matter of discretion, to be determined based on the facts and circumstances of each case. Here, the Court of Appeals recognized Judge Segars-Andrews properly exercised this discretion by upholding the decision on attorney's fees. While Mr. Simpson, Jr. and his lawyer may want the Commission to believe this case was simple, and required little effort, in actuality but for the extensive work done by Mr. Warner and myself, Becky Simpson would have been stuck with the unconscionable agreement which Mr. Simpson, Jr. had her sign, and would have received about one-tenth of what was ultimately determined to be a proper division of assets and debts.
- l. As with many divorce trials, each side holds a radically different view of the facts. Before the Commission, Mr. Simpson and his lawyer attempt to play the role of victim, when the events and circumstances of the litigation were quite different. I specifically recall addressing issues throughout the litigation concerning potential

A handwritten signature in black ink, consisting of a stylized initial 'A' followed by a long, sweeping horizontal line that extends to the right.

alienation of the children from Becky by Mr. Simpson, Jr., and other difficulties which enhanced the contentious nature of this litigation.

m. To the extent Mr. Simpson and/or his lawyer challenge the decision to award attorney's fees to Mrs. Simpson, I can provide evidence which supports this award in this case. The Commission appeared inquisitive about awarding fees to a spouse who committed adultery. Becky Simpson's adultery was post-separation, and not the cause for the break up of the Simpson marriage. If the Commission has concerns about the decision to award attorney's fees to an adulterous spouse, I can detail why affording a Family Court judge the discretion to do so is appropriate in light of the substantive and legal issues and circumstances presented in a divorce case.

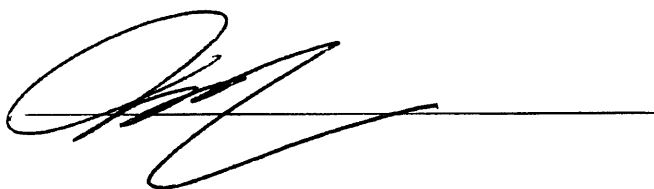
n. If the Commission has accepted Mr. McKenzie's statement that the decision on the financial issues essentially awards Mrs. Simpson 60 percent of "everything", I can provide evidence showing why it is inappropriate to lump the fees and property division together and characterize the results in percentage terms.

11. I am providing this affidavit to the Commission for purposes of the Commission addressing Judge Segars-Andrews' request for reconsideration. I understand the Commission is considering this request and looking to know from Judge Segars-Andrews the type of information available if the Commission allows new or additional evidence to be presented. As such, in this affidavit I have summarized the areas where I have knowledge, and have not attempted to address each and every point or fact raised by Mr. Simpson or otherwise. I assume the Commission does not desire to re-litigate the Simpson divorce, particularly in light of the Court of Appeals' decision affirming Judge

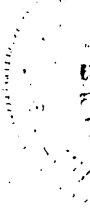
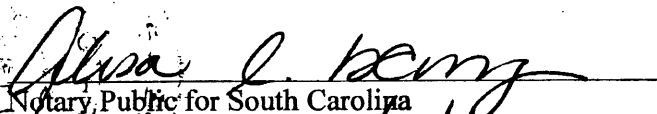
AS



Segars-Andrews' decision. However, given the testimony from the first day, and the preliminary decision of the Commission regarding Judge Segars-Andrews' qualifications, I am available to testify if the Commission allows further testimony, and welcome this opportunity. Having appeared before Judge Segars-Andrews on many occasions, I am impressed with her abilities and conduct of her courtroom. It would be a travesty of justice if she is not allowed to continue to serve on the Family Court bench.

A large, stylized handwritten signature in black ink, positioned above a horizontal line.

Sworn to and subscribed before me
This 30th day of November 2009.

A circular notary seal for South Carolina, partially visible on the left side of the page.
A handwritten signature in black ink, written over a horizontal line.
Notary Public for South Carolina
My commission expires: 11/12/12

A handwritten signature in black ink, starting with the number '9' and ending with a long horizontal stroke.

Attachment

1

JAMES T. McLAREN
McLAREN & LEE, ATTORNEYS AT LAW
1508 LAUREL STREET, POST OFFICE BOX 11809
COLUMBIA, SOUTH CAROLINA 29211-1809
TELEPHONE: (803) 799-3074
FAX: (803) 252-3548
E-Mail: jmclaren@mclarenandlee.com
Website: www.lawyers.com/m&lilaw

CURRICULUM VITAE

Preparatory and Legal Education:

- University of South Carolina, B.A., 1973
- University of South Carolina School of Law, J.D., 1976

Bar Admissions:

- South Carolina Bar, 1976
- U.S. Court of Appeals, 4th Circuit, 1976
- U.S. District Court, South Carolina District, 1976
- U.S. Supreme Court, 2005

Private Practice:

- Partner, McLaren & Lee, Attorneys-at-Law
- Statewide practice limited to Family Law matters (private practice established 1976)

Bar and Professional Memberships:

- American Bar Association, Family Law Section
- The American Association for Justice, Family Law Section
- South Carolina Bar Association, Family Law Section
- South Carolina Association for Justice, Family Law Section
- Richland County Bar Association, Family Law Section
- American Academy of Matrimonial Lawyers, Certified Fellow
- American College of Family Trial Lawyers, Diplomate
- International Network of Boutique Law Firms, SC Chapter President

Offices Held:

- American Academy of Matrimonial Lawyers (Vice President, 2008-2009; Secretary, 2007; Executive Committee, 2007-2009; Board of Governors, 2005-2009; Board of Directors of AAML Foundation 2007-2009; Member, Best Practices Committee, 2008-2009; Chair, Law Office Management Committee, 2005-2008; Member, Admissions Procedures Committee, 2004-2007; Co-Chair, Website Committee, 2005-2009; CLE Chair, 2010-2011; Member, Continuing Legal Education Committee, 2006-2007; Member, ALI Commission, 2006-2007; Member, Best Practices Committee, 2008-2009; Member, Sales & Marketing Committee, 2007-2008; Member, Executive Committee Sponsorship, 2008; Nominating Committee, 2008-2009.)

- American Academy of Matrimonial Lawyers, South Carolina Chapter (President 2001-2002; President-Elect, 1999-2000; Vice President 1997-98; National Delegate to Board of Governors, 2005-2006)
- International Network of Boutique Law Firms, SC Chapter President 2007-2009
- South Carolina Bar, Family Law Section (Chair, 1991-92; Chair-Elect, 1990-91; Secretary, 1989-90; Section Delegate, 1995-96; Council, 1988-95)
- South Carolina Bar, Practice and Procedure Committee (Chair, Family Law Sub-Committee, 1989-1995; Chair, Sub-Committee on Jurisdiction in the Family Courts, 1979-80)
- South Carolina Bar, Lawyer-Accountant Relationship Committee (Chair, 1998-99)
- South Carolina Association for Justice, Family Law Section (Co-Chair, Family Court Judicial Liaison, 1983-1986; Chair, 1983-84; Vice-Chair, 1982-83; Secretary, 1981-82; Treasurer, 1980-81)

Distinctions:

- Certified Matrimonial Mediation Trained, American Academy of Matrimonial Lawyers, 1995.
- Certified Family Court Mediator, SC Bar and Dispute Resolution Services, 1995.
- Certified Matrimonial Arbitrator Trained, American Academy of Matrimonial Lawyers, 2000.
- Named, 2007 Fellow of the Year, American Academy of Matrimonial Lawyers.
- Named, The Best Lawyers in America, Family Law designation, 1993 through 2010 Editions.
- Named, South Carolina Super Lawyers, 2008-2010 Editions.
- Lecturer, New Family Court Judges Orientation School, 2004-2006.
- Supreme Court Appointee, South Carolina Symposium - Families In Court, sponsored by National Association of Juvenile and Family Court Judges, 1991.
- Received "AV" designation from Martindale Hubbell, 1996.
- McLaren & Lee, 2009 Bar Register of Preeminent Lawyers.
- Medical University of South Carolina, Board of Visitors, 2000-2004

Contributing Author:

- South Carolina Equitable Apportionment Act, §20-7-471, et. seq., S.C. Code of Laws
- South Carolina Alimony Statute, §20-3-130, S.C. Code of Laws
- South Carolina Family Court Handbook, 1992, 1993 and 1996 Editions

Speaker: Various Family Law topics, South Carolina Bar, South Carolina Association for Justice, American Academy of Matrimonial Lawyers, American Bar Association Family Law Section, and Mandatory Judicial and Continuing Legal Education Seminars, including:

- Trial Notebooks: Direct and Cross Examination of a Party
SC Bar, Coolest Domestic Law Practitioners Seminar
Columbia, SC, September 2009
- Instructor
ABA Family Law Section, Family Law Trial Advocacy Institute
Denver, CO, May 17-23, 2009
- Panel Presentation – Blended Mediation/Arbitration: How and Why It is Working
SC Bar, 2008 SC Family Court Bench/Bar Seminar
Columbia, SC, December 2008
- The AAML, What is it and How to Apply
SC Bar, Coolest Domestic Law Practitioners Seminar
Columbia, SC, September 2008
- Determining the Marital Standard of Living
AICPA/AAML National Conference on Divorce
Las Vegas, NV, May 2008
- Arbitration – The Dark Ages Before Divorce Was Allowed, to a Period of Enlightenment in which Arbitration is Allowed and Encouraged
Cleveland Bar Association, Arbitration Seminar
Cleveland, Ohio, September 2007
- Copyrights, Are they Divisible in Divorce Proceedings
SC Bar, Coolest Domestic Law Practitioners Seminar
Columbia, SC, September 2007
- Make Your Point in Family Court
South Bar Convention, Family Law Section
January 2006

- Fee Agreements: The Good, The Bad and the Ugly, Nuts and Bolts of Fee Agreements and Ethical Requirements for Lawyers – What A Lawyer Should/Should Not, As well as Can/Cannot Do
 American Academy of Matrimonial Lawyers Mid-Year Meeting
 AAML, Mid Year Meeting
 Cabos San Lucas, Mexico, March 2006
- Family Law Practice with a Case Management System and Support
60 Tips to Build a Successful Family Law Practice
 Columbia, SC, April 2005
- Challenging Child Support Jurisdiction
 Hot Tips from the Coolest Domestic Law Practitioners
 Columbia, SC, September 2004
- Legal Issues for Law Practice Evaluations
 South Carolina Trial Lawyers Annual Convention
 Hilton Head, SC, August 2004
- Resurrecting COBRA Rights Terminated in Anticipation of Divorce
 Hot Tips from the Best Domestic Law Practitioners
 Columbia, SC, September 2003
- Marital Law Update
 Family Court Bench/Bar Seminar
 Columbia, SC, December 2002
- Admissibility of Documents in Expert's File
 Hot Tips from the Best Domestic Law Practitioners
 Columbia, SC, September 2002
- Family Law Update
 SC Annual Judicial Conference
 Columbia, SC, August 2002
- Reconciliation Agreements, Taking the Fifth, and Attorney Fees
 Orientation School for New South Carolina Family Court Judges
 Columbia, SC, July 2002
- Settlement Negotiations -- Pitfalls and Problems
 Hot Tips from the Best Domestic Law Practitioners
 Columbia, SC, September 2001
- Financial Declarations
 South Carolina Trial Lawyers Annual Convention
 Hilton Head, SC, August 2001
- Handling Your First Custody Dispute in South Carolina
 National Business Institute
 Columbia, SC, May 2001

- Working With Experts, Consulting, Testifying, How to Engage Them, How to Find Them, How to Attack Them and A Compendium of Good Ones
 AAML Mid-Year Meeting
 Indian Wells, CA, March 2001
- Stock Options and Management
 Speaker and Coordinator of AAML, South Carolina and North Carolina Chapters Spring Retreat, Charleston, SC,
 March 2001
- Family Law: Goodwill: Post-Filing Earnings Implications (Marital v. Non-Marital)
 Hot Tips from the Best Domestic Law Practitioners Seminar,
 South Carolina Bar and USC Law School, September 2000
- Family Law: How to Approve and Award Attorney Fees at Temporary and Final Hearings
 South Carolina Bar Mid-Year Meeting, January 2000
- Family Law: Depositions and Other Discovery
 South Carolina Family Court Bench/Bar Seminar,
 South Carolina Bar, December 1999
- Family Law: Mind Maps for Trial Preparation
 Hot Tips from the Best Domestic Law Practitioners Seminar,
 South Carolina Bar, September 1999
- Practical Divorce Practice Seminar: Family Law
 American Bar Association, General Practice, Solo and Small Firm Section, Section of Family Law, October 1998
- Family Law Program: Valuation of a Professional Practice
 South Carolina Trial Lawyers Association Annual Convention
 August 1998
- Annual Family Law Seminar: Attorney Fees
 South Carolina Bar Annual Convention, June 1998
- Analysis of the Law and Key Issues and Procedures in the Divorce Process
 South Carolina Family Law Practice for Paralegals
 HalfMoon, LLC, March 1998
- Alimony
 South Carolina Bar, December 1997
- Mediation of Children's Issues
 South Carolina E.T.V. and Flying Solo Life Management, May 1997
- Preparation of the Expert
 American Academy of Matrimonial Lawyers, March 1997

- The Use of Expert Witnesses in Family Court Hearings - A Hands-On Presentation Discussing the Practical Issues Regarding Expert Opinion Evidence
South Carolina Bar, January 1997
- Marital Tax, The Other Three Letter Word: Drafting Pleadings, Agreements and Orders
SC Chapter of American Academy of Matrimonial Lawyers, October, 1996.
- Application of Minority and Marketability Discounts in Valuing Closely Held Businesses in Marital Litigation Cases
1996 CPAs, Lawyers and Litigation Conference
South Carolina Bar and South Carolina Association of CPAs
September, 1996.
- Marital Litigation Update: The Fall 1995 Family Court Bench/Bar Seminar -- Income: Finding It and Imputing It
South Carolina Bar, CLE in conjunction with the University of South Carolina, November, 1995.
- Nuts and Bolts of Running a Family Law Practice
South Carolina Association of Legal Secretaries, October, 1995.
- Domestic Practice: The Continuing Saga of Hot Tips From the Experts - Wiretapping
South Carolina Bar, CLE, July 1995.
- The New South Carolina Family Court Mediation Rules
South Carolina Bar, CLE in cooperation with The SC Council For Mediation and Alternative Dispute Resolution and The University of South Carolina School of Law, June 1995
- Family Court Mediator Certification Training
South Carolina Bar, CLE in cooperation with The SC Council For Mediation and Alternative Dispute Resolution and The University of South Carolina School of Law, June 1995
- Family Law Practice: Where's It At and Where's It Going?
Family Law Section of State Bar of Arizona, 62nd Annual Convention, Phoenix, AR, June 1995
- Domestic Practice: Hot Tips from the Experts - Health Insurance - COBRA
South Carolina Bar, May 1994.
- Advanced Trial Techniques in Divorce Litigation - Direct Examination of a Party - Techniques and Philosophy
ABA, Family Law Section, Spring Conference, April 1994.
- Domestic Practice: Hot Tips from the Experts - Avoiding Appeal Leverage and Other Transition Problems
South Carolina Bar, CLE, May 1993.

- Health Insurance & Divorce
Health Insurance Planning Service, Blue Cross/Blue Shield,
January 1993
- Custody & Visitation
South Carolina Trial Lawyers, Annual Convention,
August 1992.
- Domestic Practice: Hot Tips from the Experts -
Melt the Ice Around Recalcitrant Litigants in Discovery
South Carolina Bar, CLE, May 1992.
- Attorney Fees
South Carolina Trial Lawyers Association, Annual
Convention, August 1991.
- Arbitration Tribunals & Forums for Domestic Issues
South Carolina Bar, JCLE Family Law Seminar, July 1991.
- Bar Speaks to the Bench - Pendente Lite Hearings
South Carolina Bar, CLE, May 1991.
- Family Court Summit Conference
South Carolina Bar, September 1991.
- Domestic Practice: The Return of Hot Tips from the Experts
Health Insurance - What to Do When COBRA Unavailable
South Carolina Bar, 7LE, May 1991.
- Alimony & 1990 Alimony Statute
South Carolina Bar, CLE, November 1990.
- Alimony Update
South Trial Lawyers Association, Annual Meeting,
August 1990.
- Domestic Practice: Hot Tips from the Experts -
How to Win Litigation Costs & Expert Fees at Temporary Hearings
South Carolina Bar, CLE, June 1990.
- Tax Considerations from a Judicial Perspective & Technical
Problems Pensions & Retirement Plans
JCLE Commission of South Carolina Supreme Court,
November 1989.
- Alimony Update
South Carolina Trial Lawyers Association, Annual
Convention, August 1989.
- Alimony Update
South Carolina Trial Lawyers Association, Annual
Convention, August 1988.
- The Trial of An Equitable Distribution Case
South Carolina Bar, Bench Bar Conference, June 1988.

- Alimony Update
South Carolina Trial Lawyers Association, Annual Convention, August 1987.
- Hearsay-Evidence Statements of and by Children
South Carolina Bar, CLE, July 1987.
- Legal Fees with An Emphasis on the Matrimonial Practitioner
USC Law School, CLE, November 1986.
- Understanding Equitable Apportionment and Utilizing Depositions in the Family Court
South Carolina Bar, CLE, October 1986.
- Evidence in Family Court - Hearsay Evidence - Statements of and by Children
South Carolina Bar, JCLE, August 1986.
- Taxation as it Effects Divorce-DRTA
Standard Federal Savings & Loan Association, CPE/CLE, May 1985.
- Family Law Seminar
South Carolina Trial Lawyers Association, Annual Convention, August 1984.
- Family Law Practice: Discovery & Agreements - The Wife's Case
South Carolina Bar, CLE, September 1984.
- Family Law Practice II: Discovery & Agreements - The Wife's Case
South Carolina Bar, CLE, August 1984.
- Taxation and Divorce
Standard Federal Savings & Loan Association, CPE/CLE, May 1984.
- Family Law Update
National Business Institute, CLE, March 1984.
- Mock Trial of Custody/Abuse Case
South Carolina Bar, JCLE, December 1983.
- Equitable Division Update
South Carolina Trial Lawyers Association, Annual Convention, August 1983.
- Judicially Awarded Attorney Fees
South Carolina Bar, CLE, June 1983.
- Basic Skills - Family Law
South Carolina Bar, CLE, January 1983.

- Nuts and Bolts of Domestic Practice - Drafting Separation Agreements; Update on S.C. Domestic Law - Rules and Procedures of Family Court
South Carolina Trial Lawyers Association, Annual Convention, August 1982.
- Motions in Family Court
South Carolina Bar, Mid-Year Meeting, January 1982.
- Rules and Procedures of the Family Court
South Carolina Trial Lawyers Association, Annual Convention, August 1981.
- Domestic Trial Advocacy - Mock Trial of Custody and Economic Phases of Divorce Case
South Carolina Bar, CLE, March and April 1980.

Updated November 2009

Attachment

2

Simpson v. Simpson
Timeline of Events

Date	Event
July 29, 2004	Husband commences action by Summons and Complaint
July 30, 2004	Complete Property, Financial, Custody, and Visitation Agreement ("Original Agreement") prepared by Husband's Attorney is signed by Wife while parties still living together
August 3, 2004	Original Agreement approved by Judge McFaddin
August 3, 2004	Husband provides Wife with First Financial Declaration at hearing with incomplete asset disclosure
August 6, 2004	Husband and Wife physically separate
August 20, 2004	Decree of Separate Maintenance and Support signed by McFaddin.
September 19, 2004	Wife files motion to set aside Decree and Original Agreement
September 21, 2004	Paternal grandmother files motion to intervene to settle issues of visitation with grandchildren
September 23, 2004	Husband brings separate action for divorce on ground of Wife's adultery.
December 28, 2004	Hearing on Wife's Motion to set aside Decree and Original Agreement.
December 31, 2004	Husband's mother and father granted divorce
January 6, 2005	Original Property and Separation Agreement and Decree set aside
January 7, 2005	Temporary hearing before Judge Marion Myers
January 27, 2005	Temporary order signed (1) granting Husband custody of children and exclusive use and possession of residence, (2) ordering Husband to pay Wife \$37,500 in attorney's fees, and (3) restraining Husband and Wife from disposing of marital assets or contacting one another
February 11, 2005	Husband files motion to reconsider the temporary order, alleging attorney's fees were improper and refusing to pay.
February 15, 2005	Rule to Show Cause issued ordering Husband to show why he should not be held in contempt for refusal to pay.
March 9, 2005	Second Rule to Show Cause issued against Husband due to refusal to pay and violation of the restraining order by attempting to auction assets. Husband's motion to reconsider is denied, and he appeals to the Court of Appeals.
March 10, 2005	Appraiser is appointed to value marital assets
March 11, 2005	Husband found in civil contempt and sentenced to 60 days for failure to comply with temporary order and pays \$37,500 to purge contempt.
March 24, 2005	Bifurcated divorce decree signed by Judge Myers, granting divorce but leaving open all other issues.
April 13, 2005	Husband files contempt action against Wife for failure to pay car insurance and taxes and failure to provide health records.
April 22, 2005	Pleadings amended to implead Wife's boyfriend
May 6, 2005	Husband's request for contempt denied.
July 27, 2005	Husband's motion to compel Wife's medical records and motion for child support heard by Judge Young.
August 9, 2005	Order issued requiring Wife to release her medical records and pay

	Husband weekly child support
February 14, 2006	Hearing on remaining issues before Segars-Andrews
February 16, 2006	Hearing on remaining issues before Segars-Andrews
March 7, 2006	Final Custody and Visitation Consent Order signed by Segars-Andrews
March 13, 2006	Segars-Andrews issues written instructions for Final Order on remaining issues, asks Warner and McLaren to prepare and submit Order based on the instructions.
March 28, 2006	Husband files motion for new trial
April 14, 2006	Hearing held on Husband's motion for new trial, Segars-Andrews raises sua sponte whether she should recuse herself based on a different conflict, invites attorneys to submit documents.
April 24, 2006	Nathan Crystal's affidavit submitted by Wife.
April 25, 2006	McKenzie submits letter in response to Nathan Crystal's affidavit.
May 3, 2006	Segars-Andrews issues memo indicating her decision to rule.
May 11, 2006	Letter sent from McKenzie to Judge Segars-Andrews outlining specific objections to the proposed Order.
May 22, 2006	Segars-Andrews denies motion for new trial.
June 8, 2006	Segars-Andrews signs Final Order for equitable division, child support, attorney's fees and costs.
June 10, 2006	Husband files Motion to Reconsider the denial of his motion for a new trial.
June 18, 2006	Husband files Motion to Reconsider the Final Order for equitable division, attorney's fees, and costs.
July 26, 2006	Hearing on both Motions to Reconsider via telephone
August 23, 2006	Judge Segars-Andrews denies both Motions to Reconsider
November 6, 2007	McKenzie serves notice of appeal
February 8, 2008	Court of Appeals opinions filed affirming Segars-Andrews' decisions
April 28, 2008	Husband's petition for rehearing denied by Court of Appeals