



**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying: Family Court, At-Large, Seat 1

1. Name: Ms. Heather Vry Scalzo

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

Are you currently serving in some capacity as a judge? If part-time, please note.
(Includes Municipal, Magistrate, Etc.) No

Home Address: [REDACTED]

Business Address: 414-B Pettigru Street, Greenville, SC 29601

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]
(office): 864-331-0111
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1974
Place of Birth: Greenville, SC
Social Security Number: [REDACTED]

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

4. SCDL# or SCHD#: [REDACTED]
Voter Registration Number: [REDACTED]

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

I have not served in the military.

6. Family Status: In the space below, (a) state whether you are single, married, widowed, divorced, or separated; (b) if married, state the date of your marriage and your spouse's full name and occupation; (c) if you have ever been divorced or are in the process of obtaining a divorce, state the date, name of the moving party, court, and grounds; and (d) state the names of your children and their ages. If your children are old enough to work, include the occupation of each child.

Family Status: Married on September 8, 2001 to Christopher Dominic Scalzo, attorney.
Never divorced, four children.

- [REDACTED]
7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
 - (a) Emory University, Atlanta, GA, August 1992 to May 1996, B.A. in English (University College of Oxford University, England, Summer 1994)
 - (b) Borough of Manhattan Community College, New York, NY, September 1997 to December 1997, I took a Physics course because I was considering taking the MCAT again.
 - (c) Rutgers University, School of Law, Newark, NJ, August 1999 to May 2002, J.D.

 8. List the significant activities in which you took part during your attendance at law school. Give the years you were involved in these activities and list any leadership positions you held.
 - (a) Child Advocacy Center, 2000-2002, Upon graduation, I received the Sera Ramcharitar Memorial Prize for my work on behalf of women, children, and families.
 - (b) International Law Society, 1999-2002, Vice President
 - (c) School-wide Mock Trial Competition, 2000-2001, Best Brief, 2000
 - (d) Regional Moot Court Competition Team, 2001
 - (e) Appellate Advocacy Course, Teaching Assistant, 2001
 - (f) Research Assistant, Rutgers Law Professor Bernard Bell (Torts), 2000
 - (g) Externship, New Jersey Attorney General's Office, Division of Youth and Family Services, Summer 2000

 9. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. Please indicate the number of times you took the exam in each state.

South Carolina, 2002
I took the bar exam once.

 10. Describe chronologically, since graduation from law school, your legal experience. Please include a list of all positions held in which you worked in a legal capacity. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years. Please also describe the extent to which you were involved with the administrative and financial management of each of these entities, including management of trust accounts.
 - (a) Attorney-Advisor, Social Security Administration Office of Hearings and Appeals, Greenville, SC, June 2003 – June 2005
 - (b) Attorney, Heather Scalzo Attorney at Law, Greenville, SC, June 2005 – June 2015

My practice was almost exclusively juvenile criminal defense, except for a short period of time (August 2005 to November 2006) when I handled Social Security appeals cases on a contract with another lawyer. Almost all of my cases came from my contract with Greenville County Public Defender's Office, where I handled half of the juvenile caseload. I managed administrative and financial activities of the solo practice.

(c) Juvenile Justice Resource Attorney, Children's Law Center, University of South Carolina School of Law, December 2014 to present.

I serve as a trainer and presenter on juvenile justice issues to public defenders and Department of Juvenile Justice staff. This is a part-time position.

(d) Attorney/Partner, Byford & Scalzo, LLC, Greenville, SC, June 2015 to present

From June 2015 to June 2018, seventy-five percent of my caseload was juvenile criminal defense, the majority from the Greenville County Public Defender's Office where I continued to handle half of the juvenile caseload. The rest of my caseload was private actions -- school disciplinary proceedings, domestic relations cases, and probate (guardianship and mental health commitments).

In March 2018, I began a contract with Anderson County Public Defender's Office to handle their probation violation cases. On June 30, 2018, my contract with the Greenville County Public Defender's Office ended.

In July 2018, I began a Rule 608 contract with the SC Commission on Indigent Defense to represent clients in abuse and neglect proceedings in Greenville County.

Since June 2018, my caseload has been about 45% private juvenile defense, 20% abuse and neglect, 10% custody and adoption, 10% adult criminal, 5% school disciplinary actions, 5% divorce and 5% probate (guardianship and mental health commitments).

I assist my law partner in the administrative and financial activities of the practice.

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

11. Please answer the following:

(a) If you are a candidate for Family Court, please provide a brief written description of your experience within each of the following Family Court practice areas: divorce and equitable division of property, child custody, adoption, abuse and neglect, and juvenile justice. Include information about cases you have handled in each of these practice areas, or if you have not practiced in an area, describe how your background and procedural knowledge has prepared you to preside over such matters as a Family Court Judge. Please also indicate the frequency of your appearances before a Family Court Judge within the past five years.

Beginning in June 2005 to the present, I have appeared before a Family Court judge on average two times a week. The majority of those appearances have been in Greenville County. However, I have appeared in Pickens, Spartanburg, Oconee, Laurens, and Lexington. I have handled divorce, child custody, adoption, abuse and neglect, and juvenile delinquency cases.

My law practice has not focused on divorces so I have handled those less than other types of domestic cases. I have several pending divorce cases currently, based on fault grounds and one-year separation, each with varying amounts of property. I have read and studied relevant case law and statutes pertaining to marital litigation and feel confident that my experience and knowledge have equipped me to preside over these cases.

My familiarity with child custody cases is both as guardian ad litem for children and as counsel for the parent. As a guardian ad litem, I made home visits, witnessed child transfers for visitation, and met with children in extremely contentious custody disputes. As counsel for parents, I have been involved in child custody modifications based on a change in circumstances. I attended the Guardian Ad Litem six-hour CLE training, first in 2003 and then in 2015. Having represented children for the last 14 years, I am aware of the psychological, emotional, and mental effects a child custody case has on a child. I think this experience has prepared me to preside over custody proceedings.

From June 2005 to June 2018, I represented half of the juvenile caseload in Greenville County for the Public Defender's Office, approximately 200 clients per year. Unlike a guardian ad litem, who must represent the best interests of a child, being a child's attorney means that you must represent the child's expressed interests to the court. This is an exceptional and important role and one that I have taken seriously. I have educated myself on the social, psychological, and emotional development of children in order to best counsel and advise them, as required by the ethical rules. This background makes me uniquely qualified to preside over cases impacting children. I have represented juveniles charged with all manner of offenses, from status offenses to drug offenses to criminal sexual assaults and homicides. At one point, I had four clients charged with murder at the same time. I have handled three waiver hearings, one as co-counsel and two as lead counsel. The vast majority of family court cases impact children and my experience representing children will give me a unique perspective as a judge.

Since July 2018, I have had a Rule 608 contract with the SC Commission on Indigent Defense to represent clients in abuse and neglect proceedings. In this capacity, I have represented parents in merits hearings and termination of parental rights hearings that have proceeded to trial and others that have been resolved by agreement. I have also represented vulnerable adults (victims) in abuse and neglect proceedings. In the past year, I have been in court nearly every week for an abuse and neglect proceeding. In addition, as a contract juvenile defender, I have

represented numerous children who had pending DJJ charges and whose families were also involved with DSS. Being involved in these cross-over cases (DSS/DJJ) has given me great insight into how dual state agencies affect families, which will assist me in presiding over those cases.

I have represented biological parents, foster parents, step-parents, and kinship caregivers in adoption proceedings as well as termination of parental rights proceedings. I represented a biological parent contesting the consent relinquishment in a termination/adoption case in a four-day contested trial. I have filed actions for private termination of parental rights and adoption. I have also represented foster parents in adoption cases where the Department of Social Services filed the termination of parental rights. I have the requisite experience and knowledge to preside over adoption cases.

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

Not applicable.

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

Not applicable.

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

Not applicable.

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

- (a) federal: 0
- (b) state: 2 times per week on average

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

- (a) civil: 0%
- (b) criminal: (including juvenile) 80%
- (c) domestic: 15%
- (d) other: school disciplinary, probate 5%

14. What percentage of your practice in trial court during the past five years or in the five years prior to your election to the bench involved matters that went to a jury, including those that settled prior to trial?

- (a) jury: 0%
- (b) non-jury: 100% (family court)

During the past five years, did you most often serve as sole counsel, chief counsel, or associate counsel? I almost exclusively served as sole counsel.

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

(a) State v. Samuel Young. In June 2008, at age 14, Young was charged with murder, kidnapping, and criminal sexual assault of an eight-year old girl. The state petitioned to waive jurisdiction of the case to General Sessions for adult prosecution. I was co-counsel for Young in Family Court and at the waiver hearing. I became lead counsel when the case was transferred to General Sessions. I negotiated a plea to voluntary manslaughter and criminal sexual conduct for a sentence of 25 years. This case is significant because it marked my progression from general litigation into the area of complex litigation. A waiver hearing encompasses a unique investigation into the life and conduct of a child, the use of several expert witnesses at trial by both sides, a complex argument and briefing on the issue of waiver, and the litigation of the same case in two different trial courts. This case was additionally significant because it was widely publicized in the media. Both the waiver hearing and the guilty plea in General Sessions were attended by multiple media outlets. Not only did I learn to navigate two major media events in a complex and high profile case, I was able to see how the Family Court and General Sessions judges handled the media attention.

(b) State v. Juvenile C. In 2011, at age 14, my client was charged with the murder of a homeless man who had significant ties to the community. The state petitioned to waive jurisdiction to General Sessions. I handled the waiver hearing as sole counsel and was ultimately successful in keeping the case in Family Court. I then negotiated an agreement to a plea of guilty to involuntary manslaughter for which my client received an indeterminate sentence as a juvenile. This case is significant because it was the first complex case that I did entirely as sole counsel. It is also significant because this child had a history of both DJJ and

DSS involvement. In order to show the trial judge the environment that this child lived in, I had to subpoena a DSS caseworker and law enforcement officer, both of whom were reluctant witnesses for the defense.

(c) State v. Juvenile D. My client was charged with discharging a firearm in the city limits. He requested a trial. At the trial, the prosecutor failed to have a witness testify to the incident occurring within city limits. I moved for a directed verdict, and it was granted. This case is significant because it demonstrates that (1) trial lawyers need to make sure not to miss the details (the prosecutor missed the detail but I could have easily missed the mistake if I had not been paying attention); and (2) the judge had been presented with evidence of guilt but the law required a directed verdict, and the judge followed the law. This also highlights the role of the Family Court judge when presiding over a criminal trial and how it is different than the role at disposition or in an abuse and neglect case.

(d) Dykes v. Does. In February 2015, Ms. Dykes came to me for help in revoking her consent to the adoption of her newborn baby. I took the case pro bono. I filed a petition in Greenville County stating the reasons that the consent should be considered invalid and named the adoption agency and prospective adoptive parents, who were unknown at that point, as defendants: the “Does.” Unbeknownst to me, the Does filed an adoption action the same day, a few hours earlier, in Lexington County. The Does moved for change of venue in the action I filed in Greenville, which the judge granted. Eventually, the two actions were consolidated. Along with co-counsel, I tried the case for four days in October and November 2015 in Lexington. The Family Court judge upheld the consent as valid and knowingly made, terminated my client’s rights, and allowed adoption of the child to the adoptive parents. This case is significant because throughout this extraordinarily complex case, involving numerous hotly disputed issues, I had the good fortune to observe a Family Court judge who exhibited many traits that I admire: courteousness, fairness, respectfulness, and most of all, patience, with attorneys and litigants alike. This case was exhausting and emotional but the judge’s demeanor and actions left all sides feeling respected and heard.

(e) The Adoption of Baby J. (2018) My best friend from middle school contacted me about helping with the adoption of her foster child. DSS was moving for termination of the parental rights of the biological parents. Once termination was granted, I assisted my friend and her husband with the adoption. This case is significant on a personal level, as well as a professional one. On a personal level, I was involved in a meaningful experience for my friend and her family. On a professional level, this was the first adoption I had done as the attorney for the adoptive parents. Having represented biological parents in termination and adoption actions, being on the other side was a completely different and rewarding experience.

16. List up to five civil appeals you have personally handled. Give the case name, the court, the date of decision, and the citation if the case was reported. Not applicable.

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

(e)

17. List up to five criminal appeals you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported.
- (a) State v. Gerald Haltiwanger, Appellate Court No. 2013-002460 (S.C. Ct. App. April 13, 2016) No precedential value.
- (b)
- (c)
- (d)
- (e)

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

I have never held judicial office.

19. If the answer to question 18 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also list citations to any appellate review of these orders or opinions. Not applicable.
- (a)
- (b)
- (c)
- (d)
- (e)

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

Admitted to practice in all South Carolina state courts, November 18, 2002

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

I am a frequent presenter and trainer for juvenile public defenders and DJJ staff through my position with the Children's Law Center at the USC School of Law. I am also a certified trainer of the National Juvenile Defender Center's Juvenile Training Immersion Program (JTIP) curriculum featuring forensic exercises ("on your feet" practices and interactive break-out sessions). In 2014, I became the first certified JTIP trainer in the state of SC. (There are now three, including me). As a trainer, I adapt the lessons to relevant SC law. This list is not exhaustive.

- (a) I taught JTIP lesson, "Motions Practice as a Juvenile Defender," on March 29, 2019 (1 hour and a half) with a co-trainer for defense attorneys.
- (b) I taught JTIP lesson, "Ethics Issues for Juvenile Defenders," on March 29, 2019 (1 hour) with a co-trainer for defense attorneys.

- (c) I taught a JTIP lesson, “Challenging ID Testimony,” on March 29, 2019 (2 hours) with a co-trainer for juvenile defense attorneys.
 - (d) I was a guest lecturer for a family law class at Greenville Senior High Academy for Law, Business and Finance on March 15, 2019.
 - (e) I presented “Pitfalls of DJJ Practice” in August 2018 at the South Carolina Association of Justice Annual Convention (15 minutes).
 - (f) I presented “Competency to Stand Trial” (2 hours) on April 13, 2018 with a co-trainer for SC public defenders.
 - (g) I presented a JTIP lesson, “Disposition Advocacy,” (2 hours) on April 13, 2018 with a co-trainer for SC public defenders.
 - (h) I taught, with a co-trainer, “Advanced Legal Training for Community Staff,” a two-hour class on legal terminology, DJJ policies related to community intake and probation, testifying in a court hearing, and responding to subpoenas under DJJ policies, for DJJ staff on April 3, 2017 and May 15, 2018.
 - (i) I was a break-out group leader on the JTIP lesson “Fourth Amendment Challenges” at the Southern Juvenile Defender Center Regional Summit on June 2, 2017 (45 min).
 - (j) I taught, with a co-trainer, “Advanced Courtroom Training for Clinicians,” a two-hour class on legal terminology, testifying in a court hearing, and responding to subpoenas under DJJ policies for DJJ social workers and psychologists in February 2016 and February 2017.
 - (k) I taught a class entitled “Waiver Training for Clinicians” on March 21, 2016 with a co-trainer for DJJ staff.
 - (l) I taught “Role of Juvenile Defense Counsel: Ethics in Practice” with a co-trainer on March 6, 2017 for SC public defenders.
 - (m) I taught the JTIP lesson, “Dispositional Advocacy for Juvenile Defenders” with a co-trainer at the SC Public Defender’s Conference in September 2016.
 - (n) I presented on juvenile defense basics at the Greenville County Bar End of Year CLE in February 2016.
 - (o) I teach “Legal 101 for Juvenile Correctional Officers”, a three-hour class for new correctional officers at DJJ encompassing Constitutional issues, legal terminology, case law, statute and DJJ policies impacting officers about two to three times a year and have since 2016.
 - (p) I teach “Legal Update and Prison Rape Elimination Act,” a two-hour update certification class for correctional officers at DJJ encompassing statutes and policies impacting officers at DJJ about two to three times a year and have since 2015.
 - (q) I was on a panel with other juvenile justice attorneys at the 2015 SC Bar Convention in Columbia.
22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.
Continuing education report provided as a separate attachment.
23. List all published books and articles you have written and give citations and the dates of publication for each.
Not applicable.

24. Please furnish as a separate attachment, two examples of legal articles, briefs, orders, or other legal writings for which you can claim sole or primary authorship. If you cannot claim sole authorship, please explain the extent to which you are the primary author, to include a description of the other authors and their contributions. The writing samples are for the Commission's use only and will not be published. (If you are a judge and are not seeking a different type of judgeship, this question is inapplicable.)

I have submitted two writing samples for which I am the sole author.

25. What is your rating or membership status, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, Million Dollar Advocates Forum, etc.? If you are currently a member of the judiciary, list your last available rating, if any.

I have not sought membership or rating in any legal rating organization.

26. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
- (a) South Carolina Bar
 - (b) Greenville County Bar
 - (c) National Juvenile Defender Center certified trainer, 2014-present
 - (d) South Carolina Supreme Court's Family Court Docketing Subcommittee, 2011-present
 - (e) Southern Juvenile Defender Center, Advisory Committee, 2013-2018
 - (f) South Carolina Justice Act Task Force, 2012-2017
 - (g) South Carolina Public Defender Association, 2005-2018, Juvenile Public Defender of the Year, 2012

27. Have you ever held public office other than judicial office? If so, list the periods of your service, the office or offices involved, and whether you were elected or appointed. Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office. If not, were you ever subject to a penalty? If so, give details, including dates.
- No.

28. For sitting or former judges, list all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial office. Specify your dates of employment, employer, major job responsibilities, and supervisor. Not applicable.

29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates. No.

30. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? If so, give details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer.
- (a) Orchard Books, NY; marketing assistant, June 1996 to December 1996
This was my first job out of college. I worked with children's book authors to set up author visits at schools and libraries. I loved this job but it was a temporary position.
 - (b) HarperCollins Publishers, NY; marketing coordinator, December 1996 to April 1997
I worked for the adult picture book division (cookbook, coffee table books, etc) in the marketing department where I was the liaison between the art department and sales team. My entire division was laid-off.
 - (d) Various temp jobs in marketing and advertising, including Bozell Worldwide and Penguin Books; May 1997 to August 1997
 - (c) Tiffany & Co., NY; personal shopper and then marketing coordinator, September 1997 to July 1999
I worked as a personal shopper in the Fifth Avenue flagship store, where I assisted clients with purchases. When a position opened in the Marketing Department, I moved to the Madison Avenue office where I assisted the International Marketing Director. Tiffany had, at that time, a booming business in Japan, Guam, and Hawaii and those were my assigned markets. I left to attend law school.
 - (e) Westlaw, Student Representative 2000-2002
I assisted fellow law students in legal research in the law school computer labs.
 - (f) Administrative/Legal Clerk, New Jersey Performing Arts Center, Newark, NJ 2000-2002
 - (g) In summers during college, I worked as a camp counselor (1993) and a restaurant hostess (1995).
31. Are you now an officer or director or involved in the management of any business enterprise? Explain the nature of the business, your duties, and the term of your service.
- (a) Byford & Scalzo, LLC; I am a member of my law firm, a member-managed LLC. I have one law partner. I am responsible for my own caseload and together we manage our staff and the firm's finances. I have an indeterminate term of service.
 - (b) Lawmas Holdings, LLC; I am a member of a member-managed LLC which owns and manages real estate. Currently, the only real estate owned and managed by the company is the building occupied by Byford & Scalzo, LLC. I assist in the management and finances of the company. I have an indeterminate term of service.
32. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a "lobbyist's principal," as defined by S.C. Code § 2-17-10(14)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.
- No
33. Provide, as a separate attachment, a complete, current financial net worth statement that itemizes in detail:

- (a) the identity and value of all financial assets held, directly or indirectly, including, but not limited to, bank accounts, real estate, securities, trusts, investments, and other financial holdings; and
- (b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000, including, but not limited to, debts, mortgages, loans, and other financial obligations.

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

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

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

- 34. 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.
- 35. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved.
No.
- 36. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek. If you have spent over \$100, have you reported your expenditures to the House and Senate Ethics Committees? Not applicable.
- 37. List the recipient and amount of all contributions made by you, a member of your immediate family, or by a business with whom you are associated, to members of the General Assembly within the past four years. My husband and I donated \$250 to a fundraising event for Jason Elliott during his first campaign for House of Representatives.
- 38. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? If so, please specify the amount, solicitor, donor, and date of the solicitation. No.
- 39. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek or currently hold. Explain how you would resolve any potential conflict of interest.
My law partner, E. Jennings Byford, is a member/owner of both Byford & Scalzo, LLC and Lawmas Holdings, LLC. She does not currently practice family law. However, if she were

ever to appear in Family Court as either an attorney or litigant, I would recuse myself from any case in which she was involved.

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

None.

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

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

Attach a copy of any contract or agreement. Not applicable.

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

Not applicable.

42. For sitting judges, if you currently hold an interest in stock or other securities or have held such an interest, list each stock you currently own or owned during the prior calendar year. If you prefer, you may attach broker or account records containing the requested information instead of listing it here.
43. For sitting judges, have you ever accepted anything of value from an attorney or litigant in a matter currently or previously before you or your court? If so, please give the details, including the name of the attorney or litigant and the thing of value you received.
44. For sitting judges, have you used the services of your staff, for which you did not pay, while campaigning for this office?
45. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law? If so, give details but do not include traffic violations which are subject to a penalty of \$125 or less. You must include any and all arrests, including, but not limited to, offenses for driving under the influence or similar traffic offenses. Include all arrests that resulted in expungement, which will be redacted. If you have questions regarding whether to include an offense, please contact the Commission.

On November 26, 1994, at the age of twenty, I attempted to use an id with an altered birthdate to get into a bar on my friend's 21st birthday. I received a ticket for "False Information on a Driver's License Application." The court date was during my college final exams, so I mailed the fine of \$233.00. The Municipal Court's office had not imputed the fine at the time of my court date and so a bench warrant was issued for my arrest. This was later recalled when the mistake was corrected. Despite the name of the charge, I have never knowingly given false information on a federal, state or local government document application.

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

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

(a) No, I have never been sued by a client.

(b) I was a named defendant in a civil proceeding. Hanold v. Watson's Orchard Prop. Owners Ass'n, Inc., 412 S.C. 387, 772 S.E.2d 528 (S.C. App., 2015). A neighbor sued the property owners' association and all the property owners in the neighborhood in a dispute over the restrictive covenants. I was not personally involved in the suit. The Supreme Court granted cert and upheld the appellate court's decision about the voting rights of property owners under the neighborhood covenants.

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

Yes, I am covered by malpractice insurance and have been consistently since 2014. Prior to that, I had a gap in malpractice insurance. The limits of liability on my current policy are \$500,000 per claim, \$1,000,000 aggregate.

49. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been sanctioned or disciplined for lawyer, judicial, or other professional misconduct or has any jurisdiction found that you committed any misconduct? If so, give the details and describe any final disposition. Include any and all confidential and public sanction, discipline, or finding of misconduct of any kind.

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

50. Have you ever been investigated by the Department of Social Services? If so, give the details and the resolution. Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? If so, give the details. No.

Note: The flash drive with your application materials contains (1) Section 2-19-70(c); (2) JMISC Rule 24, (3) Memo of Guidance, and (4) informal opinions and letters concerning pledging prohibitions, with which third parties acting on your behalf, as well as you, must comply.

51. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened or have you been offered a conditional pledge of support by any legislator pending the outcome of your screening? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened? If so, give details. No.
52. Have you requested any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Describe the campaigning you have done for this election and include a list of those individuals you have asked to campaign on your behalf and, to the best of your knowledge, those who have campaigned for you on their own initiative. No.
53. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges until after the draft report becomes final, which occurs on the day and time specified on the Commission's published screening schedule? Yes.
54. Since submitting your letter of intent to become a candidate, have you or has anyone acting on your behalf contacted any member of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? If so, give details. No.
55. List the names, addresses, and telephone numbers of five (5) persons from whom you are providing references. Also, provide the Commission with **original letters** of recommendation from each person listed herein, including their signature (preferably in blue ink). **The Commission will not accept a photocopy or electronic submission of a letter of recommendation and failure to include all five (5) original letters of recommendation in your packet when you submit it will render your packet incomplete.** Please **do not** have references mail your reference letters to the Commission directly. *You must return the five (5) original letters of recommendation to the Commission with your application packet.*
- (a) John Mauldin; [REDACTED]
- (b) Rebecca Feldman; [REDACTED]
- (c) Wanda Adams; [REDACTED]
- (d) Marcus Smith; [REDACTED]
- (e) The Honorable R. Kinard Johnson, Jr., Retired; [REDACTED]
56. Are you active on or a member of a social media or Internet site or have you, to your knowledge, been featured or depicted on a social media or Internet site, such as, Facebook, LinkedIn, Twitter, etc.? If so, how would your use of social media or other similar types of Internet sites be affected if you were serving in a judicial capacity?

Yes, Facebook, LinkedIn and Instagram. I cannot recall the last time I used LinkedIn or Instagram and am unsure what my passwords are for those sites.

I use Facebook primarily to stay connected with long-distance friends and family as well as to keep up with events in the community and my children's schools. If I were a judge, I would limit my social media use and at all times comport myself with the conduct as outlined by the Judicial Canons.

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

(a) Junior League of Greenville, Member, 2008 to present

Served on Board of Directors: Fund Development Vice President, 2015-2016 and Strategic Planner, 2018-2019

Nearly New Shop Chair, 2013-2014; Led a committee that oversees the business operations of the Nearly New Shop, a second-hand store with annual sales of over \$200,000. As Chair, I was involved in all aspects of running the business, including hiring and firing employees and managing store operations. I served on the committee for two years prior to becoming Chair.

Property Management Chair, 2014-2015, 2017-2018; Responsible for routine and emergency maintenance of the two buildings owned by the Junior League of Greenville. I was tasked with getting quotes for roofing, flooring, plumbing, security, etc. for presentation to the Board.

(c) Kappa Kappa Gamma, Alumni Chapter Advisor, Furman University Chapter; 2015-2019, I served as an advisor for the college chapter.

(d) Buncombe Street United Methodist Church, Missions and Outreach Committee, 2019-2020; Greeter; Sunday School Teacher/Assistant

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

My father died in June 1976. I was just shy of two years old and the youngest of three girls. My mother was a homemaker, having stopped work as a teacher when my oldest sister was born. My father had been a psychiatrist in Greenville. He was the first in his family to go to college (Furman) and then put himself through medical school (Wake Forest). His parents were sharecroppers in Horry County who later saved to buy their own land. Unfortunately, all the years of him working in the fields without sunscreen led to his getting melanoma, which took his life. When my father was dying, he told my mother that he wanted his daughters to have a father. That dying wish gave my mother peace to move forward.

My mother was introduced to a widowed physician who was new to Greenville and had lost his wife around the same time my father had passed. He had two young girls, one older than me and one younger. This man and my mother married in January 1978 after dating a short six weeks! (They have been married ever since.) Fortunately, this man wanted to be a father

to me and my two older sisters and so he adopted us. My mother adopted his two girls and we became a family of seven. Several years later, they had my youngest sister.

My life was forever changed by having an adoptive father who became "Dad." I am thankful that he chose me to be his daughter. He has been the most supportive and caring father I could ever have imagined. I would not be the person that I am without his wisdom and influence.

In my professional career, I am reminded often that children have little power to change their life situations; the adults do. My parents – my biological father, my mother, and my adoptive father – all wanted the very best for me. But that is not always the case for many children in South Carolina.

Family Court judges have immense power to make positive changes in children's lives, whether it is through ordering termination of a parent's rights, granting an adoption, requiring supervised visitation, granting a divorce, ordering sole or joint custody arrangements, finding a child delinquent and imposing services to assist the child, or any number of things. Many of these things have their beginnings in tragedy and trauma for children and families. When these cases come before the Family Court, the parties are looking for solutions, help, and even closure. It takes compassion, understanding, a sense of fairness, and a commitment to justice to exercise the role and responsibilities of a Family Court judge. I believe I possess these qualities. In my personal life and my professional life, I am the same: compassionate and fair, a rule-follower, a seeker of justice. I would be honored to serve the families of South Carolina as a Family Court judge.

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

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

Signature: _____

Sworn to before me this ____ day of _____, 2019.

(Notary Signature)

(Notary Printed Name)

Notary Public for South Carolina

My Commission Expires: _____