

JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE



Court, Position, and Seat # for which you are applying: Family Court, At-Large, Seat 2

1. Name: Ms. Rebecca West

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: 203 W. Main St. Suite B Lexington South Carolina 29072

E-Mail Address: [REDACTED]

Telephone Number: (home): [REDACTED]
(office): (803) 957-0889
(cell): [REDACTED]

2. Date of Birth: [REDACTED] 1975
Place of Birth: Biloxi, Mississippi
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.
No.

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.

- (a) Married
- (b) June 1, 2018, Matthew Timothy Page, owner of MTP Homes, LLC and permanent, part-time employee at United Parcel Service.
- (c) Divorced on September 2, 2011, from William Britton West, Fifth Judicial Circuit Family Court, Richland County, South Carolina. The divorce was granted on the ground of continuous separation for one year. Rebecca West was the moving party.
- (d) Two children



- 7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
 - (a) Lander University, 1993-1997, Bachelor of Science
 - (b) University of Mississippi School of Law, 1997-1999, Juris Doctor (2000)
 - (c) University of South Carolina School of Law, 1999-2000. I attended the University of South Carolina School of Law as a visiting student. My law degree was granted by the University of Mississippi.
- 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) Phi Delta Phi law school service organization 1998.
- 9. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. Please indicate the number of times you took the exam in each state.
 - (a) South Carolina 2000. I took the bar exam one time and I only took the bar exam in South Carolina.
- 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.

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.

- (a) Oswald Law Firm, LLC
West Columbia, South Carolina
November 2000-May 2004

I worked as a law clerk for this general practice firm during my final year of law school and joined the firm after graduation. I represented clients in personal injury actions, workers' compensation claims, Family Court actions, Probate Court and the Federal Bankruptcy Court. I was sole trial counsel in many cases in the Court Of Common Pleas, Magistrate's Court and Family Court. I also regularly represented claimants before the South Carolina Workers' Compensation Commission. I was not involved with the administrative or financial management of this firm.

- (b) Masella Law Firm, P.A.
Columbia, South Carolina
June 2004-June 2009

I was initially hired as an associate and became a partner in the firm in approximately 2008. Upon joining the firm, I immediately focused my practice on family law and transitioned away from my common pleas and bankruptcy practice. I ended my association with the firm upon receiving an offer to practice family law in Lexington, South Carolina. I was not involved with the administrative or financial management of this firm.

- (c) Law Office of Richard Breibart, LLC
Lexington, South Carolina
July 1, 2009-May 31, 2012

I practiced solely in the Family Court during my time with the firm. During my time with this firm I began handling Family Court appeals and practicing in the South Carolina Court of Appeals. I served as the family law group supervising attorney and was an employee of this firm. I supervised as many as three family law attorneys and three staff members. I resigned my position upon learning of Mr. Breibart's criminal activities. The firm dissolved upon Mr. Breibart's suspension from the practice on June 1, 2012. I was not involved with the administrative or financial management of this firm.

- (d) Rebecca West, Attorney at Law, P.A.
Lexington, South Carolina
Formed May 31, 2012; Dissolved April 5, 2013

I formed this entity immediately upon resigning from the Breibart firm. I practiced for approximately one week under this firm name. I stopped practicing under this firm name upon becoming partners with Jonathan Harling and forming my current firm, Harling & West, LLC. I was the sole administrative and financial manager of this firm and I managed and oversaw the trust account.

- (e) Harling & West, LLC
Lexington, South Carolina
June 7, 2012-present

My practice is dedicated solely to family law. I primarily represent Family Court litigants and I continue to practice in the South Carolina appellate courts. I also have a family law mediation practice and I currently mediate several times each month.

My partner is Jonathan Harling. I am the administrative and financial manager of our firm and I manage and oversee the family law trust account.

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.

I have practiced solely in the Family Court for more than fifteen years and I have been a certified Family Court mediator for more than thirteen years. I typically appear before a Family Court Judge more than five times each month.

I have represented clients in divorce actions that involve fault based grounds and no fault grounds. Divorce and/or separate maintenance are typically alleged in cases I handle. I have proven and defended allegations of adultery, habitual drunkenness and physical cruelty.

The majority of cases I handle involve equitable division. I have litigated cases that involve marital estates with a wide range of size and complexity. Most of my clients have average to high average net worth, but I have also represented clients who have negative net worth. I have extensive experience with division and valuation of retirement and investment accounts, real estate and businesses. I have worked with Certified Public Accountants, Certified Valuation Analysts and appraisers as experts and consultants in divorce matters.

I have represented fathers, mothers, grandparents and non-relatives in contested custody and visitation matters. My cases regularly involve a guardian ad litem and many cases involve therapists and psychological experts. I have represented clients in initial custody determinations and custody modification actions.

I have a mastery of the Uniform Child Custody Jurisdiction Enforcement Act and the enforcement and modification of out of state custody and support orders. I have successfully registered, enforced and modified orders from other states. I have served as South Carolina counsel in cases where an out of state resident sought dismissal of a custody action brought in our state.

My experience in abuse and neglect cases includes representation of clients from the earliest stages of the Department's investigation through merits hearings on the finding of abuse or neglect to permanency planning hearings and judicial review. I have intervened in Department cases on behalf of parents and non-parents, negotiated treatment plans on

behalf of clients and helped clients navigate the social services system during an open case. I have represented clients before the foster care review board in the past. On a limited number of occasions I have served as a guardian ad litem which required me to conduct an investigation and reported my findings to the Court.

I have been involved in several termination of parental rights matters, both in private actions and in the context of a Department of Social Services abuse and neglect case. I have limited experience in adoption cases, but I am familiar with the law in this area and I stay current on the appellate decisions related to adoption. I have not represented juvenile defendants in Family Court, though I have observed juvenile court proceedings.

- (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.
 - (c) If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master's court, including any cases handled over the past five years and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity or a Circuit Court Judge within the past five years.
 - (d) If you are a candidate for Administrative Law Court, please provide a brief written description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law or Circuit Court within the past five years.
12. What was the frequency of your court appearances during the past five years or in the five years prior to your election to the bench?
- (a) federal: None.
 - (b) state: I typically appear in Family Court more than five times each month and I have done so for the past five years.
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: 0%
- (c) domestic: 100%
- (d) other: 0%

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%

During the past five years, did you most often serve as sole counsel, chief counsel, or associate counsel? 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) McComb v. Conard
394 S.C.416, 715 S.E.2d 662 (Ct.App. 2011)

The successful trial of this case was a significant accomplishment in my legal career. I was sole trial counsel for an un-wed mother who sought to relocate to Florida with her child over the father's objection. Both parents were college students when they had their daughter. They chose not to marry, but shared in the child's upbringing. Father eventually moved near Charlotte for work, but maintained a home in Columbia. Neither party filed for custody until Mother indicated that she wanted to move to Florida upon graduation. Mother prevailed at trial and was permitted to relocate to Florida with the child. The South Carolina Court of Appeals upheld the Family Court's award of joint custody and permission for my client to relocate with the child. This was one of the first cases where the appellate court applied the Latimer relocation factors to an initial custody determination. Father benefitted from a trust valued in excess of \$1,000,000.00. This case was significant for me for several reasons. The parties had a substantial income disparity and we were forced to build our case using modest resources. This case involved a psychological expert, extensive discovery, an experienced opposing attorney and a multi-day trial.

- (b) Sanderson v. Sanderson
391 S.C. 249, 705 S.E.2d 65 (Ct.App. 2010)

I was appellate counsel for Mr. Sanderson. I was not involved in the trial of the underlying case. Mr. Sanderson lost his job due to a force reduction during divorce litigation. The trial court imputed substantial income to Mr. Sanderson and set alimony and child support based on the imputed wage. I successfully challenged the amount of the imputed wage. The South Carolina Court of Appeals reversed and remanded the case to the Family Court. I continued my representation on remand and was successful in reducing the imputed annual wage from \$64,000.00 to \$15,072.00. I did not have the advantage of having tried the divorce case and several issues had not been preserved for appeal by trial counsel. This case was significant because, despite the significant limitations of the record, I was able to obtain substantial financial relief for my client.

(c) Montgomery v. Montgomery

Op. No. 2019 MO 027 (S.C.Sup.Ct. filed May 29, 2019)

I am appellate counsel for Mrs. Montgomery. My client is the Respondent in Mr. Montgomery's appeal of a Family Court temporary order. My role in this case began when Mr. Montgomery filed a Petition for Writ of Supersedeas seeking a stay of the Family Court's temporary order requiring him to submit to a specific psychological test. Mr. Montgomery argued that the Family Court's temporary order was unconstitutional. The Writ was granted over my client's objection and portions of the temporary order were stayed pending appeal. Soon after the Writ was granted by the South Carolina Court of Appeals, the case was certified for review by the South Carolina Supreme Court. I was solely responsible for drafting the lengthy brief, drafting responses to two highly contested motions filed by the Appellant, arguing the case before the South Carolina Supreme Court and filing a post-hearing motion. I succeeded in defeating the two motions filed by the Appellant. My representation of Mrs. Montgomery was successful and Mr. Montgomery's appeal was dismissed. The case was remanded to the Family Court with specific instructions from the Supreme Court. This case was significant because it involved a highly contested issue of great importance to Family Court practitioners. I found the issues involved in this case to be difficult and interesting. The subject of the appeal required me to expand my understanding of an area of the law that is not typically contested in divorce litigation.

(d) Mrs. W v. Mr. W

In 2011, I was retained by a wife who suspected that her husband was committing adultery. Husband operated a successful government contract procurement business and the couple had a net worth of more than \$7,000,000.00. I was able to prove adultery after a lengthy out-of-state investigation. Late in the litigation, husband challenged the tax treatment of the support payments he was making to wife and I successfully defended the motion which confirmed that the payments were non-taxable to my client. I employed a certified public accountant and certified valuation analyst to value husband's business and analyze wife's need for alimony. A consulting CPA attended mediation to assist me in analyzing the tax consequences of property division scenarios and support arrangements. This case was significant because of the size of the marital estate, the tax issues and the business valuation. In addition to the property division, I negotiated an alimony award of \$8,500.00 per month for my client and full reimbursement of her attorney fees and costs.

(e) Mrs B v. Mr. B

I represented Mrs. B in a highly contested divorce that involved a fault ground of divorce, an initial custody determination, my client's request to relocate with the child to her home state of California and whether certain assets and debt was marital or non-marital in nature. I was sole trial counsel for Mrs. B. Discovery was extensive and I took more than twelve depositions of lay and expert witnesses. A guardian ad litem conducted an extensive investigation. After a four day trial where seventeen witnesses testified, three of whom were experts, I succeeded in achieving my client's goal of obtaining sole custody and relocating to California where her extended family lived. I also prevailed on

the property issues and my client received a substantial fee award. This case is significant because of the volume of discovery involved and the wide range of issues I had to be prepared to successfully litigate.

16. List up to five civil appeals you have personally handled. Give the case name, the court, the date of decision, and the citation if the case was reported.
 - (a) McComb v. Conard, 394 S.C. 416, 715 S.E.2d 662 (Ct. App. 2011)
 - (b) Sanderson v. Sanderson, 391 S.C. 249, 705 S.E. 2d 65 (Ct. App. 2010)
 - (c) Montgomery v. Montgomery, Op. No. 2019 MO 027 (S.C.Sup.Ct. filed May 29, 2019)
 - (d) Gordon v. Gordon, Op. No. 2017 UP 276 (Ct.App. filed July 5, 2017)
 - (e) Boyce v. Nelson, Op. No. 2015 UP 420 (Ct.App. filed August 12, 2015)

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) None.
 - (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.

No.

19. If the answer to question 18 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also list citations to any appellate review of these orders or opinions.
 - (a)
 - (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.
 - (a) State of South Carolina on November 13, 2000
 - (b) United States District Court, District of South Carolina on January 18, 2001.

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

- (a) Family Law Essentials, Effective Use of Discovery and Subpoenas in Domestic Litigation; Temporary Hearings: Meeting Your Client to Prepare, Sample Hearing, Q&A Session with Attorneys and Judge
August 11, 2017
SC Bar CLE
Presented materials and participated in mock Family Court temporary hearing.
- (b) Family Law Essentials, Organizing and Presenting Your Case
March 21, 2014
SC Bar CLE
Authored and presented materials
- (c) Family Law Seminar, Just When You Thought It Was Over: Appellate Practice in South Carolina
August 4, 2016
South Carolina Association for Justice Annual Convention
Authored and presented materials
- (d) Hot Tips for the Coolest Domestic Law Practitioners, Grandparent Visitation
September 16, 2011
SC Bar CLE
Authored and presented materials
- (e) Non-parent Rights to Children
March 2011
SC Bar CLE—Distance Learning
Authored materials and presented
- (f) “What is your Expert Giving You?” Deposing Psychiatric and Psychological Professionals
March 2007
SC Bar CLE
Authored and presented materials

22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.
See attached reports.

23. List all published books and articles you have written and give citations and the dates of publication for each.

- (a) CLE materials I prepared in 2014 were used in Chapter 13 of Family Law Essentials: A Primer for Private Practice Before the Family Court in South Carolina (South Carolina Bar CLE Division 2018).

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

- (a) Writing Sample (1) Final Brief of Respondent

(b) Writing Sample (2) Decree of Divorce and Final Order

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 am a top rated family law attorney in Lexington, South Carolina by Super Lawyers.

26. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.

- (a) South Carolina Bar Association (2000-present);
- (b) Fellow, American Academy of Matrimonial Lawyers (2015-present);
- (c) Certified Family Court Mediator (2006-present);
- (d) South Carolina Bar Continuing Education Committee (2007-2008);
- (e) Lexington County Bar Association (Member 2012-present; President 2014);
- (f) South Carolina Association for Justice (2014-present);
- (g) American Bar Association, Family Law Section (2012-present);
- (h) South Carolina Woman Lawyers Association (2012-present); and
- (i) South Carolina Bar House of Delegates (Delegate, Eleventh Judicial Circuit 2018-present).

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.

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

Yes. I was a candidate for Family Court Judge, Eleventh Judicial Circuit, Seat 1 in the Spring of 2014. I was found qualified and nominated. I withdrew from the race on May 15, 2014.

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.

No.

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) Harling & West, LLC

Jonathan Harling and I formed this partnership in June 2012 and we practice law out of this entity. We are equal owners and members. I am the managing partner.

(b) West Main Family Law, LLC

I formed this S-corporation on January 2, 2015, for payroll, tax, health insurance and retirement investment purposes. I am the sole member. I do not practice law from this entity.

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.

There has never been a tax lien or other collection procedure instituted against me by any federal, state, or local authority.

I have never defaulted on a student loan.

I have never filed for bankruptcy.

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

No.

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

I have not spent any money in furtherance of my candidacy for this position.

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.

- (a) Micah Caskey \$250.00 on April 12, 2016;
- (b) Doug Brannon \$100.00 on April 23, 2016;
- (c) Nathan Ballentine \$100.00 on April 23, 2016;
- (d) Rick Quinn \$100 on April 23, 2016;
- (e) Micah Caskey \$300.00 on June 15, 2016;
- (f) My firm donated \$500.00 to Micah Caskey's house campaign on June 20, 2017. I contributed one-half of this donation and my law partner, Allison Bullard McNair contributed one-half of this donation.
- (g) Mia McLeod \$100.00 on September 21, 2016;
- (h) Luke Rankin \$100.00 on September 26, 2016; and
- (i) My law partner, Jonathan Harling, donated \$250.00 to Mia McLeod on September 27, 2016.

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.

The following business relationships could constitute or result in a possible conflict of interest in the position I seek to hold. I would analyze potential conflicts of interests Rule 501 Canon 3(E) and always be mindful of the requirement that I must disqualify myself from matters in which my impartiality might reasonably be questioned.

- (a) Oswald Law Firm, LLC

November 2000-May 2004

I was employed as an associate attorney with the firm. I was never a partner. The attorneys in the firm during my time there were: Billy R. Oswald, Gene Stockholm, Robin R. McLean and W. Wesley Johnson, Jr.

(b) Masella Law Firm, P.A.

June 2004-June 2009

I was initially hired as an associate and later became a partner in the firm. The attorneys in the firm were Robert M.P. Masella and Reynolds Blankenship. I was partners with Robert M.P. Masella from approximately May 2008 until my departure from the firm.

(c) Law Office of Richard Breibart, LLC

July 1, 2009-May 31, 2012

I was employed as an attorney with the firm. I was never a partner. The attorneys in the firm during my time there were: Richard J. Breibart, Nancy Todd Jordan, Alyssa H. Richardson, James B. O'Connor, Michael Turner, Bryn C. Sarvis (now Bryn Sarvis Rice), Maura Dawson (now Maura Dawson Baker), Derrick Mobley, Jesse Near, Reid Quattlebaum, Shannon A. Davis, Stephen "Chip" Burn, David Scott, Jonathan Harling and Allison Bullard.

(d) Harling & West, LLC

June 7, 2012-present

I am a one-half owner of this firm. I am partners with Jonathan Harling. Allison B. Bullard was of counsel with the firm initially and she became a partner in approximately 2016 until her separation from the partnership in approximately March 2018.

(e) MTP Homes, LLC

October 12, 2018-present

My husband, Matt Page, buys distressed real estate and rehabilitates the property for resale. He recently purchased a home out of foreclosure and the occupant refuses to vacate the premises despite no longer having the legal right to live in the home. My husband filed a case in the Magistrate's Court to eject the occupant and this case is pending. Although I do not have an ownership interest in my husband's business, I would be mindful of the need to recuse myself from Family Court matters involving any litigant against whom my husband had business dealings.

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.

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.

None.

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

None.

42. For sitting judges, if you currently hold an interest in stock or other securities or have held such an interest, list each stock you currently own or owned during the prior calendar year. If you prefer, you may attach broker or account records containing the requested information instead of listing it here.

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.

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

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

No.

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

(a) Rebecca West and William West v. Flooring by Cogdill

2006 CP 40 1591

This suit was a subrogation claim my husband and I filed against a company that installed carpet at our home. The installation contractor was negligent and started a fire that caused damage to the home. My homeowners' insurance carrier pursued the subrogation claim on our behalf and the case settled at mediation. The Defendant paid us \$8,000.00 in damages and the case was dismissed on April 2, 2007. The Defendant did not file a counterclaim.

(b) Stella K. Black v. Harold Whitney Black, Whit-Ash Furnishings, Inc., Jim Edwards, Amanda Phillips, Rebecca West, The Masella Law Firm, Spector Soft Corporation

2007 CP 40 2204

During ongoing Family Court litigation, Mrs. Black filed a civil action against her estranged husband, his business, his private investigator, his employees, me, my law firm and a computer software corporation. My law firm represented Mr. Black in the divorce action. Mr. Black ultimately settled the civil action with Mrs. Black and the case was dismissed on June 19, 2008. None of the other defendants, including me, contributed to the settlement and Mr. Black never sought contribution from me or the other defendants.

(c) Rebecca West v. Todd Morehead, Columbia City Paper, LLC and Paul Blake

2008 CP 40 0074

396 S.C.1, 720 S.E.2d 495 (S.C.App. 2011)

This matter was a defamation claim I made against a writer, newspaper and publisher for an article published in 2007. I was the Respondent on appeal. The newspaper published an article about the Stella Black v. Harold Whitney Black divorce case where Mrs. Black claimed that I had a conflict of interest. The jury determined that the article defamed me and awarded me actual and punitive damages. The Defendants appealed. The South Carolina Court of Appeals upheld the award of actual damages, but reversed the award of punitive damages. Both parties petitioned the South Carolina Supreme Court for a writ of certiorari which was granted on March 5, 2013. The matter settled immediately after certiorari was granted and the Defendants paid me damages of \$30,000.00. The case was disposed of on June 15, 2009. None of the defendants filed a counterclaim against me.

(d) Harriet A. Craig v. Law Office—Richard J. Breibart, LLC, Richard Breibart and Rebecca West

2012 CP 32 3679

Ms. Craig was a client of the Law Office of Richard Breibart. Ms. Craig was the victim of Mr. Breibart's scheme to defraud clients of money. On August 12, 2013, Richard Breibart pleaded guilty in the United States District Court of mail fraud related to his theft of Ms. Craig's money. On March 5, 2014, the United States District Court imposed the maximum sentence of 63 months imprisonment and ordered him to pay \$2.4M in restitution. In this lawsuit, Ms. Craig alleged that I was negligent in my failure to discover Breibart's fraud. After a four day trial, the jury found in my favor. No post-trial motions were filed and the Plaintiff did not appeal.

- (e) Samuel M. Corley, as Trustee of the Martin L. Corley Marital Trust v. Rebecca B. West

2015 CP 32 0618

Mr. Corley, as trustee of a marital trust, retained the Law Office of Richard Breibart. Mr. Corley was a victim of Mr. Breibart's scheme to defraud clients of money. I was not involved in Mr. Corley's case. I did not know Mr. Corley. I did not do any legal work on behalf of Mr. Corley and I did not work on this case in any capacity. Mr. Corley alleged that I committed legal malpractice and breached a fiduciary duty to him in my failure to discover Mr. Breibart's fraud. On August 5, 2016, the Plaintiff voluntarily dismissed the case against me pursuant to Rule 41(a), S.C.R.C.P. I did not pay any money to the Plaintiff and each party agreed to pay their own attorney fees and costs.

- (f) Rebecca B. West v. Torus Specialty Insurance Company, First Indemnity Insurance Group, and John Doe Insurance Company

2017 DR 32 1223

I filed this claim against my professional malpractice carrier and the policy producer for breach of contract and bad faith in their denial of coverage in the Corley matter. The case was dismissed on February 9, 2018, and Torus paid me \$20,000.00 and First Indemnity paid me \$5,000.00 in satisfaction of my claims against them.

- (g) William Britton West (Defendant/Petitioner) v. Rebecca Brown West (Plaintiff/Respondent)

2011 DR 40 1969

My former husband filed a pro se contempt petition alleging various violations of the Marital Settlement Agreement related to his contact with our children. This contempt action was dismissed with prejudice on August 3, 2016. As part of this action, we agreed to modify the child support obligation and our agreement was approved by the Family Court on August 3, 2016. The Family Court also granted our request to seal the Rule to Show Cause filed by my former husband.

- (h) Rebecca West (Plaintiff/Petitioner) v. William Britton West (Defendant/Respondent)

2011 DR 40 1969

I filed this contempt action against my former husband on May 24, 2018, seeking enforcement of his child support obligation and his obligation to contribute to our children's uncovered medical expenses. The Family Court held my former husband in contempt and sentenced him to ninety days in jail which could be purged by his payment of \$2,620.37. The Family Court also added \$1,500.00 to my former husband's child support arrearage and required him to pay my attorney fees and costs of \$1,959.80. The order in this enforcement action was issued on August 22, 2018.

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

I am covered by a malpractice insurance policy with limits of \$1,000,000.00/\$1,000,000.00. The policy deductible is \$5,000.00. I have been covered by malpractice insurance continuously since I was licensed in 2000.

I am covered by an unlimited individual tail policy related to the Breibart firm policy.

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) JMSC 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) Brent M. Takach, Esquire
Thomas Law Firm, LLC

[REDACTED]

(b) Bryn C. Sarvis, Esquire
Sarvis Law, LLC

[REDACTED]

(c) Jonathan Harling, Esquire
Harling & West, LLC

[REDACTED]

(d) David C. Shea, Esquire
Shea & Barron

[REDACTED]

(e) Ashby Lawton Jones, Esquire
Kinard & Jones, LLC



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?

I currently have a Facebook and Twitter account and a law firm website, www.harlingandwest.com, for professional marketing. If I am elected, I would limit my presence on Facebook and limit my connections to family members. I am not active on Twitter, but I would limit my connections to family and national news outlets. If elected, my firm website would be removed and the hosting agreement would be terminated.

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) School Improvement Council, River Bluff High School (2018-present);
 - (b) Secretary, River Bluff High School Choral Booster Club (2018-2019); and
 - (c) The Leukemia & Lymphoma Society Man & Woman of the Year Campaign Leadership Committee (Chair 2018-2019; Member 2017-2018).

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.

The sudden loss of my mother to injuries sustained in an automobile accident was an event that shaped my temperament and personality. When I was six years old, my father began raising my younger brother and me on his own. We were taught to be independent and to persevere. My father managed to provide us with stability despite the devastation we all experienced. When my father remarried, we formed a new family that proved to be as loving and stable as my first family. I have never considered my mother a “step” mother, but rather my “second” mother. She raised me as her own and modeled for me an exceptional work ethic. She taught me how to have a successful career and simultaneously provide a nurturing home for my children.

Because of these experiences, I developed the desire to work hard and I learned how to be calm and resilient when faced with difficult circumstances. These personality traits have served me well in my law practice and will undoubtedly be an asset to me if I am elected to serve in the judiciary.

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)

Donna W. Gordon
Notary Public for South Carolina
My Commission Expires: May 30, 2027