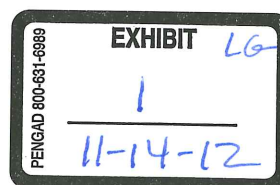


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

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

1. NAME: Ms. Michelle Manigault Hurley
BUSINESS ADDRESS: Office of Individual & Provider Rights
SCDSS
P.O. Box 1520
Columbia, SC 29202
TELEPHONE NUMBER: (office): 803-898-7222
2. Date and Place of Birth: 1969; Columbia, SC
3. Are you a citizen of SC? Yes.
Have you been a resident of this state for at least the immediate past five years? Yes.
5. Family Status: Married on November 22, 2003, to George Craig Johnson.
Never divorced, two children.
6. Have you served in the military? N/A.
7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
 - (a) Howard University, 1987-91, BA;
 - (b) Gupton-Jones College of Funeral Service, 1993-94, Associate of Science;
 - (c) USC School of Law, 1998-2001, JD.
8. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.
SC, 2001
9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.
 - (a) In 1988, I was a founding member of Howard University's women's soccer team, which was later granted varsity status.
 - (b) Black Law Student's Association, 1998-2001. Chair of the BLSA banquet, 1999.
10. Describe your continuing legal or judicial education during the past five years.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
a) Stalking	02/22/12;
b) Child Protection Services Boot Camp	01/20/12;
c) SCDSS Seminar for SCDSS	12/09/11;
d) 2011 Children's Law Conference	11/04/11;



- e) Homeless Experience Legal Protection Project Training 10/27/11;
- f) Summary Court Orientation School 07/18/11;
- g) SCDSS-OGC CLE Seminar 12/10/10;
- h) Mini Summit on Justice for Children 12/02/10;
- i) 2010 Children's Law Conference 11/05/10;
- j) Child Support Enforcement Division CLE 10/29/10;
- k) Hot Tips from the Coolest Domestic Law Practitioners 10/01/10;
- l) Basic Training for Juvenile Public Defenders 04/20/10;
- m) 2009 Children's Law Center Conference 11/06/09;
- n) Reunion CLE 05/15/09;
- o) Children's Issues in Family Court 03/20/09;
- p) Center for Child & Family Studies CLE Seminar 12/12/08;
- q) Annual Free CLE Ethics Seminar 11/07/08;
- r) 2008 Children's Law Center Conference 10/30/08;
- s) Disproportionate Minority Contact 09/12/08;
- t) 2007 Children's Law Center Conference 10/18/07;
- u) Child Protection Cases 09/14/07;
- v) Children's Issues in Family Court 03/23/07.

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

CLE programs:

- a) Lunch and Learn (Nelson Mullins), May 16, 2012.
I lectured on handling DSS Appointments: registering the appointment; meeting with the client; information to gather from the client; discovery requests; avoiding foster care through relative/non-relative placements; time frames for hearings; the purpose of each hearing and the applicable standards of proof;
- b) Homeless Experience Legal Protection Project Training, October 27, 2011;
I lectured on representing the Homeless in Child Protection Cases;
- c) Training for New Attorneys Subject to Appointment in Abuse and Neglect Cases, May 13, 2011, and August 6, 2011; I presented this lecture for the trainings in the 9th and 5th Circuits. This course was aimed at preparing new attorneys for the inevitable DSS appointment. I explained the child protection process and the accompanying laws, and provided helpful navigation tips;
- d) Immigration Issues and Educational Needs of Children in Foster Care, May 23, 2011, June 22, 2011, July 8, 2011, and July 15, 2011.
I lectured on the Fostering Connections to Success and Increasing Adoptions Act of 2008. Particularly the importance of foster children to have as few foster home moves as possible; the importance of school stability and the negative impact multiple homes and schools have on a foster child's success in education, relationships, and

mental and physical health. Also spoke on the role of caseworkers, guardians ad litem, and foster parents in advocating for the educational and health care needs of foster children; the law in SC as it relates to school enrollment requirements for children; and the roles of DSS and schools in ensuring that foster children remain in their schools of origin, and their roles and duties, under the Fostering Connections Act, when foster children must change schools.

- e) DSS Upstate/Court Improvement CLE, 2010.
Presented on best practices in child protection hearings;
- f) Representing Parents in Child Maltreatment Cases, November 2010.
Spoke on issues that confront parents in child abuse and neglect cases and what the appointed attorney needs to know and do to be able to provide adequate representation;
- g) SCDSS Child Support Enforcement, June 4, 2010.
Spoke on child support issues in abuse and neglect cases;
- h) Basic Training for Juvenile Public Defenders, April 2010.
Lectured on home assessments vs. home studies; children being placed into emergency protective custody at disposition hearings; coordinating cases and services when both DSS and DJJ are involved with a family;
- i) Lunch and Learn, Handling DSS Appointments (Nelson Mullins), June 2009.
I gave a similar lecture as item "a";
- j) Training for Child Support Enforcement Division, November 2009.
If I remember correctly, DSS Child Support Attorneys wanted to know more about the duties of DSS county attorneys;
- k) Representing Volunteer Guardians ad Litem, March 14, 2008.
Spoke on the role of the attorney and the GAL in child abuse and neglect and Termination of Parental Rights cases;
- l) Training for Attorneys Appointed in DSS Cases, July 27, 2007.
Presented on how to handle DSS appointments;
- m) Complex Issues in Family Law, March 2006.
Lectured on the grounds for Termination of Parental Rights.
I have taught the following law related courses;
- (n) Trial Advocacy Training for DSS Case Workers and Attorneys, 2005-12.

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

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

- (o) Advanced Legal Training for Caseworkers, 2006-12.

This was an 8-hour course for DSS caseworkers. In 2006 and 2007, I traveled to each of the sixteen circuits to teach this course. From 2008-12, I taught this course four to five times per year in the four regions of the state. This course was designed to help caseworkers gain a better understanding and appreciation of the procedural and legal requirements of their jobs by connecting the SC Children's Code, the 14th Amendment, and federal laws to the DSS policy and procedure manual.

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

- (p) Multi-Ethnic Placement Act (MEPA), 2010-12.

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

The Multi-Ethnic Placement Act is a federal law enacted in 1994 and amended by President Clinton in 1996. The Act prohibits the delay or denial of the placement of a child in a foster home or prospective adoptive home based on the race, color or national origin (RCNO) of the child, foster parent or adoptive parent. MEPA applies to all public child welfare placing agencies and all private child-placing agencies that receive any federal funding either directly or indirectly.

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

- (q) Guest Lecturer, Child Advocacy Studies, USC Upstate, 2011.

I lectured to undergraduate students on the mandated reporting laws of SC;

- (r) Guest Lecturer on Family Court Proceedings, USC School of Social Work, 2010;

I lectured to graduate students on the laws pertaining to child protection. I discussed each phase of a case and the different avenues a case can take from the moment a report is made of suspected child abuse and neglect. Topics included: the investigation of the allegations; treatment cases vs. removal of children from the home; placement plans; the purpose of each court hearing; reunification, alternative placements, and termination of parental rights and adoption;

- (s) Guest Lecturer, the CPS Intake Process, Summer Institute for School Guidance Counselors, 2008, 2009, 2010, 2011.

Lectured to guidance counselors about when and where to report suspected child abuse and neglect; the intake process and response time when a report is made; the information the reporter will need to provide to DSS and/or law enforcement; and their rights and duties as mandated reporters;

- (t) Guest Lecturer, Children and the Courts, USC School of Law, 2007, 2008, 2009, 2010, 2011.

Lectured to law students about "a day in the life of a child welfare attorney";

- (u) Legal Training for Foster Care Licensing, Adoptions, and Out-of-Home Abuse and Neglect Unit (OHAN), 2007.

Provided legal training for DSS staff involved in licensing foster and adoptive homes, the unit charged with investigation institutional abuse, and administrative hearing officers.

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

I wrote or co-authored the following manuals and publications. With the exception of items c and f, each can be found at <http://childlaw.sc.edu>

- (a) Use of Expert Witnesses, 2010;
- (b) Guide to Title IV-E Requirements (for family court judges), 2010;
- (c) Termination of Parental Rights Evidence Checklist, 2010. (This guide was provided to family court judges and DSS attorneys);
- (d) Information for Clergy as Mandated Reporters, 2010;
- (e) Information for Healthcare Workers as Mandated Reporters, 2010;
- (f) Advanced Legal Training for Caseworkers (Manual), 2005. Revised 2007, 2009 & 2010. (Provided to course participants).

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

Admitted to practice before the State Courts of SC in 2001.

14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated.

Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.

- (a) From November 2001-January 2002, I worked for the Finney Law Firm. I had previously worked for the firm as a law clerk, and was offered a position after I was sworn-in to the bar. I handled mostly juvenile and probate matters;
- (b) In January 2002, I could not pass-up the opportunity to clerk, so I left the Finney Law Firm for a position as a judicial law clerk for the Honorable Alison Renee Lee, SC Circuit Court, At-Large, Seat 11. I clerked for Judge Lee from January 2002-September 2003. As a law clerk, I managed the judge's docket; reviewed files and briefed the judge on the issues; accompanied the judge to the various circuits to hear criminal and civil cases; sat with the judge and assisted her during hearings; prepared civil and criminal charges for the jury; performed research and drafted numerous orders;
- (c) From September 2003-October 2005, I worked for the Richland County Department of Social Services. I had an average caseload of approximately 250 cases, involving vulnerable adults, and abused and neglected children. I represented the agency in probable cause, merits, judicial review, permanency planning, and termination of parental rights hearings;
- (d) From October 2005-April 2012, I was employed by the Children's Law Center/USC School of Law as a resource attorney and legal trainer. As a trainer, I provided numerous courses on varied topics, including but not limited to: trial advocacy; rules of evidence, effective testifying; effective writing; best practices; case theory; the Indian Child Welfare Act; the Fostering Connections to Success and Increasing Adoptions Act of 2008; the Multi-Ethnic Placement Act; best interests; child custody and guardianship; the Interstate Compact on the Placement of Children (ICPC); *Reasonable Efforts*; permanency planning; concurrent plans; devising meaningful treatment/placement plans; administrative hearings; alternative placements; kinship foster care; and making proper case determinations/findings;
- (e) As a resource attorney, I offered legal guidance to child advocacy professionals and members of the legal community, who contacted the Children's Law Center; I authored, co-authored, updated and/or edited numerous manuals and publications; provided research and drafted legal memos for family court judges; and presented at CLEs;
- (f) Over the years, I also had the opportunity to speak at the SC Foster Parent Association's (FPA) annual convention, and at many county FPA monthly meetings. I usually spoke on the rights of foster parents; what happens when foster parents are accused of abuse and neglect; advocating for foster children; and independent living services for foster

children. I have also been a guest speaker at guardian ad litem trainings for law students;

- (g) In July 2011, Columbia City Council appointed me to Municipal Court. I serve as an Associate Substitute Judge. As a substitute judge, I hold court an average of two to five days per month. With exceptions, Municipal Court has jurisdiction over criminal offenses that are subject to fines of not more than \$500.00 and/or imprisonment of not more than 30 days. Municipal Court judges hold criminal; criminal domestic violence; traffic; quality of life; and bond court;
- (h) In April 2012, I left the Children's Law Center to become the Assistant Director of the SCDSS Office of Individual & Provider Rights/Administrative Hearings. I serve as the legal advisor for the department and as supervisor of four administrative hearing officers. This office hears appeals from various federal and state social services programs including, but not limited to: foster care licensing revocations and denials; adoption application denials; adoption supplemental benefits; adoption investigator certifications; foster child removals from foster homes; Out-of-Home-Abuse and Neglect (OHAN) investigations of foster parents and institutions, resulting in indications of abuse and neglect and placement on the Central Registry of Child Abuse and Neglect; group home and daycare licensing; Family Independence (FI) program; Supplemental Nutrition Assistance Program (SNAP); and the ABC Child Care Program. This office also handles civil rights, and Health Insurance Portability and Accountability Act (HIPAA) issues. Appeals from this office are either heard in Family Court or the Administrative Law Court.

- 14.(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 has prepared you to preside over such matters as a Family Court Judge.

I have not practiced in the area of divorce or equitable division of property; however, I am familiar with divorce laws, and keep-up with divorce issues through reading weekly Advance Sheets. If I am elected to Family Court, I will prepare myself as much as possible by studying relevant publications, and attending as many pertinent CLEs as possible. Also, I would seek guidance from other judges if a particularly complicated issue comes before me.

I have not represented anyone in an adoption action; however, I have a working knowledge of adoption laws contained in SC Code of Laws Annotated Section 63, Chapter 9. I have trained DSS staff on adoption laws; consents and relinquishments for adoption; confidentiality issues; notice and service

requirements; the Responsible Father Registry; the Multi-Ethnic Placement Act; and on issues concerning adoption applications.

As a DSS county attorney, I handled a multitude of abuse and neglect cases dealing with child placement, custody, guardianship, and termination of parental rights and adoption. I have handled cases ranging from excessive corporal punishment to torture, to death of children. In my current position, I deal with issues of abuse and neglect of children in foster homes, daycares and group homes.

At the Finney Law Firm, the very first case I handled on my own was a juvenile case. As a DSS attorney, I handled cases where a family had children in foster care and a child in the Department of Juvenile Justice (DJJ) or Reception and Evaluation, and services had to be coordinated for the child in DJJ. I also handled cases where the alleged perpetrators were juveniles, and cases where there were companion criminal cases and the alleged juvenile perpetrators were subjected to waiver hearings. In my position at the Children's Law Center I worked closely with juvenile justice attorneys/trainers and was able to gain a lot of insight on laws and procedure, as well as issues confronting children confined to DJJ. As a Municipal Court judge, juveniles regularly appear before me in bond court and traffic court.

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

To my knowledge, I am not rated by any organization, as nearly my entire legal career I have worked for an agency or institution of the State of SC

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

- (a) federal: 0%;
(b) state: 0%.*

*Please note that for the past seven years I was employed as a resource attorney/legal trainer, which did not allow me to represent clients. Prior to that, 100% of my court appearances were in state court. I appeared in Family Court 3 to 5 days per week.

17. What percentage of your practice involved civil, criminal, domestic, and other matters during the last five years?

- (a) civil: 0%
(b) criminal: 2%* (See note);
(c) domestic: 98%* (See note);

18. What percentage of your practice in trial court during the last five years involved matters that went to a jury, including those that settled prior to trial?

- (a) jury: 0%;
(b) non-jury: 100%* (See note).

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

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

- (a) SCDSS v. Taylor. This case is significant to me because it was an "AHA" moment, where I realized that some children were unnecessarily placed in foster care and/or remained in foster care for longer periods than necessary because incarcerated parents and their families were being ignored by child welfare agencies. This case involved a family of four siblings who had been in foster care for over a year, when the case was assigned to me to file a Termination of Parental Rights (TPR) action. The youngest child's father was incarcerated at Broad River Correctional Facility. The father was served with the summons and complaint but failed to file an Answer. Although he was technically in default, I scheduled a pre-hearing conference to allow the father the opportunity to ask for an attorney to be appointed to represent him; and to ascertain if he intended to contest the TPR, or if he was willing to execute a relinquishment.

The father was very young, and had already served one year of a two-year sentence. I asked if he had read the TPR Complaint and explained why we were there that day. He immediately began crying and indicated he was confused as he thought DSS would "give" his daughter back to him upon his release. I explained to him that that was not the case, and then asked him about his family members and why none of them had come forward to care for his daughter. He answered that he did not know that that was an option. He did not know that his child could leave foster care for relative custody or guardianship. I asked if he had spoken with the caseworker. He had seen her at hearings but had never met her in person and had never been provided with any information about foster care, nor had a placement/treatment plan been devised for him. He indicated that his mother could care for his daughter. I honestly did not believe his story, but I gave him my card and told him to have his mother call me.

The pre-hearing was on a Friday afternoon. By the time I arrived at work the next Monday, a message was waiting for me from his mother. After convincing the caseworker and supervisor, DSS performed a home study on the grandmother, which turned out to be favorable. This child went to live with her biological family after spending more than the first year of her life in foster care.

I went forward on the TPR trial on the other three children. After this encounter, I researched the percentage of incarcerated parents and their families who were contacted when their children were in foster care. What I found at the time, was that in most cases it was the father who was incarcerated. I can't remember that exact percentages now, but the numbers showed that agencies almost always contacted the

maternal family, but in only a very small percentage, like 7%, were the relatives of the incarcerated parent contacted for possible placement of the children.

In trainings, I used the facts of this case as a teaching tool to explain best practices and the meaning of reasonable efforts, and best interests of the child;

- (b) State v. Williams. (I think this is the correct name of the case) This case is significant to me because it was the first case I handled as an attorney. Several juvenile boys lived in a neighborhood that backed-up to a farm equipment company. The company did not have a fence around it and had large motorized farm equipment in the yard. The only buffer between the neighborhood and the company was a small boundary of trees. All of the trucks and tractors had the keys in the ignition. The children came upon the tractors and, as curious boys would do, started them up and drove them around. They destroyed a silo and damaged garage doors.

As this was my first solo court appearance ever, I was more nervous than my young client or his parents. I remember my hands shaking uncontrollably when the judge came on the bench, and my knees shaking when I stood up. But, somehow I was able to make my argument that not having a fence around the premises, and leaving the keys in a boy's "dream toy" constituted an attractive nuisance and had these young children been injured, it would have been a different story and the owner would have been held liable. My client received a very short probation period and was ordered to pay restitution.;

- (c) DSS v. _____. This case involved a young mother who had three children in the custody of DSS. At the merits hearing, custody of two of the children was granted to their respective godmothers. The third child remained in foster care. Shortly thereafter, the mother gave birth to a fourth child, but this child was born with drugs in his system and died three days later. The mother was convicted of the child's death and was incarcerated.

I filed a TPR complaint for the daughter who remained in foster care. One of the grounds alleged in the TPR complaint was failure to support. The mother's attorney answered the complaint and denied the allegation based on the fact the mother was incarcerated and could not support her child. To back his claim, the attorney sighted the then recent case of DSS v. Wilson. At trial, I called the mother as an adverse witness and inquired whether she had a Cooper Trust Fund Account (canteen account) while she was incarcerated. Through a series of questions, it was revealed that she did have an account, that her mother, father and brother had regularly deposited money into the account, and that over a period of nine months, her relatives had deposited almost \$700.00 into her account. She never asked any of

these relatives to pay her child support obligation for her daughter in foster care. Among the other grounds alleged, the court granted the termination on the basis that the mother failed to support her child;

- (d) DSS v. _____. This case is significant because it was the only TPR case that I had where the court granted the termination when the guardian ad litem did not recommend that termination of parental rights was in the child's best interest.

The case involved a very young child in foster care. The child's parents were drug addicts and the family was living in and out of motels. The child was placed into emergency protective custody. The child's paternal grandmother came forward seeking to care for the child but she was only willing to do so as a licensed foster parent, so she could receive assistance for caring for him. The grandmother became licensed and the child was placed in her care. However, the grandmother later violated the licensing agreement and as a result, DSS revoked her license and removed the child from her home. At that point, it was explained to the grandmother that she could seek custody of the child, but she declined. She did not want to care for the child unless she could be a foster parent and receive financial assistance from DSS. However, she continued to maintain a relationship with the child through regular visits, when she brought her son to visit his child.

Before the TPR hearing, the mother relinquished her parental rights to the child. On the day of the trial to terminate the father's rights, the guardian and litem and the father's attorney spoke with the grandmother, who was present for the trial, and she agreed to care for the child. We met with the trial judge about the grandmother's position, and over my fervent objections, the judge continued the case and ordered DSS to complete a new home study on the grandmother.

Two days later, the grandmother changed her mind and no longer wanted the child. I rescheduled the trial. At trial, the guardian ad litem testified that he did not believe it was in the child's best interest to terminate the father's parental rights, because the child had a relationship with his father and grandmother, and there was not yet an adoptive resource for the child. The guardian ad litem recommended reunification. However, the court sided with DSS and granted the termination;

- (e) DSS v. _____. This case is significant, because of the time and effort that was required to perfect service on the defendants. The mother had five children, all of whom entered foster care when the youngest child was born addicted. The mother had been quite transient and her children were born all over the country. The baby was born in Richland County; two were born in OH, but different counties on different sides of the state; one was born in TX; and one was born in

AZ. About a year after giving birth to the youngest child, the mother reportedly left SC for KY and provided DSS with a KY address.

It was believed that all of the children had different fathers. DSS had no information on the fathers for the children born in SC and OH. I knew the identities of the TX and AZ fathers. To perfect service, I had to publish in two separate newspapers in OH, and The State newspaper for the child born in Richland County. The TX father was incarcerated, and I arranged for personal service with the constable serving the county where the facility was located. The constable confirmed the father was incarcerated in his county. By the time the paper work and payment was delivered to the constable, the father had been moved to another facility in another county. I contacted that county's constable and was finally able to serve this father. Through a diligent search, I located the AZ father and had him personally served. He immediately called me and vehemently denied that he knew the mother or that he was the child's father. He claimed that the father of the child must be someone else with the same name and birth date because he was married, and during the time the child would have been conceived, he was in the military and stationed overseas. To be safe, I published in an AZ newspaper.

I arranged for the sheriff to serve the mother in KY. The sheriff called me from the address to say it was vacant. I then published against the mother in a KY newspaper.

After service on all parties, I set the hearing date. About a week before the hearing, a caseworker informed me that the mother had just shown-up at Palmetto Health Richland, and had given birth to another child also born addicted. The infant was placed in foster care. When the mother left the hospital, she left her boyfriend's mother's address and number in Charleston, in case the hospital needed to contact her.

I called the Charleston number and spoke with a woman who said she had not seen her son in years and knew nothing about a girlfriend or a baby. I told her that because the mother left this address, I would have to send a process server to her house. As expected, she refused service. I then served the mother by publication in the Post and Courier. After literally months and months of trying to get the defendants served, I was finally able to go forward with the TPR hearing on the five original children. I immediately filed a separate TPR action for the infant and in less than four months the infant was free for adoption.

20. List up to five civil appeals you have personally handled. Give the case name, the court, the date of decision, and the citation if the case was reported. If you are a candidate for an appellate court judgeship (please attach one copy of briefs filed by you in each matter).

I have not handled any civil appeals.

21. List up to five criminal appeals that you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported. If you are a candidate for an appellate court judgeship (please attach one copy of briefs filed by you in each matter).
I have not handled any criminal appeals.
22. Have you ever held judicial office?
In July 2011, I was appointed by Columbia City Council to serve as a Substitute Associate Municipal Court Judge. In this position, I hold court an average of two to five times per month. With exception, municipal judges have jurisdiction over criminal matters where the fine and/or penalty does not exceed \$500.00 and/or 30 days imprisonment. Municipal judges preside over traffic court, criminal court, quality of life court, criminal domestic violence court, and bond court. Municipal judges cannot set bonds on offenses that are punishable by life sentences or death.
23. If the answer to question 22 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also list citations to any appellate review of these orders or opinions. N/A.
24. Have you ever held public office other than judicial office?
I have not held any public office.
25. List all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial office. Specify your dates of employment, employer, major job responsibilities, and supervisor.
- a) 2005-12, Children's Law Center/USC School of Law, Resource Attorney/Trainer. Supervisor: Tom Leclair, Senior Resource Attorney;
 - b) 2012-Present, DSS Office of Individual & Provider Rights, Assistant Director. Supervisor: L. Lynn McLendon, Director.
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? No.
27. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office?
- a) During high school and college holidays (1984-90), I worked part-time as a sales associate for The Understatement;
 - b) From 1990-91, while a college student in Washington, DC, I worked for General Services Administration (GSA), as a part-time childcare worker in its in-house daycare;
 - c) From 1991-92, I worked for the Student Loan Marketing Association (SALLIEMAE), in Reston, VA. I began employment as a data processor but was soon promoted to Specialized Borrower Services, where I researched problem loans to identify errors in loan origination, lost payments, accrued interest, deferments and forbearances, and loan repayment programs. I served as a liaison between borrowers and

SALLIEMAE. I was also one of two people in the center authorized to assist TTY clients;

- d) I am a licensed funeral director and embalmer. My father owns Manigault-Hurley Funeral Home, Columbia, SC. I grew-up next door to the business and earned an allowance by working for the funeral home. I began paying taxes in 1976, at age 6.

In 1995, after passing state and national board exams and completing an internship, I became licensed as a funeral director and embalmer. I was employed full-time until I began law school in 1998. As this is a small family business, I have performed nearly every conceivable duty, from washing cars, mopping floors, arranging and directing funerals, preparing the deceased for services, maintaining the grounds, acting as an administrative assistant, to acting as the public relations coordinator. I continued to assist whenever I am needed; however, I have not received a salary or any kind of compensation from this business in six years or more;

- e) From 1999-2000, I was employed as a law clerk for the Law Office of Jerry Leo Finney, where I worked on probate, juvenile, criminal and workers compensation matters;
- f) From 2000-2001, I was employed as a law clerk for the SC Department of Social Services, assigned to the Richland County Office. My duties included sending foster parents notices of family court hearings concerning the foster children in their care; drafting Removal, Intervention and Termination of Parental Rights complaints, and orders; and arranging for service of pleadings on defendants.

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

I am not an officer or director of any business enterprise. Although I appear as an Assistant Manager of Manigault-Hurley Funeral Home on its letterhead, this is just a ceremonial title. As already stated, I assist when needed and have not received any income or compensation from this business in over six years.

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

30. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest.

The only conflict of interest I can conceive is if a person were to appear before me, that I recognize as a person my family's business has served, I would explain the relationship on the record and recuse myself from the case.

31. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal

law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law?
No.

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

To my knowledge, I have never been the subject of any investigations.

33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy?

I have never been the subject of a tax lien or collection procedure. I have never defaulted on any student loans. I have never filed for bankruptcy.

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

To my knowledge, I have never been sued/named as a defendant personally or professionally.

36. 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?

I have never been investigated by the Department of Social Services and my name has never been placed on the Central Registry of Child Abuse and Neglect.

37. 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. N/A.

38. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a "lobbyist's principal," as defined by S.C. Code § 2-17-10(14)? No.

39. 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?

I have not accepted anything from a lobbyist or lobbyist's principal.

40. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions.

I have no knowledge of any allegations or charges against me or any other judicial candidate.

41. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign."

Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions.

I have no knowledge of any allegations or charges against me or any other judicial candidate.

42. 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.

- (a) 07/10/12: Postage, \$4.95;
- (b) 07/16/12: Business Cards, \$49.21;
- (c) 07/17/12: Name Badge, \$8.99.

43. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship.

No contributions have been made by me or on my behalf to any member of the General Assembly.

44. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened?

I have not directly or indirectly requested the pledge of any member of the General Assembly. I have not received the assurance of anyone that they will seek the pledge of any member of the General Assembly.

45. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf?

I have not requested a friend or colleague contact any members of the General Assembly on my behalf. I am aware that people know I am a candidate for family court, but I am unaware of any friends or colleagues contacting any members on my behalf. Several people have ask how they could help, and I have had to explain the restrictions.

46. 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.

Neither I, nor anyone acting on my behalf solicited or collected any funds.

47. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate?

I have not contacted any members of the Judicial Merit Selection Commission about my candidacy. I have not asked anyone to do so, and I am unaware of anyone acting on my behalf doing so.

48. 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) SC Bar Association;
 - (b) SC Summary Court Judge's Association;
 - (c) Children's Law Committee, SC Bar Association;
 - (d) Judicial Qualifications Committee, SC Bar Association (2006-June 2011);
 - (e) Children's Advocacy Law Society (student advisor, USC School of Law);
 - (f) Preneed Funeral Contracts Advisory Board, SC Department of Consumer Affairs.
49. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, any professional honors, awards, or other forms of recognition received and not listed elsewhere.
- (a) The Moles, co-chair, Resolutions/Recommendations;
 - (b) Jack & Jill of America, Inc.;
 - (c) Delta Sigma Theta Sorority, Inc.;
 - (d) Thomas Cooper Society, Board Member;
 - (e) PTO.
50. Provide any other information that may reflect positively or negatively on your candidacy, or which you believe should be disclosed in connection with consideration of you for nomination for the position you seek.
- I grew up in a family that instilled the importance of hard work, and service to the community. My mother is a retired Richland School District One Social Worker and my father is a businessman. Both of their professions serve families at their lowest moments. My parents have always treated others, no matter the person, with patience, understanding, dignity and respect. What I learned from witnessing my parents interact with others has been engrained in me. I have encountered people from all walks of life, and what I have found is that everyone has a story worth telling, and everyone deserves to be respected. I believe I have taken these qualities with me to Municipal Court, where I have been able to strike a balance between being courteous and respectful, yet fair and decisive in my rulings. I believe that these qualities will serve me well in family court.
51. References:
- (a) Thomas J. Leclair, Senior Resource Attorney
Children's Law Center
1600 Hampton St., Ste. 502
Columbia, SC 29208
803-777-1979
 - (b) The Honorable Robert H. Burnside
1500 Benson Rd.

Columbia, SC 29209
803-783-4953

- (c) The Honorable Carl L. Solomon
1519 Richland St.
Columbia, SC 29201
- (d) James Bennett, Executive Vice-President
First Citizens Bank & Trust
1230 Main Street, 8th Fl.
Columbia, SC 29201
- (e) Walter Tobin, Ph.D., President
Orangeburg-Calhoun Technical College
3250 St. Matthews Rd.
Orangeburg, SC 29118

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: Michelle Manigault Hurley

Date: August 7, 2012