

**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:
Family Court, At Large, Seat 4

1. NAME: Monét S. Pincus
BUSINESS ADDRESS: 3306 Millwood Avenue
Columbia, SC 29204
TELEPHONE NUMBER: (office): 803-576-3755
2. Date and Place of Birth: 1965; Berkeley, CA
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: Divorced on January 7, 2000, Theron J. Curlin, 5th Circuit, Richland County, no fault divorce. Married on November 11, 2000, to Danny Wade Allman. Three children.
6. Have you served in the military? No.
7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
 - (a) I began college at the University of Tampa from 1985-87;
 - (b) I transferred to Seton Hall University and graduated with my BA in English in 1989;
 - (c) I attended Mississippi College School of Law from 1990-93 where I received my 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, 1993; FL 2001 (inactive).
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.

Law School:
Law Review from 1991-92; I was the Case Note Editor;
Moot Court competition—I won best brief, best advocate and first place of the competition in 1999.
I joined the Moot Court Board and was the first student to hold two honor/leadership positions in that school—Law Review and Moot Court Board; Dean’s List Scholar.
I also participated in an ABA Writing Competition.

College:
I participated in a Study Abroad program to the Far East which included China, Hong Kong and Korea; Dean’s List Scholar.

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

2012

Title	Date
Family Law Seminar, SCAJ	8/2/12-8/2/12
Moderator, Family Ct. Judicial Forum	5/11/12

2011

Title	Date
Abuse and Neglect Cases	11/18/11
Annual Solo & Small Firm Seminar	9/23/11
Hot Tips from the Coolest Fam. Law Practitioners	9/16/11

2010

Title	Date
Houston Family Law Trial Inst.	5/15/10
Hot Tips for the Solo or Small Firm	9/24/10
Hot Tips from the Coolest Family Ct.	10/1/10
Family Ct. Bench and Bar	12/3/10

2009

Title	Date
Hot Tips from the Coolest Family Ct.	9/18/09
Family Ct. Bench and Bar	12/3/09

2008

Title	Date
Hot Tips from the Coolest Family Ct (Audited but did not report hours as annual requirement was previously met)	9/19/08
Family Ct. Bench and Bar	12/5/08

2007

Title	Date
Attorney Ethics in Negotiation	2/21/07
Military Family Support	1/10/07
Ethical Considerations and Pitfalls for the Family Law Lawyer	3/27/07
Family Court Mediation Training	8/16/07

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?

I taught for 4 years at the USC Law School as an adjunct legal writing professor to 1L's. I taught bankruptcy at Columbia Junior College as an adjunct professor in 1998. I taught bankruptcy and law office management at South University for its paralegal program in 2003 and a family law paralegal course in 2001 and 2002. I have lectured or taught at the following seminars: Solo & Small Firm Annual Seminar (2010) (Keeping and Getting a Good Reputation), Hot Tips from the Coolest Family Law Practitioners (2010) (Admissibility of Evidence at Trial), Children's Law Center (2010) (Abuse and Neglect); SC Bar Distance

Learning Program-produced 1 hour video on child custody cases (2011), Children's Law Center (2011)(Abuse and Neglect); Children's Advocacy Law Society, (Children in Family Court Litigation) (2011); Divorce Litigation: From Start to Finish (2011) lectured about discovery in family court; Moderator: Family Court Judicial Forum (2012) (Moderated Panel of Judges with questions/answers). I am a scheduled speaker: September 14, 2012: Presenter, Fees Roundtable, Solo & Small Firm Annual Conference; September 28, 2012, Presenter, Deposition Dos and Don'ts, Hot Tips from the Coolest Domestic Practitioners.

Speaker's Bureau for the SC Bar: I have been on the bureau for more than 6 years as an available community speaker for family law issues. I taught the family law course for the "Law School for Non-Lawyers" at Midland's Tech. I taught the Legal Lessons Series on Family Law at the public library in 2011. I was interviewed by a local radio station to promote the Law School for Non-Lawyers family law course. I spoke to a Grandparent's Group about grandparent rights. I spoke to a Church Group about divorce matters. I spoke to a group of practicing family law paralegals to teach them how to effectively assist family law attorneys. I speak at business network meetings on family law.

Ask-A-Lawyer: I have served as a volunteer for more than 4 years for this program offered through the S.C. Bar which answers questions from the public during designated times either through a phone bank or a web chat. Most of the questions I field are about family law issues.

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

My written material for each CLE Presentation listed in Question 11 is published as part of the CLE program for the attendees. Articles published in the CityMom, a SC Publication: The New Year, What You Need to Know About Divorce 101 (1/05), Child Custody—Does Mother Know Best? (3/05), Divide the Child (5/05), A Woman's Life After Divorce—Now What? (7/05). Legal Lessons: A Series for the Public (SC Bar) 2011/2012.

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

- (a) SC State Courts, 11/15/93;
- (b) SC Federal Courts, 11/7/95,
- (c) Florida State Courts (Inactive), 4/16/01.

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) Berry, Quackenbush & Stuart, 1993-97: I was an associate in the litigation section of the law firm; I participated in all aspects of civil litigation from client intake to trial.
- (b) Hampton Monge Shupe & Curlin, 1997-2001: I was a member of this law firm with family law as my primary practice area. This firm eventually became Curlin Law Firm when the other partners left and was dissolved on 9/26/02.

- (c) Pincus Law Firm, LLC, 2001-9/26//02. I was a sole practitioner practicing family law exclusively.
- (d) Palmetto Law Group, LLC: 9/02-2003. I merged my practice with two other attorneys and continued my focus in family law.
- (e) Monet S. Pincus, LLC: 2003-June 2007. I returned to my own practice as a sole practitioner with a focus in family law.
- (f) Pincus & Loomis, LLC: June 2007-June 2010. I took on a partner in June 2007. I continued my family law practice during this time. My partner accepted another employment position.
- (g) Monet S. Pincus, LLC: June 2010-present. I reverted to this company when my partnership dissolved in June 2007. I do business as Pincus Family Law.
- (h) Department of Health and Human Services 8/2007 to present: Contracted hearing officer in conjunction with my private practice.

While my law firm has changed corporate names several times since 1997, I have exclusively practiced family law since 1997.

- 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.

Divorce: I have instituted and defended multiple actions for divorce over 15 years. I have litigated all the grounds for divorce; pled affirmative defenses; and successfully defended grounds for divorce. I have handled many divorces between parties who were residing over seas. I have dealt with the Hague Convention regarding service of process for divorce actions involving other countries.

Equitable Division of Property: Most of my divorce actions involve equitable division to some degree. I have handled complex estates and simple estates. I am familiar with the complex areas of law involving equitable division such as federal taxation, business valuations, ERISA, QDRO's and division of different types of retirement plans. My admission to the AAML affords me the use of national expertise in these areas as well. I have utilized financial experts and consultants in this area as well. I am familiar with transmutation. I have tried many equitable division and settled many through mediation as well.

Child Custody: This is my preferred choice of litigation. Many of my cases overlap with custody and equitable division issues, but many are also solely based on child related issues, such as parties that were never married but had children. I have handled all types of cases involving children including visitation, custody, interstate custody, and all ancillary aspects of a custody case. I have utilized experts and have served as a Guardian. I have had several trials involving custody. Most of my custody cases have had successful endings. I have drafted forms and information for clients and prospective clients regarding custody. I spend hours studying about child cases and the law both local and

nationally. I participate in mediation and arbitration regarding custody issues. I am familiar with the local experts and Guardians and have an good working relationship with them.

Adoption: I have handled many step-parent adoption cases or relative adoption cases. I have handled a few contested adoption cases including a current case the details of which I would like to protect.

Abuse and Neglect: I have been appointed in these cases for children and I have volunteered for adult APS cases when DSS was no longer allowed to appoint attorneys for APS cases. I teach CLEs on abuse and neglect and have good working knowledge of the statutes and procedures.

Juvenile Justice: I have not represented a juvenile. My practice and experience in family courts, along with my ability to understand our statutory law will be a great benefit for me to transition into Juvenile work from the bench.

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.
I am AV Preeminent Rated by my peers in Martindale-Hubbell.
16. What was the frequency of your court appearances during the last five years?
(a) federal: 0%;
(b) state: 100%.
17. What percentage of your practice involved civil, criminal, domestic, and other matters during the last five years?
(a) civil: 0%;
(b) criminal: 0%;
(c) domestic: 100%;
(d) other: 0%.
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%.
Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? Sole counsel or lead 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) Pincus v. South Beach Marina, et al. This case was significant because it was the first trial of my legal career and I handled it as sole counsel. It was a civil case, jury trial that lasted 5 days. I prepared everything on this case from the pleadings to my closing argument. Opposing counsel was highly experienced and had a team of support staff assisting him. I won a jury verdict which included punitive damages for the civil tort of intentional interference with a contract.
(b) Courtenay v. Courtenay. This was my first multi-day custody case as a family law practitioner lasting 5 days. The case was important because I represented the father seeking custody of his 3 daughters. He was in the military and stationed in Germany throughout the proceeding. If he

prevailed, it would mean the children would leave the US to live with their father in Germany. The mother had been the primary caretaker. The judge believed the best interest of the children would be served if my client were the custodial parent and my client and his daughters moved to Germany. The significance of this case to me was that my client had to overcome a primary caretaker mom and an international relocation. It was also my first exposure to expert witnesses and expert testimony by a psychological expert.

- (c) - v. - [the parties names are omitted]. This case is a custody case that I considered very significant. I represented the mother who was trying to regain custody of her daughter from a third party. She lost custody through a DSS abuse and neglect case because of her crack cocaine addiction. She spent several years rehabilitating herself and saving money for an attorney. She used all of the available state resources to help her with rehabilitation and employment. She even won an award through her state job project that paid her Guardian ad litem fees as her prize. This is one of my happiest cases in family court and a wonderful example of a mother working for her second chance and getting it. Mother and daughter are reunited and thriving.
- (d) Duncan v. Duncan. This was a custody and equitable division case involving a military Father and a Mother with a cocaine addiction. Father was awarded temporary custody during the litigation due to Mother's chronic drug use and ultimately won custody at the trial. This was significant to me because I was able to successfully argue against dividing Father's military retirement benefits with Mother due to Mother's lack of support for him and child during marriage and failure to enter evidence into the record regarding the valuation of such benefits. It was also significant because it was the first case that I used to train my associate attorneys to litigate by delegating tasks to them including examination of certain witnesses and trial preparation. Mentoring these associates was incredibly rewarding.
- (e) Moore v. Massey, HineLine and Henderson. This action involved the Uniform Child Custody Jurisdiction Act (UCCJEA). It was significant because I not only enjoy the challenge of interstate, complex matters, but it involved a child wrongfully taken from his caretaker and his home state of Tennessee. I prevailed in SC and the child was returned to TN.
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).
- Rochester, Paul (Respondent) v. Jenkins, Ruby (Appellant). I was lead counsel for Mr. Rochester at trial and co-counsel during the appeal. The appeal was dismissed on 3/17/11.
21. List up to five criminal appeals that you have personally handled. None.
22. Have you ever held judicial office? No.
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.

24. Have you ever held public office other than judicial office? No.
25. List all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial office. n/a
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? 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.

Prior to attending law school, I was the Store Manager of McDonald's in Silverton, New Jersey. I began my career at McDonald's when I was first permitted to work at the age of 16. I attended all of the corporate schools including Hamburger University in Oakland, IL. My career ended in 1989 when I was accepted to law school. I also was a manager at a TJ MAXX but I do not know the exact dates. I worked as a grocery store clerk at some point, but I do not know the exact dates. All other employment has been associated with the practice of law.

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

I am president of Houses of Light, Inc. a non-profit corporation that I formed in 1998. It is an inactive corporation with no board members.

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. None.
32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? No.
33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? No.
34. Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law? If so, give details, including but not limited to dates, and resolution.

(a) Curlin v. Curlin—case number 99-DR-40-5289. This was a no fault divorce action. I was the Defendant. We had no children, property, assets or debt to divide. It was a simple divorce. The Final Decree was filed on January 7, 2000.

(b) Sligh v. Hampton, Monge, Shupe & Curlin, LLC. This plaintiff attended a real estate closing at my office and tripped walking in the entranceway. She sued the firm for personal injuries she received as a result of her fall and our insurance company provided the defense. The case settled. I do not remember the case number. I believe the case occurred in 1998.

(c) Security Title v. Curlin Law Firm, LLC, et al, 12/19/02. My ex-husband, Theron Curlin, was a title agent for Security Title. He was disbarred for stealing real estate escrow money. He was covered under my malpractice policy. Security Title sued the law firm to access the malpractice policy. My

company was provided defense by the insurance company. I was not sued personally. This case settled and was disposed of on 3/5/04.

- (d) Palmetto Law Group, LLC, Karl Jacobsen & Bobby J. Long v. Monet S. Pincus, case number 03-CP-40-4928 filed on October 13, 2003. This lawsuit was filed against me personally by my previous partners in Palmetto Law Group, LLC. They sought declaratory relief that I was not a member of the firm. I defended this suit and an Order was entered on April 13, 2004 finding that I was a member of the law firm; the Plaintiffs were sanctioned; the Plaintiffs damaged me and the company in an amount in excess of \$400,000; and other specific relief spelled out in the order. I was awarded damages exceeding \$400,000, including my attorney's fees. I was appointed as the Receiver to wind up the business of Palmetto Law Group. One of the Plaintiffs is disbarred. I am not sure the status of the other.
 - (e) A public index search shows that I was listed as a Defendant on a Lis Pendens in a case in 2004. I do not recall anything about this case. It was dismissed on September 5, 2006.
 - (f) Parker v. Vortex Cycles, LLC, filed 7/28/05. I was the registered agent of Vortex Cycles, LLC and was named in the case under the mistaken belief by the Plaintiff that I had an ownership interest in the company. The case was dismissed on 8/3/06.
 - (g) Hodge Systems and Consulting Services, LLC v. Pincus & Loomis, LLC, case number 2011CV401030069, Magistrate Court. This case was filed sometime in 2011 regarding a dispute over services rendered for telephone work and payment of services rendered for the law firm. The case settled and was dismissed in 2011.
36. Have you ever been investigated by the Department of Social Services? Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? No.
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?
Yes. I have been covered since 1997 when I opened my own law firm.
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? No.
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." None.

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.” None.
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.
 \$22 on name tags, \$9 on postage, \$30 on business cards and approximately \$10 on paper and envelopes.
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. None.
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? No.
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?
 My friends and colleagues are aware of my interest to serve as a family court judge and may have contacted members of the General Assembly about me, but not to my direct knowledge. I have forwarded letters of my candidacy or given my business cards to some members of the general assembly but have not sought commitments, pledges or votes from any member of the general assembly either directly or indirectly.
46. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No.
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? No.
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) American Academy of Matrimonial Lawyers, Fellow;
 - (b) American Bar Association;
 - (c) American Bar Association Family Law Section;
 - (d) SC Bar Association;
 - (e) SC Bar Association Family Law Section;
 - (f) SC Solo & Small Firm Section, Council Member 2010-13;
 - (g) Richland County Bar Association;
 - (h) Lawyer Related Education Committee;
 - (i) LRE Mock Trial Sub Committee;
 - (j) CLE Committee;
 - (k) Assigned Member Fee Dispute Board, SC Bar;
 - (l) SC Association for Justice;
 - (m) SC Women’s Lawyer Association;
 - (n) Speaker’s Bureau, SC Bar;

- (o) U.S. District Court, SC;
 - (p) SC Bar Admission;
 - (q) Florida Bar Admission (Inactive).
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) I am a volunteer pro bono attorney with the SC Bar. I received a Certificate of Appreciation for 35 or more hours of pro bono public service in 2003.
 - (b) I volunteer for Meals on Wheels

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.

My devotion to family law and my family court experience should reflect positively on my candidacy and will be an asset to my judgeship. This is the only type of law I practice and my practice is large. My firm sees 400-600 people each year that are facing family court issues. These consultations have given me extensive insight to what the people of this State think about our family court system and what they are most concerned about when bringing their cases before a judge. This insight will be beneficial to me as a Family Court Judge. I also spend many hours keeping abreast of the law, attending family law CLE's, attending national and statewide conventions to enhance my skills and knowledge of family law and reviewing marital litigation reference books. My vast courtroom experience arguing motions and trying cases will be an asset to me as a Family Court Judge. Additionally, my practical application of the Family Court Rules, the Rules of Civil Procedure, and the Rules of Evidence on a near daily basis are an asset to my candidacy.

I have above-average experience in this area of law. I am not seeking this judgeship simply to be "a judge"—I only want to be a Family Court Judge. I promote the profession of family law to the public through speaking and my radio show; to young lawyers through mentoring and offering law clerk positions; and to my peers by teaching CLEs and participating in many networking events. I support the Bar through volunteer, charitable giving and active participation. I am a certified Guardian ad Litem and a Certified Family Court Mediator. My life's experiences as a child of divorce and a step-mother affect how I practice family law and influence me with not only with my commitment to family law as a practitioner, but my desire to serve as a Family Law Judge.

51. References:

- (a) Jane C. Brissette, Senior Vice President, Private Banking
SC Bank & Trust
520 Gervais Street
Columbia, SC 29201
803-540-3937
- (b) Vastine G. Crouch
140 Lookout Lane
Irmo, SC 29063

- 803-429-4150
- (c) Tim Miller
General Manager, Double O Radio Columbia
1629 Jamaica Drive
West Columbia, SC 29169
803-760-2665
- (d) Ken Lester, Esquire
Lester & Hendrix
1901 Gadsden Street, Suite A
Columbia, SC 29201
803-252-4700
- (e) Robert N. Rosen, Esquire
Rosen Law Firm, LLC
P.O. Box 1840
Charleston, SC 29402
843-377-1700

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: Monet Pincus

Date: August 9, 2012