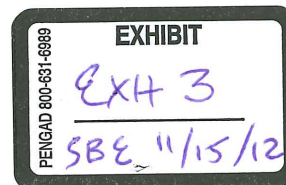


**JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:  
Family Court, At Large, Seat 5



1. NAME: Mr. Stevens Bultman Elliott  
BUSINESS ADDRESS: 1417 Bull Street  
Columbia, SC 29201  
TELEPHONE NUMBER: (office): (803) 254-7980
2. Date and Place of Birth: 1952; 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 August 24, 1972, to Pamela Willis Elliott. Never divorced, three children.
6. Have you served in the military?  
I served in the United States Army (1972-75) E-5 250-96-3370 Not presently in military; Honorable Discharge.
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) USC '70-'71 & '75-'78 BA History (magna cum laude);
  - (b) USC School of Law '78-'81 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, 1981.
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.  
During college and law school, I was married and had children. I had to work as much as possible. I worked at the SC Comptroller General's Office, Woodlands Golf Club, and at the SC Employment Security Commission. I coached youth baseball throughout and spent a total of 27 years in a coaching position. I was a husband and father during this time also.
10. Describe your continuing legal or judicial education during the past five years.
 

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Mediation and Arbitration – Three Perspectives	01/11/12;
(b) 21 <sup>st</sup> Annual Criminal Practice in S.C.	02/24/12;
(c) Intellectual Property and the General Practitioner	02/28/12;
(d) 2011 GAL Update	01/28/11;

- |     |   |           |
|-----|---|-----------|
| (e) | Top Trial Lawyers Tackle Civil Procedure          | 02/18/11; |
| (f) | 2010 S.C. Tort Law Update                         | 02/28/11; |
| (g) | ABOTA Mastery in Opening Statements               | 02/12/10; |
| (h) | 19 <sup>th</sup> Annual Criminal Practice in S.C. | 02/26/10; |
| (i) | Common Law Marriage in S.C.                       | 02/28/10; |
| (j) | ABOTA Masters of Cross Examination                | 02/06/09; |
| (k) | Sidebar, SC Live                                  | 02/20/09; |
| (l) | Family Law Update (Sept., '05 – Apr., '06)        | 02/29/08; |
| (m) | Family Law Update (Apr., '06 – Oct., '07)         | 02/29/08; |
| (n) | SCTLA 2007 Annual Convention                      | 08/02/07. |
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.
- (a) I have taught Criminal Justice at Midland's Technical College;
- (b) I lectured a session on the Practice of Law and Humor at my 20<sup>th</sup> Law School Reunion in 2001.
12. List all published books and articles you have written and give citations and the dates of publication for each. None.
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) Admitted to the SC Bar in 1981;
- (b) Admitted to Federal District Court of SC in 1982.
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.
- I have been in the private practice of law since 1981. I first practiced with my two brothers at the Elliott Law Firm until 1984. I went into practice for myself in 1984 and remained a sole practitioner until my eldest son Christopher came in with me in 2005. My son Reynolds came to practice with me in 2011. We have a general practice of law doing primarily domestic litigation. I have also been an attorney for indigents with the Department of Juvenile Justice Parole Board for 30 years. I have represented over 30,000 juveniles before that Board. I have also done part-time work for the Employment Security Commission and now the Department of Employment and Workforce since 1981.
- 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.

My focus in practice has been in the Family Court area since 1981. In all areas described, I have vast experience in each one. I have tried numerous cases in all of the described areas and have taken cases to the Court of Appeals and the Supreme 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. All of my business is by referral and I have seen no need for it.

16. What was the frequency of your court appearances during the last five years?  
(a) federal: seldom;  
(b) state: weekly.
17. What percentage of your practice involved civil, criminal, domestic, and other matters during the last five years?  
(a) civil: 15%;  
(b) criminal: 10%;  
(c) domestic: 75%;
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: 25%;  
(b) non-jury: 75%.

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) Rutherford v. Rutherford, 307 S.C. 199, 414 S.E.2d 157 (1992)  
My client, the husband, was seeking a divorce on the grounds of adultery. I had testimony from a number of sources that clearly proved wife had committed adultery. The Defendant, wife, presented her psychiatrist who testified that wife had twenty two different personalities. Gypsy Rose, one of those personalities, revealed to him that the adultery was committed. However, both the psychiatrist and the trial court felt that Mrs. Rutherford was innocent of adultery due to her mental illness. I appealed this determination on behalf of my client. Due to the novelty of the issue, the case received world-wide attention. Eventually, the Supreme Court for SC held that a person must be able to know right from wrong before a wrong they committed would be used against them for a ground for divorce;
- (b) Gris McDonald and White Oak Properties, Inc. v. Shirley Griffin, et al.  
This action involved the sale of a home in which the buyer became dissatisfied after the sale, claiming the seller had not informed her of certain defects. My client was the seller. The case was tried as a

breach of contract action. At trial, the jury rescinded the contract, in that they required the seller to purchase the house back from the buyer at the original contract price with no award of damages. The opposing lawyer presented his time sheet accounting for hours he had spent on the case along with a fee agreement providing for his receiving a third of any damages received. By the jury requiring my client to buy back the house, the trial court determined that he had breached the contract. Further, the trial court determined that this breach entitled the buyer to attorney's fees based upon the terms of the contract. The trial court awarded the opposing lawyer a third of the cost of the house, rather than the amount of hours he had worked at an hourly rate, which was less than a third of the cost of the house. I appealed the amount of attorney's fees on behalf of my client arguing that the opposing side had not received any beneficial results. The jury merely put the parties back to where they were before the sale of the home, giving the buyer back her money and the seller back his house – an even trade. The appellate court agreed, in that it reversed the trial court's award of attorney's fees based upon the contingency agreement. Instead, the appellate court significantly reduced the amount of attorney's fees based on a reasonableness standard. This case proved to be an in depth refresher on the law regarding the award of attorney's fees;

- (c) \_\_\_\_\_ vs. S.C. Department of Mental Health.  
(Names withheld due to confidentiality)

This case was a worker's compensation case in which my client, a nurse, was attacked by an inmate at a mental health facility where she suffered serious injuries. Under the policy of the S.C. Budget and Control Board, an employee injured by an inmate attack would receive full pay from their agency rather than the 66 2/3rds of their average weekly wage under worker's compensation. The case lasted for years, and due to my insisting my client be afforded all benefits to which she was entitled under the law and policy, the policy was subsequently changed to an employee being limited to six (6) months administrative leave rather than indefinitely;

- (d) \_\_\_\_\_ vs. \_\_\_\_\_

This was a trial in the Family Court. My client revealed to me that her two year old child was not her husband's child, and that she wanted to tell him who the actual father was. Further, she wanted a divorce so that she could marry the actual father. I required her to do a DNA test before she told her husband. After the test revealed that her husband was not the father, she told him. I filed an action on her behalf, seeking custody of the child for my client so that the child could begin to be raised with its real father. To my surprise, the husband, who had a part in raising the child, challenged my client for custody of the child. The trial was both emotional and enlightening in regard to bonds that be

formed with children, no matter what the relationship. The trial court awarded custody to the mother but did give the husband visitation with the child. The case was a reminder of the emotional turmoil caused by marital deceit;

(e) \_\_\_\_\_ vs. \_\_\_\_\_

As a young lawyer, I was appointed a Guardian ad Litem for a woman who was giving up her four year old little girl for adoption. The woman had suffered mental health issues and was also struggling with drug addiction. I interviewed the woman and asked her questions concerning her decision to allow her daughter to be adopted. She answered very coldly and matter of fact about her realization that she could not provide a future for her daughter, and that she felt it was in the best interest of the child to be adopted by a couple who really wanted a child. I was somewhat taken back by the lack of tears involved by this conversation which led me to her mental health professionals that were treating her. I talked to all of them and they assured me that she had the mental capacity to make such a decision, and that she was well aware of the finality of her decision. Based on these assurances, I was ready to tell the Court that I felt the mother was equipped to make the decision. There were Guardians appointed for the child, and home inspections done for the adopting couple out of Florida. I met them the day of the hearing. They were both very nice and very excited. Neither of us had seen the little girl. I saw the mother walking with the little girl down the hallway of the Courthouse. The little girl looked like Shirley Temple. Her mother sat down on a bench in the Courthouse and started to explain what was going to happen. This was the first the little girl had heard of it. It was the most emotionally jarring scene I have ever witnessed. The little girl was crying and asking why she had to go with these strangers. Very stoically, the mother told her it was for her own good.

I could not stand it and I had to go somewhere else. I went into the room where the prospective parents were waiting. I told them what I had just seen. I was so emotionally charged at the time. I told them about the child they were going to receive and made them promise me they would take care of her. Honestly, I did not know what else to do. I am normally in control of my emotions, but this scene was too much for me. I have never been able to forget it. That experience spoke volumes to me about life, parenting, adoption, and the best interests of children.

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).

(a) Whyndham Enterprises, LLC and Rodney Whyndham, Individually v.

The City of North Augusta and The City of North Augusta Board of Zoning Appeals, Case Number 2009-CP-02-02823 (currently awaiting decision from Court of Appeals);

- (b) Rutherford v. Rutherford, 307 S.C. 199, 414 S.E.2d 157 (1992);
- (c) Williams v. Williams, 374 S.C. 149, 647 S.E.2d 256 (Ct. App. 2007);
- (d) Rainwater v. Rainwater (Court of Appeals)  
Unpublished Opinion No. 2012-UP-286 (petition for rehearing pending);
- (e) Rouse v. Nauful (Court of Appeals).

21. List up to five criminal appeals that you have personally handled. None.
22. Have you ever held judicial office? No.
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?  
I ran for Family Court Judge in 2004. I was qualified but not nominated. Dorothy Mobley Jones was elected.  
I ran for Family Court Judge in 2009. I was qualified and nominated, but Gwen Smalls was elected.
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) Driving Range Co/Owner 1991-96;  
(b) Mortgage Broker 2003-06;  
(c) Real Estate Broker 1995-2010.
28. Are you now an officer or director or involved in the management of any business enterprise? No.
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.
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? 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?

In approximately 1985, I had a Federal Tax Lien filed against me, which was subsequently satisfied. I have never defaulted on a student loan, and 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?

In the early to mid 80's, I was sued along with some business partners in foreclosure of a land investment. The land was sold and overage proceeds were distributed amongst the partners.

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? If so, please explain when you were covered by a tail policy.

I have been covered by mal-practice insurance for approximately 20 years. My present policy limits are \$500,000.00/\$1,000,000.00 with a \$5,000.00 deductible.

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. None.

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? No.
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.

The SC Bar Association.

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.

The Governor's Advisory Council on Juvenile Justice.

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. 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.

I will be married 40 years on August 24, 2012. My wife and I have raised three wonderful children. I believe I have a thorough understanding of the importance of the family unit. I have worked with youth in coaching baseball for 27 years and representing indigent juveniles before the Juvenile Parole Board for 30 years. My private practice has been predominately Family Court work, working in all facets. I have litigated and taken matters to the Appellate level in this area. I have performed part-time work for the Employment Security Commission, now the Department of Employment and Workforce, for over 30 years. I am an Army veteran. I believe my life's experiences, maturity, good judgment and positive demeanor will serve me well in adjudicating cases in the Family Court.

51. References:

- (a) Mollie D. Taylor  
3618 Sunset Boulevard  
West Columbia, SC 29169
- (b) Celeste T. Jones  
1221 Main Street  
Columbia, SC 29201
- (c) Gary W. Popwell, Jr.  
1314 Lincoln Street



- Columbia, SC 29201
- (d) Barry B. George  
1419 Bull Street  
Columbia, SC 29201
  - (e) Terrell H. Howard  
NBSC Bank  
P.O. Box 1457  
Columbia, SC 29202

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: Stevens Bultman Elliott

Date: August 8, 2012