

JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE

Court, Position, and Seat # for which you are applying:
Circuit Court, Fifth Judicial Circuit, Seat 1

1. NAME: The Honorable DeAndrea Gist Benjamin
BUSINESS ADDRESS: PO Box 192
Columbia, SC 29202
TELEPHONE NUMBER: (office): 803-576-1746
2. Date and Place of Birth: 1972; 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 June 8, 2002, to Stephen Keith Benjamin; never divorced; two 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) Winthrop University, BA, fall 1990-spring 1994 BA;
 - (b) USC School of Law – August 1994–May 1997 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.
 - (a) SC - November 18, 1997;
 - (b) Federal District Court of SC – September 21, 2001;
 - (c) Fourth Circuit Court of Appeals – November 18, 2002.
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) Winthrop University –
Political Science National Honor Society (1993-94)
Delta Sigma Theta Sorority, President (1992–94);
 - (b) USC School of Law –
Student Bar Association, Executive Council (1994-97)
Black Law Students Association (1994-97)
Women in the Law (1994-97)
W.G. Kellogg Foundation Child Advocacy Fellow (1996).



10. Describe your continuing legal or judicial education during the past five years.
- | | <u>Conference/CLE Name</u> | <u>Date</u> |
|----|--|---------------------|
| a) | SC Circuit Court Judges Conference | May 2, 2012; |
| b) | SC Bar Convention | January 20, 2012; |
| c) | SC Defense Trial Lawyers Association | November 3, 2011; |
| d) | SC Black Lawyers | October 14, 2011; |
| e) | SC Solicitor's Association | September 25, 2011; |
| f) | SC Annual Judicial Conference | August 17, 2011; |
| g) | SC Association of Justice Conference | August 4, 2011; |
| h) | SC Circuit Court Judges' Conference | May 4, 2011; |
| i) | 2011 Orientation School for New Judges | July 6, 2011; |
| j) | Investigation and Prosecution of CDV | June 16, 2010; |
| k) | Domestic Litigation | May, 21, 2010; |
| l) | Child Welfare in SC | January 23, 2010; |
| m) | Criminal Law Update I | January 22, 2010; |
| n) | SC Bar Family Law Update | January 22, 2010; |
| o) | SC Black Lawyers Annual Conference | October 1, 2009; |
| p) | Ethics 2008 | July 14, 2009; |
| q) | 24 th Annual Criminal Law Update I & II | January 23, 2009; |
| r) | SC Black Lawyers Annual Conference | October 30, 2008; |
| s) | Ethics 2007 | July 14, 2008; |
| t) | CDV: Law Enforcement Response | October 10, 2008; |
| u) | A Day in Discovery Part 2 | January 26, 2008; |
| v) | 23 rd Annual Criminal Law Update I & II | January 25, 2008. |
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
- While employed at the Attorney General's Office, I assisted in training Summary Court Judges Criminal Domestic Violence classes. (1999-2001);
 - SC Black Lawyers Association–Family Law Panel Discussion (Fall 2008);
 - I have also presented to the Young Lawyers Division Section at the Division's Conferences in the past;
 - SC Solicitor's Association – September 2011;
 - SC Black Lawyer's Association – October 2011.
12. List all published books and articles you have written and give citations and the dates of publication for each.
- "Why Doesn't She Leave? The Psychology of a Domestic Violence Victim." The American Bar Association Affiliate Newsletter, Volume 26 Number 2, Nov/Dec 2000.

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 practice before the State Courts of SC November 18, 1997;
 - (b) Also admitted to practice before the SC Federal District Court on September 21, 2001, and Fourth Circuit Court of Appeals on November 18, 2002.
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) SC Judicial Department, Judicial Law Clerk, The Honorable L. Casey Manning. (August 1997–August 1998).
 - (b) Fifth Circuit Solicitor’s Office, Assistant Solicitor, Juvenile/Family Court Division. (August 1998–November 1999) – I prosecuted felonies and misdemeanors involving juvenile offenders. I also served on the local Juvenile Drug Court.
 - (c) SC Attorney General’s Office, Assistant Attorney General (November 1999- July 2001). I was assigned to the prosecution division where I prosecuted cases involving violent acts against women and children, sexual assault offenses, elder abuse cases, and civil commitments under the Sexually Violent Predator (SVP) law.
 - (d) SC Juvenile Parole Board, Member and Vice Chair (July 2001–June 2004). I was a member of a ten-member board that presided over the retention and release of juveniles from the SC Department of Juvenile Justice. I served as Vice-Chair from July 2002-June 2003;
 - (e) Gist Law Firm, Partner (July 2001–April 2011). I am a partner in my family law firm. I handle all of the family court cases in our office. My family law practice includes marital litigation, child custody disputes, child support cases, DSS abuse and neglect cases, adoptions, and representation of juveniles in family court. My practice also includes Employment Law, Criminal law, and some Personal Injury work. I have also been appointed in the past to serve as a Guardian ad Litem in DSS cases and in child custody disputes.
 - (f) City of Columbia Municipal Court, Municipal Judge (July 2004–May 2011). Presides over the municipal courts for the City of Columbia. I handle misdemeanor criminal and traffic offenses, specialized Criminal Domestic Violence court and Quality of Life court. I preside over a term of Jury Trials every six weeks.
 - (g) Circuit Court Judge, Fifth Judicial Circuit (May 2011 – present)
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.?

I do not have a Martindale-Hubbell rating. I have never applied for a rating.

22. Have you ever held judicial office?
- (a) City of Columbia Municipal Court – 2004-11;
 - (b) Fifth Circuit , Circuit Court Judge – 2011- present.
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.
- (a) State vs. Hinson (Murder Trial);
 - (b) George Lee vs. University of SC and Gamecock Club (Contract dispute/Non- Jury Trial);
 - (c) Trumaine Moorner vs. Norfolk Southern (Federal Employee Liability case)
 - (d) State vs. Stukes (Criminal Sexual Conduct Trial);
 - (e) Jason and Natasha Singley vs. Norfolk Southern (Personal Injury Case).
24. Have you ever held public office other than judicial office? If so, list the periods of your service, the office or offices involved, and whether you were elected or appointed. Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office. If not, were you ever subject to a penalty?
- I served on the Juvenile Parole Board from July 2001–June 2004. I was appointed by Governor James H. Hodges, Jr. I timely complied with State Ethics reports.
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. None
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?
- I had an unsuccessful bid for Family Court (Fifth Circuit Family Court, Seat 1 in February 2010).
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? No
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? 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? No
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? 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? 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? If so, give details. 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.
- (a) SC Bar Board of Governors - 2007-09;
 - (b) SC Bar, Chair, Young Lawyers Division – 2006-07;
 - (c) SC Bar, House of Delegates – 2002-09;
 - (d) SC Bar, Young Lawyers Division, Fifth Circuit Representative 2001-03;
 - (e) American Bar Association, Young Lawyers Division, District Representative – 2003-05;
 - (f) American Bar Association, Minorities in the Profession Scholar–1998-99;
 - (g) Women Lawyers Association;
 - (h) SC Black Lawyers Association;
 - (i) Columbia Lawyers Association;
 - (j) Appleseed Legal Justice Center, Former Board Member.
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) Edventure Children’s Museum;
 - (b) Congaree Girls Scouts;
 - (c) Appleseed Legal Justice Center Board;
 - (d) St. John Preparatory School Board;
 - (e) Columbia Alumnae Chapter of Delta Sigma Theta;
 - (f) USC Community Advisory Board.
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.
- During my first year as a Circuit Court Judge, I have worked hard in disposing of both criminal and civil cases. I treat everyone with the respect and dignity that they deserve. I have upheld the dignity and decorum of the courtroom and I have worked hard to make prompt yet thorough decisions.
- As a municipal judge I received excellent ratings from my peers, lawyers appearing before me, police officers, jurors and community members.
- I have been a fair and impartial Judge and I believe in treating everyone with dignity and respect.
51. References:
- (a) Reverend Dr. Jamey O. Graham, Sr.
Saint John Baptist Church
3404 West Beltline Blvd.
Columbia, SC 29204

- 803-254-4170
- (b) The Honorable Jeanette McBride
Richland County Clerk of Court
P.O. Box 192
Columbia, SC 29202
803-576-1690
 - (c) James Bennett
First Citizens Bank
1230 Main Street
Columbia, SC 29201
803-931-8539
 - (d) Lynne Rogers
7900 Loch Lane
Columbia, SC 29223
803-319-5531
 - (e) Leitra Maxwell Young
527 River North Blvd
Macon, GA 31211
478-442-0671

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: DeAndrea Gist Benjamin

Date: August 8, 2012