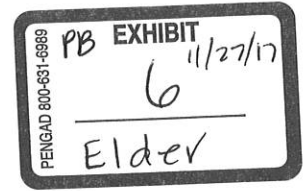


JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE



Court, Position, and Seat # for which you are applying:

1. Name: Ms. Donna Earls Elder

Name that you are known by if different from above
(Example: A Nickname): N/A

Are you currently serving in some capacity as a judge?
(Includes Municipal, Magistrate, Etc.) No

Home Address: [REDACTED]

Business Address: 1101 Pendleton Street, #214
Columbia South Carolina 29201

E-Mail Address: [REDACTED]

Telephone Number: [REDACTED]
(office): 803-212-6650
[REDACTED]

2. Date of Birth: [REDACTED] 1966
Place of Birth: Cherokee County, Gaffney South Carolina
Social Security Number: [REDACTED]

3. Are you a citizen of South Carolina? Yes
Have you been a resident of this state for at least the immediate past five years? Yes

4. SCDL# or SCHD#: [REDACTED]
Voter Registration Number: [REDACTED]

5. Family Status: In the space below, (a) state whether you are single, married, widowed, divorced, or separated; (b) if married, state the date of your marriage and your spouse's full name; (c) if you have ever been divorced or are in the process of obtaining a divorce, state the date, name of the moving party, court, and grounds; and (d) state the names of your children and their ages. If your children are old enough to work, include the occupation of each child.

Family Status: Divorced
Divorced on April 11, 2007, Horry County, S.C. Family Court, I was the moving party, One Year's Continuous Separation
No Children

6. Have you served in the military? If so, give the dates, branch of service, highest rank attained, serial number (if applicable), present status, and the character of your discharge or release. Please provide a copy of your DD214 concerning your discharge.
No
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) Clemson University 1984-1988, BA in Political Science and a BA in Economics
 - (b) Mercer Law School 1988-1990, transferred to USC School of Law
 - (c) University of South Carolina 1990-1991, JD Law
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) South Carolina admitted 1991, only took the bar exam 1 time.
9. List the significant activities in which you took part during your attendance at law school. Give the years you were involved in these activities and list any leadership positions you held.
 - (a) 1988-1989-Volunteer tutor/mentor at local group home
 - (b) 1989-Environmental Law Moot Court
 - (c) 1988-1989- research assistant to Constitutional Law Professor
 - (d) 1990-1991- research assistant for the SC Tax Study Commission
 - (e) 1990-1991- Relay for Life (American Cancer Society) Team Captain
10. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.
See attachment "A"
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 at Limestone College, Block Program, classes in Business Law, American Government, State and Local Government and Law;
 - (b) I have made several presentations at the annual Law Enforcement Conference in the areas of search and seizure, drafting warrants and Constitutional law;
 - (c) I have made presentations for the SCHP in the areas of Constitutional Law and legal updates;
 - (d) I have made presentations for the S.C. Bar, Hot Tips for Domestic Practitioners in the area of juvenile law;
 - (e) I have lectured at Horry Georgetown Technical School for their adult education short courses in the area of Basic 101 law;
 - (f) I have made presentations for DEA in the area of civil forfeiture;

- (g) I made yearly legal update presentations for local law enforcement agencies for a period of 14 years;
 - (h) I was a certified instructor for juvenile officers in the area of juvenile law;
 - (i) I have made presentations at the IOMGIA (International Outlaw Motorcycle Gang Investigators Association) annual conference in the area of gang prosecution and case development.
12. List all published books and articles you have written and give citations and the dates of publication for each. Please furnish as a separate attachment, two examples of legal articles, briefs, orders, or other legal writings for which you can claim sole or primary authorship. If you cannot claim sole authorship, please explain the extent to which you are the primary author, to include a description of the other authors and their contributions.
- No published books or articles
See attachment "B"
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) South Carolina, 1991
 - (b) US District Court for the District of South Carolina, 1992
 - (c) US Court of Appeals for the Fourth Circuit, 1993
 - (d) US Supreme Court, 2012
14. Describe chronologically, since graduation from law school, your legal experience. Please include a list of all positions held in which you worked in a legal capacity. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years. Please also describe the extent to which you were involved with the administrative and financial management of each of these entities, including management of trust accounts.
- (a) 1991-1992 Associate with Ken Holland, PA-We focused on personal injury and workers compensation cases. I prepared pleadings, interviewed clients, prepared discovery, assisted with deposition and trial preparation. Assisted on death penalty representation.
 - (b) 1992-2001 Donna Elder, Attorney-I handled all general litigation matters in Family Court, Civil and Criminal Court. I was also General Counsel for the Cherokee County School District. I managed all administrative and financial needs of the office including trust accounts.
 - (c) 1993-1994 Cherokee County Magistrate-I reviewed requests and issued arrest and search warrants, conducted criminal and civil trials. I also assisted in the management of the office staff and assisted with the development of the budget.
 - (d) 1994-1995 Member of South Carolina Juvenile Parole Board-We conducted parole review hearings for juvenile offenders. I also was a liaison between the agency and victim advocacy groups.
 - (e) 1995-2001 Chairman/Vice Chairman of South Carolina Juvenile Parole Board-I chaired parole review hearings for juvenile offenders. I also assisted in the management of the office to include the staff and the budgetary process.

- (f) 2001-2003 Assistant Solicitor for the Fifteenth Judicial Circuit-I prosecuted juvenile offenders and managed a case load in excess of 700 petitions, I also prosecuted during this period of time general sessions offenders and managed a case load in excess of 500 warrants. I was the lead trial attorney in numerous Family Court and General Sessions trial cases.
- (g) 2003-2014 Senior Assistant Solicitor for the Fifteenth Judicial Circuit-I prosecuted general session offenses, the bulk of which were violent crimes. I supervised a team of general session prosecutors, directing case management, shaping professional development and training a diverse group of attorneys. I guided team members regularly on issues of case development, legal theories, evidentiary and ethical issues. I managed a personal case load in excess of 400 active cases and a team case load in excess of 1600 active cases. I had an average of 4 criminal trials per year. I developed and executed a detention facility program resulting in a comprehensive reduction of case backlog and I served on a joint statewide committee for drug sentencing reclassification.
- (h) 2006-2012 Senior Assistant Solicitor, Drug Forfeitures, for the Fifteenth Judicial Circuit-I created a circuit wide program for effectively and uniformly filing civil cases for drug forfeitures. I served as attorney for the plaintiff in these matters handling all stages of the civil litigation to include trial. I had an average of 5 civil trials per year, most non-jury. I maintained the financial records and reports for the civil forfeitures utilizing a computer program I assisted in developing attached to our case management system.
- (i) 2014-2015 Statewide Prosecutor, South Carolina Department of Revenue-I was the sole prosecutor for DOR working with the investigators and directing case management and investigation. I traveled weekly to different regions of the State to appear in Court on behalf of the Department.
- (j) 2015-Present South Carolina Senate, Research Director-I consult directly with Senators on pending legislation to include advising as to the legality and constitutionality of bills. I research and draft constitutional and statutory changes in existing law. I am a liaison between members of the Senate and the media/lobbyist.

15. Please answer the following (if you are a judge and are not seeking a different type of judgeship, this question is inapplicable):

- (a) If you are a candidate for Family Court, please provide a brief written description of your experience within each of the following Family Court practice areas: divorce and equitable division of property, child custody, adoption, abuse and neglect, and juvenile justice. Include information about cases you have handled in each of these practice areas, or if you have not practiced in an area, describe how your background and procedural knowledge has prepared you to preside over such matters as a Family Court Judge. Please also indicate the frequency of your appearances before a Family Court Judge within the past five years.
N/A
- (b) If you are a candidate for Circuit Court, please provide a brief written description of your experience in criminal matters, including any cases handled over the past five years and include a brief description of the issues involved. Further, please provide

a brief written description of your experience in civil matters, including any cases handled over the past five years and include a brief description of the types of matters handled, issues involved, and procedural history. Please include information such as the primary areas in civil court in which you practice, whether you represent plaintiffs or defendants, or both. You may go back further than five years if you feel it would assist the Commission with its assessment of your experience. If you lack experience in an area, describe how your background and procedural knowledge has prepared you to preside over such matters as a Circuit Court Judge, or how you would compensate for your lack of experience in this area. Please also indicate the frequency of your appearances before a Circuit Court Judge within the past five years.

Criminal matters:

Between 2012-2014 while at the solicitor's office I had a significant case load of criminal cases. I tried approximately 7 criminal matters during that time period before a jury. Evidentiary issues arose in those trials to include statement exclusion, search warrant validity and applicability of the Protection of Persons and Property Act. In addition those trials were all victim cases so I have experience dealing with the rights victims have in criminal proceedings. I prepared motions and memorandum on related issues. In addition I was on a special task force involving 2 separate cases where charges of murder had been served in the absence of the victim's body. I handled the bond hearings and preliminary motions to quash and exclude certain evidence. I appeared on the average 10 days a month before a Circuit Court Judge on criminal matters. Between 2014-2015 while at the DOR I had several non-jury criminal trials and again dealt with various evidentiary motions and bond issues. I appeared on the average 5 days a month before a Circuit Court Judge on these criminal matters.

I believe throughout my career I have had an opportunity to deal with every imaginable issue that could come up at a criminal trial, with my service on the Parole Board and juvenile experience I have gained insight on how important an effective sentencing structure can be on the success of an offender.

Civil matters:

I have not handled a civil case in the past five years. However prior to that I was solely responsible for a civil docket with approximately 200 plus active cases. As plaintiff's attorney, I prepared the pleadings, affidavits, motions, discovery and other required documents. Because I had to regularly appear before the Court on these matters, approximately 5 days a month, I had to familiarize myself with the Rules of Civil Procedure, docketing procedures and trial procedures. Prior to working in the Solicitor's office I appeared on personal injury cases as the plaintiff's attorney and as attorney for the applicant on PCR hearings regularly. Although I do not have recent experience in civil court I do believe my background would allow me to quickly come up to speed through research and attendance at educational seminars on changes that have occurred over the past five years.

(c) If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master's court, including any cases handled over the past five years and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity or a Circuit Court Judge within the past five years.

N/A

(d) If you are a candidate for Administrative Law Court, please provide a brief written description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law or Circuit Court within the past five years.

N/A

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

I have never sought a rating from Martindale-Hubbell prior to becoming a candidate. Although I believe when I first started my law practice a rating was automatically given, I inquired when I became a candidate if I had a rating or could be rated and they have indicated presently I am rated at notable. Otherwise, I do not actively participate in any professional or social networking service.

* **Justices/judges applying for re-election to their current position may omit Questions 17–22. If you are a judge seeking a judgeship different than your current position, Questions 17-22 should be answered based on your experience prior to serving on the bench.**

17. What was the frequency of your court appearances during the past five years or in the five years prior to your election to the bench?

- (a) federal: 0 percent
- (b) state: weekly up until 2015

18. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years or in the five years prior to your election to the bench?

- (a) civil: 0 (Between 2007-2012, 20 percent)
- (b) criminal: 99 percent (Between 2012-2015)
- (c) domestic: 1 percent (Between 2012-2015)
- (d) other: 100 percent (Between 2015-2017)

19. What percentage of your practice in trial court during the past five years or in the five years prior to your election to the bench involved matters that went to a jury, including those that settled prior to trial?

- (a) jury: 85 percent
- (b) non-jury: 15 percent

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

sole counsel

20. 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) State v. Marcus Dwain Wright, 416 S.C. 353, 785 S.E. 2d 479 (Ct. App. 2016). I handled this matter at trial as sole prosecutor. This was one of the most complex cases I tried in criminal court as it involved over 200 pieces of evidence that had to be introduced, the issues of self-defense, a lesser included offense charge, a search warrant issue, an exigent warrantless search issue, the plain view doctrine, multiple crime scenes, phone tower dumps, witness tampering, ongoing death threats and an attempt to reopen for testimony request after defense rested. Defendant was charged with murder, trafficking drugs and PWID (both arising from time of arrest not murder itself). Defendant was convicted and received a life sentence with consecutive 15 and 25 year sentences.
- (b) State v. Richard Anderson, 386 S.C. 120, 687 S.E. 2d 35 (2009). I represented the State in this matter at trial as the sole prosecutor. This case involved the authentication of a ten print card after an AFIS hit. The guiding case up to this point had been State v. Rich, 293 SC 172, 359 S.E. 2d 281 (1987) which had been decided prior to the S.C. Rules of Evidence. The Court used this case as an example of what to do and to clarify and comport the authentication requirement to the existing rules of evidence.
- (c) J. Gregory Hembree on behalf of Horry County v. Michael Albin, 404 S.C. 241, 743 S.E. 2d 864 (Ct. App. 2013). I represented Horry County in this civil case involving a forfeiture. There was very little case law at the time regarding the interpretation of the civil forfeiture statute. I successfully argued at trial that each item in the forfeiture statute provided a distinct and separate method for seizing property. The Court of Appeals, I did not represent the County on appeal, determined that not to be the case and reversed in part and affirmed in part.
- (d) State v. Benedict Shogaolu. This was an extensive public corruption case with forensic accounting, numerous witness and a massive amount of public sentiment both ways. Mr. Shogaolu was the mass transit director and was convicted in state court and then subsequently pled to charges involving the misappropriation of taxpayer money for vacations, personal meals, personal furnishings, unauthorized pay raises and bonuses and used public funds to make inappropriate political donations.
- (e) State v. Dale Fowler. This was a cold case that was solved utilizing forensic technology that was not available at the time of the incident. Mr. Fowler was ultimately convicted as an adult of killing his mother through the use of DNA that was not available at the time of her death. A ring that had been in the possession of a friend of the defendants since shortly after his mother's death, provided the link that lead to the charge. Mr. Fowler was well into his 30's at the time of his conviction, however the offense had occurred a number of years prior, when he would have been a juvenile. Based on the law at the time of the death and crime,

Mr. Fowler had to be initially charged as a juvenile, then I had to go through the waiver procedures to have him brought forward to General Sessions. He subsequently pled to a manslaughter. When this crime originally occurred in the early 80's, the solicitor at that time, had charged and obtained a death warrant on an uninvolved handy man in the area. Those charges were subsequently dropped. This case was particularly significant to me as we were not only able to identify the guilty party, but we were also able to clear the name of the individual previously charged.

21. List up to five civil appeals you have personally handled. Give the case name, the court, the date of decision, and the citation if the case was reported.
 - (a) DSS v. Gerald Hamlett, 330 S.C. 321, 498 S.E. 2d 888 (Ct. App. 1998)
 - (b) Fire Baptized Holiness Church of God of the Americas v. Greater Fuller Tabernacle Fire Baptized Holiness Church, 323 S.C. 418, 475 S.E. 2d 767 (Ct. App. 1996)

22. List up to five criminal appeals you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported.

I did not handle criminal appeals.

23. Have you ever held judicial office? If so, list the periods of your service, the courts involved, and whether you were elected or appointed. Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.

1993-1994 Appointed Cherokee County Magistrate, magistrate jurisdiction which included civil jurisdiction up to \$2,500 and misdemeanor jurisdiction in criminal matters.

24. If the answer to question 23 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.

Matters that were handled by me during this time period involved issuing search and arrest warrants, small civil claims and landlord/tenant disputes. To my knowledge there were no appeals and no notable cases.

25. Have you ever held public office other than judicial office? If so, list the periods of your service, the office or offices involved, and whether you were elected or appointed. Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office. If not, were you ever subject to a penalty? If so, give details, including dates.
 - (a) 1994-2001, South Carolina Juvenile Parole Board
All required reports were timely filed.

26. 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) The magistrate position in 1993-1994 was a part time position, I maintained my general practice during that time period.

27. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.
- (a) I was an unsuccessful candidate for the House of Representatives in 1996
 - (b) I was an unsuccessful candidate for the Sixteenth Circuit Family Court position in 2000
28. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? If so, give details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer.
- No
29. Are you now an officer or director or involved in the management of any business enterprise? Explain the nature of the business, your duties, and the term of your service.
- No
30. Please explain why you think you meet the professional and academic ability criteria for the seat you seek.
- I had the opportunity to be in the courtroom on a regular basis the bulk of my career, before some outstanding jurist. I referred to the evidentiary and court rules almost daily which allowed me to become familiar and comfortable applying them and understanding the situations where there were exceptions. I had to communicate daily with attorneys discussing the progress of their client's cases and conduct plea negotiations. I had to communicate regularly with crime victims to explain the court process and judicial rulings. I tried or was involved in numerous trials each year before juries and had to not only be articulate to be successful but also had to have knowledge of the law to argue matters that arose during those trials. The law itself can be learned by reading, but how to apply it and often times under intense pressure can only be learned by doing. And my career will reflect just that type of experience.
31. Provide, **as a separate attachment**, a complete, current financial net worth statement that itemizes in detail:
- (a) the identity and value of all financial assets held, directly or indirectly, including, but not limited to, bank accounts, real estate, securities, trusts, investments, and other financial holdings; and
 - (b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000, including, but not limited to, debts, mortgages, loans, and other financial obligations.

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

NOTE: The Commission may require written confirmation that financial obligations have been satisfied or that the parties have agreed upon a payment schedule.

32. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek or currently hold. Explain how you would resolve any potential conflict of interest.
I do not believe I have any past financial or business relationships where a possible conflict of interest would occur. If, however, one did occur I would refer to the analysis required for possible recusal as outlined in Canon 3, CJC, Rule 501, SCACR.
33. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law? If so, give details but do not include traffic violations which are subject to a penalty of \$125 or less. You must include any and all arrests, including, but not limited to, offenses for driving under the influence or similar traffic offenses. Include all arrests that resulted in expungement, which will be redacted. If you have questions regarding whether to include an offense, please contact the Commission.
[All answers have been received and considered by the Commission, and as noted above, any expunged matters are redacted from the record.]
34. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, explain.
[All answers have been received and considered by the Commission, and as noted above, any expunged matters are redacted from the record.]
35. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? If so, give details.
No
36. Have you ever been sued by a client? Have you ever been a named party (personally or professionally) in or had a pecuniary interest in any civil or criminal proceedings? If so, give details, including, but not limited to, dates, and resolutions.
No not by a client.
- (a) West Group filed a suit in civil court in 1998 claiming a contractual breach for failing to renew service. I filed a counterclaim, a dismissal with prejudice was filed prior to any proceeding. No monies were paid by either party.
 - (b) I was named in an action against Betty Davis in 2000 along with the County and City because we had judgements or liens against Ms. Davis, I waived my interest and was removed from the action.
 - (c) I was named in an action regarding a real estate loan my former husband and I had together in 2002. The loan had been changed from one bank to another. We had made a payoff a year or so before and had documentation that the payoff amount the bank provided at that time was the amount that we paid. We settled the matter out of court without court proceedings and it was dismissed and the loan marked paid and satisfied.
 - (d) I was divorced in 2007 and was the moving party.

- (e) I was named in an action that appears on the public index that I located in preparing these materials that I was unaware of, in 2007, I was never served with this and it appears it was dismissed within a month of filing in magistrate court.
 - (f) In 2009 I was named as a defendant in a collection matter that did not appear to be mine, I requested and was granted a dismissal.
 - (g) In 2011 I was named in an inmate petition for the return of his property along with the police department, I was dismissed from the action.
 - (h) In 2013 I was named by a former police officer along with the agency, several individual police officers and the county for unlawful termination, the matter was removed to federal court, after discovery and deposition I was dismissed from the action, I believe the County subsequently settled this matter out of court. I had already been dismissed prior to any settlement or negotiations of such.
37. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been sanctioned or disciplined for lawyer, judicial, or other professional misconduct or has any jurisdiction found that you committed any misconduct? If so, give the details and describe any final disposition. Include any and all confidential and public sanction, discipline, or finding of misconduct of any kind.
[Yes and no responses are redacted for all candidates unless there is a public discipline.]
38. Have you ever been investigated by the Department of Social Services? If so, give the details and the resolution. Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? If so, give the details.
No
39. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance? If applicable, have you ever been covered by a tail policy? If so, please explain when you were covered by a tail policy. Also, if applicable, indicate your coverage and deductible for your current malpractice policy.
N/A
40. Are you active on or a member of a social media or Internet site or have you, to your knowledge, been featured or depicted on a social media or Internet site, such as, Facebook, LinkedIn, Twitter, etc.? If so, how would your use of social media or other similar types of Internet sites be affected if you were serving in a judicial capacity?
No
41. Are you now or have you ever been employed as a “lobbyist,” as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a “lobbyist’s principal,” as defined by S.C. Code § 2-17-10(14)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.
No
42. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist’s principal?

If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved.

No

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

(a)	Postage	\$ 8.65
(b)	Note Cards	\$48.29
(c)	Name Tag	\$21.92

44. List the recipient and amount of all contributions made by you, a member of your immediate family, or by a business with whom you are associated, to members of the General Assembly within the past four years.

N/A

45. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened or have you been offered a conditional pledge of support by any legislator pending the outcome of your screening? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened? If so, give details.

No

Note: The flash drive with your application materials contains (1) Section 2-19-70(c); (2) JMSC Rule 24, and (3) informal opinions and letters concerning pledging prohibitions, with which third parties acting on your behalf, as well as you, must comply.

46. Have you requested any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Describe the campaigning you have done for this election and include a list of those individuals you have asked to campaign on your behalf and, to the best of your knowledge, those who have campaigned for you on their own initiative.

No I have not asked anyone to contact members of the General Assembly regarding my candidacy. I have announced my intent to seek this position to the delegation representing this judicial circuit via mail. Prior to becoming a candidate I informed my employers which included members of the General Assembly of my intent to file. I have not asked anyone to campaign on my behalf and to the best of my knowledge no one has done so on their own initiative.

47. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges until after the draft report becomes final, which occurs on the day and time specified on the Commission's published screening schedule?

Yes

48. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? If so, please specify the amount, solicitor, donor, and date of the solicitation.

No

49. Since submitting your letter of intent to become a candidate, have you or has anyone acting on your behalf contacted any member of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? If so, give details.

No

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

(a) South Carolina Bar Association, House of Delegates, 2009-2014

(b) SCWLA

51. 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) South Carolina Bar Professional Responsibility Advisory Committee

(b) Horry County Bar Association

(c) Coastal Women Lawyers

(d) NDAA

(e) Leadership Grand Strand, Board of Regents

(f) Learning for Leadership Graduate

(g) 2013 Fifteenth Circuit Solicitor of the Year

(i) Business and Professional Women, business woman of the year

(j) Award of Appreciation, S.C. Sheriff's Association

52. 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 have always tried to do what was right and just for my clients, victims and those I prosecuted. I have had the pleasure of working with and being mentored by some great attorneys throughout my 25 year plus career, they have taught me that respect, ethical behavior, patience and preparedness are absolutely necessary. I strive each day to incorporate those lessons into everything I do. I will continue to do so as a member of the Judiciary.

53. List the names, addresses, and telephone numbers of five (5) persons from whom you are providing references. Also, provide the Commission with original letters of recommendation from each person listed herein, including their signature (preferably in

blue ink). **The Commission will not accept a photocopy or electronic submission of a letter of recommendation and failure to include all five (5) original letters of recommendation in your packet when you submit it will render your packet incomplete.** Please **do not** have references mail your reference letters to the Commission directly. *You must return the five (5) original letters of recommendation to the Commission with your application packet.*

- (a) Brad Richardson, 208 West Dozier Street, Marion South Carolina, 29571, 843-421-7483
- (b) Robin Ciaccio, 306 Main Street, Conway South Carolina, 29526, 843-488-2380
- (c) Billy Monckton, 1300 Professional Dr #102, Myrtle Beach, SC 29577, 843-946-6556
- (d) Tony Allen, 1101 N Oak St, Myrtle Beach, SC 29577, 843-315-4422
- (e) Bernard Smith, 105 Woodlawn Drive, Gaffney SC 29340, 864-491-3266

54. Describe any interest you or a member of your immediate family has in real property:
- (a) in which there is a potential conflict of interest with your involvement in a South Carolina state or local public agency;
 - (b) in which there have been public improvements of \$200 or that adjoins property in which there have been public improvements of \$200; or
 - (c) which was sold, leased, or rented to a state or local public agency in South Carolina.

List the interest you hold and the value and location of the property. Identify as applicable the:

- (a) nature of any potential conflict of interest;
- (b) nature and value of any public improvements; and
- (c) South Carolina state or local public agency which purchased or is leasing or renting such property.

Attach a copy of any contract or agreement.

N/A

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

N/A

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

N/A

57. For sitting judges, have you ever accepted anything of value from an attorney or litigant in a matter currently or previously before you or your court? If so, please give the details, including the name of the attorney or litigant and the thing of value you received.

N/A

58. For sitting judges, have you used the services of your staff, for which you did not pay, while campaigning for this office?
N/A

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: s/Donna Elder

Sworn to before me this ____ day of _____, 2017.

(Notary Signature)

(Notary Printed Name)
Notary Public for South Carolina
My Commission Expires: _____