



**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE
2025**

1. Judicial placement for which you are applying:
Court: Administrative Law Court
Circuit or Position: Administrative Law Judge
Seat: 4
2. Are you currently serving in some capacity as a judge (to include municipal, magistrate, etc.)?
If so, state the position. If part-time, please indicate.

No, I do not currently serve as a judge.

Personal

3. Name: Mr.
Mrs. Kelly H. Rainsford
Ms.

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

Home Address: [Redacted]

County of Residence: Richland

Business Address: 293 Greystone Boulevard, Suite 400, Columbia, SC 29210

E-Mail Address: [Redacted]

Telephone Number: (home): [Redacted]
(office): 803-734-4236
(cell): [Redacted]

4 Date of Birth: [Redacted]1973
Place of Birth: Myrtle Beach, SC

5. 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

6. SCDL# or SCHD#: [Redacted]
Voter Registration Number: [Redacted]

7. 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, I have never served in the military.

8. Family Status:

- (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 and occupation.
- (c) If widowed, list the name(s) of spouse(s).
- (d) 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.
- (e) State the names of your children and their ages. If your children are NOT full-time students, also include the occupation and employer of each child.

Family Status: Married on March 7, 1998, to Matthew Stevens Rainsford (self-employed). Never divorced, no children.

9. 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) University of South Carolina – South Carolina Honors College, August 1991 to May 1995, Bachelor of Science in Mathematics
- (b) University of South Carolina School of Law, August 1995 to May 1998, Juris Doctor

10. 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.

I worked at the Department of Revenue as a law clerk from May 1997 to May 1998.

11. 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.

Not rated

12. 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, 1998

(b) South Carolina Administrative and Regulatory Law Association (SCAARLA)
Member, 2002 to present
Member, Board of Directors, 2003 to present

(c) Administrative Law Court Rules Committee, Member, 2010 to present

(d) American Conference of Uniform Consumer Credit Code States (ACUCCCS)
Member, 2014 to present
Secretary/Treasurer, 2023 to present

(e) National Association of Consumer Credit Administrators
Member, 2014 to present
NACCA Appointee on the Nationwide Multistate Licensing System Policy Committee, July 2018 to June 2022

13. Are you active on or a member of a social media or Internet site such as Facebook, LinkedIn, Twitter, Instagram, etc.?

If so, please list the account names for each account and the relevant platform.

How would your use of social media or other similar types of Internet sites be affected if you were serving in a judicial capacity?

I have a LinkedIn account with the account name [Redacted]. My limited activity includes reposts of educational or encouraging information and comments of congratulations. I had a Twitter account at one point but have not logged into that account in more than a decade and rarely, if ever, posted on that account. Given my minimal social media footprint, my use of social media should not be affected by serving in a judicial capacity.

14. 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; and any professional honors, awards, or other forms of recognition received and not listed elsewhere.

None

15. 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.

For nearly 27 years, my professional career has involved administrative law. As a result, I have an appreciation for the far-reaching impact that administrative law has on the citizens of South Carolina. I have the unique experience of having worked on cases at the Administrative Law Court from every point of view: a judge's, a private citizen's, and a state agency's. As an Administrative Law Judge, I would be able to draw on this experience in order to perform my duties impartially. In addition, my longstanding participation in SCAARLA and the Administrative Law Court Rules Committee has enabled me to remain informed about developments in the court's jurisdiction.

Throughout my career, I have prided myself in following the letter of the law and advising my client how to comply with it. By focusing on the law and applying it to the facts of each case, I would strive to uphold the integrity and independence of the judiciary every day. I am thorough in my approach, listening to both sides, processing the information, and conducting any necessary research before drawing conclusions. All my life experiences—personal and professional, good and bad—have led me once again to apply for Seat 4 at the Administrative Law Court. My foundation in administrative law combined with my strong work ethic and desire to do the right thing have prepared me to be a fair, impartial, and diligent Administrative Law Judge.

16. List the names, addresses, and telephone numbers of 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 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 5 original letters of recommendation to the Commission with your application.*

- (a) Vance J. Bettis, Esquire
[Redacted]
- (b) Thomas A. Pendarvis, Esquire
[Redacted]
- (c) Peter M. Balthazor, Esquire
[Redacted]
- (d) Carri Grube Lybarker, Esquire
[Redacted]
- (e) David Campbell
[Redacted]

Experience

17. 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. Please indicate the number of times you took the exam in each state.

South Carolina 1998. I took the bar exam once.

18. 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 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) Law Clerk/Temporary Attorney, South Carolina Department of Revenue (August 1998 to May 1999)

During law school, I clerked for Dean Secor, Assistant Attorney General, who prosecuted criminal tax matters assigned to the Attorney General's Office. After completing the bar exam, I returned to work for Mr. Secor while searching for a permanent position. In this job, I drafted orders, trial briefs, indictments, motions, and responses to discovery requests; researched legal issues; and managed the case docket.

(b) Judicial Law Clerk/Administrative Assistant, South Carolina Court of Appeals (May 1999 to June 2000)

During my employment at the Court of Appeals, I was a judicial law clerk for Judge C. Tolbert Goolsby, Jr. (May to August), administrative assistant for Chief Judge William T. Howell (August to February), and judicial law clerk for Acting Judge A.E. Morehead, III (February to June). While working for this Court, I reviewed appellate briefs and records on appeal; identified and researched legal issues; attended oral arguments; attended conferences with the judges; and drafted opinions and memoranda. I worked on appeals regarding various areas of the law, including administrative, criminal, civil, and family. During my service as Chief Judge Howell's administrative assistant, I also answered phone calls and performed other administrative tasks.

(c) Judicial Law Clerk, South Carolina Administrative Law Court (June 2000 to May 2002)

For nearly two years, I clerked for Chief Judge Marvin F. Kittrell. In this job, I managed cases filed; researched, summarized, and evaluated motions, petitions, transcripts, and briefs; attended hearings; and drafted and reviewed orders. I answered phone calls and performed other administrative tasks as well. I worked on cases in most areas for which the Court had jurisdiction at that time.

(d) Attorney, Austin, Lewis & Rogers, P.A. (May 2002 to March 2004)

In private practice, I worked primarily with E. Crosby Lewis, Esquire. My practice focused on administrative law (mostly matters involving the Department of Health and Environmental Control) but I gained experience in civil matters as well. I prepared briefs, motions, pleadings, and proposed orders; researched legal issues; conducted discovery; prepared for and conducted depositions; prepared for trial; and supervised the firm's law clerks.

(e) Legal Counsel for the State Budget and Control Board–South Carolina Retirement Systems (March 2004 to January 2007)

Initially, I managed the agency's entire docket of Administrative Law Court cases including preparing cases for trial, conducting discovery, preparing for and conducting depositions, and filing pleadings; managing all disability matters at the Director's level and on appeal; and drafting Final Agency Determinations. During this period, I tried 20 cases and managed a docket that reached more than 30 cases at one time.

(f) Legal Counsel for the State Budget and Control Board–South Carolina Retirement Systems (January 2007 to May 2008)

In January 2007, I was promoted to a position where I assisted with complex litigation; provided program support; created and maintained databases to manage cases, subpoenas, qualified domestic relations orders, and Final Agency Determinations; established procedures and created a database to manage a new disability monitoring project; and researched miscellaneous program and legal issues.

(g) Assistant General Counsel, State Budget and Control Board—Office of General Counsel (May 2008 to March 2009)

Initially, I was assigned to the Employee Insurance Program to manage the internal appeals and draft appeal decisions. My responsibilities also included participating in all litigation, either as lead counsel or along with outside counsel, researching various legal issues, and writing legal memoranda.

(h) Legal Counsel and Manager of Program Policy and Legal Affairs, State Budget and Control Board—Employee Insurance Program (March 2009 to September 2012)

In March 2009, I became a member of the Employee Insurance Program's leadership team in determining policy, making program decisions, and directing staff. During this period of employment, the team I supervised increased from one to six employees. My responsibilities included directing all internal appeals processes; reviewing and editing all contracts, plans of benefits, communications, and other legally significant documents to ensure compliance with state and federal requirements, including COBRA and the Affordable Care Act; overseeing the procurement, implementation, and management of thirteen insurance product contracts; participating in all litigation involving EIP, either as lead counsel or along with outside counsel; and assisting in the development of the HIPAA privacy and security program.

(i) Senior Staff Counsel, South Carolina Administrative Law Court (December 2012 to March 2014)

During this time, I worked on cases for Chief Judge Ralph K. Anderson, III, and Judge S. Phillip Lenski. My responsibilities included researching, summarizing, and evaluating motions, petitions, transcripts, and briefs; attending administrative hearings; and drafting and reviewing orders. I also updated and maintained the court's website content, which included overseeing a project in which the staff attorneys and I scanned all orders from 1995 to 2014 in a searchable portable document format and uploaded them to the website.

(j) Director of the Legal Division/Deputy Administrator/General Counsel, South Carolina Department of Consumer Affairs (March 2014 to present)

In March 2014, I was hired to lead the legal division while learning from and training with Danny Collins, Esquire, in preparation for his retirement. When I was appointed as a Deputy Administrator for the agency in March 2015, my duties expanded to include participating in agency operations. In September 2016, I became General Counsel. The legal division is responsible for the licensing, administration, and enforcement of a majority of the 120 laws under the agency's jurisdiction, which includes twelve regulated industries and other regulatory filings. My responsibilities include supervising a team of licensing staff, investigators, attorneys, and paralegals; training employees; overseeing work product to ensure the legal division meets agency goals and accountability measurements; communicating with the Administrator, Commission, and staff about progress in each area of the legal division; overseeing various projects (implementation of databases, new licensing

programs); and assisting in drafting of policies, procedures, legislation, and court documents. During my employment, I also have served as the agency's InfoSec Policy Champion (beginning June 2014), Privacy Liaison (secondary beginning 2015, primary beginning 2017), and SLED CJIS Point of Contact (beginning May 2020).

Justices/judges applying for re-election to their current position may omit Questions 19–25. If you are a full-time judge seeking a judgeship different than your current position, Questions 19-25 should be answered based on your experience prior to serving on the bench.

19. Please answer the following:

- (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.
- (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, and whether you represent plaintiffs, 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.
- (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.
- (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.

During the past five years, I have appeared on behalf of the Department of Consumer Affairs in only one case at the Administrative Law Court. The Department of Revenue required a court order to provide our office access to records regarding a deceased individual who had not placed preneed trust funds into a trust account or insurance prior to death. Our agency filed the documents provided by the Department of Revenue to get access to those records. Our agency has been a party in at least ten other cases during the past five years. For those cases, I supervised the attorneys who appeared on behalf of our agency, which included making policy decisions as well as reviewing and editing documents prior to filing. In those cases, the issues involved a funeral home accepting funds for preneed arrangements without a license and without putting the funds into trust or insurance, denial of applications for a license (mortgage broker, credit counselor), refusal to provide access to books and records, and penalties for delinquent filings of mortgage log data.

20. 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: none
 - (b) state: three or less times per year
21. 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: 10%
 - (b) criminal: None
 - (c) domestic: None
 - (d) other: 90% (administrative)
22. During the past five years:
 - (a) What percentage of your practice was in trial court, including cases that settled prior to trial? Less than 5%
 - (b) What number of cases went to trial and resulted in a verdict? None
 - (c) What number of cases went to trial and resolved after the plaintiff's or State's case? For the purposes of this question, resolved includes settlement, plea, judge's order during a motion hearing, etc. None
 - (d) What number of your cases settled after a jury was selected but prior to opening statements? Not applicable
 - (e) Did you most often serve as sole counsel, chief counsel, second chair, or co-counsel? Chief counsel
 - (f) For sitting judges seeking a judgeship different than your current position, during the five years prior to your election to the bench, what percentage of your practice was in trial court, including matters that settled prior to trial? Not applicable
23. List five of the most significant litigated matters you have personally handled in trial court, appellate court, or before a state or federal agency. Give citations if the cases were reported and describe why these matters were significant.

(a) S.C. Dep’t of Consumer Affairs v. Cash Central of S.C., LLC, 435 S.C. 197, 865 S.E.2d 789 (Ct. App. 2021). In this case, the Department sued an online lender that failed to comply with the Consumer Protection Code, particularly the requirement to file and post a maximum rate schedule, prior to offering triple-digit interest loans to South Carolina consumers. The Department sought refunds of excess charges paid by consumers, which included all interest collected over 18% annual percentage rate. The trial court ruled that the lender was excused from refunding excess charges based on the defenses of bona fide error pursuant to S.C. Code Ann. § 37-3-201(6), bona fide error pursuant to S.C. Code Ann. § 37-5-202(7), and substantial compliance. On appeal, the Court of Appeals reversed the trial court, holding that unless and until the lender complies with the requirements to file a maximum rate schedule with the Department and post the required disclosures on its website, the lender is not authorized to contract for or receive finance charges in excess of 18% annual percentage rate.

(b) Portfolio Recovery Assocs., LLC v. Campney, 441 S.C. 36, 892 S.E.2d 321, (Ct. App. 2023), cert. dismissed, 445 S.C. 564, 915 S.E.2d 512 (2025). This case involved the issues of whether consumer debt incurred pursuant to a lender credit card is a consumer credit transaction under the South Carolina Consumer Protection Code, Title 37 of the South Carolina Code of Laws, as well as whether the obligation of an original creditor to send a consumer a notice of right to cure transfers from the original creditor to an assignee upon assignment. The Department filed a brief of amicus curiae at the Court of Appeals arguing the answer to both questions was yes. The Court of Appeals agreed and ruled that lender credit card debt is a consumer loan and, therefore, a consumer credit transaction. As a result, the notice of right to cure requirements contained in the South Carolina Consumer Protection Code apply to lender credit card debt. The Court of Appeals also ruled that the notice of right to cure requirements must be met before an assignee can accelerate the debt. On appeal to the Supreme Court, the Department filed a brief of amicus curiae addressing new arguments made by the debt buyer/assignee, including whether the National Bank Act preempts South Carolina’s right to cure requirements. The Supreme Court ultimately dismissed the appeal as improvidently granted.

(c) Consumer Financial Protection Bureau, Arkansas Office of the Attorney General, and South Carolina Department of Consumer Affairs v. Kern, et al., 6:20-cv-00786 (D.S.C. 2021). Plaintiffs filed a joint complaint in federal court in February 2020 alleging Kern, Sutter, and Upstate Law Group (ULG) helped broker companies target retired veterans and other pensioners with high-interest loans. Specifically, Kern, Sutter, and ULG aided in creating contracts that were illegal and void based on federal and state law, misrepresenting the type of transaction to consumers and collecting payments from consumers. The Department of Consumer Affairs also alleged the attorneys and company engaged in unconscionable debt collection by filing court actions against consumers who took out the loans. Federal law prohibits someone from acquiring the right to receive a veteran’s pension payments. South Carolina law prohibits the “sale” or assignment of earnings for payment or security of payment for a consumer loan, regardless of whether the consumer is a veteran. “Earnings” includes periodic payments from a pension, retirement, or disability program. The combination of these laws allowed military and non-military consumers in South Carolina and across the nation to benefit from the settlement reached by the parties, which included \$750,000 for consumer refunds as well as bans on brokering or offering pension loans,

collecting money related to pension loans, and providing financial services in South Carolina unless acting in the regular course of practicing law.

(d) Anderson v. S.C. Retirement Systems, 06-ALJ-30-0008-CC (Interlocutory En Banc)

This case involved a question about the Retirement Systems' interpretation and application of its disability statute. Prior to this case, two separate Administrative Law Judges had issued orders resulting in conflicting interpretations. One judge found that the disability statute required an application to be filed while a member was in service. Another judge found that the member merely needed to prove his disability arose while he was in service. After the Anderson case was filed, the Court granted the Retirement Systems' request for en banc consideration in order to maintain uniformity of its decisions. The Court heard oral arguments and ultimately issued a unanimous ruling that a member must be in service when he files his application for disability retirement benefits. It is my understanding this was only the second time the Court had held an en banc hearing after the Court added Rule 70.

(e) Duvall v. S.C. Budget and Control Board, 377 S.C. 36, 659 S.E.2d 125 (2008)

In this appeal, Mr. Duvall challenged the Retirement Systems' calculation of his monthly retirement benefit. When calculating Mr. Duvall's benefit, the Retirement Systems included a payout made at retirement for 45 days of unused annual leave as allowed by statute. Mr. Duvall, however, sought to include in his salary a payout made prior to retirement for additional unused annual leave. Significantly, Mr. Duvall argued that because he was not a state employee but rather an employee of the Municipal Association of South Carolina, the 45-day cap on unused annual leave did not apply to him. The Court held that the legislature's provision for the inclusion of a payout for 45 days of annual leave applies to all participants in the retirement system, regardless of whether they are state employees. This appeal was significant because it promoted equity in the calculation of retirement benefits.

24. 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) S.C. Dep't of Consumer Affairs v. Cash Central of S.C., LLC, 435 S.C. 197, 865 S.E.2d 789 (Ct. App. 2021).
 - (b) Portfolio Recovery Assocs., LLC v. Campney, 441 S.C. 36, 892 S.E.2d 321, (Ct. App. 2023), cert. dismissed, 445 S.C. 564, 915 S.E.2d 512 (2025).
 - (c) Morgan v. S.C. Budget and Control Board Retirement Systems, 377 S.C. 313, 659 S.E.2d 263 (Ct. App. 2008).
 - (d) Lazicki-Thomas v. S.C. Budget and Control Board Retirement Systems, 378 S.C. 72, 661 S.E.2d 374 (2008).
 - (e) Duvall v. S.C. Budget and Control Board, 377 S.C. 36, 659 S.E.2d 125 (2008).
25. 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.

None

26. 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.

No, I have never held judicial office.

27. If the answer to question 26 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.

Not applicable

28. 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 Bar, November 1998
- (b) United States District Court, South Carolina, May 2008
- (c) United States Court of Appeals for the Fourth Circuit, May 2008
- (d) United States Supreme Court, April 2025

29. 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) In the past five years, I taught Consumer Law at the Orientation School for Magistrates numerous times (8/14/2020, 3/26/2021, 7/19/2021, 3/14/2022, 7/18/2022, 3/30/2023, 7/22/2024).
- (b) I taught Consumer Law and enforcement actions at the South Carolina Bar Consumer Law Section CLE (1/19/2021).
- (c) I participated in a panel about changes in the athlete agent law in the Law School's Sports Law class (10/14/2021, 11/3/2022).
- (d) I taught the State of Consumer Credit at Hot Topics and Cool Trends in South Carolina Consumer Law (12/8/2023).

30. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.

See attached.

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

None

32. 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 and include a description of the other authors and their contributions. The writing samples are for the Commission's use only and will not be published. (If you are a judge and are not seeking a different type of judgeship, this question is inapplicable.)

See attached.

33. 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.

I was appointed as a Deputy Administrator for the South Carolina Department of Consumer Affairs in March 2015 and have served in that capacity continuously since appointment. As such, I file a Statement of Economic Interests timely every year and have never been subject to a penalty.

Personal Conduct

34. 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 of the following: federal law or regulation; state law or regulation; 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 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.]

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

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

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.

Not applicable

38. Have you ever, as a lawyer, judge, or other professional, been cautioned, sanctioned, or disciplined for lawyer, judicial, or other professional misconduct with or with a finding of misconduct? 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 sanctions, disciplines, letters of caution, or findings of misconduct of any kind. Private or confidential dispositions will be redacted.

[Yes and no responses are redacted for all candidates unless there is a public discipline.]

39. 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

Financial

40. Provide, **as a separate attachment**, a complete, current financial net worth statement that itemizes the below in detail. Note that a net worth statement form is provided with this questionnaire and you must use this format for submission of your financial statement.

- (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.

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

See attached.

41. (a) Have you filed state and federal income tax returns for the last 5 years? If no, please provide details.

Yes

(b) Have you or any business with which you are associated been delinquent in any local, state, or federal taxes? If yes, please provide details.

No

(c) Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? If yes, please provide details.

No

42. Have you ever defaulted on a student loan? If so, please provide details.

No

43. Have you ever filed for bankruptcy? If so, please provide details, along with proof of satisfaction of any liens or defaults.

No

Conflict of Interest

44. For sitting or former judges, 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.

Not applicable

45. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.

Yes. In 2008, I ran for Seat 4 on the Administrative Law Court. In the draft report issued January 15, 2009, the Judicial Merit Selection Commission found me qualified, but not nominated, to serve as an Administrative Law Judge.

46. 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, I have not engaged in any occupation unrelated to the practice of law since graduating from law school in 1998.

47. 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

48. Are you now or have you ever been employed as a “lobbyist,” as defined by S.C. Code Section 2-17-10(13), or have you acted in the capacity of a “lobbyist’s principal,” as defined by S.C. Code Section 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

49. 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 Section 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.

On August 1, 2025, I spoke at the convention of the Carolinas Independent Automobile Dealers Association. I ate lunch that was provided for attendees. The speaking invitation was extended to our agency prior to my submission of notice of intent to run.

50. 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?

Fingerprints at IdentoGo (\$20.00)

51. 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 4 years. If you participate in any employer-mandated contributions to a PAC or any other political entity, please describe and note your personal involvement in contributions. If you are a sitting judge, please include such contributions since your last screening.

I have not made any contributions and am not aware of any made by my immediate family.

52. Have you or 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

53. 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.

None

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 more that adjoins property in which there have been public improvements of \$200 or more; or
- (c) which was sold, leased, or rented to a state or local public agency in South Carolina.

None

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.

Not applicable

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.

None

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.

Not applicable

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.

Not applicable

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

Not applicable

59. 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

60. 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

61. Are you familiar with the 12 days' rule as provided by Section 2-19-25, 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

62. Since submitting your letter of intent to become a candidate, have you or 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

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: _____

Sworn to before me this _____ day of _____, 2025.

(Notary Signature)

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