

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

1. Judicial placement for which you are applying:  
Court: Administrative Law Court  
Circuit or Position: Judge  
Seat: Four

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.

**Personal**

3. Name: Mr. Michael Smoak Traynham

Name that you are known by, if different from above. (Example: A Nickname): None.

Home Address: [Redacted]

County of Residence: Lexington, South Carolina

Business Address: Maynard Nexsen  
1230 Main Street, Suite 700,  
Columbia, SC 29201

E-Mail Address: [Redacted]

Telephone Number: (home): [Redacted]  
(office): (803)540-2164  
(cell): [Redacted]

4 Date of Birth: [Redacted], 1982  
Place of Birth: Orangeburg, South Carolina

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.

8. Family Status: Married on December 30, 2006 to Ashley Brown Traynham (public elementary school teacher). Never widowed or divorced. Three children.  
[Redacted]

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 Honors College, August 2000 to May 2004, Bachelors of Science in Accounting

(b) University of Newcastle, New South Wales, Australia, January 2003 to July 2003. Semester abroad with coursework in partial completion of Bachelors of Science in Accounting (see above).

(c) University of South Carolina School of Law, August 2004 to May 2007, Juris Doctorate

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.

(a) Christian Legal Society (member, 2005 – 2007; vice president, 2006-2007)

(b) South Carolina Law Review (staff, 2005-2006; research editor, 2006-2007)

(c) Research Assistant to Professor Ladson Boyle (2006-2007)

(d) Guardian ad litem for Richland County CASA (2005-2006)

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.

(a) Listed in Best Lawyers in America, Environmental Law (2025)

(b) Listed in Best Lawyers in America: Ones to Watch, Litigation – Environmental (2023 – 2024)

(c) Recognized by Chambers USA, Environmental, South Carolina (Band 3), (2024 - 2025)

(d) Listed in Columbia Business Monthly's Legal Elite of the Midlands, 2025

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 (2007 - present)
- b) North Carolina Bar Association (2020 – present)
- c) SC Bar Administrative and Regulatory Law Committee (2018 – Present)
  - a. Committee Chair – 2020-2022
- d) SC Bar Environmental & Natural Resource Law Section (2015 – Present)
  - a. Council Member, At-Large (2018-2021)
  - b. Secretary (2021-2022)
  - c. Vice-Chair (2022-2023)
  - d. Chair (2023-2024)
  - e. Immediate Past Chair/Delegate (2024-2025)
- e) SC Bar Government Law Section (2024 – Present)
  - a. Council Member, At-Large (2024 – Present)
- f) South Carolina Administrative and Regulatory Law Association (SCAARLA) member (2016 – Present)
- g) Carolinas Air Pollution Control Association (CAPCA) member (2020 – Present)

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.

Facebook – [Redacted] (active, rarely used)  
LinkedIn – [Redacted]

I have previously used a Twitter handle ([Redacted]) prior to Twitter's transition to "X." The handle is no longer active.

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

My Facebook usage is currently minimal and primarily utilized for staying in touch with family members and receiving notifications for church and community events. I do not foresee a need to significantly alter my usage on this platform, but would deactivate the account if necessary.

LinkedIn usage is currently minimal – primarily used for sharing and publishing articles, and communicating with colleagues. This usage would likely be reduced still further, and the account may be allowed to go inactive if necessary.

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.

- (a) Columbia Crossroads Church – I am a partner (member) at Crossroads and have been an active volunteer in its family ministry since 2016 and in its marriage ministry since that ministry formally started in 2023.
- (b) Scouting America (formerly known as Boy Scouts of America) – I have served as the Treasurer and as an Assistant Scout Master for Troop 91 (Irmo, South Carolina) since 2023. I was also previously (within the last five years) an Assistant Den Leader for Pack 95 (Irmo, South Carolina). I have received a 15-year pin from Scouting America, and am currently a candidate for Wood Badge Honors.
- (c) Sexual Trauma Services of the Midlands (now known as Pathways to Healing) – I served on the Board of this Organization from 2014 until 2020, when my term expired. I received Board Member of the Year honors in 2016.

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.

I was fortunate to spend the first years of my career in public service. My time as a fledgling attorney was marked by working for and with attorneys that exemplified the type of civility, courtesy, diligence, and competence that builds faith in our profession. I was even more fortunate that those attorneys were willing to push me and trust me to handle matters in the Administrative Law Court from almost immediately after I was admitted to practice. In the ALC, the judges set an equally high bar for how an officer of the court should comport themselves in their interactions with members of the profession and the public. Those early experiences gave me excellent examples to emulate in how I treat opposing counsel, witnesses, court staff, and everyone I interact with in the course of my practice, and I strive to live up to the bar that was set for me by those early impressions.

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) Mary Shahid, Shareholder  
Maynard Nexsen  
[Redacted]
- (b) Warren Ganjehsani, Chief Legal Counsel  
S.C. Board for Technical and Comprehensive Education  
[Redacted]

- (c) Nathan Haber, Esq.  
[Redacted]
- (d) W. Marshall Taylor, Jr., General Counsel  
South Carolina Department of Environmental Services  
[Redacted]
- (e) Ben Cunningham, Senior Managing Attorney  
South Carolina Environmental Law Project  
[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.
  - (a) South Carolina – admitted in 2007 (took exam once).
  - (b) North Carolina – admitted in 2020 (took 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) South Carolina Department of Revenue, Counsel for Litigation, August 2007 to April 2010. I litigated state and local tax controversies and alcohol licensing matters in the South Carolina Administrative Law Court, including a number of contested case hearings tried to Final Order. I assisted with prosecutorial responsibilities of the Department in criminal tax matters. This included taking pleas, attending preliminary hearings, and communicating with defense counsel, but I did not try any criminal matters to verdict in this role. I had no role in the administrative and financial management of the agency.
  - (b) Office of the South Carolina Attorney General, Assistant Attorney General, May 2010 to September 2011. I represented the state's interest in civil securities enforcement matters and served as a criminal prosecutor in first offense criminal domestic violence matters. This included a number of pleas and one municipal court trial to verdict (non-jury). I had no role in the administrative and financial management of the agency.
  - (c) Howser, Newman & Besley, LLC, Columbia, South Carolina. Associate, October 2011 to February 2014. I defended clients in numerous personal injury litigation matters which included auto accidents, premises liability, government liability, and other types of insurance defense matters. My responsibilities included trying a number of cases to verdict in state circuit and magistrate court (jury and non-jury), as well as conducting discovery,

negotiating and mediating settlements, and other case management responsibilities. I had no role in the administrative and financial management of the firm, or in managing trust accounts.

(d) South Carolina Department of Health and Environmental Control (now known as South Carolina Department of Environmental Services). February 2014 to September 2019. I served in two different roles during my tenure:

- Assistant General Counsel, February 2014 to April 2017. I advised agency staff in various environmental programs on matters both internal and external and represented the agency in the South Carolina Administrative Law Court, South Carolina Circuit Court, and before other judicial bodies as necessary. This included serving as both first chair/sole counsel and as co-counsel in numerous trials and hearings.
- Chief Counsel for Environmental Quality Control, April 2017 to September 2019. In addition to continuing in the above responsibilities, this role required me to supervise a team of environmental lawyers and paralegals providing legal advice to the agency's various environmental regulatory programs, and to provide direct legal advice to senior agency management with respect to policy, litigation risk, and other matters. I had no role in the administrative and financial management of the agency aside from providing input into budgetary needs for those individuals reporting to me directly.

(e) Department of the Army. Environmental Law Attorney, September 2019 to February 2020. In this role I provided legal advice to Fort Jackson's Department of Public Works and Environmental Branch, and provided environmental compliance officer training to enlisted personnel. I was not directly involved in litigation in this role. I had no role in the administrative and financial management of the agency.

(f) Maynard Nexsen (formerly known as Nexsen Pruet). Of Counsel, February 2020 to Present. In this role I provide legal counsel to a variety of clients on litigation matters, real estate transactions, environmental permitting and enforcement issues, and other legal matters. This role has required me to serve as both sole counsel and co-counsel in trials and hearings in the South Carolina Administrative Law Court, and to argue before the South Carolina Supreme Court. I have also made appearances in Circuit Court and assisted in federal Court litigation on behalf of clients. I have no role in the administrative and financial management of the firm, or in managing trust accounts.

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. 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, 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. N/A
- (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.

I have appeared before an Administrative Law Judge in more than twenty matters since my admission to practice in 2007, including numerous matters resulting in substantive decisions by the ALC since 2009. The issues I have discussed and argued in the ALC have, in general, revolved around challenged state tax positions (DOR), and agency permitting and enforcement matters (DOR/alcohol permitting and DHEC/various environmental permitting and enforcement decisions). Legal issues that I have argued include the extent of agency statutory authority to impose taxes and civil penalties, the litigants' standing (or lack thereof) to bring a contested case, the basis for agency permitting decisions (including alcohol permitting, coastal zone consistency, critical area permits, water quality certifications, construction permits, agricultural permits, and others), and I have argued frequently regarding the rules of statutory construction and giving effect to legislative intent. In my roles inside and outside of state agencies I have had to argue both for and against agency decisions, and have participated in multiple cases which involved third-party litigants.

In the past five years, I have appeared before the Administrative Law Court for four matters which were decided by substantive Final Orders of the Administrative Law Court, and several of these involved one or more pre-trial hearing.

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: I have assisted in litigation in two federal court matters in the past five years, but have not appeared in a federal court for trial or a hearing in that time.

(b) state: Roughly 3-4 appearances per year including both Administrative Law Court and Circuit Court appearances.

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: 100% (including ALC cases)

(b) criminal: 0%

(c) domestic: 0%

(d) other: 0%

22. During the past five years:

(a) What percentage of your practice was in trial court, including cases that settled prior to trial?

Approximately 25% of my practice over the past five years has involved matters pending in a trial court, whether or not a trial actually occurred.

(b) What number of cases went to trial and resulted in a verdict?

I have had three matters go to a trial (contested case hearing) and result in a final order from the Administrative Law Court in the past five years. A fourth contested case concluded when our Motion to Dismiss was granted following significant briefing and oral arguments by the parties. I have not had any matters go to trial in the Circuit Court in the past five years.

(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 of the cases in which I was involved in the past five years resolved after plaintiff's/the State's case.

(d) What number of your cases settled after a jury was selected but prior to opening statements?

I have not had any cases go to jury trial in the past five years.

(e) Did you most often serve as sole counsel, chief counsel, second chair, or co-counsel?

In the past five years, I served as co-counsel on two of the three contested case hearings in which I participated, and as sole counsel on the third. I also served as sole counsel for the motions hearing for the fourth matter resulting in a grant of our Motion to Dismiss.

(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?

N/A

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) Friends of Gadsden Creek v. WestEdge Foundation and DHEC, Op. No. 2024-MO-022 (S.C., filed October 9, 2024). This decision involved a highly complex confluence of environmental conditions on the Charleston peninsula, which the WestEdge Foundation sought to address by filling in a stormwater ditch through contaminated critical area wetlands and replacing it with an engineered stormwater system and new cap for a historic (pre-Clean Water Act) landfill on the site. The Supreme Court decision followed a successful weeklong contested case hearing at the ALC involving extensive expert testimony and documentary evidence, where I served as co-counsel for our client, the WestEdge Foundation. I also presented the oral argument on direct appeal to the Supreme Court. While the final decision is non-precedential, the record we presented from trial persuaded the Supreme Court that the critical area permit sought by our client was the only realistic solution to address the complex environmental issues on that site.

(b) Carmax Auto Superstores West Coast, Inc. v. S.C. Dep’t of Revenue, Docket No. 09-ALJ-17-0160-CC. I served as co-counsel for DOR on this tax controversy matter in which the DOR applied an alternative apportionment formula to arrive at the appropriate taxable income for a subsidiary of Carmax. The use of alternative apportionment was then, and remained for some time, a relatively untested and controversial exercise of the Department’s statutory power. We were successful in defending the Department’s approach at the ALC. The decision was overturned on appeal after my departure from the agency.

(d) SCCCL & SCWF v. DHEC and Horry County, Docket No. 16-ALJ-07-0404-CC. I served as chief counsel for DHEC in this weeklong ALC contested case hearing, in which the agency’s permitting decisions to allow the county’s construction of a new road (International Drive) was being challenged by public interest groups. The petitioners alleged potential harms to several local species, including black bears. The contested case litigation severely delayed construction of the road, which the county asserted was badly needed to provide faster routes for first responders to access nearby residential areas, as well as to provide other public benefits. We were successful in defending the agency’s permitting decisions at the ALC, and International Drive was constructed shortly thereafter.

(e) Clam Farm v. DHEC; Docket No. 21-ALJ-07-0145-CC. I served as co-counsel on this matter representing Clam Farm Partnership, LLC, challenging DHEC's imposition of a new critical area line in conditions of a renewed construction stormwater permit. The matter was significant because the agency was attempting to impose a new critical area line through the stormwater permit while an existing agency-approved critical line survey remained valid, and because of the Department's efforts at trial to disassociate its Bureau of Water decision (a stormwater permit) from actions of another subdivision of the same agency. The ALC was persuaded that the actions of all agency divisions related to the project were relevant, and ultimately ruled for the Permittee, eliminating the objectionable conditions on the construction stormwater permit.

(c) Jowers v. DHEC, 423 S.C. 343, 815 S.E.2d 446 (2018). While the motions hearings and oral argument in this matter were primarily handled by Emory Smith of the Attorney General's Office, I was involved in advising DHEC at the outset of the legal challenge and participated as co-counsel for the agency at the Circuit Court and in the brief writing for the Supreme Court. This matter involved a constitutional challenge to the South Carolina statutes which allow for the permitting and registration of surface water withdrawals – particularly as they apply to agricultural users. The decision relied heavily on principles of justiciability, rejecting plaintiffs' claims largely because they were based on speculative harms that were not yet ripe. The case has been relied on for its ripeness holding in numerous other state cases since 2018.

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) Friends of Gadsden Creek v. WestEdge Foundation and DHEC, October 9, 2024, S.C. Supreme Court Case No. 2023-000006; 2024 WL 4449742

(b) J&W Corp of Greenwood v. DHEC and Simmons Family Holdings, LLC, 22-ALJ-07-0033 (Currently pending in the Court of Appeals)

(c) SCRAP v. Jim Young, Heath Coggins, DES, 24-ALC-07-0266 & 0267 (Currently pending in the Court of Appeals)

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.

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.

N/A

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 Supreme Court –	November 13, 2007
(b)	Federal Court for the District of South Carolina –	December 20, 2007
(c)	North Carolina Supreme Court –	August 31, 2020

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) I taught as part of the faculty for the CLE “Sales and Use Tax in South Carolina,” on Nov. 7, 2013, in Columbia, South Carolina.
- b) I taught as part of the faculty for the CLE “Natural Resources and Environmental Law Seminar,” on August 22, 2014, in Columbia, South Carolina.
- c) I was part of the CLE panel for the “2016 Government Law Section Mid-Year Update - Hot Topics with DHEC,” on June 17, 2016, Columbia, South Carolina.
- d) I taught the CLE “What is Effective Regulation?; Overview of the Regulatory Promulgation Process,” on October 28, 2016, in Columbia, South Carolina.
- e) I taught the CLE “Dams in Post Flood South Carolina” as part of the Environment & Natural Resources Section CLE at the 2017 SC Bar Convention on January 19, 2017, in Greenville, South Carolina.
- f) I was part of a panel for the CLE “Competing for SC’s Water Resources” as part of the Environmental & Natural Resources Section CLE at the 2018 SC Bar Convention on January 18, 2018, in Kiawah Island, SC.
- g) I gave the law related presentation “Hot Topics in Agriculture” at the Farm Bureau Annual Conference on November 30, 2018 in Myrtle Beach, SC.
- h) I taught the CLE “Standing: Not as Easy as it Looks” along with co-presenter Dawn Miller, as part of the Environmental & Natural Resources Section CLE for the 2019 SC Bar Convention on January 17, 2019, in Myrtle Beach, SC.
- i) I was part of a team of presenters that taught the CLE “DHEC Tonight!” for SCAARLA 2019, on February 1, 2019, in Columbia, SC.
- j) I taught the CLE “Environmental Update” (co-presented with Elizabeth Dieck) for the S.C. Bar Government Law Section, on May 3, 2019, in Columbia, SC.
- k) I taught the law related presentation “Environmental Law for ECOs,” monthly while serving as Environmental Attorney at Fort Jackson in 2019 and 2020.

- l) I taught the CLE “Clean Water Act Developments,” as part of the Environmental and Natural Resource Section CLE at the 2020 SC Bar Convention in Myrtle Beach, South Carolina.
- m) I taught the CLE “Environmental Update,” as part of Nexsen Pruet’s In-House Counsel CLE in October 2021 in Columbia, SC.
- n) I recorded the CLE “Uncertain Standing in Environmental Litigation” for the SC Bar in May 2021 (available as an on demand CLE).
- o) I taught the law related presentation “Carbon Credits and Conservation Easements” at the Farm Bureau Annual Meeting in October 2021 in Myrtle Beach, SC.
- p) I co-taught the law related presentation “Stormwater, Agency Enforcement, Professional Requirements,” (with Mary Shahid) to the ACEC/NSPE-SC Annual Meeting on Feb. 16, 2022, in Columbia, SC.
- q) I served as a moderator for CLE presentations at the Tri-State Environmental Conference (SC/NC/GA Bar) in June 2022, in Charleston, SC.
- r) I taught the law related presentation “Agricultural Permitting Update” to the S.C. Poultry Federation Annual Meeting, on July 6-8, 2022, in Hilton Head Island, SC.
- s) I presented portions of the law related presentation “BSI Environmental Bootcamp - Environmental Law Overview” on August 23, 2022 (Hilton Head, SC) and on November 29, 2022 (Austin, TX).
- t) I taught the CLE “Where Goeth Deference?” as part of the Environmental & Natural Resource Section’s CLE Presentation for the 2023 SC Bar Convention, on January 20, 2023, in Columbia, SC. I also served as facilitator and course planner for the E&NR Section Presentation that year.
- u) I taught as part of a panel for the CLE “South Carolina Case Law Update” for the June 2024 Tri-State Environmental Conference in Savannah, GA.
- v) I taught the CLE “A Look at What’s Emerged; PFAS in the World of CERCLA” as part of CAPCA, Fall 2024, in Myrtle Beach, SC.
- w) I taught as part of a panel for the CLE “Chevron. We Hardly Knew Ye” for the S.C. Bar on October 31, 2024, Columbia, SC.
- x) I taught as part of a panel for the CLE “Ripple Effects: Possible Outcomes from the End of the Chevron Doctrine in Environmental Law” as part of the Environmental & Natural Resource Section CLE for the 2025 SC Bar Convention in Columbia, SC.

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.

- a) Various “Client Insights” (Maynard Nexsen Firm Blog Posts), available at <https://www.maynardnexsen.com/professionals-michael-traynham#Media>.
- b) *Opening the Flood Gates?* SC Lawyer, November 2020.

- c) *The Shape of the Water (Law): The Evolving Regulation of Surface Water in South Carolina*, American Bar Association, Water Resource Committee Newsletter, October 2, 2018 available at [https://www.americanbar.org/groups/environment\\_energy\\_resources/publications/wr/20181002-wr-the-shape-of-the-water-law/](https://www.americanbar.org/groups/environment_energy_resources/publications/wr/20181002-wr-the-shape-of-the-water-law/).
- d) *What Every Lawyer Needs to Know about Investment Fraud*, S.C. Young Lawyer, August 2011.

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.)

- (a) Memo in Support of Motion to Dismiss, SCRAP v. SCDES, Jim Young and d/b/a J. Young Broilers, and Heath Coggins Broilers - I am the primary author of this memo, which was collaboratively edited and revised with a colleague (Joan Hartley), who is also listed on the filing. The final product is roughly 90% my drafting.
- (b) Joint Response to Motion for Reconsideration, William R. Scurry and J&W Corporation of Greenwood v. SCDHEC and Simmons Family Holdings, LLC – I am the primary author of this joint-party responsive brief. The initial and final drafts were collaboratively reviewed by co-counsel, but no substantive revisions were made that were not my drafting.

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.

No.

## 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.

All Maynard Nexsen attorneys are covered by professional malpractice insurance, and I have been covered since I joined the firm in 2020. I have never been covered by a tail policy.

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 separate attachment.

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.

N/A.

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

No.

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.

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.

No.

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?

To date, I have spent \$15.60 on postage and \$9.00 on a nametag in furtherance of my candidacy. I have not reported expenditures to the House and Senate Ethics Committees but will do so when expenditures approach the \$100 threshold.

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.

Neither I nor any member of my immediate family have made any contributions to members of the General Assembly within the past 4 years. I am not aware of any contributions made by my firm and have no role in managerial decisions of the firm (including whether and to whom to make such contributions).

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.

I am not aware of any financial or business relationships I have had which could constitute or result in a possible conflict of interest. In the event circumstances arose in which my impartiality could reasonably be questioned, I would adhere to the Canons of Judicial Conduct and withdraw or, if circumstances permitted, disclose the circumstances to all parties and allow them the opportunity to waive or not waive the withdrawal.

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;
- (c) which was sold, leased, or rented to a state or local public agency in South Carolina.

Neither I nor any member of my immediate family hold any property interests that meet these criteria.

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.

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.

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

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.

To date I have not asked any person to campaign on my behalf. I have communicated with the individuals providing recommendation letters regarding my intention to run, and have communicated with several members of my firm and other professional colleagues regarding the same, but not to request they campaign on my behalf or contact members of the General Assembly.

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: \_\_\_\_\_