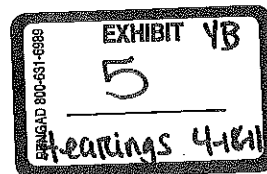


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:
Family Court, Fourth Judicial Circuit, Seat 2

1. NAME: Ms. Cely Anne Baker Brigman
BUSINESS ADDRESS: Jebaily Law Firm
291 W. Evans Street
P. O. Box 1871
Florence, SC 29503
TELEPHONE NUMBER: (office): (843) 667-0400
2. Date of Birth: 1961
Place of Birth: Columbia, SC
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
5. Family Status: Married on May 17, 2003, to Gregory W. Brigman. (Regarding prior marriage, was divorced on November 27, 2002; Family Court Fourth Judicial Circuit, State of SC; Mrs. Brigman was the moving party; One Year's Continuous Separation); two children.
6. Have you served in the military? If so, give the dates, branch of service, highest rank attained, serial number, present status, and the character of your discharge or release. I have never served in the military.
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) Columbia College, Columbia, SC, 1979-83, B.A. in Public Affairs;
 - (b) University of SC School of Law, 1983-85, Juris Doctor.
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.
Admitted to practice in SC in May 1986.
9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.

While attending Columbia College, I was nominated for Who's Who In American Colleges and Universities. I was also a member of the Judicial Council and was active in student government. I served as a representative from Columbia College in the SC Student Legislature.



10. Describe your continuing legal or judicial education during the past five years. Include **only** the title and date of any continuing legal or judicial education course completed.

<u>CLE/Conference Name</u>	<u>Date(s)</u>
(a) Children's Issues in Family Court	3/17/06;
(b) Criminal Domestic Violence and Coordinated Community Response	6/15/06;
(c) Chief Magistrate Technology	7/19/06;
(d) Alternative Dispute Resolution Training	9/8/06;
(e) Hot Tips From the Coolest Domestic Law Practitioners	9/22/06;
(f) Mandatory Magistrate School	11/3/06;
(g) Successful Financial Settlements For Your Divorce Client	5/11/07;
(h) Magistrate Training	5/14/07;
(i) Children's Issues in Family Court	5/23/07;
(j) Chief Magistrate Technology	7/19/07;
(k) Family Law: Helping Your Clients Through Difficult Cases	12/3/07;
(l) 2007 Family Court Bench/Bar	12/7/07;
(m) Bits, Bytes & Clips	1/25/08
(n) Your Family Law Practice in the 21 st Century	3/31/08;
(o) Chief Magistrate Training	7/9/08;
(p) Judicial Selection in SC	9/17/08;
(q) Emerging Issue in Adoption-Voluntary Relinquishments: Practices, Procedure & the SC Supreme Court's New Legal Standard	9/26/08;
(r) Family Law From A to Z	10/15/08;
(s) Mandatory School for Magistrates	11/7/08;
(t) Ethics Update	12/19/08;
(u) Sidebar – SC Criminal Law	4/26/09;
(v) Magistrate's and Municipal Courts	5/31/09;
(w) Chief Magistrate Training	6/23/09;
(x) Mandatory School for Magistrates	10/30/09;
(y) Staff/Judges Annual Training	2/2/10.

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?

- (a) I made a presentation at a SC Women Lawyers Seminar on Criminal Domestic Violence in Magistrate's Court in October 2006.
- (b) I presented a case law up date at a National Business Institute Seminar entitled Stay on Top of Family Law Developments in December 2007.
- (c) I lectured on the topic of Marriage Dissolution, Process and Procedure at a National Business Institute Seminar in October 2009.

12. List all published books and articles you have written and give citations and the dates of publication for each. None

13. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.
- (a) Admitted to practice before the SC Bar on May 21, 1986.
 - (b) Admitted to practice before the United States District Court on February 3, 1987.
 - (c) Admitted to practice before the United States Supreme Court on April 18, 1994.

14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.

From August 1986 until May 1990, I practiced as an associate with Greene, Lockemy and Bailey in Dillon, SC. My responsibilities involved family court litigation, civil litigation primarily representing plaintiffs in personal injury actions and limited criminal defense. I also performed residential real estate closings.

From May 1990 until May 2004, I practiced as an associate with D. Kenneth Baker, P.A. in Darlington, SC. My responsibilities involved family court litigation, civil litigation primarily representing plaintiffs in personal injury actions, and residential real estate closings. I also handled cases in the probate court.

In March 2004, I was appointed to fill a position as a part-time Magistrate for Darlington County. I still hold this position and have been serving as Chief Magistrate for Darlington County since 2004.

From May 2004 until November 2009, I practiced as an associate with McDougall and Self, L.L.P. in Florence, SC. My practice was limited to family court litigation.

From November 2009 until present, I have practiced with the Jebaily Law Firm, P.A. in Florence, SC. My practice is limited to family Court litigation.

In June 2010, I became a part-time attorney for the Clarendon County Guardian ad Litem program. I represent lay guardians in matters involving the Department of Social Services.

If you are a judge and are not seeking a different type of judgeship, the following questions are 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 has prepared you to preside over such matters as a Family Court Judge.

My professional practice as an attorney has been limited to family court litigation for the last seven years. I have tried divorce, equitable division of property, child custody, adoption, abuse and neglect and juvenile cases during that time. I have not only tried cases but have participated in mediations and settlement negotiations on behalf of clients involved in family court actions. I have also served as a part-time Magistrate for the last seven years. Both my private practice and my service as a magistrate have prepared me to preside over cases in family court.

15. What is your rating, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, etc.? If you are currently a member of the judiciary, list your last available rating, if any. Martindale-Hubbell, 2.9
16. What was the frequency of your court appearances during the last five years?
 - (a) federal: 0%;
 - (b) state: 100%.
17. What percentage of your practice involved civil, criminal, domestic, and other matters during the last five years?
 - (a) civil: 0%;
 - (b) criminal: 0%;
 - (c) domestic: 99%;
 - (d) other: 1%.
18. What percentage of your practice in trial court during the last five years involved matters that went to a jury, including those that settled prior to trial?
 - (a) jury: 0%;
 - (b) non-jury: 100%.

Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? Sole counsel.
19. List five of the most significant litigated matters you have personally handled in either trial or appellate court or before a state or federal agency. Give citations if the cases were reported and describe why these matters were significant.
 - (a) Trey Gerald Smith v. Jennifer Erin Williamson, 07-DR-16-0071
This was a custody/visitation action brought pursuant to the Uniform Child Custody Jurisdiction Act (UCCJA) and the Parental Kidnapping Prevention Act (PKPA). I represented the Defendant mother in this action. My client and the minor child lived in Mississippi. In a previous action between these parties it was established that Mississippi was the home state of the minor child. After the Family Court of Mississippi had issued an order regarding custody, the father filed a second action in SC seeking to modify the Mississippi order. After a full hearing on the merits, the Family Court in SC dismissed the father's complaint. I was able to demonstrate that pursuant to the PKPA the family court in SC

lacked jurisdiction and the father would have to pursue his claim in Mississippi, my client's home state.

- (b) Joseph Warren Sims v. Sarah Sims, 08-DR-21-1579 This was a divorce and custody action in which I represented the Defendant father. The parties were able to resolve the custody and visitation issues at mediation. The issue at trial was the divorce. The Plaintiff mother had filed seeking a divorce on the grounds of physical cruelty, which my client contested. I was able to demonstrate through the physical evidence and testimony at trial that the wife's allegations and proof did not rise to the level required under current case law in SC. After a full hearing on the merits, the trial court dismissed wife's complaint for divorce.
- (c) James Dustin Carnell v. Jessica Marie Carnell, Tonja Renee Carnell and minor children Brittany Ann Carnell and Tiffany Nichole Carnell. 09-DR-16-1107. This was an action for termination of parental rights and adoption. I represented the biological father and potential adoptive step-mother. We were seeking to terminate the parental rights of the biological mother and allow the step-mother to adopt the minor children. The biological mother contested both the termination of parental rights and the adoption. I was able to establish that the biological mother had failed to visit or support the minor children and that pursuant to the statute, her parental rights to the children should be terminated. Upon terminating the parental rights of the biological mother, the Court allowed the step-mother to adopt the children, over the objections of the biological mother.
- (d) March v. March, 04-DR-16-0094. This was an action for divorce and equitable division of marital assets. I represented the Plaintiff in this action who claimed that there were significant items of property which were non-marital and not subject to division by the court. The Defendant wife contended that all items were marital and that she was entitled to an equitable division. I was able to demonstrate to the court that the property in question was non-marital which meant my client retained exclusive ownership and the Defendant wife was not entitled to any portion. The Defendant also claimed my client should pay her attorney fees. Based on the testimony at trial, the court determined each party should pay their own fees.
- (e) Gerald v. Gerald, 09-DR-21-1372. This was a Rule to Show Cause action filed during a pending divorce. I represented the Plaintiff wife who alleged the Defendant had repeatedly violated a prior restraining order issued by the court. There were numerous instances of unwanted and intrusive contact which the Defendant denied. Through testimony and the introduction of various exhibits I was able to demonstrate to the court that the Defendant had in fact violated the restraining order on

numerous occasions, despite his adamant denials. The Court found the Defendant to be in contempt of the prior order.

20. List up to five civil appeals you have personally handled. Give the case name, the court, the date of decision, and the citation if the case was reported. None
21. List up to five criminal appeals that you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported. None
22. Have you ever held judicial office?
March 2004 to present – appointed to serve as part-time Magistrate for Darlington County. In 2004, I was appointed to serve as Chief Magistrate and still hold that position. I preside over Criminal Domestic Violence Court, civil matters in which the amount in controversy does not exceed \$7,500.00, and criminal matters that fall within the Magistrate's Court jurisdiction. I also preside over all the jury trials held in the Hartsville area of Darlington County and conduct bond hearings.
23. If the answer to question 22 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also list citations to any appellate review of these orders or opinions.
The cases I preside over in Magistrate's Court do not require written orders or opinions.
24. Have you ever held public office other than judicial office? If so, list the periods of your service, the office or offices involved, and whether you were elected or appointed. Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office. If not, were you ever subject to a penalty?
I have never held public office other than my service as a Magistrate.
25. List all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial office. Specify your dates of employment, employer, major job responsibilities, and supervisor.

From May 1990 until May 2004, I practiced as an associate with D. Kenneth Baker, P.A. in Darlington, SC. My responsibilities involved family court litigation, civil litigation primarily representing plaintiffs in personal injury actions, and residential real estate closings. I also handled cases in the probate court.

In March 2004, I was appointed to fill a position as a part-time Magistrate for Darlington County. I still hold this position and have been serving as Chief Magistrate for Darlington County since 2004.

From May 2004 until November 2009, I practiced as an associate with McDougall and Self, L.L.P. in Florence, SC. My practice was limited to family court litigation.

From November 2009 until present, I have practiced with the Jebaily Law Firm, P.A. in Florence, SC. My practice is limited to family Court litigation.

In June 2010, I became a part-time attorney for the Clarendon County Guardian ad Litem program. I represent lay guardians in matters involving the Department of Social Services.

26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? No
27. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? Other than part-time positions held while in high school, college or law school, I have held no positions other than practicing law and serving as a Magistrate.
28. Are you now an officer or director or involved in the management of any business enterprise? No
29. A complete, current financial net worth statement was provided to the Commission.
30. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest.

I am not aware of any financial arrangements or business which I currently have or have had which could constitute or result in a possible conflict of interest.

31. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law? No
32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? No
33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? No
34. Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law?

- (a) In The Matter of the Estate of Harley A. Newsome, Deceased, v. Gena Phillips Ervin as Personal Representative of the Estate of Harley A Newsome; Christine N. Tolson, Individually and as Conservator for Sallie Louise Newsome, deceased; Cely Baker Reynolds as Guardian ad Litem for Sallie Louise Newsome, deceased; John H. Newsome, Sr; and John H. Newsome, Jr., Respondents, v. Kenneth L. Amerson, Personal Representative of the Estate of Louise A. Newsome. 98-ES-16-355

This case arose out of a petition filed in Probate Court to authorize the sale of a parcel of real estate. The Conservator for Sallie A. Newsome petitioned the Probate Court to allow the sale of the real estate so that the funds generated could be used to provide for Mrs.

Newsome's care. I was the Court appointed Guardian *ad litem* for Mrs. Newsome who was in a nursing home.

The Petition for Sale was supported by an appraisal from a licensed real estate appraiser. The property was to be sold for the appraised value. The Probate Judge approved the sale which was finalized shortly thereafter.

Three months later, Sallie Newsome died. The Personal Representative of her estate filed a motion pursuant to Rule 60(b), SCRPC, to set aside the sale alleging the appraisal introduced at the hearing was inaccurate and that the property was worth more than indicated.

The Probate Court denied the motion. The Personal Representative appealed to the Circuit Court which upheld the ruling of the Probate Court. Upon appeal to the SC Court of Appeals (No. 2003-UP-475), the decisions of both lower courts were affirmed.

- (b) Kenneth L. Amerson, Personal Representative of the Estate of Sallie Louise A. Newsome v. Gena Phillips Ervin, Personal Representative of the Estate of Harley A. Newsome, Christine N. Tolson, Individually and as Conservator for Sallie Louise A. Newsome, deceased; Cely Baker Reynolds, as Guardian ad Litem for Sallie Louise A. Newsome, Deceased; John H. Newsome, Sr. and John H. Newsome. 02-CP-16-365

In 1998, the Probate Court approved the sale of certain real estate owned by Sallie Louise A. Newsome. I was the Court appointed Guardian *ad Litem*

For Sallie Louise A. Newsome who was in a nursing home. The sale was approved. The order of the Probate Court was appealed and upheld by the Circuit Court and Court of Appeals.

Sallie Louise A. Newsome died several months after the sale of the property. In 2002, the Personal Representative of her estate filed an action in circuit court in an attempt to set aside the sale of the property. A motion for summary judgment filed on my behalf in Circuit Court. The order granting summary judgment was appealed and certiorari was denied by the SC Supreme Court.

36. 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? No
37. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a "lobbyist's principal," as defined by S.C. Code § 2-17-10(14)? No
38. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? No

39. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None
40. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None
41. 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. \$13.00 for a name badge.
42. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship. None
43. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened? No
44. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No
45. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No
46. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? No
47. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
- (a) SC Bar Association
 - Past Member, House of Delegates
 - Past Member, Board of Governors
 - (b) Darlington County Bar Association
 - (c) Florence County Bar Association
 - (d) SC Association for Justice
 - Past Chairman, Family Law Section
 - (e) SC Women's Law Association
 - (f) Summary Court Judges Association

48. 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) Award of Excellence, SC Coalition Against Domestic Violence, 2008;
 - (b) American Heart Association.
49. 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.

For the past several years, my practice has been devoted exclusively to the practice of family law. I have tried to increase my professional skills by attending educational family law seminars and by speaking at these seminars. My service as a Magistrate has taught me the importance of exercising patience, understanding and restraint with both litigants and lawyers. I believe I have the ability and temperament needed to serve on the Family Court bench.

50. References:

- (a) Mr. William A. Hill
Carolina Bank and Trust
P. O. Box 1028
Darlington, SC 29540
- (b) Hon. David M. Beasley
72 Public Square
Darlington, SC 29532
- (c) Mr. Laurie C. Lawson
104 Tennessee Drive
Darlington, SC 29532
- (d) Ms. Rangeley B. Chewning
P. O. Box 1871
Florence, SC 29503
- (e) Ms. Gena P. Ervin, Esq.,
504 South Coit Street
Florence, SC 29503

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: Cely Anne Baker Brigman

Date: March 4, 2011