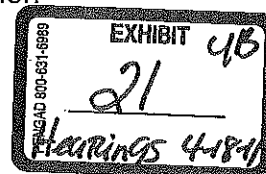


**JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:  
Family Court, Thirteenth Judicial Circuit, Seat 3

1. NAME: Mr. Michael D. Stokes  
BUSINESS ADDRESS: 901 W. Poinsett Street  
Greer, SC 29650 and  
6 Bailey Mill Road  
Travelers Rest, SC 29690  
TELEPHONE NUMBER: (office): 864-801-0540 and 864-895-0478
2. Date of Birth: 1966  
Place of Birth: Greer, South Carolina
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 June 9, 1990, to Rachel Elizabeth Few Stokes.  
Never divorced; three children.
6. Have you served in the military? NONE
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) North Greenville College (now University), Summer 1984. I took one history course in summer school to get experience about college classes. I was already enrolled to begin Furman University in the fall.
  - (b) Furman University, Fall 1984–Spring 1988. B.A. in Political Science
  - (c) University of SC, School of Law, Fall 1988–Spring 1991. J.D.
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.
- I was admitted to the South Carolina Bar in 1991. To my knowledge I have always been a member in good standing. I have not attempted to be admitted to any other state bars. I passed the bar exam on my first attempt.
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.
- South Carolina Law Review, 1989-91, Editorial Board, 1990-91.
10. Describe your continuing legal or judicial education during the past five years.
- | <u>Conference/CLE Name</u>                   | <u>Date(s)</u> |
|--|----------------|
| (a) SCSCJA Seminar and Legislative Reception | 3/05;          |
| (b) Family court Judges Seminar              | 12/05;         |



- |     |  |        |
|-----|--|--------|
| (c) | Magistrate Mandatory School              | 11/06; |
| (d) | SCSCJA Staff Judges Seminar              | 2/07;  |
| (e) | SCSCJA Seminar and Legislative Reception | 3/07;  |
| (f) | Advanced Studies Seminar                 | 5/07;  |
| (g) | SCSCJA Summer Seminar                    | 7/07;  |
| (h) | Domestic Abuse Seminar                   | 10/07; |
| (i) | Domestic Violence Seminar                | 8/07;  |
| (j) | SCSCJA Convention                        | 9/07;  |
| (k) | Magistrate Mandatory School              | 11/07; |
| (l) | SCSCJA Charleston School                 | 7/08;  |
| (m) | Magistrate Mandatory School              | 11/08; |
| (n) | SCSCJA Staff Judge Convention            | 2/09;  |
| (o) | SCSCJA Legislative Seminar               | 3/09;  |
| (p) | SCSCJA Staff/Judge Convention            | 2/10;  |
| (q) | SCSCJA Hickory Knob School               | 5/10;  |
| (r) | Magistrates Mandatory School             | 11/10. |
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? NONE
12. List all published books and articles you have written and give citations and the dates of publication for each.
- (a) Comment, Logical Relationship Test for Computing Counterclaims Adopted, South Carolina Law Review, Vol. 42, number 1, pp. 188-191 (Autumn 1990);
  - (b) Comment, Volunteers Ineligible for Workers' Compensation: Subject Matter Jurisdiction Over Compensation Agreements Unsettled, South Carolina Law Review, Vol. 42, number 1, pp. 273-275.
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 South Carolina Courts, 1991;
  - (b) Admitted to United States District Court for District of SC, 1992;
  - (c) Admitted to United States Court of Appeals, Fourth Circuit, 1992.
14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.
- (a) 1991-96, Associate, Chapman, Harter & Groves, P.A. General Practice focusing primarily on family law, real estate, insurance defense, and workers' compensation appeals.
  - (b) 1996-2000, Sole practitioner, Greenville, South Carolina. General practice focusing primarily on family law, and real estate.

- (c) 2000-01, Partner, Mims & Stokes, Greer, South Carolina. General practice focusing on family law, real estate, criminal and probate.
- (d) 2001-05, Sole practitioner, Greer, South Carolina. General practice focusing on family law, real estate, and probate.
- (e) 2005-present, Partner, Stokes & Southerlin, P.A. General practice focusing on family law, real estate, and probate.
- (f) 1996-present, Greenville County Magistrate Judge. Appointment originally for 20 hours per week. Since 2004 my assignment is for 35 hours per week.

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.

I have maintained a practice in Family Court for the entire time I have been an attorney. Most of my cases have involved divorce and property distribution along with child custody. As with most attorneys, I have settled most of my cases. I attribute this to being able to explain the law that applies to the case to the client, so that settlement can be realistically pursued for the client. The law in these areas is usually quite settled and a good practitioner would be able to predict with reasonable accuracy what decision a court might render. Also, settlements have been further facilitated in Greenville because this county has mandatory mediation and the program has been very successful. If a case does not settle in mediation, then by that stage I am prepared for trial.

In the adoption area, my office has not actively sought cases; however, I have done them on occasion. I have undertaken private adoptions, step-parent adoptions, and DSS adoptions. I currently have two active adoption cases.

Most of my abuse and neglect cases have been DSS related. Our office has a policy that we actually handle the DSS cases assigned to us and rarely hire another attorney to take our place. Therefore, over the years, I have had exposure to multiple cases involving abuse, neglect, and termination of parental rights. Also, as a private attorney, I have been involved in several private actions involving termination of parental rights.

I have never had the opportunity to handle a juvenile criminal case. However, I have reviewed the procedure in preparing for this process and I have litigated several criminal matters, and as a magistrate

I have heard hundreds of criminal matters so I feel very comfortable with the underlying criminal law and I think I am competent to apply the process in a juvenile case 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. My current Martindale-Hubbell rating is BV.
16. What was the frequency of your court appearances during the last five years?
  - (a) federal: 0;
  - (b) state: Attorney, 3-6 appearances per month average; Magistrate Court Daily.
17. What percentage of your practice involved civil, criminal, domestic, and other matters during the last five years?
  - (a) civil: 35%;
  - (b) criminal: 10%;
  - (c) domestic: 50%;
  - (d) other: probate 5%.
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: 15%;
  - (b) non-jury: 85%.

Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? I serve as sole or chief 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) Knight v. Knight. Family court case involving a long term marriage, significant real property in two states and a small business.
  - (b) Holt v. Holt. Change of custody case involving multiple allegations of abuse and a jurisdictional dispute between two states.
  - (c) Marion v. Marion. Family court case involving real and personal property issues and significant Quadro issues.
  - (d) Bishop v. Bishop. Family court case involving a long term marriage, significant debt, bankruptcy issues, and several contempt proceedings.
  - (e) Wade v. Wade. Family court case involving allegations of abuse and property issues.
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.
  - (a) Mullinax v. Winn Dixie Stores, Inc., 318 S.C. 431, 458 S.E.2d 76 (Ct. App. 1995);
  - (b) Seeger v. Wrenn Handling Company, Employer, and Farmington Casualty Company, Carrier, Unpublished opinion of Court of Appeals, 1999.

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?  
I was appointed a Greenville County Magistrate Judge in November 1996 and have served continuously since. The criminal jurisdiction is generally offenses not exceeding a fine of \$500.00 (plus assessments) or 30 days imprisonment or both. The civil jurisdiction is matters where the amount in controversy does not exceed \$7,500.00. The jurisdiction is unlimited in landlord/tenant matters.
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.
- (a) EmTec eviction. This case involved the eviction of a manufacturing plant in Travelers Rest, South Carolina. It involved multiple parties and the amount in controversy was well into the six-figure range.
  - (b) I handled the criminal case as a magistrate when a fire escaped and burned a portion of Paris Mountain. The case is significant in that I had to handle the media attention given to the case.
  - (c) Most civil cases at the magistrate level are without significance on their own to anyone other than the parties directly involved. However, they are significant as a group here because of the sheer volume of cases I have been called upon to decide which number is now in the range of 2500 to 3000 cases both jury trials and bench trials.
  - (d) Most criminal cases standing alone at the magistrate level are without great significance to anyone other than the victims and the defendants involved and their families. However, again as with the civil cases, they are significant here as a group because the volume of cases I have decided now exceeds a conservative estimate of 1200. This would not include preliminary hearing decisions. I have also during most of my tenure handled the central court that hears the county code cases for the whole of Greenville County. I also have been charged with establishing the court that handles the mandatory mediation pilot program in Greenville County for civil jury trials. We currently are maintaining an 80% success rate with mediation.
  - (e) I believe the most significant fact of my time on the Magistrate bench is that, upon belief, I have been appealed no more than 10 to 12 times in nearly 15 years as a magistrate.
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? NONE

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.

I continued my practice of law while a continuing part-time judge from 1996 to the present at the firms listed in question 14. I have always been my own supervisor.

26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?

In the Family Court elections for May 2008, January 2009, and January 2010 I was not successful. On all occasions I was found qualified, but not nominated.

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?

While in college I worked the summer of 1985 at North Greenville College in the dish room. Also, during college I worked at Belk's in Greer, South Carolina, as a salesman and porter. In my last year of college and while on breaks from law school I worked as a courier and law clerk for the Chapman firm in Greenville. These jobs cover the years from 1985 to 1990.

28. 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.

I am the president of Stokes & Southerlin, P.A. This is my law office and I carry out attorney duties with the firm. It was established in 2005.

I am vice president of Northern Greenville Investments, LLC. This LLC was established to invest in real property and commercial paper. It currently has no holdings but is an active LLC in good standing.

I am a member of GD & M, LLC. This is a LLC established by other members of my family and I to hold and lease out real property that has historically been in our family.

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 have practiced law with several individuals over the years. I would recuse myself from hearing cases that involved these lawyers. I have had no business relationships with anyone other than these attorneys and members of my family. I would also believe it correct to recuse myself from cases that involved any of my clients.

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? .

The SC Department of Revenue filed tax liens against my former law office that subsequently was shown to be in error. The quarters in question had been filed and paid under the new firm, Stokes & Southerlin, P.A. In the end, it was determined that no tax had ever been owed, no interest was due, and there were no penalties and the matter was closed and the liens were removed. Proper taxes had been paid and proper returns had been filed, as I had maintained. The commission has the underlying documents regarding this situation on file from earlier races.

I have never defaulted on my student loans. All are paid in full. I have never filed bankruptcy.

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?

I was named as a party in a foreclosure involving property owned by an estate for which I was personal representative. I was dropped from the lawsuit after it was determined I was not a proper party as I had no personal interest whatsoever in the property. The whole foreclosure was dismissed when assets were gathered and the mortgage was paid off.

I have never been a defendant in a lawsuit where I was actually a proper party.

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.

- I know of no such charges against me or any other candidate.
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.
- I know of no such charges or allegations against me or any other candidate.
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. NONE
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) South Carolina Bar;
  - (b) Greenville County Bar;
  - (c) South Carolina Summary Court Judges Association (Life Member).
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) Boy Scouts of America. Offices: District Chairman, Assistant District Commissioner, and Assistant Scoutmaster. Honors/Awards: Eagle Scout with silver palm, Vigil Honor, Distinguished Commissioner Award, Scout of the Year, District award of Merit, Silver Beaver Award;
  - (b) Blue Ridge Ruritan Club. Secretary, vice president, president, director, zone governor;



- (c) Few's Chapel United Methodist Church. Offices: chairman, Administrative Council, Lay Leader, Trustee;
  - (d) Freemason. Bailey Lodge, Greer, South Carolina. No offices held.
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.

I have a background that prepares me to be a family court judge. I have been a lower court judge for nearly fifteen years. During this time I have learn many things to do and not to do as a judge. What seems inconsequential to one person is a great insult to another. What one person understands easily another does not. A judge has to learn to "read" people to know best how to approach a party. This is an art and takes years to develop. Hopefully, I have already made all of my biggest mistakes. In the course of my career, I have had to learn several lessons in patience and humility. As a young judge I did not have enough of either. I am glad I now realize this fact and I am disappointed in myself that it took me so long to learn the lessons. I hope no person suffered irreparable harm due to my shortcomings and inexperience. If I were a magician I would like to erase and redo my first three to four years as a judge. Poor judgments from that time still cause repercussions today. However, I have had two blessings that have caused me to become what I believe now is a caring and compassionate judge. First, I had a true friend who had the fortitude to talk to me directly. He said I was on the same tract as another judge in our county who was not seen as calm, caring, and compassionate. I did not wish to be thought of as such. Secondly, I became the father of a child who suffers from a form of autism. He patterns every move he makes after significant people in his life. As his primary role model he patterns the most on me. This responsibility to teach him how to interact with others has caused me to become hypersensitive to others. As I said this has been a blessing as has my son. It has made me into a person who I have confidence in will do the proper actions and my son at almost 14 has become a good student, successful Boy Scout, and a person who relates well to others. Thus, I am thankful for these lessons and I believe that they have made me over the past ten years a judge that would serve well on any bench.

50. References:

- (a) Harry A. Chapman, Jr.  
P.O. Box 10224 FS  
Greenville, South Carolina 29603.  
864-233-4500
- (b) Kenneth G. Southerlin, Jr.  
PO Box 2077  
Greer, South Carolina 29652  
864-801-0540
- (c) Keith Drummond  
301 University Ridge, suite 4100

Greenville, South Carolina 29601  
864-467-7495.

- (d) Susan B. Covington  
1311 Augusta Road  
Greenville, South Carolina 29605  
864-421-0808
- (e) Heather Witt, BB& T Bank  
1219 W. Poinsett Street  
Greer, South Carolina 29650  
864-968-1020
- (f) Henry Mims  
100 E. Poinsett Street  
Greer, South Carolina 29651  
864-877-0463

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: Michael D. Stokes

Date: March 7, 2011