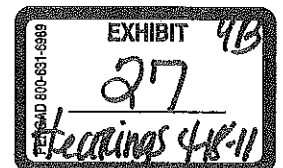


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

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

1. NAME: Ms. Deborah A. Malphrus
BUSINESS ADDRESS: 7865 East Main Street
Post Office Box 1749
Ridgeland, South Carolina 29936
TELEPHONE NUMBER: (home): 843-726-3485
(office): 843-726-3373
2. Date of Birth: 1964
Place of Birth: Savannah, Georgia
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 20, 1987, to William Newton Fowler. Never divorced; three children.
6. Have you served in the military? No.
7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
 - (a) University of South Carolina 1982-87 Bachelor of Science in Nursing
 - (b) University of South Carolina 1987-90 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.

I was admitted to practice law in South Carolina in 1990. I have been a member in good standing continuously since I was admitted to practice.
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.
 - (a) 1983-87 Beta Omicron Chapter of Zeta Tau Alpha Sorority;
 - (b) 1986-87 Sigma Theta Tau International Honor Society of Nursing;
 - (c) 1987-90 Student Bar Association;
 - (d) 1987-90 Nurse Volunteer Columbia Free Medical Clinic.
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>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Tips From the Bench V	01/06/06;
(b) Resolving Problems and Disputes	01/09/06;
(c) Mini Summit on Justice for Children	08/22/09;
(d) DSS Legal Training	12/08/06;
(e) Judgment Enforcement in South Carolina	10/23/08;
(f) Masters In Cross Examination	02/06/09;
(g) The Laches Defense in Family Court	02/26/09;
(h) Technology on Computer Forensics	02/26/09;
(i) A Tricycle, a Marathon, Ethics, Stress Mgt	02/27/09;
(j) Family Court Mediator Certification Program	07/28/09;
(k) Mastering The Game Skills Law	10/22/10.

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? Yes
- (a) In 2000, I was a presenter at the Association of Legal Nurse Consultants seminar in Charleston, SC. I spoke on the role of a legal nurse consultant in medical malpractice litigation.
- (b) During the years 2000-05 I annually organized and presented seminars to Hampton and Jasper County DSS caseworkers related to proof requirements and evidentiary issues that arise in abuse and neglect and adult protective services proceedings.
12. List all published books and articles you have written and give citations and the dates of publication for each. I have not written any books or articles for publication
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) I was admitted to practice law in all SC courts, 11/16/1990;
- (b) I was also admitted to practice in the United States District Court for the District of South Carolina on 7/10/98.
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) August 1990-August 1991 Law Clerk to the Honorable Carol Connor;
- (b) January 1992-December 1994 Fourteenth Circuit Solicitor's Office. Assistant Solicitor under the Honorable Randolph Murdaugh, III;
- (c) January 1995-March 1998 Private Practice of Law in the Malphrus Law Offices. General practice of law, with emphasis on trial work;
- (d) April 1998-December 2008, Private Practice of Law in the Law Firm of Moss, Kuhn, Fleming, PA, with offices in Beaufort and Ridgeland, SC. My office was in Ridgeland, SC. I was the managing member of the

Ridgeland branch of the law firm. Again a general practice, including Family Law, Criminal Law, Personal Injury, general trial work, Medical Malpractice, Real Estate and general Business Law;

- (e) January 2009-present, Private Practice of Law in the Law Firm of Deborah A. Malphrus, PA. I continue to practice law in the same location as I did with Moss, Kuhn & Fleming, PA, but my practice is completely separate from my former law firm. I am the owner/ sole practitioner of my separate law firm. I continue to have a general practice, including Family Law, Criminal Law, Personal Injury, general trial work, Medical Malpractice, Real Estate and general Business Law.

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 represented both men and women, as both Plaintiffs and Defendants in divorce action for the past sixteen years. Most of these cases have involved equitable distribution issues. Many of these cases have involved contested custody issues, contested spousal support issues, and transmutation of property issues. I have tried cases involving contested grandparent visitation. I have represented clients in contested termination of parental rights actions. I have also represented clients in cases involving the application of the Uniform Child Custody Jurisdiction Act and the Uniform Child Support Enforcement Act. As assistant Solicitor, I prosecuted many juvenile offenders and represented the State in abuse and neglect, adult protective services, termination of parental rights, and adoption proceedings. I have also litigated private, contested adoption cases and served as Guardian ad Litem in many domestic actions.

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. Not rated in Martindale-Hubbell
16. What was the frequency of your court appearances during the past five years?
- (a) federal: once a year;
- (b) state: weekly.
17. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years?
- (a) civil: 20%;
- (b) criminal: 10%;

- (c) domestic: 60%;
 (d) other: 10%.
18. What percentage of your practice in trial court during the past five years involved matters that went to a jury, including those that settled prior to trial?
 (a) jury: 30%;
 (b) non-jury: 60%.
- 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) SCDNR vs. Harold H Washington 95-ALJ-13-0049-CC. This matter is significant to me in that it involved assisting an elderly, illiterate man in appealing the suspension of his commercial fishing license. This work was done pro-bono. We were able to have his license restored, Mr. Washington was able to return to crabbing. Mr. Washington and I have been close friends ever since this decision.
- (b) Saxon vs. Columbia Colleton Medical Center, et al. This case was significant to me because it involved complicated medical malpractice issues, and a fairly uncommon disease process. The case had multiple Defendants and lasted more than one week in trial.
- (c) Rivera vs. Smith: This case was significant to me because I successfully defended a grandparent visitation case. This was the first time that I actually litigated the rights of grandparents to have visitation with their grandchildren separate and apart from their child's visitation rights.
- (d) Ex parte Bowers 320 SC 360 465 SE2d 354 (1995). This case is significant to me because it involved the way in which attorneys from smaller counties are appointed in abuse and neglect actions.
- (e) Sheffield vs. Woods This was a civil litigation matter that involved a water rights dispute. The case was significant to me because my co-counsel was Professor Stephen Spitz, and I very much enjoyed trying a case with Professor Spitz at my side.
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) Ex parte Bowers 320 SC 360 465 SE2d 354 (1995);
 (b) Estate of Sherman ex rel. Maddox vs. Estate of Sherman ex rel. Snodgrass 359 SC 407 598 SE2d 354 (1995);
 (c) Bing and White vs. Devore, et al 2005-UP-097;
 (d) Pittman v. Lowther 355 SC 536 586 SE2d 149 (2003).
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? No.
24. Have you ever held public office other than judicial office? No.

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. N/A
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?
In 2007 I ran for the Fourteenth Judicial Circuit Family Court, Seat 2. 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? I practiced nursing part-time. (Registered Nurse) at Baptist Medical Center, Columbia, SC, Charter Rivers Hospital and Lexington Medical Center during law school and in my early years as an attorney. (1990-95).
28. Are you now an officer or director or involved in the management of any business enterprise?
I serve on the Board of Directors of Palmetto Electric Cooperative. Palmetto Electric is an electric energy distribution cooperative. I have served on the Board since 1998.
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. None
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? No. Have you ever defaulted on a student loan? No. 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? No
36. Have you ever been investigated by the Department of Social Services? No. 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.
I have spent less than \$10.00 on postage mailing out introductory and qualification letters between February 8, 2011 and March 1, 2011, approximately \$30.00 on business cards, on February 10, 2011, and approximately \$20.00 on a name tag on March 2, 2011.
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 Association;
 - (b) Jasper County Bar Association, Secretary/Treasurer;
 - (c) South Carolina Women's Lawyers 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.

St. Paul's United Methodist Church, Ridgeland, South Carolina.

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 am hard-working, compassionate and honest. Serving as a member of the judiciary has been my career goal since I clerked for the Honorable Carol Connor Twenty years ago. In recent years, I have foregone the opportunity to have a more lucrative legal career in the medical malpractice field to focus on and increase my family court practice because I hope to be a Family court judge. I pride myself on always being prepared and providing excellent representation to my domestic clients.

My parents separated when I was twelve years old, and divorced when I was sixteen years old. My father was my primary custodian because my mother moved away to further her education. I know first hand how separation and divorce affect children. I also know first hand that fathers can be successful single parents to their children. I am the mother of three children and have been happily married for 24 years. I have been a working mother my entire married life, and I understand the important roles of both mothers and fathers in parenting children.

My experience representing the State in abuse and neglect and juvenile offender matters for many years is what really sparked my desire to serve on the Family Court Bench. Family Court Judges in our State are given the unique opportunity to truly make a difference in the lives of South Carolina's most vulnerable citizens---our children and our vulnerable adults. I want to have the opportunity to be one of those Judges that make a difference.

I thank God daily for my many blessings and for my wonderful family. If I am elected, I pledge to work hard, be compassionate, and to serve in a way that brings honor to the State and to the Judiciary.

50. References:

- (a) Darrell Thomas Johnson, Jr., Esquire
Law Offices of Darrell Thomas Johnson Jr., L.L.C.
P.O. Box 1125
Hardeeville, SC 29927
843-784-2142
- (b) The Honorable Gregory B. Jenkins
Jasper County Sheriff
P.O. 986
Ridgeland, SC 29936
843-726-7777
- (c) Randolph Murdaugh, III, Esquire

Peters, Murdaugh, Parker, Eltzroth & Detrick
P.O. Box 457
Hampton S C 29924
803-943-2111

(d) M. Dawes Cooke, Jr., Esquire
Barnwell, Whaley Patterson & Helms, LLC
P.O. Drawer H
Charleston, SC 29402
843-577-7700

(e) Carl G. Kilpatrick
South Carolina Bank and Trust, N.A.
P O Box 880
Ridgeland, SC 29936
843-717-8308

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: Deborah Malphrus

Date: March 3, 2011