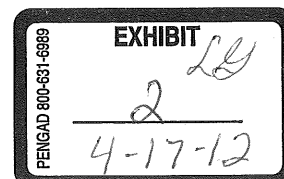


**JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE**

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

1. NAME: Ms. Karen F. Ballenger  
BUSINESS ADDRESS: Post Office Box 490  
Walhalla, SC 29691  
Physical address: 30 Short Street  
Walhalla, SC 29691  
TELEPHONE NUMBER: (office): (864) 638-2930
2. Date of Birth: 1957  
Place of Birth: Mullins, 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: Divorced twice in 1981 and 2011; One Year's Continuous Separation for both. One child.
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.  
College:  
University of SC  
Dates of Attendance: August 1975 to August 1978  
Degree: Bachelor of Science  
Major: Computer Science  
Law School:  
University of SC School of Law  
Date of Attendance: 1984 to 1987  
Degree: JD
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 am admitted to practice law in SC.  
I was admitted to practice in this state on November 24, 1987.
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. None



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) Family Court Bench/Bar	12/02/2011;
(b) 2011 Family Law Intensive	10/06/2011;
(c) Ethics Seminar	03/11/2011;
(d) 2011 Guardian <i>Ad Litem</i>	01/28/2011;
(e) 2010 Hot Tips from the Coolest Domestic Law Practitioners;	10/01/2010;
(f) Legal Education Seminar	03/19/2010;
(g) 2010 Guardian <i>Ad Litem</i> Update	01/29/2010;
(h) Hot Tips from the Coolest Domestic Law Practitioners	09/18/2009;
(i) Legal Education Seminar	05/01/2009;
(j) SCAC Local Government Attorneys	12/12/2008;
(k) SC Family Court Bench/Bar	12/05/2008;
(l) Hot Tips from the Coolest Domestic Law Practitioners	09/19/2008;
(m) Hot Tips	02/24/2008;
(n) Side Bar SC Live	02/22/2008;
(o) Legal Education Seminar	02/15/2008;
(p) Side Bar: Family Law Update	02/27/2007;
(q) Family Court Bench/Bar	12/01/2006;
(r) Legal Education Seminar	02/24/2006.

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
- (a) I was an instructor in domestic law at Columbia Junior College in the paralegal program in the summer of 1988.
- (b) I was also a presenter at a conference held at the Sheraton in Columbia, SC. The subject matter of the conference was legal issues relating to child abuse and neglect. At the time of the presentation, I was the attorney for the Oconee County Guardian *ad Litem* program. The audience consisted of lay guardians, Department of Social Services workers, and attorneys. To the best of my recollection, the seminar was sponsored by the SC Children's Law Center. I have not been able to locate any information as to the date of the course. I contacted the Children's Law Center but was not able to get the information regarding the seminar since I could not give them the identifying information for the conference.
12. List all published books and articles you have written and give citations and the dates of publication for each. I have not published any books or articles.

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 State Courts of SC in 1987. My name at the time of my admission was Karen Paige Fowler.
  - (b) Also admitted to practice before the United States District Court on August 28, 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.

After graduation, I became an associate with the firm of Kennedy, Price & Dial, Columbia, SC. I was employed with Kennedy, Price & Dial until June of 1988. My duties included research and drafting of pleadings and other legal documents; assisting in trial preparation; maintaining client contact; and a limited amount of real estate work.

In June 1988, Judge Carol Connor offered me a position as her law clerk. She had recently been elected as circuit court judge, and she needed a clerk for the summer. She was the resident judge of the Fifth Judicial Circuit. As Judge Connor's law clerk, my duties included overseeing the docket, performing legal research, reviewing orders, and order preparation.

After clerking for Judge Connor, Judge Marion H. Kinon asked me to serve as his law clerk for approximately 6 weeks while his law clerk was in training with the SC National Guard.

In October 1988, the Honorable William Howard Ballenger, Resident Circuit Court Judge of the Tenth Judicial Circuit, offered me a position as his law clerk. During my time as Judge Ballenger's law clerk, he presided over two death penalty cases. I was employed as Judge Ballenger's law clerk until January 1990.

In January 1990, I became an associate with the law firm of Ross, Stoudemire & Awde, P.A., Seneca, SC. In July 1992, I became a named partner in the firm – Ross, Stoudemire, Ballenger & Sprouse, P.A. I was with this firm until December 31, 1994. During this time, I had a general practice which included domestic; civil litigation; criminal (very limited); workers' compensation and social security. I would estimate that approximately 60% of my practice during this time was within the jurisdiction of the family court.

After leaving the above firm, I began a solo practice in Walhalla, SC. Very shortly thereafter, I became a principal/partner in the firm of Ballenger, Fedder, Cain & Norton, L.L.P. I was with this firm until June of 1998. My practice during this time included domestic; personal injury; workers' compensation; probate; social security; civil and a very limited amount of real estate.

From June of 1998 to 2001 (to the best of my recollection), I had a solo practice in Walhalla, SC. During this time, I maintained a general practice. However, the main focus of my practice was family court matters.

In 2001, I began practicing with the firm of Fedder, Norton, Ballenger and Enderlin, P.A. The area of my practice did not change. The majority of my practice was appearing in the family court and handling domestic issues. Subsequently, Derek Enderlin left the firm and accepted a job as the Oconee County Public Defender, and Julie Mahon became a part of the firm. The firm's name changed to Norton, Ballenger and Mahon, P.A. on April 23, 2004, based on the records of the Secretary of State. Subsequently, Julie Mahon married and moved from Oconee County,

SC. Brad Norton and I continued to practice in Walhalla, SC. Then on or about July 11, 2011, Keith Denny became a named partner in the firm. The name of the firm as of this date is Norton, Ballenger, and Denny, P.A.

In the last 10 or more years, I have limited my practice to primarily family 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.

Divorce: Since primarily my entire practice is in family court, I have been involved in many divorce and separate maintenance cases, both contested and uncontested. In addition, I have been involved in cases involving common law marriage, and I have also been involved in a few annulment cases.

Equitable Division of marital property: I have litigated many equitable division of property and debt cases. I have been involved in cases where the issue was whether the property in question was marital property; whether a party's separate property had been transmuted into marital property; whether a party had a special equity in certain property; cases which involved the division of defined benefit and defined contribution retirement accounts; cases involving the valuation of a business and cases involving the division of marital debts. I have been involved in cases where property appraisers were retained and cases involving economists and certified accountants.

Child Custody: I have been involved in custody cases both as an attorney for one of the parents and also as a guardian *ad litem* for the minor child(ren). I have been involved in cases where experts were involved including counselors, psychologists, and psychiatrists.

Adoption: I have handled many adoption cases. I have been involved in family and step-parent adoptions. I have been involved in contested adoption cases. My role in these cases has been that of an attorney for a party and as a guardian *ad litem* for the child(ren).

Abuse and Neglect cases: I have been involved in these type of cases from every legal position involved. At one time in my practice, I was the contract attorney for the Oconee County Department of Social Services. At another time in my practice, I was the attorney for the Oconee County Guardian *ad Litem* program. As a private attorney, I have also represented the parents in these type of cases.

Juvenile Justice: Over the years, I have been appointed to represent juveniles in family court. There have been a few occasions where I was retained to represent juveniles in family court. Also, due to my proximity to the Court, I am often contacted by the Court to represent juveniles as his or her guardian *ad litem*. I am also the attorney for juveniles in the Oconee County Juvenile Drug 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.? BV Distinguished rating

**Retired judges/justices and judges/justices applying for reelection to their current position may omit Questions 16-21. If a candidate is seeking a judgeship different than his or her current position, Questions 16-21 should be answered based on experience prior to serving on the bench.**

16. What was the frequency of your court appearances during the past five years?  
(a) federal: None;  
(b) state: On average, I appear in family court at least two to three days a week.
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: 95%;  
(d) other: 5%.
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: 0%;  
(b) non-jury: 100%.  
Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? In my practice, I most often serve as 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) Patricia A. Brunelle vs. Richard F. Brunelle, 2003-DR-37-80 and Richard F. Brunelle, Jr. and Patricia A. Brunelle, Case No. 2009-DR-37-449

The case in 2003 was a divorce action involving issues of alimony, equitable division of marital property and attorney fees. This was a 32 year marriage. The marital estate was over a million dollars. I was representing the Wife who was asking for alimony, attorney fees and 50% share of the marital estate. The Husband retained an economist who offered testimony that the Husband had contributed 69% of the direct and indirect contributions in the marriage and that the Wife had only contributed 31% of the direct and indirect contributions. The Husband also offered testimony from the economist suggesting that the Wife could annuitize her share of the marital estate (retirement funds) such that she would have income from the annuity which would negate her need for periodic alimony. I did not have an expert but I was successful in getting the Court not to accept the Husband's economist's expert opinions. After hearing the testimony, the Court granted the Wife periodic alimony in the amount of \$2,250.00 per month. The division of the marital property was basically a 50/50 division of the marital estate. The division of the retirement accounts required me to draft a Qualified Domestic Relations Order. The Court also awarded the Wife attorney fees. My client was very happy with the Court's ruling, and my service as her attorney.

The Husband filed a notice to appeal the case. I associated an attorney in Columbia to handle the appeal. Evidently, the Husband dismissed his appeal.

In 2009, Mr. Brunelle stopped paying his alimony payments. Ms. Brunelle retained me to represent her in the contempt action. After a hearing, the Court held Mr. Brunelle in contempt, and he was ordered to bring the alimony payments current. The Court also granted the Wife attorney fees and costs.

Mr. Brunelle then filed Case No. 2009-DR-37-449. In that action, Mr. Brunelle was asking for his alimony payments to be terminated (or in the alternative, for his alimony payments to be reduced). At the first temporary hearing, the Court denied Mr. Brunelle's request for a reduction of his alimony payments. There was a final contested hearing held on March 3, 2011. After hearing all of the testimony, the Court denied Mr. Brunelle's request for a reduction of alimony. The Court granted the Wife attorney fees and costs. Again, my client was very happy with the Court's ruling.

This case is interesting because of the longevity of the case. Ms. Brunelle has been my client since 2003. It is my understanding that Mr. Brunelle is in the process of taking this matter back to Court again.

- (b) Erby McCall vs. Carol A. McCall, Gary Gordon and Mark Kubinetz, Case No. 96-DR-37-662

This was a two-day equitable division case. One of the interesting issues in this case was the status of the alleged marital property. The Wife had transferred all of the alleged marital property to her two sons (not the Husband's children) a year before the separation without the husband's knowledge. There were two legal arguments – whether there was a resulting trust and whether the Wife conveyed the property with a fraudulent intent to deprive the Husband of his equitable interest in the property. Other issues in the case included marital fault which affected the economic circumstances of the marriage and alleged marital debts. During the litigation, my client (the Husband) became terminally ill and there was a serious concern that he would die prior to the final hearing. In order to preserve his testimony, I took his deposition via video. The Husband was able to attend the final hearing. However, I presented a doctor's statement which stated that the Husband was too ill to testify. The Wife's attorney wanted to call the Husband as a witness. The family court judge contacted the Husband's doctor directly to determine if the Husband was physically able to testify. The doctor told the Judge that the Court would be putting the Husband's life in danger if she required him to testify. Based upon this information, the Judge allowed the video deposition in the record in lieu of the Husband's testimony. After the trial, the Judge issued an order setting aside the transfer of the property from the Wife to her sons. In the alternative, the Order provided that the Wife could pay to the Husband a lump sum amount for his interest in the property. The Wife did not comply with the terms of the Court Order, and I filed a rule to show cause against the Wife on behalf of my client. The Husband died the day before the contempt hearing. The contempt hearing was continued until a personal representative was appointed for the Husband. Ultimately, the Wife paid the money to the Husband's estate as ordered. She then filed a claim against the Husband's probate estate which was ultimately dismissed.

This case was very interesting because it involved a novel and interesting legal issue – i.e., trying to set aside a deed which transferred the property to the Wife's sons a year prior to the separation. This case took three years to complete because of the numerous complex issues involved and the trouble with service on the Wife's sons.

My client was very happy with the Court's ruling. It was sad that Mr. McCall died prior to being paid the money for his share of the marital estate. However, in the last days of his life, Mr. McCall was happy knowing that the money that he had been awarded would ultimately go to his loved ones in accordance with the terms of his Will.

- (c) Janet Watkins vs. Ronald Richard Melter, Jr., Case No. 99-DR-37-308 and Case No. 2005-DR-37-243

This was a custody action. In Case No. 99-DR-37-308, I was appointed as Guardian *ad Litem* for the parties' minor child. At the conclusion of the case, the parties were granted joint custody with the Father being granted primary placement of the child, and the Mother being granted secondary placement of him. The Mother filed Case No. 2005-DR-37-243 when the Father was ordered to active duty for Operation Enduring Freedom. At a temporary hearing held on January 23, 2006, the Mother was granted primary physical placement of the child. I was appointed as the child's guardian. When serving as a guardian for an older child, I make it my practice to give these children my home telephone number and my cell phone number in case they want to contact me directly. On January 1, 2007, I received a call from the minor child stating that the police were arresting his mother. He stated to me that his mother had struck his step-father and threatened to kill him with a knife. He told me that he had called 911. He stated that he was scared and that he wanted me to come and get him. I told him that it would be better if I called his father. At that point, the child became very upset and told me that he did not want his father coming to get him. He told me that he only wanted me to come and get him. I called the Father and told him about my conversation with the child. The Father consented to me going and getting the child which I did. After talking with him and calming him down, I took him to his father's home.

The next day I filed a motion in the case requesting an emergency hearing to get this matter back before the Court for a review of the custody/placement situation.

The reason that this case is significant to me is this case shows the relationship that is often formed between the child and the child's guardian in family court cases where guardians are appointed.

(d) James Canvin vs. Kathy Canvin , Case No. 2005-DR-37-788

This was a custody, child support, equitable division, alimony and attorney fee case. It was a marriage of 22 years. I represented the Wife. During the marriage, the Wife suffered a brain stem hemorrhage resulting in her being totally disabled. One of the issues in the case was whether the Mother (my client) was physically able to take care of the children. However, after several temporary hearings and the appointment of the guardian, the parties were able to reach an agreement as to the issues of custody of the children.

At the end of the case, the main issue was the division of the marital estate which was approximately 2 million dollars.

The case lasted approximately four (4) years. There were five temporary hearings and one contempt action before the case was scheduled for a final hearing.



The day of the hearing, the parties were able to settle the case. However, in order to do this, the marital home which was lake front property had to be re-appraised to take advantage of the decline in property values due to the economy. My client was able to receive 50% of the marital assets. One of the main points of contention in the case is which party was going to retain ownership of the marital home. In the final settlement, my client was granted ownership of the home which made her very happy. The Husband was retired. Mrs. Carvin was awarded 50% of his retirement income.

The Wife and I had worked very hard in preparing this case for trial. There were numerous witnesses ready to testify. I feel that the pre-trial work that we had done was a strong factor in being able to negotiate a fair settlement in this matter.

(e) John Jeffery Isely vs. Cheryl Harris Isely, Case No. 2009-DR-39-1259

I represented the Wife in this case. It was a long term marriage. The Wife was a nurse. The Husband worked at Clemson University. The issues were alimony, equitable division of marital property and marital debts and attorney fees. Very early in the case, the Husband's attorney and I agreed to have a settlement conference in the hopes of settling the case. However, the settlement conference was not successful, and the parties were not able to reach an agreement. However, at the settlement conference, the attorneys were able to conduct some informal discovery which helped both parties prepare for mediation. At the settlement conference and the mediation conference, the Husband specifically denied that he had a pension account. My client believed him and she was adamant that he did not have a pension account. However, due to his employment, I had strong suspicions that he had retirement benefits under the Federal Employees Retirement System (other than the Thrift Savings Plan that he was disclosing). The mediation was successful. (or at least, the parties left believing that there was an agreement). During the mediation conference, my client (the Wife) agreed to lump sum alimony instead of periodic alimony. At the mediation, I was very careful to make sure that the parties' agreement specifically stated that my client was entitled to 50% of any and all of the Husband's retirement and/or pension accounts. After the mediation, I continued to research the issue of the Husband's pension account and I discovered that I was correct and that the Husband had a FERS pension account that he had failed to disclose (to his Wife and his attorney). When the Husband learned that the Wife was now seeking 50% of his pension account in accordance with the mediation agreement, he withdrew his consent to the mediation agreement (which had never been signed). At that point, this was a contested hearing. While waiting for the hearing date, an issue came up about the marital home. The Husband was re-located with his job. The house did not sell

as anticipated. The government ended up purchasing the home as part of the re-location package to the Husband. But, the purchase price was substantially less than what was anticipated at the mediation conference. This caused an issue with the payment of the lump sum alimony. After approximately 2 years, the case was set for a trial. Just days before the hearing date, the parties were able to reach an agreement. At the hearing, the attorneys had prepared all of the needed documents which included a signed separation agreement, a proposed divorce decree, COAP which divided the Husband's Thrift Savings Plan and the Husband's benefits with the Federal Employees' Retirement System and a QDRO dividing the Wife's state deferred benefit plan.

The reason that this case is significant to me is that I was able to get my client a portion of an asset that she did not know even existed. Even though this case was not the largest case that I have been involved in and it was also not one of the most interesting cases that I have been involved in, it was one of those cases where you felt that you were really able to help your client and make a difference in your client's life.

Note: Even though it was not a case which I litigated, I would like to bring to the Commission's attention that in a circuit court case I was qualified as an expert witness in family law.

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) Larry D. Brown vs. Lois J. Orndorff and Catherine Ann Orndorff, 309 S.C. 320, 422 S.E.2d 151 (S.C. 1992). Mr. Ross was one of the attorneys in the firm of Ross, Stoudemire & Awde, P.A. Mr. Ross was the principal attorney in the case. I remember drafting one of the trial briefs for him. At the trial, I was there to assist him. However, to the best of my recollection, I did not actively participate in the trial of the case. I do not remember having any involvement in the appeal. But, if I did, it was only to support to Mr. Ross.
  - (b) Oconee County Department of Social Services vs. Brenda Guy. To the best of my recollection, this was a case before the South Carolina Court of Appeals. I was the attorney for the guardian *ad litem*. The Case Number in Family Court was 96-DR-37-948. I could not locate the file on Casemaker or the judicial department web site.
  - (c) I handled an appeal very early in my practice. The attorney representing the appellant was Randy Chastain. The only thing that I can remember about the appeal was that the case was dismissed because the appellant did not comply with the appellant court rules.
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? 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? 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 1999, I submitted an application for the Judge of the Family Court for the Tenth Judicial Circuit, Seat 2. I was found to be qualified for the position. I withdrew my application by letter dated January 21, 2000. The Honorable Timothy M. Cain was elected to the judicial office where he served admirably until he was elected to the federal bench.

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?

When I was a teenager and during my college years, I worked for my father in his business, Mullins Department Store. I would estimate that I started working for my father when I was 16 years of age and worked for him until November 1978.

Soon after graduating from college, I became employed by Davis National Bank in Mullins, SC. I worked at Davis National Bank from November 1978 until July 1984. The positions that I held at the Bank were teller, Data Processing Manager, Internal Auditor, Training Coordinator and Marketing Specialist.

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 own an office building in Walhalla, SC. The physical address of the property is 80 Short Street, Walhalla, SC. At the present time, the Oconee County Guardian *ad Litem* program is leasing the building (through the Governor's office). The lease expires the end of April 2012.

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?

On August 23, 2011, I was assessed \$604.71 by the Department of Revenue for penalties and interest relating to my individual income tax liability for the tax period ending December of 2009. When I received the notice at the end of August 2011, I faxed the notice to my accountant for him to handle the matter. At that point, I thought that my accountant was taking care of the matter. I later learned that he did not take any action with respect to my fax.

On September 28, 2011, I received a notice titled "Notice of Unpaid Tax Balance" which again stated that I owed the sum of \$604.71 to the Department of Revenue. I sent the notice to my accountant. Again, it was my understanding that my accountant was looking into this matter. I would also like to note that on the Notice of Unpaid Tax Balance there was no language that gave me any notice that a tax lien was going to be filed if I did not pay the amount owed. However, I went ahead and sent the Department of Revenue a partial payment to order to avoid any further action.

By notice dated October 10, 2011, the Department of Revenue notified me that a tax lien was being filed as to this matter. Upon receiving the notice, I did not call my accountant. I just paid the money that the Department of Revenue was alleging that I owed. I did not want a tax lien filed on me. I sent the Department of Revenue a check for the sum of \$645.19 on October 13, 2011. Then On October 12, 2011, I received a Notice of Unpaid Tax Balance for the same time period for \$445.19 which I paid. Despite my payment(s), a tax lien was filed against me on October 17, 2011. It was later cancelled of record on December 1, 2011. The amount of the tax lien was \$645.19.

Subsequent to the filing of the above tax lien, I received two refund checks from the Department of Revenue. The first refund check was for \$200.00 on November 10, 2011. The next refund check was for \$445.19 on December 13, 2011. So, despite sending me a tax lien notice and placing a tax lien on me with the Oconee County Clerk of Court, the Department of Revenue refunded me the amount that I paid and the amount that Department of Revenue was alleging that I owed.

My main issue with regard to this matter is the timing and insufficient notice given to me by the Department of Revenue. I was notified the last of August 2011 that the Department of Review had assessed me \$604.71. By notice dated September 28, 2011 (which I did not receive until several days thereafter), I received the notice of unpaid tax balance owed. In the notice, it gave me no notice that a tax lien would be filed. In fact, the notice did not give any time deadline for paying the notice. The notice only stated "The records of this office indicate you owe an additional tax amount. Immediate payment received by this office will avoid additional penalties and/or interest

from accruing". Then approximately ten days later the Department of Revenue filed a tax lien against me. However, at this time, the lien has been cancelled of record, and I have been refunded \$645.19 (the amount of the lien).

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?

It was my recollection, that I was named as a party in an action involving real estate which I owned in Marion County, SC. It was my understanding that the Defendants in the case were my mother, my brother and me. However, I have searched the SC judicial website and my father is the only person listed as a defendant in the case.

Case No. 1993-CP-37-00125: This is an action which I filed against my daughter and her father in order to be named as custodian over an investment account with Smith Barney. At the time of my father's death, he had an investment account with Smith Barney. On the account, he was listed as the custodian under the Uniform Gift to Minor's Act for my daughter, Courtney Lenore Ballenger. I filed this action seeking to be named successor custodian on these accounts. The Court granted the relief and I was named as successor custodian for Courtney Lenore Ballenger on said accounts.

Case No. 2003-CP-37-649: This action was filed against me on June 23, 2003 alleging that I had missed the statute of limitations in a personal injury case. I turned the matter over to my malpractice carrier. I denied any liability in the case. The case was dismissed by Order of the Court on August 25, 2003.

Case No. 2010-CP-37-1061, This is a foreclosure action. I was named as a Defendant in this suit due to unpaid guardian *ad litem* fees. In Case No. 2003-DR-37-71, I was awarded \$400.00 as guardian fees. Based on the court records, the case was dismissed per Rule 41(a) of the Rules of Civil Procedure.

Case No. 2011-CP-37-499 and Case No. 2012-CP-37-136 (same parties as Case No. 2010-DR-37-1061) Both of these action involve the same parties and deal with the same issue. The actions are foreclosure actions. I was named as a Defendant in these actions due to unpaid guardian *ad litem* fees. Both cases are still pending. I filed an Answer in the 2011 case. Subsequently, I executed a Disclaimer of Interest in which I disclaimed any interest in the subject property of the foreclosure action due to the award relating to my guardian fees. Upon being served in the 2012 foreclosure action, I made contact with the Plaintiff's attorney and advised them that I had executed a disclaimer of my interest. I have been advised that the Plaintiff's attorney will file an Amended Complaint removing me as a defendant in this case.

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.  
\$7.42 paid on February 20, 2012, 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? None
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. Since the word in the community spread that I was planning on seeking the family court position, I have had a few friends and clients ask me if there is anything that they can do to help me. At this point, I take the opportunity to explain the election process to them. I have had many of them offer to contact a member of the General Assembly on my behalf. I have explained to them that under the rules that no legislator can be contacted for their support at this time. I have cautioned everyone that has approached me that any contact with the legislator at this time must be limited to his or her opinion as to my knowledge of the law and how I handled his or her case. I

caution everyone that he or she is not to ask the legislator to vote for me or to try to influence the legislator about the judgeship position. So to answer that question, I have not asked a friend or colleague to contact members of the General Assembly on my behalf. I have not asked anyone to say anything to a member of the General Assembly that would constitute a request for a pledge or a request for their support.

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) Oconee County Bar Association;  
President in 1996  
I am a member of the family court bench-bar liaison committee
  - (b) South Carolina Bar  
I am a member of the Family Law Section
  - (c) In the past, I have been a member of the SC Trial 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.
- (a) Oconee County Drug Court (*Pro Bono*);
  - (b) James M. Brown Parent Teacher Organization;
  - (c) Walhalla Rotary Club;
  - (d) Paul Hayne Circle (literary club);
- In the past:
- (a) Member of Governor 's Youth Council (10<sup>th</sup> Judicial Circuit);
  - (b) Oconee County Council for the Prevention of Child Abuse;  
Offices held include director and president
  - (c) Family Friends;  
Member of Advisory Board
  - (d) Oconee County Kid's Do Count program;
  - (e) Walhalla Elementary PTO;
  - (f) Oconee Community Theater;
  - (g) Bethesda Ministries.
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. 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 grow up in an environment in which I learned important values by following the examples set by my parents. These values have served me well as an attorney, and I feel that they will serve me well as a family court judge.

Becoming a family court judge would allow me to continue to grow and serve my community in a field about which I am very passionate. I have over 20 years of experience in family court issues. In looking back at my legal career, I firmly believe that there have been many opportunities and experiences that have unknowingly brought me to where I am today. When I graduated from law school, I had no idea that I would end up becoming a family law attorney. However, after several years of practicing, it became very clear to me that I enjoyed being a family court attorney. Also I was very fortunate that I gained a reputation in the community as a family court attorney so that area of my practice started to grow substantially. So, by choice and by fate, my practice's emphasis has increasingly focused on family law.

I can say without any doubt that my legal career as a family court attorney has been exciting and very rewarding. I have handled many complex cases involving novel legal issues and hotly contested and protracted custody litigation. But, as a domestic practitioner in a small county, I have also handled cases where the major marital asset is a mobile home. Regardless of the size of the marital estate, I have come to realize that the joy comes from helping my client through one of the most painful times in their lives and having their gratitude and thanks at the end of the case.

A successful family court judge that can best serve their community is one who is passionate for family law; understands the intricacies of domestic law and can handle the unique challenges that exist in family court. I believe that I embody all of these qualities.

50. References:

- (a) Charles E. Dalton  
Post Office Box 8  
Pickens, SC 29671  
(864) 898-2016
- (b) J. Gresham Barrett  
125 Stonewall Drive  
Westminster, SC 29693  
(864) 647-8530
- (c) Louis Holleman  
School District of Oconee County  
414 South Pine Street  
Walhalla, SC 29691  
(864) 886-4400



- (d) Sallie C. Smith  
101 Arphenia Drive  
West Union, SC 29696  
(864) 638-8075
- (e) Roy W. Phillips  
Community First Bank  
PO Box 1097  
3685 Blue Ridge Boulevard  
Walhalla, SC 29691  
(864) 638-2105

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: Karen F. Ballenger

Date: March 5, 2012