

**JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE**

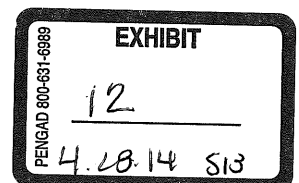
Court, Position, and Seat # for which you are applying:  
Court of Appeals, Seat 7

1. NAME: The Honorable Stephanie Pendarvis McDonald  
BUSINESS ADDRESS: 100 Broad Street  
Suite 427  
Charleston, SC 29401  
TELEPHONE NUMBER: (office): 843-958-5102
2. Date of Birth: 1969  
Place of Birth: Columbia, SC
3. Are you a citizen of SC? Yes  
Have you been a resident of this state for at least the immediate past five years? Yes
5. Family Status: Divorced on September 21, 2007; Ninth Circuit Family Court; Moving party-Judge Stephanie McDonald; 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.
  - (a) USC – Honors College, 1987-91, BA in Philosophy and English, Magna cum Laude, with Honors from SC College, May 1991;
  - (b) USC School of Law, 1991-94, JD, May 1994.
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.

SC – Admitted to practice in 1994  
I have taken only the SC Bar exam (once).
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.

College:

  - (a) Carolina Cares, USC's Philanthropic Organization (1988-91)  
President (1990-91);
  - (b) Alpha Delta Pi Sorority (1987-present)  
President (1990-91);
  - (c) Student Alumni Association (1989-91)  
Secretary/Treasurer (1990-91);
  - (d) Interclub Council (1989-91)  
Secretary/Treasurer (1989-90);
  - (e) USC Community Service Programs Advisory Board (1990-91);
  - (f) Assistant Student Advocate (Student Government) (1989-90);
  - (g) Campus Judicial Board (1990-91);



- (h) Hurricane Hugo Relief (Salvation Army) (1989);
- (i) Association of Honors Students (1987-91);
- (j) Mortar Board (1989-91);
- (k) Omicron Delta Kappa (1990-91);
- (l) Order of Omega (1989-91).

Law School:

- (a) Senate Judiciary Committee Law Clerk (1992-94)
- (b) Moot Court: (1992-94)  
Finalist (Argued before the S.C. Supreme Court - 1993)  
Order of the Barristers (1993-94)  
Captain, Craven Moot Court Team (1994)
- (f) Law School Pro Bono Board (1992-94)  
Vice-President (1993-94)
- (g) Volunteer, Richland County Guardian ad Litem Project (1993-94)

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</u>
(a) SC Defense Trial Attorneys (SCDTAA) Annual Meeting	11/8/2013;
(b) Annual Judicial Conference	8/21/2013 – 8/23/2013;
(c) SC Association for Justice (SCAJ) Annual Conference	8/2/2013;
(d) SC Defense Trial Attorneys (SCDTAA) Summer Meeting	7/25/2013;
(e) SC Bar “Fast Break on Fast Track Jury Trials: How it Will Work	6/7/2013;
(f) Annual Circuit Judges Conference Classes	5/1/2013;
(g) SC Bar Convention Trial & Appellate Advocacy/Criminal Law	1/25/2013;
(h) SC Defense Trial Attorneys (SCDTAA) Annual Meeting	11/8/2012;
National Judicial College, Reno, NV	
(i) Two-week “General Jurisdiction” Course	10/14/2012 – 10/25/2012;
(j) Annual Judicial Conference	8/22/2012;
(k) SC Association for Justice (SCAJ) Annual Conference	8/2/2012;
(l) Annual Circuit Judges Conference Courses	5/2/2012;
(m) SC Bar Convention Trial & Appellate Advocacy/Criminal Law	1/2012;
(n) SC IRF Law Enforcement Defense Seminar	10/7/2011;
(o) Annual Judicial Conference	8/17/2011;
(p) SC Association for Justice (SCAJ) Annual Conference	8/4/2011;
(q) SC Circuit Judges Orientation School	7/6/2011 – 7/8/2011;
SC Historical Society	
(r) “J. Waites Waring and the Dissent that Changed Amerca”	5/19/2011;
(s) Annual Circuit Judges Conference Courses	5/5/2011;
(t) SC Association for Justice (SCAJ) – various CLE courses	8/5/2010;
(u) Crime and Punishment Symposium – Charleston School of Law	2/19/2010;
(v) SC Bar Convention – Criminal Law Update	1/22/2010;
(w) SC Conference on Lawyer and Judicial Conduct	10/22/2009;
(x) SC IRF Law Enforcement Defense Seminar	10/2/2009;
(y) Chief Justice Toal’s Annual Ethics/Baseball Seminar	8/13/2009;
(z) SCAJ Annual Convention - various CLE courses	8/6/2009;

- “Domestic Violence and the Criminal Justice System”
- (aa) (SC Attorney General’s Office Special Prosecutor Training) 07/09/2009;  
 (bb) “It’s All a Game – Top Trial Lawyers Tackle Evidence” 02/13/2009;  
 (cc) SC Bar Convention - Criminal Law Update 1/23/2009.
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?

<u>Course/Lecture Name</u>	<u>Date</u>
(a) Panelist: “Ethics with the Judges” (SC Bar Sporting Clays CLE)	10/17/2013;
(b) Panelist: “Tips from the Bench” at SC Defense Trial Attorneys Summer Meeting	7/25/2013;
(c) Panelist: “Fast Break on Fast Track Jury Trials: How it Will Work	6/7/2013;
(d) Panelist: “Ethics with the Judges” (SC Bar Sporting Clays CLE)	4/25/2013;
(e) Speaker, Charleston School of Law Professionalism Series “Professionalism in the Courthouse”	3/7/2013;
(f) Speaker “Mental Health Issues and the Courts” Historic Rotary Club of Charleston	2/25/2013;
(g) Panelist, Charleston School of Law Professionalism Series Judicial Panel	1/31/2013;
(h) Mock Trial Judge and Speaker, SCDTAA Trial Academy	6/8/2012;
(i) Speaker, “Ethics in the Courtroom” at Charleston Lawyers Club “Tips from Bench and Bar” CLE	2/24/2012;
(j) Panelist: “The Fairness in Civil Justice Act of 2011” SCDTAA Annual Meeting	11/4/2011;
(j) Panelist: “Ethics with the Judges” (SC Bar Sporting Clays CLE)	10/13/2011;
(k) Panelist: “Ethics with the Judges” (SC Bar Sporting Clays CLE)	4/14/2011.

On December 16, 2010, I served on the faculty for a CLE seminar entitled “The Mechanics of Civil Procedure.” I prepared the materials for and presented the ethics section and the section addressing the structure and overview of our court system.

In 2006, I spoke at the Insurance Reserve Fund’s Law Enforcement Defense Seminar (CLE) on recent developments in constitutional law and the Changing composition of the Fourth Circuit and the United States Supreme Court.

At the 2004 SC Conference of Countywide Elected Officials (SCACEE Conference), I spoke about the operation of SC’s Freedom of Information Act and provided an update on recent SC cases impacting countywide elected officials.

In June of 2003, I taught a one-hour session at the SC Defense Trial Lawyers’ Trial Academy. I believe it was on cross-examination, but I honestly cannot remember.

I presented the “Ethics” portion for the 2001 Charleston Lawyers Club Law Week CLE. The topic was “Ten Ways to Avoid the Office of Disciplinary Counsel and Tips for Handling that Dreaded Letter.”

At the 2000 Conference for Attorneys to Assist Disciplinary Counsel, I provided an investigation checklist for Attorneys to Assist and spoke on how to conduct a thorough investigation.

In 1998, I spoke at the American Bar Association’s Affiliate Outreach Seminar in Las Vegas. The presentation was about the SC Bar Young Lawyer’s Division’s “Lawyers as Mentors” project and provided instruction for other YLDs interested in starting similar programs in their states.

In 1997, I spoke at the American Bar Association's Affiliate Outreach Seminar in Tampa. The presentation was about the SC Bar Young Lawyer's Division's "Citizenship in Schools" project and provided instruction for other YLDs interested in starting similar programs in their states.

12. List all published books and articles you have written and give citations and the dates of publication for each.

Co-author, Recent Developments in Government Operations and Liability Law: Annual Update on Public Official Immunities, The Urban Lawyer, 1997

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 1994;
- (b) Admitted to practice before the United States District Court for the District of SC;
- (c) Admitted to practice before the United States Court of Appeals for the Fourth Circuit.

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.

On February 2, 2011, I was elected by the General Assembly to the position of Circuit Judge, At-Large, Seat 9, to fill the unexpired term of the Honorable J. Michelle Childs. As I needed some time to wind down my law practice, I was sworn in on June 30, 2011, and began serving on the bench on July 1, 2011.

My work history prior to July 1, 2011, is as follows:

- (a) Stuckey & Senn: August 1994 through June 1997
- (b) After taking the Bar exam, I worked as an associate at Stuckey & Kobrovsky in Charleston. This firm later became Stuckey & Senn. Although this was a general practice, and I worked on some probate matters and business litigation, my primary areas of work involved constitutional and governmental issues. The first three cases that I tried on my own involved constitutional claims in United States District Court.
- (c) I became quite ill while pregnant with my only child and was forced to take a two-month leave of absence for home intravenous treatments. Upon my return to work in August of 1997, I decided to go out on my own and focus on the handling of appellate matters for several law firms. I maintained this solo practice from August of 1997 through approximately 2003. During this time period, I handled appeals for:
  - (1) Stuckey Law Firm;
  - (2) Sandra J. Senn, P.A.;
  - (3) Clawson & Staubes;
  - (4) Rhoad Law Firm (Bamberg);
  - (5) Padgett Law Firm (Bennettsville);
  - (6) Jennings and Harris (Bennettsville);
  - (7) Jay Ervin (Darlington).
- (d) I also did other work for:
  - (1) Joye Law Firm;
  - (2) David Whittington;
  - (3) Robert Gailliard;

- (4) John Price Law Firm;
  - (5) E. Bart Daniel;
  - (6) J. Brady Hair;
  - (7) Larry Kobrovsky;
  - (8) Stanley Feldman.
- (e) The bulk of my work during this time period, however, was with Sandy Senn, with whom I worked from the month after I completed the Bar exam until I took the Bench on July 1, 2011.
- (f) My law practice involved a variety of appellate matters (for plaintiffs and defendants) and the defense of public officials, law enforcement agencies, state agencies, and local governments in state and federal courts.
- (g) I also served as a prosecutor for the SC Attorney General's Criminal Domestic Violence Task Force. Most of that work took place in Orangeburg County.
- (h) I handled some trial level cases for plaintiffs, primarily in the field of employment discrimination and harassment, but I estimate that about 60% of my private practice was in the area of civil defense.
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 rating: AV
16. What was the frequency of your court appearances during the past five years?
- (a) federal: 1-2 times per month;
  - (b) state: 5-7 times per month, unless we were in trial.
17. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years?
- (a) civil: 70%;
  - (b) criminal: 15%;
  - (c) domestic: 15%.
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: 85% (this figure includes matters in which summary judgment or dismissal was granted prior to trial);
  - (b) non-jury: 15%.
- Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters?  
I generally served as sole counsel or co-counsel with another of my law partners.
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) Erickson v. Winner, Charleston County Court of Common Pleas (March 2006). This case arose from the "Domestic Court Reform Movement" that took place in SC in the early 1990s. The plaintiff, a former Dorchester County Guardian ad Litem, sued a number of defendants following the issuance of "The Winner Report," which offered a scathing view of SC's private Guardian ad Litem system. A lengthy article in the Charleston City Paper followed the issuance of the report, and the plaintiff subsequently sued several defendants for defamation and other torts. My law

partner and I represented the SC Governor's GAL Office and a county office supervisor, receiving a directed verdict on all causes of action after three weeks of trial. Following the fourth week of trial, the jury returned a 6.5 million dollar verdict against several of the remaining defendants.

The appeal against our trial clients was dismissed; however, I was subsequently retained to represent two of the defendants again whom the verdict had been returned. The S.C. Supreme Court heard oral arguments in February of 2010, and on March 1, 2010, the Court vacated the 6 million dollar punitive damages verdict. See *Erickson v. Winner*, Memorandum Opinion No. 2010-MO-006 (2010).

- (b) *Pelaccio v. Charleston County Sheriff's Office*, Berkeley County Court of Common Pleas (April 2005). This wrongful death action arose after a father held his infant hostage and threatened to kill the child and blow up the family's home. He also threatened several members of law enforcement responding to the scene. After an all-night stand-off, the father emerged from the house, holding a knife to the baby's neck. When he refused to remain in a location safe enough for the Charleston County SWAT team to retrieve the baby from the porch, a police sniper shot him in order to ensure the safety of the child and the officers on the scene. Sandy Senn and I were honored to represent the Charleston County Sheriff's Office in this matter, and after a four-day trial, the jury returned a defense verdict.
- (c) *Cowsert v. Brown*, Charleston County Court of Common Pleas (April 2006). My law partner and I represented the plaintiffs in this matter, which arose after Betty Sue Cowsert fell from the elevated, second-story porch of her Folly Beach home. The contractor who built the Cowsert home had failed to secure a portion of the porch railing in any way – it was not nailed, glued, or secured to the main railing area. When the railing gave way, Mrs. Cowsert fell, suffering serious injuries. Following the four-day trial, the jury returned a significant verdict for the plaintiffs.
- (d) *Gregory v. Zumalt*, U.S. District Court, Charleston Division (February 2007). This highly-publicized case arose after an officer with the City of North Charleston shot a man threatening officers with a knife and a screwdriver. The screwdriver had been sharpened to resemble an icepick. After threatening an eight-months pregnant Piggly Wiggly cashier with the knife, the suspect led the officers across a busy parking lot and Rivers Avenue. He refused to drop the weapons and stabbed one of the officers in the chest, puncturing his shirt and vest. After repeated verbal commands to drop the weapons, the suspect charged the officers and was shot. The decedent's family subsequently filed a civil rights suit, alleging that the officers had violated the decedent's constitutional rights and committed excessive force against him. Following a five-day trial, the Honorable P. Michael Duffy granted all defendants judgment as a matter of law on all causes of action. I also handled the appeal of this matter, representing the Respondent Defendants after Plaintiff appealed Judge Duffy's rulings. The Fourth Circuit affirmed Judge Duffy's decision without oral argument. See *Gregory v. Zumalt*, 294 Fed.Appx. 792, 2008 WL 4410375 (4<sup>th</sup> Cir. Sept. 26, 2008)(unpublished).
- (e) The City of Charleston "Sofa Super Fire" aftermath:  
Sandy Senn and I represented the City of Charleston in the matters arising from this tragic 2007 fire which took the lives of nine Charleston firefighters. This work involved numerous matters, including representation during the SC-OSHA

investigation, before the OSHA hearing officer, and throughout the investigations conducted by various federal agencies and law enforcement entities. After extensive pre-trial litigation and a partial appeal, the case was settled.

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) Henry v. Horry County, 334 S.C. 461, 514 S.E.2d 122 (1999);
- (b) Brown v. Daniel, 230 F.3d 1351, 2000 WL 1455443 (4<sup>th</sup> Cir. Sept. 9, 2000)(unpublished opinion);
- (c) Sunset Cay v. City of Folly Beach, 357 S.C. 414, 593 S.E.2d 462 (2004);
- (d) Michau v. Charleston County, 434 F.3d 725 (4<sup>th</sup> Cir. 2006);
- (e) Demetre v. City of Folly Beach, 2009-UP-029 (S.C. Ct. App. Jan. 1, 2009)(opinion withdrawn, substituted and refiled April 21, 2009).

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.

- (a) United States v. Luther Ray Cyrus, 132 Fed.Appx. 441 (4<sup>th</sup> Cir. May 24, 2005) (I wrote the 4<sup>th</sup> Circuit brief and prepared the Joint Appendix for attorney Jay Ervin; I no longer have a copy of the brief);
- (b) United States v. Dalton, 477 F.3d 195 (4<sup>th</sup> Cir. 2007) (I assisted attorney Stanley Feldman with his preparation of the brief and his preparation for oral argument).

The last two appeals that I handled before taking the bench were appeals from Family Court:

- (a) Margaret Reiss vs. Paul Reiss, 392 S.C. 198, 708 S.E.2d 799 (Ct. App. 2011);
- (b) Margaret Reiss vs. Pamela Buck, 391 S.C. 286, 705 S.E.2d 84 (Ct. App. 2011).

22. Have you ever held judicial office?

Yes. On February 2, 2011, I was elected by the General Assembly to the position of Circuit Judge, At-Large, Seat 9. I was sworn in on June 30, 2011, and have served continuously since July 1 2011.

The Circuit Court is SC's Court of General Jurisdiction. It consists of the Court of General Sessions (criminal court) and the Court of Common Pleas (civil court). The Circuit Court also serves as a court of limited appellate jurisdiction, handling appeal from Probate Court, Magistrate's Court, and Municipal Court.

I am currently the Chief Administrative Judge for Common Pleas in the Ninth Circuit. (January 2014 – present). For eighteen months prior to that, I was the Chief Administrative Judge for General Sessions matters in the Ninth Circuit. (July 2012 – December 2013).

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) State of SC v. Regina Carey, 2013A 10-10203071 (December 13, 2013): After stabbing her common law father-in-law once in the chest with a kitchen knife, Regina Carey was charged with murder eight (8) days after giving birth to her third child. The decedent, who had been on a cocaine and alcohol binge, twice attacked Ms. Carey as she retreated to the kitchen of the very small home. This occurred as Ms. Carey was trying to feed her twin toddlers while the infant slept on a mattress next to the kitchen. As the decedent grabbed Carey by the hair and hit her in the top of the head with his fist, Carey grabbed a kitchen knife and stabbed him once. At that point, the attacker did not stop, but continued to punch her until Carey's

boyfriend pulled him away from her and to the yard. The decedent died as a result of the single stab wound. Upon the defendant's motion, I granted Carey immunity pursuant to Section 16-11-440(C) of the SC Protection of Persons and Property Act. My short order is attached along with the pages from the transcript that reflect my ruling. If the Commission or Chief Counsel would like to have a full copy of the transcript, I am happy to provide it. No appeal has been taken.

- (b) Smilowitz v. Losorea Packaging et al, Civil Action No.: 2011-CP-4202: This products liability litigation arose after a number of people were burned by the Napa Home and Garden "Firelites" fire pots and "pourable eco-gel fuel." Upon the settlement of the case, the plaintiffs and the defendant Losorea filed a Joint Motion to Establish a Qualified Settlement Fund (QSF) and Appoint a Settlement Administrator. This Court retained jurisdiction over the QSF and every few weeks would meet with the attorneys to review and approve the allocation of the settlement funds to various injured individuals all over the country. Two of the QSF Orders are attached with this packet.
- (c) Sandy Lane HPR v. Harden Fraser Construction, Civil Action No.: 2010-CP-07-790 (January 14, 2012): This contractual indemnification case arose from a general contractor's claim against a stucco subcontractor. In and of itself, this particular case is not one of my most significant, however, it is an example of the complex construction matters that I have handled during my time on the bench. Attached is the order addressing the post-trial motions.
- (d) Montclair Property Owners Ass. v. Bruce E. Kinney et al, Case No. 2008-CP-10-6897: This was also a construction case and is significant because on the eve of trial, one of the insurance carriers (Alea) filed an untimely motion to intervene for the purpose of propounding special interrogatories to, presumably, assist with a coverage determination. In reality, this was an attempt to push off the two-week date certain trial which had been set for six months. Upon the denial of its motion, Alea asserted its intention to appeal, believing (mistakenly) that this would stay the entire case. The Order denying the motion was completed late on the Friday before trial was to begin, and the parties were instructed to appear for trial as no stay would be granted. The Court of Appeals agreed. The case settled. The Order Denying the Motion to Intervene is attached.
- (e) In Re: Electronic and Satellite Monitoring as a Condition of Bond in the Ninth Judicial Circuit (September 7, 2012): In 2012, it became apparent that there were multiple bail bond and monitoring companies making no effort to monitor defendants released with house arrest and monitoring as a conditions of their bond. In response to this dangerous lack of oversight, two lengthy hearings were held to assess the problem. The Court then granted the State's motion for a moratorium on electronic and satellite monitoring as a condition of bond in the 9<sup>th</sup> Circuit. The Charleston County Sheriff's Office is now in the process of setting up its own monitoring program to address these deficiencies.

24. Have you ever held public office other than judicial office? Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office.

I have not held public office other than as a Circuit Court Judge, but in the past, I have been appointed by the SC Supreme Court to positions affiliated with the Office of



Disciplinary Counsel. From 1999-2002, I served as an Attorney to Assist Disciplinary Counsel. In January of 2003, I was appointed as an attorney member to the SC Commission on Judicial Conduct. I served in this position through March 2011. No such Ethics Commission reports were required until my election to the bench.

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.  
Not applicable.
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?  
Yes. In 2009, I was found to be qualified, but was not nominated, for the position of Circuit Judge, At-Large, Seat 8.
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?  
No, other than jobs in high school and college.
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.  
Not applicable, as my former law partners and members of their firms do not appear before me.
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?  
Not to my knowledge.
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?  
No. A pro se plaintiff attempted to sue me in 1996, after I successfully defended his case against the Charleston County Sheriff and various other governmental defendants. The Honorable Robert S. Carr, United States Magistrate Judge, dismissed the case as frivolous on pre-screening and did not authorize service of process.
36. Have you ever been investigated by the Department of Social Services? Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect?  
No.
37. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance?  
Not applicable.

38. Are you active on or a member of a social media or Internet site or have you, to your knowledge, been featured or depicted on a social media or Internet site, such as, Facebook, LinkedIn, Twitter, etc.?

I have a Facebook account, but I am not very active on it. Other than wishing people "Happy Birthday" and acknowledging photos of children or cute pets, I rarely post to Facebook. When I was in private practice, I signed up for a free LinkedIn account. It still exists, but other than my name and geographical listing, there is no information posted.

I have 968 "friends" on Facebook, and I do not engage in discussions or postings that could compromise the dignity of my office. I have reviewed the Advisory Opinions in this area (See ABA Formal Opinion 462) and will, of course, comply with any opinions or advisories from our Courts and Disciplinary Authorities.

39. 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.

40. 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? If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved.

No.

41. 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."

Not applicable.

42. 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.

Not applicable. I have used my personal computer and home printer to prepare this packet.

43. 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 approximately \$80.00 on postage for the letter that I sent out in January. I already had the necessary paper and envelopes at my home office. If necessary, I can estimate the cost of those items and supplement this response.

44. 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.

Not applicable.

45. 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.

46. Have you requested a friend or colleague to contact members of the General Assembly on your behalf?

No. Several friends have offered to contact members of the General Assembly on my behalf, and I have explained the applicable prohibitions and limitations to them.

47. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy?

No.

48. 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?

I am not aware of any such contacts, and I have excused myself from conversations involving members of the Commission when it appears that any such discussions might arise.

49. 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

Positions held for the Young Lawyers Division:

Chair, Law School for Non-Lawyers project (1998)

Co-Chair, Lawyers as Mentors project (1997)

Chair, "Citizenship in Schools" project at Fraser Elementary School (1996)

Co-Chair, Lawyers for Literacy project (1995)

Delegate, American Bar Association Annual Meeting (Young Lawyers Division), San Francisco (Summer 1997);

- (b) Charleston County Bar Association;

- (c) Charleston Lawyers Club (1994-2004)

President, 1998-1999;

- (d) Federal Bar Association (former member);

- (e) SC Women Lawyers Association;

- (f) American Bar Association (Judicial Division).

50. 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) Mentor, SC Lawyer Mentoring Program (2009-10);

- (b) Board Member, SC Bar Foundation, 1998-2001;

- (c) Board Member, Association of Junior Leagues International, Inc.  
New York, NY (June 2006 – June 2009);

- (d) President, Junior League of Charleston, June 2010 – May 2011;

- (e) Commissioner, City of Charleston Mayor's Office for Children, Youth & Families (2000-03);

- (f) Chair and Parliamentarian, 120<sup>th</sup> Annual Meeting of the Episcopal Church Women of the Diocese of SC (Spring 2004);

- (g) President, St. Philip's Episcopal Church Women (ECW) (2003-04);

- (h) Member, City of Charleston Leadership Team, National League of Cities

- Municipal Leadership in Education Project (2001-03);
  - (i) Board Member, Youth Service Charleston (2001-03);
  - (j) Graduate, Leadership Charleston Class of 2001;
  - (k) Youth Mentor, Mitchell Elementary School (1998-2001);
  - (l) Advisory Board, Charleston County School District Parenting Center, District #20 (2000-2001).
- Honors: Junior League of Charleston Community Impact Award (2002)
- Law School: American Jurisprudence Award for Evidence  
 American Jurisprudence Award for Moot Court  
 First Year Section Legal Writing Award  
 Order of the Barristers  
 Captain, Craven Moot Court Team
- Undergraduate: Algernon Sydney Sullivan Award  
 Phi Beta Kappa  
 Mortar Board Graduate Fellowship  
 Dorothy Shaw Leadership Award (National Sorority Award)  
 USC Hall of Leaders  
 Josiah Morse Award for Philosophy

51. 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.

While in private practice, I tried over forty (40) cases as either lead counsel or co-counsel, and I have personally handled at least forty-five (45) appeals. I have assisted attorneys at other firms with at least twenty (20) others.

I practiced constitutional law for sixteen (16) years, working on cases involving allegations of illegal search and seizure, violation of the right to counsel, *Brady v. Maryland* and the requirements of Rule 5, entrapment, and various questions of probable cause.

I have also worked with the Attorney General's Office on the appeal of a case interpreting portions of SC's Sexually Violent Predator Act and the Federal Prison Litigation Reform Act. See *Michau v. Charleston County*, 434 F.3d 725 (4<sup>th</sup> Cir. 2006). I argued this case in Richmond in 2005.

My daughter, Susanne, starred as "Scout" in the Charleston Stage production of "To Kill a Mockingbird" in February of 2009. Watching her in that role - - and watching the character of Atticus Finch multiple times in a three-week period - - reaffirmed for me the knowledge that treating others fairly, with impartiality, with integrity, and with dignity is critical to the practice of law and our judicial system. I hope that I have demonstrated these characteristics during my time on the Circuit Court bench. Good temperament, patience, scholarship, strong work ethic, and the willingness to make a decision are important traits for any judge, whether on the trial bench or at the appellate level

52. References:

- (a) The Honorable J.C. Nicholson, Jr.  
 Active/Retired Circuit Court Judge  
 100 Broad Street  
 Charleston, SC 29401  
 (843) 958-5000
- (b) The Honorable Julie J. Armstrong

Charleston County Clerk of Court  
100 Broad Street  
Charleston, SC 29401  
(843) 958-5009

(c) J. Brady Hair, Esquire  
General Counsel  
City of North Charleston  
2500 City Hall Lane  
North Charleston, SC 29419  
(843) 572-8700

(d) Sandra J. Senn, Esquire  
Senn Legal, LLC  
3 Wesley Drive  
Charleston, SC 29407  
(843) 556-4045

(e) Adam Gloeckler  
Personal Banker  
Wells Fargo Bank  
1730 Maybank Highway  
Charleston, SC 29412  
(843) 795-0736

I HEREBY CERTIFY THAT MY ANSWERS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Signature: Stephanie P. McDonald

Date: March 8, 2014