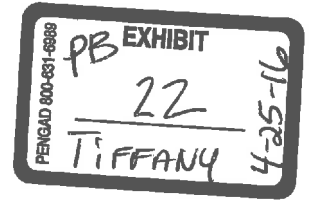


**JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE**



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

Family Court, Thirteenth Judicial Circuit, Seat 3

1. Name: Mrs. Katherine Hall Tiffany

Name that you are known by if different from above  
(Example: A Nickname):

Are you currently serving in some capacity as a judge?  
(Includes Municipal, Magistrate, Etc.)

No

Home Address:



Business Address: 900 East North Street  
Greenville, SC 29601

Post Office Box 10828  
Greenville, SC 29603

E-Mail Address:



Telephone Number: (home): [Redacted]  
(office): (864) 242-3566

2. Date of Birth: [Redacted] 1970  
Place of Birth: Spartanburg, South Carolina  
Social Security Number: [Redacted]


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

4. SCDL# or SCHD#: [Redacted]  
Voter Registration Number: [Redacted]

5. Family Status: Married on October 7, 1995 to Peter Clifford Tiffany  
Never divorced, two children.  

6. Have you served in the military? No  
If so, give the dates, branch of service, highest rank attained, serial number, present status, and the character of your discharge or release.
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, South Carolina Honors College  
August 1988 to May 1992  
Bachelor of Arts, English  
Major: English  
Minor: South Carolina Studies  
Magna Cum Laude
- (b) University of South Carolina School of Law  
August 1992 to May 1995  
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.
- (a) South Carolina  
Admitted 1995
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/Undergraduate:

- (a) Alpha Delta Pi Sorority  
Active Member, August 1988 to May 1992  
Alumnae Relations Coordinator, 1989 – 1990
- (b) Phi Beta Kappa Honor Society

Law School:

- (a) Order of Wig and Robe
- (b) Real Property Probate and Trust Journal, August 1993 to May 1995  
Student Editorial Board

10. Describe your continuing legal or judicial education during the past five years.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Family Law Update	01/22/10;
(b) Advanced Family Law	02/08/10;
(c) 2010 SCAJ Annual Convention – Family Law, Ethics	08/05/10;
(d) 2010 Hot Tips from the Coolest Domestic Law Practitioners	10/01/10;
(e) 2011 SC Bar Convention – Family Law Section	01/21/11;
(f) Greenville County Bar Spring Diversity Luncheon	03/08/11;
(g) 2011 SCAJ Annual Convention – Family Law, Ethics	08/04/11;
(h) 2011 Family Law Intensive Workshop	10/06/11;
(i) Managing Ethical Issues in Your Day to Day Practice	12/06/11;
(j) 2012 SC Bar Convention – Family Law Section	01/20/12;
(k) What Family Court Judges Want You to Know	02/16/12;
(l) Presenting the Family Law Case	04/27/12;
(m) 2012 SCAJ Annual Convention – Family Law, Ethics	08/02/12;
(n) 2012 Family Court Bench Bar Seminar	12/07/12;
(o) 2013 SC Bar Convention – Family Law Section	01/25/13;
(p) 2013 SCAJ Annual Convention – Family Law, Ethics	08/01/13 & 08/02/13;
(q) Ethical Lessons from the Bench	09/25/13;
(r) 2013 Hot Tips from the Coolest Domestic Law Practitioners	09/27/13;
(s) SCWLA: Vision for Success: Women Leaders from the Courtroom to the Boardroom	10/10/13;
(t) Twists and Turns of Child Custody in the Modern Age – 2013 SC Bar Family Law Section Intensive	10/23/13 to 10/26/13;
(u) 2014 SC Bar Convention – Family Law Section	01/25/14;
(v) In the Best Interest of the Child: 2014 Guardian ad Litem Training and Update	01/31/14;
(w) Greenville County Bar Year End CLE	02/14/14;
(x) South Carolina Circuit and Family Court Arbitrator Certification Training	05/02/14;
(y) “Summer Sprint” SC Gun Law Seminar	05/30/14;
(z) 2014 SC Bar Family Law Essentials	06/27/14;
(aa) 2014 SCAJ Annual Convention – Family Law, Ethics	08/17/14;
(bb) 2014 Hot Tips from the Coolest Domestic Law Practitioners	09/26/14;
(cc) Lunch & Learn: Using the Child Support Calculator	12/02/14;
(dd) 2015 SC Bar Convention – Family Law Section	01/23/15;
(ee) Greenville County Bar Year End CLE	02/13/15;
(ff) Family Law Essentials	06/26/15;

- |      |   |           |
|------|---|-----------|
| (gg) | 2015 SCAJ Annual Convention – Family Law, Ethics          | 08/06/15; |
| (hh) | 2015 Hot Tips from the Coolest Domestic Law Practitioners | 09/25/15; |
| (ii) | 2016 SC Bar Convention – Family Law Section               | 01/22/16; |
| (jj) | Greenville County Bar Year End CLE                        | 02/12/16. |

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture.

- (a) I prepared written materials and served as a speaker at the 2005 SC Bar Family Court Bench/Bar Seminar, on the topic "War of Fathers: Biological v. Legal."
- (b) I prepared written materials and served as a speaker at the 2006 SC Bar Family Court Bench/Bar Seminar, on the topic "Psychological, Ad Hoc, Joint Etc Custody Update."
- (c) I served as a speaker at the 2010 National Business Institute Advanced Family Law Seminar, on the topic "Getting the Child Heard."
- (d) I prepared written materials and served as a speaker at the 2010 SC Bar Hot Tips from the Coolest Domestic Law Practitioners Seminar, on the topic "Child Support that is Off the Charts."
- (e) I served as the co-course planner for the 2011 SC Bar Family Law Intensive Workshop, "Dollars and \$ense in Family Court" held over three days in Asheville, North Carolina in October of 2011. I selected the topics, arranged for the presenters, reviewed written materials, and attended/moderated the workshop.
- (f) I prepared the written course materials (that were provided to attendees) and served as the moderator for the 2012 National Business Institute Seminar "What Family Court Judges Want You to Know."
- (g) I prepared written materials and served as a speaker at the 2012 SC Bar Seminar "Presenting the Family Court Case" on the topic "Preparing the Final Order."
- (h) I was a Panel Member for the 2012 SC Bar Family Court Bench Bar Seminar for the topic "Tell Me What I Want to Hear: Giving the Judge the Right Information at a Temporary Hearing."
- (i) I prepared written materials and served as a speaker at the 2013 SC Bar Hot Tips for the Coolest Domestic Law Practitioners, on the topic "Calculating Child Support for the Haves and the Have Nots."
- (j) I was a speaker at the Upstate Paralegal Association Seminar, "Putting Your Best Case Forward in Family Court," held in October 2013.
- (k) I served as the course planner for the 2013 SC Bar Family Law Intensive Workshop, "Twists and Turns of Child Custody in the Modern Age" held over the course of four days in Orlando, Florida in October of 2013. I selected the topics, arranged for the presenters, reviewed written materials, and attended/moderated the workshop
- (l) I prepared written materials and served as a speaker at the seminar "In the Best Interest of the Child: 2014 Guardian ad Litem Training and Update" on the topic "Update on Parental Alienation."
- (m) I prepared written materials and served as a speaker at the 2014 Greenville County Bar Year End CLE, on the topic "Guardians Ad Litem: How Lawyers Hurt and Help Their Cases."

- (n) I prepared written materials and served as a speaker at the 2014 SC Bar Family Law Essentials Seminar, on the topic "Drafting Orders."
  - (o) I prepared written materials and served as a speaker at the 2014 Hot Tips from the Coolest Domestic Law Practitioners, on the topic "Restraining Orders and the Right to Bear Arms."
  - (p) I was the speaker at the Upstate Mediation Center Lunch & Learn Seminar, "Using the Child Support Calculator" held in December 2014.
  - (q) I prepared written materials and served as a speaker at the 2015 SC Bar Convention, on the topic "What Domestic Attorneys Wish Probate Attorneys Knew."
  - (r) I prepared written materials and served as a speaker at the 2015 Greenville County Bar Year End CLE, on the topic "Anticipating Death in Divorce."
  - (s) I prepared written materials and served as a speaker at the 2015 Family Law Essentials Seminar, on the topic "Drafting Orders."
  - (t) I prepared written materials and served as a speaker at the 2015 Hot Tips from the Coolest Domestic Law Practitioners, on the topic "Anticipating Death in Divorce."
  - (u) I served as moderator at the 2016 SC Bar Convention for the panel "Hollywood Squares: The (Family Court) Rules Edition"
12. List all published books and articles you have written and give citations and the dates of publication for each.
- (a) "Business Good Will in South Carolina," SC Lawyer Magazine (May 2011), Co-Author
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) South Carolina, 1995;
  - (b) US District Court for the District of SC, 1996.
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 1995 to August 1996, Law Clerk to Honorable Henry F. Floyd, Circuit Court Judge for South Carolina
  - (b) August 1996 to January 2006, Associate Attorney, Carter, Smith, Merriam, Rogers & Traxler, P.A.
  - (c) January 2006 to present, Partner/Shareholder, Carter, Smith, Merriam, Rogers & Traxler, P.A.

From August 1996 to 2002, my practice consisted primarily of Family Court cases and clients, although I was involved in some Magistrate's Court, Probate Court and Common Pleas cases as well.

Since 2002, my practice has been devoted exclusively to Family Court cases and clients.

15. Please answer the following (if you are a judge and are not seeking a different type of judgeship, this question is 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: I have handled the issue of divorce, both in conjunction with the other issues listed below, and as the sole issue in cases. I have handled cases involving divorces on all statutory grounds (one year separation; adultery; habitual drunkenness and physical cruelty), with the exception of desertion, which I have not seen raised in my 20 years in private practice. I have also handled at least one annulment action and one action involving common law marriage.

I prepared written materials and presented at the 2012 SC Bar Seminar "Presenting the Family Court Case" on the topic of preparing final orders. In my materials I provided an outline detailing each of the statutory grounds for divorce, including the code section, burden of proof and the findings required for such grounds.

Equitable Division/Property: While in private practice, I have dealt with the identification, valuation and division of many different types of marital property, including real estate, livestock, automobiles, retirement accounts (401(k)s, IRAs, annuities, pension plans, defined benefit plans and military retirement plans); investment accounts; stocks; stock options; restricted stock; insurance policies; capital loss carryovers; closely held businesses; professional practices; and personal property, to give examples.

In conjunction with property issues, I have also dealt with the identification and allocation of debts, including secured debts and unsecured debts; tax debts; and credit cards.

In all of my cases, I have tried to be diligent and thorough in preparing detailed assets and debts lists supported with documentation or objective evidence.

In several cases I have worked with expert witnesses who have valued assets such as real estate, personal property, businesses and defined benefit plans, preparing direct and cross examination and educating myself on their methods.

I have dealt not only with issues involving marital property, but also those involving non marital property, such as defending against or pursuing claims of interest in non marital property sought on the basis of transmutation and special equity.

I have drafted Qualified Domestic Relations Orders for the division of different types of retirement plans -- including the division of 401(k) plans; IRAs; pension plans/benefits for corporations; and defined benefit plans such as the South Carolina Retirement System, airline pilot benefit plans and military retirement plans.

Child Custody: I have represented parents (married, unmarried, male and female) in custody and visitation actions. I have also represented third parties (grandparents, step-grandparents, and non-blood relatives) seeking custody of children. I have served as a guardian ad litem for children in numerous family court actions.

My experience includes actions for custody and visitation (in both "initial" actions raising these issues, and in actions seeking to modify custody and/or visitation). I have dealt with custody/visitation issues involving healthy children, children with special needs, children who are infants and children who are teenagers close to emancipation.

I have had to confront and address claims of physical abuse, neglect and parental alienation. I have worked with professionals (such as physicians, therapists and teachers) and expert witnesses (such as psychological and forensic custody evaluators) in connection with custody and visitation issues. I have also had to navigate complicated issues of biological and legal paternity.

Adoption: I have served as an attorney and a guardian ad litem in several adoption actions. These actions have involved both blood relative/step-parent adoptions as well as adoptions through private agencies. Some of these actions have also included actions for termination of parental rights -- such as for failure to visit and failure to support. Most of the actions have been uncontested, but (see below) I also have experience with highly contested and complicated adoption issues.

Abuse & Neglect: I have served as 608 counsel (as an attorney and as a guardian ad litem), as substitute counsel and as privately retained counsel in actions for abuse and neglect. I have represented parents and third parties accused of abuse or neglect; I have represented third party caregivers seeking to intervene in abuse and neglect actions. I have represented alleged victims of abuse and neglect, including infants, young children, teenagers and the elderly. Some of these actions have been brief and concluded after one hearing. Others have lasted for several years at a time and required numerous hearings. My court appearances in these actions have included uncontested issues (such as agreements to treatment plans) as well as contested hearings (in removal actions, termination of parental rights, and permanency planning (issues such as relief from services, reunification/return to home, placement with third parties). Some contested hearings have lasted as little as one hour; others have extended over several days.

Juvenile Justice: I have not served as counsel of record in any Juvenile Justice matters. However, I have gained some knowledge and experience in this area through my work on Abuse and Neglect cases, especially as a guardian ad litem where companion DJJ action(s) were involved. In these action(s) I attended hearings on the companion DJJ action(s), reviewed DJJ records, and met with DJJ caseworkers. In 2012 and 2013, I have reviewed and studied in detail the applicable statutes and case law for DJJ actions in preparation for the Judicial Practice and Procedures test administered by the Judicial Merit Selection Commission. I will do so again as part of this current application process. More recently, I attended the 2016 Greenville County Year End CLE, which included a presentation on Juvenile Justice actions and issues.

- (b) If you are a candidate for Circuit Court, please provide a brief written description of your experience in criminal matters, including any cases handled over the past five years and include a brief description of the issues involved. Further, please provide a brief written description of your experience in civil matters, including any cases handled over the past five years and include a brief description of the types of matters handled, issues involved, and procedural history. Please include information such as the primary areas in civil court in which you practice, whether you represent plaintiffs or defendants, or both. You may go back further than five years if you feel it would assist the Commission with its assessment of your experience. If you lack experience in an area, describe how your background has prepared you to preside over such matters as a Circuit Court Judge, or how you would compensate for your lack of experience in this area.

N/A

- (c) If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master's court, including any cases handled over the past five years and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity.

N/A

- (d) If you are a candidate for Administrative Law Judge, please provide a brief written description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law Judge Court.

N/A

16. 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, Peer Review Rating: AV Preeminent



\* **Retired justices/judges and justices/judges applying for reelection to their current position may omit Questions 17–22. If a candidate is seeking a judgeship different than his or her current position, Questions 17-22 should be answered based on experience prior to serving on the bench.**

17. What was the frequency of your court appearances during the past five years?
- (a) federal: no appearances
  - (b) state: My schedule has varied, in which some weeks I would appear 3 to 4 times per week; other weeks only 1 or 2 times per week; occasional weeks with no court appearances.
18. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years?
- (a) civil: 0%;
  - (b) criminal: 0%;
  - (c) domestic: 100%;
  - (d) other: 0%.
19. 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?

I most often served as sole counsel. On occasion, I assisted one of my partners with representation of their clients.

20. 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) Elaine Nutting Greene v. Jackson Edward Greene, 1998-DR-23-1531

My partner Tom Traxler and I represented the Husband in this action, which involved a 10 year marriage; divorce on the grounds of (Wife's) adultery; equitable division of assets, as well as attorney's fees. The Husband had substantial real estate and other assets he had acquired prior to the parties' marriage. The Wife claimed, based on transmutation and special equity, that the Court should equitably divide the Husband's premarital real estate. My partner and I defended against these claims, arguing that the Husband's premarital real estate should be excluded from division. The property issues also included division of other assets, with a number of horses that had to be valued, auctioned and sold during the action; investment accounts and real estate acquired by the Wife with marital earnings during the marriage; and other real estate which the Wife contracted to buy prior to the date of filing of the action but did not close on until after the action was filed.

The Family Court found a 10% special equity interest in the Husband's premarital real estate which was included in the marital estate, but rejected the Wife's claim that the entire property had been transmuted. The Court also found that other assets acquired by the Wife during the marriage (including the real estate contracted before but closed after the action was filed, and rental income received by the Wife) were marital assets to divide.

The Wife appealed the Family's Court's ruling on transmutation of the Husband's premarital real estate; the amount of special equity interest awarded; the inclusion of the Wife's real estate and rental income in the marital estate; and the overall apportionment in the marital estate. Mr. Traxler and I continued to represent the Husband in the appeal. The Court of Appeals issued its opinion in August of 2002, reversing the Family Court's decision to include as marital assets the real estate Wife had contracted to buy but did not close on until after the action was filed; remanding to the Family Court to determine if the Husband had a special equity interest in this real estate; reversing the Family Court's decision to include Wife's post filing rental income in the marital estate; affirming the Family Court's finding that the Husband's premarital real estate had not been transmuted; affirming the Family Court's calculation of the Wife's special equity interest in this real estate; and affirming the Family Court's equal division of the marital estate.

I consider this one of my most significant cases because of the property issues my partner and I had to address both in the lower court and on appeal. It was my first extensive experience with the discovery, research and preparation of transmutation and special equity issues. I also had to deal with other unique property issues, such as farm equipment and horses, and the analysis of investment accounts and earnings. It was also my first experience with preparing appellate briefs.

(b) South Carolina Department of Social Services v. Sandra Ivester and Michael Truitt, 2001-DR-23-3179

I was appointed under Rule 608 as counsel for Defendant Michael Truitt in this action. DSS sought termination of Mr. Truitt's parental rights to his twin sons and infant daughter when in June of 2001, Mr. Truitt and the children's mother left all three children in the care of Mr. Truitt's mother and failed to return by the next morning. DSS took custody of the children and filed the action to terminate parental rights in July of 2001, alleging that Mr. Truitt had abandoned his children as defined in § 20-7-1572(7) and alternatively, that Mr. Truitt had harmed his children pursuant to § 20-7-1572(1). A two day contested merits hearing was held in November of 2001. Mr. Truitt was incarcerated during the time this action was pending and heard.

At trial, I argued that Mr. Truitt could not have abandoned his children as they were in the legal custody of their mother at the time pursuant to a previous court order. The Family Court terminated Mr. Truitt's parental rights, finding that Mr. Truitt had

abandoned his children; that he had harmed them; and that termination of parental rights was in the children's best interests.

After the Family Court issued its Order, I advised Mr. Truitt of his post-trial rights. I filed a Motion to Reconsider which was heard and denied by the Family Court. I then filed a Notice of Appeal on Mr. Truitt's behalf, and petitioned for In Forma Pauperis status for Mr. Truitt. The Court of Appeals granted In Forma Pauperis status to Mr. Truitt and instructed me to proceed with his appeal pursuant to In Re Cauthen which required DSS to pay for the cost of the transcript and the Record on Appeal.

I requested and reviewed the transcript of the Family Court proceedings; prepared initial and final briefs; and assembled the Record on Appeal on Mr. Truitt's behalf. In September of 2004, I appeared before the Court of Appeals for oral argument. In October of 2004, the Court of Appeals issued its opinion (see below) affirming the decision of the Family Court to terminate Mr. Truitt's parental rights.

I was not successful on Mr. Truitt's behalf in the lower court or on appeal. Yet I look back on this case as a true turning point in my practice. It was the first time I had a lengthy contested DSS matter; the first time I dealt "in depth" with the issue of termination of parental rights; the first appeal I handled completely on my own; and the first (and so far only) oral argument I have presented to our appellate courts. But most importantly, it was the first time I realized the importance of our rule 608 providing counsel for indigent parties -- and the obligation I had as an attorney for each one of my clients, regardless of their background, education, circumstances or station in life. Judge Williams was kind enough to include a footnote in the opinion he issued for the Court of Appeals commending me and the mother's attorney (also appointed by Rule 608) for our "thorough and zealous representation" of our court appointed clients. Those words spoke to me then, and they have continued to guide me in the years of my practice since then, driving me to live up to them with each and every client.

(c) Lesle Dean Long Cobin v. John Macarewich Cobin, et al., 2006-DR-23-4325

This case involved a short marriage of less than 5 years. The parties had one child, who was 6 months old at the time this action was filed. A Final Hearing took place in two installments - the first in 2008, spanning 7 days, and the second in 2009 nearly a year later, lasting one day.

I represented the Wife. For most of the time this action was pending, the Husband represented himself.

I consider this case to be one of my most significant because of the sheer volume of work, time and effort involved. This case involved nearly every family law issue -- common law marriage; domestic violence; custody, with allegations of mental illness and alienation, requiring evaluations and testimony by experts as well as a

lengthy and thorough investigation by a Guardian Ad Litem; support, with issues of imputation of income; non marital and marital property, with assets of different types, including stocks, trusts, closely held business (requiring valuation by an expert), real estate (in South Carolina and in a foreign country), insurance policies, annuities, stocks, investment accounts; attorney's fees, with experts retained on issues of custody and valuation of assets.

Although the Husband represented himself for much of the action, he filed numerous and voluminous motions with the Court, seeking relief and making allegations which required constant efforts to protect my client's interests as well as those of the minor child in my client's custody. From the time of filing to the conclusion of the Final Hearing, the Husband filed over 50 pro se Motions, Oppositions or Contempt actions, which were denied or dismissed by the Family Court. He also attempted to appeal a Temporary Order to the South Carolina and United States Supreme Courts. My client, staff and I had to constantly monitor assets which were in the Husband's name and under his control to try and prevent the Husband from disposing of assets in violation of temporary restraining orders that were in place. We were able to intervene before some assets were liquidated, but unfortunately the Husband did succeed in disposing of others. During the 2 and 1/2 years before the Final Hearing began in this matter, there was scarcely a day when I did not have to devote some time to this case. After the first installment of the Final Hearing, when final custody was awarded to my client and final child support was assessed, the Husband left the country, but continued to file motions from overseas.

The Husband did not appear at the conclusion of the Final Hearing. But after the Final Order was issued (which was over 100 pages long, and included an award of attorney's fees and litigation costs against the Husband as well as findings of contempt), the Husband initiated an appeal to the South Carolina Court of Appeals which was dismissed because the Husband refused to comply with the Appellate Court Rules requiring him to pay for the costs of the transcript. The Husband then attempted to seek a "Writ of Review" with the South Carolina Supreme Court, which was denied. My partners and I represented the Wife during both appellate actions, which lasted for nearly a year.

It was during this case that I felt that I truly embraced my role as an advocate for my client, providing her with the protection and help she needed, without regard for the time or cost (or fees that would take years for my client to pay). When the Husband's behavior made me concerned for my own welfare, my partners stepped in to assist me without a moment's hesitation. I was touched and humbled by their willingness to share in my responsibilities despite their own heavy caseloads.

- (d) Jane Roe and John Roe v. Craig Reeves, Victoria Addis and Baby Boy, an infant, 2009-DR-23-0975

I was appointed as guardian ad litem for Baby Boy in this action, which was filed by adoptive parents seeking to adopt Baby Boy, who was the biological child of Mr. Reeves and Ms. Addis.

Mr. Reeves contested the adoption, and sought custody of Baby Boy. Although Ms. Addis signed a Relinquishment of Parental Rights and Consent for the Roes to adopt Baby Boy prior to the filing of the action, she initially supported Mr. Reeves' claims for custody of Baby Boy. The Family Court awarded temporary custody of Baby Boy to the Roes but also awarded visitation privileges to Mr. Reeves and required him to pay child support for Baby Boy while the action was pending.

I conducted an extensive investigation on behalf of Baby Boy, who was born just days before this action was filed and who was 8 and 1/2 months old at the time of the Final Hearing. My investigation included several interviews with the parties; visits to both parties' homes; interviews of numerous witnesses; reviewing transcripts of depositions taken; reviewing medical and other records; observing visitation exchanges; reviewing the statutes and case law pertaining to adoption; preparing a lengthy report detailing my investigation and its findings; and attending, participating in and testifying at the 2 day Final Hearing.

The Family Court found that Mr. Reeves' consent was required in order for the Roes to adopt Baby Boy; that Mr. Reeves did not consent to the adoption; denied the Roes' request for adoption, and awarded custody of Baby Boy to Mr. Reeves. When Mr. Reeves assumed custody of Baby Boy, Baby Boy had just celebrated his first birthday.

The Roes appealed the Family Court's Order to the Court of Appeals. The Supreme Court of South Carolina took certiorari and issued an opinion in May of 2011 (when Baby Boy was 2 years old) reversing the Family Court's decision, finding that Mr. Reeves' consent to adopt was not required and ordering Baby Boy returned to the custody of the Roes. Mr. Reeves petitioned for rehearing and later for Writ of Certiorari from the United States Supreme Court, both of which were denied.

I had served as guardian ad litem many times before this case, and had always done my best to fulfill my obligations in conducting my investigations; preparing my reports and representing the best interests of each one of my wards. But it was in this case that I felt, more than I ever had before, the weight of my responsibility as a guardian ad litem. I also realized how crucial it was for a guardian ad litem to fully and diligently comply with her obligations and to actively participate in the Final Hearing by cross examining witnesses and being prepared to testify (and submit to cross examination) regarding her investigation, observations and recommendations. Although the Family Court denied Baby Boy's adoption against my recommendation, I felt confident that I had fully and thoroughly represented my ward's interest. Further, when the Supreme Court reversed the Family Court, based in part on information I had presented in my report, I was grateful that I had taken the time and effort (and detailed notes) in my investigation.

(e) Sari L. Farrell v. Sean Farrell, 2009-DR-23-2900

I represented the Husband in this action, which involved a relatively brief marriage. Although issues were raised as to divorce, property division, alimony and attorney's fees, the primary issue was custody of the parties' special needs child, who suffered from Down's Syndrome as well as a number of other medical, physical and behavioral issues. At the time the case was filed, the child was 3 years old. The case was pending for nearly 3 years, and at the time of the Final Hearing in July of 2012, the child was 6 years old.

I consider this case to be the most significant custody action I have handled. The custody issue (which is difficult enough by itself), was complicated by the special needs of the child (which required an enormous amount of research and preparation on the child's medical, educational, therapeutic and living needs, and the parties' access to resources and abilities to meet these needs). The custody issue was made even more difficult by the geographic distance between the parties (the Wife lived in South Carolina, the Husband in Virginia), and the circumstances that arose during the 3 years the action was pending. A guardian ad litem was appointed who conducted a lengthy and very detailed investigation.

The Wife was represented by three different attorneys in the action. While the action was pending, the Wife claimed she had been diagnosed with and was being treated for cancer. She used this as a basis for delaying mediation but then refused to answer discovery requests inquiring about her medical conditions. At the request of the guardian ad litem, the parties submitted to forensic psychological and custody evaluations by a mental health expert. Both parties were deposed and literally volumes of medical and educational records for the minor child were compiled and exchanged in discovery.

The parties were awarded temporary joint custody, with primary placement remaining with the Wife, and Husband receiving specific placement privileges 1 to 2 times per month and more extended placement on holidays and during summers. The Husband did not initially seek sole custody, hoping that the issue could be resolved amicably. But while the action was pending, the Husband became concerned about the Wife's behavior toward him as well as toward the child (who had excessive absences from school and therapy), and he decided to seek primary custody of the parties' child.

The Final Hearing was scheduled and continued two times before it was finally heard in June of 2012, over a period of four days. The final hearing involved lengthy testimony by both parties, the examination and cross examination of mental health experts, the guardian ad litem as well as third party witnesses. Over 70 exhibits were entered into evidence. The Family Court awarded the Husband (who lived in Virginia) primary placement of the parties' child (who had been in the temporary primary placement of the Wife in South Carolina for nearly 3 years) and

adopted the parenting plan proposed by the Husband. I prepared the Final Order, which was nearly 50 pages long (excluding exhibits and attachments).

This case required years of patience and diligence, not only from me but also from my client whose primary concern the entire time was the health, safety and well-being of his child. I am proud to have represented this client and to have been a part of helping him secure his child's medical, educational and physical care.

21. 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) Elaine (Nutting) Greene v. Jackson Edward Greene, et al., 569 S.E.2d 393 (Ct. App. 2002). Opinion Issued August 5, 2002.

I was co-counsel with my partner, Thomas Traxler, for Mr. Greene in the underlying action before the Family Court. Mr. Greene retained us to represent him in the appeal as well. I was largely responsible for preparing the brief(s) submitted on behalf of Mr. Greene. Mr. Traxler attended the oral argument before the Court of Appeals.

- (b) South Carolina Department of Social Services v. Sandra Ivester and Michael Truitt, 603 S.E.2d 867 (Ct. App. 2004). Opinion Issued October 11, 2004.

I was counsel of record for Defendant/Appellant Michael Truitt, appointed by Rule 608 in the underlying Family Court action. At my client's request (who was incarcerated at the time) I filed a Notice of Intent to Appeal and handled the appeal, including review of the (very lengthy) transcript, preparation of the briefs, preparation of the Record on Appeal and the oral argument before the Court of Appeals.

- (c) Lesle Dean Long Cobin/Respondent v. John Macarewich Cobin/Appellant, 2006-DR-23-4325. In the South Carolina Supreme Court, Appeal from the Greenville County Family Court, Supplemental Temporary Order of Timothy L. Brown dated April 2, 2007. Order Dismissing Appeal issued by the South Carolina Supreme Court on August 24, 2007. Order Requiring payment of Attorney's fees by Husband/Appellant to Wife/Respondent issued on October 17, 2007.

Tom Traxler and I were both listed as counsel of record. I was primarily responsible for the preparation of correspondence and submissions to the Supreme Court.

- (d) Lesle Dean Long Cobin/Respondent v. John Macarewich Cobin/Appellant, 2006-DR-23-4325. In the South Carolina Court of Appeals, Appeal from the Greenville County Family Court, Final Order of William J. Wylie, dated May 14, 2009. Order(s) Dismissing Appeal and denying Motion to Reconsider issued by the South Carolina Court of Appeals on October 5, 2009; November 12, 2009; and December 8, 2009.

Tom Traxler and I were both listed as counsel of record. I was primarily responsible for the preparation of correspondence and submissions to the Court of Appeals.

- (e) Lesle Dean Long Cobin/Respondent v. John Macarewich Cobin/Appellant, 2006-DR-23-4325 In the South Carolina Supreme Court, Petition for Writ of Review(Certiorari). Order denying Petition for Writ of Review issued on March 8, 2010.

Tom Traxler and I were both listed as counsel of record. I was primarily responsible for the preparation of correspondence and submissions to the Supreme Court.

22. 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

23. Have you ever held judicial office? If so, list the periods of your service, the courts involved, and whether you were elected or appointed. Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.

No

24. If the answer to question 23 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.

N/A

25. 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? If so, give details, including dates.

No

26. 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

27. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.



I applied for Family Court, At-Large Seat 4 in August of 2012. I was found Qualified and Nominated for the position by the Judicial Merit Selection Commission. The Honorable Monet Pincus was elected to the position in January of 2013.

I applied for Family Court, Thirteenth Judicial Circuit, Seat 5 in August of 2013. I was found Qualified and Nominated for the position by the Judicial Merit Selection Commission. The Honorable Tarita Dunbar was elected to the position in February of 2014.

28. 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? If so, give details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer.

From 1989 to 1992, during vacations from college and my first semester of law school, I worked for the Spice of Life Restaurant in Spartanburg, South Carolina as a waitress, store clerk, kitchen assistant and office assistant. This business is no longer in operation.

29. Are you now an officer or director or involved in the management of any business enterprise? Explain the nature of the business, your duties, and the term of your service.

No

30. Provide, as a separate attachment, a complete, current financial net worth statement that itemizes in detail:
- (a) the identity and value of all financial assets held, directly or indirectly, including, but not limited to, bank accounts, real estate, securities, trusts, investments, and other financial holdings; and
  - (b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000, including, but not limited to, debts, mortgages, loans, and other financial obligations.

See attached.

(A net worth statement is provided with this questionnaire and you must use this format for submission of your financial statement.)

**NOTE: The Commission may require written confirmation that financial obligations have been satisfied or that the parties have agreed upon a payment schedule.**

31. 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

32. 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? If so, give details but do not include traffic violations for which a fine of \$125 or less was imposed.

■

33. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, explain.

No

34. 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? If so, give details.

No

35. 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? If so, give details, including, but not limited to, dates and resolution.

No

36. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been sanctioned or disciplined for lawyer, judicial, or other professional misconduct or has any jurisdiction found that you committed any misconduct? If so, give the details and describe any final disposition.

■

37. 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? If so, give the details.

No

38. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance? If applicable, have you ever been covered by a tail policy? If so, please explain when you were covered by a tail policy. Also, if applicable, indicate your coverage and deductible for your current malpractice policy.

(a) From September 28, 1995 to September 28, 1997, my firm had malpractice coverage through National Union.

(b) From September 28, 1997 to September 27, 2000 my firm had malpractice coverage through Great American.

- (c) From September 27, 2000 to September 27, 2015, my firm had malpractice coverage through ALPS, policy #ALPS5455-10 (2000-2011); ALPS5455-11 (2011-2012); ALPS5455-12 (2012-2013); ALPS5455-13 (2013-2014); ALPS5455-14 (2014-2015)
- (d) My firm currently has malpractice coverage through ALPS policy #ALPS5455-15 (effective September 27, 2015) with coverage limits of \$5,000,000.00 per claim; aggregate coverage of \$5,000,000.00 per policy year; subject to a deductible of \$10,000.00 per claim.

39. 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.? If so, how would your use of social media or other similar types of Internet sites be affected if you were serving in a judicial capacity?

I am not an active member on any social media site, and to my knowledge I have not been featured or depicted in a site such as Facebook, LinkedIn or Twitter. I have no plans to subscribe to any such sites as a lawyer or, if elected, as a judge.

My picture, professional and personal background are listed on my firm's website [www.carterlawpa.com](http://www.carterlawpa.com). If elected, my picture and other information would be removed from this website.

40. 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)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.

No

41. 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

42. 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. Include the disposition, if any, of such charges or allegations.

None

43. 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. Include the disposition, if any, of such charges or allegations.

None

44. 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.

Approximately \$35.00 for business cards and name badge

45. 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

46. 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? If so, give details.

No

**Note: Attached are (1) Section 2-19-70(c); (2) JMSC Rule 24, and (3) informal opinions and letters concerning pledging prohibitions, with which third parties acting on your behalf, as well as you, must comply.**

47. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? If so, give details. Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? If so, give details.

No

48. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? If so, please specify the amount, solicitor, donor, and date of the solicitation.

No

49. 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

50. 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) Greenville County Bar Association
- (b) South Carolina Bar Association  
Family Law Council, Member 2009 to present  
Family Law Council, Secretary 2013-2014  
Family Law Council, Vice Chair 2014-2015  
Family Law Council, Chair Elect 2015-2016

51. 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) Paris Elementary School Improvement Council, 2007-2012
- (b) Paris Elementary PTA  
Member 2006 to present  
Red Ribbon Week Coordinator 2007 to Present
- (c) St. James Episcopal Church  
Member 2000 to present  
Vacation Bible School Volunteer 2010 and 2011  
Nursery Volunteer 2010 - 2011  
Children's Church Leader 2012 - present
- (c) Leukemia and Lymphoma Society "Team in Training" Program  
Fund Raiser/Participant in 2011 Savannah Rock 'n' Roll Half Marathon  
Raised over \$4,000, trained for and completed Half Marathon course

52. 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 have practiced almost exclusively as a Family Court lawyer for 20 years. My partners and I have set high standards for each other and our practice that I have strived to attain. I have tried to improve my knowledge and experience by tackling difficult issues in litigation and by researching and presenting on novel legal issues at CLE's.

I intend to bring to the bench the same drive and eagerness to learn that I have applied to my 20 years of private practice. If I have the honor of serving as a Family Court Judge, I plan to devote myself to my responsibilities for as long as I am nominated and elected to serve.

53. List the names, addresses, and telephone numbers of five (5) persons, including your banker, from whom you are providing references. Also, provide the Commission with **original letters** of recommendation from each person listed herein, including their signature (preferably in blue ink). **The Commission will not accept a photocopy or electronic submission of a letter of recommendation and failure to include all five (5) original letters of recommendation in your packet when you submit it will render your packet incomplete.** Please **do not** have references mail your reference letters to the Commission directly.

- (a) R. Scott Dover  
Law Offices of R. Scott Dover  
221 Hampton Avenue  
Pickens, SC 29671  
(864) 878-0662
  
- (b) Timothy E. Madden  
Nelson Mullins Riley & Scarborough, LLP  
Poinsett Plaza, Suite 900  
104 South Main Street  
Greenville, SC 29601  
(864) 250-2279
  
- (c) Del Bradshaw  
Bradshaw, Gordon & Clinkscapes, LLC  
630 East Washington Street  
Greenville, SC 29601  
(864) 233-0590
  
- (d) Paul B. Wickensimer  
Greenville County Clerk of Court  
305 E. North Street  
Greenville, SC 29601  
(864) 467-8551

- (e) Schaefer M. Carpenter  
Independence National Bank  
500 East Washington Street  
P.O. Box 1776  
Greenville, SC 29602  
(864) 672-1776

54. Describe any interest you or a member of your immediate family has in real property:  
(a) in which there is a potential conflict of interest with your involvement in a South Carolina state or local public agency;

None

(b) in which there have been public improvements of \$200 or that adjoins property in which there have been public improvements of \$200;

None

(c) which was sold, leased, or rented to a state or local public agency in South Carolina.

None

List the interest you hold and the value and location of the property. Identify as applicable the:

- (a) nature of any potential conflict of interest;
- (b) nature and value of any public improvements; and
- (c) South Carolina state or local public agency which purchased or is leasing or renting such property.

Attach a copy of any contract or agreement.

N/A

55. Identify any personal property interest you or a member of your immediate family sold, leased, or rented to a South Carolina state or local public agency. Identify the property, its amount or value, and the name of the agency. Attach a copy of any contract or agreement.

None

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: Katharine H. [Signature]  
Date: 2/29/16