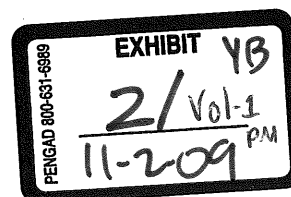


JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE

Court, Position, and Seat # for which you are applying:
Circuit Court, At-Large, Seat 8

1. NAME: Mrs. Maite Murphy
BUSINESS ADDRESS: 136 West Richardson Avenue
Summerville, South Carolina
29483
E-MAIL ADDRESS: maite@murphylawfirmllc.com
TELEPHONE NUMBER: (office): (843)832-1120
2. Date of Birth: 1969
Place of Birth: Denver, Colorado
3. Are you a citizen of South Carolina? Yes
Have you been a resident of this state for at least the immediate past five years? Yes
5. Family Status: Married on August 6, 1994, to Christopher John Murphy. Never divorced. Two children.
6. Have you served in the military? Not Applicable.
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.
I attended Texas State University- (Formerly named Southwest Texas State University). I began college there in the fall of 1987 and graduated with a B.A. degree in December of 1991. I attended law school at Mississippi College School of Law from the fall of 1992 and obtained my JD degree in May of 1995.
8. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.
I was admitted to practice law in 1995 in South Carolina. South Carolina is the only state where I have practiced and taken the bar exam.
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.
I was a member of Delta Zeta sorority in college from 1988 through 1991. I was member of the Environmental Law Association in Law School from 1992 through 1995.
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) Criminal Law Update	01/25/08
(b) Sidebar Live	02/22/08
(c) Criminal Law Update	01/26/07
(d) SC Civil Procedure Update	02/16/07
(e) Criminal Law Update	01/21/05
(f) Attorney ECF Training	07/21/05
(g) Avoiding Real Estate Malpractice Hazards	11/17/05
(h) Annual Solicitors' Conference	09/26/04
(i) Revised Lawyers Oath	09/27/04
(j) Solicitor's Association	09/28/03

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?

I taught business law courses at Midlands Technical College in Columbia in 1996 and 1997.

12. List all published books and articles you have written and give citations and the dates of publication for each. Not applicable.

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.

I was admitted to practice law in South Carolina on November 13, 1995, and admitted to practice in the United States District Court, District of South Carolina on April 19, 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.

I began practicing law in Columbia as a partner with the law firm of Holler, Dennis, Corbett & Garner. I began with said practice in January of 2006 and my practice was a general practice. My practice at that time was primarily focused on civil litigation in the Courts of Common Pleas and General Sessions. I also handled domestic matters in Family Court and cases in Magistrate and Municipal Courts. My husband and I then moved from Richland County to Dorchester County in March of 1998 and I was employed as an associate for Richard Wern in North Charleston where I handled civil litigation matters in State and Federal Court until I obtained a position at the First Circuit Solicitor's Office in October of 1998.

During my tenure at the Solicitor's office I rose to the rank of Chief Deputy Solicitor for the First Judicial Circuit. I was second in command to the Solicitor for the entire circuit which is comprised of Calhoun, Dorchester and Orangeburg Counties. I operated under a grant dedicated to prosecuting crimes of violence against women. I was in charge of prosecuting all violent crimes

against women and children. I successfully tried cases of murder, kidnapping, arson, armed robbery, burglary, criminal sexual conduct (all degrees), lewd act upon a child, unlawful conduct towards a child, felony child abuse, sexual exploitation of minors, assault and battery with intent to kill, assault and battery of a high and aggravated nature, drug and alcohol offenses and criminal domestic violence. I also assisted Solicitor Walter Bailey with the trials of four death penalty cases.

I left the Solicitor's Office in 2005 to join the practice of Quattlebaum & Murphy, L.L.P. where I am currently a partner. Our firm is a general practice and I specialize in criminal and civil litigation matters in all courts and also handle domestic litigation.

If you are a judge and are not seeking a different type of judgeship, the following questions are inapplicable:

- (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.

My experience in the Court of General Sessions is extensive as described in question number 14. I have successfully tried many criminal cases involving complex evidentiary issues. I have handled these matters from the beginning stages of having a bond set through trial. My experience as Chief Deputy Solicitor also gave me valuable experience in managing a docket which I believe is very important experience for a Circuit Court Judge to have considering the high volume of cases currently pending that need to be disposed of in an efficient and fair manner.

My ability to handle civil matters as well is clearly illustrated by my appointment to serve as the Special Referee in the Exxon class action suit which was filed in Orangeburg County Case Number 94-CP-38-118. As Special Referee I was responsible for reviewing all claims submitted and I was responsible for holding each claimant to the burden of establishing, by a preponderance of the evidence, that each claimant was a member of the class defined by the settlement agreement and that their property had been damaged by petroleum contamination

attributable to ExxonMobil's underground storage tanks or service station operations. I was also responsible for holding ExxonMobil to its burden of establishing its affirmative defenses by a preponderance of the evidence. It was then my duty to make the findings of facts and conclusions of law as to each of the defenses raised and as to each of the claim submissions and issue a Final Report to the Court. These duties included the review of expert opinions and the necessary elements of causation and proof of each claim. The experience of serving as the Special Referee in a case of this magnitude proves my ability to handle complex civil litigation matters.

Private practice has further allowed me to gain valuable experience in handling effectively both criminal and civil matters. The civil litigation that I have been involved in while in private practice has involved work for both plaintiffs and defendants. The types of civil cases that I have had the opportunity to work on have involved personal injury cases for plaintiffs, contract conflicts and the representation of parties involved in the dissolutions of partnerships and corporate entities. I am confident that my work experience in both private practice and the Solicitor's office has prepared me well to perform the duties of the Court impartially, fairly and competently.

15. What is your rating in Martindale-Hubbell?

Although I have not subscribed to be listed in Martindale-Hubbell, I am listed and my lawyer profile online states a visibility index of being # 3 out of 54 lawyers in Summerville and number #122,689 out of #889,357 lawyers overall. I have not subscribed to this service in the past as it has been described by some as a form of advertising which I did not feel was necessary for the success of our firm.

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 last five years?
- (a) federal: 2%;
 - (b) state: 98%.
17. What percentage of your practice involved civil, criminal, and domestic matters during the last five years?
- (a) civil: 30%;
 - (b) criminal: 55%;
 - (c) domestic: 15%.
18. What percentage of your practice in trial court during the last five years involved matters that went to a jury, including those that settled prior to trial?
- (a) jury: 30%;
 - (b) non-jury: 70%.

Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? I most often served 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) One of my most significant litigated matters that I personally handled was the murder case of State v. Robinson in Dorchester County. This was a significant trial for several reasons. It was a significant accomplishment to obtain a just verdict of guilty due to the fact that the case was based purely on circumstantial evidence. The victim in the case was a young mother who was brutally murdered with a tire iron tool in her home. Her body was then taken to a neighboring county and dumped in the woods and her home was set on fire. I worked closely with law enforcement to piece together the evidence necessary to try the murder case. Although the murder weapon was never found, we were able to establish that the tire iron tool from the victim's car was missing. Through manufacturing records of the car companies I was able to obtain a tire iron tool from the car manufacturer which would have been like the one missing from the victim's car. I was then able to match the skull fracture patterns to the missing tire iron tool shape through expert forensic testimony. I was able to establish the estimated time of death through expert testimony from analyzed larvae and the related growth stages of the larvae from the body at the autopsy. This testimony assisted in placing the defendant at the time and place of the murder. I worked with SCLED arson and blood spatter experts to establish the manner in which she was murdered in the home and how the home was then set on fire in an attempt to destroy the evidence of the murder. There were many evidentiary and procedural issues in this trial which had to be handled effectively to ensure that the victim's killer was properly brought to justice.
- (b) Another significant trial that I handled was felony child abuse trial involving a five year old developmentally delayed victim. The child was sent by helicopter to the Medical University of South Carolina in an unresponsive state with a significant bruise on his chest and another bruise on the side of his head behind his ear. The defendant was the child's father and he had called an ambulance and stated that the child had fallen in the bath tub. The child barely survived the brutal attack and upon receiving the case it was obvious that it would be a difficult case to get to a jury due to the fact that the child was only five years old, non-communicative and unable to testify as to the cause of his injuries. Further, his mother was not cooperative and protective of the defendant. I prosecuted her as well for failing to protect her child. I began preparing for this case by obtaining a complete medical history of the child and discovered by review of numerous scattered medical

records that the child had been blinded in his right eye as an infant, and had suffered two broken femurs before the attack in question. I was able to obtain experts to review the previous injuries to establish a pattern of abuse and neglect by the defendants. It was determined that the eye injury was to a reasonable degree of medical certainty caused by violent shaking of the child as an infant and the two femoral breaks were not accidental in nature but were caused as a result of physical abuse due to the pattern of the breaks in question. Both parents of the child in question were convicted and the child was taken in by a relative and began to thrive and grow once being placed outside of an abusive environment.

- (c) I successfully prosecuted another significant felony child abuse trial in which a three year old child's hand was submerged in scalding hot water as punishment for sucking his thumb. The child received third degree burns as a result of his injuries and was left in pain in his home without medical treatment until the following day when he was discovered by his aunt who then took him to the hospital. Unfortunately, by the time he was taken for medical treatment the severity of the burns had caused his fingers to become webbed together. The child's hand was at risk of having to be amputated but was saved. He had to undergo and will continue to have to undergo numerous surgeries throughout his life as a result of the burns inflicted on him. Due to his age and horrific justifiable fear of the defendant I had to prosecute the case without the testimony of the child and had to rely on the only other witness that placed the defendant in the bathroom with the victim. My corroborating witness was only seven years of age but was competent to testify and I was able to obtain and introduce at trial sufficient other medical and physical evidence which proved that the defendant was the one that inflicted the injuries on the child.
- (d) I personally handled the trial of State v. Inman which resulted in a life sentence for the defendant in question. The defendant in this case was charged with kidnapping three young children at gunpoint and holding them hostage in his trailer. He locked two of the male victims in one room while he proceeded to sexually assault the young female in the living room of his home. The defendant had a prior record which included a violent, most serious offense and therefore I served him with notice to seek a life sentence at the trial of his case. I was able to successfully try the case with all three children being competent to testify as well as being able to successfully present the testimony of law enforcement and other forensic experts to prove his guilt beyond a reasonable doubt.
- (e) I tried another case that led to a 60 year sentence for a defendant that was convicted of sexually assaulting his own teenage daughter at knife point and he was also convicted of attempting to intimidate the potential

witnesses that were subpoenaed to testify at the trial of his case in the trial of State v. Brown. This was a significant case as not only did I have to prove the criminal sexual conduct had occurred, but I also had to deal with witnesses that had been physically threatened and did not want to testify for fear of their safety. Procedurally, the rape case was difficult in that the assault was not immediately reported, thereby not giving us the opportunity of having physical forensic evidence to link the defendant to the crime. As is the case with many trials of criminal sexual conduct it is necessary to know how appropriate expert testimony is presented to explain the lack of forensic evidence and one must also be able to understand procedurally how to present appropriate psychological testimony which can corroborate symptoms consistent with trauma caused by sexual and or physical abuse.

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. If you are a candidate for an appellate court judgeship (please attach one copy of briefs filed by you in each matter).
I have not done appellate work.
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. If you are a candidate for an appellate court judgeship (please attach one copy of briefs filed by you in each matter).
I have not done appellate work.
22. Have you ever held judicial office? Not applicable
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.
Not applicable
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. If not, were you ever subject to a penalty?
I have not held a public office.
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. Not applicable.
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? Not applicable.
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? Not applicable.
28. Are you now an officer or director or involved in the management of any business enterprise?

I am a partner in my law firm, Murphy Law Firm, LLC

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.

The only business relationships that would constitute a conflict of interest would be the business relationship with my law partners that I have had. I would recuse myself from hearing any matters in which they would be a party or have an interest in.

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? 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?

I was sued in a professional capacity by an inmate by the name of Denny Bates. I prosecuted Mr. Bates for criminal sexual conduct with a minor in the first degree. Mr. Bates entered a plea of guilty before the Honorable Luke N. Brown, Jr. and received a fifteen year sentence. Mr. Bates filed suit naming me as a Defendant, along with the Solicitor, Walter Bailey, Judge Brown and, the cook at the Department of Corrections. The allegation in the suit was that the cook subjected Mr. Bates to cruel and unusual punishment for the food that was presented to Mr. Bates during his incarceration. The remainder of the suit alleged a conspiracy in the prosecution and sentence handed down by Judge Brown. The allegation stated that the conspiracy existed to prosecute him due to the fact that the victim in the case's last name was Bailey and that there was a witness in the case whose last name was Brown. There was no relation to the case or witnesses with Solicitor Bailey or Judge Brown. Solicitor Bailey turned the Complaint over to the Budget Control Board to defend and the case was subsequently dismissed.

35. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been sanctioned for lawyer, judicial, or other professional misconduct or been found to have committed such misconduct? No.

36. 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.
37. 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.
38. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions.
- I am not aware of any such allegations against me for violation of said provisions.
39. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions.
- I am not aware of any such allegations against me for violation of said provisions.
40. 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 not had any expenditures to date.
41. 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.
- No contributions have been made by me or on my behalf to members of the General Assembly.
42. 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?
- I have fully complied with Section 2019-70 (c) and JMSC Rule 24 and have not sought pledges of support either directly or indirectly from any member of the General Assembly.
43. 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.

44. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No.
45. 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.
46. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
- (a) South Carolina Bar Association – 1995 to present;
 - (b) South Carolina Women’s Bar Association – 1995 to present;
 - (c) Dorchester County Bar Association – Current President since 2006; Vice-President 2005; Treasurer 2003-04;
 - (d) Member of the Richland County Bar-1996-98.
47. 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) YMCA- Board of Directors- 2006 to present. I serve on the Executive and Programs Committees;
 - (b) Summerville Rotary Club- 2005 to present. Programs Chair 2007-09;
 - (c) Summerville Meals on Wheels- Board of Directors 2007-08;
 - (d) Summerville Republican Women’s Club- Past President and Vice-President. Resigned during my past candidacy for the Circuit Court and upon being appointed Magistrate Court Judge;
 - (e) Dorchester Children’s Center Development Committee
48. 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.
49. References:
- (a) Scott M. Garcia, Vice President/ Commercial Lender
Tidelands Bank
875 Lowcountry Blvd.
Mt. Pleasant, SC 29464
(843) 388-8433
 - (b) Sheriff L. C. Knight
Dorchester County Sheriff
212 Deming Way
Summerville, SC 29483
(843) 832-0300
 - (c) Sean Bennett
121 S. Cedar Street
Summerville, SC 29483
(843) 821-3009
 - (d) Christopher Berry

105 Congress Street
Summerville, SC 29483
(843)821-0055

(e) Cheryl Graham
Dorchester County Clerk of Court
101 Ridge Street
St. George, SC 29477
(843)563-0120

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: Maite Murphy

Date: August 10, 2009

Addendum to Question 34 of Personal Data Questionnaire

I am currently involved in a probate action in California which was filed as a petition to determine the ownership of a leasehold interest in a parcel of property previously owned by my grandfather, Dr. Arman F. Frederickson, in the British Virgin Islands. My grandfather owned the leasehold interest in said property and transferred it to my husband and me approximately three years prior to his death in 2008. His estate has filed a petition to rescind said transfer. There have been no findings on the merits of this action and the allegations surrounding the transfer have been denied and are refutable by competent evidence. The evidence to prove the validity of the transfer include: an original handwritten letter from him asking us to accept the leasehold interest as a gift; an affidavit which he executed which was filed with the government of the British Virgin Islands; notarized lease documents which he executed in California; and, various witnesses to include legal counsel in the British Virgin Islands that are witnesses to his competency and desire to transfer the property as a gift to me and my husband. His valid will and trust documents were prepared by independent counsel in California and were not drafted, executed or witnessed by me in any manner. There is no basis of fact to support the contentions in the petition. The matter is scheduled to go to mediation on November 23, 2009.