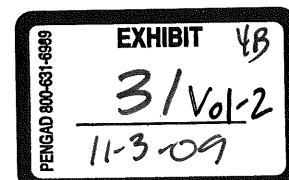


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:
Family Court Judge, 13th Circuit, seat 2 (being vacated by Judge Johnson)

1. NAME: Mr. Michael Don Stokes
BUSINESS ADDRESS: 901 W. Poinsett Street
Greer, SC 29650 and
6 Bailey Mill Road
Travelers Rest, SC 29690
E-MAIL ADDRESS: Mstokes@greenville county.org
TELEPHONE NUMBER: (office): 864-801-0540 and 864-895-0478
2. Date of Birth: 1966
Place of Birth: Greer, South Carolina
3. Are you a citizen of South Carolina? Yes.
Have you been a resident of this state for at least the immediate past five years? Yes.
5. Family Status: Married on June 9, 1990, to Rachel Elizabeth Few Stokes.
Never divorced, three children.
6. Have you served in the military? None.
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) North Greenville College (now University), Summer 1984. I took one history course in summer school to get experience about college courses. I was already enrolled to begin Furman University in the fall;
 - (b) Furman University, Fall, 1984-Spring 1988. B.A. in Political Science;
 - (c) University of South Carolina, School of Law, Fall 1988-Spring 1991.
J.D.
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 the South Carolina Bar in 1991. To my knowledge I have always been a member in good standing. I have not attempted to be admitted to any other state bars. I passed the bar exam on my first attempt.
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.
South Carolina Law Review, 1989-91, Editorial Board, 1990-91.



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) STOP Violence Against Women	4/1/02
(b) Magistrate Mandatory School	10/18/02
(c) SCSCJA Convention/Seminar	9/4-9/8/02
(d) Seminar on Civil Law	7/22/03
(e) The Probate Process	8/22/03
(f) SCSCJA Convention Seminar	9/4/03
(g) Magistrate Mandatory School	10/31/03
(h) Family Law in SC	12/15/03
(i) Judicial Oath of Office	11/19/04
(j) Magistrate Mandatory School	11/19/04
(k) SCSCJA Legislative Reception And Seminar	3/9/05
(l) Family Court Judges Seminar	12/2/05
(m) Magistrate Mandatory School	11/03/06
(n) SCSCJA Staff Judges Seminar	2/14/07
(o) SCSCJA Legislative Reception And Seminar	3/7/07
(p) Advanced Studies Seminar	5/14-15/07
(q) SCSJA Summer Seminar	7/2007
(r) Domestic Abuse Seminar	10/2007
(s) Domestic Violence	8/23/07
(t) SCSCJA Convention/Seminar	9/6/07
(u) Magistrate Mandatory School	11/2/07
(v) SCSCJA Charleston School	7/28/08
(w) Magistrate Mandatory School	11/07/08
(x) SCSCJA Staff/Judge Convention	2/12/09
(y) SCSCJA Legislative Seminar	3/4/09

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. No.

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

- (a) Comment, Logical Relationship Test for Computing Counterclaims Adopted, South Carolina Law Review, Vol. 2, number 1, pp. 188-191(Autumn 1990);
- (b) Comment, Volunteers Ineligible for Workers' Compensation: Subject Matter Jurisdiction over Compensation Agreements Unsettled, South Carolina Law Review, Vol. 42, number 1, pp.273-275 (Autumn 1990).

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 South Carolina Courts, 1991;
 - (b) Admitted to United States District Court for District of South Carolina, 1992;
 - (c) Admitted to United States Court of Appeals, Fourth Circuit, 1992.
14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.
- (a) 1991-96, Associate, Chapman, Harter & Groves, P.A. General practice focusing primarily on family law, real estate, insurance defense, and workers' compensation appeals;
 - (b) 1996-2000, Sole practitioner, Greenville, South Carolina. General practice focusing primarily on family law, and real estate;
 - (c) 2000-01, Partner, Mims & Stokes, Greer, South Carolina. General practice focusing on family law, real estate, criminal and probate;
 - (d) 2001-05, Sole practitioner, Greer, South Carolina. General practice focusing on family law, real estate, criminal and probate;
 - (e) 2005-present, Partner, Stokes & Southerlin, P.A. General Practice focusing on family law, real estate, criminal and probate;.
 - (f) 1996-present, Greenville County Magistrate Judge. Appointment originally for 20 hours per week. Since 2004 my assignment is for 35 hours per week.

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

- (a) If you are a candidate for Family Court, please provide a brief written description of your experience within each of the following Family Court practice areas: divorce and equitable division of property, child custody, adoption, abuse and neglect, and juvenile justice. Include information about cases you have handled in each of these practice areas, or if you have not practiced in an area, describe how your background has prepared you to preside over such matters as a Family Court Judge.

I have maintained a practice in Family Court for the entire time I have been an attorney. Most of my cases have involved divorce and property distribution along with child custody. As with most attorneys, I have settled approximately 95% of my cases. I attribute this to being able to explain the law that applies well to the client, so that settlement can be realistically pursued for the client. The law in these areas is really quite settled and a good practitioner should be able to predict with reasonable accuracy what decision a court might render. Also, settlements have been facilitated in Greenville because this county has mandatory mediation and I have always tried to engage capable mediators. If a case does not settle in mediation, then by that stage I am prepared to try the case.

In the adoption area, my office has not actively sought cases; however, I have done them for established clients. I have undertaken private adoptions, step-parent adoptions, and DSS adoptions.

Most of my abuse and neglect cases have been DSS related. Our office has a policy that we actually handle the DSS cases assigned to us and rarely hire another attorney to take our place. Therefore, over the years, I have had exposure to multiple cases involving abuse, neglect, and termination of parental rights. As a private attorney, I have been involved in several private actions involving termination of parental rights.

I have never had the opportunity to handle a juvenile case. However, I have reviewed the procedure in preparing for this process, I have litigated several criminal matters, and as a magistrate I have heard hundreds of criminal matters so I feel comfortable with the underlying criminal law and I think I am competent to apply the process in a juvenile case in Family Court.

15. What is your rating in Martindale-Hubbell? My rating is BV.

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: 0;
- (b) state: Attorney, 3-6 per month average; Magistrate daily.

17. What percentage of your practice involved civil, criminal, and domestic matters during the last five years?

- (a) civil: 45%;
- (b) criminal: 10%;
- (c) domestic: 45%.

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: 5%;
- (b) non-jury: 95%.

Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? I serve as sole or chief 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) Knight v. Knight. Family Court case involving a long term marriage, significant real property in two states and a small business;
- (b) Bishop v. Bishop. Family Court case involving a long term marriage, significant debt, bankruptcy issues, and several contempt proceedings;

- (c) Marion v. Marion. Family Court case involving real and personal property issues and significant Quadro issues;
 - (d) Wade v. Wade. Family Court case involving allegations of abuse and property issues;
 - (e) EmTec eviction. Case heard as a Magistrate Judge involving the eviction of an entire manufacturing plant located in Travelers Rest. The case involved multiple parties from various states and the amount in controversy was well into the six-figure range.
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)
- (a) Mullinax v. Winn-Dixie Stores, Inc., 318 S.C. 431, 458 S.E.2d 76 (Ct. App. 1995);
 - (b) Seeger v. Wrenn Handling Company, Employer, and Farmington Casualty Company, Carrier, Unpublished opinion of Court of Appeals, 1999.
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). None.
22. Have you ever held judicial office? Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.
- I was appointed a Greenville County Magistrate Judge in November 1996 and have served continuously since. The criminal jurisdiction is offenses not exceeding a fine of \$500 (plus assessments) or 30 days imprisonment, or both. The civil jurisdiction is matters where the amount in controversy does not exceed \$7500.00. The jurisdiction is unlimited in landlord/tenant matters.
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) EmTec eviction. This case involved the eviction of a manufacturing plant in Travelers Rest, South Carolina. It involved multiple parties and the amount in controversy was well into the six-figure range;
 - (b) I handled the criminal case as a magistrate when a fire escaped and burned a portion of Paris Mountain. The case is significant in that I had to handle the media attention given to the case;
 - (c) Most civil cases at the magistrate level are without significance on their own to anyone other than the parties directly involved. However, they are significant as a group here because of the shear volume of cases I have been called on to decide which is now in the range of 2000 to 2500 cases both bench trials and jury trials;
 - (d) Most criminal cases standing alone at the magistrate level are without great significance to anyone other than the victims and defendants

involved and their families. However, again as with the civil cases, they are significant here as a group because the volume of cases I have decided now exceeds a conservative estimate of one thousand. This does not include preliminary hearing decisions. I have also during most of my tenure in office handled the central court that hears the county code cases for the whole of Greenville County;

(e) I believe the most significant fact of my time on the Magistrate bench is that, upon belief, I have been appealed no more than 8 to 10 times in nearly 13 years as a magistrate.

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? None.

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.

I continued my practice of law while a continuing part-time judge from 1996 to the present at the firms listed in question 14 above. I have always been my own supervisor.

26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?

In the Family Court elections for May 2008 and January 2009 I was not successful. On both occasions I was found qualified, but not nominated

27. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office?

While in college I worked the summer of 1985 at North Greenville College in the dish room. Also, during college I worked at Belk's in Greer, South Carolina as a salesman and a porter. My last year of college and during breaks from law school I worked as a courier and law clerk for Chapman, Harter & Groves, P.A. in Greenville. These jobs would cover the years 1985-90. I was with the Chapman firm from February 1988 until law school graduation at which time I became an associate at that firm. I do not remember the exact dates for Belk's but it was approximately from Christmas 1985 until Christmas 1987.

28. Are you now an officer or director or involved in the management of any business enterprise?

I am the president of Stokes & Southerlin, P.A. This is my private law practice. I am involved with the practice of law and in the major business decisions of this office. My law partner handles the day to day management duties. I have been president since this professional association was formed in 2005.

I am the vice president of Northern Greenville Investments, LLC. This is an LLC that was formed by Kenneth G. Southerlin, Jr. and I to invest in real property and real property related investments. The LLC does not currently own any real property. The LLC owns one note and mortgage at this time covering one lot. We are not actively seeking business for this company at this time.

29. A complete, current financial net worth statement was provided to the Commission.
30. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest.

I have practiced law with several individuals over the years. With any attorneys that I have had a relationship with in the past five years, I would automatically recuse myself from hearing their cases. If it is over five years, I would disclose the past relationship and only hear the case if the parties consent. I would not want to hear any cases where I have formerly represented one of the litigants. Other than these situations, I do not believe I would have any financial or business relationships that would result in any potential conflict of interest.

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?

The SC Department of Revenue filed tax liens against my former law office that turned out to be in error. The quarters in question had been filed and paid under the new firm, Stokes & Southerlin, P.A. In the end it was determined that no tax had ever been owed, no interest was due and there were no penalties and the matter was closed and the liens were removed. The taxes and the returns had been filed on time as I maintained all along.

I have never defaulted on a student loan; indeed all my student loans are paid off. I have never filed for bankruptcy.

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 named as a party in a foreclosure involving property owned by an estate for which I was personal representative. I was dropped from the lawsuit after it was determined I was not a proper party. The whole

foreclosure was dismissed when assets were gathered and the mortgage paid off.

I have never been a defendant in any lawsuit where I was actually a proper party.

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 know of no such charges or allegations against either me or any other candidate.

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 know of no such charges or allegations against either me or any other candidate.

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 had no expenditures during this candidacy.

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. None.
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? No.
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;
 - (b) Greenville County Bar;
 - (c) South Carolina Summary Court Judges Association (Life Member).
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) Boy Scouts of America. Offices: Den Leader, Assistant Cub master, Assistant Scoutmaster, Assistant District Commissioner, Scoutmaster; Honors/awards: Eagle Scout with Silver Palm, Vigil Honor, Webelos Den Leader of the Year, 2007;
 - (b) Blue Ridge Ruritan Club. Secretary, Vice President, President, Director, Zone Governor;
 - (c) Few's Chapel United Methodist Church. Offices: Chairman, Administrative Council, Lay Leader, Trustee;
 - (d) Freemason. Bailey Lodge, Greer, South Carolina. No offices held;
 - (e) Scottish Rite. Greenville, South Carolina. No offices held;
 - (f) Commerce Club. Greenville, South Carolina. No offices held.
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. None.
49. References:
- (a) Honorable R. Cary Werner
Retired Greenville County Magistrate
110 Oakdale Drive
Greer, SC 29651
864-877-3501
 - (b) Amy Richmond, Esq.
Woodruff Road Corporate Center
341 Prado Way
Greenville, SC 29607
864-234-7304
 - (c) Heather Witt, BB&T Bank
1219 W. Poinsett Street
Greer, SC 29650
864-968-1020

- (d) Eddie R. Harbin, Esq.
500 Pettigru Street
Greenville, SC 29601
864-242-4112
- (e) Kenneth G. Southerlin, Jr., Esq.
PO Box 2077
Greer, SC 29652
864-801-0540
- (f) Bill Roughton, Capital Bank
1200 W. Wade Hampton Blvd
Greer, SC 29650
864-848-4000
- (g) Harry A. Chapman, Jr., Esq
PO Box 10224 FS
Greenville, SC 29603
864-233-4500

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: Michael Don Stokes

Date: 8/12/09