

**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

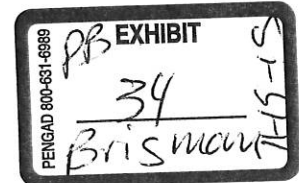
Court, Position, and Seat # for which you are applying: Family Court, Fourth Judicial Circuit, Seat 1

1. Name: The Honorable Cely Anne Brigman
Are you currently serving in some capacity as a judge? Family Court, Fourth Judicial Circuit, Seat 1

Business Address: 1 Public Square, Room 403
Darlington, SC 29532

Telephone Number: (office): (843) 398-4012

2. Date of Birth: 1961
Place of Birth: Richland County, SC



3. Are you a citizen of South Carolina? Yes
Have you been a resident of this state for at least the immediate past five years? Yes

5. Family Status: Married on May 17, 2003 to Gregory Wendell Brigman. Divorced on November 27, 2002 in the Family Court for the Fourth Judicial Circuit. I was the moving party. The divorce was granted on the grounds of one year separation. Two children.

6. Have you served in the military? I have never served in the military.

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) Columbia College, Columbia, SC, 1979-1983, BA in Public Affairs;
- (b) University of SC School of Law, 1983-1985, JD.

8. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.
Admitted to practice in SC in May, 1986.

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.
While attending Columbia College, I was nominated for Who's Who in American Colleges and Universities. I was also a member of the Judicial Council and was active in student government. I served as a representative from Columbia College in the SC Student Legislature.

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

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Staff/Judges Annual Training	February 2, 2010;
(b) Mandatory School for Magistrates	November 5, 2011;
(c) Annual Legislative Seminar	March 9, 2011;
(d) The Trial of a Criminal Domestic Violence Case	July 1, 2011;
(e) Family Law Section Seminar	January 21, 2011;
(f) Children's Law Committee Seminar	January 22, 2011;
(g) Annual Magistrate Staff Seminar	February 8, 2012;

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|-----|--|---------------------|
| (h) | Avoiding 20 Ethics Traps | July 13, 2012; |
| (i) | 2012 Hot Tips From the Coolest Practitioners | September 28, 2012; |
| (j) | Mandatory School for Magistrates | November 2, 2012; |
| (k) | Family Law Symposium | April 19, 2013; |
| (l) | Domestic Violence and Sexual Assault | May 17, 2013; |
| (m) | 2012 Criminal Law: A View From the Bench | June 20, 2013; |
| (n) | For the DUI Practitioner | June 30, 2013; |
| (o) | Discovery: Problems and Solutions | July 8, 2013; |
| (p) | Unusual Issues Involving Service of Process | July 8, 2013; |
| (q) | Hot Tips From the Coolest Practitioners | September 26, 2014; |
| (r) | Mandatory School for Magistrates | November 7, 2014; |
| (s) | New Judges School—Family Court | June 2015. |
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.
- I made a presentation at a SC Women Lawyers Seminar on Criminal Domestic Violence in October 2006;
 - I lectured on the topic of Marriage Dissolution. Process and Procedure at a National Business Institute Seminar in October 2009;
 - I made a presentation at the SC Bar Hot Tips Seminar in September 2013, Should the Child Speak to the Judge?;
 - I was on the Faculty for Law School for Non-Lawyers in April 2014. I taught the Family Law section.
12. List all published books and articles you have written and give citations and the dates of publication for each.
None
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.
- Admitted to practice before the SC Bar on May 21, 1986;
 - Admitted to practice before the US District Court for SC on February 3, 1987;
 - Admitted to practice before the US Supreme Court on April 18, 1994.
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.
- From August 1986 until May 1990, I practiced as an associate with Greene, Lockemy and Bailey in Dillon, SC. My responsibilities involved Family Court litigation, civil litigation primarily representing plaintiffs in personal injury actions, and limited criminal defense I also performed real estate closings;
 - From May 1990 until May 2004, I practiced as an associate with D. Kenneth Baker, P.A. in Darlington, SC. My responsibilities involved family court litigation, civil litigation primarily representing plaintiffs in personal injury actions and residential real estate closings. I also handled cases in Probate Court;

- (c) In March 2004, I was appointed to fill a position as a part-time Magistrate for Darlington County. I still hold this position and been serving as Chief Magistrate in Darlington County since 2004;
 - (d) From May 2004 until November 2009, I practiced as an associate with McDougall and Self, LIP.in Florence, SC. My practice was limited to Family Court litigation;
 - (e) From November 2009 until June 2015, I have practiced with the Jebaily Law Firm in Florence. SC. My practice is limited to Family Court litigation and some matters in Probate Court;
 - (f) From June 2010 until June 2011, I was a part-time attorney for the Clarendon County guardian ad litem program. I represented lay guardians in matters involving the Department of Social Services.;
 - (g) On May 27, 2015, I was elected by the SC General Assembly to fill the unexpired term of Roger E. Henderson on the Fourth Judicial Circuit Family Court, Seat 1.
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.
My professional practice as an attorney was devoted primarily to Family Court litigation for the past fifteen years. I tried divorce, equitable division of property, child custody, adoption, abuse and neglect and juvenile cases during that time. I not only tried cases but participated in mediations and settlement negotiations on behalf of clients involved in Family Court actions. I served as a guardian ad litem and as the attorney for the guardian ad litem. I also served as a part-time magistrate. Both my private practice and my service as a magistrate prepared me to preside in Family Court.
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.
N/A
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) Trey Gerald Smith v. Jennifer Erin Williamson. 07-DR-16-0071
This was a custody/visitation action brought pursuant to the Uniform Child Custody Jurisdiction Act (UCCJA) and the Parental Kidnapping Prevention Act (PKPA). I represented the Defendant mother in this action. My client and the minor child lived in Mississippi. In a previous action between these parties it was established that Mississippi was the home state of the minor child. After the Family Court of Mississippi had issued an order regarding custody. the father filed a second action in SC seeking to modify the Mississippi order. After a full hearing on the merits, the Family Court in SC dismissed the father's complaint. I

was able to demonstrate that pursuant to the PKPA the family court in SC lacked jurisdiction and the father would have to pursue his claim in Mississippi, my client's home state;

- (b) James Dustin Carnell v. Jessica Marie Carnell'. Tonja Renee Carnell and minor children Brittany Ann Camell and Tiffany Nichole Carnell. 09-DR-16-1107

This was an action for termination of parental rights and adoption. I represented the biological father and potential adoptive step-mother. We were seeking to terminate the parental rights of the biological mother and allow the step-mother to adopt the minor children. The biological mother contested both the termination of parental rights and the adoption. I was able to establish that the biological mother had failed to visit or support the minor children and that pursuant to the statute, her parental rights to the children should be terminated. Upon terminating the parental rights of the biological mother, the Court allowed the step-mother to adopt the children, over the objections of the biological mother;

- (c) Gerald v. Gerald. 09-DR-21-1372, 09-DR-21-1372

This was a Rule to Show Cause action filed during the pendency of a divorce action. I represented the Plaintiff wife who alleged the Defendant had repeatedly violated a prior restraining order issued by the Court. There were numerous instances of unwanted and intrusive contact which the Defendant denied. Through testimony and the introduction of various exhibits I was able to demonstrate to the court that the Defendant had in fact violated the restraining order on numerous occasions. despite his adamant denials. The Court found the Defendant to be in contempt of the prior order;

- (d) Langston v. Langston, 2011-DR-21-758

This was an action for termination of alimony in which I represented the Plaintiff ex-husband. At the time of the parties' divorce, my client was ordered to pay permanent alimony. Several months after the divorce. the ex-wife began living with her paramour. The ex-wife denied that she and the paramour had cohabitated for the requisite 90 days as required by statute. Through extensive discovery, we were able to establish a time line demonstrating the 90 consecutive days. The case actually settled minutes before trial in my client's favor;

- (e) McPhail v. McPhail. 2013-DR-16-0321

This was an action for divorce, alimony and attorney fees. I represented the Plaintiff wife in a long term marriage. The Defendant husband was uncooperative throughout the litigation which required the filing of two Rules to Show Cause before we got to the final hearing. The Defendant husband denied he had substantial income and alleged he was unable to pay alimony.

I was able to prove through exhibits and testimony that the Defendant's income was significantly higher than he claimed. After a full hearing on the merits the Court awarded my client permanent periodic alimony and required the Defendant to reimburse a substantial portion of her attorney fees.

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.

None

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.
- (a) March 2004–June 2015–I was appointed to serve as part-time Magistrate for Darlington County;
 - (b) In 2004, I was appointed to serve as Chief Magistrate, a position I held until my resignation. I presided over civil matters in which the amount in controversy did not exceed \$7,500.00 and criminal matters that fell within the Magistrate's Court jurisdiction. I also presided over preliminary hearings, all jury trials in the Hartsville area of Darlington County and I conducted bond hearings;
 - (c) I am currently a Family Court judge, having been elected by the SC General Assembly on May 27, 2015. I was sworn in July 1, 2015.
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.
- The cases I presided over did not require written orders.
25. Have you ever held public office other than judicial office? Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office.
- I have never held public office other than my service as a Magistrate.
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.
- (a) From August 1986 until May 1990. I practiced as an associate with Greene, Lockemy and Bailey in Dillon, SC. My responsibilities involved Family Court litigation, civil litigation primarily representing plaintiffs in personal injury actions, and limited criminal defense. I also performed real estate closings;
 - (b) From May 1990 until May 2004, I practiced as an associate with D. Kenneth Baker, P.A. in Darlington, SC. My responsibilities involved family court litigation, civil litigation primarily representing plaintiffs in personal injury actions, and residential real estate closings. I also handled cases in Probate Court;
 - (c) In March 2004. I was appointed to fill a position as a part-time Magistrate for Darlington County. I still hold this position and been serving as Chief Magistrate in Darlington County since 2004;
 - (d) From May 2004 until November 2009, I practiced as an associate with McDougall and Self, L.L.P., in Florence, SC. My practice was limited to Family Court litigation;
 - (e) From November 2009 until present, I have practiced with the Jebaily Law Firm in Florence, SC. My practice is limited to Family Court litigation and some matters in Probate Court;
 - (f) From June 2010 until June 2011, I was a part-time attorney for the Clarendon County Guardian ad litem program. I represented lay guardians in matters involving the Department of Social Services.
27. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?

- (a) In 2011 I was a candidate for a Family Court judgeship for the Fourth Judicial Circuit. I came out of screening but withdrew before the election. The seat was filled by Hon. Salley H. McIntyre;
- (b) In the fall of 2012 I was a candidate for a Family Court judgeship, At-Large Seat 4. I did not come out of screening.
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?
Other than part-time positions while in high school, college or law school, I have held no positions other than practicing law and serving as a Magistrate.
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. A complete, current financial net worth statement was provided to the Commission.
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.
I am not aware of any financial arrangements or businesses which I currently have or have had which could constitute or result in a possible conflict of interest.
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?
No
33. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute?
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?
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?
- (a) In the Matter of the Estate of Harley A. Newsome, Deceased v. Gena Phillips Ervin as Personal Representative of the Estate of Harley A. Newsome, Christine N. Tolson, individually and as Conservator for Sallie Louise Newsome deceased, Cely Baker Reynolds as Guardian ad Litem for Sallie Louise Newsome, deceased, John H. Newsome, Sr. and John H. Newsome, Jr, Respondents v. Kenneth L. Amerson, Personal Representative of the Estate of Louise A. Newsome, 98-ES-16-355.
This case arose out of a petition filed in Probate Court to authorize the sale of a parcel of real estate. The Conservator for Sallie A. Newsome petitioned the Probate Court to allow the sale of the real estate so that the funds generated could be used to provide for Mrs. Newsome's care. I was the Court appointed guardian ad litem for Mrs. Newsome who was in a nursing home.

The Petition for Sale was supported by an appraisal from a licensed real estate appraiser. The property was to be sold for the appraised value. The Probate Judge approved the sale which was finalized shortly thereafter.

Three months later, Sallie Newsome died. The Personal Representative of her estate filed a motion pursuant to Rule 60(b), SCRCP, to set aside the sale alleging the appraisal introduced at the hearing was inaccurate and that the property was worth more than indicated.

The Probate Court denied the motion. The Personal Representative appealed to the Circuit Court which upheld the ruling of the Probate Court. Upon appeal to the SC Court of Appeals (No. 2003-UP-475), the decisions of both lower courts were affirmed;

- (b) Kenneth L. Amerson, Personal Representative of the Estate of Sallie Louise Newsome v. Gena Phillips Ervin, Personal Representative of the Estate of Harley A. Newsome, Chrstine N. Tolson, individually and as the Conservator for Sallie Louise A. Newsome, deceased, Cely Baker Reynolds, as Guardian ad Litem for Sallie Louise A. Newsome, Deceased, John H. Newsome, Sr., and John H. Newsome, 02-CP-16-365.

In 1998, the Probate Court approved the sale of certain real estate owned by Sallie Louise A. Newsome who was in a nursing home. The sale was approved. The order of the Probate Court was appealed and upheld by the Circuit Court and the Court of Appeals.

Sallie Louise A. Newsome died several months after the sale of the property. In 2002, the Personal Representative of her estate filed an action in Circuit Court in an attempt to set aside the sale of the property.

A motion for summary judgment was filed on my behalf in Circuit Court. The order granting summary judgment in my favor was appealed and certiorari was denied by the SC Supreme Court.

37. Have you ever been investigated by the Department of Social Services? Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect?
No
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.
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 have a limited presence on Facebook.
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)?
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?

- 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.
- None at this time.
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?
- No
47. 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
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) SC Bar Association;
 - (b) Darlington County Bar Association;
 - (c) Florence County Bar Association.

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) Award of Excellence, SC Coalition Against Domestic Violence, 2008;
 - (b) American Heart Association.
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.
- The last fifteen years of my practice were devoted primarily to the practice of family law. I tried to increase my professional skills by attending educational family law seminars and by speaking at these seminars. My service as a magistrate taught me the importance of exercising patience, understanding and restraint with both litigants and lawyers. I believe the skills learned in my practice and my magistrates work have transferred to my Family Court service and will serve me well.
53. References:
- (a) Mrs. Ellen Berry, Dedicated Community Bank
202 Cashua Street
Darlington, SC 29532
(843) 393-1956
 - (b) Hon. J. Todd Hardee
315 Pearl Street
Darlington, SC 29532
 - (c) Gena P. Ervin, Esq.
Orr, Elmore and Ervin
04 S. Coit Street
Florence, SC 29503
(843) 667-6613
 - (d) Rangeley Bailey, Esq.
Jebaily Law Firm, P. A.
P. O. Box 1871
Florence, SC 29503
(843) 667-0400
 - (e) Rev. Jim Hardee
126 Hank Haynie Lane
Darlington, SC 29532
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;
 - (b) in which there have been public improvements of \$200 or that adjoins property in which there have been public improvements of \$200; or
 - (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.

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.

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: s/Cely Anne Brigman

Date: August 11, 2015