

JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE



Court, Position, and Seat # for which you are applying: Fifth Judicial Circuit for Family Court, Seat 4

1. Name: The Honorable Gwendlyne Young Jones
Are you currently serving in some capacity as a judge? Yes
Business Address: Post Office Box 192, Columbia, SC 29202
Telephone Number: (office):803-576-1760
2. Date of Birth: 1962
Place of Birth: Greer, 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 31, 2014 to Troy Manning Jones. Divorced Darryl Dwain Smalls on January 20, 2006, Richland County, SC Family Court. Gwendlyne Young Smalls n/k/a Jones was the moving party. Grounds: Adultery. Five Children.
6. Have you served in the military? No
7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
 - (a) University of SC, 1980-1984, BS Degree in Criminal Justice;
 - (b) University of SC School of Law, 1985-1989, 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.

I was admitted to practice law in SC in 1989. I did not take the SC Bar examination more than once. I have never taken the bar examination in any other state.
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.
 - (a) Delta Sigma Theta Sorority, Incorporated (1981-Present);
 - (b) A Touch of Faith Gospel Choir (1981-1984);
 - (c) Student Bar Association (1985-1989);
 - (d) Black Law Students' Association (1985-1989).
10. Describe your continuing legal or judicial education during the past five years.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SC Public Defender Conference	09/28/2009;
(b) SC Black Lawyer's Annual Retreat	10/01/2009;
(c) Family Court Judge's Conference	04/22/2010;
(d) 2010 New Judge's Orientation	06/02.2010;
(e) SCAJ 2010 Annual Conference	08/05/2010;
(f) 2010 Judicial Conference	08/18/2010;
(g) 2010 Hot Tips Domestic Conference	10/01/2010;
(h) Mini Summit on Justice for Children	12/02/2010;

- (i) 2010 SC Family Court Bench Bar 12/03/2010;
- (j) Family Law Section Conference 01/21/2011;
- (k) Family Court Judge's Conference 06/01/2011;
- (l) 2011 New Judge's School Orientation 06/08/2011;
- (m) 2011 SCAJ Annual Convention 08/04/2011;
- (n) 2011 Annual Judicial Conference 08/17/2011;
- (o) SC Black Lawyer's Retreat 10/14/2011;
- (p) 2011 SC Family Court Bench Bar 12/02/2011;
- (q) Family Law Section Seminar 01/20/2012;
- (r) 2012 Family Court Judge's Conference 04/08/2012;
- (s) 2012 Annual Judicial Conference 08/22/2012;
- (t) 2012 Family Court Judge's Conference 12/06/2012;
- (u) 2012 Family Court Bench Bar 12/07/2012;
- (v) Family Law Section Conference 01/05/2013;
- (w) NBI Judicial Forum 05/11/2012;
- (x) Public Defender's Conference 09/24-25/2012;
- (y) National Judicial College 10/15-25/2012;
- (z) 2013 Family Court Judge's Conference 04/17/2013;
- (aa) 2013 SCAJ Annual Convention 08/01/2013;
- (bb) 2013 Annual Judicial Conference 08/21/2013;
- (cc) 2013 Family Court Bench Bar 12/06/2013;
- (dd) Family Law Section Seminar 01/24/2014;
- (ee) 2014 Family Court Judge's Conference 04/23/2014;
- (ff) 2014 SCAJ Annual Convention 08/07/2014;
- (gg) 2014 Annual Judicial Conference 08/22/2014;
- (hh) NBI Judicial Forum 11/07/2014;
- (ii) 2014 Family Court Bench Bar 12/05/2015;
- (jj) Family Law Section Conference 01/23/2015.

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

Yes.

- (a) I have made presentations at the Family Court New Judge's School Orientation on the topics of a new judge's perspective, and how to handle a domestic custody trial;
- (b) I have made presentations at the Family Court Bench and Bar on self-represented litigants and case law updates;
- (c) I made a presentation at the South Carolina Black Lawyers' Annual Retreat on family law update;
- (d) I have served on a judge's panel conference for the NBI Judicial Forum;
- (e) I have made presentations regarding juvenile delinquency and compliance at the Department and Juvenile Justice and various schools.

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.
- (a) SC, 1989;
 - (b) US District Court for the District of SC, 1991;
 - (c) US Court of Appeals for the Fourth Circuit, 2000.
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) 1989-1995: Richland County Public Defender's Office-Responsible for the representation of indigent persons in jury trial, guilty pleas, bond hearings, preliminary hearings and probation violations;
 - (b) 1994-1995: Supervisor of the Juvenile Division of the Richland County Public Defender's Office-Responsible for overseeing two other attorneys in the public defender's office. Duties included representing indigent persons in Family Court in bench trials, guilty pleas, probation violations, waivers and detention hearings;
 - (c) 1992: Interim Chief Public Defender for the Richland County Public Defender's Office-Responsible for the management of fifteen attorneys and support staff; presenting budget to County Council and maintaining an active caseload of approximately two hundred and fifty cases;
 - (d) 1995-2010: Solo Practitioner, Law Offices of Gwendlyne Young Smalls-Practice in Family Court throughout the State of South Carolina involving juvenile defense, divorces, abuse and neglect, adoptions, child custody and child support matters. Also practiced in General Sessions, US District Court for SC and Magistrate Courts throughout the state handling criminal defense matters;
 - (e) 1995-1996: Kellogg Contract with the SC Department of Social Services-responsible for the litigation of termination of parental rights cases for five counties.
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.
I am listed, but not rated in Martindale-Hubbell.
23. Have you ever held judicial office? Describe the jurisdiction of each of the courts and note any limitations on the jurisdiction of each court.
Yes. I was elected to the Fifth Judicial Circuit Family Court, Seat 4 on February 3, 2010, for a six year term. Family court is a court of limited jurisdiction to hear and determine actions involving the validity of marriages, divorce, separate maintenance, adoptions, termination of parental rights, child custody, child abuse/neglect, protection of vulnerable adults, juvenile delinquency, and other matters as provided by law.
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.
- (a) Tommy Baker v. Marrion Baker, (2012-DR-28-0506);
 - (b) Maureen Weirick v. Daniel Canto, (2011-DR-40-1190);
 - (c) Marcus Duncan v. Marjorie Metellus Duncan, (2009-DR-40-0003);
 - (d) Saswati Samaddar v. Abhijit Samaddar, (2009-DDR-40-3928);

- (e) Jesse Grannis v. Christopher Grannis, (2013-DR-40-1813).
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.
No, I have never held public office other than my current judicial office.
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.
Not applicable
27. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?
Yes. I ran for Richland County Family Court, Seat 1 in 2005. I was successfully voted out of screening as qualified and nominated; however, I did not win the election.
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.
Yes. During high school and college summer breaks, I worked at the Waffle House as a waitress and cashier. The period of this employment is approximately from 1979-1984. I worked briefly with Fluor Daniel Construction Company from 1984-1985 as a security clearance investigator. I was employed as a librarian assistant at the University of SC School of Law while a student from 1988-1989. I also served as a Legislative Aide while in law school in the approximate year of 1988.
*(The response to this question was inadvertently omitted from my 2009 Judicial application)
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.
Not applicable
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?
Yes. In 2003, I was made aware of allegations made by a former client, Timothy Joseph, who claimed that I, along with an assistant solicitor, another private attorney and a judge had been involved in inappropriate behavior. Specifically, the client, while serving a sentence, alleged that I had financed his criminal activity and had received merchandise that he received through his unlawful activity. This matter was investigated by SC Law Enforcement Division and was deemed unfounded. Since the allegation, the client

committed additional offenses and was subsequently sentenced to the Department of Corrections.

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?

Yes. An insufficient amount of money was deducted from my taxes in 1995. Upon learning of the deficiency, I paid the amount in full. I was unaware of the lien until I refinanced my home, which was long after the deficiency had been paid and entered into the records as satisfied. I have never defaulted on a student loan. I have never filed for bankruptcy.

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?

Yes. In 2005, I was served with a foreclosure action on my home. At the time, my ex-husband was responsible for the mortgage payment and I was unaware that the payments were approximately three months in arrears. I immediately brought all payments current.

In 2004-2005, while undergoing the screening process for Fifth Circuit Family Court, Judicial Seat 1, Jane Shuler informed me that a federal client, Eric Hopkins had filed charges against me in the US District Court for the District of SC, Charleston Division. I was never served with any documents, therefore am unaware of the specifics of the charges. However, I was notified by Assistant US Attorney Mark Moore after an arrest of one of Mr. Hopkins' family members. While executing a search warrant at a residence, a stack of mail was located addressed to me at that address. It was later determined that my former client was sending mail to a relative at that location addressed to me in order to avoid the prison from reading "legal mail." I was advised by Ms. Shuler that the case was ultimately dismissed.

In April of 2004, a former client Latoya Lyles and her boyfriend Taukedrick Roberts sued me in magistrate court in Richland County for seven thousand five hundred dollars. In the lawsuit, Ms. Lyles alleged that I was responsible for loss that she sustained due to her being arrested because a bench warrant for failure to appear in court was issued against her. I provided information that I was not retained until after the date the bench warrant was issued. In addition, the lawsuit was not brought against me until approximately 4 ½ years after the alleged wrongdoing. The criminal charges against Ms. Lyles were ultimately dismissed. The case against me was dismissed with prejudice pursuant to a motion for summary judgment.

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.

Not applicable

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 a member of Facebook and Instagram. I ensure that my privacy settings are updated. I do not engage in any prohibited political activity, and I never discuss my duties as a judge or any cases that I may have. I am careful not to accept contact or friend requests from anyone that I do not personally know. It is important that a judge is viewed as unbiased at all times, not just when conducting court. I primarily utilize social media to locate my friends that I have not had contact with for quite some time.

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.

Not applicable

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.

Not applicable

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

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?
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) Richland County Bar Association;
(b) SC Conference of Family Court Judges, acting treasurer-secretary.
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) Delta Sigma Theta Sorority, Incorporated;
(b) Jack and Jill of America;
(c) Member of Francis Burns United Methodist Church;
(d) Regularly attend Journey United Methodist Church.
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.
My family, faith, legal career and education are all life experiences that have greatly influenced me while serving on the bench for the past five years. Unfortunately, my mother died nine months after I was elected to serve. In pain at my investiture, my mother never complained; she constantly whispered in my ear how proud she was of me and that I should strive daily to uphold the values my parents taught me at a very young age. The loss of my mother has been the fuel enabling me to be a judge that is knowledgeable, fair, exhibiting the appropriate demeanor and temperament and having an appreciation and respect for the attorneys and litigants that appear before me. Having been raised by devoutly religious parents, including a father who is a Baptist minister, I was taught that I will be held accountable for all of my actions. My parents taught me to be kind, patient and understanding. I strive daily to uphold those principals which were strongly instilled in me by my parents. With that in mind, I am acutely aware that the decisions that I make on a daily basis will strongly impact the lives of those that appear before me.
Because of the tremendous impact of the church in my household, I learned a great deal about compassion. This characteristic is vitally important in a court that is life-changing to the litigants. I am passionate about issues that affect children and families and I am eternally grateful that the traits of honesty and fairness have propelled me forward to doing the very best I can do each and every day.
53. References:
(a) Attorney Regina Hollins Lewis
Gaffney, Lewis & Edwards, LLC
3700 Forest Drive, Suite 500
Columbia, SC 29204
(803) 790-8838
(b) James Bennett

First Citizens Bank
1230 Main Street
Columbia, SC 29201
(803) 931-8549

- (c) I.S. Leevy Johnson
Post Office Box 1431
Columbia, SC 29202
(803) 252-9700
- (d) Dr. George Ashford, Jr.
Journey United Methodist Church
1151 Longreen Parkway
Columbia, SC 29229
(803) 699-1022
- (e) Mr. Cameron Flemming
Bank of America
330 Bush River Road
Columbia, SC 29210
(803) 726-1160

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 of the above is applicable.
- 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.

None of the above is applicable.

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/Gwendlyne Young Jones
Date: July 31, 2015