



**JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying: Family Court, Fifteenth Judicial Circuit,  
Seat #2

1. Name: The Honorable Melissa Johnson Emery  
Name that you are known by if different from above: Lisa  
Are you currently serving in some capacity as a judge?: Family Court, Fifteenth Judicial Circuit, Seat #2  
Business Address: PO Box 677  
Conway, SC 29528  
Telephone Number: (office):843-915-8989
2. Date of Birth: 1969  
Place of Birth: Darlington, 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: Divorced on May 25, 2007, Fifteenth Judicial Circuit Family Court, State of South Carolina, Adultery. Melissa Emery was the moving party. Two 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) Francis Marion College: August 1987–May 1991; BS;
  - (b) University of South Carolina School of Law: August 1991–May 1994; 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.  
South Carolina-1994
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) Francis Marion College;
    - i. Senator of the Student Government Association, 1989–1991;
    - ii. President’s Advisory Committee, 1990–1991;
    - iii. Pi Gamma Mu Honor Society, Inducted in 1990;
    - iv. Pi Sigma Alpha Honor Society–Rho Lambda Chapter, Inducted in 1990.
  - (b) University of South Carolina School of Law;
    - i. Student Bar Association, 1991–1994;
    - ii. Women’s Law Society, 1991–1994;
    - iii. Young Lawyers Division – Student Chapter, 1993-1994.
10. Describe your continuing legal or judicial education during the past five years.  
Conference/CLE Name Date(s)

- |     |  |           |
|-----|--|-----------|
| (a) | Steering Your Way Through Family Court                     | 05/21/10; |
| (b) | ABA 2010 Annual Meeting–Family Court Seminar               | 08/05/10; |
| (c) | Family Court Procedural & Substantive Law                  | 12/09/10; |
| (d) | The 8 Types of Clients and How to Survive 7 of Them        | 02/23/11; |
| (e) | Family Court Procedural & Substantive Law                  | 12/08/11; |
| (f) | ADR: An Ethical Perspective                                | 12/28/11; |
| (g) | Presenting the Family Law Case: The Basic Essentials       | 04/27/12; |
| (h) | 2011 Richland County Bar Ethics Seminar                    | 01/19/13; |
| (i) | What Every Lawyer Should Know to Enjoy the Practice of Law | 06/21/13; |
| (j) | 2013 Hot Tips from the Coolest Domestic Law Practitioners  | 09/27/13; |
| (k) | Family Court Procedure and Substantive Law                 | 12/12/13; |
| (l) | Family Court Judges Conference                             | 04/23/14; |
| (m) | 2014 Orientation School for New Family Court Judges        | 06/18/14; |
| (n) | 2014 Annual Judicial Conference                            | 08/20/14; |
| (o) | 2014 Hot Tips from the Coolest Domestic Law Practitioners  | 09/26/14; |
| (p) | 2014 Family Court Bench Bar                                | 12/5/14;  |
| (q) | SC Bar Convention-Family Law Section                       | 01/23/15; |
| (r) | Family Court Procedure and Substantive Law                 | 02/11/15. |
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
- (a) I have coordinated and participated as a presenter for the annual Horry County Family Court Procedural & Substantive Law Seminar from 2000 to 2013. I presented at the seminar on February 11, 2015. This is an annual seminar that is conducted each year by the Horry County Family Court Bar. In working closely with our resident judges, the committee presents a practical nuts & bolts type seminar which aides the Family Court practitioner with substantive and procedural issues dealt with in Family Court.
- (b) I was part of the presentation faculty for the seminar presenting the Family Law Case: The Basic Essentials on April 27, 2012. This is a seminar presented by the Family Law Council of the SC Bar on a bi-annual basis to teach attorneys who are new to Family Court the basic procedures for practicing in Family Court.
- (c) I was part of the presentation faculty for the seminar Steering Your Way Through Family Court on May 21, 2010. This is the first seminar presented by the Family Law Council of the SC Bar, now done on a bi-annual basis to teach attorneys who are new to Family Court the basic procedures for practicing in Family Court.
- (d) I was part of the presentation faculty for the seminar Children’s Issues in Family Court on March 17, 2006 and March 28, 2008. This seminar dealt directly with the issues of children in Family Court. It also served as training for guardians ad litem in Family Court.
- (e) I was part of the presentation faculty for the seminar Hot Tips from the Coolest Domestic Law Practitioners on September 23, 2005 and on September 26, 2014. This is a seminar conducted by the Family Law Council each year to educate new and experienced attorneys alike in Family court.
- (f) I was part of the presentation faculty for the seminar Guardian ad Litem Training on March 5, 2004. This seminar dealt directly with the issues of children in Family Court and served as training for guardians ad litem in Family Court.

12. List all published books and articles you have written and give citations and the dates of publication for each.  
 South Carolina Family Lawyer's Toolkit, Second Edition  
 Published by the SC Bar in 2010
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 practice before the State Courts of South Carolina in 1994;  
 (b) Also admitted to practice before the Federal District Court in 1996.
14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.
- (a) Law Clerk to the Honorable James E. Lockemy, Circuit Judge of the Fourth Judicial Circuit—August 1994 to August 1995;  
 (b) Law Offices of John R. Clarke, North Myrtle Beach, SC, Associate, Civil and Domestic Litigation, August 1995 to November 1996;  
 (c) Jeffcoat Pike & Nappier, LLC, Myrtle Beach, SC, Associate, Domestic Litigation to include GAL work and mediation, November 1996 to August 2000;  
 (d) Monckton Law Firm, Myrtle Beach, SC, Associate, Domestic Litigation to include GAL work and mediation, August 2000 to March 2001;  
 (e) Jeffcoat Pike & Nappier, LLC, Myrtle Beach, SC, Partner, Domestic Litigation to include GAL work and mediation, March 2001 to October 2007;  
 (f) McLain & Lee, LLC, Conway, SC, Partner, Domestic Litigation to include GAL work and mediation, October 2007 to December 2010;  
 (g) Melissa Johnson Emery, LLC, Conway, SC, Owner, Domestic Litigation to include GAL work and mediation, January 2011 to February 2014;  
 (h) Family Court Judge of the Fifteenth Judicial Circuit, Seat 2, February 2014 to present.
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.  
 BV (4.4) rating
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.  
 Yes. February 21, 2014 to present; Family Court, Fifteenth Judicial Circuit; Elected by the General Assembly.
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) Roger Gorby v. Tiffany Richardson, 2013-DR-26-485 (Heard March 26, 2014). This case dealt with the issue of custody, visitation, and child support for the parties' two minor children. The parties requested to treat the children differently in regards to visitation due to the fact of their differences in ages and the oldest child was a teenager. Separate schedules had to be determined for the two children by the Court,

as the parties wanted to consider the input of their older child. An issue that complicated the case was the matter of uncovered medicals and the request to make the issue retroactive.

- (b) South Carolina Department of Social Services v. Iris Bridges, Robert Lee Stokes, Daniel Kirkpatrick, and Lorenzo Jackson, 2012-DR-33-376 (Heard August 12, 2014). This was a termination of parental rights brought by SCDSS. While Defendant Mother had been served with the action, the Defendant Fathers had not been properly served; therefore, SCDSS proceeded against Defendant Mother only. The basis of the TPR was that the children in the home had been harmed and because of the severity or repetition of the abuse or neglect, it is not reasonably likely that the home can be made safe within twelve months. Defendant Mother's four minor children were placed in foster care when the home they lived in with Defendant Mother was destroyed by fire. She could not afford a new place to live, so she had to live with her father and step-mother. Unfortunately, the home was not large enough for all of the children to stay in the home with her. While Defendant Mother was not able to provide a home for the children, she visited with their regularly, paid child support regularly, and provided food and clothing for the children. She also sought help from the Fatherhood group to obtain employment. Due to the fact that SCDSS believed she could not remedy the situation of her housing, they stopped offering her services and help, and they sought to terminate her parental rights. I found SCDSS had failed to carry its burden of proof and did not terminate Defendant Mother's parental rights to her children. SCDSS was also required to re-institute services for the Defendant Mother and offer her a treatment plan with reunification as the ultimate plan.
- (c) Lori McCormick v. Jesse McCormick, 2013-DR-26-676 (Heard on August 27, 2014). This primary issue of this case dealt with the transmutation of non-marital property and the equitable division of the property determined to be marital. There were allegations that personal property of the Defendant had been disposed of and a determination had to be reached regarding if the property had been disposed of, the value of the property and how to incorporate the value into the division of assets. Both parties had issues with credibility as they seemed to want more than they were entitled to. Once all marital property was identified, it was equally divided between the parties and strict instructions were given on how the division was to be accomplished.
- (d) State of South Carolina v. Landon Dias, 2015-JU-10-0015 (Heard March 19, 2015). This is a criminal juvenile trial in which the Defendant was charged with Malicious Injury to Personal Property. The charges dealt with the vandalism of a school bus on the property of the First Baptist Church. Witnesses came upon the Defendant and a friend looking at the graffiti on the bus, and the Defendant and friend ran when confronted. However, the State was unable to show that the Defendant committed the vandalism. The Defendant was not found to have any paint in his possession, nor was there any paint on his hands, hair or clothing, even though the graffiti was extensive. The Defendant was found not guilty.
- (e) Tammy and Maurice Broughton v. Jennifer Bengé and Joseph Bengé, 2013-DR-16-1004 (Heard on April 22, 2015). The Plaintiffs in this case are the paternal grandparents of the Defendants' minor child. They sought to terminate the parental



rights of the Defendant Mother and custody of the minor child. The Defendant Father sought custody of the minor child in his counterclaim. The Defendant Mother sought a set visitation schedule. Testimony of the parties showed that the Defendant Mother left Father and the minor child, who lived with the Plaintiffs, and moved out of state. She had not seen the minor child for over four years, and had made little effort to do so. She had not paid any child support for the child, and Plaintiffs had been primarily responsible for the child and his welfare for over four years, even though their son lived with them and the child. While Defendant Mother's actions may have given grounds to have her parental rights terminated, a prior court ruling had denied the appointment of her an attorney, even though she contested the TPR, and required her to pay for her own attorney if she were to be represented. Mother was disabled, and while she did obtain a check during the pendency of the action after she was deemed to be disabled, she testified she could not afford an attorney. The GAL did not believe it to be in the child's best interest to grant the TPR, and I agreed and did not grant the TPR as requested by Plaintiffs. I did find it in the best interest of the minor child to grant the Plaintiffs custody of the minor child due to the fact that neither Defendant was fit to have custody of him.

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.  
Francis Marion University Board of Trustees–May 1998 to June 2013. All reports were timely filed
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.  
None
27. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?  
I ran for Horry County Family Court Seat 3 in 2008. I withdrew from the race in January 2008.  
I ran for Family Court At-Large Seat 5 in 2013. I lost the race by vote of the General Assembly.
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?  
I have had no other employment since graduating law school in 1994 other than the ones listed above. Prior to graduating law school, I worked as a law clerk for Koon & Cook, PA in Columbia from May 1993 until May 1994. In addition, I had jobs as a server/wait staff in three restaurants between high school and graduating law school.
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.  
None

32. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law?  
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?  
No
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.  
N/A
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?  
No
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? If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved.  
No
42. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. Include the disposition, if any, of such charges or allegations.  
None

43. S.C. Code § 8-13-765 provides, in part, that “[n]o person may use government personnel, equipment, materials, or an office building in an election campaign.” Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. Include the disposition, if any, of such charges or allegations.  
None
44. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek.  
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) SC Bar Association;
  - (b) Horry County Bar Association;
  - (c) SC Bar Family Law Section Council, 2003–February 2014; Section Delegate, 2012; Chair, 2010; Vice Chair, 2009; Secretary 2008;
  - (d) SC Fee Disputes Board, April 2012–June 2013;
  - (e) Horry County Family Court Executive Committee, 2000–February 2014;
  - (f) Certified Family Court Mediator, 1999–February 2014;
  - (g) Coastal Women’s Law Society, 2000–present; President 2000–2003.
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) Coastal Inn of Court–2014–Present;
  - (b) Your Sister’s Closet charitable organization–2015-Vice President;



- (c) Francis Marion University Board of Trustees, 1998–June 2013;
  - (d) Burgess Elementary School Improvement Council, 2008–present; Secretary 2008–2009.
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.
- With the exception of my first year in practice, I have dedicated my entire professional life to practicing in Family Court and have practiced in no other area. I am very passionate about this area of the law. We deal with people’s children, livelihood, and assets that they have worked their entire lives to acquire. They are truly at their most vulnerable and have put their complete trust in their lawyer to take care of their family issues and the presiding judge to make a fair decision. Having gone through the process of adopting a child and also a divorce myself, I have been on the “litigant” side of Family Court as well. Therefore, I am well acquainted with the fact that someone going into the Family Court arena has to put their trust in the system and the fact that the judge presiding over the matter has the requisite knowledge of law and concern for the litigants. I believe that my life experience has prepared me to be a judge who understands the fact that those appearing in front of me are not just a caption and case number but people who need to know that the judge is compassionate and is striving to be as fair as possible.
53. List the names, addresses, and telephone numbers of five persons, including your banker, from whom references could be obtained.
- (a) Martha L. Hamel  
PO Box 65  
Pawleys Island, SC 29585  
843-235-3600
  - (b) Cindy Howard  
PO Box 479  
Georgetown, SC 29442  
843-545-3048
  - (c) Paul Butler  
PO Box 380  
Conway, SC 29528  
843-915-5450
  - (d) Victoria Hughes  
Horry County State Bank  
1300 2<sup>nd</sup> Ave.  
Conway, SC 29526;  
843-488-6391
  - (e) Randal Stewart  
2901 Fantasy Way  
Myrtle Beach, SC 29579  
585-749-6896
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.

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

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/Melissa Johnson Emery

Date: July 31, 2015