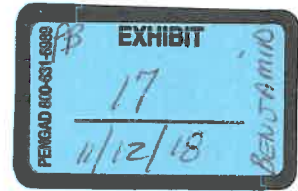


JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE



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

1. Name: Mr.
The Honorable DeAndrea Gist Benjamin
Ms.

Name that you are known by if different from above
(Example: A Nickname): Dee Benjamin

Are you currently serving in some capacity as a judge?
(Includes Municipal, Magistrate, Etc.) Circuit Court Judge

Home Address: [REDACTED]

Business Address: P.O. Box 192, Columbia, SC 29201

E-Mail Address: [REDACTED]

Telephone Number: [REDACTED]
(office): 803.576.1746
[REDACTED]

2. Date of Birth: [REDACTED] 1972
Place of Birth: Columbia, SC
Social Security Number: [REDACTED]

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

4. SCDL# or SCHD#: [REDACTED]
Voter Registration Number: [REDACTED]

5. Have you served in the military? No If so, give the dates, branch of service, highest rank attained, serial number (if applicable), present status, and the character of your discharge or release. Please provide a copy of your DD214 concerning your discharge.

6. Family Status: In the space below,

(a) state whether you are single, married, widowed, divorced, or separated; Married

(b) if married, state the date of your marriage and your spouse's full name;

Family Status: Married June 8, 2002 to Stephen K. Benjamin.
Never divorced.

(c) if you have ever been divorced or are in the process of obtaining a divorce, state the date, name of the moving party, court, and grounds. No

(d) state the names of your children and their ages. If your children are old enough to work, include the occupation of each child.

[REDACTED]

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) Winthrop University – August 1990-May 1994

(b) USC School of Law – August 1994 – May 1997

8. List the significant activities in which you took part during your attendance at law school. Give the years you were involved in these activities and list any leadership positions you held.

(a) USC School of Law – Student Bar Association, Executive Council (1994-1997)

(b) Black Law Students Association (1994-1997)

(c) Women in Law (1994-1997)

9. 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. Please indicate the number of times you took the exam in each state.

(a) South Carolina – November 18, 1997

10. Describe chronologically, since graduation from law school, your legal experience. Please include a list of all positions held in which you worked in a legal capacity. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years. Please also describe the extent to which you were involved with the administrative and financial management of each of these entities, including management of trust accounts.

(a) South Carolina Judicial Department, Judicial Law Clerk, The Honorable L. Casey Manning. (August 1997 – August 1998)

- (b) Fifth Judicial Circuit Solicitor's Office, Assistant Solicitor, Juvenile/Family Court Division. (August 1998 – November 1999) – I prosecuted felonies and misdemeanors involving juvenile offenders. I also served on the local Juvenile Drug Court.
- (c) South Carolina Attorney General's Office, Assistant Attorney General (November 1999- July 2001). I was assigned to the prosecution division where I prosecuted cases involving violent acts against women and children, sexual assault offenses, elder abuse cases, and civil commitments under the Sexually Violent Predator (SVP) law.
- (d) South Carolina Juvenile Parole Board, Member and Vice Chair (July 2001 – June 2004). I was a member of a ten-member board that presided over the retention and release of juveniles from the South Carolina Department of Juvenile Justice. I served as Vice-Chair from July 2002-June 2003.
- (e) Gist Law Firm, Partner (July 2001 – April 2011). I was a partner in my family law firm. I handled all of the family court cases in our office. My family law practice included marital litigation, child custody disputes, child support cases, DSS abuse and neglect cases, adoptions, and representation of juveniles in family court. My practice also included Employment Law, Criminal law, and some Personal Injury work. I have also been appointed in the past to serve as a Guardian ad Litem in DSS cases and in child custody disputes.
- (f) City of Columbia Municipal Court, Municipal Judge (July 2004 – May 2011). Presides over the municipal courts for the City of Columbia. I handled misdemeanor criminal and traffic offenses, specialized Criminal Domestic Violence court and Quality of Life court. I presided over a term of Jury Trials every six weeks.
- (g) Circuit Court Judge, Fifth Judicial Circuit (May 2011 – present)

Justices/judges applying for re-election to their current position may omit Questions 11–17. If you are a judge seeking a judgeship different than your current position, Questions 11-17 should be answered based on your experience *prior to serving on the bench.*

11. Please answer the following:

- (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 and procedural knowledge has prepared you to preside over such matters as a Family Court Judge. Please also indicate the frequency of your appearances before a Family Court Judge within the past five years. N/A

- (b) If you are a candidate for Circuit Court, please provide a brief written description of your experience in criminal matters, including any cases handled over the past five years and include a brief description of the issues involved. Further, please provide a brief written description of your experience in civil matters, including any cases handled over the past five years and include a brief description of the types of matters handled, issues involved, and procedural history. Please include information such as the primary areas in civil court in which you practice, whether you represent plaintiffs or defendants, or both. You may go back further than five years if you feel it would assist the Commission with its assessment of your experience. If you lack experience in an area, describe how your background and procedural knowledge has prepared you to preside over such matters as a Circuit Court Judge, or how you would compensate for your lack of experience in this area. Please also indicate the frequency of your appearances before a Circuit Court Judge within the past five years. N/A
- (c) If you are a candidate for Master-In-Equity, please provide a brief written description of your experience in the Master's court, including any cases handled over the past five years and include a brief description of the issues involved. Please include the frequency of your appearances before a Master-In-Equity or a Circuit Court Judge within the past five years. N/A
- (d) If you are a candidate for Administrative Law Court, please provide a brief written description of your experience before an Administrative Law Judge, including any issues discussed and the frequency of your appearances before the Administrative Law or Circuit Court within the past five years. N/A
12. What was the frequency of your court appearances during the past five years or in the five years prior to your election to the bench? N/A
- (a) federal:
- (b) state:
13. What percentage of your practice involved civil, criminal, domestic, and other matters during the past five years or in the five years prior to your election to the bench? N/A
- (a) civil:
- (b) criminal:
- (c) domestic:
- (d) other:
14. What percentage of your practice in trial court during the past five years or in the five years prior to your election to the bench involved matters that went to a jury, including those that settled prior to trial? N/A
- (a) jury:

(b) non-jury:

Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters?

15. 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. N/A

- (a)
- (b)
- (c)
- (d)
- (e)

16. 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. N/A

- (a)
- (b)
- (c)
- (d)
- (e)

17. List up to five criminal appeals you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported. N/A

- (a)
- (b)
- (c)
- (d)
- (e)

18. 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.

City of Columbia Municipal Court – July 2004 – May 2011
Circuit Court, Fifth Judicial Circuit, Seat 1, – May 2011-present

19. If the answer to question 18 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) State vs. Conrad Lamont Slocumb, 412 S.C. 88 (Ct. App. 2015)
- (b) State vs. Hank Eric Hawes, 813 S.E. 2d 513, (Ct. App. 2018)
- (c) Trumaine Moorner vs. Norfolk Southern Railway, 2014 WL 2581554
- (d) Edwin Smith vs. David Fedor, 809 S.E.2d 612 (Ct. App. 2017)
- (e) State vs. Brett Parker, 2015 WL 9594410

20. 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.

Federal District Court of South Carolina - September 21, 2001
Fourth Judicial Circuit Court of Appeals – November 18, 2002

21. 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.

- (a) I have spoken at the SC Black Lawyers Retreat in September 2013, 2014, 2015 on various topics to include being elected to a Judgeships and tips from the bench.
(b) I served on a panel for the 23rd Annual Criminal Practice in SC, tips from the bench – February 28, 2014.
(c) Speaker, Lawyer Mentoring Program – May 15, 2014
(d) Speaker, Criminal Defense Practice Essentials – May 30, 2014
(e) Speaker, SC Women Lawyers Association Pathway to Judgeship in SC – June 9, 2016
(f) Panel Speaker, Association of Corporate Counsel, "What corporate and in/house counsel should know when appearing in court – August 30, 2017.

22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years. See attached

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

- (a) “Why Doesn’t She Leave? The Psychology of a Domestic Violence Victim.”The American Bar Association Affiliate Newsletter, Volume 26 Number 2, Nov/Dec 2000.

24. Please furnish as a separate attachment, two examples of legal articles, briefs, orders, or other legal writings for which you can claim sole or primary authorship. If you cannot claim sole authorship, please explain the extent to which you are the primary author, to include a description of the other authors and their contributions. The writing samples are for the Commission’s use only and will not be published. (If you are a judge and are not seeking a different type of judgeship, this question is inapplicable.) N/A

25. What is your rating or membership status, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who’s Who Legal, Super Lawyers, Million Dollar Advocates Forum, etc.? If you are currently a member of the judiciary, list your last available rating, if any.

I do not have a rating with any rating organization.

26. 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 Board of Governors - 2007 - 2009
- (b) South Carolina Bar, Chair, Young Lawyers Division – 2006 –2007
- (c) South Carolina Bar, House of Delegates – 2002-2009
- (d) South Carolina Bar, Young Lawyers Division, Fifth Circuit Representative 2001- 2003
- (e) American Bar Association, Young Lawyers Division, District Representative – 2003 – 2005
- (f) American Bar Association, Minorities in the Profession Scholar – 1998-1999.
- (g) Women Lawyers Association
- (h) South Carolina Black Lawyers Association
- (i) Columbia Lawyers Association
- (j) Appleseed Legal Justice Center, Former Board Member
- (k) Richland County Bar Association

27. Have you ever held public office other than judicial office? If so, list the periods of your service, the office or offices involved, and whether you were elected or appointed. 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? If so, give details, including dates.

- (a) I served on the Juvenile Parole Board from July 2001 – June 2004. I was appointed by Governor James H. Hodges, Jr. I timely complied with State Ethics reports.

28. For sitting or former judges, 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. N/A

29. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.

I had an unsuccessful bid for Family Court (Fifth Judicial Circuit Family Court Seat 1) in February 2010.

30. 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. No

31. 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
32. 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)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed. No
33. Provide, as a **separate attachment**, a complete, current financial net worth statement that itemizes in detail: A complete, current financial net worth statement was provided to the Commission.
- (a) the identity and value of all financial assets held, directly or indirectly, including, but not limited to, bank accounts, real estate, securities, trusts, investments, and other financial holdings; and
 - (b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000, including, but not limited to, debts, mortgages, loans, and other financial obligations.

(A net worth statement form is provided with this questionnaire and you must use this format for submission of your financial statement.)

NOTE: The Commission may require written confirmation that financial obligations have been satisfied or that the parties have agreed upon a payment schedule.

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? If so, give details. No
35. 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
36. 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. If you have spent over \$100, have you reported your expenditures to the House and Senate Ethics Committees? None
37. List the recipient and amount of all contributions made by you, a member of your immediate family, or by a business with whom you are associated, to members of the General Assembly within the past four years.

The following contributions were made by my husband, Stephen K. Benjamin:

- (a) Senator Mia McLeod - \$1000 given on April 25, 2016
- (b) Senator Darrell Jackson, Sr- \$500 given on May 25, 2016, \$500 given on May 27, 2016
- (c) Representative James Smith - \$1000 given on March 14, 2018

38. 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
39. 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 or currently hold. Explain how you would resolve any potential conflict of interest. None
40. Describe any interest you or a member of your immediate family has in real property: None
- (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.

Attach a copy of any contract or agreement.

41. 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. Attach a copy of any contract or agreement. N/A
42. For sitting judges, if you currently hold an interest in stock or other securities or have held such an interest, list each stock you currently own or owned during the prior calendar year. If you prefer, you may attach broker or account records containing the requested information instead of listing it here. None
43. For sitting judges, have you ever accepted anything of value from an attorney or litigant in a matter currently or previously before you or your court? If so, please give the details, including the name of the attorney or litigant and the thing of value you received. No
44. For sitting judges, have you used the services of your staff, for which you did not pay, while campaigning for this office? No

45. 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? If so, give details but do not include traffic violations which are subject to a penalty of \$125 or less. You must include any and all arrests, including, but not limited to, offenses for driving under the influence or similar traffic offenses. Include all arrests that resulted in expungement, which will be redacted. If you have questions regarding whether to include an offense, please contact the Commission.

[All answers have been received and considered by the Commission, and as noted above, any expunged matters are redacted from the record.]

46. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, explain. No
47. Have you ever been sued by a client? Have you ever been a named party (personally or professionally) in or had a pecuniary interest in any civil or criminal proceedings? If so, give details, including, but not limited to, dates, and resolutions. No
48. 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
49. Have you ever, in South Carolina or any other jurisdiction, as a lawyer, judge, or other professional, been sanctioned or disciplined for lawyer, judicial, or other professional misconduct or has any jurisdiction found that you committed any misconduct? If so, give the details and describe any final disposition. Include any and all confidential and public sanction, discipline, or finding of misconduct of any kind.

[Yes and no responses are redacted for all candidates unless there is a public discipline.]

50. Have you ever been investigated by the Department of Social Services? If so, give the details and the resolution. Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? If so, give the details. No

Note: The flash drive with your application materials contains (1) Section 2-19-70(c); (2) JMSC Rule 24, and (3) informal opinions and letters concerning pledging prohibitions, with which third parties acting on your behalf, as well as you, must comply.

51. 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 or have you been offered a conditional pledge of support by any legislator pending the outcome of your screening? 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? If so, give details. No

52. Have you requested any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Describe the campaigning you have done for this election and include a list of those individuals you have asked to campaign on your behalf and, to the best of your knowledge, those who have campaigned for you on their own initiative. No
53. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges until after the draft report becomes final, which occurs on the day and time specified on the Commission's published screening schedule? Yes
54. Since submitting your letter of intent to become a candidate, have you or has anyone acting on your behalf contacted any member of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? If so, give details. No
55. List the names, addresses, and telephone numbers of five (5) persons from whom you are providing references. Also, provide the Commission with **original letters** of recommendation from each person listed herein, including their signature (preferably in blue ink). **The Commission will not accept a photocopy or electronic submission of a letter of recommendation and failure to include all five (5) original letters of recommendation in your packet when you submit it will render your packet incomplete.** Please **do not** have references mail your reference letters to the Commission directly. *You must return the five (5) original letters of recommendation to the Commission with your application packet.*
- (a) Jeanette McBride, 1701 Main Street, Columbia, SC 29201, 803.576.1929
- (b) James Bennett, 1230 Main Street, Columbia, SC 29201, 803.733.2025
- (c) Martha Scott Smith, 1024 Enclave Way, Columbia, SC 29223, 803.414.1704
- (d) Pastor Jamey O. Graham, Saint John Baptist Church, 3404 West Beltline Blvd, Columbia, SC 29204, 803.254.4170
- (e) Jessica Mangum, City of Columbia Attorney's Office, P.O. Box 667, Columbia, SC 29201, 803.737.4242
56. 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 own a Facebook account. It does not affect my position as a Judge.
57. 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) Adventure Children's Museum Board

- (b) St. John Preparatory School Board
- (c) Columbia Alumnae Chapter of Delta Sigma Theta
- (d) USC Community Advisory Board
- (e) Columbia Chapter of the Links, Inc., President (2018- present)
- (f) Columbia Chapter of Jack and Jill, Parliamentarian (2014- present)

58. 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. This information may include how your life experiences have affected or influenced the kind or type of judge you have been or plan to be.

My experience as a prosecutor, defense attorney, private attorney, parole board member and Municipal Judge has afforded me the opportunity to practice in many areas of the law and before different courts. My experience as a judge, mother, daughter, wife and unfortunately as a victim of crime in my family has afforded me the opportunity to view the judicial system from all angles. I have always treated people with dignity and respect regardless if they were before me for a traffic ticket or murder. I have always treated litigants and attorneys the way I would have wanted to be treated. I believe in treating everyone fair and impartial, with dignity and respect while upholding the law.

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: _____

Sworn to before me this ____ day of _____, 2018.

(Notary Signature)

(Notary Printed Name)
Notary Public for South Carolina
My Commission Expires: _____