

**JUDICIAL MERIT SELECTION COMMISSION  
PERSONAL DATA QUESTIONNAIRE**



Court, Position, and Seat # for which you are applying:  
Family Court, Fourteenth Judicial Circuit, Seat 3

1. Name: The Honorable Deborah Ann Malphrus

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

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

Currently serving as Judge of the Family Court, Fourteenth Judicial Circuit, Seat 3

Home Address: [REDACTED]

Business Address: Post Office Box 248 Ridgeland, SC 29936

Telephone Number: Home (none):  
Office (843-410-9866):  
Mobile [REDACTED]

2. Date of Birth: [REDACTED] 1964  
Place of Birth: Savannah, Ga.  
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]

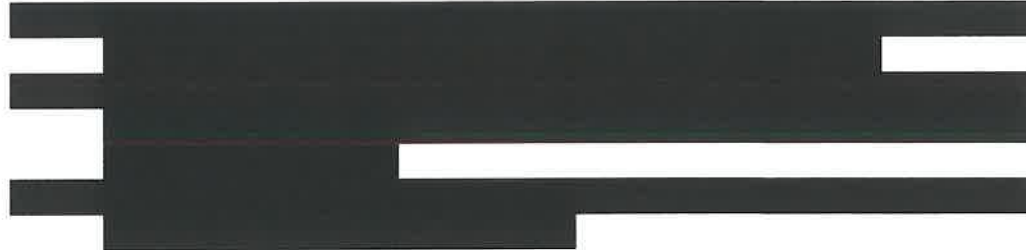
5. Have you served in the military? If so, give the dates, branch of service, highest rank attained, serial number (if applicable), present status, and the character of your discharge or release. Please provide a copy of your DD214 concerning your discharge. No.

6. Family Status: In the space below, (a) state whether you are single, married, widowed, divorced, or separated; (b) if married, state the date of your marriage and your spouse's full name; (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; and (d) state the names of your children and their ages. If your children are old enough to work, include the occupation of each child.

Family Status: Divorced

Divorced on December 2, 2014, Eighth Circuit Family Court, State of South Carolina, one year's continuous separation. I was the moving party.

Three Children:



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 South Carolina 1982-1987 Bachelor of Science in Nursing
  - (b) University of South Carolina School of Law 1987-1990 Juris Doctor
  
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) 1987-1990 Student Bar Association
  - (b) 1987-1990 Nurse Volunteer Columbia Free Medical Clinic
  
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 – 1990. I took the bar exam one time
  
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) August 1990-August 1991: Law Clerk to the Honorable Carol Connor;
  - (b) January 1992-December 1994: Assistant Solicitor Fourteenth Judicial Circuit;
  - (c) January 1995-March 1998: Private practice of Law in the Malphrus Law Offices. General practice of law, with emphasis on trial work;
  - (d) April 1998-December 2008: Private practice of law, in the law firm of Moss, Kuhn & Fleming, PA. Again, this was a general practice, including family law, criminal law, personal injury, medical malpractice, real-estate, probate, and business law. I was the managing member of the Ridgeland office. I was

responsible for managing the law firm's Ridgeland office business bank accounts as well as the Ridgeland office escrow and trust accounts;

- (e) January 2009-July 2011: Private practice of Law Deborah A. Malphrus as a sole practitioner. I had a general practice, including family law, criminal law, personal injury, real estate, and general business law. I was responsible for managing my business and trust bank accounts.

**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: N/A

- (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.
- (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.
- (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.

(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.

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?

- (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?

- (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?

- (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.

- (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.

- (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.

- (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.

Yes. I was elected to the Family Court Fourteenth Judicial Circuit, Seat 3, by the South Carolina General Assembly on May 5, 2011. This is a non-jury court. Family Court Judges preside over matters related to child abuse and neglect, elder abuse, juvenile justice matters, divorces, child custody disputes, separate support and maintenance actions, equitable division of marital estates, alimony and spousal support issues, protection from domestic abuse matters and child support matters.

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) Case involving, among other things, the rights of an unwed biological father in a private adoption, the legal definition of a parent, conflict of laws questions related to South Carolina law, Oklahoma law, and the laws of the Cherokee Nation, a federally recognized Native American tribe, the Interstate Compact on the Placement of Children, and the Indian Child Welfare Act. My ruling was upheld by the South Carolina Supreme Court. That decision was reversed by the United States Supreme Court. Adoptive Couple v. Baby Girl, 389 S.C. 625, 731 S.E.2d 550 (2012), Adoptive Couple v. Baby Girl, 133 S. Ct. 2552, 186 L.Ed.2d 729 (2013).
- (b) State v. Unnamed minor: This was a juvenile waiver hearing involving a 16 year old who was approximately sixteen years and ten months old when he was charged with the crime of murder. The primary issue was whether or not the Family Court should retain jurisdiction over the minor or relinquish jurisdiction and waive the minor up to the adult court of General Sessions.
- (c) SCDSS v. Unnamed mother and father. SCDSS v. Rudemyer and Renaud, 2016-UP-438. (S.C. Ct. App. 2016) This was a DSS abuse and neglect case. DSS removed custody of a child from mother and placed the child with Father. After more than a year, during which time Mother had relapses in maintaining sobriety, DSS believed Mother had substantially complied with the treatment plan and recommended the child be returned to Mother based upon successful completion of the plan. However, the Guardian ad Litem believed it was in the child's best interests that she remain in Father's custody, as the child was in a more stable home environment and had blossomed in Father's custody, where she felt safe. I awarded custody of the child to Father, finding the court had the authority to alter the permanent plan for the child, and finding that custody with Father was in the child's best interests. Mother appealed. In the unpublished opinion cited above, my decision was affirmed.

- (d) Stone v. Stone, 2017-UP-289 (S.C. Ct. App. 2017), (rehearing denied). This was an action involving contempt of court for failing to comply with a court order and the award of attorney's fees associated with the action. Wife appealed. In the unpublished opinion cited above, my decision was affirmed.
  - (e) Williamson v. Williamson This was a case involving interesting issues of transmutation and/or special equity, marital property, and alimony issues.
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.
- (a) Admitted to practice law in all South Carolina Courts November 16, 1990.
  - (b) Admitted to practice in the United States District Court for the District of South Carolina on July 10, 1998.
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) Presenter at the Association of Legal Nurse Consultants in 2000
  - (b) Served as Summary Court Judges Pilot Mentoring Program
  - (c) Presenter at Probate Court CLE on Common Law Marriage
  - (d) Presenter at Guardian ad Litem CLE on Best Interest of Child
  - (e) Presenter at South Carolina Association for Justice Conference on the Indian Child Welfare Act.
  - (f) Presenter at South Carolina Family Court Judges Association meeting on Private Infant Adoptions.
  - (g) Presenter for the Mediation and Meeting Center of Charleston on issues related to Family Court Mediation
  - (h) I have participated in Judicial Observation Program mentoring law students during the summer months for the past five years
22. Provide, as a separate attachment, your continuing legal or judicial education report from the past five years.
- See the attached report of my continuing judicial education
23. List all published books and articles you have written and give citations and the dates of publication for each. None
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. Never rated

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 Association

(b) South Carolina Association of Family Court Judges

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.

No

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.

None

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

I was an unsuccessful candidate for Family Court Judge Fourteenth Judicial Circuit, Seat 2 in the Fall of 2007.

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.

(a) Nurse: Baptist Medical Center, Columbia, SC 1987

(b) Nurse: Charter Rivers Hospital, Lexington, SC 1988

(c) Nurse: Lexington Medical Center, Lexington, SC 1992

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) 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.)

A complete, current financial net worth statement was provided to the Commission.

**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. None



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:
- (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.

Attach a copy of any contract or agreement.

None

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.
- None
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.
- I own stock in South State Bank
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.
- (a) I have never been sued by a client
  - (b) In 1994 I was the named Plaintiff in a lawsuit in the nature of a quiet title/boundary line action. The matter was settled to the mutual satisfaction of all parties.
  - (c) In 2008 I was the named Plaintiff in a lawsuit, in my capacity as Personal Representative of a decedent's estate. The case was settled on behalf of his heirs.
  - (d) In 2013 I was a named Defendant because at one time I owned an interest in real estate. The lawsuit was dismissed with no negative or adverse action being taken.
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) L. Martin Sauls, IV  
358 3<sup>rd</sup> Ave. Ridgeland, SC 29936  
843-338-5509
  - (b) Rev. Henry E. Criss, III  
223 Meredith Rd. Ridgeland, SC 29936  
843-301-0111
  - (c) Chief Richard V. Woods  
Post Office Box 1719 Ridgeland, SC 29936  
843-726-7530
  - (d) The Honorable Margaret Bostick  
Post Office Box 248 Ridgeland, SC 29936  
843-726-7710
  - (e) Daniel E. Henderson, Esquire

Post Office Box 2500 Ridgeland, SC 29936  
843-726-6131

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 use social media to keep up with family, close friends and events happening in my community. I do not express personal opinions about any matters or issues that may be heard in the Family Court or that may be construed as expressing any sort of political opinion. I believe I have my privacy settings set to the highest level of security.

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) None
  - (b)
  - (c)

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.

It has been my honor to serve as a Family Court Judge. I know that I have to make hard decisions that impact children and families, and I try to do so to the best of my ability. I try my best to leave my job at the courthouse or my office when I leave it, however I try to take kindness and compassion with me to court every day. I believe I have learned so much, not just about family law, but also about human nature and the importance of families since I was elected in 2011.

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: \_\_\_\_\_