



JUDICIAL MERIT SELECTION COMMISSION
Statement to be included in Transcript of Public Hearings

Retired Judge

Full Name: Arthur Eugene Morehead, III (Gene)

Business Address: Florence County Judicial Center
181 N. Irby Street, Suite 2805
Florence, SC 29501

Business Telephone: 843-665-3008

1. Have you met the mandatory minimum hours requirement for continuing legal education courses for the past reporting period?
Yes
2. Do you have any plans to return to private practice?
I have no plans to return to private practice.
3. Are you engaged in any legal activities other than your service as a retired judge, such as acting as an arbitrator or mediator?
No
4. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?
No
5. Are you a member of any organization or association that, by policy or practice, prohibits or limits its membership on the basis of race, sex, religion, or national origin? If so, please identify the entity and explain if this organization practices invidious discrimination on any basis.
No
6. Have you engaged in any partisan political activity since your retirement? Please describe.
No
7. What do you feel is the appropriate demeanor for a judge? When do these rules apply?

Demeanor is one of the most important attributes of a judge. Since it relates to his appearance, it applies both in and outside of the courtroom and cannot be underestimated. The tone of a judge's voice, his gestures and his entire presentation must be even based to ensure that everyone concerned knows that he will be making a fair, impartial and educated decision.

8. In your position as a retired judge, what methods do you employ to ensure that deadlines for the timely issuance of orders are met?
As both an active judge and a retired judge, I have never had a problem with issuing orders in a timely manner primarily by using a diary system.
9. Do you feel that it is ever appropriate to be angry with a member of the public, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys?
Anger is never appropriate under any circumstances.
10. How would you handle a situation in which you became aware of misconduct or appearance of infirmity of a lawyer or fellow judge?
It is my obligation under the Canons of Judicial Ethics and the Code of Professional Responsibility to report a lawyer or a fellow judge to the respective commission concerning the misconduct or infirmity and to cooperate with them during their investigation.
11. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?
I follow the Canons of Judicial Ethics in not having *ex parte* communications with attorneys concerning the merits of a case or any issues involved. As a retired judge, it is extremely rare to be appointed an Administrative Judge in a circuit. I have been appointed to control a particular case where other judges have recused themselves. In those situations, I have discussed with individual attorneys issues involving the docket, the calendar and administrative matters but nothing dealing with the merits of the case.
12. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference would you give a party that requested your recusal? Would you grant such a motion?

If I disclosed it and personally believed there would be no prejudice in my decision or effect on my impartiality, if a party requested recusal, I would grant the motion. With the number of judges, it is very easy to have another judge hear the case by simply swapping a day or docket. There is absolutely no reason for litigants to have any doubt when they walk into the courtroom that they will receive a fair and impartial hearing.

13. What standards have you set for yourself regarding the acceptance of gifts or social hospitality?

I do not accept food, meals, lodging, etc from individual attorneys or from law firms. If I should dine with an attorney, I make sure to pay for my meal. Socially, there have been rare occasions when playing golf with an attorney that a sandwich was eaten at the turn or a drink was had after the round and that particular club does not accept cash or allow charges but requires the member to sign a ticket. On those occasions I attempt to determine the cost and reimburse the attorney.

14. In order that we might advise court administration on steps that need to be taken, are there any limitations on your sight, hearing, or mobility that should be addressed by the court administrator?

No

I HEREBY CERTIFY THAT THE ANSWERS TO THE ABOVE QUESTIONS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Sworn to before me this ____ day of _____, 2022.

(Signature)

(Print name)

Notary Public for South Carolina

My Commission Expires: _____