



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

**Circuit Court**  
**(New Candidate)**

Full Name: Vernon F. Dunbar

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1. Why do you want to serve as a Circuit Court judge?
2. Do you plan to serve your full term if elected? Yes.
3. Do you have any plans to return to private practice one day? No.
4. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice? Yes,
5. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated? Avoid such absent any evidence of mental or substance abuse issues. Ex parte communication may be permitted to instruct a lawyer to make grammatical or non-substantive edits to a proposed order in order to avoid causing embarrassment.
6. 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? I would grant the party complete and total deference and would grant the motion so as to avoid any appearance of impropriety.
7. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative? Open and

full disclosure of the facts to the parties and permit the parties to move for my recusal. If the parties decide my recusal is unnecessary, place their decision to proceed without my recusal on the record and question the parties on the record to make certain they are firm and steadfast in their decision.

8. What standards would you set for yourself regarding the acceptance of gifts or social hospitality? I would not accept any gifts. In terms of an honorarium, I would abide by the Judicial Code of Ethics and if silent on such, the State's Ethics Guidelines.
9. How would you handle a situation in which you became aware of misconduct or appearance of infirmity of a lawyer or of a fellow judge? Discuss the situation with lawyer and judge. If there was a witness to such behavior, have that witness confirm the misconduct or infirmity. Upon confirmation of the lawyer, judge or witness that I had in fact observed misconduct or an infirmity, report such to the Grievance Board.
10. 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.
11. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations? Please describe. No.
12. Do you have any business activities that you would envision remaining involved with if elected to the bench? No.
13. If elected, how would you handle the drafting of orders? Request the prevailing party to draft the order. If the prevailing party could not or refuses to draft the order, I would no problem drafting the order.
14. If elected, what methods would you use to ensure that you and your staff meet deadlines? Use my Outlook Calendar and insert deadline reminders on my calendar and on the "List of Things To Do".
15. What is your philosophy on "judicial activism," and what effect should

judges have in setting or promoting public policy? I would be a conservative judge. I detest judicial activism. Setting and promoting public policy is relegated to the Legislative and Executive branches of government. Accordingly, the role of the Judicial Branch is simply to interpret the law.

16. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. If elected, what activities do you plan to undertake to further this improvement of the legal system? Participate in the SC Bar and county bar functions and CLE programs.
17. Do you feel that the pressure of serving as a judge would strain personal relationships (i.e. spouse, children, friends, or relatives)? How would you address this? No. When outside pressure does enter into my life, I seek and pray for spiritual guidance. I also reduce stress by daily exercise.
18. The following list contains five categories of offenders that would perhaps regularly appear in your court. Discuss your philosophy on sentencing for these classes of offenders.
  - a. Repeat offenders: Depending on the nature of the crimes, violent repeat offenders will most likely receive the maximum sentence 99% of the time. Non-violent repeat offenders would be carefully scrutinized because often these offenders have drug abuse issues, been victims of sexual and physical abuse or have emotional and mental problems. Hence, an exploration of programs that may provide these individuals with needed resources will be considered, along with the presence of a family support system at the time of sentencing.
  - b. Juveniles (that have been waived to the Circuit Court): Crimes committed against the most vulnerable-the elderly and children- should be treated with a focus on retribution and deterrence. Because of the age factor and often the presence of drug abuse, physical and emotional abuse inflicted on many juveniles in the system, sentencing must focus on rehabilitation.
  - c. White collar criminals: Depends somewhat on whether a recovery has been paid to the victims because of a civil suit. If victims have not been made whole or partially whole by virtue of restitution or recovery in a civil suit, then the sentencing goals must be one of retribution, incapacitation and deterrence. As such, the criminal aspect of the crime must provide justice to the victims.
  - d. Defendants with a socially and/or economically disadvantaged background: Being socially or economically disadvantaged will never serve as an excuse for criminal behavior, it can be used as a mitigating factor in sentencing and length of sentence depending on

the facts of the case and nature of the crime(s).

e. Elderly defendants or those with some infirmity: I represented a 90 year old man with dementia and early on-set of Alzheimer's disease, who was charged with criminal domestic violence. In my case, my client, who was the primary caretaker of his 88 year old incapacitated wife with diabetes, had not been diagnosed and medically treated and lacked a family support system. Despite posing no harm to his wife or the public, he was incarcerated. My client's incarceration only cost the taxpayers and did nothing to address the real reason for his actions. It was later determined he needed placement in a 24 hour nursing facility. In short, absent a threat to the public, sentencing elderly and infirm defendants often serves no useful purpose with respect to the goals of incarceration.

19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality? No.
20. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved? No. I would also explain to the litigants the reason for my recusal.
21. Have you met the mandatory minimum hours requirement for continuing legal education courses for the past reporting period? Yes, although I have aged out of CLE attendance, I still attend continuing legal education seminars.
22. What do you feel is the appropriate demeanor for a judge and when do these rules apply? Objective, impartial, patient, serious, scholarly and beyond reproach. These rules must apply at all time in order to make certain the judiciary is viewed in a most favorable light by the people we serve or the public.
23. 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 or pro se litigants? The answer is "No" to both questions.

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

Vernon F. Jumbal

Sworn to before me this 12 day of July, 2023.

[Signature]  
(Signature)

Rebecca Brissey

(Print Name)

Notary Public for South Carolina

My Commission Expires: 4-24-2028

