



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

Circuit Court
(New Candidate)

Full Name: Russell Allen Blanchard IV

Business Address: 1281 Russell Street, Orangeburg, SC 29115

Business Telephone: 803-534-5218

1. Why do you want to serve as a Circuit Court judge?

I want to be a Circuit Court Judge because it will allow me to serve my community and my state in a new way. Part of the reason I became an attorney was my desire to help others. Becoming a Circuit Court Judge is another way to carry out that goal. I will be able to have a beneficial impact on the legal community.

One of the reasons that I agreed to serve as Municipal Judge for Allendale is that it gave me an opportunity to get experience as a Judge. I have enjoyed holding Court and learning how the judiciary works from the inside. I want to take those experiences and grow into the job of Circuit Court Judge. Most recently when I was weighing the decision of whether or not to apply, I was encouraged by local judges and members of the bar. Their desire to see me in this position convinced me that it was the correct decision.

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. I plan to serve until mandatory retirement.

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?

I will follow Code of Judicial Conduct: Rule 3(B)(7), CJC, Rule 501, SCACR, which generally prohibits *ex parte* communications. I envision *ex parte* communications being tolerated under the exceptions set up in Rule 3(B)(7)(a) through (e), such as scheduling, administrative purposes, or emergencies that do not deal with substantive matters or issues on the merits.

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 motion and recuse myself unless the Judicial Canons provided a reason that I should not grant the motion. Code of Judicial Conduct: Rule 3(E), CJC, Rule 501, SCACR states that I should recuse myself where my impartiality might reasonably be questioned. Rule 3(F) does not allow the parties to waive disqualification where personal bias or prejudice concerning a party is the basis for recusal. Avoiding the appearance of bias is important to provide the parties with confidence in the impartiality of the results received from the judicial process.

7. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?

I would recuse myself as required by Code of Judicial Conduct: Rule 3(E)(1)(c), CJC, Rule 501, SCACR if my spouse or a close relative had a financial or social involvement with a party to a case before me.

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

I would follow Code of Judicial Conduct: Rule 4(D)(5), CJC, Rule 501, SCACR. I would accept gifts from family and friends because I would recuse myself from handling any matters that involved them and came before me. I would also require that my spouse and children living in my household follow the same standard. Ordinary social hospitality is allowed under the Judicial Canons, and I would accept it where doing so would not cast a negative light on the judiciary.

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?

If I became aware of potential misconduct of a lawyer or a fellow judge, I would take appropriate action pursuant to Code of Judicial Conduct: Rule 3(D), CJC, Rule 501, SCACR. I would contact the lawyer or judge directly, and if the conduct raised a substantial concern for the judge's or lawyer's fitness for their position, I would inform the appropriate authority.

If the lawyer's or fellow judge's actions caused me to be concerned they were impaired by drugs or alcohol or suffering from a mental, emotional, or physical condition, I would take appropriate action pursuant to Rule 3(G). If the circumstances warranted, I would make a confidential referral to the appropriate assistance program.

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.

I have helped raise money for Rotary, the Alzheimer's Association, First Baptist Church of Orangeburg, Catch the Vision International, and Habitat for Humanity.

12. Do you have any business activities that you would envision remaining involved with if elected to the bench?

I am a member of BBF Investments, LLC, which is a company owned by myself and my two siblings. The LLC does not currently earn any income but owns a 22 foot boat and may own other assets in the future. I do not envision the LLC ever earning income.

13. If elected, how would you handle the drafting of orders?

I would handle drafting of orders in the way that most efficiently gets the process completed. I would likely take notes during proceedings before me or have my law clerk take notes. I would use these to assist either myself or my client in preparing the Order. If the Order was

prepared by a clerk, I would make edits and adjustments to the draft prior to finalizing it. In some circumstances, I would request both parties or the prevailing party to submit proposed Orders for my review. The content of the Final Order would ultimately be my responsibility, so I would review and edit all Orders prior to signing and filing.

14. If elected, what methods would you use to ensure that you and your staff meet deadlines?

In my private practice I use calendaring and a task-based system to make sure that important deadlines, like statute of limitations, are met. I would set up a calendaring system to create internal deadlines for myself and staff to make sure that deadlines are met. I would make sure we worked together to dispose of matters promptly, efficiently, and fairly. I would also consult with other judges to see what type of systems they use to meet deadlines.

15. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?

Judges do not have a role in setting public policy. The role of a judge is to preserve, protect, and defend the Constitution of South Carolina and of the United States. To accomplish this, a judge should follow the law and apply it to the facts of the case before them. Under certain circumstances, case law or statutory law require public policy to be considered when making decisions, but I see that as different from setting or promoting public policy.

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?

I would be willing to work on committees with other judges or members of the legal community to handle issues related to the legal system. I would also be willing to speak at CLEs as requested or work on documents for legal education.

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?

I have lived with the pressures and stresses of working in private practice as an attorney, and I imagine that the pressure of being a judge could easily strain personal relationships. The ways I would deal with

this pressure would be through setting appropriate work/life boundaries, exercising, continuing engagement with my church, and participating in hobbies that I enjoy.

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:
 - b. Juveniles (that have been waived to the Circuit Court):
 - c. White collar criminals:
 - d. Defendants with a socially and/or economically disadvantaged background:
 - e. Elderly defendants or those with some infirmity:

When sentencing any offender, I would consider the individual circumstances of the case before me- including the offender's and victim's personal stories. My decisions would be based on the specific facts presented to me on a case-by-case basis. I would also consider sentences that I or other judges had imposed in similar cases and attempt to be consistent in the sentences handed down. I see each of the categories of offenders listed as a factor to consider in sentencing.

For repeat offenders, I would consider the types and severity of the prior offenses committed and the punishments that had been previously imposed. I would consider whether a harsher punishment than previously imposed may be appropriate. Statutory enhancements would also be applied where appropriate.

For juveniles, I would consider the environment that the child grew up in and how it may have impacted the choices made by the juvenile. I would hope to be presented with the juvenile's education, background, and life experiences so that I could consider all this information.

For white collar criminals, I would consider the ability of the Defendant to make restitution and the potential for making the victims whole.

For Defendants with a socially and/or economically disadvantaged background, I would consider this as a possible mitigating factor. I would want to have as much information as possible on education,

background, and life experience to weigh those considerations in sentencing.

With elderly Defendants or those with some infirmity, I would consider the degree of infirmity or likelihood of suffering from health issues on the length, type, and severity of punishment.

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?

Code of Judicial Conduct: Rule 3(E), CJC, Rule 501, SCACR would not require me to recuse myself, but I would disclose the interest and allow the parties or their attorneys an opportunity to discuss the issue outside of my presence pursuant to Rule 3(F).

21. Have you met the mandatory minimum hours requirement for continuing legal education courses for the past reporting period?

Yes.

22. What do you feel is the appropriate demeanor for a judge and when do these rules apply?

The actions of a judge reflect on the judiciary in any interaction with members of the public. Judges are a highly visible symbol of government under the rule of law. As indicated in Code of Judicial Conduct: Rule 4(A), CJC, Rule 501, SCACR, whether in the courtroom or at the grocery store, a judge should behave in a way that does not cast doubt on their capacity to act impartially, demean their office, or interfere with their ability to perform their duties. When dealing with parties in court, a judge should treat all parties equally and not do anything that would appear to show favoritism or preference for one party or another.

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?

Anger is not an appropriate emotion to act on when dealing with a

member of the public, criminal defendant, attorney, or pro se litigant. If I were to find myself becoming angry about something while carrying out my responsibilities as a judge, I would take an opportunity to get this emotion under control. This could be as simple as taking a deep breath and refocusing or taking a moment alone in chambers to recenter.


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 14th day of July, 2023.



(Signature)



(Print Name)

Notary Public for South Carolina

My Commission Expires: 11/30/2031