



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

Family Court
(New Candidate)

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1. Why do you want to serve as a Family Court Judge?

After thirty-six years of practicing law, I truly love the law and continue to pursue practicing law with integrity daily. At this point in my career, I would love the opportunity to be a public servant. Serving as judge has been on my heart for a long time. I feel that my personal life - my Christian faith and my family - and all of the life and work experiences that I have touched on in my career give me the skills and experience necessary to be an excellent and passionate family court judge who can make a real difference to the litigants that bring their cases before me. In my heart and mind, I would love to give back to this profession at this point in my career. Being a public servant requires sacrifice and I am willing to sacrifice the earnings and flexibility of being my own boss to serve as a judge.

During my career I have been in the criminal, civil, and family courtrooms in over half the counties in this state and have tried hundreds of cases to verdict or ruling. About a third of my practice involved domestic cases in about one-third of the counties in the state, many of which involved trials lasting from two to five days in duration. I believe having the extensive litigation experience that I have had in my career, coupled with common sense, street smarts, knowledge of the statutory and case law of the family court, and a passion for the law and the people involved, gives me the ability to make a difference from the bench.

In addition to practicing law, I served on the Supreme Court Commission for Lawyer Conduct from 1993 -2021 and the South Carolina State Ethics Commission from July 2000 - May of 2005. In my capacity as a member of many panels on the Commission for Lawyer Conduct and State Ethics Commission, I along with other members of the panel had to judge fellow members of the bar from ethical misconduct allegations and numerous elected and appointed officials across the state with ethical issues before the State Ethics Commission. I have also served as mediator in numerous family court cases, most of which were resolved with my assistance.

I believe that my colleagues would state that I have a solid work ethic, know how to exercise self-discipline, am a man of integrity who is trustworthy, open minded and compassionate. As a family court judge, I would be objective and impartial and believe I have the temperament required to be a judicial officer. I am ready to spend the remainder of my career in this capacity and believe that litigants and their attorneys leaving my courtroom will know that I have thoroughly and conscientiously ruled on every issue before me and delivered that ruling with compassion and respect to all litigants.

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 statutory 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?

Ex Parte communications are never appropriate. These communications create the appearance of impropriety. The Cannons allow for *ex parte* communications with lawyers for scheduling purposes, but the scheduling clerks usually manage all scheduling; therefore, these communications would be unnecessary. I will follow Canon 3 when dealing with these communications.

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 will recuse myself at the first instance of the appearance of impropriety or when a litigant or lawyer are uneasy about me handling a matter or hearing a case. I would grant the motion. It would be easier to allow another judge to handle the case than it would to allow the reputation of the court be called into question. Canon 3E of the Code of Judicial Conduct governs this issue. The avoidance of the appearance of impropriety is the standard.

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

The Code of Judicial Conduct requires disclosure of the appearance of impropriety in this situation. I would disclose the appearance of impropriety on the record and recuse myself from the hearing. Again, it is the appearance of impropriety that matters.

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

The standard I would set would be govern by Canon 4D (5) to ensure that there is no appearance of impropriety by accepting gifts. I would accept normal hospitality from close friends and family with whom I reciprocate the same hospitality and gift exchange.

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 a matter is one of misconduct, I would report the lawyer or judge to the appropriate grievance committee. If the situation is one of infirmity, I would speak to that lawyer and refer him to the appropriate program, if offered by the South Carolina Bar, to help the lawyer with this problem. If the lawyer is in a partnership or has close friends in the profession, I would consult with them over the infirmities so we could all work together in getting the attorney the help necessary for the problem.

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.

Throughout my career I have engaged in fund raising. I am active in the Wofford Terrier Club and we have raised money for student athletes in that organization. I have personally been involved in the Wofford Terrier Club since approximately 1995. I have also been

involved in fundraising with the Rotary Club and St. Nicholas Greek Orthodox Church in Spartanburg. I was also active in raising funds from Wofford alumni in 2015-2016 for the new fraternity row housing.

12. Do you have any business activities that you would envision remaining involved with if elected to the bench? No
13. Since Family Court judges do not have law clerks, how would you handle the drafting of orders?

As has been the custom throughout my practice in family court, I would order one of the attorneys to prepare the order in accordance with my ruling from the bench or through a memorandum that I would circulate to both attorneys. The attorney preparing the order should present it to the opposing counsel or pro se litigant before it is presented to me for my review. I would review the order to be sure that it included the ruling issued and then execute the order.

In some cases, such as pro se litigant cases, I may choose to prepare the order unless a court approved form has been properly filled out by the litigant.

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

I would use my calendar to notify me and myself as to the upcoming deadlines as I have done in my practice of law. My staff and I would work diligently to stay up to date and beat, not only meet, deadlines as I have done in my practice.

15. If elected, what specific actions or steps would you take to ensure that the guidelines of the guardian ad litem statutes are followed during the pendency of a case?

I believe the use of a specific detailed order outlining the statutory responsibilities of a guardian is the best way to handle this. The order should also set out the hourly fee, a fee cap, and the division of fees and whether or not those fees are subject to reallocation at a final hearing. I would also monitor the activities of the guardian ad litem by asking questions of the guardian and the attorneys at hearings to be certain that all guidelines have been followed and a proper and

thorough investigation was made before a case could be set for trial. In cases involving child custody, the best interests of the children is paramount and will not be taken lightly.

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

I am opposed to judicial activism and do not believe the role of judge is to promote public policy.

17. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. What activities would you plan to undertake to further this improvement of the legal system?

I would plan to stay active in an attempt to improve the law. One of the programs that I would like to organize would be a program to mentor young attorneys on what is expected in the family courts. Teaching young attorneys how to initially evaluate cases and develop appropriate expectations or relief with their clients would be of great benefit to the bar. I believe that placing an emphasis on civility in family court is of great importance. I would like to develop a program or serve on a committee to work on improving this area of the practice of family law.

18. 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 plan to address this?

No, I do not believe that serving as a family court judge would strain personal relationships. I have been able to maintain an appropriate balance of work and life throughout my professional career.

19. Would you give any special considerations to a pro se litigant in family court?

The first thing I would do is explain to the pro se litigant the expectations and pitfalls of representing themselves. I would also make sure they have sufficient education and work experience to be able to represent themselves and that they in fact wanted to do so. Other than making sure they are able to represent themselves, all litigants would be treated equally and would be expected to adhere to all of the rules of court.

20. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?
No
21. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved? No
22. Have you met the mandatory minimum hours requirement for continuing legal education courses for the past reporting period?

Yes. Due to my age and years practicing as an attorney, I am exempt from taking CLE courses, but did attend some CLE. I also regularly read cases in the advance sheets that involve issues that I litigate on a regular basis.

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

A judge needs to make everyone feel comfortable in the courtroom to make the litigants feel like the most important day of their lives is being taken seriously by the court. In so doing, a judge should be patient, polite, respectful of all parties, all hearings should be conducted in a way that the litigants feel like their case has been fairly and impartially considered and that the ruling was fair. A judge should also be able to maintain composure at all times and call a recess when appropriate to allow any tense situation to subside. If litigants or their attorneys fail to maintain proper decorum, the court should take charge so calmness and order can be brought back to the proceeding.

24. Do you feel that it is ever appropriate to be angry with a member of the public who would appear before you, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys or a pro se litigant?

I believe that a judge should display a dignified and respectful demeanor both in a courthouse and in their private lives. I do not believe that anger is a way to deal with any situation in the courtroom. All members of the public in a courtroom should be treated with respect. There will be times when being firm, but in control of the courtroom, is necessary in order to maintain the integrity of the process.

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 _____, 2023.

(Signature)

(Print name)
Notary Public for South Carolina
My commission expires: _____