



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?

I began my legal career in 1991 and have now been practicing law for 32 years. Other than the first two years, where I served as Assistant Solicitor for the 6th Judicial Circuit and handled General Session cases and juvenile cases in Family Court, the rest of my career has been as a general practitioner in private practice. During my career, I have consistently handled Family Court matters, criminal matters in both General Sessions, Magistrate and Municipal Court, civil matters such as personal injury and workers compensation cases, real estate matters, probate matters and numerous other miscellaneous aspects of private practice. I have had actual trials in Family Court, General Sessions Court, Magistrate's Court, Municipal Court, Probate Court, Master-in-Equity hearings and Workers' Compensation Commission which evidences the fact that I have a wide variety of trial experience.

I have continuously handled Family Court matters for over 30 years. I have handled a large volume of divorce cases, equitable distribution of marital property and debt, child custody cases, child support cases, visitation, abuse and neglect cases, DSS matters, adoptions, served as a guardian ad litem and mediator and all other aspects of Family Court. In addition to my extensive Family Court background, I think handling other general aspects of the practice of law, such as real estate matters and loan closings, has helped me understand real estate values, how to prepare real estate deeds and other real estate issues that are part of a divorce that many domestic lawyers are unaware of. Also, handling criminal and civil matters helps with Family Court because it helps us to understand how the system works in other areas of law.

In addition to my legal career, I have three children, was divorced in 2009, and have subsequently remarried in 2016 and have two stepchildren. I believe my own personal experience of going through a divorce and dealing with the division of assets, debts, child custody, child support and alimony has helped me, not only understand the legal aspect of being a Family Court attorney, but also the personal side of actually living through the complexities and emotions of a divorce. I think my experience as an attorney and in life

and my general personality and disposition will help me to serve as a fair, honest and qualified Family Court Judge.

After spending my entire career as an advocate for clients, I look forward to the opportunity to serve as a Judge so that I can make fair and impartial decisions and also show compassion and common sense while also being stern when necessary to enforce rulings. I believe that my 30 years of experience and my demeanor and character will allow me to make fair and reasonable decisions to the best of my ability. Also, one of the main benefits of being a general practitioner for so long is that it has allowed me to understand almost all aspects of Family Court.

Therefore, I believe I have the experience, knowledge and personality, along with my ability to work with people, including other judges and attorneys, that will allow me to be a very qualified and effective Family 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 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?

I believe that ex-parte communications should be avoided completely. There are some administrative issues that may be ex-parte, but obviously no ex-parte communications relating to any of the issues of any case should be heard without all parties participating in the conversations and 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 would grant a motion to recuse myself if there is an appearance of impartiality because the court must have the utmost trust of the public and that cannot be had if there are

appearances of bias even if I felt I would not be biased. Therefore, I believe if there is an appearance of bias by a Judge, the motion should be granted to recuse himself.

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

I believe all appearances of impropriety relating to yourself, your finances or social involvement of your spouse or relatives should be brought to the attention of all parties and that a judge should recuse himself if anyone requests him to do so. If the matter is uncontested and no one objects to the judge hearing the matter, I believe the judge could go forward; however, if the matter is contested, then I believe a judge should recuse himself when any appearance of impropriety exist.

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

I would not accept any gifts of social hospitality from anyone that would appear before me. It is obvious in a small town that there will be some social hospitality among numerous people. I will have some interactions with people throughout the county, and I cannot recuse myself in every case where I have had some social interactions with people, but I would recuse myself any time I believe there was a close enough relationship that could be viewed as impartial.

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?

Rules of professional conduct require that any misconduct be reported, and I would follow the rules accordingly.

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?

I have a condominium at Myrtle Beach, South Carolina that is in a rental agreement.

13. Since Family Court judges do not have law clerks, how would you handle the drafting of orders?

Throughout my practice in Family Court, all judges order one of the attorneys involved in the case to prepare the order and have the opposing counsel or party review the order, and then it is presented to the judge. The order would be prepared and reviewed by opposing counsel before being forward to me, and then I would review the order and make any necessary corrections. In a few cases, I am aware that some judges prepare their own orders and since I have practiced law for over 30 years preparing orders, I do not believe I would have any problem preparing any orders of any nature. Also, I believe that a judge may have to prepare simple orders for Pro Se parties due to the fact that they are unaware of how to prepare an order, and this would not create any problems due to the fact that I have prepared many orders over the years.

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

If elected, I would be diligent to make sure all deadlines are met, just as I have during my practice of law over the past 30 years. My office has used calendars on the computer and hand written notes throughout our career to meet deadlines. I believe as a judge, I would work, along with my staff, to organize a system to make sure all deadlines are met and that the proper notices are provided with our system to inform us when deadlines are approaching.

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 would make sure that all parties involved in a case are aware of the guidelines and responsibilities set forth for guardian ad litem, and I would inquire as to whether the parties are agreeable as to who will serve as guardian ad litem or the Court would appoint a guardian ad litem. If the guardian ad litem is an attorney, then he could proceed to serve as guardian ad litem in the case and if they are not an attorney, then an attorney should be appointed for the guardian ad litem to ensure the proper procedures are followed. Also, I believe it is the Court's responsibility to evaluate and follow the case and all reports to make sure the

guardian ad litem's duties are being performed and carried out per the guidelines. All of this is necessary to protect and ensure that the best interests of a child is obtained.

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

I do not believe that a Judge should participate in any judicial activism and simply should make decisions based on the law and the facts of the case and not try to make any type of precedent or political statement in his rulings. My goal would be to hear cases and make decisions based on the laws, facts and issues of each case and not attempt to create any new laws or make any political style statements.

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?

As a Judge, I believe it is necessary to continue to attend continued legal education programs and obviously the primary focus would be on Family Court CLE classes. I think the continued legal education helps to keep judges up to date, and also I think it is important to generally discuss matters with the legal community and other judges so that we can all help each other with different opinions and advice.

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 believe that you have to balance your work, personal and family life so that you continue to thrive in all areas. Even though I have spent over 30 years practicing law and providing for my family, I have always found time to be with my family and friends. I believe all of life is about balancing all aspects of life and not getting burnt out on one or spending too much time on the other. There will be some new stresses and issues if I become a judge, and I believe I will be able to balance them just as I have in my career.

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

I think a judge has to spend more time guiding Pro Se litigants during the Family Court process due to the fact that they are unaware of procedures. Also, I believe that all Pro Se litigants should be questioned on their education and life experiences to see whether they can proceed with self representation or whether an attorney needs to be appointed or the case should be continued. Even though I believe Pro Se litigants need to be guided and protected to make sure they can proceed Pro Se, the Court does have to handle all legal matters without any preference to either party whether represented or not.

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

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

I believe that a Judge should always be nice, polite and respectful to all parties in his courtroom, and also maintain the proper demeanor and calmness to move forward through a trial without losing their temper or acting in an unprofessional manner. In addition to these traits, I think a Judge should be fair, impartial and polite but also have the ability to maintain the proper decorum to take control of the courtroom if someone is disrespectful or acts inappropriately in court.

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 do not believe anger is appropriate to use at any time as a Judge. Judges need to be kind, compassionate, understanding, use common sense and make effective, fair rulings based on the facts of a case. There are times a Judge must be firm and control the courtroom when participants are out of order, disrespectful or

contemptuous to the Court, but I do not believe anger is the proper way to handle anyone in court, but Judges are required to be firm and forceful.

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: _____