



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

Circuit Court
(New Candidate)

Full Name: Christopher Ryan DuRant

Business Address: 411 N. Brooks St., Manning, SC 29102

Business Telephone: 803-435-0909

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

I believe in our system of justice. I believe it works best when there are good lawyers on both sides. To function at its fullest potential, however, the system requires competent, experienced, courteous and fair-minded judges. Having served as a judicial law clerk, I believe I have clear expectations as to what is required of the position. I anticipate that it will be intellectually challenging and require personal growth in knowledge and in wisdom, all of which I welcome, but I believe my experiences have prepared me for the position. I would be humbled and honored by the opportunity and responsibility to contribute to our judicial system and the welfare of the community in this way.

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?

My philosophy on *ex parte* communications is as provided by Canon

3B(7), Rule 501, SCACR and Rule 3.5, RPC, Rule 407, SCACR. The limited circumstances under which I could envision *ex parte* communications being tolerated are those pertaining to scheduling or administrative matters, applications for emergency temporary restraining orders based on immediate and irreparable injury per Rule 65(b), SCRCR, applications for Office of Indigent Defense funding orders per S.C. Code Ann. §17-3-50(B), and/or applications for search warrants or wiretaps.

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 give great deference to the party requesting recusal and grant the motion. Pursuant to Canon 3E(1)(a), Rule 501, SCACR, "a judge *shall* disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned" (emphasis added). Because the question as posed indicates that an appearance of bias exists, in this instance, recusal would be required.

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

Canon 3E(1)(c), Rule 501, SCACR expounds upon the requirement that a judge recuse himself or herself in a proceeding in which the judge's impartiality might be questioned, by specifically including as an example circumstances in which the judge knows that he or his immediate family member has a financial interest in the controversy or could be substantially affected by the proceeding. As a result, I would not hear such a case.

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

I would abide by the standards set forth in Canon 4D(5)(a-i), Rule 501, SCACR, which mandate that a judge not personally accept, and discourage members of his immediate family residing in his household from accepting, gifts or social hospitality except in the specifically enumerated circumstances therein provided.

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?

In the event of misconduct, Canon 3D(1) and (2), Rule 501, SCACR, require that a judge in receipt of information indicating a substantial likelihood that another judge or lawyer has committed a violation of the Code of Judicial

Ethics or Rules of Professional Conduct, take appropriate action, including reporting the matter to the Office of Disciplinary Counsel. In the event of infirmity, Canon 3G requires that a judge having reasonable belief that the performance of another lawyer or judge is impaired by drugs or alcohol, or by mental, emotional or physical infirmity, take appropriate action including referral to an assistance program, or depending on the gravity of the conduct, the disciplinary authority. In the event the attorney's infirmity became apparent during proceedings such that his/her client might be prejudiced, I believe the interests of justice would also be served by a continuance of the matter.

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. In accordance with Canon 2C and personal conviction, I would not associate with an organization which exhibits such discriminatory practices.

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?

With an eye toward discharging administrative responsibilities diligently in accordance with Canon 3B, Rule 501, SCACR, it may be that my approach to the drafting of orders changes with experience. With that understanding, generally speaking, I prefer to personally draft most legal pleadings which bear my signature. As a result, my initial approach as to the drafting of orders in contested matters would likely include, depending on the complexity of the matter, some combination of (1) preparing written instructions to announce rulings, together with findings of fact and conclusions of law to be used by counsel in preparation of an order, (2) requiring counsel to submit proposed orders within a specified period following the hearing, via email, in Word format, so as to allow for my edits, (3) ruling from the bench with instructions to the prevailing attorney to prepare a proposed order and submit via email, or (4) drafting the order in its entirety. In uncontested matters, I would generally expect proposed orders to be prepared by counsel.

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

If elected, it would be my plan to create and implement an internal database, categorizing matters under advisement, orders to be self-prepared, and outstanding orders to be prepared by counsel, notating those awaiting edit or approval, to include relevant deadlines and extensions. It would be my expectation that this system be regularly monitored and updated by staff to ensure diligent administration.

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

My philosophy regarding judicial activism is that it is the responsibility of legislative bodies and other elected officials, not the judiciary, to set and promote public policy. The judicial branch is tasked with interpreting and applying the law in accordance with established precedent and rules of statutory construction. I believe this philosophy is in accord with Canon 4, Rule 501, SCACR, which is to say that while judges are permitted to speak and teach in other extra-judicial activities concerning the law and/or legal system, a judge shall not appear at a public hearing, consult with an executive or legislative body, or accept appointment to a governmental position concerned with issues of policy other than the improvement of the law, legal system, or administration of justice.

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?

In accordance with Canon 4, I would be a willing speaker at CLE conferences, law student educational programs, law enforcement training seminars, and the like. I would also welcome the opportunity to engage with the local school systems via speaking engagements and court observation.

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 do not anticipate the requirements of serving as a judge would strain personal relationships. My wife is very understanding and supportive as it relates to my current work schedule, which often involves extended hours. She and my extended family and friends also understand that the character of the legal system is such that discretion and confidentiality are necessary in preserving its integrity.

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):
 - b. White collar criminals:
 - d. Defendants with a socially and/or economically disadvantaged background:
 - e. Elderly defendants or those with some infirmity:

Respectfully, in consideration of Canon 5A(3)(d)(iii), Rule 501, SCACR, I believe it would be inappropriate to make statements concerning sentencing philosophies as to particular classes of individuals, as such might be perceived as "statements that commit or appear to commit the candidate with respect to cases, controversies or issues that are likely to come before the court." Having served as a law clerk to a circuit court judge and worked on both sides of the aisle in criminal matters for 14 years, I've come to understand that criminal sentencing is not a science. The statutory penalties, facts and underlying circumstances, the defendant's age, criminal history and background, aggravating and mitigating factors, and victim and/or societal impact, must be considered in each individual case. In every case, these factors should be considered in weighing the primary sentencing objectives of deterrence, punishment, rehabilitation, and restitution.

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?

Although, pursuant to Canon 3E(1)(c), Rule 501, SCACR, recusal is not required under these circumstances, I would disclose the interest in accordance with Canon 3F and recuse myself in the absence of an agreement from all parties that I should not be disqualified.

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?

In accordance with Canon 3B(4) and personal experience, I believe a judge should be patient, dignified, and courteous to all parties and those with whom the judge interacts in an official capacity. Further, in preserving the high standards and integrity of the judiciary, the judge should carry out his or her personal dealings in like manner, attempting to remain above reproach.

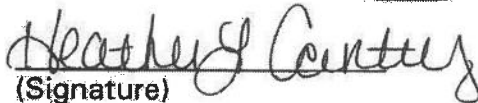
23. Do you feel that it is ever appropriate to be angry with a member of the public, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys or pro se litigants?

In exercising his or her duties in accordance with Canon 1 and Canon 3B(4), it would never be appropriate to respond to any party or attorney in anger. A judge should maintain civility in the courtroom at all times, treating litigants and attorneys with patience, dignity and courtesy.

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 12 day of July, 2023.


(Signature)

Heather L. Canthey
(Print Name)

Notary Public for South Carolina
My Commission Expires: 1/14/2026

HEATHER L. CANTEY
Notary Public, State of South Carolina
My Commission Expires Jan. 14, 2026