



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

Circuit Court
(New Candidate)

Full Name: **Elizabeth Fulton Morrison**

Business Address: **111 Coleman Blvd, Suite 301, Mount Pleasant, SC 29464**

Business Telephone: **(843) 720-3471**

1. Why do you want to serve as a Circuit Court judge? **I want to serve my fellow citizens by being a fair and impartial judge and ensure that people keep their faith in our legal system by following the law and continuing high standards to the judicial process.**

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? **Not if elected to the bench.**

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? **In my practice as a litigator, I try to never engage in *ex parte* communications because there should never be any question of impropriety about a judge's impartiality, nor should a judge ever be put in an uncomfortable situation. However, if there was a special circumstance and the law allowed it, I would engage in *ex parte* communications, such as the need to issue a temporary restraining order.**

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? **It would depend on the situation and**

whether it could cause harm to one or more parties. Moreover, if I believe that I can preside over a matter and would not violate Judicial Canon 2, then I would not recuse myself.

7. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative? **To maintain transparency, I would disclose to the parties my spouse's involvement in the subject matter, and if I felt that I could not be impartial, I would recuse myself.**
8. What standards would you set for yourself regarding the acceptance of gifts or social hospitality? **I would decline any gifts or offers of social hospitality from any officers of the court and would further decline such things from any organizations or special interest groups that could call into question my impartiality. Further, I would ensure that I remained in compliance with Judicial Canon 4.**
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? **I would notify the appropriate authority as required by Judicial Canon 3 but would do so in a sensitive matter. Appropriate action may include direct, confidential communication with the judge or lawyer who has committed the violation, other direct action if available, and reporting the violation to the appropriate authority or other agency or body.**
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 attended fundraisers for political candidates over the years but have never actively engaged in planning these events or soliciting funds.**
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? **It would depend on the substance of the order. If there are several issues to consider, I may ask all parties to submit proposed findings of fact and conclusions of law, and then adopt the relevant portions. If the parties prefer a Form 4 Order, and then seek to substitute with another**

Order, I will allow that as well. I may allow my law clerk to prepare an Order but would not sign anything I did not review and approve of prior.

14. **If elected, what methods would you use to ensure that you and your staff meet deadlines? As a judge, my duty is to dispose of all judicial matters promptly, efficiently, and fairly. If elected to the bench, I would work with my staff to ensure that we have a system in place to handle all relevant deadlines as well as ensure that any rulings and applicable orders are issued within a reasonable time frame. Since court calendars are generally published at least 3-4 weeks beforehand, my staff would be able to anticipate what matters will need to be addressed and prioritize accordingly.**
15. **What is your philosophy on “judicial activism,” and what effect should judges have in setting or promoting public policy? I am firmly in the camp that judges should remain as impartial as possible and to follow the law as written while maintaining professional competence. If there are changes that need to be made in the law, I would defer to either the Legislature or the appellate courts for interpretation. Further, even if a ruling could cause public outcry, I would still defer to the law as written.**
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? If asked, I would speak to law students or prospective law students about the judicial system; I would participate in a bar convention session; provide advisory services to pro bono programs; and/or volunteer with any “access to justice” programs implemented or championed by our Supreme Court.**
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 this to be an issue. My spouse is a corporate lawyer, and his practice does not require any time in the courtroom. I have one son and a great support system who could assist if any sort of scheduling issues or travel came up and we needed help. In addition, my father-in-law has been a City of Charleston municipal judge since the 1990s, and he is a great resource when it comes to discussing the practice of law and balancing judicial responsibilities with family obligation.**
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: **Based on the totality of the circumstances and the types of offenses committed, I would sentence them in a way that would attempt to break the cycle of the crimes committed but would also be prepared to issue a sentence commensurate with the offense at hand.**

b. Juveniles (that have been waived to the Circuit Court): **Based on the totality of the circumstances and the type of offense, I would issue a sentence consistent with the level of offense.**

c. White collar criminals: **Based on the totality of the circumstances and the type of offense, I would issue a sentence consistent with the level of offense.**

d. Defendants with a socially and/or economically disadvantaged background: **Based on the totality of the circumstances and the type of offense, I would issue a sentence consistent with the level of offense.**

e. Elderly defendants or those with some infirmity: **Based on the totality of the circumstances and the type of offense, I would issue a sentence consistent with the level of offense. However, if there are special circumstances that require any special accommodation, I would take that into consideration.**

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? **Not unless instructed or if the parties were informed and agreed to waive any potential conflict.**
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? **When a judge is on the bench, they should be cordial and neutral. When a judge is "off the clock" they should still remember that they took an oath to serve and avoid any activities that could call in to question their capacity to act impartially, demean the office as a whole, and/or prevent them from**

carrying out their duties. I believe these rules always apply for a judge and it should be remembered that this is a position that is voluntarily undertaken.

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 never appropriate in a judicial proceeding. Pro se litigants should be given latitude as they are unfamiliar with legal proceedings and a judge should always strive for patience in dealing with them. There are systems in place to preserve decorum that should be followed, such as having a bailiff escort someone out. Criminal defendants should be treated with impartiality and anger directed toward them could be seen as a sign of bias that could call into question the credibility of the proceedings.**

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: _____