



JUDICIAL MERIT SELECTION COMMISSION)
)
In the Matter of:)
Candidate for Justice Jean Toal)
)
) **WITNESS AFFIDAVIT**
) **FORM**
)

I will appear to testify concerning the qualifications of the above-named candidate and will produce all documents in my possession, if any, which will further develop or corroborate my testimony.

I understand that this written statement and all supporting documentation, if any, must be completed and the hard copies of all such documents shall be returned to the Judicial Merit Selection Commission by the deadline for complaints in order for the Commission to hear my testimony, and that the deadline for complaints is **12:00 Noon, Monday, October 23, 2023**. I understand I must be available to testify at the Public Hearing, and **failure to appear will result in a dismissal of my complaint.**

In regard to my intended testimony, I will offer information as to the following:

- (1) Set forth your full name, age, address, and both home and work telephone numbers.
Rhonda Meisner, 58, Post Office Box 689 271 Blythe Creek Drive Blythewood, SC 29016 (803)206-3402 (803)210-0224
- (2) Set forth the names, addresses, and telephone numbers (if known) of other persons who have knowledge of the facts concerning your testimony.
 1. **Potentially clerk of court staff Paul Gunter who provided the history of the case for others involved. I do not know his personal address.**
 2. **Potentially Athena court staff personell who said she is the one who coordinates Justice Toal for specific cases.**
 3. **Attorneys associated with the case.**
- (3) State the nature of your testimony regarding the qualifications of the above-named judicial candidate, including:
 - (a) specific facts relating to the candidate's character, competency, or ethics, including any and all allegations of wrongdoing or misconduct on the part of the candidate;

According to CANON 3

A JUDGE SHALL PERFORM THE DUTIES OF JUDICIAL OFFICE IMPARTIALLY AND DILIGENTLY

A. Judicial Duties in General. The judicial duties of a judge take precedence over all the judge's other activities. The judge's judicial duties include all the duties of the judge's office prescribed by law.* In the performance of these duties, the following standards apply.

B. Adjudicative Responsibilities.

(1) A judge shall hear and decide matters assigned to the judge except those in which disqualification is required.

I filed a Motion to Alter and Amend pursuant to Rule 60 (b) on January 11, 2023. To my knowledge Justice Toal has not recused herself in this case. This motion was never heard, ruled on, nor was a hearing scheduled before Justice Toal it was scheduled before another Judge, despite the fact I gave Justice Toal a courtesy copy of the Motion as required by the rules. The motion which is almost 10 months old and I requested a hearing because I felt like Justice Toal did not listen to the argument before her. Instead, she said upon information and belief that she could not hear/understand and then moved to the attorneys to explain my case, which I believe deprived me of the ability to make my argument. The information could have been discovered more readily, if the case was not summarily dismissed and discovery was granted. I believe her appointment requires Justice Toal to hear the motion or Rule on it.

(2) A judge shall be faithful to the law* and maintain professional competence in it. A judge shall not be swayed by partisan interests, public clamor or fear of criticism.

South Carolina is a minority view state that provides that spouses can sue their spouse. Upon information and belief, Justice Toal knew of this precedent, but ruled that the case must be put forth in the family court. There is nothing associated with a divorce that allows a spouse to use another spouse's social security number to provides for medication that he prescribes using my information and uses for himself. I had all along complained that something was wrong with my soon to be ex- husband mentally and that he was not thinking correctly, and his attorneys were taking advantage of the situation by billing significant amounts. I made motions to have him checked out; however, no relief for the issues associated with his illness was granted. He has since been diagnosed with Acute Myeloid Leukemia, one of the side effects is upon information and belief, hallucinations and aberrant thinking, both of which he exhibited. It is my opinion that Justice Toal was swayed by the powerful attorneys representing the other entities instead of following South Carolina law, in effect pandering to those with a loud voice with the legislature and this body.

(4) A judge shall require* order and decorum in proceedings before the judge.

During my explanation of my case and responses to the other side, I mentioned the actions of the attorneys were akin to the allegations against Alex Murdoch, because it is my belief my husband is being taken advantage of financially (his divorce attorneys have billed over \$500,000 and the assigned Guardian ad Litem has billed over \$100,000 both of which have either withdrawn motions for psychological evaluations or have not rescheduled the motions when the motions were continued. Chief Justice Toal interrupted my explanation and told me “you shut (hush) your mouth” and then proceeded upon information and belief to state there was no comparison. Now, an article of FITS news(I am not the woman in the article) has made the exact same analogy of the dispensation of cases in the family court and wrote about the corruption therein and referenced the Murdach case who has now been given a new trial based on court corruption.

(4) A judge shall be patient, dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity, and shall require * similar conduct of lawyers, and of staff, court officials and others subject to the judge's direction and control.

Commentary:

I do not think Justice Toal was patient, dignified, or courteous to me when she would not allow me to present my case and told me to “hush/shut your mouth or words to this effect.” Now, the FITS News outlet has made the exact observations about the corruption in the system that goes overlooked and compared to the Murdaugh case. The corruption within the court system has now provided Alex Murdaugh a new trial. I believe that every litigant should be allowed to explain their case and get a fair hearing without being “shut-up, shut-down or demeaned” by judges, or other court officials, which now form the basis for a new trial with Alex Murdaugh, where his Judge lectured him on his guilt without the benefit of the extra-judicial forces at hand.

(5) A judge shall perform judicial duties without bias or prejudice.

A judge must perform judicial duties impartially and fairly. A judge who manifests bias on any basis in a proceeding impairs the fairness of the proceeding and brings the judiciary into disrepute. Facial expression and body language, in addition to oral communication, can give to parties or lawyers in the proceeding, jurors, the media and others an appearance of judicial bias. A judge must be alert to avoid behavior that may be perceived as prejudicial.

In this same hearing, Justice Toal said she could not hear or understand what I was saying. I believe I am capable of explaining my position. Nevertheless, instead of listening to the allegations in the complaint from the plaintiff, she looked at the defense attorneys and said do you know what she is talking about or words to this effect. She was the Chief Justice of the South Carolina Supreme Court, it was clear she knew exactly what I was saying, but wanted to hear from the attorney

defendants on their take without creating a record complete with argument.

(7) A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law.*

See above explanation that I think I was not afforded a proper hearing.

(6) A judge must make reasonable efforts, including the provision of appropriate supervision, to ensure that Section 3B(7) is not violated through law clerks or other personnel on the judge's staff.

It is clear that the staff at Richland County Court uses I believe Chief Justice Toal allowed "Athena and the jury trial coordinator Paul" to violate this tenet because they frequently request Justice Toal for specific cases which I believe is unconstitutional.

(7) G. Disability and Impairment. A judge having a reasonable belief that the performance of a lawyer or another judge is impaired by drugs or alcohol, or by a mental, emotional, or physical condition, shall take appropriate action, which may include a confidential referral to an appropriate lawyer or judicial assistance program.

During the hearing, Justice Toal, who aged out of her appellate position as the Chief Justice on the Supreme Court appeared to have hearing difficulties hearing and understanding because she asked upon information and belief me on more than one occasion during the hearing to repeat what I said which was "Yes Chief Justice" in answer to whether I was present or not. Additionally, she asked me whether

specific dates, places, and times at which or during which such allegations took place; During a hearing in December 2, 2022 at the Richland County Courthouse and during a hearing.

(a) how this information relates to the qualifications of the judicial candidate.

I think the committee should from this point forward not allow candidates from the superior courts to participate as Judges in the lower court due to the undue influence that this candidate puts forth. In fact, I think based on the Justices hearing and comprehension issues, there should be an investigation into the recent decisions.

(8) Set forth a list of and provide a copy of any and all documents to be produced at the hearing which relate to your testimony regarding the qualifications of the judicial candidate.

(9) State any other facts you feel are pertinent to the screening of this judicial candidate.

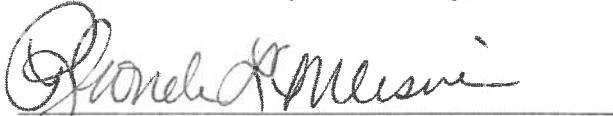
It is my understanding that Chief Justice Jean Toal does not keep a full schedule or work full time. I believe this position should be reserved for the next generation of judges that will more appropriately administer justice. Justice Toal will be well over 80 years old if she is reappointed and I think this is inappropriate given her admissions.

I understand that the information I have provided herein is confidential and is not to be disclosed to anyone except the Judicial Merit Selection Commission, the candidate, and counsel.

WAIVER

I further understand that my testimony before the Judicial Merit Selection Commission may require the disclosure of information that would otherwise be protected by the attorney-client privilege. Therefore, in order that my complaint may be fully investigated by the Commission,

I hereby waive any right that I may have to raise the attorney-client privilege as that privilege may relate to the subject of my complaint. I further understand that by waiving the attorney-client privilege for this matter, I am authorizing the Commission to question other parties, including my attorney, concerning the facts and issues of my case.




Signature

Sworn to me this 23 day of OCTOBER, 2023

 L.S.

Notary Public of South Carolina

My commission expires: 08/25/2033

 **Jerion Hankins**
Notary Public for South Carolina
Commission Expires: 08/25/2033