

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

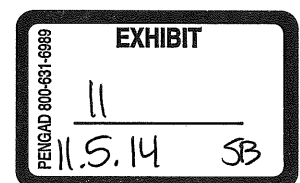
Circuit Court
(Incumbent)

Full Name: CLIFTON BERNARD NEWMAN

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1. Why do you want to serve another term as a Circuit Court Judge?
I am honored to serve as a Circuit Court Judge and I believe that continued service is a great opportunity to serve mankind.
2. Do you plan to serve your full term if re-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?
Ex parte communications are prohibited except for scheduling and limited administrative purposes.
6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?
Recusal is appropriate where a conflict of interest exists or where an appearance of impartiality legitimately exists, otherwise a judge has a duty to address assigned matters.
7. 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?
Great deference would be given to the party requesting recusal and such motion would likely be granted.
8. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?
Recusal is generally the appropriate action whenever there is an appearance of impropriety. It is appropriate to always strive to inspire public confidence in the judiciary.



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

Gifts or social hospitality are not accepted except for small gifts from family and close friends under circumstances where my integrity could not be reasonably questioned.

10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?

Misconduct of a lawyer or of a fellow judge must be reported. If the misconduct involves the abuse of drugs and/or alcohol, assistance should be sought and encouraged from Lawyers Helping Lawyers or related groups.

11. Are you affiliated with any political parties, boards or commissions that, if you were re-elected, would need to be re-evaluated?

NO.

12. Do you have any business activities that you would envision remaining involved with if reelected to the bench?

I am a silent partner and co-owner of an assisted living facility and I own rental units.

13. How do you handle the drafting of orders?

I draft some orders and some proposed orders are submitted by counsel. I review, edit and modify requested proposed order as needed prior to signing to ensure that any order signed is my order.

14. What methods do you use to ensure that you and your staff meet deadlines?

I utilize the calendar features of Microsoft Outlook as do my law clerk and administrative assistant to ensure deadlines are met. Written and email reminders are also helpful.

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

Judges should be interested in and concerned about public policy. However, a judge should refrain from any activities that may cause concern as to the judge's ability to fairly adjudicate matters.

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

I spend a significant amount of time promoting judicial education and lawyer education through participation on panels, CLE's, judging law school moot court and mock trials and serving on numerous judicial committees.

17. Do you feel that the pressure of serving as a judge strains personal relationships (i.e. spouse, children, friends, or relatives)? How do you address this?

The pressure of serving as a judge can easily strain personal relationships. It is important to have quality time off with family and

- friends. While a judge must adhere to proper judicial conduct 24/7, it should not constitute an imposition on personal relationships 24/7.
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:
Repeat offenders are generally sentenced harsher unless alternative initiatives such as drug court, mental health court or veteran's court are a better alternative.
 - b. Juveniles (that have been waived to the circuit court):
Juveniles that have been waived to the circuit court should be sentenced as adults, except that some consideration may be given for the fact that juvenile minds are often not sufficiently developed enough to fully appreciate the ramifications of their conduct.
 - c. White collar criminals:
White collar criminals deserve to be punished the same as non-white collar criminals, except that consideration should be given as to the extent tax dollars should be spent on incarcerating non-violent offenders.
 - d. Defendants with a socially and/or economically disadvantaged background:
Social and economic disadvantage should be considered but not at the expense of public safety.
 - e. Elderly defendants or those with some infirmity:
Consideration should be given in sentencing the elderly and infirm. Alternatives to incarceration should be explored but not at the expense of public safety.
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?
NO.
21. Do you belong to any organizations that discriminate based on race, religion, or gender?
NO.
22. Have you met the mandatory minimum hours requirement for continuing legal education courses?
YES.
23. What do you feel is the appropriate demeanor for a judge?
The appropriate demeanor of a judge is to be fair, respectful and impartial. Additionally, a judge must listen critically and keep an open mind.

24. Do the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or do these rules apply seven days a week, twenty-four hours a day?
Seven days a week, twenty-four hours a day.
25. 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 a pro se litigant?
NO.
26. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees?
NONE.
27. While campaigning for this office, have you used judicial letterhead or the services of your staff for your campaign?
NO.
28. Have you sought or received the pledge of any legislator prior to this date?
NO.
29. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening?
NO.
30. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf?
NO.
31. Have you contacted any members of the Judicial Merit Selection Commission?
NO.
32. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges for 48 hours after the draft report has been submitted?
YES.

I HEREBY CERTIFY THAT THE ANSWERS TO THE ABOVE QUESTIONS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

s/ Clifton Newman
Sworn to before me this 5 day of August, 2014.

Ashley S. Lewis
(Print Name)
Notary Public for South Carolina
My commission expires: February 27, 2024