

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

Retired Judge

Full Name: Jasper Marshall Cureton

Business Address: 1015 Sumter Street, Columbia, South Carolina 29201

Business Telephone: 803 734-1926

1. Have you met the Constitutional or statutory requirements for this position regarding age, residence, and years of practice?

Yes

2. Have you met the mandatory minimum hours requirement for continuing legal education courses?

Yes

3. Do you have any plans to return to private practice one day?

No

4. Are you engaged in any legal activities other than your service as a retired judge, such as acting as an arbitrator or mediator?

No

5. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?

No

6. Do you belong to any organizations that discriminate based on race, religion, or gender?

No

7. Have you engaged in any partisan political activity since your retirement?

No

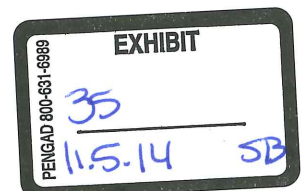
8. What do you feel is the appropriate demeanor for a judge?

I believe a judge should be courteous, attentive, respectful and helpful to attorneys and litigants. Although, a judge should be firm, the bench is no place for a judge to make jokes, belittle or intimate lawyers or litigants. A judge should uphold the dignity of the judiciary at all times.

9. In your position as a retired judge, what methods do you employ to ensure that deadlines for the timely issuance of orders are met?

I make every effort to complete cases as soon as possible after they are assigned to me for disposition. My chambers keep a log of all cases under consideration. A periodic tickler system is a must to ensure no case fall in the cracks.

10. 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?



No, anger is never appropriate in dealing with attorneys, litigants or the public. A judge should be firm, but should never get angry.

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

I would report the misconduct to the appropriate disciplinary body.

12. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law clerks are to appear before you?

I do not recuse myself from cases just because an attorney is a legislator. I do, however, recuse myself if I have any sort of business or social relationship with him/her. I recuse myself from hearing a case where a former associate is or was involved in the last ten years, and also where law clerks in the last five years are involved.

12. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?

There are very few opportunities for *ex parte* communications at the appellate level. Correspondence from litigants and attorneys are forwarded to the Clerk of Court to handle. I simply do not engage in *ex parte* communications with attorneys and litigants. At the trial level, it may be necessary to talk to an attorney for scheduling purposes only. Representatives for all parties should be before the court to discuss anything of substance in the case.

13. 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?

Yes, it is the appearance of bias that matters.

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

I do not accept food, gifts, beverages, lodging, transportation, entertainment or social hospitality from lawyers, litigants or any person if there is a reasonable probability that the person will come before me, or if the gift or social hospitality is offered for the purpose of influencing me in my judicial duties. I have in the past accepted, in accordance with guidelines for the state judiciary, lodging from bar organizations where I participate in their activities.

16. In order that we might advise court administration on steps that need to be taken, are there any limitations on your sight, hearing, or mobility that should be addressed by the court administrator?

No

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

s/ Jasper M. Cureton

Sworn to before me this 15 day of July, 2014.

Mary C. Elam

(Print name)

Notary Public for S.C.

My Commission Expires: May 26, 2016