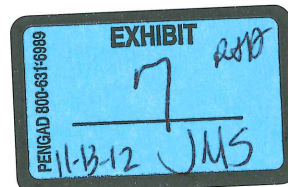


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:
Circuit Judge, At Large, Seat 14.

1. NAME: Mr. Jared Sullivan Newman
BUSINESS ADDRESS: P.O. 515
Port Royal, SC 29935
TELEPHONE NUMBER: (office): 843-525-0707
2. Date and Place of Birth: 1959; Rockledge, FL
3. Are you a citizen of SC? YES.
Have you been a resident of this state for at least the immediate past five years? YES.
5. Family Status: Married on September 3, 1995 to Cynthia James Newman. Divorced in 1994, Donna Newman, Beaufort Family Ct., Judgment sealed by Court. Four children.
6. Have you served in the military? NO.
7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
 - (a) USC, 1977-81, B.S. Criminal Justice;
 - (b) USC School of Law, 1986-89, JD.
8. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.
SC, 1989, Member in good standing since admission.
9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.
Undergrad (1980-81), Dorm Governor
10. Describe your continuing legal or judicial education during the past five years.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Reese Joye DUI Seminar	11-05-2011;
(b) ABOTA Masters in Trial	02-04-2011;
(c) 26 th Ann. Crim Law Seminar	02-26-2011;
(d) Personal Injury Seminar	01-29-2010;
(e) Defending DUI Cases	11-13-2009;
(f) Beyond the Elements	09-25-2009;
(g) Ethics in Mediation	02-23-2009;
(h) 24 th Ann. Crim Law Seminar	01-23-2009;
(i) Fighting DUI Cases	10-31-2008;



- (j) Masters in Trial 11-16-2007;
 - (k) Nuts & Bolts of S.V.P. Cases 07-27-2007.
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
- (a) 1998, Public Defender Conference, Automobile Search & Seizure Case Review;
 - (b) 2007, Sexually Violent Predator Cases, Preparing for Trial;
 - (c) 1992-93, Taught Constitutional and Criminal Law for Reserve Police Officer Certification.
12. List all published books and articles you have written and give citations and the dates of publication for each. NONE.
13. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.
- (a) SC, all courts, 1989;
 - (b) United States District Court, District of SC, 1992;
 - (c) 4th Circuit Court of Appeals, 1996;
 - (d) Supreme Court of the United States, 1999.
14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.
- (a) Asst. Solicitor 14th Judicial Circuit, 1989-93. I Prosecuted cases in General Sessions Court, Family Court Juvenile Criminal Cases and Magistrate's Court;
 - (b) Jared S. Newman, P.A., 1993-2002. I was a Sole Practitioner Private Practice. Defended state and federal criminal cases, represented clients in divorce and custody cases, general tort cases for plaintiffs, Tort Claims Act cases for plaintiffs, federal civil rights litigation for plaintiffs in police misconduct cases, prisoner and jail rights cases, workers compensation cases for claimants.;
 - (c) Newman & McDougall, P.A., 2002-07. I was Managing Partner. I Primarily focused on tort litigation both state and federal, criminal law, state and federal and civil rights cases.;
 - (d) Jared S. Newman, P.A., Sole Practitioner Private Practice. Defended state and federal criminal cases, general tort cases for plaintiffs, Tort Claims Act cases for plaintiffs, federal civil rights litigation for plaintiffs in police misconduct cases, prisoner and jail rights cases.
- 14.(b) If you are a candidate for Circuit Court, please provide a brief written description of your experience in criminal matters, including any cases handled over the past five years and include a brief description of the issues involved. Further, please provide a brief written description of your experience in civil matters, including any cases handled over the past five years and include a

brief description of the types of matters handled, issues involved, and procedural history. Please include information such as the primary areas in civil court in which you practice, whether you represent plaintiffs or defendants, or both. You may go back further than five years if you feel it would assist the Commission with its assessment of your experience. If you lack experience in an area, describe how your background has prepared you to preside over such matters as a Circuit Court Judge, or how you would compensate for your lack of experience in this area.

(1) Criminal Matters: I have represented defendants and tried cases for the past 19 years in numerous murder, criminal sexual conduct, drug trafficking, drug distribution, drug possession, burglary, armed robbery, arson, felony DUI, manslaughter, reckless homicide, conspiracy, grand larceny, attempted murder, CDV high and aggravated and assault cases, in addition to bond hearings, preliminary hearings, probation revocation hearings, suppression hearings, identity suppression hearings, forensic evidence suppression hearings, P.C.R. hearings, and SVP trials and magistrate court criminal appeals (technically civil cases). I have handled a number of criminal appeals. I am death penalty qualified and have represented a client in a death penalty case. In federal court I have represented clients in drug conspiracy cases and mail and wire fraud cases, handled a number of detention hearings and suppression hearing. I have had innumerable magistrate's court trials, including DUI, drug possession, shoplifting, criminal domestic violence, boating under the influence, illegal commercial fishing, shrimping and crabbing, minor in possession of alcohol and other cases. In magistrate's court I have also handled preliminary hearings and bond hearings. I have focused in cases involving 4th Amendment search and seizure issues involving automobile stops and detention cases. I am currently handling a case involving an immunity hearing and appeal in a manslaughter case under State v. Duncan. I have also tried a felony case to conclusion in a General Courts Martial at Parris Island Marine Corps Recruit Depot under the UCMJ.

(2) Civil Matters: For the past 19 years I have represented primarily plaintiffs in tort cases and focus on Tort Claims Act cases, wrongful death and civil rights violations in both state and federal court. I have tried a number of Tort Claim Act cases in state court, for wrongful death, wrongful arrest and detention, excessive force and automobile accident cases. I have recently tried a deliberate indifference/jail suicide case in USDC in Columbia. I have litigated and settled a number of wrongful death cases involving jail and in-custody deaths. I have tried land disputes, slander of title and breach of contract cases. I have opened estates and handled probate matters in conjunction with wrongful death and survivorship cases and done minor settlements. I am a certified circuit court mediator. In federal court I have tried civil rights cases involving in-custody deaths and police misconduct. I have litigated innumerable cases which have settled at various stages during

the course of litigation. I have tried cases in the USDC in Charleston, Columbia and Florence divisions. I have tried or litigated civil and/or criminal cases in the following counties: Allendale, Aiken, Barnwell, Bamberg, Dorchester, Colleton, Hampton, Jasper, Beaufort, Charleston, Berkeley, Horry, Florence, Darlington, Kershaw, Newberry, Greenville, Richland, Sumter, Laurens, York Orangeburg and Dillon.

15. What is your rating, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, etc.? If you are currently a member of the judiciary, list your last available rating, if any.

Martindale-Hubbell: BV-Distinguished (Rated 4.4 out of 5.0).

16. What was the frequency of your court appearances during the last five years?

- (a) federal: Approximately 5-6 times a year;
(b) state: Approximately 15-20 times a year.

17. What percentage of your practice involved civil, criminal, domestic, and other matters during the last five years?

- (a) civil: 33%;
(b) criminal: 66%;
(c) domestic: 00%;
(d) other: 01% (Probate Court).

18. What percentage of your practice in trial court during the last five years involved matters that went to a jury, including those that settled prior to trial?

- (a) jury: 98%;
(b) non-jury: 02%.

Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters? Sole Counsel.

19. List five of the most significant litigated matters you have personally handled in either trial or appellate court or before a state or federal agency. Give citations if the cases were reported and describe why these matters were significant.

(a) State v. Paul "Peanut" Graham, Jr. (Jasper Co G/S). The Defendant had been previously convicted of murder by a Jasper County jury. The case was reversed and remanded on appeal. I represented the Defendant on the re-trial. The murder was notorious in Jasper County and all three of the co-defendants were convicted in connection with the murder. All three co-defendants testified against the Defendant as well as a prison cell-mate of the Defendant. The Defendant was 16 years old at the time of the murder. The case involved extensive cross-examination of the co-defendants. I challenged the forensic medical examiner and got her to admit that she could not state conclusively that the decedent was in fact alive when Mr. Graham shot him. The jury acquitted the Defendant;

(b) State v. West Omar McKinnon (Beaufort Co. G/S). The defendant was charged with a double-murder, kidnapping and burglary along with a co-defendant. The co-defendant was tried separately and convicted of

murder, burglary and kidnapping. I fought the identification of the Defendant by the surviving witnesses. The jury acquitted the Defendant on all counts;

- (c) State v. Joel O'Quinn (Jasper Co. G/S). The Defendant was a retired D.N.R. officer and former sheriff's candidate who was indicted for assault with intent to kill and assault and battery with the intent to kill. The defendant admittedly shot the victim and at the victim's nephew in a restaurant parking lot. The Defendant was shot five times himself by the victim's nephew. There had been a long history of bad blood between the Defendant and the victim, with each claiming that the other had relations with their respective spouses. Both spouses testified in favor of the Defendant. I argued the defenses of accident and retreat and got the SLED agent to admit that the victim was in fact the primary aggressor. The jury acquitted the Defendant;
- (d) Dickman v. Jasper County Sheriff's Office (USDC Charleston Division). This was a civil rights case involving the wrongful incarceration of the Plaintiff. The Plaintiff was never brought before a judicial officer as required when he was arrested as a fugitive from Florida. No fugitive warrant was ever obtained. The police obtained a coerced waiver of extradition and admitted that no extradition hearing had been held and no warrant issued. The Plaintiff spent seven days in jail without any judicial process or warrant. The jury awarded actual and punitive damages in favor of the Plaintiff for violation of his federally protected right to appear before a judicial officer;
- (e) State v. Ronald P. White. (Florence Co. G/S). The Defendant was indicted for violation of the State's Anti-Tattooing Act. I raised First Amendment and Obstruction of Interstate Commerce issues to quash the indictment. The trial court disagreed and convicted the Defendant. The S.C. Supreme Court ultimately affirmed the conviction. The case became a *cause celeb* and was appealed to the United States Supreme Court. A year later the S.C. General Assembly passed legislation allowing and regulating Tattooing. The U.S. Supreme Court case was abandoned, as Mr. White had achieved his goal of legalizing Tattooing in SC. The Ninth Circuit Court of Appeals cited the dissent in *State v. White* in deciding that Tattooing is protected speech, thoughts or ideas under the First Amendment.

20. List up to five civil appeals you have personally handled. Give the case name, the court, the date of decision, and the citation if the case was reported.

Solley v. Navy Federal Credit Union, 397 S.C. 192, 723 S.E.2d 597 (S.C. Ct. App. 2012).

21. List up to five criminal appeals that you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported.

- (a) State v. White, 348 S.C. 532, 560 S.E.2d 420 (SC 2002);

- (b) United States v. Brugal, 209 F.3d 353 (4th Cir. En Banc 2000);
 - (c) Livingston v. Murdaugh, et al., 183 F.3d 300 (4th Cir. 1999);
 - (d) State v. Fripp, 397 S.C. 455, 725 S.E.2d 136 (S.C. Ct. App. 2012) (Robert Pachek on brief)(I did the oral argument and response to motion to re-hear and response to petition for cert.);
 - (e) State v. Dickman, 341 S.C. 293, 534 S.E.2d 268 (SC 2000).
22. Have you ever held judicial office? N/A.
24. Have you ever held public office other than judicial office? NONE.
25. List all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial office. N/A.
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? YES.
I ran for House Seat 124 in a Republican Primary (either 1996 or 1998).
27. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? If so, give details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer.
- (a) Police Officer, City of Goose Creek, SC, 1981-82.;
 - (b) Deputy Sheriff and Detective, Beaufort County Sheriff's Office, 1982-86).
28. Are you now an officer or director or involved in the management of any business enterprise? NO, other than my law practice.
29. A complete, current financial net worth statement was provided to the Commission.
30. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest.
I own a ½ interest in a piece of real estate with another lawyer. I would either; sell off the interest, if feasible, disclose the relationship to any party and/or recuse myself from handling any matters with that attorney.
31. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law? NO.
32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? NO.
33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy?
- (a) I have had state and Federal tax liens that have been paid in full;
 - (b) I have a current payment plan on a federal tax lien, which I intend to extinguish in the next 2-3 months;

- (c) Never defaulted on a student loan;
 - (d) Never filed for Bankruptcy.
34. Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law?
- (a) Bennie Eichholtz v. Newman & McDougall, P.A. et al. (2008), Suit over fees, case was dismissed. (Eichholtz later went to federal prison on other matters);
 - (b) David Elkins v. Jared Newman (2004) (suit for property damage caused by my minor son, case settled in magistrate's court Beaufort County);
 - (c) Jerome Wing v. Jared Newman (1994) (pro se complaint by a former client-case was dismissed on summary judgment);
 - (d) GrayCo v. Jared & Cindy Newman and Stone Construction (Beaufort County 1999) (mechanic's lien, Stone Construction paid off the lien);
 - (e) Jared Newman v. First National Bank (Beaufort County). Bank settled in my favor for over payments on construction draws made to non-existent entities);
 - (f) Jared Newman v. Theresa's Concrete and Curb, Inc. (Beaufort County) (suit for personal injury (broken hand) over defect in curbing, case settled in my favor).
36. Have you ever been investigated by the Department of Social Services? Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? NO.
37. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance?
YES, since 1996. I have a \$1,000,000.00 /\$2,500.00 deductible.
38. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a "lobbyist's principal," as defined by S.C. Code § 2-17-10(14)? NO.
39. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? NO.
40. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. NONE.
41. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. NONE.

42. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek. NONE.
43. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship. NONE.
44. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened? NONE.
45. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf?
NO. No one has made any such contact or request.
46. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? NO.
47. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? NO.
48. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
- (a) American Bar Association;
 - (b) SC Assoc. of Criminal Defense Lawyers;
 - (c) Member of the SC Bar.
49. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, any professional honors, awards, or other forms of recognition received and not listed elsewhere.
- (a) Vice-Chairman, Beaufort County Aviation Advisory Board (2008-11) (Resigned in 2011);
 - (b) Beaufort County Aviation Advisory Board Member (2006-08).
50. Provide any other information that may reflect positively or negatively on your candidacy, or which you believe should be disclosed in connection with consideration of you for nomination for the position you seek.
- I have raised 4 responsible children and am proud of that fact. I think it would be difficult to judge others, especially young people without the experience as a father. Since my kids are grown and on their own, I now have the time to travel and do research in the evenings.
- My experience as a police officer, deputy and detective has allowed me to see first hand how things work on the street. I've seen what impact crime can have on victims. I have seen people who need help, even those whom I

have arrested. I have lived a life outside being a lawyer and can understand the legal system from outside the box.

My life as an assistant solicitor has given me insight to the process of prosecuting a case, deciding charges and recommending an appropriate sentence. I have learned administrative skills of preparing cases, pleas and other matters for upcoming terms of court.

I believe strongly in ensuring the rights of criminal defendants. If we are to imprison an individual, we need to get it right. There are people who need to serve every day locked away and there are people who need guidance and everywhere in between. These experiences, I believe, will allow me to determine each case on its own facts and merits. I will listen to and balance all facts in aggravation and in mitigation to fashion an appropriate judgment.

I believe in the obligations of an attorney. Although I file with O.I.D. on appointed cases for tracking purposes, I have not submitted vouchers for payments in years.

I have litigated all manner of cases. I believe between civil cases and criminal cases, I have a good insight to trial work. The best thing I can bring to the bench is patience, open mindedness, civility and to ensure every litigant, plaintiff or defendant, state or accused is accorded a full and fair trial or hearing.

51. References:

- (a) Tripp Presnell
(Personal & business banker)
CBC National Bank
1700 Ribaut Road
SC 29935
(843) 525-5100;
- (b) Thomas A. Pendarvis, Esq.
500 Carteret Street, Suite A
Beaufort, SC 29902
(843) 524-9500;
- (c) Scott W. Lee, Esq.
Post Office Box 2124
Beaufort, SC 20091
(843) 986-9030;
- (d) Gene G. Hood, Esq.
1905 Duke Street
Beaufort, SC 29901
(843) 255-5000;

- (e) Richard E. Roper, Sr.
Beaufort County Sheriff's Office
2001 Duke Street
Beaufort, SC 29901
(843) 255-3184.

YOUR SIGNATURE WILL BE HELD TO CONSTITUTE A WAIVER OF THE CONFIDENTIALITY OF ANY PROCEEDING BEFORE A GRIEVANCE COMMITTEE OR ANY INFORMATION CONCERNING YOUR CREDIT.

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

Signature: Jared Sullivan Newman
Date: August 8, 2012

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

Circuit Court
(New Candidate)

Full Name: Jared Sullivan Newman
Business Address: P.O. Box 515 Port Royal, SC 29935
Business Telephone: (843) 525-0707

1. Why do you want to serve as a Circuit Court judge?
I have been involved in the justice system all of my adult life. I have practiced law, in a trial practice for 22 years. I thoroughly enjoy trial work and being in court, even watching good and sometimes not so good trial action. I think I would bring a lot of experience and practicality to the bench. As a police officer and an assistant solicitor I felt pride in serving my state, I want perform those services again.
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?
Possibly after serving at least 12 years. (I have time invested in the state retirement system).
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?
Having been a victim of at least a perceived *ex parte* situation in the distant past, I disdain the practice, and fortunately have not seen such in many years. The only two exceptions I believe could be tolerated is for the limited purpose of scheduling an emergency hearing or stay in drastic cases where irreparable harm is likely to result, with notice, explanation, disclosure and an immediate opportunity given to the other side to be heard and in appointed criminal cases (usually death penalty cases) where funds are sought for expert witnesses.
6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?
Disclosure and consent, if not consent I would have to weigh the factors and avoid even the appearance of impropriety. If in doubt, get out.
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?
First, I cannot envision that situation. If that situation occurred,

I'd probably check out of the case, in other words, if it came to the point that I am disclosing some bias; then I probably should not hear the matter, I would give great deference to the moving party and make a clear record of the situation.

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

I have no relatives in the state except for my spouse. I would treat the situation as outlined in question 7.

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

I will not accept gifts from anyone that is not family. I would not oppose an occasional get together with fellow members of the Bar or friends in a social situation unless they were directly involved in a case with a litigant.

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

The ethics rules require reporting, period.

11. Are you affiliated with any political parties, boards or commissions that, if you were elected, would need to be re-evaluated? No.

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

I do own a ½ interest in a piece of real estate with a member of the bar. I'd recuse myself from his cases until the property sold.

13. If elected, how would you handle the drafting of orders?

Short orders I'd probably draft myself or use form 4. On more complex issues, I would have the attorney for the prevailing side submit a proposed order in an editable format, with copy to the opposing side(s), if there is no objection from the opposing party that the order is not consistent with my ruling I would sign it. If I have not decided on the ruling, I would have both sides send me their proposed orders in an editable format and rule.

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

Use the married calendar method between staff and myself.

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

The judicial branch of government is constitutionally limited to pronouncing what the law is, not make it; that duty is solely relegated to the Legislative branch.

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?

After a jury term of court, I would invite response from the jury panel on any comments, criticisms or concerns about their service and how to make the system function better or differently in their view. I

would keep an open mind on evaluating and re-evaluating my performance. I would look at other courts around the country on how they handle difficult situations and possible solutions to difficult events.

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?

My children are grown, my wife and my children support this decision to run for this position. My only other relative is my Dad, who lives in Alabama. I do not feel there would be any strain. My dogs might miss me some, but I can deal with it.

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: It would depend on the offense to some extent. Drug users with addiction problems need some jail time to dry out and a rehabilitative model, If possible. Repeat drug dealers need to go away for a substantial amount of time. Likewise repeat offenders committing crimes of violence deserve maximum time.

b. Juveniles (that have been waived to the circuit court): This is perhaps the most troubling type of offender. I think a judge would have to look at the age of the offender, the type of crime and a balance between a rehabilitative and punitive model of punishment.

c. White collar criminals: A thief is a thief. Depending on the circumstances, I might have more consideration for a destitute purse snatcher than a well educated embezzler who had been given good breaks in his life.

d. Defendants with a socially and/or economically disadvantaged background: This is not an excuse, but it is a relevant factor in determining a model of punishment, depending on the case a rehabilitative model may work better that or in conjunction with a punitive model of sentencing.

e. Elderly defendants or those with some infirmity: It is difficult to make a broad based assessment based upon the limited parameters of the question. If the infirmity is a mental or cognitive illness; that must be taken into account, assuming the person is found competent to stand trial and be sentenced. It also depends on the requisite mental state of the crime. These issues could be used to consider mitigation. Merely being old, does not allow for criminality, but again if the person had lived an exemplary life style for many years and is a first time offender; that fact would weigh in for mitigation of punishment depending on the crime. We do have penal institutions for aged and physically infirm offenders, which are expensive to operate. Physical infirmity is a factor in addressing a model of punishment. As for age, a ten year sentence for a 25 year old is not the same for an 80 year old offender.

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?
Perhaps under certain circumstances I would. I probably own a few shares of Exxon in a retirement portfolio. I don't think that would affect my judgment if Exxon were a plaintiff or defendant in a law suit. If I knew of that fact, I would disclose it to the parties and entertain any motions for recusal. I do not directly own any stocks, bonds or investment securities, and frankly do not know the investments made my retirement account management firm it is in a diversified portfolio or mutual fund.
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?
Patient, attentive, calm and civil.
24. Would the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or would these rules apply seven days a week, twenty-four hours a day? 24/7
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 pro se litigants?
No. Anger is generally a product of frustration. If one can eliminate frustration by clear rulings, generally anger is averted. It is not a judge's job to be angry with a criminal defendant. Sentencing is, or should be a rational and deliberate process.
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. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office? N/A
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 and 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.

Jared Sullivan Newman
Sworn to before me this 8 day of August, 2012.

Notary Public for S.C.
My Commission Expires: 06/22/14_____