

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

**Family Court**  
**(New Candidate)**

Full Name: Anthony Philip LaMantia, III  
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Charleston, SC 29401  
Business Telephone: 843-724-6363

1. Why do you want to serve as a Family Court Judge?

As a lawyer, I believe that the highest form of public service that one can perform in the community is through service as a judge. As a judge, I can selflessly provide needed help to my community in a compassionate and humble manner. As a Family Court Judge, I can help ensure that the best interests of children are always protected, I can protect victims of domestic violence and I can assist in the resolution of the domestic issues within my community and my state through the just application of the laws of South Carolina.

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? No.

4. Have you met the statutory 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 strictly forbidden. I know of no circumstances under which *ex parte* communications should be tolerated or permitted.

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

I know of no reason why I would be required to recuse myself from hearing a case in which a lawyer-legislator would be appearing before me as long as there is no appearance of impropriety under the Canons of Judicial Conduct. I would permit a former associate to appear before me if there was no appearance of impropriety under the Canons of Judicial Conduct and if there was full disclosure to all parties and counsel and all waived any objection. I would not permit my law partner to appear in front of me.



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?

I would respect the request of the party and grant the motion so as not to violate the Canons of Judicial Conduct.

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

I would make full disclosure to the respective attorneys for the parties and recuse myself from hearing the matter.

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

I would not accept any gifts from any lawyer, legislator or party who has or may appear before me. I would accept social hospitality from a lawyer who may appear before me.

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

Under our Rules of Ethics, I am required to report the misconduct to the State Ethics Committee.

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

I am a registered Republican, but have no other connection to the Republican Party.

12. Do you have any business activities that you would envision remaining involved with if elected to the bench? None.

13. Since family court judges do not have law clerks, how would you handle the drafting of orders?

I would use my discretion to either require counsel to draft orders or draft them myself.

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

I would use a strictly enforced calendaring program so that I would remain in compliance with the dictates of the Chief Justice.

15. If elected, what specific actions or steps would you take to ensure that the guidelines of the Guardian Ad Litem statutes are followed during the pendency of a case?

I would be thoroughly familiar with the Guardian Ad Litem statutes and require that the Guardians Ad Litem appearing before me are familiar with their duties and obligations under said statutes.

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

I do not agree with the concept of "judicial activism". If elected, it is my belief that I am to interpret and apply the statutes and case

law to the matters before me in a fair and impartial manner without respect to my personal beliefs or philosophy.

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

I would like to work with the Chief Justice on a project to standardize procedures in the Family Court so that the said procedures are the same in all Family Courts within the state. I would also foresee being a frequent lecturer and participant in Continuing Legal Education classes with the SC State Bar. I would also be willing to guest lecture at the Charleston School of Law and U.S.C. Law School.

18. 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 plan to address this? No.

19. Would you give any special considerations to a *pro se* litigant in family court?

I would be cognizant of the litigant's lack of knowledge of the Rules of Court and give said litigant a fair and impartial opportunity to comply with the procedural aspects of appearing before the Court so that all parties receive an equal opportunity to receive a just result.

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

None.

21. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved? No.

22. Do you belong to any organizations that discriminate based on race, religion, or gender? No.

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

24. What percentage of your legal experience (including experience as a special appointed judge or referee) concerns the following areas? If you do not have experience in one of these areas, can you suggest how you would compensate for that particular area of practice?

a. Divorce and equitable distribution: 40%

b. Child custody: 45%

c. Adoption: 5%

d. Abuse and neglect: 5%

e. Juvenile cases: 5%

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

A Judge should always be humble, kind and courteous to all litigants and their attorneys while administering justice fairly and impartially.

26. 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?

As a judge, I would be representing our State, our government, our judiciary, our Chief Justice and our State Bar. Therefore, I would be humble, kind, courteous, just, fair and impartial seven days a week, twenty-four hours a day and be always mindful of the position I hold and how my actions could impact said position.

27. Do you feel that it is ever appropriate to be angry with a member of the public who would appear before you, especially with a criminal defendant? No.

28. Is anger ever appropriate in dealing with attorneys or a pro se litigant?

No. If I am angry with a party, litigant or litigator, it is my obligation to control my emotions so that I can continue to preside over the matter while remaining courteous, just, fair and impartial to all parties and their counsel.

29. How much money have you spent on your campaign? If the amount is over \$100, has that been reported to the House and Senate Ethics Committees? None.

30. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office? Not applicable.

31. Have you sought or received the pledge of any legislator prior to this date? No.

32. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening? No.

33. 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.

34. Have you contacted any members of the Judicial Merit Selection Commission? No.

35. 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.

Anthony P LaMantia III

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

Notary Public for South Carolina

My commission expires: 07/17/16 \_\_\_\_\_