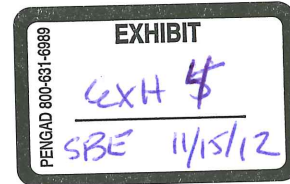


**JUDICIAL MERIT SELECTION COMMISSION**  
**Sworn Statement to be included in Transcript of Public Hearings**

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

Full Name: Stevens Bultman Elliott  
Business Address: 1417 Bull Street  
Columbia, SC 29201  
Business Telephone: (803) 254-7980



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

I have practiced in the Family Court for over 30 years. The experience I've gained, along with my nearly 40 years of marriage and raising my 3 children, has given me a keen awareness of the importance of the family and the decisions made by Family Court Judges. I have contributed in my community to the family unit by my participation in organized youth sports, representation of juveniles before the Juvenile Justice Parole Board (I have represented over 30,000 juveniles), and, of course, working in my practice for the calm and peaceful dissolution of marriages and working in the best interests of the children involved. I have represented clients utilizing my experience, good counsel, and fair and honest representation at affordable fees.

With the aforementioned experience, I believe I have attributes that will be valuable to the Family Court. I am committed to my children, other people's children, and the preservation of the family. When it is inevitable that families break-up, the resolution of their difficulties should be achieved with dignity, fairness, compassion and good judgment. I believe that I can do this honorably.

2. Do you plan to serve your full term if elected?

I plan to serve the entire term as Family Court Judge.

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

If elected, I will be 66 when my term expires. I would prefer to end my career in the judiciary, but if I live long enough and leave the judiciary, I would probably return to practice with my two sons.

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

Yes. I will be 60 years old on October 1 of this year. I have lived in Richland County, South Carolina my entire life except the three years I was in the United States Army. I have practiced law in the Family Courts of South Carolina for over 30 years.

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

By their very nature, *ex parte* communications have the appearance of impropriety. Parties to an action and their attorneys deserve to walk in the courtroom feeling they will get fairness. Anything less undermines the credibility of the system and dignity of the judiciary.

I cannot envision circumstances in which either party to an action would participate in communications with the Judge about the merits of the case without the other party's attorney, or in the case of a *pro se* party, the party himself being present.

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

All Family Court judges are elected by the legislature, and to recuse oneself because of one of the lawyers being a legislator would not allow legislators the same access to the Courts as other lawyers. The fact that an attorney was a legislator would not affect my approach to the case. I would decide the case with the same fairness afforded other lawyers.

My only law-partners or associates have been my two brothers and two sons. I would be unable to hear any of their cases anyway, but to answer the question, on non-related prior partners or associates, I would recuse myself due to the appearance of impropriety it may have.

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?

If the party or attorney felt it would prejudice my decisions, I would recuse myself. An attorney or litigant is entitled to come in to the Family Court feeling like he/she will get a fair hearing of the case.

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 apply the same standards as I have in the previous question.

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

I would refrain from accepting gifts or social hospitality completely unless it was a member of my family that normally gave me gifts or offered social hospitality.

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

I would contact the individual and inform him/her of my knowledge and give them the opportunity to self-report providing me with proof of the self-reporting. If the person refused, then I would report the misconduct myself.

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

12. Do you have any business activities that you would envision remaining involved with if elected to the bench? No

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

As do most judges on cases that are fairly rudimentary, I would ask one of the attorneys involved in the case to draft the order with the approval of the other side. On the more complex cases, I would draft the order myself.

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

I would implement a system that is similar to the one I use in my office. That is a paper calendar and computerized calendar that is networked throughout my office. I would use what I call a "tickler" system or a suspense file as I used in the Army.

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?

This is an area that I have concerns about as a practicing attorney. When a Guardian Ad Litem is appointed and asked to investigate a situation, I would ensure the investigation was done and follow up on the responsibilities assigned. I would ensure that the Guardian I appointed met all qualifications and enjoyed a good reputation as a Guardian.

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

In Family Court, the law is clear as to fault grounds and one year's continuous separation. The children should be first and foremost in the decision making process. I believe in following existing common law and refraining from circumventing established law. However, in areas that are novel in a particular case, I would try to shape a decision on available law, goals, and public policy previously espoused in previous decisions.

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?

My area of expertise is in juvenile justice. I would attempt to educate the bar practicing before me the consequences of various charges relative to the guidelines set by the existing Juvenile Parole Board. Too often, children are pled guilty expecting an indeterminate sentence without the attorney, and in some cases, the Judge, actually knowing the true consequences of such a plea in terms of the time to be served by the juvenile.

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?

I do not expect my serving to cause a strain on my personal relationships.

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

First I would advise the litigant to hire an attorney. If the individual insisted on proceeding *pro se*, I would ensure the *pro se* litigant was aware of rules he was expected to follow. I would not allow a *pro se* litigant to be taken advantage of in Court, and I would apprise him/her of the meaning and possible consequences of what he may agree to in Court. It would not be my job to advise the litigant, but I would ensure he understood the proceeding as best as I could.

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

No

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: 58%
- b. Child custody: 15%
- c. Adoption: 2%
- d. Abuse and neglect: 5%
- e. Juvenile cases: 20%

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

A judge's demeanor is so important in either the trial setting or the agreement setting. A judge needs to make the lawyers and litigants feel comfortable in the Courtroom. An abrupt or officious attitude creates a chilling effect on all participants and hinders their ability to properly present their case. Additionally, a pleasant demeanor gives credence to the parties feeling like they received a fair trial.

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?

A Judge is a representative of the judiciary at all times. A judge should conduct himself in a respectable and pleasant manner in all facets of his life. A bad impression of a judge can cause a bad impression of the Courts.

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

I believe there is no place for anger from a Judge. He must perform his duties with dignity and fairness regardless of the provocations he faces.

28. 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

29. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office? No

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

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

32. 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

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

34. 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.

Stevens Bultman Elliott

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

Notary Public for South Carolina

My commission expires: 09/06/15