



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

**Circuit Court**  
**(Incumbent)**

Full Name: L. Casey Manning

Business Address: P.O. Box 192, Columbia, SC 29202

Business Telephone: 803-576-1773

1. Why do you want to serve another term as a Circuit Court Judge?

I have had the tremendous honor of serving as a Circuit Court Judge since 1994. I am as passionate today about the work I get to do as I was when I was first elected. I would be privileged to continue doing the work that I love as long as I am able to do so effectively.

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 to be avoided and are improper under most circumstances. However, Canon 3 of the Code of Judicial Conduct provides limited circumstances in which an *ex parte* communication is permissible, such as for scheduling, strictly administrative purposes, or in emergent situations, provided the communication does not create a prejudice and all other parties are promptly informed of the communication. Additionally, the law contemplates *ex parte* communications in other limited, specific instances such as temporary

restraining orders and the determination of fees and expenses for indigent capital defendants.

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

My personal philosophy on recusal is "if there is any doubt, then there is no doubt". If ever I find myself in a situation where my impartiality may be reasonably questioned, I recuse myself. Recusal in cases involving lawyer-legislators should not be automatic, but should be treated the same way recusal for anyone else making an appearance in my court is treated.

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 recuse myself, as the question states there is "the appearance of bias". If I disclosed something that could create the appearance of impartiality, I would only hear the matter if the parties waived any potential or perceived conflict after consultation with their attorney(s) and away from any influence from the Court.

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

Recusal

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

I do not accept any gifts of any kind from lawyers or litigants. While it is generally acceptable for a judge to extend to friends or accept from friend's ordinary hospitality, a judge must always be circumspect about his or her activities and should refrain from attending events or engaging in behavior that could negatively impact public confidence in the impartiality of the judiciary. I avoid the appearance of impropriety at all costs and whether I attend social events, for example a wedding or social gathering, depends upon the nature of my personal relationship with the patrons and whether my attendance at any given event could bring my impartiality into question.

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

Report the lawyer or judge to Office of Disciplinary Counsel.

11. Have you engaged in any fund-raising activities with any social, community, or religious organizations? Please describe.

No

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

Color Analysis for University of South Carolina basketball games.

13. How do you handle the drafting of orders?

The way in which I handle the drafting of orders varies based on the facts and circumstances of the matter before me, but my typical procedure is my law clerk and I first prepare a Form 4 (short order form) immediately. Then, depending on the circumstances, I either write my own formal order, invite all parties to submit proposed orders, or I ask the prevailing party to submit a proposed order, always copying the adverse party. However, regardless of whether or not a proposed order is submitted, each final order is edited to clearly reflect my ruling.

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

My Administrative Assistant, my Law Clerk and I all keep the exact calendar and we check, double check and verify all deadlines and events months, weeks, days and hours in advance of the scheduled matter. Further, over time I have developed a system of tracking all matters before me and logging all submissions to my office (i.e. proposed orders, motions, and correspondence). My administrative assistant and my law clerk maintain an excel spreadsheet with information on every matter before me, including all related due dates, correspondence, submissions, and the

date any order is signed. This allows my staff and me to keep track of deadlines and expeditiously determine the status of all matters before me.

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

I don't have a philosophy on "judicial activism" and I practice and believe in addressing one case and one issue at a time in connection with a unique and specific set of facts.

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?

Lectures, speeches and generally supporting all events that tend to enrich the legal profession.

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?

No

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:

This category generally receives more substantial punishment.

b. Juveniles (that have been waived to the Circuit Court):

It always depends on the specific offense, i.e., murder, CSC, burglary, and to what extent or degree the defendant has participated. Otherwise, this class of defendants is treated just like all categories and prior history of criminal activity weighs heavily on one's decision.

c. White collar criminals:

Since these types of offenses are generally more insidious than street crimes, my decision on sentencing is triggered

victims more by the long term impact and the number of directly and indirectly affected.

- d. Defendants with a socially and/or economically disadvantaged background:

One tries to help and punish this class at the same time. This is where all of the historic educational and vocational programs in place in the system are utilized more as a component of the sentence to elevate their prospects of the future success to stem recidivism.

- e. Elderly defendants or those with some infirmity:

One first considers all of the institutional placements that are equipped to handle special needs individuals before simply sending this category of defendants into a general prison population.

- 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. Are you a member of any organization or association that, by policy or practice, prohibits or limits its membership on the basis of race, sex, religion, or national origin? If so, please identify the entity and explain if this organization practices invidious discrimination on any basis.

No

- 22. Have you met the mandatory minimum hours requirement for continuing legal education courses for the last reporting period?

Yes

- 23. What do you feel is the appropriate demeanor for a judge and when do these rules apply?

Poker faced with the patience of Job.

24. 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

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

\_\_\_\_\_

Sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

Notary Public for South Carolina

My commission expires: \_\_\_\_\_