



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

**Circuit Court
(Incumbent)**

Full Name: Letitia Hamilton Verdin

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

I have thoroughly enjoyed my service as a Circuit Court Judge. I have found my work to be very challenging and the most rewarding of my professional life. I would be honored if the Legislature re-elected me to the position of Circuit Court Judge and allowed me to continue my work in service to the citizens of South Carolina.

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 communication should be avoided; however, in certain matters where such communication is allowed, such as in motions for emergency relief or in strictly administrative matters where no party could gain an advantage, I have allowed *ex parte* communication when

absolutely necessary. I do require that all parties be notified of the substance of the communication immediately.

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

In order to uphold the integrity of the judiciary, I recuse myself in any situation that any litigant, any attorney, or I believed that I could not be unbiased or that there was the appearance of impropriety, whether any actual bias existed or not.

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 give great deference to such a request, and I would grant the motion for recusal because trust in the legal system and the judiciary should be of the highest importance.

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

I inform the parties of the relationship on the record, and if any litigant, after discussion with his or her counsel privately, any attorney, or I believes that the relationship gives the appearance of impropriety, I recuse myself.

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

I do not accept any gift or hospitality that I believe is in any way intended, or could be construed to be intended, to influence any matter or possible matter before me.

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?

I would inform the appropriate authority immediately.

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

None

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

None

13. How do you handle the drafting of orders?

My law clerk routinely drafts orders for my review, but I do on occasion, request that an attorney draft an order for my review. I require, pursuant to the Rules of Professional Conduct, that the drafting attorney submit the order to the opposing attorney for review before submission to my office for review.

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

My Administrative Assistant and Law Clerk employ a calendar reminder system for any deadlines. I also require that those deadlines be added to my calendar to ensure compliance.

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

I do not engage in "judicial activism." I believe that a judge's job is to interpret the law as given to him or her by the Legislature. Any attempt to rule based on what I may believe our law should be would be to circumvent our highly successful system of checks and balances and would be a violation of my judicial oath.

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?

I attempt to serve in any capacity allowed to contribute to the fair and efficient administration of our court system. I have made and would continue to make myself available to speak at CLE seminars or other speaking engagements so long as those engagements did not interfere with my judicial responsibilities. Furthermore, I serve on the Alternative Dispute Resolution Commission, the General Sessions Statewide Docketing Committee, and the Advisory Committee on the Commission on Standards of Judicial Conduct.

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?

At times, it does. However, I am blessed to have an extremely supportive spouse, Chuck Verdin, who is also an attorney. We have always supported one another throughout our twenty-year marriage and have learned to deal well with the demands of a two-career family. We divide the responsibility of twin sons equally. We are also blessed to have two, large, extended, and involved families that live nearby. While the demands of being a judge have on occasion been great, I believe that our support system is very strong and that we have dealt with those demands well.

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:

I sentence repeat offenders more harshly than I do similarly-situated first time offenders. If previous punishments for actions that violate the law have been unsuccessful as deterrent measures, harsher punishment must be imposed.

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

If a Family Court judge determines that an offender should be tried and sentenced as an adult, I would do so. While sentence determination might necessarily include a consideration of rehabilitation, and thus, would take into account any offender's age, I would also have to consider the factors such as the impact

on the victim, the seriousness of the crime, and the offender's debt to society, which would not be influenced by age.

c. White collar criminals:

I am and would be bound by the sentence guidelines given to me by the Legislature. I do not consider white collar criminals, on the whole, to be less culpable than those that are not afforded that classification. I would impose the sentence guidelines mandated, taking into consideration all relevant factors, and I do not consider a white collar classification to be a relevant sentencing factor.

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

While I believe that certain social or economic aspects of an offender's life do have some bearing on his or her actions, I would not normally consider those aspects to be mitigating factors in sentencing. At times, however, I do consider a defendant's background in determining the type of sentence that might be the best deterrent for future involvement with law enforcement.

e. Elderly defendants or those with some infirmity:

As I stated in my answer concerning juvenile offenders, I do believe that age might be a consideration in determining a sentence that would serve to rehabilitate the offender. Additionally, I understand that elderly defendants or those with infirmities might incur additional cost for the State to house. Therefore, sentencing such defendants might require practical considerations to be balanced with other sentencing factors in determining the appropriate punishment.

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?

A judge should be punctual, courteous, open-minded, and respectful of all parties and attorneys. He or she should be decisive and clear in making rulings and must maintain control of the courtroom at all times. A judge must be courteous and respectful to members of the Bar and public at all times.

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?

Although some situations may evoke angry feelings, I do not believe that it is appropriate to express that anger to a member of the public, an attorney, or a pro se litigant. To do so would be to put my feelings above the need to conduct proceedings in an orderly and civil manner and might cast doubt on my ability to be impartial in a matter.

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: _____