



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

Circuit Court
(New Candidate)

Full Name: Ryan Kirk Griffin

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1. Why do you want to serve as a Circuit Court judge?

There are two primary reasons I want to be a Circuit Court judge. First, I love being in the courtroom. As a prosecutor, I have spent a career preparing for guilty pleas and jury trials. I have spent my career trying cases. This experience has prepared me to be a Circuit Court Judge. I want the opportunity to use this experience as a Circuit Judge. I believe it is a job I would do well. Second, I have been a public servant for the majority of my legal career. Being a Circuit Court judge, in my opinion, is the highest level of public service for a lawyer who loves trial work.

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 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 permitted in limited circumstances, such as scheduling matters, administrative matters, temporary injunctive

relief, and ex parte funding requests in criminal cases. Ex parte communications regarding the merits of a particular case are not permitted. As a prosecutor, my philosophy has been to follow the law. My judicial philosophy regarding ex parte communications would be the same. Follow the law and follow the judicial canons.

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 philosophy would be to follow the judicial canons. If there is a true conflict, I would recuse myself. In situations where my impartiality might be reasonably questioned, I would recuse myself if after initiating appropriate remittal procedure, any party would not agree to waive my disqualification.

I don't believe the appearance of a lawyer-legislator in a case requires disqualification. In my experience as a prosecutor, lawyer-legislators are very diligent in not using their positions to gain an advantage in court. I have former law partners who may appear in front of me. As I have been out of private practice for ten years, I doubt any matter which was pending in 2007 would ever come before me. If that situation arose, I would recuse myself.

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 follow the Remittal of Disqualification procedure set forth in Judicial Canon 3F. If a litigant requested that I recuse myself in this situation, I likely would.

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 recuse myself in situations where my spouse or a close relative were involved.

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

Ordinary social hospitality between friends is permissible. I would accept invitations to bar functions as permitted by the Judicial Canons. I would not accept gifts.

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?

If I became aware that any judge or lawyer had committed misconduct or become infirmed that raised a substantial question as to the lawyer or judge's fitness, I would inform the appropriate authority as proscribed by the Judicial Canons.

11. 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.

12. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations? Please describe. No.

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

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

I would draft orders when appropriate. I would also ask that parties submit proposed orders to me and to each other pending my decision. In those situations, I would review the proposed orders, and issue a final order which reflected my decision.

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

I would institute a computerized calendaring system to which my law clerk and administrative assistant would have access. I would utilize this system to ensure all deadlines were met, and judicial matters were disposed promptly, efficiently and fairly.

16. What is your philosophy on "judicial activism," and what effect should

judges have in setting or promoting public policy?

My philosophy as a prosecutor has been to follow the law. If elected, that would continue to be my philosophy on the bench. There is no place for judicial activism or promoting public policy.

17. 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?

I have served as a lecturer at continuing legal education programs during my time as a practicing lawyer. I expect that to continue if I were elected as a Circuit Court Judge.

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 address this?

I don't believe the pressure of serving as a judge would strain my personal relationships.

19. 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 would evaluate a repeat offender's case on its own merits. Prior criminal record must be taken into consideration when determining the appropriate sentence, but repeat offender status should never automatically prejudice a defendant.

b. Juveniles (that have been waived to the Circuit Court): Waived juveniles are adults under the law. I would sentence them accordingly. I would want to hear about the juvenile's background. These defendants would possibly be eligible for sentencing under the Youthful Offender Act. Juveniles have some special protections when accused of crimes that carry a potential life sentence, and are not subject to imposition of the Death Penalty.

c. White collar criminals: White collar criminals should be treated as any other defendant. That being said, each case should be decided on its own set of facts.

- d. Defendants with a socially and/or economically disadvantaged background: A defendant in this classification should be judged just like any other defendant. However, a defendant's background can serve as mitigation in some cases.
- e. Elderly defendants or those with some infirmity: I would weigh the defendant's age or infirmity against the need to punish the defendant and offer a chance of rehabilitation. I would ensure that the defendant is competent and make sure that an evaluation was ordered if necessary.

All criminal cases are different, and deserve to be decided individually. A judge should render a thoughtful sentence after hearing the recommendation of the Solicitor, the mitigation offered by the defense, and any input from the victim as required by the Victims' Bill of Rights.

A sentencing judge should always follow the law and seek to do justice.

- 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 for the past reporting period? Yes.
- 24. What do you feel is the appropriate demeanor for a judge and when so these rules apply?

A judge should be patient, courteous and dignified when dealing with lawyers, litigants, jurors, witnesses and others with whom the judge deals in an official capacity. I believe a judge should strive to be patient, courteous and dignified in every aspect of his or her life.

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? Anger is never appropriate when dealing with criminal defendants, attorneys or pro se litigants.

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: _____