

Judicial Merit Selection Commission

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January 9, 2008

Mr. Bob Wells
Executive Director
S.C. Bar
950 Taylor Street
Columbia, South Carolina 29201

Dear Bob:

The Judicial Merit Selection Commission (Commission) is often confronted with resolutions from County Bar Associations endorsing a specific judicial candidate. This letter is to remind you of the Rules of the Commission regarding letters of introduction and pledges of endorsement made on behalf of judicial candidates. Please be aware of these rules and be advised that noncompliance could result in the disqualification of the candidate.

Strict prohibitions concerning candidates seeking or legislators giving pledges of support or implied endorsement are found in Section 2-19-70 of the South Carolina Code. Specifically, endorsements cannot be sought or given before a 48-hour waiting period has expired **after** the release to the members of the General Assembly of the Commission's final report. The end of this 48-hour waiting period marks the formal release of the report to the public. It is important to note that these restrictions apply equally to third parties acting on the candidates' behalf.

A judicial candidate **may** announce his or her candidacy through a letter of introduction and is allowed to make statements detailing the candidate's qualifications. Any further solicitation of support prior to the formal release of the Commission's report of qualification likely will be viewed as a disqualifying offense when determining the candidate's fitness for judicial office. Additionally, the Commission is required to report any violations of the pledging rules by members of the General Assembly to the House or Senate Ethics Committee, as may be applicable.

These rules have been promulgated to preserve the integrity of the screening process; compliance with these guidelines will strengthen our judicial system overall.

Please contact Jane Shuler, Chief Counsel to the Commission, at 212-6629 with any questions concerning the judicial screening process.

Sincerely,

F. G. Delleney, Jr., Chairman
James H. Ritchie, Jr., Vice-Chairman