



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

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

Full Name: Carmen Tevis Mullen

Business Address: Beaufort County Courthouse  
100 Ribault Road, Beaufort, SC 29901

Business Telephone: (843) 255-5070

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

I have enjoyed my time on the Circuit Court bench and will continue to work hard for the people 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 is not allowed in my court. Scheduling matters are addressed to my law clerk. Matters of substance require all counsel to be present. In rare circumstances and with the agreement of all counsel, ex parte communications may be necessary to facilitate movement of a case.

6. 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 a full hearing and open discussion. If it rose to the level of the litigant believing they would not be fairly treated, I would recuse myself. Otherwise, I would give the parties and attorney assurance of my impartiality after a full discussion of the issues.

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

Again, I would give a full hearing. If there were an appearance of impropriety, I would recuse myself.

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

I pay my own way.

9. 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 have a duty to report it to the Office of Disciplinary Counsel immediately.

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

No.

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

No.

12. How do you handle the drafting of orders?

I sometimes request my law clerk draft an order and edit or draft myself.

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

We share a calendar in Outlook with all deadlines and events listed.

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

I don't believe in it. My duty as a judge is to apply current statutes, not to rewrite them. Legislators are elected by the public and can best represent the public's interests and therefore, best effect public policy.

15. 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 hope to have time to teach at local colleges/universities on law related subjects and write law-related articles for publication.

16. 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?

I do not believe serving as a judge places a strain on my personal relationships. Occasionally, court requires long hours, but I am fortunate my entire family is incredibly supportive.

17. 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:

They often go to prison.

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

Depends on the crime and what they have done since arrest. i.e. public service, alcohol and drug treatment, GED.

- c. White collar criminals:

If they cannot repay the money, they go to prison.

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

Take it into account when sentencing.

- e. Elderly defendants or those with some infirmity:

Weigh danger to community v. cost to incarcerate.

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

My family receives rents from real estate holdings, but nothing that would impair the appearance of impartiality. If it did, I would recuse myself.

19. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?

No.

20. 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.

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

Yes.

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

Courteous, fair but firm, prepared and timely.

23. 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. Firmness – yes.

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

Amul

Sworn to before me this 2<sup>nd</sup> day of July, 2020.

Peggy A. Medaglia  
(Signature)

Peggy A. Medaglia  
(Print Name)

Notary Public for South Carolina

My commission expires: 10-4-27



