



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

**Circuit Court
(Incumbent)**

Full Name: Ryan Kirk Griffin

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

I have enjoyed my time as a Circuit Court judge. The bulk of my legal career has been in public service. I want to continue my service to the State of South Carolina as a Circuit Judge.

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 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. I use Canon 3(B)(7) as guidance.

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?

Under the Canons of Judicial Conduct, a judge should avoid the appearance of impropriety. I follow the Remittal of Disqualification procedure set forth in Judicial Canon 3(F). In a situation where a party requests recusal, I likely would.

7. 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.

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

My personal standards are derived from Judicial Canon 4(D)(5). I do not accept gifts unless a particular gift is expressly authorized by Canon 4(D)(5). I will accept invitations to bar functions as permitted by the Judicial Canons. Anything of value which is received is reported on my yearly Rule 501, SCACR, Disclosure Statement.

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?

If I received information indicating a substantial likelihood that another judge had committed misconduct, Judicial Canon 3(D) requires taking appropriate action. If I have actual knowledge of misconduct that raises a substantial question as to the judge's fitness, Judicial Canon 3(D) requires a report be made to the appropriate disciplinary agency. If I had a reasonable belief that the performance of another judge is impaired by drugs or alcohol, or by a mental, emotional, or physical condition, I would make a confidential referral to an appropriate judicial assistance program. Before I reported the misconduct or infirmity, to the appropriate authority, I would encourage the judge to self-report. If the judge failed to self-report, I would report the misconduct or infirmity.

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?

In most instances, I ask the prevailing party to draft the order. Once I have made a decision, I will usually send the parties a memorandum outlining my decision and directing that a proposed order be sent to me and opposing counsel. Opposing counsel is given opportunity to review the proposed order and suggest revisions. Once the order is finalized, I sign the order. In cases where I sit as the finder of fact, I usually draft the order. In complex matters that are taken under advisement, I ask each party to submit proposed orders to me and opposing counsel. Upon review of the proposed orders, I will prepare a final order.

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

My administrative assistant, law clerk and I utilized a computerized calendar system. Each of us has access to my calendar. When a matter is given a due date, that matter is entered into the calendar, and each of us receive reminders as due dates get closer. If any matter is taken under advisement, that matter is immediately entered on my Matters Under Advisement report which is reviewed and sent to the Judicial Branch monthly. This system ensures all deadlines are met, and judicial matters are disposed promptly, efficiently, and fairly.

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

Separation of powers is the foundation of our system of government. Judges should not engage in judicial activism and should have no role in setting or promoting 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 have served as a lecturer in continuing legal education programs in the past. I expect that to continue as a Circuit Judge. I will use Canon 4(B) as a guidance in these matters.

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 don't personally believe that the pressure of serving as a judge has strained my personal relationships. My family and friends understand that my job is a serious one, and that I may be required to be away from home to perform my duties.

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:
 - b. Juveniles (that have been waived to the Circuit Court):
 - c. White collar criminals:
 - d. Defendants with a socially and/or economically disadvantaged background:
 - e. Elderly defendants or those with some infirmity:

I use the same criteria to evaluate each criminal defendant who comes before me for sentencing. First, I must consider the statutory requirements of the sentence. Second, I consider the type of crime to which the defendant has been convicted. Next, I consider the impact of the crime upon the victim. Specifically, whether the victim is an individual or society in general. I consider whether restitution is due to the victim, and evaluate the victim's wishes in that regard. Then my focus shifts to the circumstances of the individual defendant. I evaluate the defendant's prior criminal record, his age, and his educational background. I evaluate whether there are any aggravating or mitigating factors in the defendant's conduct. I review each defendant's personal situation to determine whether there is a possibility for rehabilitation programs which may assist in ending the defendant's criminal conduct. After considering those factors, I believe a judge can impose a just sentence.

18. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?
No.
19. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?

I would not hear cases where I or a member of my family held a *de minimis* financial interest. In my mind, presiding over a case where I or a family member had any interest, however small, would create the appearance of impropriety.

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?

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

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?

Anger is never appropriate when dealing with members of the public, criminal defendants, lawyers, or pro se litigants.

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

s/ Ryan Kirk Griffin

Sworn to before me this ____ day of _____, 2020.

(Signature)

(Print Name)

Notary Public for South Carolina

My commission expires: _____