



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

Circuit Court
(New Candidate)

Full Name: Alan Lance Crick

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

I believe that everyone has a right to be heard, to be received with respect, and treated fairly. Experiences throughout my life and my legal career have reinforced that sense of fairness, balance, and justice. I believe that there is no better embodiment of these traits than our courts. As a Circuit Judge I will respect the rule of law and always do justice—for everyone. I will preside and rule with a humble spirit, a warm demeanor, and an appreciation for every individual and matter before me.

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?

I would continue to do what I have done throughout my legal career; I would follow the law. While there are exceptions where such communications are

allowed, those exceptions are only in limited scenarios defined by law. Again, I would follow the law and the judicial canons.

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?

In all scenarios regarding the appearance of bias or impartiality, I would err on the side of caution and transparency and likely recuse myself. I would rely and adhere to guidance provided in Judicial Canon 3F and relevant interpreting authority.

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 always recuse myself.

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

While judges may accept social hospitality and gifts from friends and family, I believe that judges must be vigilant, transparent, and always follow the judicial canons. As a current board member of the Greenville County Bar Association, I know that we invite and appreciate when judges attend our various functions. While attending events such as these are permissible, if selected, I would always be mindful of perception and strictly adhere to the guidance and restrictions set forth in the judicial canons, specifically Canon 4(D), and relevant interpreting authority.

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?

We must safeguard our profession and the well-being of our colleagues in order to protect individual rights and our system of justice. As such, if I became aware misconduct or the appearance of infirmity of a lawyer or judge, I would take the necessary steps and appropriate actions to refer this matter for review pursuant to Canon 3(G) and relevant interpreting authority.

10. 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.

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

No.

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

No.

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

I will be diligent, thorough, and prompt in the drafting of orders. Depending on the matter, I may also entertain and review proposed orders submitted by the parties prior to rendering my decision in any matter.

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

My current practice is anchored by a regimented electronic calendar which is updated several times a day to ensure appearances and prompt responses. If elected, I would incorporate my current methods in collaboration with my judicial assistant and law clerk to make sure that deadlines are not only met but that matters are addressed efficiently.

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

Judges apply the law to the facts of each case. There is fidelity to the text. Judicial activism is not appropriate nor within the purview of a judge.

16. 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 would love the opportunity to join existing efforts regarding mentorship of new lawyers. I would also be happy to help with introducing our middle school and high school students to our court system.

17. 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 do not. My wife and I, as well as our 11-year-old, are all accustomed to busy schedules and hard work. My wife and I support each other while also respecting one another's respective legal responsibilities and footprints. I have an amazing and very supportive family.

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:

While the type of repeat offense will certainly inform the sentencing, I believe, regardless of prior offenses, each case must be evaluated on its own set of facts and the sentence must be commensurate therewith. A judge must also look behind those prior convictions to discern what factors have influenced these convictions and the continued pattern of criminal conduct. In these cases, the court should fashion a sentence to (i) best protect the public from future crimes; (ii) provide a deterrent to additional criminal activity; and (iii) individualize the sentence particular to the needs of the defendant where possible to include vocational training, mental health treatment, and substance abuse counseling where appropriate.

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

Juveniles waived to Circuit Court are adults in the eyes of the law and can be sentenced as such. Often times, there are victims involved. As the sentencing judge, I would want to know as much as possible about the juvenile defendant's background prior to rendering a sentence. I would strive to impose a sentence that is both appropriate for the crime committed but also rehabilitative in as many aspects as possible.

c. White collar criminals:

White collar criminals, regardless of their means, are to be treated just as any other defendants. Fraud and theft leave a devastating wake in the lives of so many victims. I would review these cases closely and evaluate each case on its own merit.

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

These defendants, while they should receive equal treatment under

the law, may be candidates for diversion programs and mental health or substance abuse treatment after a review of their background. I believe, though not in a disparate fashion, that judges have the ability to mete out an appropriate sentence that includes rehabilitative, vocational, and educational elements that could foster future opportunities for defendants in this category.

e. Elderly defendants or those with some infirmity:

While a judge must review each case individually and on its merits, elderly or infirm defendants present a host of challenges to the justice system, both before and after sentencing, and often times these cases involve victims. I would be mindful of competency, as well as the ability of entities to be able to supervise and rehabilitate defendants in this category. I would seek out the recommendations of both the state and counsel before fashioning an appropriate sentence.

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. Have you met the mandatory minimum hours requirement for continuing legal education courses for the past 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 fair to everyone at all times. A judge should also be friendly and respectful to all parties that appear before him or her. Lastly, a judge should have a good temperament and patience.

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 pro se litigants?

A judge should never exhibit anger with anyone in his or her courtroom. It is

never appropriate with a member of the public, a criminal defendant, 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 July, 2020.

(Signature)

(Print Name)
Notary Public for South Carolina
My Commission Expires: _____