



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

**Master-in-Equity  
(Incumbent)**

Full Name: Marvin H. Dukes III

Business Address: 102 Ribaut Road, Beaufort County Courthouse, Beaufort, SC 29902

Business Telephone: 843-255-5710

1. Do you plan to serve your full term if re-appointed? **Yes**
  
2. Do you have any plans to return to private practice one day? **No**
  
3. Have you met the statutory requirements for this position regarding age, residence, and years of practice? **Yes**
  
4. 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 only allowed under the rules in certain circumstances such as scheduling or properly filed temporary restraining Orders. Otherwise, ex-parte communications are forbidden.**
  
5. 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?  

**The public's confidence in the impartiality of the Judiciary allows our Court system to function. I would (and have in the past) recused myself where that public perception could be threatened. The public's perception of the Court's impartiality is paramount. If even the appearance of bias existed, recusal would be appropriate.**
  
6. What standards have you set for yourself regarding the acceptance of gifts or social hospitality?

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**I accept limited social hospitality, such as the occasional party or gathering, but never gifts.**

7. How would you handle a situation in which you became aware of misconduct or appearance of infirmity of a lawyer or of a judge?

**I have reported such incidents in the past and would continue to do so.**

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

9. How do you handle the drafting of orders?

**Depending on the complexity of the case, I draft the order myself, ask for competing draft orders, or ask for a draft order from the prevailing side (with copies to the opposition). I then ordinarily modify any attorney-drafted proposed orders to my liking and then sign.**

10. What methods do you use to ensure that you and your staff meet deadlines? **We use computer scheduling methods.**

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

**Masters-in-Equity should have no role in "judicial activism" and are sworn to follow the law, not to make it.**

12. 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 always participated in lecturing at CLEs and hosting JOE (Judicial Observation and Experience) interns. I would continue in those efforts.**

13. 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 have been Master-in-Equity for Beaufort County for 13 years. I do not feel that my relationships are unduly strained by my job.**

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

**I own passive investment income producing Real estate, which is professionally managed. My involvement in that endeavor would continue and I would recuse myself if any conflict arose.**

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

**These are clear cases requiring recusal.**

16. 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 these bases.

**I am a member of the Jean Ribaut Society, (the local debutante society) only because I have a teenage daughter. I understand that only females are eligible to be debutantes.**

17. Have you met the mandatory minimum hours requirement for continuing legal education courses for the past reporting period? **Yes**

18. What do you feel is the appropriate demeanor for a judge and when do these rules apply? **A Judge should be firm but pleasant, patient, confident, open-minded and dignified. These rules always apply.**

19. Do you feel that it is ever appropriate to be angry with a member of the public who would appear before you? Is anger ever appropriate in dealing with attorneys or a pro se litigant? **No and No**

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 17<sup>th</sup> day of July, 2020.

(Signature)

Careen A. Stroppel

(Print Name)

Notary Public for South Carolina

My commission expires: 6-28-29

