



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

**Circuit Court
(Incumbent)**

Full Name: Alex Kinlaw, Jr.

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1. Why do you want to serve another term as a Circuit Court Judge? I still have a passionate desire to serve the citizens of this County and State.
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? As a general rule *ex parte* communications should never occur with a Judge. A carved out exception could be if the communication is something done in an administrative capacity that has nothing to do with the merits of the case. Case scheduling is an example
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 would grant the request. I often use the term *scintilla* to include any small inference of bias. It would be better for the Judge to recuse himself.
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 have you set for yourself regarding the acceptance of gifts or social hospitality? I would never accept gifts from anyone other than close friends or family members.
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 would report the misconduct immediately to the appropriate Disciplinary Board.
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 often request that attorneys submit proposed orders in contested matters. I then review and add my input for editing when need be.
13. What methods do you use to ensure that you and your staff meet deadlines? I utilize a calendar/computer tickling system.
14. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy? Judges can educate the community on the workings of the Judicial System but should not promote 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 would only engage in activities such as speaking engagements to educate the community about the legal system and its overall function.
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? In my current role, I have been able to keep a good balance between my position and family and friends.

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: I would review the gravity and nature of the offense. One element would be the similar nature of the offense and the frequency of the Defendant in the Criminal Court setting.
 - b. Juveniles (that have been waived to the Circuit Court): I would use the same litmus test used to evaluate adults but also give the age as well as background of the defendant due consideration.
 - c. White collar criminals: My philosophy would not change.
 - d. Defendants with a socially and/or economically disadvantaged background: Dependent upon the situation and the offense, I may request a Presentencing Report to assist the Court in determining the proper sentence.
 - e. Elderly defendants or those with some infirmity: I would give some consideration to those two factors in determining the proper sentence particularly if the sentence is not statutorily mandated.
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? 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? A Judge should always have a calm and focused demeanor.

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? I think a Judge should be firm and not ever exhibit anger toward anyone.

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

Alex Kinlaw, Jr.

Sworn to before me this 1 day of July, 2021.

(Signature)

(Print Name)
Notary Public for South Carolina
My commission expires:_____