

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

**Circuit Court
(Incumbent)**

Full Name: Debra Ruilova McCaslin

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

I am deeply passionate about serving as a circuit court judge, and I find immense fulfillment in this role. With thirty-two years of legal experience, I still discover something new about the law every day, which keeps me constantly engaged and inspired. I enjoy serving the people of this state. Each day presents new challenges and opportunities to make a positive impact, and I am eager to continue this journey for another term.

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?

I believe a judge should not generally engage in *ex parte* communications and I would discourage this type of communication. However, there are exceptions for the purpose of scheduling, administrative purposes and emergencies. There are also certain circumstances where *ex parte* communications are authorized by law. For example, I have issued orders for expenses needed to defend indigent clients and temporary restraining orders on *ex parte* motions. I have read Rule 501, Code of Judicial Conduct, Canon 3(b)(7) and would follow its guidance to ensure no side gains an

unfair advantage and ensure impartiality with prompt notice to all parties about any ex parte communications.

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?

A judge is disqualified whenever the judge's impartiality might reasonably be questioned. "A judge should disclose on the record information that the judge believes the parties or their lawyers might consider relevant to the question of disqualification, even if the judge believes there is no real basis for disqualification." Rule 501, Code of Judicial Conduct, Canon 3(E)(1). Yes, I would grant the motion.

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 make sure my spouse and close relatives know about the requirements of Rule 501, Code of Judicial Conduct, Canon 3(E)(2) and help them understand why there are certain events I cannot attend; gifts that can't be accepted; engage in financial and fiduciary activities and give legal advice. I would encourage my spouse and any close relative to refrain from any such conduct. I would also disqualify myself from hearing any cases involving my spouse, family member or close relative.

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

I am aware of the limitations on accepting gifts. I would only accept those gifts referenced in Rule 501, Code of Judicial Conduct, Canon 4(D)(5) and 4(D)(5)(C). I would not accept a gift that might be viewed to influence my decision. I would encourage my spouse and any close family members to refrain from any such conduct. My practice is not to accept any gifts.

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 a judge to the appropriate authority or other agency or

body for conduct that raises a substantial question as to fitness for office. Likewise, I would report the lawyer if he has committed a violation of the Rules of Professional Conduct that questions his honesty, trust worthiness or fitness to the appropriate authority. This may include direct communication with the judge or lawyer in question and other action if available. Rule 501, Code of Judicial Conduct, Canon 3(D)(1) and (2).

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?

Normally, I write my own orders. However, I have had instructed lawyers to submit proposed orders and have had my law clerk draft orders.

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

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

Throughout my career, I have seen the law change on numerous occasions and sometimes overnight. I believe it is a judge's duty to interpret and apply the laws of this state. It is the legislators' duty to create and change the law.

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 participate in the moot court program, speak at primary schools concerning the use of drugs and our legal system. I am also

very active in the JOE program sponsored by the law school and speak at various CLE's and program concerning the law.

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 have found that a balanced life, with time for work, relationships, relaxation and physical exercise meet these challenges head on. My husband and I take a vacation every year. We enjoy boating, fishing and hunting. We are both very active and workout on a regular basis. This combination allows us to work and enjoy life without a lot of stress.

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:

It has been my experience that each case is different and how I handle each case would depend on the circumstances (i.e. type of crime, criminal history, etc...). I would certainly weigh repeat offenders different than those who have no prior or a minimal record. Juvenile cases are also handled different, in that they are entitled to a Aiken v. Byars hearing if they are under the age of 18. Again, I listen to the facts and mitigation before making a decision.

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?

If it was "more than a *de minimis* interest" then I would disqualify myself as stated in Canon 3(E)(1)(c). The question refers to a *de minimis* interest meaning an insignificant interest that could not raise reasonable question as to a judge's impartiality. Out of an abundance of caution, I would disclose on the record under the Code of Judicial Conduct, Rule 501, Canon (3)(F).

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?

Rule 501, Code of Judicial Conduct, Canon 3(b)(4) states a judge should be patient, dignified and courteous to litigants, jurors, witnesses and others while in an official capacity. I believe this to be true and this rule should apply 24/7.

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. I do not believe it is appropriate to be angry with a criminal defendant, a member of the public, attorneys or a pro se litigant. I have dealt with all of the above in the courtroom. It is a better practice to be patient, kind and courteous to these litigants. See, Rule 501, Code of Judicial Conduct, Canon 3(b)(4).

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

Debra McCaslin

Sworn to before me this 7 day of August, 2025.

Mariah N. Derby
(Signature)

Mariah N. Derby
(Print Name)

Notary Public for South Carolina
My commission expires: 2-16-32