

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

**Administrative Law Court**  
**(New Candidate)**

**Full Name:** Kelly Hunter Rainsford

**Business Address:** 293 Greystone Blvd., Suite 400, Columbia, SC 29210

**Business Telephone:** (803) 734-4236

**1. Do you plan to serve your full term if elected?**

Yes

**2. Do you have any plans to return to private practice one day?**

Not at this time

**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 should be limited to situations allowed by statute, rule, or judicial canon. Outside of scheduling and similar administrative tasks, ex parte communications should be used rarely and only when absolutely necessary.

**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?**

I would disclose any relevant circumstances to the parties and allow them the opportunity to discuss, outside my presence, whether they have concerns about me serving on the case. In any event, I would

recuse myself in any case in which my impartiality might reasonably be questioned.

6. If elected, what standards would you set for yourself regarding the acceptance of gifts or social hospitality?

I would only accept gifts or social hospitality within the parameters of Judicial Canon 4D(5). This is essential to maintain the appearance of impartiality.

7. 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 individual to the Office of Disciplinary Counsel. Depending on the circumstances, however, I might try to discuss the issue with the lawyer or judge first.

8. Are you affiliated with any political parties, boards or commissions that, if you are elected, would need to be re-evaluated?

No

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

In the past, I raised money on behalf of the YMCA as well as the Leukemia and Lymphoma Society. I am not involved in such fund-raising activities at this time.

10. How would you handle the drafting of orders?

In some cases, I would draft the order myself and ask my staff attorney or law clerk to proofread before it is issued. In other cases, I would assign the initial drafting to my staff attorney or law clerk, which I would complete and finalize. In complex cases, I would instruct the parties how I intend to rule, ask the prevailing party to submit a proposed order, and allow the opposing party the opportunity to provide any comments.

11. What method would you use to ensure that you and your staff meet deadlines?

I would establish a plan with timelines for each type of case (contested case, appeal, regulation, injunction). The timelines would include the deadlines required by the Administrative Law Court's rules as well as any applicable statutes. I would complete the plan with deadlines and timeframes that would meet the goal of expeditiously hearing and disposing of cases.

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

A judge's job is to interpret the law in accordance with the intent of the General Assembly. If the law is clear and unambiguous, it should be applied as stated. If there is any ambiguity or gap, I would interpret it in accordance with the rules of statutory construction with the goal of accomplishing the public policy established by the General Assembly in state statutes and regulations.

13. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. What activities would you plan to undertake to further this improvement of the legal system?

I have enjoyed teaching people, whether newly elected magistrate judges or regulated licensees, about the law. I would like to continue speaking at continuing legal education seminars and other appropriate venues as permitted.

14. Do you feel that the pressure of serving as a judge will strain personal relationships (i.e. spouse, children, friends, or relatives)? How would you plan to address this?

I do not believe that serving as a judge would strain any of my personal relationships. My husband, family, and friends are very supportive of my decision to run. If an issue ever arises, I will have an open and collaborative conversation to discuss those issues or concerns with the goal of finding a mutual resolution.

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

No

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

If I believed it would affect my ability to be impartial, I would recuse myself. Otherwise, I would disclose the information to the parties and allow them the opportunity to object. If one did object, I would recuse myself.

17. 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

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

Yes

19. What percentage of your legal experience has dealt with cases that appear before the Administrative Law Court? Please describe to the Commission your experience in these areas.

At least 90% of my legal experience has dealt with cases that can or have appeared before the Administrative Law Court. My experience working for the Administrative Law Court provides insight into the judge's responsibilities and perspective of the cases. In private practice, I represented private parties in DHEC related matters. I also have represented state agencies for more than twenty years, advising the agency how to comply with the law and representing the agency's positions at the Administrative Law Court.

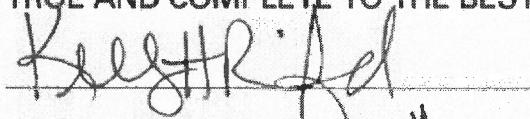
20. What do you feel is the appropriate demeanor for a judge and when do these rules apply?

A judge should interact with everyone, in the courtroom or not, in a composed and respectful manner. A judge also should demonstrate a genuine willingness to hear and thoughtfully consider all perspectives.

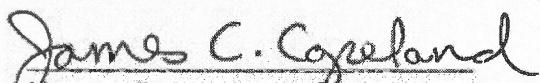
21. Do you feel that it is ever appropriate to be angry with a member of the public who would appear before you? Is anger ever appropriate in dealing with attorneys or a pro se litigant?

A judge should make every effort to maintain composure even under pressure. At times, this would mean compartmentalizing emotions and not letting them affect the judge's interactions in the courtroom. Instead, the judge would address the issue or concern regarding the attorney or pro se litigant with firmness and compassion.

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 19<sup>th</sup> day of August, 2025.



Notary Public for S.C.

My Commission Expires: 3/25/2034