

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

**Administrative Law Judge
(Incumbent)**

Full Name: Sebastien Phillip Lenski

Business Address: South Carolina Administrative Law Court, 1205
Pendleton Street, Suite 224, Columbia, SC 29201

Business Telephone: (803) 734-0550

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?

While I am aware that there are limited exceptions permitting a judge to have an *ex parte* communication if it involves scheduling or administrative matters, I do not engage in *ex parte* communications with parties. In my opinion, permitting any *ex parte* communications invites the possibility that a matter may come up that cannot be the subject of such a communication, or at a minimum, it creates the appearance of impropriety. Therefore, I have not engaged in any *ex parte* communications about any matter with parties in any matter I have handled.

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?

If the matter had the appearance of bias, then even though I personally believed it would not actually prejudice my impartiality, I would give great deference to any party requesting that I recuse myself, and would, most likely, grant the motion.

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

I do not accept any gifts or offers of social hospitality.

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?

If I became aware of an attorney's or judge's misconduct or infirmity, I would address the matter with the attorney or judge (if practicable), and then, if the person did not agree to self-report, I would be compelled to report to the matter to the appropriate disciplinary body.

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

I have not engaged in any fund-raising activities.

9. How do you handle the drafting of orders?

For less complex matters, I draft my own orders, with the assistance of my staff attorney and law clerk. For complex cases, I often request that parties submit proposed orders. I review those, then draft my own order, using language from the proposed orders if applicable, again with the assistance of my staff attorney and law clerk.

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

My staff and I record deadlines in our system, and then we have regular staff meetings to ensure that cases are being managed and all benchmarks and deadlines are being met.

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

I believe that a judge must apply the existing law to the facts of any given case in making a final determination. If a judge does this, there is rarely the opportunity to step outside the law and engage in judicial activism. While results may sometimes seem harsh, if the law mandates a result, given the facts of the case, then that result must be ordered. On rare occasions when the law is unclear, or when there is not an established precedent regarding an issue, then a judge must carefully weigh many factors in reaching a decision. Certainly, in those rare situations, promoting public policy is one consideration I consider in rendering my decision.

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?

Since being elected to the Administrative Law Court, I have made myself available to participate in continuing legal education seminars and conferences, as well as other meetings, courses of instruction, etc. to speak about the Administrative Law Court, administrative law, or other legal issues that I am familiar with and that may be relevant to the seminar or conference. I hope that my efforts have improved people's understanding of the law and the legal process.

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?

Generally, I do not believe that my duties as a judge have strained my personal relationships with my family, friends, or relatives. However, I try not to bring my frustrations home to my family, and I try to avoid discussions with friends and relatives that might disclose confidential information, or that could become contentious.

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

No.

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

No.

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.

No.

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

Yes.

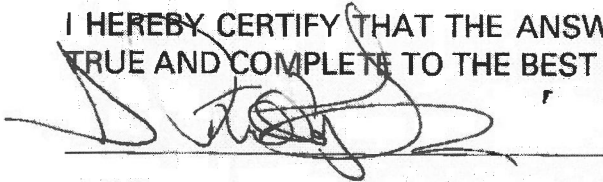
18. What do you feel is the appropriate demeanor for a judge and when do these rules apply?

To answer the second part of the question first, I believe that a judge must behave in a professional, responsible manner at all times. Even when not sitting on the bench, I endeavor to conduct myself in a professional manner. When performing judicial duties, a judge's demeanor should be professional, respectful, and calm. It should also exhibit confidence, control, and firmness. A courtroom is a venue where all parties and participants should be on their best behavior, should respect all involved in the process, and treat the location, the people, and the process with respect. While I do not believe a judge should engage in behavior that would intimidate or frighten any party or participant, a judge must present a demeanor that communicates that the courtroom setting is a serious place, where important matters are being determined in a fair setting for all parties.

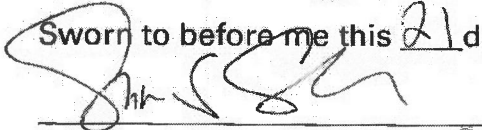
19. Do you feel that it is ever appropriate to be angry with a member of the public who would appear before you? Is anger ever appropriate in dealing with attorneys or a pro se litigant?

My experience is that anger is an emotion that is almost always detrimental. There are occasionally times when parties, participants, or even spectators have engaged in inappropriate behavior. Displaying anger towards that person is never productive. However, being firm and stern with misbehavior allows me to maintain control of the courtroom, and normally puts a quick end to such behavior.

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 21 day of August, 2025.



(Signature)

Erik S Easter

(Print Name)

Notary Public for South Carolina

My commission expires: 20 August 2028