

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

Master-in-Equity
(New Candidate)

Full Name: Paul B. Ferrara, III
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N. Charleston, SC 29406
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1. Do you plan to serve your full term if appointed? Yes
2. If appointed, do you have any plans to return to private practice one day? The position is part time and I plan to have a limited practice until the position becomes full time. After that, I do not intend to practice law privately.
3. Have you met the Constitutional 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? I will not allow *ex parte* communications. I honor the judicial office and need to restore the public's faith in the judicial system, due process and right to an impartial hearing/trial.
5. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you? I will recuse myself from hearing matters involving law partners or any other person that would or give the impression that I was not acting independent, fair and competent. Further, I pledge to honor and abide by the judicial canons.
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 advise the parties of my appearance of impartiality and only hear the matter if both parties consented.
7. What standards have you set for yourself regarding the acceptance of gifts or social hospitality? I will not accept any gift that is not the normal course of accepted hospitality. I definitely will not accept gifts of any kind in exchange for judicial favor.
8. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge? I would report the conduct to the Supreme Court or the Disciplinary counsel.
9. Are you affiliated with any political parties, boards or commissions that would need to be evaluated if you are appointed? No. I am a



member of the Republican party but will resign if I am appointed to the Master-in-Equity position.

10. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations? No.
11. If appointed, how would you handle the drafting of orders? I will have counsel prepare draft orders via email for my edit and review.
12. If appointed, what method would you use to ensure that you and your staff meet deadlines? I have a double redundant calendaring deadline.
13. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy? I will follow our Supreme Court's guidance in Ex Parte Dibble- the court will do all things just and proper to effectuate justice.
14. 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 plan to speak at the Charleston School of Law and educate lawyers on what I expect when they appear in our Circuit Courts. I plan on participating in Continuing Legal Education seminars when possible.
15. 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? No. I have no children and my wife is also an attorney so she understands the demands the law places on a relationship. We are happily married.
16. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality? No.
17. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved? No. The appearance of impropriety is too great.
18. Do you belong to any organizations that discriminate based on race, religion, or gender? No.
19. Have you met the mandatory minimum hours requirement for continuing legal education courses? Yes.
20. What do you feel is the appropriate demeanor for a judge? Calm, reasoned, and rationale.
21. Do the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or do these rules apply seven days a week, twenty-four hours a day? Seven days a week Twenty-four hours per day. The position is a position of public trust and must be revered as such.
22. Do you feel that it is ever appropriate to be angry with a member of the public appearing before you? Is anger ever appropriate in dealing with attorneys or a pro se litigant? No.

23. How much money have you spent on your campaign? If the amount is over \$100, has that been reported to the House and Senate Ethics Committees? Approximately \$35 for copies and fingerprints.
24. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office? N/A.
25. Have you sought or received the pledge of any legislator prior to this date? No.
26. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening? No.
27. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No.
28. Have you contacted any members of the Judicial Merit Selection Commission? No.
29. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges for 48 hours after the draft report has been submitted? Yes.

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

S/W. Paul B. Ferrara, III

Sworn to before me this 7th day of March 2011.

Notary Public for S.C.

My Commission Expires: 3/10/15