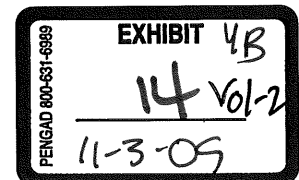


JUDICIAL MERIT SELECTION COMMISSION
Sworn Statement to be included in Transcript of Public Hearings

Family Court
(New Candidate)

Full Name: Stevens Bultman Elliott
Business Address: 1417 Bull Street
Columbia, S.C. 29201
Business Telephone: (803) 254-7980

1. Why do you want to serve as a Family Court Judge?
I have nearly 28 years of practicing in the Family Court. I have been married for 37 years. My wife and I have raised three children; Christopher age 35 and a practicing attorney; Reynolds age 28 and a practicing attorney; and Mollie age 26, a retail clothing salesperson. I understand the importance of the family unit, and I am keenly aware of the importance of decisions that are made in the Family Court to the families. I believe I have the experience, maturity, and good judgment to be useful in the Family Court. I understand marriages in financial hardships and ones that involve long-term commitment and non-financial contributions. I understand the importance of good parenting, and the importance of an even-handed juvenile justice system.
My vast experience and knowledge in all of these areas make me what I consider to be truly "qualified" for the job. It is a job that I can do and one that I can perform with dignity, fairness, compassion and good judgment.
2. Do you plan to serve your full term if elected? yes
3. Do you have any plans to return to private practice one day? I don't know at this point because I am 56 years old and do not know the length of time I am going to work yet.
4. Have you met the statutory 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 do not regard *ex parte* communications as being acceptable. As long as there are two attorneys or two adverse parties involved in a case, there should be representation from both sides during any communication with the judge concerning the merits of the case.
6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?



My philosophy is that if both parties want me to proceed after being made fully aware of any past connection, then I would proceed. If one of the parties asked for a recusal based on a valid reason where there would be the appearance of impropriety, then I would recuse myself. If a case involved a lawyer/legislator, I don't know how any judge could recuse himself based on that factor alone, because no one could hear the case under that theory because the legislators elect the judges.

7. 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? Yes
8. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?
I would recuse myself if it had the appearance of impropriety.
9. What standards would you set for yourself regarding the acceptance of gifts or social hospitality? I would not accept gifts from lawyers or litigants; however, if I had long time friends that had in the past taken me to dinner, or the like, I would not change such practice unless the person were to appear before me in the future.
10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge? I would report it to the appropriate authority after I had given the individual the opportunity to report himself.
11. Are you affiliated with any political parties, boards or commissions that, if you were elected, would need to be evaluated?
I am on the Governors Advisory Committee on Juvenile Justice, and I would have to resign since I would be an adjudicating authority in those cases.
12. Do you have any business activities that you would envision remaining involved with if elected to the bench? No
13. Since family court judges do not have law clerks, how would you handle the drafting of orders?
I would ask attorneys to submit proposed orders; unless, the issues were of such a nature that I thought my writing it would be the better approach.
14. If elected, what method would you use to ensure that you and your staff meet deadlines?
I would employ a dependable assistant that would use a tracking system to keep all deadlines met. The system used would be similar to the "tickler" system I use in my office. I keep a written one and a computerized one.

15. If elected, what specific actions or steps would you take to ensure that the guidelines of the Guardian Ad Litem statutes are followed during the pendency of a case?
I would pay more attention to the activities of the Guardian Ad Litem in cases and be open as to whether I thought the Guardian had done his/her job. This has been an area in custody cases that has been disappointing to me, and I think the availability of "good" Guardians is sparse.
16. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?
Judges should follow the law that is either codified or made by previous Appellate Court Decisions. It would not be up to the Family Court Judge to change the law.
17. 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 would attempt to offer meaningful suggestions as to the administration and philosophical approach in Juvenile Justice. I have served for 28 years in that area, and I feel I have much to offer. Additionally, I believe the system of mediation and the ability to avail oneself of the Courts is a disconnect. Once the case is settled by a mediator, the parties need to be able to get to a Court immediately to affirm the agreement.
18. Do you feel that the pressure of serving as a judge would strain personal relationships (i.e. spouse, children, friends, or relatives)? How would you plan to address this? I have practiced law for almost 28 years. I believe that I have demonstrated that my family, my friends, and I can take a strain.
19. Would you give any special considerations to a *pro se* litigant in family court? I would encourage him/her to hire an attorney; however, if he/she refused to hire one, then I would be courteous, helpful, and patient without trying the person's case for him or offering any legal advice.
20. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?
NO
21. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved? NO
22. Do you belong to any organizations that discriminate based on race, religion, or gender? NO
23. Have you met the mandatory minimum hours requirement for continuing legal education courses? YES
24. What percentage of your legal experience (including experience as a special appointed judge or referee) concerns the following areas? If

you do not have experience in one of these areas, can you suggest how you would compensate for that particular area of practice?

- a. Divorce and equitable distribution: 35%
- b. Child custody: 25%
- c. Adoption: 5%
- d. Abuse and neglect: 10%
- e. Juvenile cases: 25%

25. What do you feel is the appropriate demeanor for a judge?
I feel that a Judge should be in control of his/her Courtroom; however, the demeanor of a judge should fair, friendly, and firm. The attorneys and the litigants should be made to feel at ease while litigating these very important issues.
26. Would the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or would these rules apply seven days a week, twenty-four hours a day?
A judge does not quit being a human being once he becomes a judge; however, he should protect the office he holds at all times so as not to compromise or demean the position he/she holds.
27. Do you feel that it is ever appropriate to be angry with a member of the public who would appear before you, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys or a pro se litigant? I don't believe anger proves anything. A judge can make a point or express displeasure in other ways that make obvious his/her opinion of the matter. Open anger seems to insinuate a bias that is unbecoming to a judge and undermines his/her credibility.
28. 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? None
29. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office? N/A
30. Have you sought or received the pledge of any legislator prior to this date? NO
31. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening? NO
32. 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
33. Have you contacted any members of the Judicial Merit Selection Commission? NO
34. 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/ Stevens B. Elliott

Sworn to before me this 24th day of August, 2009.

Notary Public for South Carolina

My commission expires: 09-06-2015