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JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE

Court, Position, and Seat # for which you are applying:
Sixteenth Circuit Court, Seat #2

1. NAME: Mr. Lee S. Alford
BUSINESS ADDRESS: 1675 1-J York Hwy., York, SC 29745
E-MAIL ADDRESS: lalfordj@sccourts.org
TELEPHONE NUMBER: (office): 803-628-3048
2. Date of Birth: 1942
Place of Birth: Rock Hill, York County, SC
3. Are you a citizen of South Carolina? Yes
Have you been a resident of this state for at least the immediate past five years? Yes
5. Family Status: Married on January 29, 1965, to Terri Dean Baker Alford. Never divorced. Two children.
6. Have you served in the military?
Yes. U.S.A.F. 1960-64 A/2c AF-XXXXXXXXX Honorable Discharge.
7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
 - (a) U. of Maryland - European Ext. - one course while in U.S.A.F.
 - (b) U. of Alabama - Correspondence course (one) while stationed in the Philippines (U.S.A.F.)
 - (c) Clemson U. - January, 1965 - May, 1965. Transferred to U.S.C.
 - (d) U. of South Carolina - August, 1965 - May, 1968. A.B. Degree - History
 - (e) U. of South Carolina Law School - August, 1968 - June, 1971; J.D. Degree
 - (f) Winthrop U. - Night school 1989-91; 15 semester hours of Accounting, Auditing and Federal Tax. Did not seek a degree.
8. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.
I only took the bar exam once and passed. I was admitted to the S.C. Bar in 1971.
9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.
I was married and worked throughout my college and law school years which did not leave time for other activities. I was on the honor roll or dean's list six out of eight semesters of college. I worked as a page in the South Carolina Senate in 1970 and 1971. I was a member of the Phi Alpha Delta

legal fraternity in law school. I graduated in the top 10% of my college class and in the top 20% of my law school class. I had a 3.80/GPR at Winthrop University for 15 semester hours.

10. Describe your continuing legal or judicial education during the past five years. Include only the title and date of any continuing legal or judicial education course completed.

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SC Bar Civil Law Update	2004;
(b) SC Bar Criminal Law Update	2004;
(c) Circuit Judges' Conference	2004;
(d) SC Judicial Conference	2004;
(e) Supreme Court - Judicial Oath	2004;
(f) SC Bar How to Manage Work	2004;
(g) SC Bar Civil Law Update	2005;
(h) SC Bar Criminal Law Update	2005;
(i) SC Judicial Conference	2005;
(j) SC Circuit Judges' Assn.	2005;
(k) SC Bar Civil Law Update	2006;
(l) SC Bar Criminal Law Update	2006;
(m) SC Judicial Conference	2006;
(n) SC Circuit Judges' Assn	2006;
(o) National Judicial College - SC	2006;
(p) Judges-Journalist Workshop	2006;
(q) SC Bar Civil Law Update	2007;
(r) SC Bar Criminal Law Update	2007;
(s) SC Judicial Conference	2007;
(t) SC Circuit Judges' Conf.	2007;
(u) National Judicial College - Advanced Evid.	2008;
(v) SC Bar Civil Law Update	2008;
(w) SC Bar Criminal Law Update	2008;
(x) SC Judicial Conference	2008;
(y) SC Circuit Judges' Assn.	2008.

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?

- (a) I have served as a speaker for several Judicial CLE's for S.C. Probate Judges and a three-day training session for new Probate Judges. Topics have included: Conducting a Jury Trial, Probate Court Jurisdiction, Trusts and Annual Update of Supreme Court Decision Affecting Probate Courts.
- (b) I spoke to the S.C. Banker's Association about the new S.C. probate Code.
- (c) I served as a speaker at several S.C. Bar CLE Seminars on the S.C. Probate Code. I also spoke at a S.C. Bar CLE Seminar on the S.C. Probate Practice Manual on the subject of legislative changes to claims

procedures in probate estate in light of Tulsa Professional Collection Services v. Pope, 108 S. Ct. 1340.

- (d) I also served as a moderator for a CLE seminar at Winthrop University for the S.C. Bar and C.P.A.'s on the S.C. Probate Code.
 - (e) I spoke at a training session for Chief Administrative Family Court Judges sponsored by S.C. Court Administration in January, 1997 and received two (2) hours of CLE teaching credits.
 - (f) I spoke at the 42nd Annual Conference of the Blue Ridge Institute for Juvenile and Family Court Judges in August, 1996 on the work of the Bench-Bar Committee as a part of families and kids project founded by the Kellogg Foundation and the 1996 Children's Code Reform Act which grew out of the work of the committee. This annual conference is sponsored by the National Council of Juvenile and Family Court Judges.
 - (g) I spoke at the 43rd Annual Conference of the Blue Ridge Institute for Juvenile and Family Court Judges in August, 1997 on our efforts to combat truancy and gave an evaluation the implementation of 1996 reforms to the Children's Code.
 - (h) I have served as a speaker on two occasions at the annual Solicitor's Conference and Continuing Legal Education seminars.
12. List all published books and articles you have written and give citations and the dates of publication for each.
- None. I have worked on several important pieces of legislation and have prepared materials for presentation at a number of seminars and training sessions.
13. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.
- (a) S.C. State Courts - September 21, 1971
 - (b) S.C. Federal District Courts - January 21, 1972
 - (c) U.S. Fourth Circuit court of Appeals - October 11, 1971
 - (d) U.S. Supreme Court - November 24, 1974
14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.
- I was associated with an experienced attorney in the general practice of law from 1971-77. I opened my own law office for the general practice of law in 1977. I served as Probate Judge for York County from 1979-92. I served as Family Court Judge from 1992-98. I have served as Circuit Judge from 1998 to present. In the practice of law, I participated in criminal, civil, domestic relations, probate and property cases. My caseload was evenly divided in these areas of law.
15. What is your rating in Martindale-Hubbell? "BV" - 1991
22. Have you ever held judicial office?

- (a) Probate Judge for York County 1979-92. Elected by the voters of York County for four (4) year term in 1978. Re-elected in 1982, 1986, and 1990. Resigned in 1992 when elected to Family Court. Probate Courts of S.C. are Courts of Record with limited jurisdiction which includes exclusive original jurisdiction over wills, trusts, the estates of deceased persons and persons who are mentally ill or who have chronic alcohol or drug addiction etc.
- (b) Family Court Judge for the 16th Judicial Circuit Seat No. 2, 1992 to 1998. Elected by the General Assembly to complete three (3) years remaining on the six (6) year term of retired judge. Re-elected to a six (6) year term in 1995. Family Courts in South Carolina are Courts of Record created by statute with limited jurisdiction. Family Courts have exclusive jurisdiction in divorces, annulments, adoptions, juvenile crimes, child custody, visitation, support, as well as abuse and neglect cases, etc.
- (c) Circuit Court Judge for the 16th Judicial Circuit Seat #2 from 1998 to present. Elected by the General Assembly in 1998 and in 2004 for six (6) year terms. Circuit courts in South Carolina are Courts of Record with general jurisdiction. Circuit courts are the primary trial court in South Carolina. In General Sessions Court, circuit court has exclusive jurisdiction over criminal cases which exceed magistrate court jurisdiction up to and including capital cases. In Common Pleas Court, circuit courts have jurisdiction in all civil cases seeking more than \$7,500.00. It also includes civil and criminal appeals from probate, magistrate, and municipal courts, zoning boards and post conviction relief appeals.

23. If the answer to question 22 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also list citations to any appellate review of these orders or opinions.

- (a) Johnny McMillan, Jimmie Griner, and Hughsie Trowell, Respondents v. South Carolina Department of Agriculture, Petitioner. Opinion No. 26567, heard October 21, 2008 and filed November 24, 2008.

This case is included because I sat with the S.C. Supreme Court in its consideration and disposition. It was an interesting and informative experience to participate in the handling of a case at that level. I studied the record on appeal and briefs filed by both sides in advance of the hearing and participated fully in the disposition of the case.

The S.C. Supreme Court granted certiorari to review a Court of Appeals decision which upheld an order of a special referee granting respondents a recovery from the Warehouse Receipts Guaranty Fund and awarding them attorney fees.

In a per curiam opinion the Court reversed decision of the Court of Appeals upholding the special referee's order awarding respondents a recovery from the Fund.

- (b) Rock Hill School district Number Three, a political subdivision of the State of South Carolina v. Catawba Indian Tribe of South Carolina, a

federally reorganized Indian tribe, and all predecessors and successors in interest, including the Catawba Indian Nation of South Carolina, Inc., Defendant, The State of South Carolina, Intervenor, C.A. No. 99-CP-46-1041.

I ruled in favor of the Rock Hill School district in an opinion dated March 17, 2003 which received national media coverage. The S.C. Supreme Court affirmed my decision in full on appeal.

- (c) Lloyd Behr, individually and on behalf of all others similarly situated, Plaintiff v. Spring Industries, Inc., et. al, C.A. No.2001-CP-46-375; also, Rolling Investor Group, Inc. individually and on behalf of all others similarly situated, Plaintiff v. Crandall Close Bowles, et. al. , Defendants, C.A. No. 2001-CP-46-398; also, Viviana Cortes, individually and on behalf of all other similarly situated, Plaintiff v. John F. Akers, et. al, Defendants, C.A. No. 2001-CP-46-319.

In this class action lawsuit, a settlement was approved by my order dated December 18, 2002, which ended all of the above actions. That order was not appealed.

- (d) State v. Wesley Aaron Shafer, 1997-GS-44-419.

This was a capital case in which Wesley Aaron Shafer was convicted of murder and an aggravated factor of robbery and sentenced to death. The case was remanded back to the State by the U.S. Supreme Court to make a factual finding whether actions by the Solicitor required that the jury be informed a life sentence meant that Shafer would never be eligible for parole.

The S.C. Supreme Court reversed the trial court as to the sentencing phase and remanded the case for a new sentencing phase trial. The General Assembly passed a statute requiring that juries be informed that life without parole meant that a defendant would never be eligible for parole.

I was appointed to preside over a new sentencing phase trial. The jury recommended a life sentence and he was sentenced to life without parole.

- (e) The State-Record Co., Inc. and The Greenville News, Interveners, in RE: SCDSS v. Susan Smith, et al. 88-DR-44-11.

In this case the news media moved to have the sealed file in the above case opened. The Order discusses the development of the law as to the openness in the Courts. The Order was not appealed. There was extraordinary media coverage.

24. Have you ever held public office other than judicial office? No
25. List all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial office. Specify your dates of employment, employer, major job responsibilities, and supervisor. None
26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?

- (a) I ran for York County Council in 1976. A long time member of the council in my district said he was not running for re-election. After I filed to run, he changed his mind and filed. I did not actively campaign and lost in a close election. The incumbent was a friend of mine.
 - (b) I ran for one of the nine (9) new Circuit Court positions created in 1990. Five candidates filed and were qualified. Three candidates dropped out. I lost in a fairly close election to Henry McKellar.
 - (c) I ran for one of the three (3) new Circuit Court Seats in 1995. I ran second out of eleven candidates who filed.
27. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office? No.
28. Are you now an officer or director or involved in the management of any business enterprise? No.
29. A complete, current financial net worth statement was provided to the Commission.
30. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest.
None. But I would recuse myself from consideration of any matter where there could be a conflict of interest.
31. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law?
No.
32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? No.
33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? No.
34. Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law?
I was sued as Probate Judge for York County in Federal District Court along with a number of other persons (CV-83-1468) by a Mr. Culp from Philadelphia concerning an estate that was probated in the 1940's when I was a small child. The complaint did not make sense. The suit was dismissed.
I was sued by an inmate in my judicial capacity along with a number of county and state officials because a civil suit was dismissed for failure to serve the summons and complaint. It was dismissed by the Federal Court.
36. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a "lobbyist's principal," as defined by S.C. Code § 2-17-10(14)? No.

37. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? No.
38. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None
39. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. None.
40. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek. None.
41. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship. None.
42. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened? No.
43. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No.
44. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No.
45. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? No.
46. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
 - (a) York County Bar Association
 - (b) South Carolina Bar Association
 - (c) South Carolina Circuit Court Judges Association
47. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, any professional honors, awards, or other forms of recognition received and not listed elsewhere.

American Legion Post #34.

48. Provide any other information that may reflect positively or negatively on your candidacy, or which you believe should be disclosed in connection with consideration of you for nomination for the position you seek.

Prior to the last 5 years, I held office in the following civic organizations:

- (a) Past President of the S.C. United Way
- (b) Past President of the Western York County United Way
- (c) Community Action Vice President of the S.C. Jaycees
- (d) Past President of the York Jaycees
- (e) Past President of the Greater York Chamber of Commerce
- (f) Past President of the York Red Cross Chapter
- (g) Past Chairman of the York County Boy Scout Council
- (h) Executive Board of the Palmetto Council of Boy Scouts
- (i) Past President of the York Rotary Club
- (j) Past President of the York County Mental Health Association
- (k) Past President of the Camp Arc Council which established Special Olympics and residential camps for the mentally handicapped
- (l) Past Judge Advocate for American Legion Post #34 Mason
- (m) Trustee and Director of the York County Crescent Shrine Club
- (n) Dixie Youth Baseball Council and Coach
- (o) York County Soccer League Coach

Active member of the Trinity United Methodist Church where I taught Adult Sunday School Class for more than twenty-five (25) years; served on the Administrative Board, Board of Trustees and as President of the Men's Club, Lay Leader, Lay Speaker, Chairman of the Pastor Parish Relations Committee, Trustee, Lay Representative to the Annual Conference of the S.C. United Methodist Church. I coached youth basketball in the Rock Hill Church League for a number of years.

I received "Project of the Year" awards from the York Jaycees and was named "Key Man" and "Jaycee of the Year" by that organization. Named "Outstanding Local President" and "Outstanding State Vice President" of the S.C. Jaycees. Received the "York Jaycees' Distinguished Service Award" in 1976 and named one of the "Three Outstanding Young Men in S.C." in 1977. Received Rotary's highest award, "Paul Harris Fellow" from the York Rotary Club in 1989. Named "Shriner of the Year" by the York County Crescent Shrine Club in 1989. York County's nominee for the "Nine Who Care Award" in 1989.

As a Probate Judge, I served on the legislative study committee that drafted South Carolina's version of the Uniform Probate Code which was enacted into law by the General Assembly. I also served on the first Technical Corrections Committee for that Code.

As President of the S.C. Probate Judges' Assn., I requested that the Legislative-Governor's Committee on Mental Health and Mental Retardation appoint a task force to study the law concerning the involuntary commitment of persons with chronic addiction to alcohol and drugs. I served on that task force which met for one (1) year and drafted a proposed revision of those laws

which were approved with changes by the committee and passed into law by the General Assembly.

I applied for and received a grant to study the Federal Indian Child Welfare Act and the Rights of the mentally retarded in court at the National Judicial College in September, 1994. It was timely because the Catawba Indian Tribe, located primarily in York County recently received federal recognition. Since Federal Act supersedes state law as to foster care and adoptions, it is important for Family Court Judges to have a working knowledge of the Act. I have offered to share this information with the S.C. Bar and the S.C. Family Court Judges in CLE seminars.

I actively served on the Bench-Bar Subcommittee of the S.C. Families for Kids Committee which received a \$100,000.00 planning grant from the Kellogg Foundation to study and recommend changes to the foster care and adoption law and procedures in S.C. This hardworking group met primarily on Saturdays in Columbia and helped draft a grant application approved by the Kellogg Foundation for \$3,000,000.00 over three years. Recommendations of that committee significantly improved emergency procedures, foster care and adoption services to children who have been abused or neglected. The 1996 Children's Code Reform Act was a product of that study.

I was designated by S.C. Court Administration to represent Family Court on a Court Improvement Program Grant Committee and attended a regional conference in Washington, D.C. on May 18 and 19, 1995. U.S. Congress allocated \$35,000,000.00 over a four (4) year period. The grants were designed to encourage states to study the way courts handle foster care and adoption cases and implement a plan to improve case processing.

I assisted with the training for the juvenile arbitration program started by the Solicitor's Office with a grant from the Governor's Office. I served as Chairman of the Governor's Juvenile Council for the 16th Judicial Circuit. I received an award from the Governor's Council for my work in leading the council.

At the request of the York County Alliance for Children and the school districts I developed forms and established court time to conduct hearings for parents of young children who had serious truancy problems.

I have presided over the York County Drug Court on a voluntary basis for a number of years at night. The program has been very successful. I have a strong faith in our justice system. I have always tried to conduct myself in a way that would not cause anyone to lose faith in our justice system. I have tried to make jurors feel important and vital to our justice system. I have always expressed appreciation to them for their sacrifices in making our justice system work. I qualify the jury venire about 90% of the time.

I have always had a strong work ethic. I have not missed court because of illness or other reasons in fourteen (14) years and I have missed no more than ten (10) days in thirty (30) years on the bench.

I read every opinion issued by the S.C. Supreme Court and the S.C. Court of Appeals within a week after they are reported.

The years I practiced law and the thirty (30) years I have served as probate, family, and circuit judge have provided me with invaluable knowledge and appreciation for our justice system

49. References:

- (a) Michael A. Hill
President, Bank of York
P.O. Box 339
York, SC 29745
- (b) Rev. Eugene Feagin
Trinity United Methodist Church
P.O. Box 376
York SC 29745
- (c) Hon. Edward Lee
Mayor of York
202 W. Madison St.
York, SC 29745
- (d) Hon. Buddy Motz
Chairman, York County Council
2047 Poinsett Dr.
Rock Hill, SC 29732
- (e) Hon. David Hamilton
Clerk of Court for York County
P.O. Box 649
York, SC 29745

YOUR SIGNATURE WILL BE HELD TO CONSTITUTE A WAIVER OF THE CONFIDENTIALITY OF ANY PROCEEDING BEFORE A GRIEVANCE COMMITTEE OR ANY INFORMATION CONCERNING YOUR CREDIT.

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

Signature: Lee S. Alford

Date: July 24, 2009

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

Circuit Court
(Incumbent)

Full Name: Lee S. Alford
Business Address: 1675-1-J York Hwy.
York, SC 29745
Business Telephone: 803-628-3048

1. Why do you want to serve another term as a Circuit Court Judge?
I enjoy my work as a circuit judge. The knowledge and experience I have gained in previous service allows me to feel comfortable in the job. It is a continuous learning experience. I currently enjoy very good health.
2. Do you plan to serve your full term if re-elected?
Yes. I will reach mandatory retirement age four and one-half years into the six-year term.
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 am careful to avoid *ex parte* communication except when permitted by law (examples are temporary restraining orders, death penalty expenses).
6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?
I have been a judge and have not practiced law for 30 years. I raise on the record any relationship I have which would be a potential conflict and recuse myself when requested to do. If a party request me to recuse myself, I have a liberal recusal policy if I believe a party has a reasonable belief that I would not be impartial, even when I believe I could be impartial. Confidence of the general public in the justice system is important to me.
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?
I would recuse myself for the reasons stated in number 6 above.
8. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?
The same as I would for myself.

9. What standards have you set for yourself regarding the acceptance of gifts or social hospitality?
I accept no gifts from attorneys nor anyone else appearing in my court. I do not eat meals with attorneys. I do not socialize with attorneys except as a group or general social gatherings. I have not accepted any gifts including food, meals, beverages, lodging, transportation, entertainment or anything else of value from any attorney, group of attorneys (except bar socials to which I pay dues) or from other individuals.
10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?
I would be ethically obligated to report it.
11. Are you affiliated with any political parties, boards or commissions that, if you were re-elected, would need to be re-evaluated?
No.
12. Do you have any business activities that you would envision remaining involved with if reelected to the bench? No.
13. How do you handle the drafting of orders?
I draft some of my orders and in some cases I ask an attorney to draft an order with full notice to all parties.
14. What methods do you use to ensure that you and your staff meet deadlines?
I monitor all matters under advisement and filing of all reports.
15. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?
I do not get involved with any public policy matters. To get involved invites criticism of the judiciary and the justice system.
16. 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 try to make jurors feel important and appreciated. I recently served as a moot court judge for regional college competition hosted by Furman University. I am participating on a panel at two continuing legal education seminars this fall.
17. 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 do not believe it strains personal relationships but it is restrictive as to social involvement. I have reminded my children that if they get in trouble, my name and my picture will probably appear with theirs. After 30 years we have adapted to it.
18. 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: I consider the record or absence of record in determining an appropriate sentence.
 - b. Juveniles (that have been waived to the circuit court): I would consider their age but also the seriousness and the violence of an offense. I would consider all relevant factors.
 - c. White collar criminals: I consider all relevant factors but stealing is stealing even when it is easier to accomplish.
 - d. Defendants with a socially and/or economically disadvantaged background:
Everyone should take responsibility for their judgment or lack thereof, and their actions. But I consider all relevant factors in determining what I believe is an appropriate sentence.
 - e. Elderly defendants or those with some infirmity:
I consider all relevant factors in sentencing including age and infirmities. But a person has to be held accountable for their actions.
19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?
No.
 20. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?
I would publish the interest on the record and excuse myself if requested to do so. I would also recuse myself if I questioned whether I could be impartial.
 21. Do you belong to any organizations that discriminate based on race, religion, or gender?
No.
 22. Have you met the mandatory minimum hours requirement for continuing legal education courses?
Yes. I have carried forward the maximum number of hours for many years.
 23. What do you feel is the appropriate demeanor for a judge?
A judge must be considerate and treat all persons including participants, attorneys, jurors and court staff with respect. A judge must be patient.
 24. 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?
A judge is a judge seven days a week, twenty-four hours a day. When a judge is viewed by the public he represents the judiciary whether he is working or elsewhere.
 25. 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?
Anger is never appropriate. Patience is required in matters involving the public and pro se participants because they often do not know the law or rules.

26. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees?
None.
27. While campaigning for this office, have you used judicial letterhead or the services of your staff for your campaign?
No.
28. Have you sought or received the pledge of any legislator prior to this date? No.
29. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening?
No.
30. 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.
31. Have you contacted any members of the Judicial Merit Selection Commission?
No.
32. 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/ Lee S. Alford

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

Notary Public for South Carolina

My commission expires: 10-02-2016

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

Circuit Court
(Incumbent)

Full Name: Lee S. Alford

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

I enjoy my work as a circuit judge. The knowledge and experience I have gained in previous service allows me to feel comfortable in the job. It is a continuous learning experience. I currently enjoy very good health.

2. Do you plan to serve your full term if re-elected?

Yes. I will reach mandatory retirement age four and one-half years into the six-year term. At the discretion of the Chief Justice, I could hold court as a retired judge after mandatory retirement age.

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 am careful to avoid *ex parte* communication except when permitted by law (examples are temporary restraining orders, death penalty expenses).

6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?

I have been a judge and have not practiced law for 30 years. I raise on the record any relationship I have which would be a potential conflict and recuse myself when requested to do. If a party request me to recuse myself, I have a liberal recusal policy if I believe a party has a reasonable belief that I would not be impartial, even when I believe I could be