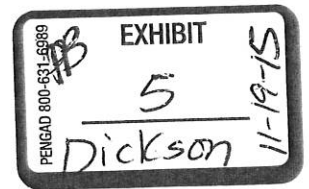


JUDICIAL MERIT SELECTION COMMISSION
Sworn Statement to be included in Transcript of Public Hearings

Circuit Court
(Incumbent)

Full Name: The Honorable Edgar Warren Dickson
Business Address: 151 Docket Street, Orangeburg, S. C. 29115
Business Telephone: 803-535-2187



1. Why do you want to serve another term as a Circuit Court Judge?
I continue to enjoy the courtroom environment and believe I have been helpful to the attorneys and parties who have appeared before me. I would appreciate the opportunity to continue to serve our State in my capacity as a judge.
2. Do you plan to serve your full term if re-elected?
Yes.
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?
My philosophy is that there should never be *ex parte* communications. With all the ways to stay in contact, there is no reason all parties cannot be contacted to discuss an issue or problem. In circumstances where *ex parte* communications are allowed by law, a hearing should be held as soon thereafter as possible or within forty-eight (48) hours of the communication. However, with the consent of the attorneys and the parties, I believe a judge may confer separately with the parties and their attorneys in an effort to mediate or settle cases pending before them.
6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?
Regarding recusal, I have not practiced law in Orangeburg since 2006, therefore I have no involvement in any private cases. My former law partners do appear before me and if other attorneys are concerned, they may make an appropriate motion. I would be inclined to recuse myself rather than have any legal proceeding questioned, but I have not worked with any attorneys in nearly ten (10) years.
Lawyer-legislators are involved in the election of all judges, so granting recusal solely on those grounds would effectively make lawyer-legislators unable to practice law. Recusal in those cases would be rare without a better reason to accompany the motion. To date I have not recused myself from any cases in which lawyer-legislators were involved.

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 give the party making such a motion considerable deference because the court should avoid even the appearance of impropriety or any implication that would taint the legal process. Whether I would grant the motion would depend on the circumstances, the seriousness of the possible bias, the importance of the hearing and whether granting the motion would delay other legal matters. I would consider these matters seriously and be inclined to grant such a motion, but would not commit to granting such motions on all occasions. I would make my reasoning clear on the record regardless of my decision.
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 not hear cases involving my spouse or a close relative.
9. What standards have you set for yourself regarding the acceptance of gifts or social hospitality?
I do not believe judges should accept gifts unless they are in conjunction with accepting or participating in ordinary social hospitality. Additionally, any gift in such a social setting should be nominal and inconsequential. When accepting ordinary social hospitality a judge must maintain his decorum.
10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?
I would have to report it. However, I would be inclined to first contact the lawyer or fellow judge, bring it to their attention, and allow them to self-report it. If they failed to do so, I am required to report such misconduct.
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 dictate or discuss my decisions with my law clerk who then sends out my decision to all attorneys and/or pro se litigants usually by email, explaining the parameters of my decision, and who is to draft an order. The drafting lawyer then prepares a proposed order, copies opposing counsel and sends a hard copy to me for consideration. I also request that they email me an electronic copy in Word so that I can make changes, if needed. I wait approximately one week to allow any comments or concerns from the opposing party. My law clerk initially reviews the proposed order to see if it complies with my decision and highlights the concerns of the other party. I then review the order, make any changes I believe are necessary and issue my final order.
If the opposing lawyer believes there are errors or deviations contained in the proposed order, I ask that they contact the drafting lawyer and attempt to resolve the issues. If they are unable to resolve the issues, I ask that they contact my office.

14. What methods do you use to ensure that you and your staff meet deadlines?
We all keep three calendars. There are two physically (one by my administrative assistant and one by me) and one electronically on the computer. So far, we have not had a problem meeting deadlines.
15. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?
I believe judges should hear and decide only the cases that are active controversies that come before them. Those decisions are based on the facts and the law in each case. I do not believe judges should be promoting any public policy other than justice for the parties that appear in court based on the facts in that case and the law applicable to that situation.
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 am always happy to talk to civic, educational and legal groups about the problems facing the legal system, and continue working with attorneys, clerks, solicitors, public defenders and others to improve the judicial system.
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?
There is no doubt that being a judge and making hard decisions is stressful. However, I don't believe it has put a strain on my personal relationships with my family and friends. Although I am less involved in social hospitality than when I was practicing law. I have endeavored to keep the problems of court at court and not bring them home. I deal with stress through exercise, enjoying hobbies or fellowship with friends and family. I enjoy working in my church. I have two dogs that require exercise and attention. I take weekend trips and vacations to keep my life balanced and to help manage stress.
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:
Once an offender has been found guilty, his previous record must be given consideration. Sentencing should get their attention in an attempt to change their pattern of behavior. By reviewing their history, getting input from agencies that have worked with them (i.e. probation, counselors, etc.), I try to discover an appropriate way to stop the behavior and protect the community;
 - (b) Juveniles (that have been waived to the Circuit Court):
The law provides that juveniles who choose to act like an adult will, and should, be treated like an adult. If possible when sentencing young people I require them to complete their education or obtain job skills to encourage productive behavior;
 - (c) White collar criminals:
They should be treated just like anybody else who has violated the law;
 - (d) Defendants with a socially and/or economically disadvantaged background:

I am sympathetic to people that are disadvantaged, however, criminal behavior cannot be excused simply based on your background;

- (e) Elderly defendants or those with some infirmity:
Behavior of any person cannot be an excuse. I believe sentencing requires serious consideration because the effects of sentencing may be magnified on the elderly or those with infirmities. For example, a five-year sentence on a man of seventy may be a life sentence. However, this does not mean that their actions are forgiven or excused; only that care should be taken and is important in sentencing.
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?
No.
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.
23. What do you feel is the appropriate demeanor for a judge?
I believe a judge must be thoughtful, calm, courteous, inquisitive and intuitive. It is important to make people comfortable when they appear before me, and that they believe they will be treated fairly and justly.
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?
These rules would apply 24/7 because the actions of a judge are always on display.
25. Do you feel that it is ever appropriate to be angry with a member of the public, especially with a criminal defendant?
No.
Is anger ever appropriate in dealing with attorneys or a pro se litigant?
No. If a judge gets angry, he risks losing perspective and control of his courtroom. Anger may be or seem justified, but it is never appropriate.
26. How much money have you spent on your campaign?
None, other than the costs of copying the documents and delivering them.
If it is over \$100, has that amount been reported to the House and Senate Ethics Committees?
N/A.
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? No
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?
I have contacted Jaynie Jordan and Elizabeth Brogdon to ask questions about my application packet.
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/Edgar W. Dickson

Sworn to before me this 6th day of August, 2015.

Peggy T. Smith

Notary Public for South Carolina

My commission expires:8/1/2021