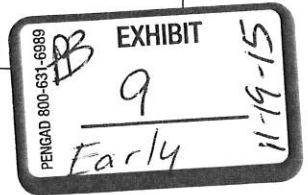


**JUDICIAL MERIT SELECTION COMMISSION**  
**Sworn Statement to be included in Transcript of Public Hearings**



**Circuit Court**  
**(Incumbent)**

Full Name: The Honorable Doyet A. Early, III  
Business Address: Post Office Box 90, Bamberg, South Carolina 29003  
Business Telephone: 803-245-2983

1. Why do you want to serve another term as a Circuit Court Judge?  
I want to continue to serve the citizens of South Carolina as a Circuit Court Judge. My decisions directly or indirectly impact the lives of many of our people; I am cognizant of this fact and strive to make decisions that are fair, just, in accordance with the law and tempered by justice in each case. I have enjoyed my job and hope to continue to provide the people of this state with qualified and caring judicial service.
2. Do you plan to serve your full term if re-elected?  
I will be 72 years of age on January 6, 2020.
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 adhere strictly to the provisions and spirit of Judicial Canon 3(B)(7) and the limited exceptions listed therein.
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 adhere strictly to the provisions and spirit of Judicial Canons 1, 2 (A), (B) and 3(E)(1) and the commentaries thereto, and particularly 3(E)(1)(b).
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 consider each such matter on a case by case basis, applying the Canons and commentaries listed in the response to question six and weighing the amount of the potential appearance of bias against the impact to the administration of justice which could occur by a recusal, including the point in the proceedings in which the potential appearance of bias became known.
8. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?  
I strictly apply and adhere to the Canons and commentaries listed in the response to question six, as well as considerations embodied in Canon 4, giving particular weight to 3(E)(1)(c) and (d). I would recuse myself if a spouse or relative had direct economic interest in the outcome of the case. Were the matter one in which an appearance of impropriety could arise indirectly and without actual interest in the case, again, I would consider each such matter on a case by case basis, making full disclosure on the record and weighing the amount of the potential appearance of bias against the impact to the administration of justice which could occur by a recusal, including the point in the proceedings in which the potential appearance of bias became known.

9. What standards have you set for yourself regarding the acceptance of gifts or social hospitality? I adhere strictly to the provisions and spirit of Judicial Canons 1, 2(A), (B), 3 and 4 and the commentaries thereto, and particularly 4(D)(5) and the commentaries and exceptions thereto.
10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?  
I would apply Canon 3(D)(1) and (2) and the commentary thereto. In cases in which the appropriate action is discretionary (as opposed to required reporting in specified situations), I would use every effort to communicate directly with the judge or lawyer to urge self-remediation or self-reporting, where appropriate. My actions and decisions would further be guided by the gravity of misconduct or suspected misconduct and its prejudicial effect upon the administration of justice in this State.
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?  
For those orders not drafted by me or my clerk under my supervision, I adhere to the commentary to Canon 3(B)(7). I further specifically counsel my clerk as to the requirements of the same.
14. What methods do you use to ensure that you and your staff meet deadlines?  
My administrative assistant, law clerk and I all have matters that involve deadlines calendared on our computers. We maintain constant contact with each other to insure all deadlines are met.
15. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?  
I believe the administration of justice should be restrained and fair, with very minimal consideration, if any, given at the Circuit Court level to expansion of existing law or policy. I do believe that public policy considerations can properly be given weight in situations in which precedent is not controlling.
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 would commit a portion of my free time to participation in Judicial seminars and Bar-sponsored activities, such as assisting in presenting CLEs.
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?  
No.
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:
  - (b) Juveniles (that have been waived to the Circuit Court):
  - (c) White collar criminals:
  - (d) Defendants with a socially and/or economically disadvantaged background:
  - (e) Elderly defendants or those with some infirmity:
- My answer to these inquiries applies to each subcategory. Sentencing would depend upon the applicable law, including any guidelines or requirements regarding mandatory minimum sentences or enhanced sentences; the facts of the

case; the extent to which the crime was egregious; any input from the victim; and all mitigating circumstances brought to my attention, as well as applicable aggravating circumstances and prior record.

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? Possibly, so long as the interest were truly *de minimis*, as defined in Rule 501, and after full disclosure.
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? Attentive and neutral, including body language, expression and inflection. A judge's demeanor should reflect the command of law, the dedication to impartiality and the commitment to justice that the office requires.
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? Seven days a week, twenty-four hours a day
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? The question is less one of being angry than the expression of anger or allowing it to affect one's conduct or decisions. Bearing in mind Canons 2(A) and 3(B) and the comments thereto, I believe that judges are required to exercise and show restraint and neutrality, most especially when the failure to do so may indicate prejudice, bias or intolerance of race, sex, religion or other so-called suspect classifications. I do not have the opinion that displays of anger are appropriate, and especially not with *pro se* litigants. While a judge may not be able to prevent himself or herself from having all independent thoughts or feelings, he or she should strive always to prevent disclosing the same.
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/Doyet A. Early, III

Sworn to before me this 14<sup>th</sup> day of August, 2015.

Joyce C. Crowley

Notary Public for South Carolina

My commission expires: 04-13-2017