

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



Administrative Law Court
(New Candidate)

Full Name: **Bryan Scott Jeffries**

Business Address: **1345 Garner Ln. Ste 202**
Columbia, SC 29210

Business Telephone: **(803) 772-7300**

1. Do you plan to serve your full term if elected?
Yes

2. Do you have any plans to return to private practice one day?
No

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 feel very strongly that intentional *ex parte* communications are inappropriate under all circumstances and should not be tolerated. I have avoided them throughout my legal career as an attorney and as an impartial hearing officer.

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 believe recusals are necessary when there is reason to believe a legitimate potential conflict of interest exists or the appearance of one is unavoidable. I do not believe there is necessarily a conflict of interest with lawyer-legislators appearing before the Court and it is impractical for the judge to opt for recusal in all situations where this will occur. Also, I do not believe there is necessarily a conflict of interest with former associates or law partners appearing before the Court and it is impractical for the judge to opt for recusal in all situations where that will occur. In the event a legitimate conflict did arise, recusal is appropriate and necessary. For example, my wife is


also an attorney. I would certainly opt for recusal in any litigation involving her as counsel.

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?
Given that I made the disclosure and I am satisfied that the appearance of bias was present, I would err on the side of recusal if moved by a party to do so. I would first advise that party that I did not believe that the disclosure would prejudice my impartiality.
7. If elected, what standards would you set for yourself regarding the acceptance of gifts or social hospitality?
I would not accept or solicit any gifts or funds from any individual or group other than family at any time while serving as judge. I would not attend or host a political party dinner or functions. I would follow the rules set forth in Canon 5 and any other judicial canons that would apply.
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 it to the appropriate disciplinary authority for potential investigation pursuant to Rule 8.3 of the South Carolina Rules of Professional Conduct.
9. Are you affiliated with any political parties, boards or commissions that, if you are elected, would need to be re-evaluated?
No
10. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations?
No
11. How would you handle the drafting of orders?
I would make use of support staff or law clerks. In some instances I would order the parties to draft the orders. I would also, however, review all orders prior to filing or submitting to parties.
12. What method would you use to ensure that you and your staff meet deadlines?
I would use clear and unambiguous communication to all staff of the expectation that all deadlines be strictly adhered to unless made impossible by exceptional circumstances.

13. What is your philosophy on “judicial activism,” and what effect should judges have in setting or promoting public policy?
I believe that judicial activism is wholly inappropriate. Strict adherence to the task of interpreting and applying existing law is the primary function of the judiciary. To attempt to create law frustrates the purpose of separation of powers set forth in the Constitution.
14. 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 believe there is great value in conducting and attending forums where the public can be educated on legal trends both nationally and locally. I would continue to attend these types of forums and make myself available to address the public when appropriate on general themes. I also believe that the system functions best when attorneys and judges gather at legal forums in order to discuss ways to be more efficient. I would make myself available to attend and speak when appropriate at such events, including seminars and legal education courses.
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? **I do not. My family and friends are very supportive. As a prosecutor for the past 13 years I have made it a point to separate personal or social issues from the work that I do and the decisions that I must make that affect people’s lives. Individuals who know me best realize that I will continue to adhere to this as a judge if I have the opportunity to serve in that capacity.**
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**
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**

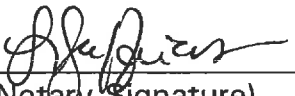
20. What percentage of your legal experience has dealt with cases that appear before the Administrative Law Court? Please describe to the Commission your experience in these areas. **Approximately 60% of my overall legal experience has dealt with cases before federal administrative law judges. I do not regularly practice before the South Carolina Administrative Law Court. However, as a hearing officer for the South Carolina Department of Health and Human Services, my decisions are subject to review by the South Carolina Administrative Law Court.**
21. What do you feel is the appropriate demeanor for a judge? **I believe the appropriate demeanor for a judge is even-tempered, calm, rational, and logical.**
22. 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? **The judge's demeanor should be calm and even-tempered at all times while acting in an official capacity. I believe the "judicial" demeanor can be relaxed somewhat when the judge is at home or in typical social settings. The judge should refrain from behaving in a way that is unbecoming of the position at all times however.**
23. Do you feel that it is ever appropriate to be angry with a member of the public who would appear before you? Is anger ever appropriate in dealing with attorneys or a pro se litigant? **It would not be appropriate to show anger at any time at a member of the public, counsel or pro se litigant while on the bench. The judge should strive to be dispassionate and neutral at all times while on the bench.**

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



 (Candidate Signature)

Sworn to before me this 27 day of July, 2016.



 (Notary Signature)
Keshia Jefferson

 (Print name)

Notary Public for South Carolina
 My Commission Expires: 3/14/2026