

1 STATE OF SOUTH CAROLINA)

2 COUNTY OF RICHLAND)

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4 JUDICIAL MERIT SELECTION COMMISSION

5 TRANSCRIPT OF PUBLIC HEARINGS

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7 BEFORE: SENATOR GEORGE E. CAMPSER, III, CHAIRMAN

8 REP. BRUCE W. BANNISTER, VICE-CHAIRMAN

9 SENATOR GERALD MALLOY

10 REP. G. MURRELL SMITH, JR.

11 REP. J. TODD RUTHERFORD

12 KRISTIAN C. BELL

13 MICHAEL HITCHCOCK

14 SENATOR GREG HEMBREE

15 ANDREW N. SAFRAN

16 JOSHUA L. HOWARD

17 ERIN CRAWFORD, CHIEF COUNSEL

18 * * * * *

19 DATE: December 5th, 2016

20 TIME: 2:30 P.M.

21 LOCATION: Gressette Building, Room 105

22 1101 Pendleton Street

23 Columbia, South Carolina 29201

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25 REPORTED BY: LISA F. HUFFMAN, COURT REPORTER

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P R O C E E D I N G S

CHAIRMAN CAMPSSEN: We have all the members present of the Judicial Merit Selection Commission. So I will now call this meeting to order and will entertain a motion to go into executive session for legal advice.

SENATOR HEMBREE: So moved.

REPRESENTATIVE SMITH: Second.

CHAIRMAN CAMPSSEN: Motion from Senator Hembree. Second from Representative Smith. All those in favor indicate by saying "aye."

BOARD MEMBERS: "Aye."

CHAIRMAN CAMPSSEN: Opposed?

(No response.)

CHAIRMAN CAMPSSEN: The ayes have it.

(Off the record.)

CHAIRMAN CAMPSSEN: We have lifted the veil. We took legal advice. No votes were taken. No decisions made. Let me remind everyone where we are procedurally. All candidates for the Supreme Court, Seat 5, were found qualified. Two of these candidates are nominated: The Honorable Diane Schafer Goodstein and The Honorable George C. "Buck" James, Jr. The remaining candidates are in

1 alphabetical order: The Honorable Ralph King
2 "Tripp" Anderson, The Honorable R. Keith
3 Kelly, The Honorable Carmen Tevis Mullen, John
4 Shannon Nichols and Matthew T. Richardson.

5 Under Section 2-1980(a), we are charged
6 to submit the names and qualifications of the
7 three candidates best qualified for the
8 office.

9 We will now proceed to a vote on the
10 remaining nominations. Ms. Crawford will read
11 out the names.

12 SENATOR MALLOY: Mr. Chairman.

13 CHAIRMAN CAMPSER: Senator Malloy.

14 SENATOR MALLOY: Prior to having to vote,
15 I would just like to put on the record here
16 that this past weekend they had the Auto Torts
17 Conference down in Atlanta. There is a
18 Presidents Counsel that I am a member of and
19 there was a vote taken at some point and time
20 previously where the previous presidents vote
21 to give someone an award. Mr. Nichols and Mr.
22 Richardson are both past presidents and I got
23 a chance to receive the award. They were
24 attending the same conference. I just want to
25 make certain that is placed on the record.

1 CHAIRMAN CAMPSEN: Okay. Thank you.
2 We will now proceed to a vote on the remaining
3 nominations. Ms. Crawford will read out the
4 names of the remaining qualified candidates in
5 alphabetical order.

6 MS. CRAWFORD: Everybody will have one
7 vote. The Honorable Ralph King "Tripp"
8 Anderson.

9 REPRESENTATIVE SMITH: Do we vote?

10 REPRESENTATIVE RUTHERFORD: I thought she
11 said you are only allowed one vote.

12 REPRESENTATIVE SMITH: This is nominated
13 and --

14 CHAIRMAN CAMPSEN: Everyone is qualified,
15 this is nominated. Raise your hands again.

16 (Board members vote.)

17 MS. CRAWFORD: The Honorable R. Keith
18 Kelly.

19 (Board members vote.)

20 MS. CRAWFORD: The Honorable Carmen Tevis
21 Mullen.

22 (Board members vote.)

23 MS. CRAWFORD: John Shannon Nichols.

24 (Board members vote.)

25 MS. CRAWFORD: Matthew T. Richardson.

1 (Board members vote.)

2 CHAIRMAN CAMPSEN: Since no candidate
3 received the majority of votes, we will --
4 so Nichols is out of this vote. So we will
5 take a second round of votes.

6 MS. CRAWFORD: The Honorable Ralph King
7 Anderson, III.

8 (Board members vote.)

9 MS. CRAWFORD: The Honorable R. Keith
10 Kelly.

11 (Board members vote.)

12 MS. CRAWFORD: The Honorable Carmen
13 Tevis Mullen.

14 (Board members vote.)

15 MS. CRAWFORD: Matthew T. Richardson.

16 (Board members vote.)

17 MS. CRAWFORD: Proceed to a third vote.
18 The Honorable Ralph King Anderson, III.

19 (Board members vote.)

20 MS. CRAWFORD: The Honorable R. Keith
21 Kelly.

22 (Board members vote.)

23 MS. CRAWFORD: Matthew T. Richardson.

24 (Board members vote.)

25 MS. CRAWFORD: Proceed to the next vote.

1 The Honorable Ralph King Anderson, III.
2 (Board members vote.)
3 MS. CRAWFORD: The Honorable R. Keith
4 Kelly.
5 (Board members vote.)
6 MS. CRAWFORD: Matthew T. Richardson.
7 (Board members vote.)
8 MS. CRAWFORD: The Honorable R. Keith
9 Kelly receiving six votes has been nominated.
10 CHAIRMAN CAMPSSEN: No more business
11 before the Commission. Do I have a motion
12 that we --
13 SENATOR MALLOY: Recede to the call of
14 the Chair.
15 CHAIRMAN CAMPSSEN: Recede to the call of
16 the Chair.
17 MR. HITCHCOCK: Second.
18 CHAIRMAN CAMPSSEN: We have a second. All
19 in favor indicate by saying "aye."
20 BOARD MEMBERS: "Aye."
21 CHAIRMAN CAMPSSEN: Opposed?
22 (No response.)
23 CHAIRMAN CAMPSSEN: The ayes have it.
24 (Off the record.)
25 (The proceedings adjourned at 3:54 p.m.)

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CERTIFICATE OF REPORTER

I, LISA F. HUFFMAN, COURT REPORTER AND NOTARY PUBLIC IN AND FOR THE STATE OF SOUTH CAROLINA AT LARGE, HEREBY CERTIFY THAT I REPORTED THE SAID PROCEEDINGS, ON THE 5TH DAY OF DECEMBER, 2016, THAT THE WITNESSES WERE FIRST DULY SWORN AND THAT THE FOREGOING 6 PAGES CONSTITUTE A TRUE AND CORRECT TRANSCRIPTION OF SAID PROCEEDINGS TO THE BEST OF MY SKILL AND ABILITY.

I FURTHER CERTIFY THAT I AM NEITHER ATTORNEY NOR COUNSEL FOR, NOR RELATED TO OR EMPLOYED BY ANY OF THE PARTIES CONNECTED WITH THIS ACTION, NOR AM I FINANCIALLY INTERESTED IN SAID CAUSE.

I FURTHER CERTIFY THAT THE ORIGINAL OF SAID TRANSCRIPT WAS THEREAFTER SEALED BY ME AND DELIVERED TO, JUDICIAL MERIT SELECTION COMMISSION, 1101 PENDLETON STREET, COLUMBIA, SOUTH CAROLINA 29201, WHO WILL RETAIN THIS SEALED ORIGINAL TRANSCRIPT AND SHALL BE RESPONSIBLE FOR FILING SAME WITH THE COURT PRIOR TO TRIAL OR ANY HEARING WHICH MIGHT RESULT IN A FINAL ORDER ON ANY ISSUE.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS 30TH DAY OF 2016.

LISA F. HUFFMAN, COURT REPORTER
MY COMMISSION EXPIRES JULY 25, 2025