



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

Circuit Court
(New Candidate)

Full Name: Jeffrey P. Bloom

Business Address: P.O. Box 5885, Columbia SC 29250

Business Telephone: (803) 256-7001

1. Why do you want to serve as a Circuit Court judge?

For the same reason that members probably decide to run for election to the General Assembly: I believe, humbly though, that I would be good at it, and could be of service to our State. I would strive to exemplify courtesy, humility, and adherence to the law. My father, a WW II veteran who served in the European military theater, and my mother, a humble home-maker strong in her religious faith, both instilled in me a duty to serve the community.

I have practiced in virtually every county courthouse of this State, and have an excellent rapport with attorneys on both sides of the aisle, court staff, law enforcement, and other County and State personnel. I believe any of them would attest to my character and honesty. And, I am, to my knowledge, the only attorney in S.C. who has taken a victim advocate course (over 25 hours of training) and a restorative justice (victim-centered) course (over 2-weeks of training) to understand and appreciate what non-lawyer participants who have been victimized (either criminally or civilly) experience in a courtroom setting.

Finally, I serve as a Scoutmaster to a local Boy Scout Troop where 50% of the scouts are from single-parent (or grandparent) households. I try to instill in them a duty to God, to their community, and to their family. I endeavor to set the example every day by living the Scout Oath and Law.

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

No *ex parte* communications should occur except as authorized by statute or case law. A judge should not communicate *ex parte* about the substance or merits of case – representatives for both parties should be present for any such communication or meeting. A judge should be accessible to the parties for scheduling and other routine agenda-type items; although that can even be handled via email now, with a “cc” to all parties.

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

Given my lack of any inherent conflicts – since I have not worked for a state or county agency, or been part of a large law firm, there would probably be few potential recusal situations. But where such situations did arise, I would have no problem in recusing myself if the circumstances warranted it to ensure that the parties received an impartial hearing.

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 notify the parties of any potential bias or conflict, and if one party moved to recuse me on that basis, I would consider the matter thoroughly and thoughtfully, along with the applicable law on recusal. If it appeared that recusal was appropriate under all the circumstances, I would not hesitate to grant such motion and let another Circuit Court Judge hear the matter.

8. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?

My wife, Karen N. Fryar, is an Assistant Solicitor in Chester County, Sixth Judicial Circuit, so I would obviously not hold court in that Circuit. I have no other relatives involved the court system.

9. What standards would you set for yourself regarding the acceptance of gifts or social hospitality?

I would not accept gifts. As for accepting social hospitality situations, under the binding ethical rules, I would report it if reporting was mandated or even advised. If reporting was not mandated, then I would assess the situation, and if the circumstances warranted, then I would report or disclose it.

10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?

If the ethical rules required the reporting of misconduct, then I would do so. If the conduct were questionable but not clearly misconduct under the rules, then I would attempt to counsel the person accordingly, or initiate other appropriate steps.

11. Are you affiliated with any political parties, boards or commissions that, if you were elected, would need to be re-evaluated?

No.

12. Do you have any business activities that you would envision remaining involved with if elected to the bench?

No.

13. If elected, how would you handle the drafting of orders?

I would prefer to draft my own orders as much as possible. If that was not practical in a particular case, then I would require that one party draft the order and submit it to the opposing party for review and any objections.

14. If elected, what methods would you use to ensure that you and your staff meet deadlines?

I maintain a strict calendar of deadlines. In this vein, federal court has been very instructive in teaching me the importance and necessity of calendaring and meeting deadlines.

15. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?

The legislature establishes policy. The trial court (Circuit Court)

applies the law to a specific set of facts and circumstances as presented in the courtroom. The S.C. Appellate and Supreme Court interpret such laws and provide guidance. Thus, the two biggest “checks” on the Circuit Court are, by our state constitution and statutes, are: the appellate courts; and, the General Assembly itself since it has the final authority over whether a sitting Judge is re-elected. It is a much better, and fairer, system, than that of general election of judges by the public as used in other states.

16. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. If elected, what activities do you plan to undertake to further this improvement of the legal system?

I would seek to participate in mock trials with the law school and similar educational forums. I would also be available to lecture at the law school and at Bar sponsored CLE's on appropriate topics. I have a long history of teaching and lecturing, and it is an important part of educating both the public and lawyers.

17. Do you feel that the pressure of serving as a judge would strain personal relationships (i.e. spouse, children, friends, or relatives)? How would you address this?

None whatsoever. I am remarried and my wife, Karen N. Fryar, is an Asst. Solicitor in Chester County, so I would not be presiding over matters in her district. My children are grown, so that such matters do not currently impact on my professional life.

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.

First, let me address an obvious concern. Due to my service as a public defender, and then handling death penalty cases when asked by the Court (because of my experience and knowledge), let me settle this issue: I would follow the law and could impose any sentence, including capital punishment, when warranted under the facts and law of the case.

- a. Repeat offenders:

The legislature has provided for specific sentencing of this class of offenders. I would not hesitate to sentence within such structures. I am particularly aware how repeat offenders in house-breaking, identity-fraud, and similar crimes, have a serious impact on the victims' daily lives and finances. The federal system, for example, punishes felons more harshly for firearm offenses.

b. Juveniles (that have been waived to the Circuit Court):

I would look to the Family Court Order of transfer and background investigation report for some guidance. I would of course also look to the nature of the offense, the extent of harm to the victim(s), and the presentation of the parties as to the particular circumstances of the individual case. I would not hesitate, though, to sentence a juvenile as an adult since our S.C. Supreme Court has established precedent and procedures in this area. My wife, Karen Fryar, has been a Prosecutor for years, including in Family Court, and I am very familiar with these issues.

c. White collar criminals:

I would look to the harm done to society and the particular victims. I would rely on the nature of the offense and the presentation of the parties as to the particular circumstances of the individual case and the specific harm it has caused and would not hesitate to sentence the offender accordingly.

d. Defendants with a socially and/or economically disadvantaged background:

This information can be a mitigating factor, but as in the federal system it does not result in an automatic reduction of a sentence. As a former public defender, I have heard many of the stories and would not hesitate to sentence an offender accordingly based on the offense, harm to the victim(s), and presentation of the parties as to the particular circumstances of the individual case.

e. Elderly defendants or those with some infirmity:

This information can be a mitigating factor, but as in the federal system it does not result in an automatic reduction of a sentence.

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?

Probably not. However, I would need to review the information which applied, and apprise the parties of the matter and decide accordingly. For

example, if First Citizens Bank was involved as a party – where I have my retirement accounts, and other personal and business accounts – I would apprise the parties and listen to any objections on the matter, and depending upon the nature of the action, the issues involves, decide accordingly and recuse myself if I felt such association impaired the parties' right to a fair and impartial hearing.

21. Do you belong to any organizations that discriminate based on race, religion, or gender?

No.

Also, I am aware of the potential for racial bias in our criminal justice system, and would seek to properly address it when necessary, again according to the facts and law of the case and the remedy as may be allowed by law.

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?

A judge should be courteous - *always*. I have tried to live my life humbly, and according to the Scout Oath and Law, and would not verbally abuse or try to dominate any party. Of course, a judge must maintain order and decorum and control in all proceedings. I have been fortunate in my 20+ years' of legal practice in that I have had the opportunity to appear before judges all across our state. This has allowed me to observe and appreciate the appropriate demeanor of certain very respected judges and the positive effects such a demeanor has on the judicial proceedings at hand, and the appreciation and respect of all the parties involved.

24. 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?

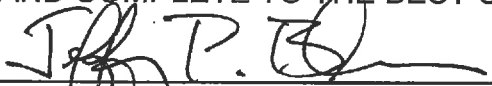
The BSA (Boy Scouts of America) Oath and Law apply 24/7, and so a Judge's demeanor and behavior applies 24/7 as well.

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 pro se litigants?

No.

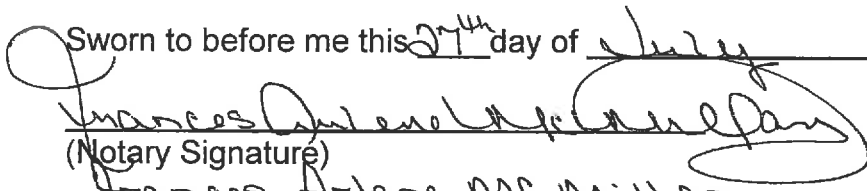
Anger is not an appropriate emotion exhibited by the presiding Judge in any proceeding. A Judge, in warranted circumstances, may exhibit and communicate strong displeasure and disagreement in the strongest terms, and also has the power of contempt of court. But actual anger has no place in a judicial proceeding. "Losing control," whether in the courtroom or outside of it, would potentially infect the proceeding with potential prejudice and error – which would then subject the proceeding to unnecessary judicial review from an appellate court, and lead to needless appeals and waste of resources.

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 27th day of July, 2016.



(Notary Signature)

FRANCES ARLINE McMillan
(Print name)

Notary Public for South Carolina

My Commission Expires: 12-17-2019