



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

Retired Judge

Full Name: Arthur Eugene Morehead, III (Gene)

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1. Have you met the mandatory minimum hours requirement for continuing legal education courses for the past reporting period?

Yes.

2. Do you have any plans to return to private practice?

I do not have any plans to return to private practice.

3. Are you engaged in any legal activities other than your service as a retired judge, such as acting as an arbitrator or mediator?

No. Plan to let local attorneys know that if they think that I can help them settle a case, I would be more than happy to try; however, I do not plan to open an active mediation business.

4. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?

No.

5. Are you a member of any organization or association that, by policy or practice, prohibits or limits its membership on the basis of race, sex, religion, or national origin? If so, please identify the entity and explain if this organization practices invidious discrimination on any basis.

No.

6. Have you engaged in any partisan political activity since your retirement? Please describe.

No.

7. What do you feel is the appropriate demeanor for a judge? When do these rules apply?

I believe the demeanor of a judge is one of his most important attributes. Since it relates to his appearance, both in and outside the courtroom, it cannot be underestimated. The tone of a judge's voice, his gestures and his entire presentation must be even based to ensure that everyone concerned knows that he will be making a fair, impartial and educated decision.

8. In your position as a retired judge, what methods do you employ to ensure that deadlines for the timely issuance of orders are met?

While an active judge, I never really had a problem with issuing orders in a timely manner primarily by using a diary system. I plan to continue that system as a retired judge.

9. 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?

Anger is never appropriate under any circumstances.

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

It is my obligation under the Canons of Judicial Ethics and the Code of Professional Responsibility to report a lawyer or a fellow judge to the respective grievance commission concerning the misconduct and to cooperate with them during their investigation.

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

Having been a trial judge for thirty-three years, recusals do not come up concerning former law partners or associates. If a motion for recusal is made, it is dealt with on an individual case-by-case basis; but it is extremely rare.

12. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?

I follow the Canons of Judicial Ethics in not having any *ex parte* communications with attorneys concerning the merits of a case or any issues involved. There are circumstances when a judge becomes the Administrative Judge in the circuit that he must discuss cases with individual attorneys in controlling and organizing the docket and calendar. When those circumstances arise, there is never any conversation as to the merits of a particular case or the issues involved. As a

retired judge, I do not believe that I would ever be appointed as the Administrative Judge for a circuit.

13. 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?

Even if I personally believed there would be no prejudice in my decision or affect on my impartiality, if a disclosure of an appearance of bias is made and a party requests recusal, I would grant the motion. Since there are sixty judges, it is very easy to have another judge hear the case by simply swapping days or dockets. There is absolutely no reason for litigants to have any doubt when they walk into the courtroom that they will receive a fair and impartial hearing.

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

I do not accept food, meals, lodging, etc., from individual attorneys or from law firms. Whenever I should happen to dine with an attorney, I make sure to pay for that meal. Pertaining to social hospitality, there have been occasions usually surrounding playing golf at a particular country club where if I were playing with an attorney, a sandwich may have been eaten before or during the golf round where money is not accepted at the country club but tickets are required to be signed. On those occasions, I have attempted to determine the cost of the food and reimburse the attorney.

15. In order that we might advise court administration on steps that need to be taken, are there any limitations on your sight, hearing, or mobility that should be addressed by the court administrator?

No.

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

Sworn to before me this ____ day of _____, 2018.

(Signature)

(Print name)

Notary Public for South Carolina

My Commission Expires: _____