



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

**Supreme Court/Court of Appeals  
(New Candidate)**

Full Name: The Honorable Jerry D. Vinson, Jr.  
Business Address: 181 N. Irby Street, Suite 2800 Florence, SC 29501  
Business Telephone: 843-665-3079

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

Yes.

2. If elected, 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?

Ex parte communications are not permitted. In certain circumstances, ex parte petitions seeking emergency relief are permitted by the Court Rules and by law.

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

If an appearance of impropriety or substantial concern related to perceived bias is clearly stated on the court record, I would consider recusal.

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?

I would give substantial deference to that party and discuss the concerns on the Court record. If the party was not reassured, I would consider granting the Motion.

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

My wife and I generally accept no gifts, except from close friends and family. We generally socialize with close friends and family only. We do socialize with a few attorneys, and if our relationship is close, I will not hear contested matters if that attorney represents a litigant.

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

If the conduct is such that it must be reported, then I report it. If reporting was not mandatory, I would discuss it with the attorney or judge and advise them of the possible consequences and reporting requirements.

9. Are you affiliated with any political parties, boards or commissions? If so, in what capacity are you serving?

No.

10. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations? Please describe.

Prior to my election to the bench, I was occasionally involved in community fund raising efforts related to the Boards on which I served. I was not involved in political fundraising. I have not been involved in any fundraising since I have been on the bench.

11. How would you prepare for cases that were before you?

I would carefully review all appropriate, filed documents. I would review any applicable Court rules, statutory provisions and case law.

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

It is my responsibility to apply the law, not to make it. I believe my philosophy is consistent with the judicial canons and constitutional separation of powers.

13. 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 am a regular speaker at legal seminars and training sessions. I am a member of legal and judicial organizations. I participate in the South Carolina Bar LRE programs. I would continue to be involved as I have been for the past fourteen (14) years.

14. 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 plan to address this?

While there is some isolation that must occur, I feel no particular stress or pressure serving as a judge.

15. Please describe your methods of analysis in matters of South Carolina's Constitution and its interpretation by explaining your approach in the following areas. Which area should be given the greatest weight?

- a) The use and value of historical evidence in practical application of the Constitution:

If historical evidence includes documents such as writings of ratifiers, I would be mindful that the intent of one ratifier may not reflect the intent of the entire convention. If historical evidence includes learned treatises and other writings, these may be of some interest, particularly if they are contemporaneous with our current constitution. At best, such evidence would be of limited value.

- b) The use and value of an agency's interpretation of the Constitution:

An agency's interpretation of the Constitution would be of very limited value, as it may likely reflect the bias of that agency related to the provision it is interpreting.

- c) The use and value of documents produced contemporaneously to the Constitution, such as the minutes of the convention:

Documents produced contemporaneously to the constitution, such as the minutes of the convention, would be the most reliable of the three examples provided.

Such documents would be the most likely source of the convention's process as a group to reach decisions concerning the wording and intent of the constitutional provision. These sources would not, however, be controlling.

If a case before the Court of Appeals required analysis of a provision of the South Carolina Constitution, I would look first to the plain text of the constitutional provision and its clear meaning. If some interpretation is required, it would be appropriate to rely upon the prior decisions of the South Carolina Supreme Court in understanding the meaning of the provision, particularly when the Court is clear and united in its decision.

16. 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.

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

Yes.

18. What do you feel is the appropriate demeanor for a judge and when do these rules apply?

A judge should be patient and respectful toward the litigants and attorneys; firm when necessary; and well-tempered at all times.

19. Would there be a role for sternness or anger in meetings with attorneys?

It would not be appropriate to demonstrate anger; however, there are instances in which sternness may be appropriate. If it is necessary to speak sternly, I make every effort to do so out of sight and sound of the litigants.

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

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Sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2018.

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(Signature)

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(Print name)

Notary Public for South Carolina

My Commission Expires: \_\_\_\_\_