



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

**Circuit Court**  
**(New Candidate)**

Full Name: Laura Campbell Waring

Business Address: 473 Savannah Hwy., Charleston, SC 29407

Business Telephone: (843) 722-0311

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

I believe my tact, demeanor, intelligence, and fairness will serve my community well and that my discernment will represent to my community the best that the legal system has to offer. My adult life has been steeped in public service, as has been a family tradition, but my sense of fairness has been present since childhood. I may not always do what is popular, but I believe I do what is right after weighing the merits of all sides of an issue.

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

Yes, I would serve my full term and, if allowed, would serve as long as needed. I do not have any current plans to serve in another capacity or seek an appellate position.

3. Do you have any plans to return to private practice one day?

I do not have any current plans to return to private practice, but I would not foreclose the possibility using my skills to become a mediator later in life.

4. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice?

I have met and exceeded all of these requirements.

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

The Code of Judicial Conduct and Code of Professional Conduct are very clear on *ex parte* communications, so I would not deviate from them. Thus, my only philosophy regarding *ex parte* communications is to follow the well-established rules, and to the limited extent that these rules allow for *ex parte* communications, in Canon 3 (B)(7), I would tolerate only those which are specifically excepted by the Rules, and even then, with the utmost of caution.

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

My philosophy is to abide by the Judicial Canons which direct squarely on point:

I will discharge my administrative responsibilities without bias or prejudice and maintain professional competence in judicial administration, and I will cooperate with other judges and court officials in the administration of court business.

I will require staff, court officials and others subject to my direction and control to observe the standards of fidelity and diligence that apply to me and to refrain from manifesting bias or prejudice in the performance of my official duties.

Thus, I will afford to lawyer-legislators the same courtesies as all other lawyers who appear before me, and their status will not present any bias or prejudice in and of itself.

Regarding recusal, I will abide by the Canons and ensure that even an appearance of impropriety is avoided, thus I will disqualify myself in a proceeding in which my impartiality might reasonably be questioned, including but not limited to:

Instances where I have personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of disputed evidentiary facts concerning the proceeding; where I served as a lawyer in the matter in controversy, or a lawyer with whom I previously practiced law served during such association as a lawyer concerning the matter, or if I have been a material witness concerning it; or if I know, individually or as a fiduciary, or my husband, mother or children, or any other member of the my family residing in my household, has an economic interest in the subject matter in controversy or in a party to the proceeding or has any other more than de minimis interest that could be substantially affected by the proceeding; and where my husband or I, or a person within the third degree of relationship to either of us, or the spouse of such a

person: is a party to the proceeding, or an officer, director or trustee of a party; is acting as a lawyer in the proceeding; is known by me to have a more than de minimis interest that could be substantially affected by the proceeding; or is to my knowledge likely to be a material witness in the proceeding.

However, given the large number of relatives I have in the Charleston and Berkeley area, I would give careful consideration to the annotations of the rules which state, "The fact that a lawyer in a proceeding is affiliated with a law firm with which relative of the judge is affiliated does not of itself disqualify the judge." For example, my husband's law firm, Young Clement Rivers LLC, handles defense work and large plaintiffs' cases. The other lawyers in his firm handling defense work on an hourly basis would not pose specific disqualification for me, but if there were a plaintiff's case in which my husband as a partner would profit directly, I would recuse myself. I also have several cousins who practice law in the state. Their partners and associates would not require recusal, but each case would be carefully considered.

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?

Essential to the role of the judge is the appearance of impropriety, so if there were a disclosure that concerned a party enough to move for recusal, I would grant it to avoid the appearance of impropriety. More likely, however, I would recuse myself *sua sponte*.

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

As per the Judicial Canons, I would recuse myself where required, or where there might be an appearance of impropriety. If there were a situation where I disclosed the social or financial involvement of my husband or close relative, I would afford the parties the opportunity to consider and request recusal. If either party moved for my recusal, I would grant such motion. However, to prevent a backlog, I would be very clear in suggesting to all parties that the social connections of my family are numerous, and to please make their requests factually specific to the case or controversy, or specific to any potential for extra-judicial knowledge of the case or controversy.

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

I would abide by the Judicial Canons which allow ordinary social hospitality and gifts commensurate with the occasion; thus, when my children have special occasions, we will accept and reciprocate invitations and gifts; and especially when they are married, we will invite fairly large groups of friends as is our custom, and they will receive special gifts as is customary with our friends and family. As a personal standard, I would not accept a gift or invitation unless I would initiate or reciprocate the same.

10. 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?

As the Judicial Canons state, if I have a reasonable belief that the performance of a lawyer or another judge is impaired by drugs or alcohol, or by a mental, emotional, or physical condition, I will take appropriate action, which may include a confidential referral to an appropriate lawyer or judicial assistance program. speaking directly to the impaired person, notifying an individual with supervisory responsibility over the impaired person, or making a referral to an assistance program, such as Lawyers Helping Lawyers or the South Carolina Bar in accordance with Rule 428, SCACR. Depending upon the gravity of the conduct that has come to my attention, however, I may be required to take other action, such as reporting the impaired judge or lawyer to the appropriate disciplinary authority, as per Canon 3(D)(1) and (2).

11. 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.

I am not a member of any such organization. My affiliations with gender specific organizations are fraternal, non-profit, cultural or religious, such as women's church functions and sorority membership.

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

I have raised funds for numerous non-profit organizations, from the PTA to ballet to the museum and my church. However, I am not a frequent participant in political fund-raising.

13. Do you have any business activities that you would envision remaining

involved with if elected to the bench?

My current financial holdings will remain the same, barring unforeseen circumstances. These include stock holdings and a small family business which my husband set up to make educational travel films.

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

My practices will conform to those imposed by the Chief Administrative Judge where mandated, or in the absence of a mandate, my best practices will apply. For form orders, I will execute them as soon as practical after determining the requirements have been met. As with my current practices, I will maintain constant communication with staff to ensure that no time sensitive matters are missed. Judicial clerks are invaluable assets to a judge in researching novel issues of law and in routine preparation of form orders, and I would welcome assistance from any staff which may be available to me. My calendar will be redundant, with diary dates reduced to paper and electronic forms, to include outstanding matters in a tickler format. At the time of motions hearings, I will ask if the moving party has attached a proposed order, and if none is attached, I will request the parties to submit proposed findings of fact and conclusions of law, within a specific timeframe, so long as the other parties are apprised of the request and are given an opportunity to respond to the proposed findings and conclusions.

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

I will abide by the Judicial Canons which state "A judge shall dispose of all judicial matters promptly, efficiently and fairly." I will demonstrate due regard for the rights of the parties to be heard and to have issues resolved without unnecessary cost or delay. Where a form order will suffice, I will have a prompt return of same, and where lengthy consideration is required, I will abide by calendar reminders and will insist that all staff abide by the same. Currently, I use a diary system on paper and electronically, and I will use the same or a similar system depending on the resources available. In the past, I have used clerks and research assistants to assist in preparation of memoranda and pleadings, with assignments given in priority of urgency. My current triage system relies upon the cooperation of staff, and I have ensured an open line of communication in prioritizing the most urgent matters first. My policy is to return all phone calls within twenty-four hours when possible.

As I have done in private practice, I will be punctual in attending court and expeditious in determining matters under submission, and I will insist that court officials, litigants and their lawyers cooperate with my

instructions to that end.

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

The only judicial activism I believe in is the promotion of an independent judiciary, one bound by the applicable laws and adherence to impartiality in enforcing them. Judges should not set or promote public policy, as that is the function of the legislative and executive branches of government. Judges should only enforce the laws and leave the law and policy-making to those who are elected to do so.

17. 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 welcome the opportunity to assist in presenting continuing education programs and participation in bench-bar panels designed to improve the legal system and its administration. In my practice, I have enjoyed presenting at continuing legal education programs, and I would like to do the same as a judge.

18. 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?

As a practicing attorney for over 20 years, I have learned how to compartmentalize and minimize work-related stress through exercise and faith-based worship and prayer. My plan for handling any additional pressure as a judge would be the same. My decisions have never come from a drive to do what is popular, so my personal relationships have always been separate from my business judgment. Thus, serving as a judge would not in and of itself strain my personal relationships, but I do recognize that it will require additional strength with less of a support system. I will count on fellow judges to share best practices and wisdom in this area.

19. 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.

a. Repeat offenders: I will apply the law, guidelines and such enhancements as are applicable. The Omnibus Crime Reduction and Sentencing Reform Act of 2010 would include certain mandatory sentences and others where my discretion would allow latitude. In those instances of discretion, I will weigh the

evidence carefully and make sure that both defendant and victim are heard fully before making my decision.

- b. Juveniles (that have been waived to the Circuit Court): I will apply the law, guidelines and such enhancements as are applicable. The Omnibus Crime Reduction and Sentencing Reform Act of 2010 would include certain mandatory sentences and others where my discretion would allow latitude, including juveniles. In those instances of discretion, I will weigh the evidence carefully and make sure that both defendant and victim are heard fully before making my decision.
- c. White collar criminals: I will apply the law, guidelines and such enhancements as are applicable. The Omnibus Crime Reduction and Sentencing Reform Act of 2010 would include certain mandatory sentences and others where my discretion would allow latitude. In those instances of discretion, I will weigh the evidence carefully and make sure that both defendant and victim are heard fully before making my decision.
- d. Defendants with a socially and/or economically disadvantaged background: I will apply the law, guidelines and such enhancements as are applicable. The Omnibus Crime Reduction and Sentencing Reform Act of 2010 would include certain mandatory sentences and others where my discretion would allow latitude. In those instances of discretion, I will weigh the evidence carefully and make sure that both defendant and victim are heard fully before making my decision. Additionally, I will ensure that if there is a barrier to understanding, and/or if the defendant cannot afford representation, that proper protocols have been followed regarding representation and access to public defenders where necessary.
- e. Elderly defendants or those with some infirmity: I will apply the law, guidelines and such enhancements as are applicable. The Omnibus Crime Reduction and Sentencing Reform Act of 2010 would include certain mandatory sentences and others where my discretion would allow latitude. In those instances of discretion, I will weigh the evidence carefully and make sure that both defendant and victim are heard fully before making my decision. Additionally, I will ensure that if there is a disability, that reasonable accommodations are made when necessary to carry out the mandates of Federal law.

20. Are you involved in any active investments from which you derive

additional income that might impair your appearance of impartiality?

Within my financial disclosure, I have disclosed a trust held for my benefit in the form of stock in Evening Post Industries. I do not believe it would be appropriate for me to hear any substantive matters which may affect the value of that stock, and I would specifically recuse myself to that end.

21. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?

As the rules provide, a judge must disqualify herself where the judge knows that he or she, individually or as a fiduciary, or the judge's spouse, parent or child wherever residing, or any other member of the judge's family residing in the judge's household, has an economic interest in the subject matter in controversy or in a party to the proceeding or has any other more than *de minimis* interest that could be substantially affected by the proceeding. In an abundance of caution, I would likely recuse myself to avoid such an appearance.

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

As stated above, I do not belong to any such organizations. I do belong to women's groups for non-profit and cultural, or faith-based purposes.

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

I have met and exceeded these requirements.

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

I believe that a judge must exhibit a professional and courteous demeanor at all times, and those are traits which my upbringing insisted upon, and which have been noted by colleagues. My *modus operandi* is to deal efficiently but kindly whenever possible, but when firmness is warranted, it is possible to be firm without becoming nasty or petulant. As stated in the Judicial Canons, a certain degree of restraint must be placed upon judges so that the public's confidence in the legal system is not compromised. The rules for judges apply in all facets of their lives and at all times.

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?

Anger demonstrates a lack of self-control, and it is imperative that judges and attorneys alike maintain decorum by abiding by the Rules of Professional Conduct and Civility Oath. I do not believe anger is appropriate when dealing with the public, whether criminal defendants, attorneys, or other litigants. Particularly with *pro se* litigants and young attorneys, it is critical to maintain a mature and courteous demeanor while maintaining order in the courtroom.

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.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)  
Notary Public for South Carolina  
My Commission Expires: \_\_\_\_\_