

Joseph C. Smithdeal

Family Court, Eighth Judicial Circuit, Seat 3



AMENDMENT TO JUDICIAL MERIT SCREENING COMMISSION SWORN STATEMENT

ORIGINALLY SUBMITTED: JULY 23, 2018

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

SUPPLEMENTAL RESPONSE: Please specify whether you are simply supplementing the prior answer or striking that answer and replacing it with what is provided in the amendment.

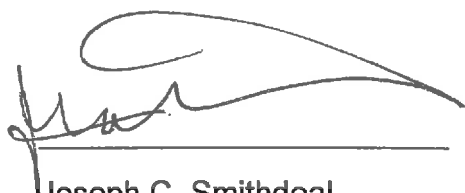
In my original answer I simply stated, "No". I would like to strike my answer to this question and replace it with the following: Yes. As a member of the Knights of Columbus, during two shifts per year for a total of four hours I stand outside of Wal-Mart and hand out Tootsie Rolls to any and every person who walks past. I accept any donation that is made for the support of The Burton Center and the special education classes in the local public schools. No donation is required and none is requested. People do usually ask, "How much do they cost?" or "What is the donation amount?" The responses are always, "They are completely free." and, "If you would like to donate anything, that is great." Usually a donation is spare change, but sometimes people will put larger amounts in the collection can. My role as a judge is in no way disclosed. Canon 4 C (b) states that, "A judge as a ... member or otherwise: (i)... shall not personally participate in the solicitation of funds or other fund raising activities...; (iv) shall not use or permit the use of the prestige of judicial office for fund-raising.... I am well aware of the Canon and overlooked this activity due to the *de minimis* and essentially anonymous nature of this fund-raising for a worthy cause.

21. 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.

SUPPLEMENTAL RESPONSE: Please specify whether you are simply supplementing the prior answer or striking that answer and replacing it with what is provided in the amendment.

In my original answer I simply stated, "No". I would like to supplement my answer to this question with the following: Yes. I am a member of the Knights of Columbus which is a world-wide Catholic, charitable men's organization. A person must be a Catholic and a

man to be a member. I stated in my response to Question 57 of the Judicial Merit Selection Commission's Personal Data Questionnaire that I am a member of the Knights of Columbus and in no way attempted to hide my association. No, the Knights of Columbus do not practice any type of invidious discrimination. I was focused on the "invidious discrimination" language of the question when I answered it originally. Canon 2C prohibits membership in any organization that practices invidious discrimination. I'm well aware of that Canon and knew that I was/am not a member of any such organization so I simply wrote "no" instead of explaining this more fully. The Commentary to the Canon explains that, "An organization dedicated to the preservation of religious, spiritual, civic, charitable...values or ...a fraternal... organization, is not considered to discriminate invidiously if it does not stigmatize any excluded persons as inferior and therefore unworthy of membership." As such, the Knights of Columbus does not limit membership in any invidious way.



Joseph C. Smithdeal

October 16, 2018

If mailing, please provide your supplemental response to the following address:

Judicial Merit Selection Commission
1101 Pendleton Street
Columbia, SC 29201