



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

Circuit Court
(New Candidate)

Full Name: Melissa Anne Inzerillo

Business Address: Sixteenth Circuit Public Defender Office, 1675-1E York Highway, York, SC 29745

Business Telephone: 803.628.3031

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

Being a judge has always been a goal of mine. It is the epitome of the legal world in my eyes. I have been an advocate for my entire career and I would like the opportunity to take the law and arguments I hear and craft a solution for the parties in a fair and equitable way. I believe I can bring an attitude of fairness and equality to the bench, and would like an opportunity to do so.

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?

I don't have any plans at this time.

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?

I believe *ex parte* communications should be avoided. I understand there may be exceptions to this rule, and I could envision a situation where an attorney felt that client confidentiality needs to be violated

for me to understand the issue and it would be inappropriate for opposing counsel to hear. I would, however, apprise opposing counsel of my intent to converse with counsel. I would then put as much of the conversation as allowable on the record to support my decision.

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?

Although every case is different, if a party asked for me to be recused I would consider granting the motion, but explain for the record that I did not believe it would prejudice my impartiality. I would consider granting the motion because I would want the litigants believe that the judge deciding their case is fair and impartial.

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

I would disqualify myself from the case if it implicated the restrictions in Judicial Canon 3 (E).

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

I would decline accepting gifts and would ensure any social hospitality does not give the appearance of bias.

9. 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?

Judicial Canon 3(D) requires a judge to report misconduct or appearance of infirmity of a lawyer or a fellow judge. If possible, I would address the situation with the lawyer or fellow judge, and if a report is necessary based on the information I've received, I would apprise that person of my intention to report the misconduct or infirmity, then report it. In the event of mental health or addiction concerns, I would contact Lawyers Helping Lawyers.

10. 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.

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

I am a member of my church's finance committee, and we have an ongoing fundraising campaign for new additions to our church, but I have not actively engaged in fundraising specifically. I also am a Chair for my church's Italian Festival, which raises money for the Church each May.

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?

Ideally, I'd like to draft my own orders. However, I understand there may be times when form orders may be required and law clerks may need to assist.

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

I generally use a calendar to note deadlines, and I would ask staff to also monitor deadlines. I currently rely on this system in my practice and would continue it as a judge.

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

I believe judges should be neutral and follow the law. Cases in controversy should be resolved according to current law and constitutional principles.

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 like to continue to participate in the Middle School Mock Trial Competition through the S. C. Bar. I would also be willing to speak on these topics to any interested groups and be available for any opportunity to speak on the law.

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?

No. My family is very supportive. In the event strain arises, I would remind my family of my judicial obligations and requirements to rule according to the law and constitution.

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.

a. Repeat offenders: Every case is different, but I understand that those who continually break the law will be exposed to higher sentences.

b. Juveniles (that have been waived to the Circuit Court): I would take into consideration the juvenile's characteristics, including home life, prior juvenile record, and the nature of the crime. I also would make sure the juvenile understands the proceedings before him or her. I would counterbalance that with the seriousness of the charge and the impact on the victims in the case to try to craft an appropriate sentence.

c. White collar criminals: I would treat these defendants according to their crimes and their ability to make reparations. I would also take into account the impact of their crimes on the victims when determining a proper sentence.

d. Defendants with a socially and/or economically disadvantaged background: I would take these factors into consideration when determining the most appropriate sentence. Many of these types of clients pick up charges because of their poverty (ie: repeated driving offenses due to having to get to work and lack of proper transportation available in their area) but poverty and other disadvantages do not absolve defendants of their

obligations to follow the law.

e. Elderly defendants or those with some infirmity: I would approach each of these individually. It is becoming more common for older defendants to present with conditions that are not appropriately addressed by the current mental health or disability services (for example, dementia and alzheimer's.) I would also treat any defendants with infirmity individually as well. In all cases, I would take care to ensure these participants understand the proceedings and the impact of those proceedings, listen to the impact of the situation on those affected in the litigation, and try to craft an appropriate resolution.

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?

Under the rules, I don't believe I'll be required to disclose this information, but I would in fairness to the parties.

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

Yes.

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

I believe a judge should be respectful of all litigants, attorneys, families, and witnesses involved in a case at all times. I have seen in my own practice how much defendants look to a judge with respect, and how many victims' and defendants' families put their hopes in judges for justice. For everyone that steps in front of a judge, it is their time to have their case heard, and a judge should be mindful not to rush through cases and give the impression that that case is just one more the judge has to get through. I appreciate when judges treat attorneys with respect, even when the Court does not agree with arguments made. I also believe judges should strive for neutrality, both on and off the bench when discussing a case in controversy.

23. 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. I understand members of the public can, at times, be very frustrated with the court system. However, I believe that judges are the face of that system and reflect the decorum of the court. Judges should treat all litigants and attorneys with respect, even in cases where tempers may run high or there may be community interest in a case.

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 _____, 2024.

(Signature)

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