



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

Circuit Court
(New Candidate)

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[Note: on or about 9/15/24, business address will be 400 Altman St, Suite E, Moncks Corner, SC 29461]

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

I have dedicated my professional life to working in public service. After graduating college in 1994, I started my career in public service as a police officer for the Town of Mount Pleasant (1995-2000). While attending the University of South Carolina School of Law I worked as a law clerk in the Richland County Solicitor's Office. Upon graduating and becoming a member of the bar, I began working for the Ninth Judicial Circuit Solicitor's Office as an Assistant Solicitor assigned to Family Court, before eventually being promoted to Deputy Solicitor for Berkeley County in 2007, where I served until 2021, when I was promoted to Chief Deputy Solicitor for the circuit. Even after leaving the Solicitor's Office and starting my own law practice in 2023, I remained in public service while working part time as a city prosecutor for the City of Hanahan. I have long believed serving as a Circuit Court judge is the next logical progression in my public service career, and where I would be proud to serve. Furthermore, if elected, I believe my background and unique skill set would provide me the opportunity to help address the backlog of court cases, which I believe is one of the biggest issues facing our justice system today. My experience in managing dockets, which I developed during my time with the Ninth Judicial Circuit Solicitor's Office, along with my ability to work cooperatively with all members of the court system would serve me well in my efforts to help address the backlog.

In addition, I believe an exceptionally large part of my growth and development as a trial attorney is due in no small part to the opportunities I have had to appear in front of many wonderful judges during my career. Being in court on a near weekly basis for so many

years has given me the chance to learn from judges how to be a better lawyer. While working for the Solicitor's Office I was directly involved in the training and mentoring of new prosecutors. One piece of advice I always passed on was how important it was to pay careful attention to how a judge runs their courtroom, observe their demeanor and how they interact with everyone in the courtroom, because that is how you learn to be a better lawyer. While serving at the Solicitor's Office, I always considered training and developing new lawyers one of my most satisfying responsibilities, and I am hopeful that I will be elected to serve as a Circuit Court judge so I can continue to help foster the development of new lawyers by setting a positive example from the bench.

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?

No

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?

Ex parte communications should be avoided, even in a situation permissible under the Canons, such as communications necessary to address scheduling or administrative issues. Even when permissible under the rules, there exists the possibility that an appearance of impropriety may result. For example, if a plaintiff's attorney is seen in chambers with the presiding judge discussing scheduling, a non-party passing by the room, but not privy to the true nature of the conversation, could report to the defendant's attorney that the judge and plaintiff's attorney were engaged in *ex parte* communications. This type of misunderstanding could cause issues for the judge and the parties. In such a situation where *ex parte* communications for scheduling, administrative purposes, emergencies, or other instances allowed by the rules are necessary and permissible, the judge should inform the absent party of the need to communicate about the issue, then afterwards should notify both sides of the substance of the

communications. Both sides should then be given the opportunity to respond or raise concerns.

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?

If the disclosure related to the appearance of a personal bias or prejudice concerning a party or the party's attorney, I would grant their Motion for Recusal. Even if I believed there was no actual prejudice or bias, if there was a reasonable basis to believe that there some bias or prejudice then I should recuse myself. Given that I made the disclosure in this scenario, it would seem likely that there is at least some reasonable basis for the belief that there is prejudice or bias. In this instance, even the mere appearance of impropriety would warrant recusal.

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

A spouse or close relative, as defined by the Canons, is subject to the same standards and rules as the judge. For example, if a judge's spouse or close relative was a member of a social organization that practices discrimination on basis of race, sex, religion, or national origin it would create the same appearance of impropriety that would exist if the judge was a member of the organization. If I were in that situation, I would ask my spouse or close relative to resign immediately. While they could suspend their membership and try to convince the organization to change their discriminatory practices, to avoid the appearance of impropriety, I would prefer immediate resignation from the organization.

For an appearance of impropriety arising from a financial involvement, I would ensure the spouse or close relative were familiar with the canons regarding financial dealings and discourage them from continuing their involvement in any inappropriate business dealings, transactions, or investments that created the appearance of impropriety or undue influence, or resulted in frequent appearances before the judge that would warrant disqualification by the judge.

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

Because the acceptance of gifts, even those deemed appropriate under Section 4D (5) of the Canons, can create the appearance of undue influence, I would seek to avoid accepting any gifts from lawyers or law firms that have appeared or are likely to appear before me. I would also ensure my family was familiar with the canons regarding appropriate and inappropriate gifts. When receiving gifts that are permissible under the canons, I would still be vigilant in ensuring that no permissible gifts were given by parties that appear before me to avoid the appearance of impropriety.

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?

If I became aware of misconduct or infirmity of a lawyer or fellow judge, I would first want to communicate my concerns with that individual and help them address the problem(s). In the alternative, I may make a referral to the South Carolina Bar or the Lawyers Helping Lawyers Program, under Rule 428, SCAR. However, if the misconduct or infirmity were severe, I would have to report them to the appropriate disciplinary authority.

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 have not engaged in any fund-raising activities in which I solicited donations; however, I have donated to various charities and school fundraisers as a private citizen, and through my law firm. I have also donated to various local political campaigns this calendar year.

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?

I would either draft them orders myself or utilize a law clerk. If prepared by someone other than myself, I would review them for accuracy since I would be responsible for their accuracy. If a proposed orders were prepared by one of the parties, I would ensure the other party saw the proposed order before signing to provide them with an opportunity to raise any issue or objection.

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

I have served as in a supervisory role for most of my public service career, both as a police officer and as a prosecutor. When assigning or delegating tasks, it is essential to clearly communicate your expectations and the specifics of the assigned task, including any deadlines associated with the completion of the task. If you do not clearly communicate with staff, and allow them to seek clarification of the assignment, the risk of errors or missed deadlines increases dramatically. In addition, once the assignment is made, I would use technology such as email reminders to ensure tasks are completed on time. In addition, before the end of the business day I would specifically ask if there were any tasks due today that required my attention, such as any orders that need to be signed.

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 independent from the other branches of government and should rule in accord with how they interpret the current law of our state and country. Their rulings should not be the result of public pressure, or potential media scrutiny. I do not believe they should rule in a manner they know to be completely inconsistent with the law as they understand it, merely because they do not agree with higher courts or the legislature. The lawyers that appear before a judge rely on them to follow the current state of the law. This is how they advise their clients regarding plea deals or potential settlement offers. If judges rule solely for the purpose of spurring the legislature

to change a law the judge feels should be changed, while ignoring the current law and precedent, then the confidence the public and bar have in the judiciary suffers.

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?

If elected, I would like to take advantage of opportunities to speak at conferences and CLE events to continue to help lawyers in all areas of practice further develop their skills. I would also be proud to serve on any committees, groups, or task forces created by the Supreme Court or SC Bar Association to focus on the backlog of cases our system is currently struggling with. I believe my unique skill set would allow me to be a tremendous asset on this significant issue.

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. I have spent most of my adult life working in public service, specifically the criminal justice system. As a police officer, Deputy Solicitor and Chief Deputy Solicitor, I have worked in high pressure and high stress situations that required long hours. This reality has continued as I opened my own solo law practice. I have learned to balance the demands of work with the demands of family and personal relationships. Obviously, maintaining that work life balance is hard, but I have learned how vital it is, and I am more aware of when that balance is askew. During my career I have seen some good friends let their personal life, such as relationships or their physical or mental health, suffer. One of my best friends was an attorney who did not take great care of himself and died entirely too young. I saw firsthand the impact that had on his wife and children, as well as our friends. From that day on, I have done all I can to ensure I keep my priorities in line and make time to decompress or find outlets to relax or relieve stress.

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:

I believe in most instances, people deserve second chances: however, if a defendant's record shows he has received leniency or mercy on prior occasions, I would look closely at whether he deserves yet another "break." The goal of sentencing is not merely punishment or deterrence, there is also a component of rehabilitation where appropriate. That may involve more conditions as part of the sentence, such as drug treatment or anger management, or it may involve an active prison sentence longer than previous sentences for similar offenses. Not every case requires the maximum sentence, but sometimes it becomes necessary to satisfy the goals of sentencing. And in some instances, it may be the only way to save either the defendant or his or her victim's lives from the escalation of violence, abuse, or drug use.

b. Juveniles (that have been waived to the Circuit Court):

If a juvenile is waived up to the Circuit Court, the underlying offense is usually very serious, and their juvenile record typically shows they have been involved with the Department of Juvenile Justice on prior occasions. It is important to remember that even though they are being treated as adults by virtue of the waiver, they are still in fact young people. However, I believe I would treat their cases as I would every other. Looking at the individual facts surrounding their case, including any evidence of mitigation or aggravation presented to me by counsel, including the personal history of the offender. In some instances, rehabilitation would still be the goal in crafting the appropriate sentence; however, the facts of the case and surrounding circumstances may mean sentencing them as adult offenders with more of a focus on punishment and deterrence.

c. White collar criminals:

Though most white-collar criminals are not violent offenders, the fact that their crimes are "just financial or property crimes" does not mean that they should not be punished in the same manner other "real criminals" are. I

believe attempts should be made to have their victims made whole as much as possible in the criminal justice system, but civil court is often the most appropriate avenue for restitution and damages. I would again look at the aggravation and mitigation presented to me by the State and defense counsel and determine the appropriate sentence to achieve the goals of punishment, deterrence, and trying to return the victim to the same financial status they were before.

- d. Defendants with a socially and/or economically disadvantaged background:

A judge should consider all mitigation presented to him by counsel; however, an individual's background in and of itself is not reason enough to impose lighter sentences or to treat them differently than other offenders. People from both advantaged and disadvantaged backgrounds are responsible for the decisions they make, including the crimes they commit. A person who is the victim of an armed robbery or a burglary does not suffer any less trauma or distress if the perpetrator is from a disadvantaged or privileged background. While a person's background should be considered, it is not the ultimate factor in determining the appropriate sentence.

- e. Elderly defendants or those with some infirmity:

The age or health of a defendant are factors that should be considered in determining the appropriate sentence. In some cases, the cost to the State and the detrimental impact of incarceration on an elderly or infirm defendant may be reason enough to craft a sentence such as house arrest or intensive probation. However, if the other facts presented at sentencing, such as criminal history or the severity of the crime, are such that a prison sentence is appropriate then they should be sentenced accordingly despite their age or infirmity.

- 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?

No

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?

A judge should be professional, courteous, and always in control of their emotions, both in and out of the courtroom. A judge who displays a sense of calmness and authority from the bench inspires confidence in the system and demonstrates a good example for the others in the courtroom, including attorneys, court staff, and members of the public. A judge should not be dismissive, condescending, rude or overly emotional while holding court or interacting with members of the bar or the public.

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?

Judges are human so to expect a judge to never feel anger is unrealistic; however, it is fair and reasonable to expect a judge to make every effort to remain calm and dignified in court. If a situation is escalating to the point where the judge's anger is beginning to rise, the judge should try to diffuse or deescalate the situation. If that does not work, they should call a recess to allow the parties or litigants to regain their composure. The inability to control one's anger are displays of weakness, and only serve to weaken the confidence the bar or public have in our judiciary. A judge must always remain in control of themselves and their courtroom.

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: _____