

My decision to run is not made lightly. I am seeking this judgeship not as a capstone to my career, but as a continuation of my commitment to public service. I believe I can make a meaningful contribution to our courts and to the citizens they serve. I want to ensure that every matter is given the attention it deserves, every decision is rooted in the law, and every case is handled with care. Serving as a justice is not about personal ambition. It is about continuing a life of service with honor, humility, and a steadfast commitment to justice.

(11) Commission Members' Comments:

The Commission commended Mr. Lucas on his years of service to the State and his distinguished career. They noted his great intellect, his reputation for integrity, and his dedication to public service.

(12) Conclusion:

The Commission found Mr. Lucas qualified, and nominated him for election to Supreme Court, Seat 2.

Senator Rankin provided the following statement:

Although I joined my colleagues in voting to find Jay Lucas qualified for service on the South Carolina Supreme Court, I write separately to express concerns that, while not disqualifying, raise serious questions about what his election to the Court may mean.

Mr. Lucas is unquestionably an excellent attorney, and his decades of public service are laudable and deserve our respect and thanks. My focus in screening judicial candidates, however, is ensuring the public has confidence in both the competence and impartiality of those who will serve. Only when litigants believe that a judge is professionally prepared and academically grounded, and only when they trust a judge will act without bias, can the judgments of our courts be accepted. This matters deeply because our legal system depends on citizens' willingness to submit to and respect judicial decisions.

It is this responsibility that gives me pause.

Mr. Lucas has no prior judicial service and lacks sustained or significant appellate practice. I have no doubt that he possesses the intellect and work ethic to perform the duties of a justice. My concern instead is how his background may be perceived by the citizens who must live with his rulings.

Public confidence is fragile, and perception can matter as much as or more than reality.

This concern is heightened when his lack of judicial service and his scant appellate experience is viewed alongside the current environment, in which the motives and actions of the judiciary are scrutinized more intensely than ever. Mr. Lucas's prior service as an elected official is not, in my view, inherently disqualifying. Many former legislators have become outstanding judges in this state.

But Mr. Lucas has not followed a traditional path through the judiciary. Because of that, I am concerned that his election may appear to be driven by legislative influence. I am fully confident Mr. Lucas would never compromise his ethics, and his record reflects impeccable integrity. Yet what matters most is how those subject to his decisions perceive him. If they doubt his independence, they may also doubt the legitimacy of his judgments.

I know our judges are uniformly impartial and competent. Most, if not all, of the attacks on them stem from political disagreements, some regarding policy.

Still, placing on our highest court a candidate whose record presents few objective indicators of judicial readiness risks further inflaming skepticism about the process and about the justice our courts administer every day.

Another concern arises from Mr. Lucas's volunteered statement that he does not believe the mandatory judicial retirement age of 72 applies to him. While he may ultimately be correct as a matter of law, the manner in which he asserted the statute does not apply to him only heightens my unease. It reinforces the possible perception that his candidacy and any future service on the Court may be treated differently because he is a former legislator.

Even the appearance that a judge believes he is exempt from rules that govern others threatens public confidence in the fairness and uniformity of our judicial system.

For these reasons, although I concur that Mr. Lucas meets the minimum standards for qualification, I believe a justice of the Supreme Court must be more than simply qualified. He must present credentials and an appearance of impartiality that are beyond reproach. I therefore feel obligated to share these concerns so the issues we observed during screening are known and may be fully considered when and if a vote is taken.