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SC WIL Media Contact: Sara Ballard
(803) 429-6290
sara@scwomenlead.net

SC Women in Leadership Responds to S.C. Senate Leaders' Comments on All Male State Supreme Court

Senate Majority Leader Questions Whether Women and Minorities Are Qualified to be Judges

January 17, 2024 (Columbia, South Carolina) – On January 8, 2024, a day ahead of the opening of the 2024 South Carolina legislative session, lawmakers from both sides of the aisle hosted Legislative Preview Day to discuss their pre-filed bills and expectations for this year's session. Discussion of reform of judicial selection is expected to begin next month and the Senate Majority and Minority Leaders shared their opinions on how judges should be selected in our state. The comments caused outrage among judges, attorneys, and the state's two law schools, and drew concern from SC Women in Leadership (SC WIL), a multi-partisan group working to triple the number of women running for elected and appointed office in the 2024 election cycle. Barbara George Barton, a widely respected attorney, long-time advocate for reform of the judicial selection process, and SC WIL Founder, shared her thoughts and those of colleagues today in a blog, <https://bit.ly/4aXp5V4>.

Upon the mandatory retirement of Justice Kaye Hearn in April 2023, the Senate and House of Representatives elected Judge Gary Hill to replace her, making South Carolina the only state in the entire country with all male justices on its highest court. When questioned about adding diversity to the 100% male court after two qualified female judges were rejected for the position, Senate Majority Leader Shane Massey (R - Edgefield) said, "I would prefer to have a court that looks like South Carolina, but I'm not gonna vote for somebody who has a worldview that is inconsistent with where I think the State should go." He also remarked that the two law schools in the state and the [South Carolina] bar are not doing an adequate job grooming and preparing females and minority attorneys to be judges.

South Carolina is one of the few states where the legislature holds the power to elect judges. Although biographical information is provided during judicial elections, Senate Minority Leader Brad Hutto (D - Orangeburg) justified the all male court, "We vote on individual judges one at a time, without taking into account what the end result may be, and then, the end result may be...we got all men on the Supreme Court."

Beyond the lack of female representation on the State Supreme Court, women represent only 15% of the S.C. Legislature, ranking the state 49th in the nation. Women are similarly

underrepresented in local elected office and on public appointed boards and commissions across the state.

In response to the Senators' comments, Justice Hearn said, "The clear import of the statement that the SC Bar needs to do a better job of putting forth qualified women and minority candidates is that the white male candidates are inherently qualified. Additionally, for an elected official to publicly admit that he will only vote for a candidate who sees the world as he does is extremely disconcerting. Judicial candidates should be judged on intellect, work ethic, and their ability to apply the law; gender, race, and religious affiliations—all of which shape one's "world view"—should not dictate who is or isn't qualified to serve on the bench."

"In my 16 years of practice, I have had the benefit of more women lawyers as mentors than I can count. There are undoubtedly women qualified to serve as judges in South Carolina, and I would be happy to introduce our state legislators to some of them," said Bhumi Patel, President of the South Carolina Women Lawyers Association.

SC WIL encourages voters to question the judgment of Senate leadership and hold our legislators accountable for judicial reform. Until our lawmakers have some understanding of the experiences of the communities they serve, there is no fairness and no justice for more than half of our state's citizens. The public can contact Senate leaders to let them know their views by calling their offices.

Sen. Shane Massey (R - Edgefield)
Senate Majority Leader
(803) 212-6330

Sen. Brad Hutto (D - Orangeburg)
Senator Minority Leader
(803) 212-6140

SC WIL believes that women need to step into leadership roles at every level of government to fill the pipeline with future legislators who recognize and support qualified women and minority candidates for judicial positions. They offer women a [suite of resources](#) to recruit, encourage, and train women from across the state to run for elected office and apply to serve on public boards and commissions. The [WIL Win! campaign activation toolkit](#) guides candidates for elected office through what to do when, training, tracking tools, graphic design templates, and more to implement every aspect of their campaign, from choosing the right office through election day victory. SC WIL's online, [self-paced leadership training courses](#) have been accessed by more than 2,000 users since they were launched in June 2023. SC WIL also offers live, in-person and [virtual training and networking opportunities](#). Women seeking leadership roles are not alone. SC WIL is there to support them with practical tools to run and win.

Visit scwomenlead.net/more-in-2024 for more information. For the media information page click [here](#).

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About SC Women in Leadership

SC Women in Leadership (SC WIL) is a statewide multi-partisan organization that informs, connects, and engages women in leadership in order to increase gender and race representation and the influence of women in elected and appointed office. SC WIL believes that as more talented women with diverse and inclusive perspectives step up to lead and to govern, gender and racial equality, as well as community equity, can at last, become a reality. Their vision is to foment systemic and policy change to end racism, discrimination and bias through diverse and equal representation at every level of leadership, including elected officials, appointed government boards and commissions, and as active volunteers and advocates in the community. Visit scwomenlead.net to see how SC WIL is working to fill the pipeline with women, increase fair voting, and reduce polarization.

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