

SUPREME COURT OF SOUTH CAROLINA

In the Matter of Former Abbeville County Magistrate George T. Ferguson

409 S.C. 261 (2014) · No. 2014-001385 · Decided August 6, 2014

SUMMARY

The South Carolina Supreme Court accepted an Agreement for Discipline by Consent and publicly reprimanded former Abbeville County Magistrate George T. Ferguson. The reprimand followed his guilty pleas to two counts of misconduct in office involving improper benefits and sexual contact with individuals appearing before him, and his agreement not to seek or accept another South Carolina judicial position without the Court's permission.

CASE DETAILS

COURT	Supreme Court of South Carolina
WRITING FOR THE COURT	Per Curiam; Chief Justice Toal; Justice Pleicones; Justice Beatty; Justice Kittredge; Justice Hearn
JURISDICTION	South Carolina
DECIDED	August 6, 2014
DOCKET	2014-001385
DISPOSITION	other
PROCEDURAL POSTURE	Judicial disciplinary matter arising from an Agreement for Discipline by Consent under Rule 21 of the Rules for Judicial Disciplinary Enforcement.
PRECEDENTIAL VALUE	Published opinion; precedential

TOPICS

administrative law

remedies

PRACTICE AREAS

judicial discipline

administrative law

professional responsibility

QUESTIONS PRESENTED

1. Whether the Supreme Court should accept the respondent's Agreement for Discipline by Consent.

2. What disciplinary sanction should be imposed on a former magistrate who admitted violating multiple provisions of the Code of Judicial Conduct and the Rules for Judicial Disciplinary Enforcement.

HOLDINGS

1. The court accepted the Agreement for Discipline by Consent after the respondent admitted misconduct and consented to discipline.
2. The respondent was publicly reprimanded and prohibited from seeking or accepting another judicial position in South Carolina without the Supreme Court's express written permission after written notice to the Office of Disciplinary Counsel.

KEY QUOTATIONS

“We accept the Agreement and publicly reprimand respondent, the most severe sanction we are able to impose under these circumstances.” (409 S.C. 261)

“Accordingly, respondent is hereby reprimanded for his conduct.” (409 S.C. 261)

FACTUAL BACKGROUND

The former magistrate was indicted on two counts of misconduct in office alleging that he offered or gave money or other benefits to two women in connection with legal matters before him in exchange for sexual contact. He pleaded guilty to both counts and received prison sentences that were wholly or partially suspended in favor of probation. Because he no longer held judicial office, the Supreme Court determined that a public reprimand was the most severe sanction available under the circumstances.

PROCEDURAL HISTORY

The respondent, a former magistrate, entered guilty pleas to two counts of misconduct in office. He and the Office of Disciplinary Counsel then submitted an Agreement for Discipline by Consent in which he admitted violations of the Code of Judicial Conduct and consented to a public reprimand and restrictions on seeking or accepting future judicial office.

DISPOSITION

other

CASES CITED

- In the Matter of O'Kelley, 361 S.C. 30, 603 S.E.2d 410 (2004)