



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

Family Court
(New Candidate)

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1. Why do you want to serve as a Family Court Judge?

Answer: Throughout my life, my parents and mentors have imparted to me the importance of serving one's community. In particular, my mother, who, as an exemplar of community service, retired from being a public-school teacher after thirty plus years, instilled in me that there was no higher calling than to serve. Thus, it would be a great honor for me to serve the people of South Carolina in this manner.

2. Do you plan to serve your full term if elected?

Answer: Yes.

3. Do you have any plans to return to private practice one day?

Answer: If elected, I plan to serve as long as I am able.

4. Have you met the statutory requirements for this position regarding age, residence, and years of practice?

Answer: Yes.

5. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?

Answer: *Ex parte* communications, outside the delineated exceptions, should not be initiated, permitted, or considered, as they raise the appearance of impropriety. Other than the specific exceptions set forth in the Code of Judicial Conduct, I cannot envision circumstances under which *ex parte* communications would be tolerated.

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?

Answer: I would give due deference to the party's motion; and, if the party believed that they could not receive a fair and impartial trial or hearing based on the disclosure, I would recuse myself and work to have the matter rescheduled as soon as possible so there would be little to no delay in the matter being heard.

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

Answer: I would abide by the Code of Judicial Conduct, and disclose, on the record, any relationship that I may have with the person appearing in front of me. If the connection set forth is related to a financial or social involvement of my spouse or close relative, I would recuse myself accordingly. It would be my policy to ensure that the litigants are provided with the opportunity to have their case tried by a fair and impartial judge without the appearance of bias or impropriety.

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

Answer: The standards I would set for myself and my family with regard to the acceptance of gifts or social hospitality would comport with Canon 4D(5), CJC, Rule 501, SCACR, to ensure that any appearance of impropriety or undue influence is avoided.

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?

Answer: Canon 3(D), CJC, Rule 501, SCACR addresses the method and appropriateness of reporting misconduct of lawyers and judges. Thus, if I became aware of misconduct by a lawyer that violated the Rules of Professional Conduct, I would be required to take appropriate action. Likewise, if I became aware of misconduct by a judge that violated the Code of Judicial Conduct, I would also be required to take appropriate action. If it were appropriate, I would also consider contacting Lawyer Helping Lawyers or another similar service.

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.

Answer: No.

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

Answer: I participated in the 2016 MDA Lock-Up which raised funds for children with muscle-debilitating diseases. I also currently serve on the Board of the Spartanburg Little Theater, where I have assisted with our annual Gala which raises funds for the theater. I also served on my church's vestry from 2020-2023, but I did not directly participate in any fund-raising activities. To my knowledge, I have not participated in any other fund-raising activities with any political, social, community, or religious organizations since 2016.

12. Do you have any business activities that you would envision remaining involved with if elected to the bench?

Answer: No.

13. Since Family Court judges do not have law clerks, how would you handle the drafting of orders?

Answer: I would handle the drafting of orders by utilizing the assistance of the lawyers involved in each matter. In doing so, I would direct one of the lawyers to draft the Order, which may take the form of oral instructions or a memorandum. Once the Order is drafted, it should be presented to opposing counsel before it is presented to me for my review (and possible revision) and execution.

In reviewing the Order, I would compare the same to my notes to make sure it is consistent with my ruling and instructions, as I would reserve the right to revise the Order and findings prior to signing the same. There also may be some instances where it would be prudent for me to draft an order.

Further, if the litigants were pro se, I would prepare the Order, unless there is a Court approved form, which would then be utilized.

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

Answer: I would likely utilize a similar system to the one I employ now to track deadlines associated with my cases. Each deadline would be tracked and reviewed on a weekly basis to ensure that deadlines are properly met.

15. If elected, what specific actions or steps would you take to ensure that the guidelines of the guardian ad litem statutes are followed during the pendency of a case?

Answer: I would issue a specific, detailed order outlining the guardian ad litem's responsibilities pursuant to the statute, as well as setting their fees and fee cap. I would review affidavits and reports, which should be filed by the statutory deadline or any deadlines set forth in any Order of the Court, to make sure the guardian ad litem was accessible to the parties and that each party received appropriate treatment by the guardian ad litem. I would also question the guardian ad litem regarding their investigation and their direct contact with the parties and the parties' collateral witnesses.

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

Answer: It is the job of a judge to enforce the law, not make it: That is the job of the legislature.

17. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. What activities would you plan to undertake to further this improvement of the legal system?

Answer: To the extent that I am able, I plan to stay energetically involved in activities to improve the law, the legal system, and the administration of justice. Such activities would include staying active in the various law-related organizations, continuing to present and plan CLE programs, serving on committees that work to improve the practice of law, and continuing to write about the practice of law. Having previously served as the Chair of the South Carolina Bar's Practice & Procedure Committee, I would also like to continue working to improve the practice and procedure of the legal system in whatever capacity is available to me.

18. 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 plan to address this?

Answer: No; while serving as a Family Court judge has the potential for causing undue strain on personal relationships, I do not believe that it would cause a strain on my personal relationships.

19. Would you give any special considerations to a pro se litigant in family court?

Answer: After examining the pro se litigant to ensure that they can represent themselves and that they understand the matters before the court and the relief being sought, I would inform the litigant that they are bound to the same standards and rules of procedure and evidence that an attorney would be. If the pro se litigant, after being informed of these requirements, wishes to have an attorney represent them, I would inquire whether they had sufficient time to obtain proper representation. If it appeared they did not have sufficient time to obtain proper representation, and depending on the circumstances, I would grant them the ability to do so, but under constraints that would ensure the matter would not be unreasonably delayed or that would prejudice the opposing party.

20. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?

Answer: No.

21. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?

Answer: No.

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

Answer: Yes.

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

Answer: I believe that at all times a judge should be patient, respectful, courteous, competent, and dignified. A judge's conduct should demonstrate to the litigants and lawyers, alike, that each matter before the court is important. Further, a judge should display this demeanor both in and out of the courtroom under all circumstances.

24. Do you feel that it is ever appropriate to be angry with a member of the public who would appear before you, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys or a pro se litigant?

Answer: No, I believe anger is inappropriate in dealing with litigants or lawyers. Anger is demeaning and debases the legal process. All litigants, whether a criminal defendant or not, and lawyers should be treated with respect and without anger. Nonetheless, there may be times when being firm with a litigant or lawyer would be an appropriate response.

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 24 day of July, 2023.

Kim R. Hall

(Signature)

Kim R. Hall

(Print name)

Notary Public for South Carolina

My commission expires: 10-30-23