



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?

I believe that I could serve the members of our community well as a Family Court Judge. I have extensive experience in all areas of domestic relations law. I have tried and handled numerous cases of all types in Family Court. I try keep up to date with changes in the law due to my appellate practice and desire to improve. I believe being a Family Court Judge would be a challenge. However, it is a challenge that I would welcome and hopefully excel in. I believe I could give litigants the fair hearing, deliberation and thoughtfulness to each case that they deserve in the courtroom.

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?
If I was elected as Family Court Judge, I do not have plans to return to private practice at this time.

4. Have you met the statutory 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 and only tolerated under the very limited circumstances prescribed in Judicial Canon 3(B)(7). In the Family Court setting, most *ex parte* requests are for scheduling purposes or dire emergency situations affecting the immediate safety of a child. In those very limited situations, a hearing should be held as soon as possible to afford all sides an opportunity to be heard so that no party is prejudiced. In general, however, I would discourage *ex parte* communication and only allow it if the criteria outlined in Canon 3(B)(7) is clearly met.

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?

It depends on the facts of that particular situation. If I disclosed something that had the appearance of bias, then I would follow the procedures outlined in Judicial Canon 3(F) for remittal by allowing the parties to consider recusal or waiver of recusal outside of my presence. My decision would also be guided by Canons 3(B)(1) and 3(B)(8) which require a judge to promptly dispose of and decide matters assigned to that judge.

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

First, I would make reasonable attempts to keep informed of such activities on behalf of my spouse and minor child residing in my home pursuant to Judicial Canon 3(E)(2). Second, it depends on the level of financial or social involvement. The issue depends on whether the appearance is more than a *de minimis* interest. Some instances would require recusal, and other instances may require disclosure under the remittal process provided in Judicial Canon 3(F). Under the remittal scenario, if after consideration outside of my presence, the parties feel comfortable moving forward, then I would have them state as such on the record.

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

Judicial Canon 4(D)(5) covers the standards regarding gifts and social hospitality. I would follow those standards, and would err on

the side of caution and not accept gifts unless they clearly fall under one of the exceptions provided in Canon 4(D)(5).

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?

It would depend on the situation and the gravity of the misconduct. I would likely first speak to that judge or attorney. (See comments to Judicial Canon 3(D)). However, if the conduct rose to the level of a substantial question as to the lawyer's "honesty, trustworthiness or fitness" or a substantial question as to the judge's "fitness" then I would be required to contact the appropriate authorities, such as the Office of Disciplinary Counsel or the Commission on Judicial Conduct. See Judicial Canons 3(D)(1) and 3(D)(2).

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

No

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

In most instances, I would instruct one of the lawyers to draft an order in line with my decision and instructions. I would then have that lawyer present a copy of the proposed order to the other side for input prior to submitting the order to me. In certain instances, such as cases involving self-represented litigants or orders resulting from contentious final hearings, I may draft my own orders when appropriate.

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

I would use a tickler system in order to track and ensure that deadlines are properly met. My staff would also utilize a paper calendaring system as a back-up to provide additional safeguards for meeting deadlines.

14. 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?

I intend to remain familiar with the statutes and case law governing Guardian ad Litem. If I felt that a Guardian ad Litem was violating their statutory obligations, I would remove that Guardian ad Litem from the case and appoint a new Guardian ad Litem.

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

The Legislature passes laws, and sets public policy. A judge's role is to implement or interpret the law and policy as set out by the Legislature in conjunction with legal precedent. A Family Court judge should not engage in "judicial activism" or set public policy.

16. 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?

I would welcome the opportunity to participate and speak at CLEs. I would also participate and serve on any committees or panel as may be requested. Additionally, time permitting, I would welcome the opportunity to speak or lecture on a particular legal topic at any institutions of high learning.

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 plan to address this?

I do not believe it would. My wife and son are used to the pressures and strains caused by being a busy trial lawyer. My wife is extraordinarily supportive and understanding of that busy schedule. I do not envision that changing if I were to serve as Family Court judge. My extended family and close friends are wonderful, and a great support system. I cannot imagine any scenario in which they would apply any additional pressure to me.

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

Pro Se litigants are held to the same standards as attorneys in regards to presentation of their case. However, there are certain instances in Family Court when leniency is appropriate for the purpose of judicial economy provided that no other party would be prejudiced.

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?

Holding a *de minimis* financial interest in a party involved is not a reason for disqualification or recusal pursuant to Judicial Canon 3(E)(1)(c). Additionally, a judge is to promptly hear and decide matters assigned to him pursuant to Judicial Canon 3(B)(1) and 3(B)(8). However, if the interest is more than a *de minimis* interest, then the judge may have to disqualify or discuss remittal with the parties pursuant to Judicial Canons 3(E) and 3(F). When in doubt, I would go through the remittal process described in Judicial Canon 3(F) and then make my decision after hearing from the lawyers.

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 courteous and respectful to the parties and lawyers that come before him or her. A judge should be attentive, and the court proceedings should run in a professional and serious manner. There may be times when a judge has to be firm. However, a judge can be firm while also being respectful and courteous. These rules apply both inside and outside a courtroom, and at all times.

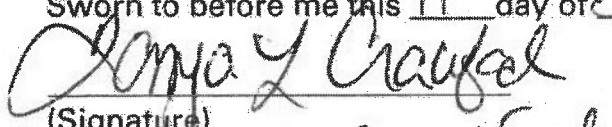
23. Do you feel that it is ever appropriate to be angry with a member of the public who would appear before you, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys or a pro se litigant?

I do not believe anger is ever appropriate. Anger inhibits proper judgment, and is not appropriate for a courtroom setting. Judges, specifically, Family Court judges, are making decisions that have a substantial impact on people's lives and the lives of their minor children. Litigants deserve a judge who will make these decisions absent anger. The only criminal defendants that would come before a Family Court judge are juveniles. Anger would not be appropriate in dealing with these young individuals.

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 11th day of July, 2023.



(Signature)

Tonya L. Crawford

(Print name)

Notary Public for South Carolina

My commission expires: 3-12-24

