



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

Family Court
(New Candidate)

Full Name: Susan Blakely Copeland Cahoon
Business Address: 61 Berkshire Drive, Columbia SC 29223
Business Telephone: 803-462-6700

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

I wanted to be a lawyer from the time I was a young child. From five years old until I was sworn in as a lawyer all my education and activities were chosen to further my goal of becoming a lawyer. Since becoming a lawyer, I have worked to be a respected professional who helps her clients achieve their goals and helps clients maneuver the complex maze that is the South Carolina Family Court. Becoming a Family Court judge is the next step for me to grow professionally while still helping people.

I believe that my personal and professional experience in Family Court make me well suited to be a Family Court judge. I have practiced in all areas of Family Court and enjoy helping my clients with their legal issues. As a child of divorced parents, I have lived through the experience many children in Family Court are now going through including testifying in court with my parents present. As a foster to adopt parent, defense counsel for indigent clients, and SCDSS contract attorney I have been involved in all aspects of the abuse and neglect system. I have served as Guardian ad Litem and represented Guardian ad Litem. I have helped parents adopt children, dealt with child support cases and juvenile cases. I am a certified Family Court mediator. While every case is different, I enjoy helping my clients and having an impact on their life.

Family Court judges make decisions that impact children and families in every case. South Carolina citizens deserve a judiciary that is professional, knowledgeable and who can understand them when dealing with the messy real-life issues that arise in Family Court. It is important to have judges with personal life experience and

professional experience who can relate to all litigants while wanting to help children and families. Being a Family Court Judge would be a challenge and I would be honored to be able to help the families and children who are involved in the issues being heard in Family Court.

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

Yes, I would serve my full term if elected.

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

After serving as a judge, I would likely return to private practice as a mediator. I am currently a certified Family Court mediator and enjoy that practice. Being a mediator would allow me to continue to help people involved in Family Court. Mediation is an important tool that allows litigants to craft their own solutions to meet their personal circumstances in a way that a judge is not always able to do. I have always wanted to be a lawyer so I cannot imagine not being part of the legal community in some fashion.

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

Yes, I meet the statutory requirements to be a Family Court Judge. If elected I plan to move to Berkeley County where I grew up and went to high school. I will be a resident of Berkeley County prior to taking my oath of office as required by the statute. My family plans to move with me once school is finished.

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

Canon 3 expressly outlines how a judge is to handle *ex parte* communication. It is important the *ex parte* communication be limited to those exceptional circumstances as outlined within the law. The judicial process has rules to ensure that all parties are treated fairly and impartially. My experience has been that *ex parte* communication may happen in a Family Court matter when the safety and well-being of a child requires immediate judicial action. It may be necessary to

protect those who are unable to protect themselves. I would have my office set up procedures to follow if improper ex parte communications were received.

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?

I would defer on the side of caution when dealing with the appearance of bias. If a party requested my recusal because of their perception of my position based on my prior practice, the appearance of bias or some other ethical issue I would grant such a motion. When dealing with bias it comes down to the party's perception. If the party has a reasonable perception or belief of bias, then it would be appropriate to recuse myself. The issues being heard in Family Court are too important for a party to believe the judge hearing their case is biased.

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

The Canons of Judicial Conduct, Canon 3 outlines how a judge shall handle the financial or social involvement of a spouse or close relative. I have discussed this issue with my spouse and would continue to monitor these types of relationships of my spouse and minor children. Certainly, any financial or social involvement would be disclosed in a matter for all parties to be aware. If necessary, I would recuse myself. My spouse and I have discussed this potential concern prior to my decision to go through this process. As a Certified Public Accountant my husband is familiar with ethical standards and disclosure requirements.

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

The Canons of Judicial Conduct, Canon 4 outlines the proper way how to address these issues. I would not accept any gift or social hospitality that would lead to a reasonable perception of partiality. I would disclose any close relationship in a matter to all parties.

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?

As a lawyer or a judge, our ethical rules require that certain misconduct and infirmities be reported (See Judicial Canon 3 parts E and G, Rule 8.3(c)). These are mandatory reports depending on the type of misconduct or action of the lawyer or judge. If I was to have personal knowledge of behavior that our rules required me to report, then I would follow the appropriate reporting requirements. Reporting misconduct is not something I take lightly but every lawyer and judge has an ethical duty to report misconduct. As a profession that governs itself it is imperative that participants adhere to the rules set forth for the profession.

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

I previously served as the Chair of Administrative Council for my former church, Northeast United Methodist Church, and I was a member of the Finance committee. As such, I was aware of the general financial status of the church and helped assist in determining financial goals and worked on stewardship campaigns.

I am a former member of the board of directors for Alala Cancer Society. As a board member I had general responsibilities for directing the organization and fund raisers held by the organization.

I currently serve on the board of directors for the Blythewood Soccer Club which is a local recreational soccer league. The Club is working with the local community to raise funds for space to practice and play matches. I have participated in those activities in a general manner only with no direct fund raising.

I currently serve on the Board of Directors for Trinity Homeschool Academy. As a board member I had general responsibilities for directing the organization and fund raisers held by the organization.

I am a member and President of the St. Peter's Catholic School PTA. I have participated in fund raisers and helped direct them for the organization.

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

I am the sole owner of Cahoon Properties, LLC which owns the building where my law practice operates. If elected, I would either rent out the building or sell it. If it is a rental then Cahoon Properties, LLC would continue to operate as the owner of the property.

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

In cases where an attorney or attorneys appear, I would direct one of the attorneys to draft the order for review. There are certain matters such as bench orders or form orders for issues that include but are not limited to issues related to contempt actions, child support or drug screening that can be done quickly from the bench. The pro se divorce package includes the order to be completed. Based on my practice in Family court, I would not anticipate the need to draft orders on a regular basis as a Judge. However, I have drafted multiple types of Family Court Orders as a lawyer and would be able to draft an Order if needed. I would organize my notes from each hearing in such a way that I could quickly review them when the proposed order was received. I believe it to be more likely that I would be preparing a memorandum of findings and decisions in a contested matter that I had taken under advisement to send out to the attorneys for the order to be drafted.

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

I would set up an internal calendar system that would ensure I received proposed orders in a timely fashion to review based on the current court administration requirements. I would organize my hearing notes so that I would be able to quickly review the pertinent information for timely review and execution of the proposed orders. Court administration deadlines would be incorporated into my office practice

to ensure I was able to complete the necessary reports within the deadline time period. My staff would have a protocol in place to contact the parties regarding the status of the order if it was not received by a certain date. I would be clear in any ruling the time frame for the proposed order to be drafted, reviewed by opposing counsel and provided to my office. This would include how to handle pro se parties to avoid ex parte communications. I would follow any established time guidelines of the Circuit in which I heard a matter.

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?

In cases where Guardian ad Litem was necessary, I would review the orders appointing the guardian. There are specific time frames for reports to be filed by guardians that would require checking the file before a hearing. Having served as Guardian ad Litem I am familiar with the current statutes. I would keep up with any changes to the statutes to ensure compliance.

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

There is no role for judicial activism in Family Court. The role of the Family Court judge is to carry out the law as established by the Legislature and to follow prior appellate court rulings interpreting such laws. It would be incumbent on me to continue to study the legal issues that arise in Family Court to ensure I understood the current statute(s) and case law that should be applied to cases heard before me. I do not believe that judges should set public policy as that is not the role of the judiciary. Our government is separated into the legislative, executive and judicial branches to ensure the individual rights granted to our citizens are protected.

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?

Before beginning any activities to improve the legal system I would take time as a new judge to thoroughly learn my role. If issues arose that concerned me in carrying out my judicial duties, I would consider

how I could ethically work to address them within the existing system. I would continue to educate myself and others within the Family Court system. I would like to help young lawyers improve their practice while encouraging professionalism with all participants. I would continue to work with the Law Related Education Committee of the SC Bar to help educate students and others about our legal system. It is important to listen and share ideas with others so I would serve as needed on committees established by the Chief Justice to improve the legal system.

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?

I would be honored to serve as Judge of the Family Court and understand the pressure that accompanies that position. My spouse and I have addressed how we would address any strain on our family. Having been a solo practitioner for over twelve years I have established a family care plan with a group of family and friends to help with picking up my children if I am in a late hearing or required to be at court. I have plans in place to help with childcare that would continue. My family has become accustomed to my full-time work schedule that includes at times evenings and weekends.

Serving as a judge would affect the personal relationships I have with other lawyers. I believe that lawyers understand how that dynamic changes the relationship and respect each other. I would address any issue as needed. I believe that not having a primary practice in Berkeley County would help alleviate much of the pressure or strain. I have no former co-workers or close friends who practice there so I would not have any conflicts. Every lawyer and litigant would have a "fresh start" with me.

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

Pro se litigants are entitled to the same respect, courtesy and fairness as any party would be in Family Court. Pro se litigants would need to be questioned under oath to ensure that they are capable of representing themselves and understand their duties and responsibilities prior to a hearing. I would ensure that pro se litigants

were fairly treated with respect as I would any party. Pro se litigants are required to understand the rules when undertaking their self-representation. As a judge I could not give special consideration to anyone.

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

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?

I would only hear such a matter if all parties understood the disclosure of the *de minimis* financial interest and consented. I do not anticipate this to be an issue with me personally.

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

Yes

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

A judge should act in a respectful, professional and courteous manner and be aware that the role of judge transcends the bench. When in the courtroom the judge should be in control of what is happening. The judge should be attentive and courteous. The judge should show from facial expressions to responses to questions or objections that they are actively engaged in the matter being heard before them. Canon 2 specifically states "a judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary." A judge needs to ensure that the Courtroom is a safe place.

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?

Anger is not appropriate in a courtroom. A judge cannot become personally involved in a matter to an extent that they become angry. Judges are required to carry out their responsibilities with integrity, impartiality and competence – anger is the opposite of those characteristics. A judge should have the ability to control their courtroom to ensure that anger from anyone is not an issue. Family Court issues are personal ones, but they must be dealt with in a professional and courteous manner. A judge must be cognizant of what is happening overall in their courtroom, not just on the witness stand. If attorneys or parties are becoming frustrated or angry then the Judge should recognize the issue and take appropriate steps to ensure the safety of all involved.

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 ____ day of _____, 2023.

(Signature)

(Print name)
Notary Public for South Carolina
My commission expires: _____