

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

Circuit Court (New Candidate)

Full Name:

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1. Why do you want to serve as a Circuit Court judge?

Since clerking for a circuit court judge in 1996, I have held the office circuit judge in highest esteem. A circuit judge is a gatekeeper in the justice system. It is a vital role for the judicial system that crosses over a wide variety of law and has a great impact upon the citizens of South Carolina. As a general practitioner for more than twenty-five years, I believe I have the knowledge and skills to serve as a judge and would consider such service the honor of my career.

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

Yes

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

If elected, I would not plan to return to private practice.

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

Yes. I am 51 years old and reside in Aiken County, having moved from Barnwell County where I grew up. I graduated from The University of South Carolina School of Law in 1996 and have practiced in the trial courts of South Carolina since then.

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 are not appropriate absent an emergency situation that prevents full communication. In the event of an emergency situation such as a temporary restraining order, a full hearing should be scheduled as soon as practical to consider the matter in full.

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?

As a circuit court judge, I would attempt to give deference to the party or persons requesting recusal. It is essential that a judge conduct herself to promote public confidence in the integrity and impartiality of the judicial system. Even where the judge does not believe a prejudice, bias, or conflict exists, she must consider the appearance of impropriety from the perspective of the public to maintain trust in the judicial system.

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

I have no intentions of hearing any case or motion that would involve any company, business associate, or close social friend of my husband or close relatives. I would recuse myself from any such matter upon discovery of the connection.

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

I would not accept gifts from persons who are not close friends or relatives. As to social hospitality, I would attend bar functions and other functions in which lawyers may attend with other groups. I do not anticipate having private social occasions with any attorneys or litigants.

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?

The Rules of Professional Responsibility and Code of Judicial Conduct require the reporting of a lawyer or judge who violates the Rules of Professional Conduct in a substantial manner raising a question as to the honesty, trustworthiness or fitness to practice law. For other matters, a judge may take direct action, including discussing the matter with the attorney or judge. I would also consider whether there are other attorneys in the firm who may be able to assist in assessing any conduct, especially if an infirmity is suspected.

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 served as the chair of administrative board for the Barnwell United Methodist Church which did have various fundraisers for church activities and for the installment of a pipe organ. I have been involved in fundraisers for school and extra curricular events for my three children and as a board member of the Aiken Civic Ballet and the Aiken Symphony Orchestra.

I chaired an exploratory committee interested in founding a chapter of Habitat for Humanity in Barnwell and Bamberg counties and asked the local attorneys to donate the initial funds required in this process. I am very proud that they did so.

I also assisted in fundraising for the retirement activities and portraits for Hon. Rodney Peeples, Hon. George L. Inabinet, Hon. Peter Neussle and Hon. Dale Moore Gable, all of whom served the judiciary in the Second Judicial Circuit.

I was involved in fundraising for St. John's Methodist mission team to Honduras through Honduras Agape Foundation. The trip that I fundraised for was canceled due to the COVID 19 pandemic. I ultimately attended in 2023.

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

No

13. If elected, how would you handle the drafting of orders?

I anticipate requesting proposed orders and/or briefs from the attorneys in the case, utilizing my law clerk and drafting orders myself.

14. If elected, what methods would you use to ensure that you and your staff

meet deadlines?

I would continue to calendar items electronically and regularly discuss items with staff. I routinely send out email reminders regarding specific items or set reminders to be sent automatically. I also try to have meetings with set agendas and action items for inter office issues, to establish protocols for new situations, and as a refresher as to the best practices.

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

As a student of history, I have a great respect for the checks and balances provided by the three branches of government. The judiciary's role in interpreting statutory and common law in the context of the United States Constitution and South Carolina Constitution is not the same as the legislative role of negotiating and passing legislation. The judiciary serves a vital role in the system as disputes between legislation or constitutional issues arise regularly. The public policy issues debated in the legislative and executive branches percolate into the court system, usually on a delayed timeline. Public policy should not be set by the judiciary based upon an individual judge's personal philosophy.

16. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. If elected, what activities do you plan to undertake to further this improvement of the legal system?

I would welcome the opportunity to work with the South Carolina Bar committees and within the judicial system to examine the procedures and provide my perspective as called upon. The legal system involves the procedures of the court itself as well as ensuring that the public has access to and knowledge of that system. I would gladly work with other public and private entities to examine issues of public access and representation.

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 address this?

Throughout my career, I have relied upon the support of my family. My husband and I have relied upon each other's strengths and advice for twenty-eight years, and I have three supportive children. My church community and friends have always helped me. I would continue to rely upon all of these.

18. The following list contains five categories of offenders that would perhaps regularly appear in your court. Discuss your philosophy on sentencing for these classes of offenders.

a. Repeat offenders:

The current wave of drug abuse in society has made repeat offenders a specific burden for the judicial system. Although I have sympathy for a person dealing with an addiction issue, the criminal behavior that may accompany the addiction cannot be ignored. The repetition of criminal behavior indicates that the prior sentencing was not effective in either rehabilitating the behavior and/or in maintaining the safety of the community. To repeat a sentence, the offender would need to present particular mitigating evidence.

b. Juveniles (that have been waived to the Circuit Court):

If a juvenile is waived to the Circuit Court, the crime is of such a nature to demand particular attention of the judge and may involve a period of incarceration simply due to the type of crime. I do not believe a judge can ignore the age of the defendant, the potential issues of maturity presented by the defendant's age, and the potential affect of incarceration. Community safety is always a paramount concern if there has been a fair and impartial trial or a plea of guilt.

c. White collar criminals:

The background of the offender and the nature of the white collar crime are factors to consider in the sentencing but are not the sole factor of consideration. White collar crimes do not usually carry the overt violence that many other crimes have, but they do cause specific injury to individuals and to the community at large. Depending upon the specific criminal acts, this could be an area where tailored probationary restrictions, even if there is a period of incarceration, are effective in protecting the community while generating some restitution for the specific injury to victims.

d. Defendants with a socially and/or economically disadvantaged background:

An economically or socially disadvantaged background is a factor to consider if the motivation for the crime is an important component and that background explains or places the crime into context. That background does not provide an excuse for criminal behavior. It may give me the opportunity to consider the type of sentencing and the conditions of any probationary portion of the sentence.

e. Elderly defendants or those with some infirmity:

In my experience as a defense attorney, the elderly or disabled defendant presented a problem for the Department of Corrections and could present a mitigating factor in sentencing. Similar to the juvenile defendant, the age of the offender is a consideration when determining the likely effect of the sentence. For the elderly or

disabled defendant, there may be a medical diagnosis that provides mitigating information, even if not fully exculpatory. It is a factor of consideration for the sentencing judge.

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

No. My investments are in a mutual fund. I would not preside in a case against the particular company that holds the fund. I do not have any knowledge of the specific investments of that mutual fund.

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

No. I would not want any appearance of impropriety or bias in my courtroom.

- 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 considerate and respectful to all court personnel and litigants while maintaining authority and control in the courtroom. This applies in dealings outside of the courtroom as well.

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

A judge should remain courteous and respectful to all litigants and court personnel. Authority and anger are not synonymous. It is very appropriate and necessary to maintain authority in dealing with attorneys and pro se litigants. It is appropriate to require respect of the law as well as of court personnel by all persons who come before the court, whether an attorney or a litigant

	ANSWERS BEST OF N		ESTIONS A	ARE

_____ 2023.

Sworn to before me this_____day of___

(Signature)	
(Print Name)	
Notary Public for South Carolina	
My Commission Expires:	