



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?

In considering the decision to seek election to the Family Court Bench I took stock in my experience, both professional and personal, to date. A review of my resume quickly reveals that my professional career always includes some element of public service, as well as significant connections to the Family Court system.

I began my career the first year out of law school as a special grant attorney working with juveniles in the Aiken County Public Defender's Office. Thereafter, I joined the Solicitor's staff where I continued to work with juveniles in the Family Courts in Aiken, Bamberg, and Barnwell Counties, in addition to carrying a regular caseload of files in the Court of General Sessions. In private practice, I have represented clients in a multitude of domestic relations matters and most recently I focused my practice on the representation of minor children as a Court Appointed guardian ad litem (GAL), and in the successful mediation of hundreds of complex Family Court cases. During the course of my professional career, I have also had the opportunity to serve in state government and been accorded the very great honor to contribute to my community during the past seven (7) years as a Magistrate Judge, the most recent year having been afforded the opportunity to also serve as the Associate Chief Magistrate for Beaufort County.

I have always considered the opportunity to seek a seat on the Family Court Bench to be the culmination of a professional desire to serve, and a personal dedication to the crucial work of the South Carolina Family Court. I believe my background provides me with a great deal to offer the Family Court. I sincerely look forward to being able to utilize my experience, temperament and passion in the service of this very important Court.

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? No
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?

I do not believe *ex parte* communications are appropriate and work very diligently in my current service as a part-time Magistrate to ensure they do not take place. I also work hard to safeguard against even an appearance of such a communication. Although the rules provide for certain limited circumstances in which *ex parte* communications are permitted (i.e. scheduling, administrative or emergency scenarios), I have found with diligent oversight most of these situations can be avoided to include all relevant parties in the administration of judiciary functions.

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?

While I do not I believe the appearance of colleagues or acquaintances in my courtroom are the basis for an automatic recusal in all situations, I do feel it is my responsibility to recuse myself from presiding over a case wherein my impartiality may be called into question based on the parties or attorneys involved. In addition, it has been my practice serving as a Magistrate in Beaufort County to carry that philosophy a bit further. Whenever I felt like there could be a chance of the 'appearance' of any factor that may call into question my impartiality in a matter, I have typically either fully disclosed my concerns on the record and sought input from the involved parties as to their position, and/or have immediately sought the reassignment of the particular case to another Magistrate Judge.

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

I believe I have a duty in such a scenario, financial or social involvement, to

disqualify myself from presiding over the case in question.

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

I am aware the Judicial Canons provide for narrowly defined private offers of social hospitality, personal gifts or even professional 'gifts' within certain defined allowances. However, I am also sensitive to anything that could possibly be perceived as impugning or calling into question the impartiality of the bench, and/or in some way exploiting the Judge's official position being the seminal guiding principal. With that in mind, I have not, nor do I intend to in the future accept gifts or social hospitality.

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?

I believe having actual knowledge of such information regarding misconduct requires immediate disclosure to the appropriate authority. In the case of a noted infirmity, a disclosure to an appropriate outreach entity such as Lawyers Helping Lawyers through the South Carolina Bar Association may also be warranted.

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. No

12. Do you have any business activities that you would envision remaining involved with if elected to the bench? No

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

I learned early on in my service as Magistrate Court Judge that delaying the delivery of a clear decision from the bench only serves to frustrate the litigants and at times dilute the import of the ruling. As such, I deliver verdicts where appropriate in a very timely fashion. I will typically request one of the attorneys to draft a proposed Order to be shared with opposing counsel before delivery to

the Court, and/or will ask that both attorneys draft a proposed Order for consideration. If the circumstance warrants, I may request the attorneys to brief a particular issue for consideration before rendering a verdict so as to ensure all parties are involved in the process. In many cases or certainly if there are no attorneys involved in the case, I have and would continue to undertake any necessary research and prepare my own Order.

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

A Judge has a clear duty to ensure the diligent and impartial discharge of his or her duties. Further, this duty extends to his or her staff. I have worked hard to maintain a clear and open line of communication between myself and the Magistrate Court staff, both internally and with regard to communications with attorneys and members of the general public. We focus on creating clear expectations, and uniformly apply procedural rules and expeditious calendaring of cases. This experience has served me well over the past several years, and has provided policies and procedures I intend to bring with me to the Family Court Bench.

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?

As an active guardian ad litem (GAL), I have personally experienced the powerful role a GAL contributes in a Family Court case. I firmly believe in appointing experienced and effective representatives as GALs. The most important initial decision is identifying the appropriate cases requiring the appointment of a GAL. Thereafter, certifying an identified GAL candidate possesses proper training, relevant experience and a dedication to the requirements of service are paramount. After appointment, I would ensure the GAL has the necessary tools to complete his or her investigation and deliver effective representation of the minor child(ren) in Court, to include: discovery, evaluations, home inspections, reporting, and proper financial support.

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

I do not believe in the notion of "judicial activism". I believe a Judge's role is to appropriately interpret and apply the laws as passed by the legislature. Where the law is silent as to a specific question or controversy, I believe a Judge is expected to utilize common sense and some degree of discretion within the confines of the original legislative intent of the specific arena of law.

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?

I would welcome the opportunity to engage with members of the Bar and the general public in appropriate forums to improve the legal system and the overall administration of justice. I believe any opportunity to educate the public on the workings of the Family Court and engage Family Court practitioners on improving the services of the Court would provide a significant contribution to these endeavors.

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?

Having many years' experience in both the private practice of law and service as a Judge in the Magistrate Court, I believe I have a firm grasp on the expectations and demands of the Family Court Bench, and do not believe they will unduly strain my personal relationships. My wife is employed full-time with a local real estate firm and my daughter is twenty-one (21) years old and a recent graduate of the University of South Carolina. My family and friends have been incredibly supportive of my career and my decision to seek a seat on the Family Court Bench.

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

I would, as the rules require, expect the *pro se* litigant to abide by the same rules and code of conduct expected of any licensed attorney in the courtroom. That said, it has always been my practice in service on the Magistrate Court Bench to ensure that a *pro se* litigant is aware of his or her rights to secure legal counsel. I also attempt to provide the *pro se* litigant protocol regarding Court proceedings and expectations. In that respect, I have always strived to ensure *pro se* litigants are comfortable in the courtroom setting and able to make an informed decision with regard to seeking counsel and/or proceeding with the prosecution or defense of their case. Also, having served in the Family Court and witnessed first hand the confusion and stress *pro-se* litigants have experienced in cases that could not be more important in terms of their everyday lives, I believe a patient and understanding temperament is a very important attribute for a member of this particular bench.

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? No
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?

I believe the appropriate demeanor for a Judge is one of temperament that encompasses compassion, impartiality, professionalism, courtesy, patience, respect, humility, decisive service, and above all else, commitment to the equal administration of justice to all parties before the Court. Given that a Judge is the public face of the Court he or she serves, I believe this temperament is required at all times and in every setting, personal and professional.

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?

I do not believe it is ever appropriate for a member of the judiciary to exhibit anger towards a member of the public in a criminal or civil setting. Likewise, anger is never an appropriate element of a Judge's interaction with an attorney or *pro se* litigant.

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 _____, 2019.

(Signature)

(Print name)

Notary Public for South Carolina

My commission expires: _____