



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

**Family Court**  
**(New Candidate)**

Full Name: Laurel Eden Harvey Hendrick

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

My father is a member of the South Carolina Bar with a practice concentrated in criminal defense. My mother is a licensed therapist who works with children and families. Growing up, I realized that both my parents were constantly helping and guiding people through difficult and emotional situations. This led me to choose a career serving others. For almost fifteen years, I have been involved in Family Court in various capacities. This has granted me countless opportunities to witness how the Family Court operates and how the Family Court process impacts the lives of the litigants and children involved. I have great respect for those who serve as Family Court Judges. Family Court Judges have an enormous responsibility of making difficult decisions in an emotional environment where the future of families, children and lives are at stake.

My experiences as a prosecutor in both Family Court and the Court of General Sessions, together with years of practicing in child welfare law, have equipped me with knowledge, perspective, and insight to serve on the Family Court Bench. Furthermore, with the implementation of "Raise the Age" and the expanded jurisdiction of the Family Court in juvenile justice cases, my expertise in criminal law will be a valuable asset. This legislation allows the Family Court to adjudicate and rehabilitate more youth without the collateral consequences of an adult conviction. Given the opportunity, I will make a positive impact and substantial contribution to the Family court Bench.

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?  
I do not have any plans to engage in private practice.

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 believe *ex parte* communication is strictly prohibited regarding the substance of a case or a communication that would in any way influence or even appear to influence a Judge's decision. In reality some *ex parte* communication is necessary for scheduling matters and is allowed under Judicial Canon 3(B)(7)(a). With advances in technology it is easier to include all parties on email communication. However, I believe Judges should be very conscientious when using email because emails can be misconstrued and not reach the intended recipient. Family Court Judges have administrative assistants that can aid in scheduling meetings and phone conferences to avoid *ex parte* communications.

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?

Generally, I would afford great deference to a party requesting the recusal and grant such motion. If it was a hearing where there is a statutory time frame requirement or where a delay would cause an undue prejudice or harm to a litigant or child, I would follow the procedure in Judicial Canon 3 (F); including having a remittal agreement outlined on the record and included in the Order. I can imagine in smaller counties where there is only one Judge assigned per term of Court this situation could arise. It is necessary for a Judge to formulate a solution in accordance with the Judicial Canons.

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

As discussed above, if there is any appearance of impropriety I would recuse myself. I think that recusal is the correct course of action when there is any appearance of impropriety related to financial involvement. Lawyers tend to socialize with other lawyers, so being recused in every instance where there is a social relationship with me or a family member is not practical. I would carefully analyze the situation on a case by case basis to determine if recusal is necessary. I would also discuss the Judicial Canons that impact my spouse and family members to make them cognizant of how their actions can impact my role as a Judge.

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

Judicial Canon 4 (D)(5) addresses gifts and social hospitality and I would adhere to those standards and ensure that my spouse is aware of such

limitations. If I became aware of any improper gifts or invitations, I would certainly take the necessary actions to rectify the situation.

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 would report the misconduct to the appropriate authority including law enforcement and/or either the Commission on Lawyer or Judicial Conduct. During my career, pursuant to the Rules of Professional Responsibility, I have reported another lawyer to the Commission and it resulted in a public reprimand.
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 have bought tickets for the annual lottery that benefits the Columbia Jewish Federation. I have bought fundraising items, like wrapping paper and kitchen utensils, from my children's elementary school. I have made donations to Beth Shalom Synagogue in honor or remembrance of special occasions.
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?  
Generally, I would assign the task of drafting the Order to the prevailing or moving party and require the Order is circulated to all parties to determine if there is a consensus on the language before it is submitted. However, there will be situations where I would find it necessary to personally draft an order. There are several hearings in Family Court where form orders are appropriate. In these instances staff members of the Clerk of Courts Office or other agencies can complete the Order and provide it to the Judge to review and sign.
14. If elected, what method would you use to ensure that you and your staff meet deadlines?  
I would work with the administrative assistant to create a tracking system and ensure that I have the current contact information for all lawyers and pro se litigants so they can be contacted, along with all the other parties when an order is past due. During the majority of my career I have been in

positions where I have had to handle large caseloads with multiple court appearances. Through this experience, I have developed the organizational and managerial skills to assure the timely production and filing of documents. Since I have left the Department of Social Services I have observed several Department of Social Service lawyers using the tracking system I developed when I worked there.

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?

The first step in ensuring the Guardian ad Litem is complying with the statute is having a proper Order of Appointment, specifying the Guardian ad Litem's role in the case. If I encountered a situation where I believed the Guardian ad Litem was not following the statute or not representing the best interest of the child, I would address that with the Guardian ad Litem and other parties. Removal of a private Guardian ad Litem is in the discretion of the Court and if necessary I would exercise that discretion, but would have to consider the impact on the cost and time of the litigation. There is a separate statute and set of rules for dealing with a Guardian ad Litem in a Department of Social Services Abuse and Neglect action. I have been involved in a hearing to remove a Guardian ad Litem and experienced how the change of a Guardian ad Litem can alter the result of a case. I believe that a Guardian ad Litem, in both private and Department of Social Services cases, has a vital role in the case and the judge has a duty to ensure the Guardian ad Litem is following the law.

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

Our government has checks and balances between the judicial, legislative and executive branches of government. The Judicial Branch should enforce and implement the laws set forth by the Legislative Branch. At the beginning of the Children's Code and throughout Title 63, the public policy goals of the statutes are expressly enumerated and as a Judge I would adhere to those policy objectives.

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 be honored to participate in any Continuing Legal Education courses and seminars. I would also like to continue to be involved with the University of South Carolina School of Law - Children's Law Certificate Program to encourage future generations of lawyers to be involved in the areas of law that impact children and families. If given the opportunity I would also participate in the Judicial Observation and Experience (JOE) program.

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 am married to a wonderful supportive husband and have the backing of my family, friends and community to become a Family Court Judge. I have two school age children and plan to remain very involved in their activities. I know there will be some schedule juggling but nothing that would compromise by commitment to both my career and family.

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

I would not give a pro se litigant any preferential treatment, but would ensure that a pro se litigant is aware of all the methods available for that person to obtain counsel before representing him/herself. If the litigant wishes to proceed pro se I would confirm that the person has the education, life experiences and ability to understand the reason for the litigation and the current hearing. I would incorporate those findings into the record of the hearing. It is inappropriate for a Judge to provide a pro se litigant with legal advice, but I would guarantee the litigant has the opportunity to be heard and is treated with the same respect as the other party.

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 feel that it is appropriate for a Judge to be calm and attentive. It is essential that a Judge recognize that while Judges hear thousands of cases, it is often the litigants' only interaction with the Judicial System and the case is deeply personal. A Judge's demeanor should reflect the seriousness of the matters being heard and not be dismissive or flippant when dealing with anyone in the Courtroom. A Judge also has to maintain control of the Courtroom, which can require assertive direction, but is no need to demean or disrespect anyone involved.

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? Judges are human and may experience anger while on the bench. Judges may become frustrated with litigants and preside over what may be factually troubling cases. However, a Judge should not let emotions, especially anger, override what is fair or in the best interest of the parties.

I HEREBY CERTIFY THAT THE ANSWERS TO THE ABOVE QUESTIONS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

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Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print name)

Notary Public for South Carolina

My commission expires: \_\_\_\_\_