



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

Family Court
(Incumbent)

Full Name: Michael Shea Holt

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Darlington, South Carolina 29532

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

Performing the duties of this position is a great honor for me. I also believe that my experiences as a husband and father give me great insight as to the issues dealt with in Family Court.

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

Yes

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

I am not sure at this point in my life.

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 make every attempt to avoid any *ex parte* communications. My policy is to ask attorneys to communicate with my administrative assistant so that I am not personally pulled in to any conversations of an *ex parte* nature.

In emergency situations I do consider *ex parte* requests, but limit my considerations to the pleadings and do not engage in any conversation with counsel beyond that.

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 likely recuse myself if a party was uncomfortable with my presiding over their case.

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

This has not come up, but if there is an "appearance" of impropriety, I would recuse myself.

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

I accept the complimentary registrations and lodging offered to all Judges at the South Carolina Bar Convention and the South Carolina Association for Justice Convention.

On a personal basis, I accept gifts or social hospitality only from long-standing relationships which precede my time on the Bench and which do not give any appearances of impropriety.

9. How do you handle a situation in which you became aware of misconduct or appearance of infirmity of a lawyer or of a fellow judge?

While I have not encountered this situation, I would likely report any misconduct.

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

No

11. Do you have any business activities that you have remained involved with since your election to the bench?

No

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

Generally, I direct one of the attorneys to draft the order, although I prepare many orders on my own.

13. What methods do you use to ensure that you and your staff meet deadlines?

We keep updated records so we can track outstanding orders and matters under advisement.

14. What specific actions or steps do you take to ensure that the guidelines of the guardian ad litem statutes are followed during the pendency of a case?

Before hearing cases involving a guardian, I require the GAL to appear and report their activities to the Court. In most instances, the GAL files their written report so it is made a part of the Court record.

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

I do not believe my role is to 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 do you plan to undertake to further this improvement of the legal system?

I participate in JCLE seminars and am an active member of the Family Court Judges' Association.

17. Do you feel that the pressure of serving as a judge strains personal relationships (i.e. spouse, children, friends, or relatives)? How do you address this?

I do believe it can strain relationships. All I can do is to recognize that my position requires me to be conscious of appearances at all times and to respect that.

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

No

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

No

20. 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

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?

Judges should be polite, respectful, compassionate and kind. Above all, judges should be patient. I believe these characteristics and practices should be applicable at all times.

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 a pro se litigant?

It is not appropriate. When we allow ourselves to become angry, we often lose control of our emotions.

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 July, 2019.

(Signature)

(Print name)

Notary Public for South Carolina

My commission expires: _____