



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

Family Court
(New Candidate)

Full Name: Charles Vance Stricklin, Jr.

Business Address: 1700 Sunset Blvd., West Columbia, South Carolina 29169

Business Telephone: (803) 796-9160

1. Why do you want to serve as a Family Court Judge?
I would like to be a Family Court Judge for a multitude of reasons. First, I have always been drawn to public service and would like to serve my community and the citizens of South Carolina. When I applied to law school, my goal was to work in the solicitor's office or attorney general's office. Once in law school, I was drawn to the defense side by working with juveniles in Family Court. Being a part of one of our country's greatest institutions, the Courts, is a long standing objective to give back to our community. Second, I believe I bring the education and experience necessary to provide a positive experience to the litigants, lawyers and staff of the Courts. I have practiced almost exclusively in Family Court during my 25 year career. I have handled almost every kind of case heard in the Family Court. I also frequently speak and help organize Continuing Legal Education (CLEs) programs on Family Law. The stakeholders in Family Court deserve an experienced educated Judge. Last, I believe my personality and demeanor lends itself to the bench. Despite being a zealous advocate for my clients, I have encouraged fair logical results. I have been blessed with a strong sense of right and wrong. I also believe I have the integrity and patience to be a positive contributor to the judicial process. I would strive to be fair and consistent in my rulings.

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 plans to return to private practice. I hope to be a Judge until I retire. If I reach mandatory retirement age, I would consider working as a mediator.

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

Yes. I am 49 years old, have lived in Richland County, South Carolina my entire life other than college and have been practicing law for almost 25 years.

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

Ex parte communication is addressed by Rule 3.5 of the South Carolina Rules of Professional Conduct. Outside of the allowed exceptions to ex parte communication (example: seeking certain emergency relief affecting the health or safety of a child), I would not engage in or allow ex parte communication. Litigants and the public at large need to have confidence in the Court system. It is important to follow the letter and intent of the Rules. Discussions that undermine the confidence in our judicial systems must be prohibited. The only ex parte communications would be those communications allowed by the Rules which typically involved emergency situations or irreversible harm. The communication must be in writing and I would not have any oral ex parte communication with an attorney or litigant.

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?

According to Rule 501 Code of Judicial Conduct, "A judge shall disqualify himself or herself in a proceeding in which the Judge's impartiality might reasonably be questioned..." If a disclosure would lead a reasonable question about my impartiality, I would recuse myself from the case pursuant to Rule 501. If there is a question about my impartiality and there is an opportunity to seek an advisor opinion, I would pursue that course of action if appropriate. It is important to protect the integrity of the Court and avoid the appearance of impropriety. If I had to recuse myself, I would work hard to have the matter rescheduled as soon as possible before another judge.

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

Rule 501 Canon E. (1) (c) of the Rules on Judicial Conduct address the issue of the involvement of a spouse or close relative or having an economic interest in the matter. A Judge has the duty to apply the law to the case, he/she has the duty to follow the Rules and comply with the Code of Judicial conduct. Assuming a social or an economic interest of a family member were involved, I would recuse myself from the case. I would not hear a case that involves my family or their economic interest.

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

I would set a very high standard as it relates to accepting gifts or social hospitality and I would not accept gifts unless allowed under the Rules. As the Rules of Judicial Conduct Rule 501 Canon 4D(5), makes clear a "Judge shall not accept... a gift, bequest, favor or loan" except in a very specific situation. I have always found the best way to avoid problems is to avoid temptation, so I would decline gifts or activities that would draw into question my impartiality.

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?

In the event I become aware that a fellow judge or lawyer was infirmed or committed misconduct, I would look into the matter to confirm the infirmity or misconduct to determine the validity of the situation. I would avoid a reporting based on rumor or gossip. In the event there was an issue, I would either have direct communication with the lawyer or Judge and/or report the misconduct or infirmity as required by the Rule of ethics. If appropriate, I would consider a confidential referral to a lawyer or judicial assistance program as outlined in Rule 501 Canon 3(g).

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 done very little fundraising for any political or social organizations. I have donated small amounts to former law school classmates running for

office. As an example, I made a small donation to John Gettys, when he ran for mayor of Rock Hill, South Carolina. In the past, I was on the Board of Directors for the March of Dimes (South Carolina division) and was active in raising money to fight premature births and birth defects. My wife and I had twins who were born prematurely and also lost a baby to a premature birth defect so therefore we focused our energy into raising money for research hoping other families might avoid the same or similar experience. I am an active member of my church and I donate regularly, but otherwise I do not get involved in fundraising.

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

No, other than my wife and I purchased a townhouse in the Shandon neighborhood and we would continue to rent that property.

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

I would issue my instructions from the bench or in writing to include findings of fact and conclusions of law and direct one of the lawyers to prepare a draft for my review. I would require the lawyer to provide a copy of the draft to opposing counsel and to provide his or her input on the Order before it is submitted to me. I would then review the Order and make the necessary corrections before signing. One of the first judges, I appeared before was Judge William Campbell. At that time, Mark Taylor was my mentor, and I learned from both that an Order is not finished until it is correct and proper.

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

I would employ a detailed calendaring system that produces alerts on deadlines. I believe in keeping copious notes. Working closely with an administrative assistant, we would send out frequent reminders to complete all tasks on time. I would endeavor to be prompt, efficient and fair.

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?

Guardians Ad Litem can play an important role in the judicial process. Protecting the best interests of children is the most important job of the Family Court and is a priority within our society. The first step to insure the Guardian Ad Litem statute was followed would be to appoint skilled, experienced individuals with a solid reputation for quality work. I would also issue specific orders with detailed instructions to encourage compliance with the statute. I would also consider scheduling orders with possible status conferences to confirm compliance with the statute. I remember the Patel case and have tried very hard in my career to pay attention to the role and activities of Guardians Ad Litem.

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

Family Court Judges are to apply the facts of a specific case to the law. Judges are not put in place to make the law. Like an umpire who calls the balls and strikes, a judge is called to make rulings based on the law, but not change or create the rules. I would follow the statutory and precedents of case 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?

The first thing I would do to improve the legal system is to be the best judge possible. Family Court may be a person’s first and/or only experience with the judicial branch of government. It is important to be kind, polite, patient and fair. Additionally, I would hope to continue my involvement in continuing legal education programs and participate on committees such as the Supreme Court Committee on Family Court Docketing. My mother was a teacher/educator for over four decades. I believe I have the desire to teach in my DNA. Additionally, I would like the opportunity to work in Juvenile Drug Court to help fight the addiction problems that can ruin lives. If allowed, I would also like to continue Dr. Roy Stuckey’s book on Marital Litigation.

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?

Being a private practice attorney primarily in the field of Family law for 25 years has given me the experience to be ready for the challenge ahead. I also believe that exercising and belief in your faith can help with the stresses of life. I am blessed with an optimistic and supportive spouse. My

wife and children understand the difficult and confidential nature of the law so they know the realities of a lawyer or judge.

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

As indicated above, I would plan to be kind, patient, polite and fair as a judge. Pro se litigants would be entitled to the same treatment. I would certainly make sure a pro se litigant could read and write along with having an adequate intellectual capacity to represent him or herself.

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 avoid the appearance of impropriety as required by the Rules of Judicial Conduct. Under Rule 501 Canon 3E. (1)(c), a Judge does not have to disqualify him or herself if there is a *de minimis* interest involved. I would err on the side of caution when making these decisions to protect the integrity and impartiality of the Court. An independent and honorable court system is a foundational support in society and the issues should be treated seriously and respectfully.

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?

The Rules apply at all times. Obviously there is a difference between the courtroom and the general public, but a judge has not only his reputation to consider, but the reputation of the Court to consider. I would strive to be a positive example to our young people. I would demonstrate a strong work ethic. I would maintain high standards of conduct and endeavor to proceed with good will and propriety. I would treat others the way I would like to be treated.

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?

It is never appropriate to be angry with an attorney, litigant or defendant. A judge should never rule based on anger or emotion. Decisions should be fair and impartial strictly based on the facts and the law. Individuals, whether litigants, lawyers or staff, should be treated with courtesy and dignity in the administration of justice.

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: _____