



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

Family Court
(Incumbent)

Full Name: Debra A. Matthews
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1. Why do you want to serve another term as a Family Court Judge?
I have only been on the bench for a short period of time and believe there is much more to accomplish to make an impact .
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?
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 adhere and perform my duties in accordance to the Canons of judicial conduct. I am prohibited from initiating, permitting or considering *ex parte* communications, or to consider other communications outside the presence of the parties concerning a pending or impending proceeding. However, under some circumstances, *ex parte* communications are permitted for scheduling; administrative purposes or emergencies that do not deal with substantive matters or issues on the merits. As long as no party gains a procedural or tactical advantage, and there is prompt notification to all parties of the substance of the communication and parties have the opportunity to respond. There are other situations when *ex parte* communications are needed, such as the granting of an emergency or expedited hearing involving children. *Ex parte* relief is also permitted in adult protective cases. A judge may confer separately with the parties and their lawyers in an effort to mediate or settle the case, with their consent. Also, a judge may consult with court personnel when aiding the judge in carrying out adjudicative responsibilities. A judge may initiate

or consider *ex parte* communications when expressly authorized by law.

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?

If I disclosed something that had the appearance of bias I would give great deference to the party requesting my recusal, especially since it only need be an appearance of bias and not necessarily an actual prejudice or impartiality. I would listen to the moving party, consider the facts and most likely recuse myself.

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

I have not had this happen, but I would recuse myself if there was an appearance of impropriety because of financial or social involvement of my family members. The Canons require a judge to conduct extrajudicial activities so that they do not cast doubt on his/her capacity to act impartially as a judge. The Canons specifically state that a judge shall not engage in financial and business dealings that may reasonably be perceived to exploit the judge's judicial position or involve the judge in frequent transactions or continuing business relations with lawyers or other persons likely to come before the court on which the judge serves.

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

I have not accepted any gifts other than from family and friends. I limit my social hospitality to close friends, family, or business conventions.

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?

I am required to report the misconduct or appearance of infirmity to the appropriate disciplinary authority.

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?

Yes, I have a residential rental business.

12. Since Family Court judges do not have law clerks, how do you handle the drafting of orders?
Typically the attorneys involved in the case draft the orders, but I have drafted orders myself on some cases.
13. What methods do you use to ensure that you and your staff meet deadlines?
My administrative assistant and I both have a calendaring system.
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?
I ensure that the guardians' affidavit of compliance is filed. I also ensure that the guardians' reports are served on attorneys or parties and are filed and marked as evidence at the hearing in every case. The parties always have the opportunity to question the guardian.
15. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?
I do not believe in "judicial activism" and believe judges should apply the law to the facts of the case. I rule in accordance to the rule of law and the Constitution. Judges should adhere to public policy of the State.
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 have lectured in a family court CLE and plan to continue participating. I would also like to see drug court extended to Fairfield County.
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?
No, I do not feel the pressure of serving as a judge strains any of my relations including with my children, friends or relative. My free time is spent with my family and friends.
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?

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?
The appropriate demeanor for a judge is to remain calm, cool and collected at all times, whether in or out of the courtroom. A judge must be courteous to the attorneys, parties and court personnel, and at the same time require the same respect back. A judge should maintain control of the courtroom without showing any disrespect. Emotions run high in family court and a judge should be sensitive and understanding but firm. Judges should always be fair and impartial, and maintain dignity of the legal system.

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?
No, it is never appropriate to be angry with a member of the public, criminal defendant, an attorney or a pro se litigant who would appear before me.

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: _____