



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

Family Court
(New Candidate)

Full Name: Ashley Phillips Case

Business Address: Family Court Building, 301 University Ridge, Suite 425,
Greenville, SC 20601

Business Telephone: 864-467-5901

1. Why do you want to serve as a Family Court Judge?
I am keenly aware of the impact that the Family Court and the Family Court Judges have on the lives of children and families of this state. Through my twenty-seven years of experience in the juvenile justice and Family Court system, I have developed an insight into the issues that families are facing. I believe that I will be an asset to the Family Court, and it is my desire to further serve the State of South Carolina in this capacity. I believe that I will be a competent and efficient Judge.

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?

My philosophy is to avoid *ex parte* communications unless dealing with administrative, scheduling or emergency situations, as allowed by the Judicial Code of Conduct, whereby no party is given a procedural or tactical advantage and opposing party is notified of the substance of the *ex parte* communication and given an opportunity to respond.

6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?

If a lawyer were to appear before me with whom I had a relationship which may give the appearance of impropriety or bias, I would disclose that relationship on the record, and allow the parties to waive disqualification if I felt there was no real basis for disqualification.

7. 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?

Yes, I would grant the motion unless in a matter requiring immediate judicial action and no other Judge was available.

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

I would disclose the matter to the parties on the record and allow them outside my presence to discuss disqualification. If the parties agree that I should not be disqualified and I felt no real basis for disqualification, I would put that agreement on the record and proceed with the hearing.

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

I would refrain from accepting any gifts which would give the perception of an intention or attempt to influence me in the performance of judicial duties.

10. 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?

If I became aware of misconduct by a lawyer or a Judge, I would inform the appropriate authority, and notify that person of my obligation to do so. If I had reasonable belief that a lawyer or fellow Judge was impaired by alcohol, drugs or other infirmity, depending on the circumstance, I would either contact an individual in a supervisory role over that lawyer or judge or make a referral to an assistance program.

11. 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

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

I was involved with fundraising activities through my children's school for sports teams and PTA ending in 2012. I have participated in fundraising efforts with my church for the Salkehatchie Summer Service Work Program and mission trips.

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

No

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

I would assign one of the parties the duty of drafting the Order, giving them specific instructions on necessary issues. I would keep a record of my docket and develop a reminder system between myself and the administrative assistant.

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

I would keep a calendar and as stated above, use a reminder system method.

16. 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?

Once a Guardian ad Litem is appointed I would require an appearance to ensure

he/she is aware of the appointment, is provided with a copy of the Order, understands his/her duties, and is able to comply with the Order. I would also

require an interim report be provided to the Court within a few days of appointment.

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

It is my opinion that it is the job of the Legislature to draft laws with regard to public policy and the job of the Judiciary is to apply that law to factual situations that come before me.

18. 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 willing to speak at Continuing Education seminars and programs, and I would be willing and available to assist with a Juvenile Drug Court Program if in existence.

19. 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?

No, I do not. My family and friends understand the nature of my obligations, and are supportive.

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

Yes, in the form of a little further explanation as to procedure but not with regard to substantive issues.

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

No

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

Yes

23. 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

24. Have you met the mandatory minimum hours requirement for continuing legal education courses for the past reporting period?

Yes

25. What do you feel is the appropriate demeanor for a judge and when do these rules apply?

A judge should be respectful to all parties and litigants, while maintaining control over the courtroom. A judge should maintain an even temperament and treat all parties with fairness, and avoid any comment or expression which would communicate bias during a proceeding. A Judge should always act in a manner as to uphold the integrity of the position.

26. 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 feel that it is appropriate to show anger toward an attorney, litigant or defendant. The response in those situations which may cause anger would be to react with sternness and maintain a calm outward demeanor.

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 _____, 2017.

(Signature)

(Print name)

Notary Public for South Carolina

My commission expires: _____