



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

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

Full Name: Matthew Price Turner

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

For close to fourteen (14) years, I have had the pleasure of assisting individuals through some of the most difficult times in their lives. I have helped people during times when their lives were turned upside down because of an automobile accident, the loss of a loved one, or because their marriage fell apart. I have thoroughly enjoyed my role in helping others during these times.

At least half of my cases have involved some sort of Family Court issue. Over the years I have tried cases dealing with issues involving custody, divorce, alimony, division of assets/debts, issues of alleged neglect and/or abuse, as well as at least one trial dealing with the Department of Juvenile Justice. I have served as guardian ad litem in many different cases and I am a certified Family Court mediator. I have also handled several appeals from Family Court rulings. Unlike many of my colleagues, I have grown to love the Family Court practice and representing individuals in these types of cases. I believe that I have the requisite knowledge and experience to be a good Family Court judge. I also believe I have the right temperament for a Family Court judge. Throughout my life, I have tried to treat others the way I want to be treated. I do my best to be friendly and courteous to everyone, and to be attentive to what they have to say, even when I disagree with them.

I believe the opportunity to serve as a judge is one of the highest honors one could have, and one that should be taken seriously. I am ready for a new challenge in my professional life and have given much thought and consideration to this opportunity over the past few years. I am fairly young and have a lot of energy left which I believe would help me be a better judge. I believe that serving as a Family Court

judge would be a way for me to serve my state and my community and a new way for me to assist those going through difficult times in their lives.

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?

In general, I believe that *ex parte* communication with the Judge is inappropriate. A judge must maintain impartiality which could be affected by *ex parte* communication. Litigants and their attorney's must always feel that the court is fair and impartial, and that each side has had equal opportunity to be heard on the issues. Any *ex parte* communication may give the appearance of bias or unfairness. There are certain, limited exceptions when *ex parte* communications are allowed under Canon 3B (7). However, it is my opinion that any *ex parte* communication should only be allowed when absolutely necessary and only when the specific criteria in the exceptions of Cannon 3B (7) have been met.

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

The Court must always avoid the appearance of any bias or unfairness and should make the parties feel that they are on a level playing field. Canon 3E provides that a Judge shall disqualify himself or herself in proceedings in which the judge's impartiality may reasonably be questioned. I would recuse myself in any proceeding in which my impartiality could be reasonably questioned. I believe this would include refraining from hearing any cases in which a former partner is the attorney for a litigant for several years after my election (if elected as a judge). My father and brother are also attorneys and I would not hear any cases in which they were attorney of record. I would not

necessarily recuse myself in every case in which a lawyer-legislator represented one party, but would consider recusal on a case-by-case basis in cases where my impartiality may reasonably be questioned.

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?

If my disclosure had the appearance of bias, I would have to recuse myself even if I truly believed it would not actually prejudice my impartiality. Again, the Canons require that a Judge disqualify himself of herself if the Judge's impartiality might reasonably be questioned.

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

Canon 2B provides that a judge shall not allow family, social, political, or other relationships to influence the judge's judicial conduct or judgment. Furthermore, Canon 3E requires a judge to disqualify himself of herself in proceedings in which the judge's impartiality might reasonably be questioned. Canon 3E(d) specifically provides for disqualification in cases where the judge or judges spouse or relative is a party or has an interest that could be substantially affected by the proceeding. Based upon the above, I would recuse myself if there was the appearance of impropriety because of a financial or social involvement of my spouse or a close relative.

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

Canon 4D (5) addresses the acceptance of gifts or social hospitality by a judge and/or his or her household members. I would continue to accept gifts from family and very close friends who have given gifts in the past so long as the gift from a friend is commensurate with the occasion and relationship and has not significantly changed from what was given prior to my election to the bench. I would inform my wife and children that they are required to abide by the same rules as me in this regard. I would not accept gifts from individuals who may appear before me or whom had not given gifts prior to my election to the bench.

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?

I would follow the requirements of Canon 3D and take appropriate action. This includes communicating with the judge or attorney about their misconduct and/or infirmity and reporting the same to the appropriate authority.

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.

As prior board chair of the YMCA of Greater Laurens, I attended a United Way Allocation hearing with the CEO of the YMCA. I personally did not make any presentation. I have also attended and participated in golf tournaments, races, and other fund-raising events of this nature as a representative of the YMCA board and as a community member.

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 continue the practice that is followed now, which is requesting one attorney to prepare a draft order. I would be specific in my ruling so everyone knew what was to be included in the order. I would request that the order be submitted to opposing counsel, or the pro se litigant in the event one party did not have counsel, for review prior to being submitted to me for approval. In matters that involved a lengthy trial, complicated issues, or other matters that required taking

the matter under advisement, I would submit very detailed instructions to both attorneys outlining my specific ruling(s) and requesting one attorney to prepare the order and to submit the proposed order to opposing counsel or the pro se litigant for review prior to sending to me for approval. In limited circumstances, I would draft my own order if I believed it was necessary given the case or circumstances of the case. In some situations, which necessitated an order immediately, I would complete a bench order.

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

I would maintain a dual calendaring system (one paper and one electronic) to keep track of deadlines and other time-sensitive matters. With today's technology, there are apps and software available that will notify you of deadlines and send you reminders of important events, etc. I use that in my law practice. I would also talk with some of the current Judges to ask what methods have worked best for them.

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?

I would only appoint someone as guardian ad litem if they met the qualifications set forth in the law. I would also request the attorney drafting the order appointing the guardian to specifically list the guardian's statutory duties and obligations in the order. I would carefully review all reports filed to ensure the guardian is complying with his or her duties and responsibilities.

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

The legislature is responsible for creating the law. The court's role is to interpret the relevant law and apply it to the facts of each case. I personally do not believe the court has any role in setting public policy.

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?

If elected, I would confer with other judges and would listen to suggestions from attorneys as to how to improve the legal system. I would communicate with the clerk of court and talk with individuals with DSS and DJJ to work on how to make better use of court time and be more efficient with case management. I believe it is important to always be thinking of ways to improve the system. As an attorney, I have spoken to children at schools and have given presentations to the public about certain legal issues through the SC Bar. If elected, I would be willing to assist in any community events as requested so long as it did not conflict with any judicial canon.

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?

I do not believe serving as a judge would cause any undue stress or burden on my family relationships. My wife and I have thoroughly discussed my intention to seek a judgeship and she is very supportive of me doing so. I have always managed to work hard and make time for my family. The key is to plan ahead and to be intentional with your time. My family is my top priority and I will continue to be proactive in making sure that I have time for family so I can continue to balance my work life and personal life as I have in the past.

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

I do not believe it is appropriate to give *pro se* litigants any special consideration. The court must maintain impartiality and should not engage in any conduct which could give the appearance of favoring one party over the other. Any person who chooses to represent themselves is to be held to the same standard as an attorney. However, I would treat the *pro se* litigant with respect and fairness and give them the same opportunity to be heard as the litigant who is represented.

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?

Canon 3E specifically sets forth situations in which a judge must disqualify himself or herself from a proceeding. One of those situations includes when the judge, the judge's spouse, or a member of the judge's family residing in the judge's home has more than a *de minimis* interest that could be substantially affected by the proceeding. In this scenario, I believe it would be appropriate to disclose the nature of the interest to the litigants and their attorneys and recuse myself from the case. However, depending on the specific facts of the situation, I would consider hearing the matter if all parties involved and their attorneys asked me to hear the case after disclosing the nature of the interest to them.

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?

I am a firm believer that judges should treat everyone the same way that they want to be treated. This requires the judge to be fair, kind, impartial and respectful. While in the courtroom, the judge should treat all litigants, attorneys, witnesses, and court personnel with kindness and respect. The judge should also be professional and attentive, and give equal opportunity for all litigants to be heard. A judge is a representative of the bench and the state and these same guidelines should apply at all times and to anyone with whom the judge comes in contact.

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?

Again, a judge is to treat everyone with kindness and respect, regardless of the persons' position, status, or circumstances. A judge should never show anger toward anyone or be disrespectful to anyone. Although a judge's patience may be tested, the judge should never allow this to affect his/her demeanor, nor should the judge to allow this to affect his/her ruling.

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 \_\_\_\_\_, 2017.

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

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

Notary Public for South Carolina

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