



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

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

Full Name: Stuart Wesley Snow, Sr.  
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Business Telephone: 843/669-6481

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

I am not seeking to serve as a Family Court Judge out of any dissatisfaction with my current career in private practice. I enjoy representing clients and mediating family court cases. I simply believe that I have the experience and demeanor to perform the difficult task of resolving family court cases in a fair and just manner.

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?

If elected, I plan to continue to serve as a Family Court Judge for the remainder of my law career.

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?

Like Ceasar's wife, a judge needs to be above reproach. *Ex parte* communications should never occur as to the merits of any matter pending before a judge, because it denies the other litigant(s) the constitutional right to be heard. Obviously, in some circumstances, such as an *ex parte* application for emergency relief, or as to administrative matters such as scheduling, such communications cannot be entirely avoided, but they must be limited to the scope of the matter.

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

As a judge, I would recuse myself, not only if I have any potential personal bias or prejudice as to a party or counsel, but also, if my impartiality could be reasonably questioned. I would err on the side of recusing myself *sue sponte* if there is any reasonable chance that a litigant or counsel could conclude that my judgment might not be impartial – I would not want a litigant to debate whether an unsuccessful request for recusal might prejudice the litigant.

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?

The issue is not my belief that I will be impartial, the issue is whether all parties and counsel believe I will be impartial. If there is an appearance of bias, the scales of justice dictate that the recusal request be granted.

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

I cannot conceive of a circumstance in which the involvement of a spouse or close relative in a pending legal matter would not cause me to recuse myself. Even if the litigants and counsel were to, at the outset, waive any issue as to my impartiality arising from such involvement, preservation of the integrity of the judicial process dictates recusal.

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

I would decline gifts or social hospitality unless predicated on an existing friendship outside of any judicial relationship.

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 discuss the matter directly with the lawyer or fellow judge, assess whether the misconduct or infirmity can be remedied without prejudice to the litigants, and if further action is warranted due to an inability to adequately remedy the misconduct or

infirmity, or the potential for further bias, prejudice or incompetence, report to the appropriate authority (Disciplinary Counsel).

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. No.

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 normally direct one of the attorneys to draft a proposed order, provide the proposed order to opposing counsel, and certify that the proposed order has been provided to opposing counsel, with agreed modifications incorporated therein, with disputed modifications noted, prior to presentation to me. In the event a decision is taken under advisement, I might request both attorneys to prepare proposed orders, then notify both counsel simultaneously of my decision, along with my request for any appropriate modification of the proposed order.

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

I currently use both paper and electronic tickler systems to meet deadlines, and would continue to use a duplicate tickler system. As a judge, it is not only imperative that decisions be considered and just, but that they also are timely rendered. This is especially true in family court, where many conflicts involve minor children, where it is critical that the conflict be quickly resolved.

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?

From years of experience in private custody disputes, and as attorney for volunteer guardians in abuse and neglect cases, I realize the critical role provided by guardians ad litem, who serve as the impartial eyes and ears of the judge outside of the courtroom. State and federal law require the appointment of guardians ad litem for children in all child abuse and neglect actions, and state law requires the appointment of guardians ad litem for children in private actions unless there is no substantial dispute as to custody or visitation and the court will likely be fully informed without such appointment.

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

The public policy of this State is established primarily by the laws enacted by the legislative branch, and to some extents by the discretionary acts of the executive branch. The role of a judge is to apply those laws to the facts of each case, and to enforce those public policies and laws as established by the other branches.

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?

When I was president of the Florence County Bar, we advertised and hosted the "People's Law School" at our local library, in which attorney volunteers gave overviews of various areas of law and answered questions from the public. Any activities which promote a better understanding of our laws and legal system enhance compliance with the law and reduce unnecessary conflict, and I would be willing to be involved in any such activities to the extent permitted by the Code of Judicial Conduct.

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?

To be candid, the separation due to regular travel away from home to other judicial districts could place strain on any marriage. However, I no longer have minor children in the home, and my wife and I have been married 34 years, have weathered many storms together, and will adapt to such a change. In addition, I believe a

judge must constantly strive to keep home life separate from judicial duties and decisions.

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

I would advise the litigant that although he or she has the right to proceed *pro se*, I would hold the litigant to the standard of an attorney, requiring knowledge of the applicable procedural and evidentiary rules. I would further advise a *pro se* litigant of the opportunity to seek legal counsel at no cost through legal aid programs. In addition, in abuse and neglect matters, I would appoint counsel for any litigant who cannot afford counsel.

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?

No; even a *de minimis* financial interest could reasonably create an appearance of bias, so I would recuse myself.

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.

I am a member of First Presbyterian Church, which restricts membership to those who declare faith or transfer from other Christian churches; my church does not discriminate on the basis of race or gender, and does not stigmatize non-members, this is not invidious discrimination.

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

Yes; I serve on the Supreme Court's Commission that monitors and regulates continuing legal education of the Bar.

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

A judge should be courteous and patient, realizing that compliance with the judge's decision is promoted by all parties and counsel feeling that they have been treated fairly, respectfully and impartially.

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?

Judges are human, and obviously can experience anger, but should not demonstrate anger. A judge can be stern, can warn a party that improper conduct will not be tolerated, and can warn that conduct contemptuous of the tribunal will result in punishment, but should never lash out in anger.

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: \_\_\_\_\_