



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

Family Court
(New Candidate)

Full Name: Angela J. Moss
Business Address: P.O. Box 160313
Boiling Springs, SC 29316
Business Telephone: (864) 590-2786

1. Why do you want to serve as a Family Court judge?
Throughout most of my career, I have had a front row seat, witnessing the impact a good Family Court Judge has on the lives of those who appear in their court as well as, countless children. I have had the privilege of practicing under incredibly skilled and wise Judges who have taught me, through example, that not only knowledge of the law is important, but also compassion, dignity and common sense. I can honestly say that, even after twenty-six years of practice, each time I have been in the courtroom, I have learned something new. I expect this education to continue. As a public defender, former prosecutor, private practice attorney, guardian ad litem and mediator, I have experience in practically every aspect of the Family Court. This life experience has provided me with important tools and skills for the Bench. I would consider it a great honor and privilege to serve my State and its citizens as a Family Court 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. However, upon retirement I may decide to mediate Family Court cases.
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?
Ex parte communications should be completely avoided, except in the circumstances set out in The Canons of Judicial Conduct. All appearing before the Court should have confidence that there is a level playing field for all. Ex parte communications undermine this confidence and affect the integrity of the Family Court.

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?

In this type of situation, I would most likely err on the side of caution and completely avoid the possibility of any appearance of impropriety by recusing myself. Of course, each situation should be treated independently and other factors should be examined such as whether another Judge could hear the case at that time, and, if not, how long it would take for the case to be rescheduled. But, all in all, even the appearance of bias should be avoided, and I would most likely grant the motion.

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

The Canons of Judicial Conduct give clear guidance to the Bench regarding this issue. I would disclose any financial or social involvement of my spouse or close relative to all parties/attorneys and would recuse myself if necessary. My family is close knit and I do not believe there would be any problem in detecting any such financial or social involvement which could possibly create the appearance of impropriety.

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

The ethical canons give specific guidance on this issue in Canon 4. I would be extremely cautious in this area and only accept appropriate gifts and social hospitality from family and close friends.

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?

While I would take no pleasure in doing so, I would report any such misconduct or appearance of infirmity as dictated by The Canons of Judicial Conduct.

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.

Throughout the years, I have been involved in numerous PTA, school, dance team and/or little league sports fundraisers. The fundraisers varied somewhat, but all proceeds benefitted the children involved. I also participated in a church sponsored car show fundraiser to benefit a mission trip to Hope of Life

in Guatemala.

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

No

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

It has been my experience in Family Court that the Court usually tasks one of the attorneys involved with writing the Order. The Court gives detailed and supported findings and rulings (either orally or in writing) and the designated attorney reduces this to writing. After each attorney (or pro se party) reviews the proposed Order, the Order is sent to the Judge for review and signature. If the attorneys (and/or pro se party) do not agree on the exact wording or expressed intent, then each usually sends correspondence with their respective positions and the Judge may either give further instructions, sign the proposed Order, have a conference to discuss the matter, or some other appropriate action. This system has worked well in the cases I have been involved in and I would most likely continue this well-established practice. I would keep detailed notes of the hearing and ruling, then review the proposed Order carefully before signing.

There are some occasions wherein I would draft or complete the Order myself such as a Bench Order or the pro se divorce package Order. In any event, I have drafted many proposed Orders throughout my career and continuing to do so should not be problematic.

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

Initially, I would review the practices which Family Court Judge Phillip K. Sinclair and his assistant already have in place in the Seventh Judicial Circuit, Seat 1. Through my experience with Judge Sinclair's office, I have found that he has been efficient, thorough and timely. Most likely, I would continue the practice that has already been established in that office. I would imagine this would involve an internal calendaring system, careful and thorough hearing note-taking on my part, appropriate time-frame deadlines for orders and clear, simple instructions for dealing with pro se parties.

14. 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?

Having served as a guardian ad litem frequently, I am familiar with the relevant statutes. Reviewing the court file and the Order Appointing Guardian ad Litem would give direction in each individual case. However, most importantly, it is imperative to appoint a reputable and thorough guardian ad litem from the outset. If the guardian ad litem is conscientious and dedicated, the guidelines of the

guardian ad litem statutes will most likely be followed and the Court will benefit greatly from that guardian's investigation.

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

The role of the Judge does not include setting or promoting public policy. Judicial activism is not appropriate as the role of the judiciary is to determine the facts then interpret and apply the law established by the Legislature.

16. 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?

As a judge, it would be imperative to continue to learn and study to stay abreast of any changes or new developments in the law. There is always more to learn and wisdom is gained through continuing education and experience. I also think it is important for a Judge to remain in touch with the culture and climate of the community that will be impacted by rulings. Continuing education should not be limited only to legal issues, but to all aspects of life, in order to more fully understand the issues brought before the Court. I would make myself available, in an appropriate manner, to the members of the bar, community, students, etc. and be willing to speak and participate in classes, seminars, committees and/or other appropriate activities.

17. 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?

As I have worked as a prosecutor, public defender, private attorney and guardian ad litem, my family and friends are already oriented to a different type of lifestyle. While Judges are certainly in a different category, my family and friends are already safety-conscious and aware that I am not at liberty to discuss confidential matters. My children, for example, are used to strangers approaching me in public. While most encounters have been very pleasant, they are aware of safety concerns and practices. Additionally, my family is respectful of the privacy of my clients and do not pry for information. My husband and children are unwaveringly supportive. If any issues did arise, we would address them as we have through the years.

18. Would you give any special considerations to a pro se litigant in Family Court?

While I would question and ensure that pro se litigants understand their right to counsel, they would be expected to abide by the rules if undertaking their own representation. Throughout the process, I would treat the pro se litigant with respect, courtesy and fairness.

19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?
No
20. 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 only hear the case if there was full disclosure and all involved consented without reservation.
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?
A Judge should maintain self-control and be patient, dignified and respectful. Although I am human and fail at times, I believe a Judge should maintain these standards at all times – not just in the courtroom.
23. 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?
While it may be necessary for a Judge to be stern at times, anger is not appropriate.

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 _____, 2020.

(Signature)

(Print name)
Notary Public for South Carolina
My commission expires: _____