



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

**Circuit Court  
(Incumbent)**

Full Name: Jennifer Blanchard McCoy

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1. Why do you want to serve another term as a Circuit Court judge?

Being a circuit judge has been the opportunity of a lifetime. I take the job very seriously and with great humility, and it is an honor to serve the citizens of South Carolina in this capacity.

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?

Not at this time. My full focus and attention is on being a circuit court judge.

4. Have you met the Constitutional 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 do not engage in *ex parte* communications. I prefer not to have any meetings in chambers, even with attorneys from all sides present. When such meetings are requested, for example when someone being sentenced is a confidential informant, we usually do them at the bench and on the record.

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 such a circumstance, I would likely grant an earnest request for recusal in order to comport with the canons of judicial ethics and avoid the appearance of impropriety. I would likely grant the motion unless both parties agreed to waive disqualification – in which case, I would have them sign such an agreement and place it in the file.

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

Pursuant to Canon 2(B), a judge cannot allow any relationship to influence their conduct or judgment, and this extends to the appearance of any such influence. Full disclosure of any appearance of impropriety, followed by allowing attorneys to question me regarding any such appearance may be warranted if there is any interest to a spouse or close relative. If need be, I would recuse myself.

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

Under Canon 5(D)(5), gifts and hospitality are not appropriate when they may be viewed as intending to influence the judge. I would likewise discourage my family members from receiving any such gifts or hospitality that may be construed in this way as well.

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?

I would conduct an independent investigation of the misconduct and, after determining whether there was a substantial likelihood that misconduct occurred, I would inform the appropriate authority.

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

Five years ago, I allowed my oldest daughter who has special needs to be filmed for a short movie used for fundraising for Charleston Area Therapeutic Riding which is a non-profit organization. I also took her to a fundraiser in connection with that movie. Prior to my being appointed a judge, I attended political fundraisers for my husband. I have not attended any such events since June of 2015.

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

No.

12. How do you handle the drafting of orders?

I draft my own orders and conduct my own research and, in some circumstances, ask attorneys to draft proposed orders which I review to comport with my own findings of fact and conclusions of law.

13. What methods do you use to ensure that you and your staff meet deadlines?

We use the calendar sharing function on the court administration-based Microsoft Exchange network. We also keep a backup paper calendar.

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

I do not believe judges should engage in judicial activism. The role of a judge is to interpret and apply the laws as written by the legislature. Judges have no role in setting or promoting public policy, per Judicial Canons 1 through 5, but most specifically Canon 5.

15. 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 spoken to young lawyers at CLEs, and served on a panel before the county bar. I’ve also had a group of girl scouts come to court and tour my chambers and ask questions. Recently, I helped set up a webinar for the Charleston County Bar when the pandemic came about, so we could discuss how to continue to move civil cases.

16. 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 have been fortunate that serving as a judge has not strained personal relationships. I am lucky to have the support of my family in that regard, and my family always comes first.

17. The following list contains five categories of offenders that would perhaps regularly appear in your court. Discuss your philosophy on sentencing for these classes of offenders.

a. Repeat offenders: I would try and find out why they are continuing to offend, i.e. whether they are drug addicts. If so, I would try to

craft a sentence that would hopefully address the underlying causes of why they continue to break the law, such as Drug Court or other rehabilitative services so that the court does not become a “revolving door” for them.

- b. Juveniles (that have been waived to the Circuit Court): Juveniles often lack the sensibilities to understand the long-term effects of their crimes, so keeping that in mind, I would look at their background, family support (or lack of) and nature of the crime to determine an appropriate sentence. That being said, our laws do contemplate situations wherein juveniles may be sentenced as adults, and thus a judge must follow the laws provided in those cases.
  - c. White collar criminals: White collar crime is not a lesser crime and should be given equal consideration as those typically considered more serious. Often, victims are seeking monetary relief, so this is sometimes a factor to be considered in sentencing fairly and appropriately.
  - d. Defendants with a socially and/or economically disadvantaged background: Every defendant’s background should be considered at sentencing and their conduct evaluated whether “due to” or “in spite of” their personal history.
  - e. Elderly defendants or those with some infirmity: Sentencing the elderly and infirmed must be given some extra consideration regarding adequate prison housing, medical care required, and life expectancy of the defendant.
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?
- No. It would not be appropriate under Judicial Canons 1 and 2, regarding upholding the integrity and independence of the judiciary as well as avoiding the appearance of impropriety.
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 last reporting period?

Yes.

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

In accordance with Canon 3(B), a judge should be courteous but firm in the courtroom and perform his or her duties with dignity. This courtesy should extend outside of the courtroom as well, as a judge is a reflection of the court in his or her community.

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. Anger is never an appropriate reaction, *especially* with criminal defendants, parties, and pro se litigants. Professional demeanor should be modeled by the judge and followed by all in his or her presence. Specifically, Canon 3(B) requires courtesy and dignity to all within the courtroom.

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 \_\_\_\_\_, 2020.

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

\_\_\_\_\_  
(Print Name)

Notary Public for South Carolina

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