



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

Family Court
(New Candidate)

Full Name: Melissa Meyers Frazier

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1. Why do you want to serve as a Family Court Judge? I have practiced law in Family Court for over twenty-three years. I believe my knowledge and experience have prepared me for the role of Family Court Judge. I have a high regard for the position and believe I am well suited to assure that litigants are treated with respect and professionalism.

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?

Ex parte communications should be avoided to prevent the appearance of impropriety. There are only a few limited circumstances in which it is necessary or appropriate to have such communications. The circumstances justifying these communications would exist if there were an imminent threat to the safety or welfare of children or a party. Such communications should be limited in scope and a hearing should be scheduled as soon as possible to give the opposing side the opportunity to be heard.

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?

I believe that such a request should be given careful consideration and most likely granted unless it was clearly being used to 'judge shop' or delay the process.

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

I would immediately disclose any such connection or involvement and would recuse myself if there is any appearance of bias.

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

I would only accept gifts or social hospitality when there is an existing relationship/friendship and the gifts or hospitality are normal and outside my judicial capacity.

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 meet with the lawyer or fellow judge and encourage them to self-report. If they are not inclined to do so, then I would be required by the Code of Judicial Conduct to report such misconduct.

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. No

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?

I would request that the moving attorney or prevailing attorney draft the proposed order. After sharing it with opposing counsel, I would ask that they forward to me for my review. If time is of the essence, a form order may be utilized, or I would draft the order myself.

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

In my existing office, we add deadlines to our existing calendaring system, and we also do a frequent case update meeting to discuss where we are on each case. I would envision utilizing something similar.

15. 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 appoint qualified and experienced guardian ad litem in the cases that come before me. I would also review the file of cases that I would hear to assure that the statutory guidelines are met. I have served as a guardian ad litem in hundreds of cases during my practice and am familiar with the requirements.

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

Judges are not responsible for making law or setting public policy. A judge's responsibility is to interpret and apply the law to the fact situation that is being heard.

17. 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?

Throughout my legal career, I have worked with schools during law week, assisted with mock trial and job shadowing programs. I have also served on our local Family Court Advisory Committee to promote and improve the relationship and system between attorneys and the court. I would anticipate continuing my involvement in the community as allowed.

18. 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 strive to strike a balance between my professional life and my family life. My family and friends have been very supportive of my decision to seek judicial office.

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

Pro se litigants are held to the same standards as attorneys. It would be improper to give the pro se litigants guidance that may be perceived as legal advice. However, pro se litigants should be treated with respect, just like any other litigant that appears before the court.

20. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?
No

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

While the Code of Judicial Conduct does not require disqualification under this circumstance, I believe that disclosure would be appropriate and proper consideration should be given if a motion for recusal was requested.

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

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

A judge should remain attentive, professional, and fair. The litigants and

attorneys should be treated with respect and the judge should make a clear ruling based on the law and issues at hand, while keeping control of the courtroom.

24. 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?

Anger is not appropriate in the courtroom. Family court, in particular, can be emotionally charged, however, a judge should strive to set the bar high and act professionally at all times.

I HEREBY CERTIFY THAT THE ANSWERS TO THE ABOVE QUESTIONS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Melissa M. Tuzi

Sworn to before me this 19th day of July, 2021.

Jami D. Vandale

(Signature)

Jami D. Vandale

(Print name)

Notary Public for South Carolina

My commission expires: 09/30/2026