



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

**Family Court**  
**(Incumbent)**

Full Name: Karen Sanchez Roper

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1. Why do you want to serve another term as a Family Court judge? It has been a tremendous honor and privilege to serve this State as a Family Court judge. When I sought this position almost six years ago, I expressed my belief that a Family Court judge plays a significant role in helping families achieve long-term peace despite going through the painful process of a divorce, DSS intervention, or custody litigation. Since that time, my experience on the bench has only strengthened my conviction. My judicial experience over the past five years has enriched my knowledge and understanding of the challenges faced by our citizens, many of which were exacerbated by the COVID-19 pandemic. Every child deserves a stable family, yet each day in court I see families struggling with divorce, abuse, addiction, mental health, or unemployment. Despite these challenges, I firmly believe that stability can be preserved and children can be protected when the families in our court system are heard, are treated fairly, and decisions are thoughtfully rendered. I would like to continue as Family Court judge so that I can have a positive impact on the lives of children and families, and hopefully be part of the solution for my community.
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? 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? I follow Canon 3(B)(7) of the Code

of Judicial Conduct, which prohibits ex parte communications except in specific circumstances, such as communications regarding scheduling or other emergencies that do not deal with substantive matters. Even in these exceptional circumstances, I still must ensure that the communication does not give any party a procedural or tactical advantage, and take steps to promptly notify all other parties regarding the communication. There are other exceptions that are specifically allowed by statute or court rule, such as exigent circumstances surrounding the issuance of a child custody order. Other than the circumstances that are specifically provided in our canons and laws, I do not participate in ex parte communications. Similarly, I also have trained and instructed my administrative assistant to abide by these rules in all of her communications with attorneys or litigants. Upon receipt of any improper communication, I have any record of the communication time-stamped and placed in the Clerk's file, and the communication is disclosed to all parties.

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 am very sensitive to any perception by parties that I would have any appearance of bias, and give deference to the party requesting the recusal. The standard is not whether a judge is actually biased, but rather whether a judge's impartiality might be reasonably questioned. Even the appearance of bias, without actual bias, can affect the parties' perception of whether they received a fair, impartial hearing, which in turn affects the integrity of the decision reached by the court.
7. How do you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative? Judicial Canon 3 requires disclosure of anything more than the de minimis interest of a spouse or close relative that could be affected by the proceeding. I stay informed not only about my own personal or economic interests, but also about the financial and social involvements of my husband. In these circumstances, I disclose on the record any of my husband's financial or social connections and allow the parties/attorneys to discuss the matter outside of my presence. Again, I defer to any party requesting recusal so as to avoid any appearance of impropriety on my part.
8. What standards have you set for yourself regarding the acceptance of gifts or social hospitality? Canon 4(D)(5) provides that a judge shall

not accept any gift except for those incidental to a public testimonial, invitation to a law-related function, a gift incidental to the profession of his/her spouse, ordinary social hospitality, or a gift from a relative or friend for a special occasion. Even in these situations, gifts are appropriate only if they are commensurate with the occasion and the relationship is not one that could be perceived as intended to influence me as a judge. I do not accept gifts other than from close friends or family, and certainly would not accept a gift from any person likely to appear before me. On occasion, I have accepted ordinary social hospitality, but not from any person appearing before me. Similarly, my husband and I have discussed the requirements of Canon 4(D)(5), and he understands the importance of following these standards.

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 am guided by Judicial Canon 3(D), which provides that if a judge receives information indicating a substantial likelihood that a lawyer or judge has violated the Canons or Rules of Professional Conduct, the judge should take "appropriate action." Appropriate action can vary depending on the circumstances, including direct communication with the judge or lawyer who committed the violation and/or reporting the violation to the appropriate authority. I have experienced an occasion where I believed a lawyer to be impaired. I attempted to discuss the issue privately with the attorney, then contacted Lawyers Helping Lawyers and informed them of my concerns. I have experienced an occasion where I believed a lawyer engaged in misconduct, and I reported it to the Office of Disciplinary Counsel. Although it is uncomfortable to confront these issues with our colleagues, I believe it better serves the well-being of our bench and bar, rather than risk the consequences of inaction.
10. Have you engaged in any fund-raising activities with any social, community, or religious organizations? Please describe. I have attended various charitable fundraisers in the Pickens community and donated money to charitable organizations, such as Pickens United Way, Meals on Wheels, and Pickens Family Promise. Since I was elected to the bench, I have not solicited any funds, solicited memberships, or served as any speaker or guest of honor at any fundraising event, in accordance with the requirements of Canon 4.
11. Do you have any business activities that you have remained involved with since your election to the bench? No.

12. Since Family Court judges do not have law clerks, how do you handle the drafting of orders? My normal practice is to issue my ruling from the bench and instruct the appropriate attorney to draft the order. For any matters taken under advisement, I usually email a memorandum detailing my ruling to the lawyers/litigants, instructing the appropriate attorney to draft the order. In complicated or significantly contested matters, and in the circumstance of pro se litigants, I draft the order myself. For each hearing, I take detailed notes on a "notesheet" prepared by my assistant, customized for that particular hearing. When drafting or reviewing any proposed order, I consult these notesheets and make revisions as necessary. I mark each case on the docket as the order is signed, and my assistant tracks outstanding orders to ensure they are timely submitted, routinely following up with emails or telephone calls to the responsible attorney.
  
13. What methods do you use to ensure that you and your staff meet deadlines? My assistant and I each maintain shared calendars in Outlook for tracking deadlines. During the Supreme Court's stay of non-emergency hearings during COVID-19, I implemented a system for reviewing each daily docket and contacting each attorney/litigant in every canceled hearing to determine the status for rescheduling. This allowed us to minimize the number of cases approaching or exceeding the 365 day deadline and ensure that hearings were rescheduled in a timely manner. My assistant and I regularly review the list of matters pending beyond the 365 deadline and contact those attorneys who have not yet submitted a hearing request (although the Chief Justice currently has suspended the 365-day rule).
  
14. What specific actions or steps do you take to ensure that the guidelines of the guardian ad litem statutes are followed during the pendency of a case? Any Order appointing a guardian ad litem should reference the statutory requirements of S.C. Code §63-11-510. At temporary and final hearings, I require submission of a guardian ad litem report and review it to ensure that it was prepared in accordance with the statutory requirements. Guardians are subject to cross-examination during any hearing, and when necessary, I also will question guardians regarding the basis for his/her recommendation, findings in the investigation, witnesses interviewed, and contacts with the child.

15. What is your philosophy on “judicial activism,” and what effect should judges have in setting or promoting public policy? I take the separation of powers very seriously, and am not inclined toward judicial activism. The setting or promoting of public policy is a function delegated to our state legislature. Our Judicial Canons require a judge to uphold the integrity and independence of the judiciary, and to respect and comply with the law. As Family Court judge, I have limited statutory jurisdiction. My job is to apply the laws as enacted by the SC General Assembly and the Constitutions of our state and nation, consistent with our Rules of Evidence and Civil Procedure. Close adherence to these rules ensures that our judiciary stays within its defined role, which further secures the integrity of our judicial system. Judicial activism diminishes public confidence in our judiciary and our system of government as a whole.
16. 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 always enjoyed being active in my community, and I have continued this as permitted under Canon 4(B). At the encouragement of our Chief Justice, I have lectured at several local public schools at least annually on topics such as family law, law-related careers, our legal system, and our branches of government. Many high school and middle school students have visited my courtroom and observed me presiding over hearings to learn more about being a judge. I have spoken to various community groups on the challenges of child abuse/neglect and domestic violence. I have participated in the JOE (Judicial Observation Experience) Program where law students accompany me on the bench to observe court proceedings. I have participated and presented at the annual Greenville County Bar CLE on topics of family law. Although opportunities for speaking engagements were limited during the COVID pandemic, I look forward to resuming this practice with more frequency.
17. 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? I have not experienced any strain on my personal relationships due to my service as judge. On occasion, a friend or relative might attempt to discuss a case with me, but I always politely explain that I cannot discuss such matters, and they seem to readily accept and respect my position. My husband is also a lawyer with a high-profile career, and we support each other and understand the challenges of each’s profession. Now that we are “empty nesters,”

we no longer have the daily responsibilities of children in the home, which allows more flexibility in our schedules. Together we have balanced the demands of our legal careers and our family for almost 27 years, and I am confident we will continue to do so.

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? In this situation, I would disclose the *de minimis* financial interest on the record and allow the parties to discuss outside of my presence. I would grant any motion seeking my recusal, because even though the interest may be *de minimis*, if a party believes that it would affect my impartiality, I would defer to his or her belief.
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. I am part of Women United, which is a network of women who have pledged to donate at least \$1,000 annually to Pickens United Way for the purpose of improving the lives of children in our community. I do not believe this organization practices invidious discrimination as described in Canon 2C.
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? The appropriate demeanor is one that at all times shows respect for the law and the parties before the court. Canon 3 instructs a judge to be patient, dignified, and courteous to litigants, witnesses, lawyers, and all others. A judge should also require similar behavior by all lawyers, parties, and staff. In my experience, the judge sets the tone for the courtroom, and people in the courtroom often mirror the demeanor of the judge. It is important for a judge to be aware not only of her words, but also of her facial expressions, and refrain from speaking or acting in a manner that suggests any type of prejudice or bias based upon race, gender, orientation, religion, national origin, disability,

socioeconomic status, or age. A judge should behave in a way that assures everyone in the courtroom that the judge is performing her duties fairly and impartially. In addition, the position of Family Court judge is one that represents the community seven days a week, twenty-four hours a day. It is never appropriate to display a demeanor that would bring disrepute to the profession or diminish confidence in the judicial system.

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? Although we all experience anger occasionally, it is essential to set aside these emotions when on the bench. Family Court is often a highly emotional atmosphere, and even though a circumstance may justify righteous anger, any display of anger from the bench could exacerbate the situation, jeopardizing the order and decorum of the courtroom. In these situations, I try to demonstrate compassion for the person in question and maintain a calm, although firm, demeanor.

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 \_\_\_\_\_, 2021.

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

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

Notary Public for South Carolina

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