

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

Family Court
(Incumbent)

Full Name: Spiros Stavros Ferderigos

Business Address: 100 Broad Street, Suite 241, Charleston, South Carolina 29401

Business Telephone: 843-958-4406

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

I would like to serve another term as a Family Court judge because I believe it is the best way for me to serve my community. It has been my absolute honor to serve as a Family Court judge over the past five years. I truly believe in the cornerstone of Family Court, protecting the best interests of minor children. I further believe that Family Court litigants have the right to move forward in a dignified manner during what may be the most difficult time in their lives. Many litigants and criminal defendants who appear before a Family Court judge are barely holding on. They deserve to have a presiding judge who is knowledgeable, respectful, and will apply the black letter of the law. If I am blessed to be re-elected to another term as a Family Court judge, I will continue to strictly uphold these principles, and continue to be cognizant of the importance of my role, how my decisions effect everyone that enters the courtroom, and the importance of issuing rulings that are supported by the law.

- 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 believe *ex parte* communications are inappropriate except in extremely limited circumstances. I would allow an *ex parte* communication for administrative purposes or emergencies that do not deal with substantive matters or issues. For substantive issues, I would not tolerate an *ex parte* communication unless a proper motion for *ex parte* relief, with supporting affidavit(s), is filed. Furthermore, the motion and supporting affidavit(s) would have to be of such urgency that failing to order the emergency *ex parte* relief requested would likely result in immediate, serious and irreparable harm. If I were to sign such an order, the order would include a prompt emergency hearing date to re-visit the *ex parte* relief ordered on a *de novo* basis, thus allowing all parties a sufficient opportunity to address the court on the matter. The *ex parte* order would further be limited in duration and without prejudice to either party. However, if the party subject to the requested restraint in the *ex parte* motion has an attorney of record, I would not issue any restraints on an *ex parte* basis unless that attorney has been given a copy of the motion and given an opportunity to include a written objection to the motion prior to my making a decision.

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 would grant great deference to a party requesting my recusal if there was an actual appearance of bias. Whether I would grant the request for recusal would depend on the facts of that specific case. If I felt that there was a legitimate appearance of bias, even if I did not believe it would actually prejudice my impartiality, I would recuse myself.

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

First and foremost I would inform the parties, in detail, of the financial or social involvement with my spouse or close relative. I would recuse myself if my spouse had financial involvement with a party before the court. I would not automatically recuse myself if my

spouse has or had social involvement with a party before the court. Whether I would recuse myself for social involvement by my spouse would depend on the details of that relationship. For instance, if my spouse previously had lunch with a group of people and a litigant happened to be among the group, I do not believe that would be grounds alone for a recusal. If my spouse had a personal and intimate relationship with a party, then that would warrant a recusal.

I would not immediately recuse myself if a close relative had a financial or social involvement with a party before the court. It would depend on the facts of that involvement and whether it raises a reasonable appearance of impropriety. There may not be a reasonable appearance of impropriety solely because a close relative has a financial or social involvement. A decision would need to be made on a case by case basis depending on the relationship with my close relative and any indirect involvement I may have with the party as a result of that relationship.

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

Although gifts are allowed under certain circumstances, I do not accept gifts from anyone who appears or would likely appear before me. As for social hospitality (i.e. meeting for a coffee or gathering), I would not accept such hospitality from litigants that appear before me. I would accept reasonable social hospitality with legal colleagues that appear or may appear before me, as I believe it is important for attorneys and judges to get to know one another. However, the social hospitality should not be of such frequency as to rise to the appearance of bias.

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?

If I were to become aware of misconduct by a lawyer or of a fellow judge, I would immediately contact the Ethics Committee and report the individual if I had knowledge of misconduct. If I were to become aware of an appearance of infirmity of a lawyer or of a fellow judge, I would take the appropriate measures pursuant to the Code of Judicial Conduct to contact the appropriate agency/program, such as Lawyers Helping Lawyers or possibly the Ethics Committee if

necessary. It is of the utmost importance that the members of the bar and judiciary abide by the ethical rules of our profession.

10. Have you engaged in any fund-raising activities with any social, community, or religious organizations? Please describe. No

11. Do you have any business activities that you have remained involved with since your election to the bench?

Yes. I am a co-owner of a commercial property located in Charleston, South Carolina. The first floor of the property, which is currently unoccupied, consists of retail and/or restaurant space. The second and third floors of the property are actively rented as short term rental units. I am not involved in the day-to-day activities of the property, as there is a third-party property management group(s) that handles all aspects of the building.

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

For domestic relations cases, I typically inform both parties of my ruling either verbally from the bench or by written letter of instruction if the decision has been taken under advisement. I ask the prevailing party to draft a proposed order and provide a copy to opposing counsel. Upon receipt of opposing counsel's written objections to the order, I ask the prevailing party to provide the proposed order and written objections from opposing counsel to the court. I then make the appropriate revisions, sign the order and send it to the Clerk of Court. There are instances, however, where I draft my own orders due to the complexity of the case or time sensitive requirements. For Department of Social Services and juvenile delinquency hearings, the State currently serves as the scrivener for court orders. I will continue with that practice.

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

I am a very organized individual and make good use of electronic calendars that are linked to numerous devices (including, but not limited to, multiple computers and handheld devices). This process allows me to schedule deadlines as they come up from the bench or in chambers, along with alerts prior to the deadline. In addition to

electronic calendars, I incorporated a “basket system” in my office wherein pending matters are clearly identified and displayed in a respective basket within my and my assistant’s direct vision so matters are not placed to the side and forgotten. My assistant further keeps track of all outstanding orders on a weekly basis, and sends reminders to attorneys if their proposed orders have not been submitted within ten days of the ruling. It is common practice in my office that all pending matters submitted for my consideration have been disposed of by the end of each week.

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?

The role of a guardian ad litem is one of the most important roles in Family Court. The guardian ad litem constitutes the impartial “eyes and ears” of the court for matters affecting the minor child. As such, the statutory requirements for a guardian ad litem must be strictly enforced. For hearings, I review the guardian ad litem report to ensure that the report meets the strict requirements of the statute. I also allow either party in the action an opportunity to be heard if the party alleges that the guardian ad litem has failed to follow the statute or abused his/her role, thereby assuring that any alleged failure of the guardian ad litem to follow the statute is immediately addressed by the court.

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

I do not believe that a Family Court judge should be a judicial activist. A Family Court judge should apply the strict letter of the law. If a law is too vague as written, the Family Court judge should do his/her best to discern the intent of the legislature and make a ruling accordingly. A Family Court judge should follow legal precedent instead of bending the law to fit a conclusion that he/she personally prefers. I do not believe the Family Court bench is the appropriate forum to set or promote public policy against clear case law or statutes.

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 believe that undertaking activities to improve the law, legal system and administration of justice begins in my courtroom. This includes my attempts to issue rulings within ten days of a hearing, adjusting my dockets to reduce the waste of court time, and ensuring that proper courtroom decorum and application of the Rules of Court are enforced during proceedings so that each party has an opportunity to properly present his/her case pursuant to law. While acting as Chief Administrative Judge for my circuit, I am also in constant communication with the Clerk of Court to adjust and review dockets as needed to ensure that matters are scheduled in a manner to reduce the back up of cases so litigants and attorneys do not have to wait for hours on end for their cases to be heard. As Chief Administrative Judge, I also require pretrial conferences for any matter that requests four or more days of trial so the court can review the necessity of a scheduling order to ensure the cases are prepared to timely move forward.

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 do not believe serving as a judge has strained my personal relationships. Serving as a Family Court judge the past five years has been one of the greatest honors of my life. I have been able to maintain a positive work-life balance despite the natural stress and anxiety one feels given the types of cases that come before the Family Court on a daily basis. With my faith and my family as my anchor in life, I have been able to decompress and enjoy my personal relationships when the courthouse is closed, while coming to work everyday ready to serve my community.

18. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?

The only additional income that I derive that might impair my appearance of impartiality is from my ownership interest in a commercial property located in Charleston, South Carolina. Although I am simply a co-owner and do not run the day-to-day operations of the commercial property, I would recuse myself from any case involving a tenant that has leased and/or resided in the commercial property.

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

If an extended family member were to have such a financial interest, I would inform the litigants of the minimal financial interest and would recuse myself if any litigant objected to my presiding over the proceeding and I believed there was a reasonable appearance of impropriety. If I personally or someone in my immediate family held such an interest, I would immediately recuse myself given the high level of scrutiny and importance of the presiding judge's appearance of impartiality.

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 past reporting period? Yes

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

I believe a judge's demeanor should be serious, respectful, straightforward, and professional. These rules apply while in the courtroom and while out in the community. I believe a judge's actions are a reflection on the legal community as a whole, not just himself/herself.

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?

Anger is a natural human emotion and may be appropriate given the behavior of some litigants, criminal defendants or attorneys in Family Court. It is not appropriate, however, to make decisions out of anger or to lash out at litigants, criminal defendants or attorneys. Every individual before the court should be treated with respect and not given a reason to feel as though the presiding judge will fail to give him/her a fair trial or proceeding. The look of dissatisfaction, a stern

tone and a reminder (or use) of the contempt powers of the court may very well be appropriate under certain circumstances.

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

S. W. F.

Sworn to before me this 11th day of August, 2025.

Nancy W. Foster
(Signature)

Nancy W. Foster
(Print name)

Notary Public for South Carolina

My commission expires: 7/30/2029