

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

**Family Court
(Incumbent)**

Full Name: Melissa M. Frazier

Business Address: P.O. Box 677, Conway, South Carolina 29528

Business Telephone: (843) 915-8997

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

I practiced law in family court for over 25 years and have had the privilege to serve as family court judge for the past 3 years. I have found this job to be extremely rewarding over these years. I believe that my knowledge and experience in this field prepared me for this role and I am very hopeful that I can continue to serve the state 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?
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 where it would be proper or necessary to have such communications. These circumstances would exist if there were an imminent threat to the safety or welfare of children or a party. If *ex parte* communication takes place, it 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?

Such request should be given careful consideration and granted unless it was clearly being used to judge shop or delay the process.

7. How do 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 carefully consider whether recusal would be necessary.

8. What standards have 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 or infirmity.

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?
No.

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

We currently have a law clerk in our circuit, but I typically request that the moving attorney or prevailing attorney prepare a draft of the order. After sharing the proposed order with opposing counsel, I have them forward it to me for my review. If it is not complete or detailed enough, I request an electronic copy and make any necessary changes. If time is of the essence, I draft a form order.

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

My staff and I maintain a shared calendar where we can add deadlines. I keep note sheets on all of my cases and provide them to my A.A. at the end of the week. My A.A. keeps a notebook where she can follow up if an order has not been received in the case. If it is not received, then Court administration requires that we report them on our MUA Report.

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?

I appoint qualified and experienced guardian ad litem in cases that come before me. I review the file to assure that the statutory guidelines are met. If the guidelines were not met, then I would address these issues on the record.

15. 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 before us and I try to abide by this at all times.

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 continue to speak at CLEs and participate in the JOE program through the law schools during the summer. I am also a member of two legal mentoring organizations through the Inns of Court.

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 don't believe that serving as a judge has caused a strain in my personal relationships. I strive to strike a balance between my professional life and my family life. My friends and family have been very supportive of my decision to serve as a family court judge. Additionally, both of my children have chosen to attend law school and are enrolled in law school at this time.

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?

While this is not normal in family court, I would most likely recuse myself to prevent 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 past reporting period?
Yes.

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

I believe that litigants and attorneys should be treated with respect. Judges should also make clear rulings on the law and the issues at hand, while maintaining the proper decorum in the courtroom.

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 not appropriate in the courtroom. Family court can be emotionally charged, however, a judge should set the bar high and act professionally when making rulings whether you are dealing with experienced attorneys or with pro se litigants.

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

Melissa M. Shugart

Sworn to before me this 27th day of August, 2025.

Tami J. Vandale

(Signature)

Tami D. Vandale

(Print name)

Notary Public for South Carolina

My commission expires: 09/30/2026