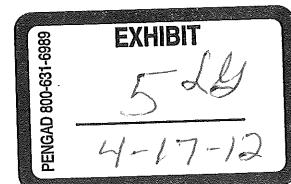


JUDICIAL MERIT SELECTION COMMISSION
Sworn Statement to be included in Transcript of Public Hearings

Family Court
(New Candidate)

Full Name: Robert Scott Sprouse
Business Address: P.O. Box 99 Seneca, SC 29679
Business Telephone: (864) 882-1480

1. Why do you want to serve as a Family Court Judge?
I believe that my experience both as a lawyer and a Municipal Judge, along with my legal knowledge and temperament would enable me to be a good Family Court Judge.
2. Do you plan to serve your full term if elected?
It is my plan to serve the full term.
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 unless it is an emergency situation in which a child's well-being is at stake. Even in a situation when a Judge signs an ex parte order, a hearing should be conducted promptly and the other party should be given full opportunity to be heard. The ex parte order should be without prejudice to the other party's ability to present their case.
6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?
If my law partner had a case, I would recuse myself since he is also my father-in-law. I would not recuse myself for lawyer legislator unless there was some independent reason unrelated to their service in the General Assembly for me to recuse myself.
7. 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 recuse myself in such cases if either party requested that I do so.
8. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?



I would recuse myself on any case in which one of the litigants had a financial or close social involvement of my spouse or close relative.

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

I would not accept any gifts from lawyers or litigants. I do not believe that it violates the Judicial Code of Ethics for judges to attend social events such as Christmas parties.

10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?

I would evaluate the type of misconduct. If the lawyer engages in misconduct in the courtroom, I would utilize the contempt powers of the Court. If the misconduct is something that the Rules of Ethics require reporting, I would do so promptly. I would do the same if I became aware of misconduct by a fellow judge.

11. Are you affiliated with any political parties, boards or commissions that, if you were elected, would need to be evaluated?

I am not a member of any political parties, boards or commissions. I have had no involvement with political parties since being appointed Municipal Judge for the City of Walhalla in 1996.

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 usually direct one of the attorneys to prepare the Order, subject to the other attorney (s) being able to review the draft prior to it being submitted. There may be some matters in which I draft my own orders, although this would not be the standard practice. I would follow the example set by judges in this circuit and send an instruction letter to the lawyers for matters taken under advisement. Some matters would involve a ruling being issued from the bench.

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

Timeliness would be insured by use of a calendar similar to what I utilize in my practice. Due dates are placed in caps/bold on the calendar.

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 review the GAL reports carefully when rendering a decision and assessing fees. I would also inquire about whether each party had any complaints about the way the GAL conducted his or her investigation.

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

My philosophy is that the presiding Judge should apply the law, not make the law. Family Court Judges have duties as both the judge of the law and the trier of fact. Judges have to be creative in crafting solutions to problems in Family Court. However, these solutions should always be within the bounds created by the South Carolina General Assembly.

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?

I would be willing to participate in CLE’s or public forums to improve understanding of the law.

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?

I do not feel that it would have any significant effect aside from me not being available to coach basketball and baseball during times that I travel. This will affect my youngest son, since he is still in elementary school. My oldest son is in high school. The travel involved will cause me to miss some of his athletic events. I have discussed this with my wife and children and they support my decision to seek this position.

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

I would require a *pro se* litigant to follow proper rules and procedures. However, I would try to explain the process to the *pro se* litigant so that he or she feels like they would have their position heard.

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?

I would not hear such a case due to the fact that the actual extent of the interest would not be the important factor. The Court’s reputation as being impartial is the most important factor. If the other party did not prevail in the case, it is likely that the financial interest of the family member, however slight, would be cited as the reason the Court ruled the way that it did.

22. Do you belong to any organizations that discriminate based on race, religion, or gender? No.

23. Have you met the mandatory minimum hours requirement for continuing legal education courses? Yes.

24. What percentage of your legal experience (including experience as a special appointed judge or referee) concerns the following areas? If you do not have experience in one of these areas, can you suggest how you would compensate for that particular area of practice?
- a. Divorce and equitable distribution: 70%;
 - b. Child custody: 60%;
 - c. Adoption: 5%;
 - d. Abuse and neglect: 10%;
 - e. Juvenile cases: 1%.

I am familiar with the law in all of these areas. I have not handled many juvenile cases, but have done enough of them to understand how they should be handled. I also have dealt with a large number of teenage defendants in Municipal Court.

25. What do you feel is the appropriate demeanor for a judge?

A judge should have a calm, polite demeanor in which he or she makes the litigants feel that they can candidly express their side of the story. Judges should not attempt to humiliate or embarrass the attorneys.

26. Would the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or would these rules apply seven days a week, twenty-four hours a day?

Once a person becomes a Judge, they should maintain their professional attitude and demeanor at all times. The public considers the person a Judge regardless if the Court is in session or not.

27. 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?

Being human, anger sometimes is unavoidable. In those situations that have arisen in Municipal Court, I have recessed the hearing for brief break to make sure that the way that I would deal with the difficulty was appropriate. A Judge should react appropriately by applying the law and keeping order in his or her courtroom. A Judge should not lash out in anger even if a litigant engages in conduct that is inappropriate.

28. How much money have you spent on your campaign? If the amount is over \$100, has that been reported to the House and Senate Ethics Committees?

Other than travel and food while in Columbia, I have not spent any money on the campaign.

29. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office? No.

30. Have you sought or received the pledge of any legislator prior to this date? No.

31. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening? No.
32. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf?
I have been introduced to members of the General Assembly by third parties. At no time, however, have I instructed any third party to seek a pledge from a member of the General Assembly prior to the appropriate time. I am aware that there has been much discussion in our county regarding this race. Undoubtedly, our delegation has been called or approached by many people supporting the various candidates. I am unaware of any inappropriate contact.
33. Have you contacted any members of the Judicial Merit Selection Commission? No.
34. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges for 48 hours after the draft report has been submitted? Yes.

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

s/Robert S. Sprouse

Sworn to before me this 1st day of March, 2012.

Notary Public for South Carolina

My commission expires: 3-08-2012