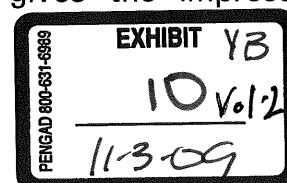


JUDICIAL MERIT SELECTION COMMISSION
Sworn Statement to be included in Transcript of Public Hearings

Family Court
(New Candidate)

Full Name: Vicki Johnson Snelgrove
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1. Why do you want to serve as a Family Court Judge? I have been interested in this position for the past ten (10) years. I have had a long and varied family court career. I have the knowledge of the law, rules and procedures of this Court. I know that my practice has provided me with the tools that a good Family Court Judge needs. I am proud to be a Family Court attorney and love discussing and seeking ways to resolving the issues that come before this Court.
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 are to be avoided unless absolutely necessary. I also believe that any request for *ex parte* relief should be in writing and not oral. I find that if in writing, the basis for granting or denying the relief is clear. If the request is made orally or supplemented by oral comments, there is not a clear record upon which to rely in arguing the propriety or impropriety of the Order. *Ex parte* communications should be tolerated in extreme circumstances: An order granting the removal of a child in an abuse and neglect case; an Order awarding *ex parte* custody if a flight risk to a foreign country is clearly shown; an *ex parte* order granting restraining orders to prevent the loss or disposal of assets, or the harassment of parties; the child support statute provides for certain *ex parte* relief in extreme circumstances.
6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you? I believe that a recusal is required if a party is represented by a family member or former law partner of the Judge. I do not believe that recusal is required or warranted if the attorney is a legislator. Otherwise, that attorney could never appear in front of any court or panel elected by the legislature. I do not believe that judges should recuse themselves lightly, as it gives the impression that



parties can shop for a judge they think may be more favorable to their position. It can also slow down the administration of justice, especially if the recusal is made on the eve of a trial.

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? Without trying to sound evasive, that depends on the facts of that case. For example, if I disclosed that a party to an action was the child of a person I had known, but not seen, in many years, I do not think recusal is warranted. If the disclosure was any knowledge of the facts of that case that I had learned from an area outside of sitting as a Judge, I would give due deference to a motion for recusal.
8. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative? If there were any possibility that I had a financial consequence from the outcome of a decision, recusal is mandatory. I would not hear any case involving a close relative for many reasons. If the case involves someone that I may have met on a casual basis, but not close enough that I know of any facts, I would not recuse. Canon 3B(1) imposes a "duty to sit " if recusal is not warranted.
9. What standards would you set for yourself regarding the acceptance of gifts or social hospitality? I would never knowingly put myself in a position that my impartiality could be questioned because of a dinner, the use of a vacation home or other such gifts. However, I do think that Judges who avoid seeing and visiting with the practicing bar in social settings isolate themselves from the healthy discussion of ideas, solutions, procedures and rules.
10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge? If I felt physically safe, I would first discuss with that judge or lawyer (with a witness present) what the accusation or appearance of misconduct was. I would give that person the opportunity to tell me other facts of which I may not be aware. I know there are always other facts that may be of use in making a decision on where or not to report a problem to a disciplinary body. If the behavior was so egregious as to require immediate action (appearing on the bench or in court in an intoxicated state), I would feel compelled to report that to the appropriate disciplinary body. I would document the behavior as well as I could. I would not hesitate to call on persons to assist in making that call.
11. Are you affiliated with any political parties, boards or commissions that, if you were elected, would need to be evaluated? 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 initially assign that task to an attorney appearing on the case. However, if the Order was not drafted to my specifications, I would write specifically what I wanted in the Order. There are times that the majority of the Order should be written by the judge. I believe that making specific findings that a judge wants contained in the Order help tremendously. I have found that the better and more detailed the instructions for an Order, the better and more solid that Order is. I have had the benefit of Judges who have made very specific findings that they request be in the Order. Unfortunately, I have also had to draft Orders with very little instruction other than the basic ruling. These are the Orders that will more likely result in post-trial motions and appeals.
14. If elected, what method would you use to ensure that you and your staff meet deadlines? I would have the docket of each day. Each staff person would have the same docket. Each docket would be kept in a separate weekly folder. As an Order comes in and is signed, then a colored highlighter would mark that case. At the end of each week, each staff member would independently review those dockets to see what cases, if any, were not marked off. We would then compare to see if there were any conflicts in our calendars. I would have my staff call the assigned attorney after two weeks after order instructions had been issued to find out the status of that Order. Unless a case is extremely complicated, I believe that decisions can reasonable be made within two (2) weeks of any case. Most decisions can be made within twenty-four (24) hours of hearing the case. I have found that the longer a decision is postponed, the more stale and less grounded the decision is.
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? While I have practiced law in the Family Court arena for twenty-seven (27) years, I still see the need to review various statutes and rules. Again, I would have the statute on the bench for any case in which a Guardian ad Litem is present. I would ask each attorney prior to the case if either felt that the GAL had not complied with the statute. I would review the Guardian ad Litem's initial affidavit to make sure all disclosures were made; I would review the final report to ensure that it complied with the statute.
16. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy? Judges follow the statutes and the rules. I do not believe that Judges should espouse their own personal moral or religious beliefs. To borrow from Judge Sotomayor, "fidelity to the law" is the goal of judges

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 embrace every opportunity to sit on panels, taskforces or committees that review rules, procedures and forms. I have seen the positive outcome from Judges who take the interest in improving our system. While we certainly cannot "alleviate the misery of Family Court", we can look for ways to make the experience less painful. Judges who merely have a pleasant demeanor and facial expressions while sitting on the bench or thank witnesses for appearing do a great deal to improve the public's perception of the process.
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? While there are certainly a lot of stressful decisions, I believe that most family members of attorneys have been in training for this aspect of the job as much as the attorney him or herself. I stay late rather than bring a file home. Home is a sacred haven and I plan to keep it that way. As there have been exceptions in my practice, there will also be exceptions if I am elected to the bench. I do not have the stress of young children or children who live at home. My family is composed of mainly attorneys who, therefore, have an appreciation of the strains of the job better than most. They are all very supportive of my seeking this position and I believe they will be just as supportive if I am fortunate to be elected to serve as a Family Court Judge.
19. Would you give any special considerations to a *pro se* litigant in family court? I believe that the court system is open to all, represented and unrepresented. I would assist to the point of procedure, but not to the point of substance. I would still demand that the pleadings have the necessary content, that service was proper and that the necessary evidence be presented. Absent a specific fact situation, I would seek to grant a continuance as opposed to a dismissal if it would only take something minor to correct a mistake. If I saw that a *pro se* litigant was creating a horrible situation for him or herself PRIOR to an important trial, I would strongly advise that person to seek counsel. That is the good and beneficial result of properly conducted pretrial or status conferences. It is better to catch that problem then (before setting the case for trial), than at the beginning of a three (3) day trial. At the point of a trial starting, I would be hesitant to grant a continuance. If the case warrants a three day trial, there would have to have been complicated and difficult issues apparent for a long time. If a *pro se* litigant has not seen the need to obtain counsel by that time, I strongly doubt that he/she would see the need at trial.

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? No
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: 80%
 - b. Child custody: 60%
 - c. Adoption: 5%
 - d. Abuse and neglect: 10%
 - e. Juvenile cases: 0%
25. What do you feel is the appropriate demeanor for a judge? First of all, I think that a Family Court Judge needs to have an even temperament, not easily angered or irritated. He/she needs to have the ability to take control of that courtroom, to be able to control lawyers and litigants. While a Family Court Judge should not appear to be dictatorial, he/ she does need to give the appearance of being in charge. I think that a Family Court judge needs to have an understanding of family dynamics- understand emotional needs, financial needs, physical needs, - have a familiarity with the dynamics of children, and be willing to learn from others.
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? For the most part, Judges should behave that way in daily lives. However, if a Judge is undergoing a personal tragedy or through a personal crisis, I would certainly not expect him or her to behave in an even-tempered fashion in his/her private coping.
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? I do not see anger as being appropriate in many situations at all, much less on the bench. While emotions certainly run hot in the Family Courtroom, I see the Judge as being the person best able to calm the situation. If a litigant or lawyer see the Judge as part of the problem in an emotional way, then that judge's ability to rule is severely compromised.

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? At this point, I have spent approximately \$60.00.
29. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office? N/A
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 asked persons to introduce me to legislators that they may know and give me the opportunity to meet legislators so that they may get to know me or ask any questions of me.
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/ Vicky J. Snelgrove

Sworn to before me this 30th day of July, 2009.

Notary Public for South Carolina

My commission expires: 11-03-2013