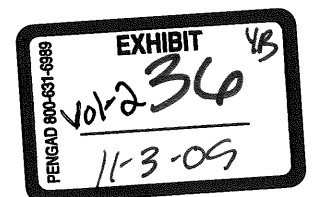


**JUDICIAL MERIT SELECTION COMMISSION**  
**Sworn Statement to be included in Transcript of Public Hearings**

**Family Court**  
**(New Candidate)**

Full Name: Tony M. Jones  
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1. Why do you want to serve as a Family Court Judge? To utilize my experience and to make a meaningful contribution to the legal system in South Carolina.
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, except to the limited extent permitted. Those would include communications to facilitate scheduling, administrative purposes and to accommodate emergencies, including the issuance of temporary restraining orders (under certain limited circumstances). Otherwise, they are to be avoided.
6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you? Recusal is appropriate whenever the appearance of impropriety is present. While the appearance of a former law partner or lawyer-legislator does not mandate recusal and is not automatic, full disclosure must be made to all parties present. Case law and the Code of Professional Conduct sets forth rules for recusal.
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 afford the party seeking the recusal an opportunity to be heard in full regarding the requests. If bias or prejudice could not be established, as set forth in Rule 501 Code of Judicial Conduct, there is a duty to hear the case where there is no valid reason 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? First



- of all, everything must be done to avoid the situation. My conduct must be such so as to ensure that a reasonable person would believe I would carry out my duties with impartiality, competence and integrity.
9. What standards would you set for yourself regarding the acceptance of gifts or social hospitality? Gifts are to be declined. Social hospitality is acceptable in the appropriate environment, i.e. Bar functions. When dining out, I always pay my bill – never allowed someone else to purchase a meal for me.
  10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge? The Code of Professional Conduct mandates and reports to the Commission on Lawyer Conduct or the appropriate authorities.
  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 draft some of my own or have one of the lawyers prepare it for me. All attorneys would need to review the Order prior to signing.
  14. If elected, what method would you use to ensure that you and your staff meet deadlines? I am very organized. I employ a “tickler system” in the operation of my business. All deadlines are on a calendar that is monitored by my staff and myself to ensure deadlines are not missed.
  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? At every hearing or status conference, the action of the Guardian ad Litem would be reviewed. I would also require the attorneys to schedule a status conference if either felt the Guardian ad Litem was not in compliance with the statutes.
  16. What is your philosophy on “judicial activism,” and what effect should judges have in setting or promoting public policy? Judges do not make laws. Judge’s issue rulings based on the laws enacted by the General Assembly and as interpreted by the Courts. Public policy is not set by a Family Court Judge, but rather, the South Carolina General Assembly and appropriate Courts. Judges do not make law.
  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? Hold workshops with lawyers and Court personnel to receive input on how the Bar and Bench can work more effectively to improve the disposition of cases.

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? No. A Family Court attorney is experienced in handling pressure and has to balance one's personal life and demands of the job.
19. Would you give any special considerations to a *pro se* litigant in family court? You would have to. A Judge cannot advise nor represent a *pro se* litigant, but a sense of understanding and kindness needs to be displayed so a *pro se* litigant feels like he/she has access to the benefits the system provides. *Pro Se* litigants are entitled to be treated courteously.
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: 40%
  - b. Child custody: 30%
  - c. Adoption: 5%
  - d. Abuse and neglect: 20%
  - e. Juvenile cases: 5%
25. What do you feel is the appropriate demeanor for a judge? Even tempered, firm, resolute in making decisions.
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? As a Judge, the Rules of Conduct/Behavior cross over into ones personal life.
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? No
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? None
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? No
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/ Tony M. Jones

Sworn to before me this 11<sup>th</sup> day of August, 2009.

Notary Public for South Carolina

My commission expires: 10-10-2010