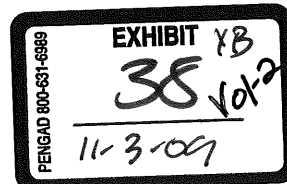


JUDICIAL MERIT SELECTION COMMISSION
Sworn Statement to be included in Transcript of Public Hearings

Family Court
(New Candidate)

Full Name: Angela M. Killian
Business Address: Post Office Box 1719
Lancaster, SC 29721
Business Telephone: (803) 286-6914

1. Why do you want to serve as a Family Court Judge? I enjoy practicing in family law. I love the family court subject matter and I consider myself to be very knowledgeable in family law. I believe that I have the knowledge, compassion, competency, and the ability to serve as a family judge in the state of 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? I am not sure it will depend upon the economy.
4. Have you met the statutory requirements for this position regarding age, residence, and years of practice? No, I have not satisfied the years of practice to date; however, I will have satisfied the years of practice by the time of the elections in February 2010. I will satisfy this requirement on November 13, 2009.
5. What is your philosophy regarding *ex parte* communications? My philosophy regarding *ex parte* communications is consistent with Canon 3 (B)(7) of the South Carolina Rules of Judicial Conduct which provides that "a judge shall not initiate, permit, or consider *ex parte* communications, or consider other communications made to the judge outside the presence of the parties concerning a pending or impending proceeding" unless it is expressly authorized by the law to do so. Are there circumstances under which you could envision *ex parte* communications being tolerated? Yes, if the *ex parte* communications are for scheduling, administrative purposes or emergencies that do not deal with substantive matters or issues on the merits provided that the judge reasonably believe that no party will gain a procedural or tactical advantage as a result of the *ex parte* communication and the judge promptly notify all other parties of the substance of the *ex parte* communication and allows an opportunity to respond.
6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you? My philosophy on recusal is consistent with Canon 3 (E)(1) of the South Carolina Rules of Judicial Conduct which provides that "a judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned."



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? I would listen to what the party has to say on the issue and then reassure the party that I would be impartial in presiding over the proceeding in question. Would you grant such a motion? No, I would not grant the motion if I believed that it would not actually prejudice my impartiality.
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 disqualify myself from the proceeding because my impartiality might be reasonably questioned due to my relationship with my spouse or close relative.
9. What standards would you set for yourself regarding the acceptance of gifts or social hospitality? I would set standards consistent with Canon 4 (D) (5) which provides that "a judge shall not accept and shall urge members of the judge's family residing in the judge's household, not to accept, a gift, bequest, favor or loan from anyone except for: a gift incident to a public testimonial, books, tapes and other resource materials supplied by publishers on a complimentary basis; a gift incident to the business, profession or other separate activity of a spouse or other family member of a judge residing in the judge's household, including gifts for the use of both spouse or other family member and the judge, provided that the gift could not reasonably be perceived as intended to influence the judge in the performance of judicial duties; ordinary hospitality; and a gift from a relative or friend, for a special occasion, such as a wedding, anniversary or birthday, if the gift is fairly commensurate with the occasion and the relationship."
10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge? Pursuant to Canon 3 (D) of the South Carolina Rules of Judicial Conduct, I would inform the appropriate authority of the misconduct if I received information indicating a substantial likelihood that a lawyer or fellow judge has committed a violation of the Rules of Professional Conduct or a violation the Rules of Judicial Conduct.
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 have the attorneys to draft the orders.

14. If elected, what method would you use to ensure that you and your staff meet deadlines? I would establish a tracking system to ensure that my staff met all deadlines.
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 ensure that the Guardian *Ad Litem* has conferred with and observed the child involved in the proceeding in question. For example, if I discovered that the Guardian *Ad Litem* had not observed the child involved in a proceeding, I would require the Guardian *Ad Litem* to see the child and confer with the child within seven days of the hearing and provide me with a written report prior to signing the proposed order in the case.
16. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy? I do not believe that judges should substitute their own political opinions for the applicable law. I do not believe it is appropriate for judges to set or promote public policy in their rulings as that function is reserved for the legislature.
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 actively participate in a number of task forces to improve the legal system. Additionally, I would serve as a presenter at CLE seminars sponsored by the bar association.
18. Do you feel that the pressure of serving as a judge would strain personal relationships (i.e. spouse, children, friends, or relatives)? No. How would you plan to address this?
19. Would you give any special considerations to a *pro se* litigant in family court? No. However, I would take the time to explain the nature of the proceedings to the *pro se* litigant.
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? I have met the mandatory minimum hours requirement for continuing legal educational courses 2008-2009; however, I have not met the mandatory minimum hours requirement for continuing legal educational courses for 2009-2010 to date.

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: 20%
 - b. Child custody: 20%
 - c. Adoption: 1%
 - d. Abuse and neglect: 58%
 - e. Juvenile cases: 1%
25. What do you feel is the appropriate demeanor for a judge? I believe that the a judge should have a pleasant and respectful demeanor to all parties.
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? The rules would apply seven days a week, twenty-four hours a day.
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? No. Is anger ever appropriate in dealing with attorneys or a pro se litigant? No.
28. How much money have you spent on your campaign? \$0 If the amount is over \$100, has that been reported to the House and Senate Ethics Committees? N/A.
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? No. 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/ Angela M. Killian

Sworn to before me this 11th day of August, 2009.

Notary Public for South Carolina

My commission expires: 07-22-2014