

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

Family Court
(Incumbent)

Full Name: JOCELYN B. CATE
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1. Why do you want to serve another term as a Family Court Judge?

This has been the hardest yet the most rewarding "job" I have ever had. to me, being a Family Court judge has never been about having a "job" but about fulfilling my "calling". everything I have done prior to this has led me to this position. I have been so proud and honored to serve the children and families of this great state. The past 11 years has given me even more experience and knowledge. It is a privilege to be given the opportunity to continue to serve the people of South Carolina.

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?
Not at this time.

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?

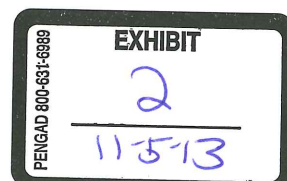
I am guided by the canons (and comments) of judicial conduct with regard to ex parte communication and the limited circumstances where it is permitted for scheduling, administrative purposes or emergencies. In those circumstances I am mindful of the requirements of canon 3(b)(7)(a)(i) and (ii).

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 impartiality may reasonably be questioned in any of the above situations, I would not hear the case.

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?

Yes, I would grant the motion to recuse.



8. How do you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?

I would choose not to hear the matter.

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

I will not accept or permit members of my family to accept gifts or social hospitality that may give the appearance of influencing the performance of my judicial duties.

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

If the misconduct constitutes a violation of the rules of professional or judicial conduct raising a substantial question as to the lawyer's or judge's honesty, trustworthiness or fitness as a lawyer or judge in other respects, I am required to inform the appropriate authorities.

If I receive information of misconduct indicating a substantial likelihood of a violation of the rules by a lawyer or judge, then depending on the circumstances, I would take necessary and appropriate actions to correct, educate and prevent such conduct from occurring in the future.

11. Are you affiliated with any political parties, boards or commissions which, if you were re-elected, would need to be re-evaluated? No.

12. Do you have any business activities that you have remained involved with since your election to the bench? No.

13. Since family court judges do not have law clerks, how do you handle the drafting of orders?

My handling of drafting of orders depends on the nature of the proceeding before me. if the matter is uncontested or involves relatively simple issues, I have asked one of the attorneys to draft a proposed order. the order is sent prior to or simultaneously to opposing counsel or party then to me for my review. Opportunity is given to make comments and/or objections to the proposed order. If the matter is highly contested or there are multiple legal or evidentiary issues involved, I have asked both attorneys to prepare proposed orders and from those orders, I compose my own, or I have simply drafted my own orders.

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

My administrative assistant, as well as myself, both keep separate calendar systems (electronically and manually) to keep up with deadlines.

15. 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?

At the initial appointment of the gal, I order the gal to comply with the statutory requirements. our circuit maintains an approved gal list where members provide the court with their CLE compliance. at pre-trial or status conference hearings, I inquire of the gal and the parties/counsel about any problems or concerns in the investigation process. because we are not "assigned" to specific cases, it is quite difficult to generally monitor gal activities during the pendency of the case except when it is brought to the court's attention that there may be problems or issues regarding the gal. In those situations, a motion must be brought with due notice and opportunity to be heard given to all.

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

Judges should not participate in "judicial activism" and should not be involved in setting or promoting public policy. the judiciary is a separate but equal branch of the government.

17. 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 will continue to speak, teach, and participate in any way permissible at schools, colleges, universities and other organizations for the improvement of the legal system.

18. 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 have a loving, understanding, and for the most part, patient spouse who acknowledges the stresses and pressures of my profession. he understands the demands of my work and appreciates the job I do each and every day. My fellow judges are my extended family with whom I share an incredible and unique bond. They are also the source of my strength and commitment.

19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?

No.

20. Would you hear a case where you or a member of your family held a de minimis financial interest in a party involved?

Yes, if the de minimis financial interest falls under the definition in the code of judicial conduct and only upon the approval of all parties involved after full disclosure of the de minimis financial interest.

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

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

23. What do you feel is the appropriate demeanor for a judge?
Patient, even-tempered, polite, neutral, impartial, and in control.
24. Do the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or do these rules apply seven days a week, twenty-four hours a day?
They apply all the time.
25. 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?
Displays of anger are never appropriate. there are times, however, when a judge must be stern and direct in order to control the courtroom so that proceedings are conducted in an orderly, efficient and safe manner.
26. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees?
I have not spent any money on my campaign.
27. While campaigning for this office, have you used judicial letterhead or the services of your staff for your campaign? No.
28. Have you sought or received the pledge of any legislator prior to this date? No.
29. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening? No.
30. 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. I am also not aware of any friends or colleagues contacting members of the general assembly on my behalf.
31. Have you contacted any members of the Judicial Merit Selection Commission? No.
32. 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/Jocelyn B. Cate

Sworn to before me this 10th day of July, 2013.

Jennifer O. Sandon

Notary Public for South Carolina

My commission expires: May 18, 2015