



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

**Family Court**  
**(Incumbent)**

Full Name: John M. Rucker  
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1. Why do you want to serve another term as a Family Court Judge?  
Serving as a Family Court judge has been a rewarding experience for me. While it is at times difficult and heart wrenching, serving allows one to assist and resolve problems that are facing the citizens of our state.
2. Do you plan to serve your full term if re-elected?  
Yes, except as limited by mandatory retirement.
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?  
I do not allow *ex-parte* communications with me about any pending case. On rare occasions a party will seek in the initial pleadings emergency relief with the hearing to be set on shorter notice. This is done in writing and is included with the order for an emergency hearing.
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 recuse myself from hearing a matter if my relationship with the attorney or a party is such that I could not be fair and impartial or would give the impression to a reasonable person that I was not fair and impartial. I have no former law partners or associates practicing law. I would not recuse myself from hearing a matter solely because the attorney was a lawyer-legislator.
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?  
If a party, based on my disclosure, objected to my hearing a matter I would grant the motion and recuse myself.
8. How do you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?

If my wife or a close relative was financially or socially involved with a party I would recuse myself. If a party reasonably feels the judge would be biased then the judge must recuse himself or herself. The rotation of judges through the various counties provides a mechanism to remedy this problem.

9. What standards have you set for yourself regarding the acceptance of gifts or social hospitality?  
I accept no gifts from anyone appearing before me or likely to appear before me. I would not attend any social function to which I am invited because of my position with the exception that I will attend events held by local bar associations and state bar associations.
10. How do you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?  
I would notify the appropriate disciplinary body.
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?  
In most cases I issue my rulings in open court and ask the prevailing attorney to prepare an order and forward it to the opposing council before submitting it to me. If I take the matter under advisement I will prepare a letter to both attorneys setting forth my ruling and asking one to prepare the order and forward it to the other before submitting it to me. Occasionally I will prepare the order.
14. What methods do you use to ensure that you and your staff meet deadlines?  
We keep a log of all cases heard by me. This log is checked regularly by my secretary.
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?  
When appointing a guardian ad litem or other professional I set a low maximum fee and require that any additional fee must be approved by the court. At the review or at the time any additional fee is requested all parties must be present in court. At that time it can be determined whether the individual is performing his or her duties. Further any party to the action is at liberty to move before the court concerning the performance of an appointed guardian.
16. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?  
A judge's duty is to apply the law fairly to all parties. Public policy is to be determined by elected representatives. A judge should appear before legislative bodies that are studying a particular problem if his or her experience can be of assistance.
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 have worked in the past with committees of the South Carolina Bar studying ways to improve the Family Court system in South Carolina. I presently am a member of the Bar's Law Related Education Committee and work with its Supreme Court Institute for teachers as well as its State and National Mock Trial competition.

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 do not feel that it strains relationships, however it is quite helpful to have an understanding spouse. In this I have been fortunate. In regard to friends and relatives I have made it clear since the beginning of service as a Family Court Judge that I will not discuss cases with them, so far it has not caused any strain to any relationships.
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?  
No.
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?  
A judge must be fair, free from bias and willing to listen to all sides. He or she must not attempt to intimidate any party or witness.
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?  
These rules apply at all times, they are good rules to use in conducting ones life.
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?  
Anger is not appropriate under any circumstances in dealing with the public, a criminal defendant, attorney or pro se litigant.
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?  
None.
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.
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/ John M. Rucker

Sworn to before me this 31<sup>st</sup> day of July, 2015.

Sandra H. Davis

Notary Public for South Carolina

My commission expires: 05/22/2016