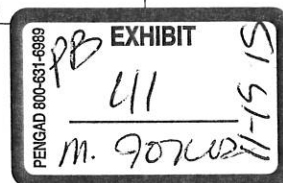


JUDICIAL MERIT SELECTION COMMISSION
Sworn Statement to be included in Transcript of Public Hearings

Family Court
(Incumbent)



Full Name: Honorable Dorothy Mobley Jones
Business Address: 1701 Main Street, P. O. Box 192, Columbia, S.C. 29202
Business Telephone: (803) 576-1752

1. Why do you want to serve another term as a Family Court Judge?
Since 2005, I have found serving as a Family Court judge in our state to be a rewarding experience. I am able to apply my thirty-seven years of legal experience to the cases that come before the family court bench, including juvenile cases, private litigation cases, and matters filed by state agencies for the protection of minor children. From my past years of legal experiences, I have gained a thorough understanding of the far reaching impact that the Family Court has on citizens of this state.
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?
No, I have no plans to return to private practice.
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 should be avoided generally, as it raises the appearance of impropriety. My office has procedures which are strictly enforced to discourage and prevent any ex parte communication whether by attorneys, litigants or relatives of litigants. Nonetheless, there are situations where judges are called upon to review pleadings and/or written requests for ex parte relief. It is important for a judge reviewing the materials to avoid any direct contact with the moving party other than a review of the documentation. On extremely rare occasions, relief may be appropriate to consider on an ex parte basis, however; such relief should be limited in nature so as not to unduly prejudice the opposing party. In such cases, the ex parte request should be scheduled for a hearing on an expedited basis to allow the opposing party to put forth his or her factual basis for relief without delay. None of the parties involved should have any communication or contact with the Family Court judge.
6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?
On occasions when lawyer-legislators have appeared before me on the bench, I have not been asked to disqualify myself. I do not routinely disqualify myself from hearing cases in which a lawyer-legislator appears on behalf of a litigant. In

the event an opposing party makes a motion for my disqualification based solely on the fact that the attorney serves in the legislature, I would carefully consider the motion for recusal. I have at all times disqualified myself from hearing contested cases when my former law partner represents one of the party-litigants. As well, I have routinely disqualified myself in hearings involving former clients from my private domestic practice. When a motion for disqualification is made, I give that motion due deference. In situations where the litigants have waived any conflict after confidential discussion with their attorney, I have proceeded to hear the case after full waiver of potential conflict. It is my policy to provide all litigants in Family Court with the opportunity to have their case tried by a fair and impartial judge.

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?

Under the above stated facts, I would give great deference to the requesting litigant's motion for recusal. My practice is to disclose on the record any and all connections that I may have with the parties or witnesses in the case which could potentially be perceived by the litigant as a bias or prejudice against one of the parties. If the litigant believes he or she cannot receive a fair and impartial trial or in the event the bias raises the appearance of impropriety, I would immediately disqualify myself and make every effort to have the case transferred without delay to another judge.

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

This has not been a problem for me as I do not have a spouse, however, I would disclose on the record the financial or social involvement which could result in a potential conflict. If, in fact, a spouse or close relative had such an involvement or interest, it would appear likely that disqualification would result. On the other hand, should all litigants and attorneys waive the conflict, I would consider whether or not I could proceed without bias. In the event the case is not contested and is merely approval of a settlement or uncontested divorce, I do not believe the conflict would be as significant as if the case was highly contested. I would be concerned with the perception of the litigants and give due deference to their concerns.

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

I do not accept gifts or social hospitality from lawyers appearing before me. I do have family members who are attorneys and a few close friends who do not appear before me that I socialize with and exchange birthday or Christmas gifts. These few are treated as family members and I would never hear their cases. I accept and report complimentary registration and lodging from S. C. Bar Association and SCAJ, which is offered to all members of the state judiciary. I attend local and state Bar association functions where other judges are in attendance. I frequently socialize with other judges, however, it is my policy to avoid acceptance of gifts.

10. How do you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?
If I became aware of misconduct by a lawyer that violated the Rules of Professional Conduct, I would report the lawyer to the Office of Disciplinary Counsel. In the event the attorney's conduct did not raise a question about his or her fitness, I may speak with the attorney privately in my chambers. The Canons of Professional Conduct address the method for reporting misconduct of attorneys and that related to members of the judiciary. I am compelled to follow the directives of Canon 3, subsection D, of the Code of Judicial Conduct which sets out the method of reporting misconduct of a judge and/or attorney. On several occasions, I have contacted Lawyers Caring About Lawyers Committee of the SC Bar when I had concerns related to services they could provide to the attorney.
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?
When ruling from the bench, I request that one of the attorneys prepare a proposed draft and present it to opposing counsel or any self-represented litigant for their review and comment. I believe the comments to the Judicial Canons permit me to ask lawyers to prepare court documents in order to promptly dispose of the Courts business. Once both or all counsel approve of the Order, an original with attached copies is mailed or delivered for my signing. In the event of a dispute regarding the language, a post-trial conference is held and/or a form letter requesting a copy of the transcript is sent to the attorneys. When cases are taken under advisement, written rulings are set out in detailed memorandums and delivered in the same manner to all attorneys and to self-represented litigants. Whenever both litigants are self-represented it is my practice to prepare the order in the courtroom and provide copies at the conclusion of the hearing.
14. What methods do you use to ensure that you and your staff meet deadlines?
My office utilizes several methods to track deadlines. It starts with marking our daily docket and identifying those cases taken under advisement or awaiting orders. This information is entered into a tickler system in our office computer along with other identifying information and deadlines. Additionally, the individual case note sheets are updated as orders are received and signed. Deadlines for those cases are monitored on a weekly basis via the tickler system and letters/faxes are then sent to attorneys who are delinquent in sending orders. We cross reference the note sheets and dockets with the information in our tickler system for more accurate tracking of orders on a biweekly basis. Each month a MUA report is forwarded to Court Administration based upon internal reports.
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 outset of a case involving a minor child, I issue an Order appointing a Guardian ad litem. This Order includes statutory authority for the appointment along with specific responsibilities and duties to be undertaken during the pendency of the case. As well, a reasonable hourly rate and fee cap is designated in the Order. The fee cap may be raised by the court as needed. In the event I hear a temporary motion, then a Pendente Lite Order is issued which generally contains time limitations within which the Guardian ad litem is to conduct a preliminary investigation and render a report. My duty to supervise Guardian ad litem during the pendency of a case is limited to monitoring only, to avoid delays and unnecessary costs. I believe my most important role in monitoring Guardian ad litem comes at a merits hearing when I must ensure that a Guardian ad litem has sufficiently and properly investigated the issues in a case and has not charged excessive fees.

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

I do not favor "judicial activism" and believe the legislature is the appropriate body to set public policy. Our job is to enforce and interpret the policies as set by the legislature. I would never consider it appropriate for a judge to legislate from the bench.

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?

Since serving on the Family Court bench, I have been appointed to serve on the Chief Justice's Commission on the Profession, The Family Court Judge's Advisory Committee, The S. C. Children's Task Force and Docket Management Task Force Commission. Through my involvement with the S. C. Bar and service on these professional committees, I am able to contribute to issues of importance and interest to the Family Court Bench and Bar. By teaching "Bridge The Gap" to newly graduated law students, I believe I am further contributing to the enhancement of the legal profession.

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?

Serving as a Family Court judge has the potential of putting an undue strain on personal relationships. Personally, I have not experienced any undue pressure on my personal relationships with other judges and attorneys. On occasion, I have had to explain to extended family members going through divorces that it is not appropriate for me to discuss their personal cases. I have not allowed family or social relationships to prejudice or influence in any way my judicial conduct

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?

I would disclose the interest of the member of my family on the record prior to proceeding with the hearing. Following that disclosure, I would require the parties to discuss the nature of such disclosure with the attorneys outside of my

presence. Upon a request for disqualification, I would grant the motion and make every effort to transfer the case to another judge without further delay. Since even a de minimis interest could raise the perception of bias by the court, I would avoid hearing such cases. It is imperative that litigants believe their case is being handled in a fair and impartial manner.

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 should at all times appear to be competent, dignified courteous and in control of the courtroom. A judge should avoid any show of prejudice or partiality toward litigants or attorneys. A judge should demonstrate through his or her conduct that each litigant's case is important notwithstanding how insignificant on the facts it may appear. As the 2015 recipient of the Matthew J. Perry Civility Award, I believe that I display appropriate demeanor on the bench.
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?
The foregoing rules should apply at all times and are not limited to the judge's presence at the courthouse. Proper demeanor in keeping with the judgeship should be maintained under all circumstances.
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 would not be an appropriate emotion to express with a member of the public, criminal defendant, attorney, or pro-se litigant. Dependent upon the conduct exhibited by a litigant, it may be acceptable to express disapproval or disappointment of such conduct. When a judge becomes frustrated or angry, stepping down from the bench to release these feelings in his or her private chambers would be the proper response.
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 spent less than \$15 on paper, copies and stamps.
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, in response to both questions.

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/Dorothy Mobley Jones

Sworn to before me this 10th day of August, 2015.

Vickie P. Vick

Notary Public for South Carolina

My commission expires: 2/13/2018