

ORIGINAL

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

Supplement: Dated October 21, 2016
Circuit Court
(New Candidate)

Full Name: Grace Gilchrist Knie

6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?

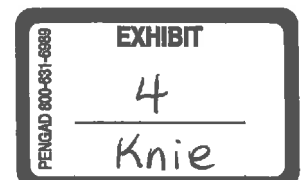
My philosophy, generally, is that as a jurist my goal would be to ensure that all whom appear before me at the outset feel comfortable in my ability to be neutral and unbiased and fair to all. This philosophy reflects the provision in Rule 501 of the South Carolina Appellate Court Rules, Canon 3. E.(1) of the Code of Judicial Conduct which provides: A judge shall disqualify himself in a proceeding in which the judge's impartiality might reasonably be questioned. However, this provision must be balanced against Canon 3. B. (1) of the Code of Judicial Conduct which provides that "A judge shall hear and decide matters assigned to the judge except those in which disqualification is required." I would not automatically recuse myself from hearing matters involving lawyer-legislators due only to their status as legislators. My former law partner is deceased and I have no former associates. I would not allow my spouse, who is an attorney, to appear before me.

And additionally by supplement:

I am married to Attorney Patrick E. Knie. I would disqualify myself from hearing matters in which he is counsel of record or in other matters in which he is involved as specifically outlined pursuant to Rule 501, SCACR, Canon 3E.(1), "A judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned,..." Canon 3E. lists specific examples of when the judge's impartiality might be questioned, such as if the judge's spouse is a party or lawyer in the proceeding, if the judge has or judge's spouse has more than a *de minimis* interest in the proceeding, if the judge has a bias concerning a party or lawyer in the proceeding, or if the judge's spouse is likely to be a material witness. Canon 3E.(1)(a)-(d).

I own an office building located in Spartanburg that I lease to a sole practitioner, Attorney William O. Pressley, Jr., whom specializes in probate and estate matters. SCACR 501 Canons 1 and 2 require that a judge avoid impropriety or the appearance of impropriety. In proceedings in which Attorney Pressley is legal counsel of record, my philosophy on recusal is as outlined in Canons 1 and 2, that I would disclose on the record the nature of the relationship and then give counsel and parties the opportunity discuss my disqualification outside my presence as outlined in Rule 501, SCACR, Canon 3E.(1) and 3F., the Remittal of Disqualification procedure, "A judge... may disclose on the record the basis of the judge's disqualification and may ask the parties and their lawyers to consider, out of the presence of the judge, whether to waive disqualification." This should be balanced against the requirement of Rule 501, SCACR Canon 3B.(1)"A judge shall hear and decide matters assigned to the judge except those in which disqualification is required."

This document supplements my original sworn statement submitted on July 19th, 2016.



I HEREBY CERTIFY THAT THE ANSWERS TO THE ABOVE QUESTIONS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.



Grace Gilchrist Knie, Attorney

Sworn to before me this 21 day of October, 2016.

Melody B. Gabriel
(Notary Signature)
MELODY B. GABRIEL
(Print name)
Notary Public for South Carolina
My Commission Expires: 09/04/17