

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

Family Court
(New Candidate)

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1. Why do you want to serve as a Family Court Judge?

I enjoy the law and continuously look for ways to contribute to our judicial system. I believe that if given the opportunity to serve, I would bring to the bench a wealth of life experience and a unique perspective.

My parents divorced with I was young. Both had only a high school education, worked entry level positions in manufacturing industries when I was a child. As I have grown, I have observed the impact of manual labor upon their mind and body. Throughout the years, my parents encouraged to me push myself and never shy away from opportunity.

I worked multiple jobs from the time I was twelve years old in order to help support my family, while finishing high school with a high grade point average, remaining on the Dean's List through college, obtaining my bachelor's degree in only three years, and completing the courses necessary for my master degree and law degree at two different universities, which were approximately three and half hours drive apart, almost simultaneously. I share this information because that same drive that pushed me throughout my education is now my motivation to take my professional career to the next level. To serve as a Family Court judge is the next challenge for me.

I watched my parents work hard every day, which taught be the value of earning what you have. I am driven, dedicated, and determined, because in my life, anything less is simply unacceptable. I face every element of my life with self-motivation; however, I have never been afraid to watch and learn from those around me. These skills would certainly serve me well on the bench.

I believe that my background will help me relate to the litigants before me, since many of them will be from the same working-class environment. I understand the struggles that come with that, and those roots will always keep me grounded.

Although where I have been in life greatly contributes to why I want to be a judge, there is something greater at work, and that is where I want to go. I want the opportunity to give back and be a part of something greater. I believe, that through judicial service, I can contribute my skills to my community in a wonderful way, and I want the opportunity to do just that.

Unfortunately, my husband and I have not been blessed with children, but I have intentionally looked for ways through my career to be involved with children. I am passionate about my work as Guardian ad Litem in our family courts, which is not a large part of my practice. I work hard to protect the best interest of these children. I am also a zealous advocate for children in DSS and DJJ actions. The paramount issue for any Family Court is supposed to be the best interest of the child, and I believe my own experience as a child of divorce, coupled with my professional experience working for children makes me perfectly suited to protect this crucial interest.

2. Do you plan to serve your full term if elected?

Yes, if elected, I would plan to serve my entire term.

3. Do you have any plans to return to private practice one day?

If given the opportunity, I would hope to serve in my judicial capacity until retirement.

4. Have you met the statutory requirements for this position regarding age, residence, and years of practice?

I have met the constitution requirements regarding age and residence. In addition, I will have satisfied the Constitutional requirement of 8 years of practice before the end of screening, and thus, prior to being sworn into office, as is required.

5. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?

I see no reason for any *ex parte* communications, outside of those specifically enumerated exceptions outlined in our law. All litigates deserve to be heard, but at the appropriate time and place, which must be in the presence of all parties to the matter. Having said this, there are clearly exceptions outlined in our law when it is necessary for a judge to engage in *ex parte* communications. These circumstances are outlined in Cannon 3.B.7.

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

Although I would strive to avoid situations that could lead to potential conflicts, I believe if a conflict exists, or even the appearance of one, the appropriate solution is recusal. There are plenty of judges in the State to ensure that every litigant gets the fair trial they deserve, and I would not jeopardize that basic right. Any relationship to counsel or to a party should be fully disclosed, and I would not remain on a case where after that disclosure unless all parties were comfortable that no conflict exists.

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?

Judges should not only be fair, but they should always ensure they give the appearance of fairness. I believe if a party feels I cannot be neutral due to something I have said or done, I should remove myself from the situation to ensure that justice prevails. Even if I believe I can be impartial, I should grant a motion for recusal if the parties do not agree. Having said that, I also think it is crucial important for me to strive to avoid statements that might make it appear that I am in any way biased. A judge must be every cognizant of their words and actions.

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

I believe that a financial or social involvement of my spouse, is likewise a financial or social involvement of mine, and thus, any such involvement by him should absolutely result in my recusal if the involvement by me would so result.

I likewise believe any relationship by a close relative should result in caution. If I know of the relationship, then I must disclose that information, weight whether it would affect impartiality, and ensure that I give deference to any concerns by any party who requests that I step aside.

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

I believe it is inappropriate to accept gifts from anyone beyond your family and close personal friends; recognizing however, that it is common to receive

nominal tokens to celebrate holidays or special events, anything of any significance should be graciously rejected so as to avoid the appearance of impropriety.

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

I would comply with the appropriate Rules of Professional Conduct regarding reporting of misconduct by another professional. In addition, I believe it is incumbent upon members of the bench to help educate young lawyers on appropriate professional conduct in order to help steer them away from such mistakes. I believe all judges should take an active role in their legal community. More importantly, I believe it is incumbent upon members of the bench to ensure they follow the very highest standards of ethical behavior in order to serve as positive role models for all those that appear before them, and I would strive to do just that.

11. Are you affiliated with any political parties, boards or commissions that, if you were elected, would need to be evaluated?

I have on occasion attended meeting organized by one or the other of the major political parties in the past; however, I have not done so since sending my notice of intent to run for this position, and I would not do so again if elected. In addition, I have never declared myself a member of either party or held any office with any political party or political organization.

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?

Generally, it is a common practice in Family Court for lawyers to draft the order for the Court; however, I believe it is important for the Court to track these orders so that they ensure each order is timely drafted and submitted. In addition, sometimes it becomes important for the Court to draft or edit order, particularly for cases involving unrepresented litigants, to ensure the written order properly reflects the Court intentions. When these situations present themselves, I am happy to take on that responsibility.

For orders that I draft, I believe it is important to make sure I devote appropriate attention to ensuring accuracy in my statements of fact and law. I would not

hesitate to refer back to my court reporter to ensure accuracy prior to finalizing an order.

Most importantly, I understand that people's lives are often hanging in the balance while they await a ruling, and I would do my best to quickly rule on matters and issue order so as not to hold up the progression of justice.

14. If elected, what method would you use to ensure that you and your staff meet deadlines?

I have maintained a calendar and docket management system for my law firm that has ensured we satisfied all necessary filing deadlines for responsive pleadings, discovery, and statutes of limitations. This system covered not only my case load, but I have overseen the system for my law partner and my associate attorneys. I believe that the same practice could be put into place as a judge to ensure deadlines are met properly. I also believe it is necessary for a judge to be an active supervisor of his or her staff. I have experience in management, as I have been the active manager of my law firm.

I believe it is very important to track all pending cases and maintain a constant watch for timelines. Among other things, it is important to track Court orders and statutory timelines for certain types of cases (for example DSS mandatory hearings). I believe it is important for this system of tracking to be electronic, in a form that both my secretary and I could assess, to ensure that it is continuously kept up to date.

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 believe it is important for the Court, at the temporary hearing or other initial appointment of the Guardian Ad Litem, to ensure that the order is specific with regards to the Court's expectations. It is important to provide billing information, retainers, and caps for the Guardians. It is also important to outline the Court's expectations for the Guardians. In addition, I think the Court should address the appointment of an attorney for lay guardians early in the case, to ensure that does not cause delay. Much of these requirements can be addressed in the initial order appointing the guardian, and that can avoid problems further along in the line. In addition, I think it is important for judges to review files for cases set for trial in advance, where available to ensure the Guardian's report is timely filed.

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

Members of the Circuit Bench should strive to follow the law, including statutes as set by the General Assembly and common law as set our appellate court system. I do not believe that it would be my role as a Circuit Judge to change that precedent, but would instead defer to such authorities. Obviously, litigates have the right to petition to argue against precedent, and I would evaluate those cases as appropriate. That said, I do not believe it the job of the circuit bench to try to create new law.

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?

Most importantly, I believe that all judges should assist and educate young lawyers. Lawyers come out of law school knowing how to *think* like lawyers, but putting that into practice is often much more challenging. I would work to ensure our attorneys are properly educated so they may best advocate for their clients.

In addition, I believe our judicial community has a diverse mix of experience, both professionally and personally. I would strive to share with fellow members of the bench my knowledge and views, while keeping an open mind to theirs. I believe we all benefit from continued growth.

18. Do you feel that the pressure of serving as a judge would strain personal relationships (i.e. spouse, children, friends, or relatives)? How would you plan to address this?

I do not believe this would be a problem. My husband and I have survived planning a wedding while studying for the bar exam. He worked full time in Spartanburg during the first two years of my private firm. At that time, he worked swing shifts, and I practically lived at my office, but we always found time for each other.

My husband now is retired, which allows him to take on most of the responsibilities around our home. In addition, he has the freedom of a flexible schedule, which will allow us to spend time together despite the pressures of my schedule. He is extremely supportive of my ambitions, and will do what he can to ensure my professional success. Most importantly, we are secure in our relationship and completely committed to its success, which means that outside pressures don't affect our home life.

19. Would you give any special considerations to a *pro se* litigant in family court?

I do not believe that *pro se* litigants deserve any "special consideration," in that I think all litigants should be treated equally and fairly in Court. I do believe that it is important for a Judge to ensure that *pro se* litigants are heard, but that they follow procedure. This sometimes involves a lot of patient for a judge, particularly in Family Court where emotions run high. I would work to maintain the appropriate atmosphere in my courtroom, while trying to guide everyone through the process as best I can. Of course, this is very delicate, as it is not my job to aid the *pro se* litigant in presenting their case, but rather to keep everyone on track.

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?

I would not hear the case unless, after disclosing to all parties, they all agreed on the record that I should continue to preside over the case. I believe if I, personally, have the financial interest, then I should step aside.

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?

Yes.

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: Approximately 20-30%

b. Child custody: Approximately 20-30% (considering that many of these cases are also divorce cases, thus there is overlap between a. and b.).

c. Adoption: Approximately 10%

- d. Abuse and neglect: Approximately 20%
- e. Juvenile cases: For several years, I was the juvenile prosecutor for Newberry County. During that time, juvenile cases were a large portion (approximately 30%) of my practice; however for the past five years, it has only comprised about 5-10%. I now do defense work in juvenile cases; however, a large portion of these cases in my area go to the public defender. In addition, I continue to do criminal defense work in the Municipal, Magistrate, and General Sessions Courts.

25. What do you feel is the appropriate demeanor for a judge?

I believe that all judges should be patient, kind, compassionate, and courteous. I believe he or she should preside with an open mind and rule swiftly, with a firm hand. It is important to exercise moral vigor and strength of character in all aspects of life.


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?

I believe these characteristic should be exemplified at all times and in all aspects of life.

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? Is anger ever appropriate in dealing with attorneys or a pro se litigant?

Although it is a basic part of human nature to get upset from time to time, I do not believe it is appropriate for a judge to show anger or to allow harsh feelings to govern their decisions. If a judge were to lose their temper with a party, they must step back from the situation, and if the anger cannot cool to avoid the appearance of impropriety, that judge should step aside and allow a different judge to hear the matter.

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



Sworn to before me this 3rd day of July, 2016.



(Signature)

Donald F. Zimmerman

(Print name)

Notary Public for South Carolina

My commission expires: 3/25/2019