



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

Circuit Court
(New Candidate)

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1. Why do you want to serve as a Circuit Court judge?

As a first generation American, I was taught to serve and give back to my country and state in every way I can; in order to earn the privilege of being here and being free. As my family well knows, not every country is free. Not every country has equal justice under the law.

As a Family Court judge, I have had the opportunity to touch the lives of many people. I always pray that my service and work is meaningful—and advances the integrity of the law.

A desire to serve on the Circuit Court follows my continued commitment; to serve my community and earn the gift of being here. It would allow me to use the skills and knowledge I learned in private practice, as well as the skills I have learned as a Family Court Judge. It is always my goal hope that litigants and lawyers have a meaningful experience in my court; that they are given the opportunity to be heard, are treated with respect and dignity. All of those moments are integral to successful service on the Circuit Court.

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

Yes.

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

No.

4. Have you met the Constitutional 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?

The Code of Judicial Conduct makes clear that ex parte communications should be discouraged. Even when scheduling matters, all parties should be included in the communications, lest there be some appearance of impropriety or impartiality.

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

The Code of Judicial Conduct delineates the appropriate method for recusal. I follow Canon 3 E's procedure for recusal. The key is whether a judge's impartiality might reasonably be questioned. I have never had an experience where I have had to recuse myself when lawyer-legislators appear before me. Bias or partiality, would undermine the legal system, entirely. I have always known lawyer-legislators to expect judges to do the work fairly and impartially.

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?

I believe Canon 3E (1) makes clear that a judge should disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned.

This issue was recently raised by a litigant who asked me to recuse myself because I had a close relationship with a witness who was involved in the case. I was not aware of the situation or the connection. However, it is the litigant's perception that matters, not my own.

It is not my determination as to whether I can be impartial; rather, it is whether my impartiality might reasonably be questioned. Because of the appearance of impartiality, I recused myself from the case. This is a practice, which must be done carefully and appropriate on the record, to protect the integrity of the proceeding.

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

My family has learned that the Rules of Judicial Conduct apply to them as well in certain circumstances. The financial or social involvement of my spouse or close relative would preclude my ability to hear a matter.

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

It is best to limit social hospitality and gifts to avoid the appearance of bias.

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

The Code of Judicial Conduct Canon 3D contemplates situations in which a Judge must report misconduct, or situations in which a Judge can use his or her personal judgment to determine whether he or she should use "appropriate action." Appropriate action can include direct communication with the judge or lawyer, or reporting a violation. I have in the past reported a lawyer who committed a fraud upon the court. The lawyer was reprimanded. I have also taken the opportunity to speak with lawyers, privately if I believe assistance for their health or emotional well-being is important.

11. Are you a member of any organization or association that, by policy or practice, prohibits or limits its membership on the basis of race, sex, religion, or national origin? If so, please identify the entity and explain if this organization practices invidious discrimination on any basis.

No.

12. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations? Please describe.

No.

13. Do you have any business activities that you would envision remaining involved with if elected to the bench?

No.

14. If elected, how would you handle the drafting of orders?

As a Family Court judge, there are times where I direct an attorney to prepare an order when I have ruled from the bench, or in accordance with my written instructions, which are sent to all counsel of record. This allows the attorneys to object to certain language, if they believe it is appropriate. They submit their objections in writing. I continue to believe this is an efficient method for preparing orders. There are times when I prepare my own orders. I make time during the week to sit and write these orders. I do not like to delay in writing orders. The quicker a judge begins writing, the more likely the he or she will consider all the circumstances.

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

Calendaring deadlines is critical. I along with my Administrative Assistant meet regularly to stay on top of deadlines.

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

I continue to hold the position that a member of the judiciary must at all times remain impartial. There are three branches of government, each of which has its special duties regarding administration of law. Each branch serves as a check and a balance. Laws are made by the people and for the people. I do not believe that a member of the judiciary should set public policy.

17. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. If elected, what activities do you plan to undertake to further this improvement of the legal system?

As a judge, I have learned of the effectiveness of serving as a convener to bring system stakeholders to the table and work through challenges in the legal system. As a judge it is critical to take a role of leadership and encourage action and ability to solve problems.

I have also found that educating communities about the legal system is

powerful. Many people in our communities do not understand the legal system. There are many times where my opportunity to impart information about our system is the first time people have had a positive encounter with a person in the legal system. Under Canon 4, judicial activities that educate the community and streamline administration processes are important, and I would continue to work in those areas if elected to the Circuit Court.

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 address this?

My family is supportive and committed to service. I have been blessed to have friends and relative who are supportive, grounding, and give me balance in my life. I do not believe that the pressure of serving would strain my relationships, as long as I always remain grounded.

19. The following list contains five categories of offenders that would perhaps regularly appear in your court. Discuss your philosophy on sentencing for these classes of offenders.

- a. Repeat offenders:

Sentencing is not a one size fits all approach. A judge must look at the law. Sometimes, there are mandatory minimums; sometimes a judge has discretion in sentencing within a range. A judge has consider all of the facts and circumstances of the case, and apply the law.

- b. Juveniles (that have been waived to the Circuit Court):

Even though a juvenile would be in the Court of General Sessions, the United States Supreme Court has made it clear that courts must examine juveniles in a different manner than adults. There are special considerations for juveniles which do not apply to adults. I would apply the law as delineated by the legislature, our appellate courts, the Constitution of our state and the United States, and the United States Supreme Court.

- c. White collar criminals:

Although white collar offenders do not have the stigma of violence generally, the crimes can be just as devastating to the community. Often white collar criminals take the hard earned money of South Carolinians. Most often, that money is never seen again and a victim is left with a loss that can never be replaced. A judge must give due consideration to those circumstances and apply the law in accordance with the facts presented.

- d. Defendants with a socially and/or economically disadvantaged backgrounds:

Defendants with socially or economically disadvantaged backgrounds are entitled to equal justice under the law. There are times where mitigation evidence may be appropriate for a judge's consideration. A judge must always consider all the factors available to him or her in order to make a careful and appropriate ruling.

- e. Elderly defendants or those with some infirmity:
Defendants in these positions, may require additional support, through the appointment of a Guardian ad Litem, before they come before the Court for sentencing. Because there may be Constitutional concerns with competency or other issues, it is always best to follow the appropriate guidelines and procedures that promote fairness and transparency during a proceeding.

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?

No.

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 for the past reporting period?

Yes.

24. What do you feel is the appropriate demeanor for a judge and when do these rules apply?

A judge should be respectful, and engaging. A judge sets the tone for demeanor in the courtroom. A judge should be appropriate in public settings. As a leader, a judge needs to engage and educate; and also make the time to learn from friends, members of the community, lawyers, and other judges. Humility is key to remaining grounded, open, and understanding to others.

People that come before a judge are generally there at a crisis point. Most often they are fearful, anxious, or in some cases angry. Controlling a court room does not mean demanding obedience. I believe that the judge sets a standard for courtesy and integrity. But grace and kindness are necessary too.

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 pro se litigants?

It is never appropriate to be angry or disrespectful to anyone. I continue to believe that anger and demeaning conduct on the bench undermines the integrity of those who serve the bench. All litigants are entitled to fair and impartial hearings and trials. A judge must make careful determinations with humility, grace, and patience. Anything less would impair the integrity of any decision made by a judge.

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 ____ day of _____, 2018.

(Signature)

(Print Name)
Notary Public for South Carolina
My Commission Expires: _____