



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

**Family Court
(Incumbent)**

Full Name: Gordon B. Jenkinson

Business Address: 147 W. Main Street, Kingstree SC 29556

Business Telephone:

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

Answer: I have thoroughly enjoyed my eleven years on the Family Court Bench and I feel that I have made positive contributions to the judicial system.

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

Answer: I would like to but I face mandatory retirement in December 2020.

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

Answer: I do not have any plans to return to private practice.

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

Answer: Yes, I have met all statutory requirements.

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

Answer: The only time I ever engage in *ex parte* communications is for scheduling purposes or in the very unusual circumstance of a child or spouse being in imminent danger.

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

Answer: I rarely have lawyer-legislators appear before me and I can unequivocally state that their elected status does not influence me. If I am ever asked to recuse myself because a lawyer-legislator is one of the attorneys of record, I will do so. I recuse myself if there are contested matters before me brought by my former law firm. The only exception to that rule is that I hear contested cases brought by DSS when Ernest Jarrett, a former law partner, is the attorney of record for DSS. All of the attorneys representing defendants in DSS cases are aware of our former association and have no objectives to my hearing these cases. My association with my old law firm ended 16 years ago.

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?

Answer: If am asked to recuse myself because of the appearance of bias, I grant that motion even though I feel that I have no bias. I think that it is more important for the litigant making the motion to feel as though he or she is getting a fair hearing.

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

Answer: I recuse myself where there is the appearance of impropriety because of financial or social involvement of my spouse or a close relative.

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

Answer: I do not accept gifts from anyone but my family. I recuse myself if a case comes before me that involves people I socialize with.

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

Answer: I would discuss the alleged misconduct or appearance of infirmity with that lawyer or judge. If I was not satisfied with their response I would file a complaint.

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

Answer: I have not engaged in any fund-raising activities of any sort.

12. Do you have any business activities that you have remained involved with since your election to the bench?

Answer: I am not engaged in any business activities at all.

13. Since Family Court judges do not have law clerks, how do you handle the drafting of orders?

Answer: In straight forward cases I have one of the attorneys draft the order pursuant to my directions and then I verify the accuracy of the order once I receive it by checking my trial notes. In complex matters, I draft detailed memos for the drafting attorney to follow.

14. What methods do you use to ensure that you and your staff meet deadlines?

Answer: Primarily by checking and rechecking the dockets after a term of court.

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?

Answer: Primarily by closely examining their affidavits and reports. In my eleven years on the Bench I have encountered Guardians only three or four times that did not do an excellent job.

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

Answer: While this may not answer the question; it is my policy to follow the law strictly so it may be said that I do not actively engage in judicial activism. The only exception to that position relates to DSS cases involving children and vulnerable adults. I do whatever I can to protect these people and children, so in this field I would consider myself a judicial activist.

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?

Answer: I have been involved with the JOE program for a number of years and I plan to continue my participation.

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?

Answer: I do not feel that the pressure of serving as a judge strains any of my personal relationships.

19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?

Answer: No, I am not engaged in any active investments.

20. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?

Answer: No, I would not hear a case where a member of my family held a *de minimis* financial interest in a party involved.

21. 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.

Answer: No, I am not a member of any organization or association.

22. Have you met the mandatory minimum hours requirement for continuing legal education courses for the past reporting period?

Answer: Yes, I have met the mandatory minimum hours for continuing education.

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

Answer: I feel that at all times a judge should be calm and deferential to the lawyers and the litigants. There are times however, when lawyers and litigants do not conduct themselves with civility and when that happens judges should be firm and rein these people in.

24. 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?

Answer: I do not feel that anger is ever appropriate in dealing with attorneys, witnesses or pro se litigants.

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: _____