



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

Family Court
(Incumbent)

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

I am passionate about children and families and truly enjoy serving the citizens of South Carolina. I feel as if I have found my purpose and would very much like to continue serving in Family Court for as long as I am able.

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.

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?

As a judge, I avoid *ex parte* communications and ensure that my administrative assistant also avoids such communications. Canon 3(B)(7) provides in pertinent part that a judge "shall not initiate, permit or consider an *ex parte* communication" except in certain situations. Accordingly, there are situations where *ex parte* communications are allowed such as, issuing *ex parte* orders for the emergency removal of children from their homes when abuse and neglect are alleged, other similar emergency situations, issuing bench warrants and inspection warrants, issuing temporary restraining orders, and performing administrative duties.

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

It is the duty of a judge to maintain the integrity of the legal system and the confidence of the public that the legal system is just, fair and impartial. Thus, in any situation where a judge's ability to remain fair and neutral is questioned or may reasonably be questioned, as when a former associate or law partner appears before the judge, the judge must disclose the relationship and disqualify himself/herself from hearing the matter.

The commentary to Canon 3E(1)(B) concerns government agency attorneys and provides that agency attorneys do not normally have associations with each other within the meaning of the Canon. However, as a former agency attorney, I would disqualify myself from a matter if I was concerned about my ability to be impartial or in any instance where my ability to be impartial could reasonably be questioned.

It should be noted that after disclosure of the reason for disqualification, the parties may consult and choose to waive any possible conflict of interest the judge may appear to have, and with the consent of the judge, may proceed with the matter.

As to lawyer-legislators, save an unusual relationship, which would impair the judge's ability to be impartial, it would not be necessary for a judge to disqualify himself/herself from a case in which the lawyer-legislator is involved.

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?

In such a situation, I would likely grant the motion and recuse myself to avoid any appearance of bias, as I would not want to erode anyone's trust that the legal system is fair and impartial.

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

If I am aware that my husband or a close relative has or had a financial interest in the matter before me, I would adhere to Canon 3, disclose the interest and, if it is more than a de minimis interest, I would disqualify myself from the matter. Likewise, if I am aware that my husband or close relative has or had a social involvement/relationship that would give the appearance of impropriety, I would disclose the relationship and would disqualify myself from the matter.

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

I always try to conduct myself in a manner that would not cause anyone to question my ability to be fair and impartial. Therefore, when it comes to the acceptance of gifts or things of value, I abide by the rules set out in Canon 4(D)(5) of the Code of Judicial Conduct. Except in permissible circumstances, such as an invitation to attend a bar association or law related event, ordinary social hospitality, or reasonable gifts for special occasions (birthdays, weddings, etc.), I would not accept gifts or things of value from any person who has appeared before me or is likely to appear before me.

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?

If I suspected or became aware that a lawyer or judge committed misconduct, I would act in accordance with Canon 3(D) and take the appropriate action such as, talking with the attorney or judge about my suspicions, and reporting to the appropriate authority. If a lawyer committed misconduct while appearing before me, I would exercise the contempt powers of the court and would report the misconduct to the appropriate authority. If I had direct knowledge of a lawyer or judge committing misconduct, I would abide by the rules and report to the appropriate authority: the Office of Disciplinary Counsel, Commission on Judicial Conduct, or the Commission on Lawyer Conduct.

If I am aware of an infirmity of a lawyer or a fellow judge that hinders or prevents that person from competently and efficiently carrying out their duties, I would speak with that person and refer them to the South Carolina Bar's Lawyers Helping Lawyers Commission.

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

I am a member of an organization that has an annual fundraising event that benefits local charities; however, because Canon 4(C)(3)(b) essentially prohibits fundraising by judges, I do not engage in the actual fundraising, and do not solicit donations from any person or organization. Instead of soliciting donations from others, I personally donate the amount each member is asked to raise.

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 I rule from the bench, I assign the task of drafting the proposed order to the prevailing party's attorney. When both sides are self-represented, I generally draft the order myself. If I take a matter under advisement, I will issue a directive memo that contains my ruling and assign the drafting of the order to one of the attorneys, or I may draft the order myself.

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

My office maintains an Excel spreadsheet for all of the outstanding orders. My assistant contacts the attorneys approximately 15 days after the hearing to remind them to submit the orders and if not submitted timely, she will contact them again. We also use a calendar for other deadlines.

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?

When first appointed, I ensure that the duties and responsibilities of the guardian ad litem are specified in the appointment order. During hearings I carefully consider the guardian's report, and if necessary, I will ask questions to ensure that the guardian has adequately performed an independent investigation and has had sufficient contacts with the parties to support the recommendations or findings in their report.

Generally, however, during the pendency of an action, unless a specific issue is brought to my attention by written or oral motion, I will not know whether the guardian is abiding by the private or volunteer statutes. In the past, I have removed guardians from cases when it became apparent that they have not performed their duties as required or have overstepped their boundaries.

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

It is the job of the legislators to create law and the job of judges to apply it. Judges should be faithful to the law and not allow our personal or political beliefs to influence our decisions. Other than setting precedent on novel issues, judges should not legislate from the bench or intentionally shape public policy.

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?

I will continue to serve on boards and committees geared toward the improvement of the law, legal system and/or the administration of justice. As a judge, I am now serving, or have previously served, as a member of the following law related committees:

- (a) Status Offender Task Force;
- (b) Children's Justice Act Task Force;
- (c) SC Family Court Bench Bar Committee & the Executive Committee;
- (d) Best Legal Practices Committee/Bench Bar;
- (e) Children's Law Committee;
- (f) School Resource Officer Work Group;
- (g) Judicial Leadership Council: CASA (the National Court Appointed Special Advocates);
- (h) SC Pro Bono Board; and
- (g) Advisory Group for Dually Involved Youth

Additionally, when requested, I will speak at continuing legal education (CLE) courses, and will continue to attend CLEs to improve my own knowledge. I will attend conventions and meetings so that I can interact with judges from other states in order to learn what other jurisdictions are employing to improve their court systems and be able to identify programs that will benefit South Carolina.

I also participate in the Joe Program (Judicial Observation Experience) that provides practical experience to law students by allowing them to serve as judicial externs during the summer. Lastly, I often participate as a mentor to first year law students at the University of South Carolina School of Law.

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?

My husband and I have always had busy, demanding schedules and have been very fortunate to have a strong, loving and understanding relationship. We support each other and do what is necessary for our family. I am also fortunate to have family and friends who understand professional demands and limitations; therefore, I cannot say that serving as a judge has strained many 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? 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?

Pursuant to Canon 3E(1)(C), if I knew of the *de minimis* financial interest, I would disclose the interest on the record. If I felt that this interest would not affect

impartiality, I would ask the parties to consult to determine if they were comfortable going forward with me presiding. If after consultation, the parties agree to go forward, we will put their consent on the record and go forward with the hearing. However, if I, or any party, felt that the de minimis interest would affect my ability to be fair, I would disqualify myself from the matter and would ask the clerk of court to reschedule the hearing as soon as possible before another judge.

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. No.
22. Have you met the mandatory minimum hours requirement for continuing legal education courses for the past reporting period? Yes.
23. What do you feel is the appropriate demeanor for a judge and when do these rules apply?

A judge should be tolerant and respectful of everyone. A Judge should never appear biased or unprofessional. One should be fair-minded and patient, yet firm and decisive. These rules apply at all times.

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?

Public display of anger is never appropriate. There are times when a criminal defendant, attorney or pro se litigant will try a judge's patience; however, the judge must be able to control his/her temper.

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: _____