



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 have found serving on the Family Court bench to be a rewarding experience. My parents instilled in me the importance of giving back to the community. I was born and raised in Orangeburg. My husband and I made a conscious decision to live, work and raise our own family in Orangeburg. The Orangeburg community has been good to my family, and this job affords me the opportunity to give back to the community that has been good to me.
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? I have established procedures with my administrative assistant to avoid and discourage all forms of *ex parte* communication. I do not initiate, permit or consider *ex parte* communications except where circumstances require them for scheduling, administrative purposes or emergencies that do not deal with substantive matters or issues on the merits. I consider *ex parte* communications when authorized by Canon 3 B(7) of the Code of Judicial Conduct, such as the issuance of a temporary restraining order under limited circumstances and the issuance of temporary orders related to child custody when conditions warrant. I only consider *ex parte* communications when it is clear that no party will gain an advantage as a result of the communication. Additionally, when I consider an *ex parte* communication under circumstances envisioned by Canon 3 B(7), I require that the all other parties be

timely notified and given an opportunity to be heard in a Family Court hearing within 24 to 48 hours. If someone approaches me in public and attempts to discuss a Family Court case with me, I inform them that the Code of Judicial Conduct prohibits me from discussing a case with them outside of a hearing in Family Court. I further advise them that if they attempt to discuss a case with me, I am required to disqualify myself from hearing the matter and will immediately issue an order to that effect.

6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you? I have never had any party make a motion for my disqualification from hearing a case involving a lawyer-legislator, so I have never disqualified myself from this type of case. If a lawyer-legislator appeared before me and the opposing party made a motion for my disqualification based solely on the fact that opposing counsel serves in the legislature, I would carefully consider the motion for recusal. However, if I have a conflict due to my election by the legislature, every other Family Court Judge in the state would have the same conflict. If I had some especially close relationship with this particular lawyer-legislator, such as he or she really worked to help me get elected, I would disqualify myself. I would not disqualify myself based solely on the fact that the lawyer is in the legislature absent some more personal connection.

During my tenure as a Family Court Judge, I have routinely disqualified myself from cases which involve former clients of my private domestic practice, as well as cases which involve opposing parties of clients I previously represented in Family Court. I have been out of private practice for seventeen years now, so I do not, as a matter of course, disqualify myself from hearing cases in which my former partners are appearing. (My former law partners do not practice family law in their firm any longer.) If an opposing party made a motion for me to disqualify myself based on the involvement of one of my former partners in a case, I would err on the side of caution and disqualify myself. I have also routinely disqualified myself from cases which involve personal friends of mine or my family members, as well as cases where I have some personal knowledge of the facts of the case. I strongly believe that all litigants in Family Court need to be confident that their case is being heard and ruled upon by a fair and impartial judge.

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? My routine practice is to disclose, on the record, at the beginning of a hearing, any connections I or my family members may have to the parties or witnesses in a case which might cause a party to believe I would be biased or partial to the other party. I then require the parties to discuss my disclosure with their attorneys, outside of my presence. After the parties have discussed the matter with their attorneys, I inquire if they wish to waive any perceived conflict I may have or move forward with the hearing. If they wish to waive the potential conflict, I would place the agreement that I not be disqualified on the record and question each of the parties regarding the agreement. If the party in such a situation moves for my recusal, regardless of my ability to be fair and impartial, I would give great deference to the request for recusal. I would grant such a motion and use reasonable efforts to transfer the matter to another judge as soon as possible.

8. How do you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative? I would immediately disclose, on the record, the information regarding the financial or social involvement of my spouse or close relative. Depending on the nature of the financial or social involvement, I might immediately disqualify myself from presiding over any hearings in the matter. Or I would ask the parties to consider if, after consultation with their attorneys out of my presence, they wish to waive any potential conflict and move forward with the hearing. If they wish to waive the potential conflict, I would place the agreement that I not be disqualified on the record and question each of the parties regarding the agreement. If they do not wish to waive the potential conflict I have, I would disqualify myself from the matter and make reasonable efforts to transfer the matter to another judge as soon as possible. However, if a party raised the issue of impropriety based upon my disclosure or moved for my disqualification, I would recuse myself from hearing the matter. I strongly believe all litigants in Family Court should be confident that their case has been heard and ruled upon by a fair and impartial judge.
9. What standards have you set for yourself regarding the acceptance of gifts or social hospitality? Members of my household and I do not and have not accepted food, meals, beverages, transportation, entertainment or other things of value from attorneys or anyone else other than ordinary social hospitality and gifts from relatives, friends and church members for special occasions in which the gift is commensurate with the occasion and the relationship. My family received gifts of flowers, food and memorials after the death of my

husband in March 2018 from several local attorneys. As reported in my Statement of Economic Interests, I have annually accepted lodging and complimentary registration from the SC Bar and SC Association for Justice at their annual conventions; this lodging and complimentary registration has been offered to all members of the judiciary. Members of my household and I have not accepted any other lodging from attorneys or anyone else.

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 become aware of misconduct of a lawyer that violates the Rules of Professional Conduct, I report the lawyer to the Commission on Lawyer Conduct. If I become aware of lawyer misconduct that does not raise a question regarding the lawyer's fitness to practice or violate the Rules of Professional Conduct, I counsel with the lawyer privately about the misconduct. I have also contacted Lawyers Caring About Lawyers of the SC Bar when I have had concerns about potential substance abuse by a lawyer or a lawyer suffering from mental, emotional or physical problems. If I have personal knowledge that a fellow judge has committed a violation of the Judicial Canons which raises a question as to that judge's fitness for office, I would report the fellow judge to the Commission on Judicial Conduct.
11. Have you engaged in any fund-raising activities with any social, community, or religious organizations? Please describe. I have sold tickets to family and friends when our children have been in organized activities that are raising funds to support the activity, such as a sports team or a church mission trip. I have never taken any such tickets to work and have never offered them for sale to anyone in my office or the courthouse. I routinely remind our children that I cannot sell any fundraising items at work.
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? My general practice is to require one of the lawyers in a case to draft the proposed Order based upon my instructions. I believe the comments to the Judicial Canons allow me to ask lawyers to draft court orders so that I may promptly dispose of the Court's business. I have, in more involved cases which require very detailed findings and rulings on multiple factors and issues and in cases in which litigants are self-represented, drafted my own orders. I prepare my own court orders in routine family court matters such as

child support rules to show cause through SCDSS or the clerk of court's office, orders of protection from domestic abuse and bench warrant orders. In contested matters which I take under advisement, I send detailed, written order preparation instructions to the lawyers in the case with very specific findings and conclusions to be included in the proposed order. When I ask a lawyer to prepare a proposed order, I require that she/he send it to opposing counsel or the self-represented litigant for review before it is sent to me. I also give the lawyer preparing the proposed order a deadline for submitting the order to me.

14. What methods do you use to ensure that you and your staff meet deadlines? I have a duty to promptly dispose of the business of the court and to insist that court officials and lawyers cooperate with me in achieving this disposition. In that regard, I devote specific time each week to review and sign orders and to review administrative issues in my home county or my circuit, if I am the current Chief Administrative Judge. I have established practices which my administrative assistant follows to insure that I receive, review and sign Orders within thirty days of a hearing and to enable me to comply with other administrative deadlines. When I take matters under advisement, I make every effort to issue a ruling on that matter before the end of the week in which I took the matter under advisement. My orders are to be signed within thirty days of a hearing being held, and my administrative assistant and I have developed graduated procedures for her to contact lawyers who have not timely submitted proposed orders for signing.
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? My duty to supervise guardian ad litem during the pendency of a case is limited to monitoring only to reduce dilatory practices, avoidable delays and unnecessary costs. However, because of the volume of cases involving guardian ad litem and our required travel to other counties, it is difficult to monitor all of these cases, and it would require a party to an action to file a motion to bring such an issue to my attention. I believe my most important role in monitoring guardian ad litem comes at a merits hearing when I must insure that a guardian ad litem has sufficiently and properly investigated the issues in a case and has not charged excessive fees.
16. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy? I believe "judicial activism" should come from the SC Conference of Family Court judges

as a conference. I believe our conference should work in collaboration with the Chief Justice in setting and promoting 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 have volunteered as the judge for the juvenile drug court program in Orangeburg and Calhoun Counties for the last thirteen years. I will continue to volunteer my time to the juvenile drug court program which helps to improve the administration of justice to juveniles in these counties. I also meet periodically with juvenile solicitors and public defenders and DSS county attorneys in my circuit to review, revise and improve the movement of their cases through the Family Court. I have also been asked to speak at various schools and community civic organizations about the Family Court system and my job as a Family Court Judge. I will continue to accept invitations to speak to community organizations and schools in an effort to further educate the public about the workings of the Family Court system.

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? Serving as a Family Court Judge can put a strain on personal relationships. I have experienced this more over the past several years as several close friends of my family have gone through divorces. In these instances, I have explained to family friends that I cannot discuss their cases or their situations with them, and I will not preside in their personal cases at all. It is impossible to completely isolate myself and my family from these situations. My personal involvement in extra-judicial activities is primarily limited to my church and volunteer activities at our children's schools. Our children participate in all types of extracurricular activities and have close friends at school and church. I do not allow family or social relationships to influence my judicial conduct or judgment. If someone who has a personal relationship with me or one of my family members appears in a Family Court action, I disqualify myself from presiding over their case and take reasonable efforts to get the case transferred to another judge as soon as possible.

19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality? I own stocks which I have listed in my Confidential Financial Statement, as well as a stock portfolio which is invested and managed by a financial planner. I anticipate that I will have income from these

investments, but that income would in no way impair my appearance of impartiality.

20. 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 first disclose the interest of the family member on the record at the outset of the hearing. I would then require the parties to discuss my disclosure with their attorneys out of my presence. If, after consultation with their attorneys, one of the parties then asked that I disqualify myself, I would grant the motion and make reasonable efforts to move the case to another judge as soon as possible. If after consultation with their attorneys, the parties were willing to waive the potential conflict, I would place the agreement that I not be disqualified on the record and question the parties regarding the agreement. Even in a situation involving a *de minimis* financial interest, I firmly believe the parties should be confident their case is being decided fairly and impartially.
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 patient, dignified, courteous and respectful to litigants, witnesses, lawyers, court personnel and others with whom the judge encounters in an official capacity. I believe a judge can maintain order and decorum in the courtroom and promptly dispose of court business while still being patient and courteous. However, I do believe there are situations that arise when it becomes appropriate for a judge to express disappointment and frustration over the actions of the parties, lawyers and/or witnesses. I also believe a judge has a responsibility to maintain appropriate demeanor in public outside of work.
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? I believe there are situations in which it is appropriate to be disappointed with certain parties and lawyers who appear in Family Court. I do not believe anger is appropriate unless someone is continuously exhibiting contemptuous conduct in the courtroom after warnings to cease such

conduct. I have exhibited disappointment and frustration with a defendant who repeatedly fails to meet his/her child support obligations with no reasonable excuse and with defendant parents who continue to expose their children to abuse and/or neglect. I do believe disappointment is appropriate in dealing with attorneys in certain situations, such as unexcused tardiness, unexcused failure to appear for scheduled hearings and unexcused failure to timely submit proposed orders. I do not believe it is appropriate to express anger in dealing with a self-represented litigant. I do believe disappointment and frustration can be expressed in a dignified and not an "out of control" manner.

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: _____