



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

Family Court
(Incumbent)

Full Name: The Honorable Matthew Price Turner

Business Address: PO Box 325 Laurens, SC 29360

Business Telephone: 864-984-4416

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

During my time in private practice, over fifty (50%) percent of my cases involved some sort of Family Court issue. I tried cases dealing with issues involving custody, divorce, alimony, division of assets/debts, and issues of alleged neglect and/or abuse. I served as guardian ad litem in many different cases and mediated cases. Unlike many of my colleagues, I grew to love the Family Court practice and representing individuals in these types of cases.

I have thoroughly enjoyed my short time on the bench. I have enjoyed the opportunity to assist people going through difficult times in another capacity and want to be able to continue to do so in the future. I have also enjoyed getting to know other attorneys around the State and working with my fellow colleagues. I believe that I have the requisite knowledge and experience to be a good Family Court judge. I also believe I have the right temperament for a Family Court judge. Throughout my life, I have tried to treat others the way I want to be treated. I do my best to be friendly and courteous to everyone, and to be attentive to what they have to say, even when I disagree with them.

Being given the opportunity to serve as a judge is one of the highest honors one could have, and one that I take seriously. I have enjoyed this new challenge in my professional life and look forward to the chance to continue to grow in my new career.

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?

In general, I believe that *ex parte* communication with the Judge is inappropriate. A judge must maintain impartiality which could be affected by *ex parte* communication. Litigants and their attorney's must always feel that the court is fair and impartial, and that each side has had an equal opportunity to be heard on the issues. Any *ex parte* communication may give the appearance of bias or unfairness. There are certain, limited exceptions when *ex parte* communications are allowed under Canon 3B (7). However, it is my opinion that any *ex parte* communication should only be allowed when absolutely necessary and only when the specific criteria in the exceptions of Canon 3B (7) have been met.

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 Court must always avoid the appearance of any bias or unfairness and should make the parties feel that they are on a level playing field. Canon 3E provides that a Judge shall disqualify himself or herself in proceedings in which the judge's impartiality may reasonably be questioned. I would recuse myself in any proceeding in which my impartiality could reasonably be questioned. My father and brother are attorneys and I do not hear any cases in which they (or their partners) are attorneys of record. I have also refrained from hearing any cases in which my former law partner is involved. I would not necessarily recuse myself in every case in which a lawyer-legislator represented one party, but would consider recusal on a case-by-case basis in situations where my impartiality may reasonably be questioned.

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?

If my disclosure had the appearance of bias, I would have to recuse myself even if I truly believed it would not actually prejudice my impartiality. Again, the Canons require that a Judge disqualify himself of herself if the Judge's impartiality might reasonably be questioned.

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

Canon 2B provides that a judge shall not allow family, social, political, or other relationships to influence the judge's judicial conduct or judgment. Furthermore, Canon 3E requires a judge to disqualify himself of herself in proceedings in which the judge's impartiality might reasonably be questioned. Canon 3E(d) specifically provides for disqualification in cases where the judge or judges spouse or relative is a party or has an interest that could be substantially affected by the proceeding. Based upon the above, I will recuse myself if there is the appearance of impropriety because of a 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?

Canon 4D (5) addresses the acceptance of gifts or social hospitality by a judge and/or his or her household members. I will continue to accept gifts from family and very close friends who have given gifts in the past so long as the gift from a friend is commensurate with the occasion and relationship and has not significantly changed from what was given prior to my election to the bench. I have informed my wife and children that they are required to abide by the same rules as me in this regard. I do not accept gifts from individuals who may appear before me or whom had not given gifts prior to my election to the bench.

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?

I would follow the requirements of Canon 3D and take appropriate action. This includes communicating with the judge or attorney about their misconduct and/or infirmity and reporting the same to the appropriate authority, if necessary.

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

As prior board chair of the YMCA of Greater Laurens, I attended a United Way Allocation hearing with the CEO of the YMCA. I personally did not make any presentation. I have also attended and participated in golf tournaments, races, and other fund-raising events of this nature as a representative of the YMCA board and as a community member.

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?

I continue to follow the practice of requesting one attorney to prepare a draft order. I am specific in my ruling so everyone knows what is to be included in the order. I request that the order be submitted to opposing counsel, or the pro se litigant in the event one party did not have counsel, for review prior to being submitted to me for approval. In matters that involved a lengthy trial, complicated issues, or other matters that required taking the matter under advisement, I would submit very detailed instructions to both attorneys (or pro se litigant) outlining my specific ruling(s) and requesting one attorney to prepare the order and to submit the proposed order to opposing counsel or the pro se litigant for review prior to sending to me for approval. In limited circumstances, I have drafted my own order if I believed it was necessary given the case or circumstances of the case. In some situations, which necessitated an order immediately, I have completed a bench order.

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

My Administrative Assistant and I maintain a dual calendaring system (one paper and one electronic) to keep track of deadlines and other time-sensitive matters. I also use an emailing system that sends me reminders of important events deadlines, etc.

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?

I either request the attorney drafting the order appointing the guardian to specifically list the guardian's statutory duties and obligations in the order or carefully review the order to ensure those duties and obligations are listed in the order. I also carefully review any reports filed to ensure the guardian is complying (or has complied) with his or her duties and responsibilities.

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

The legislature is responsible for creating the law. The court's role is to interpret the relevant law and apply it to the facts of each case. I personally do not believe the court has any role in setting 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 already spoken with the clerk of court in my county and talked with individuals with DSS about how to improve the movement of cases and the process in general. I plan to meet with DJJ staff in the near future to work on how to make better use of court time and to discuss better ways to help these juveniles become productive citizens. I believe it is important to always be thinking of ways to improve the system. As an attorney, I spoke to children at schools and have given presentations to the public about certain legal issues through the SC Bar. I look forward to the opportunity to speak to students and the public in general about the legal system so long as it does not conflict with any judicial canon.

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?

I do not believe serving as a judge has caused any undue stress or burden on my family or social relationships. My wife and children are very supportive of me and my position. I have always managed to work hard and make time for my family. The key is to plan ahead and to be intentional with my time. My family is my top priority and I will continue to be proactive in making sure that I have time for family so I can continue to balance my work life and personal life as I have in the past. I also have not noticed any strain in other personal relationships and understand my duty to maintain confidentiality.

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?

Canon 3E specifically sets forth situations in which a judge must disqualify himself or herself from a proceeding. One of those situations includes when the judge, the judge's spouse, or a member of the judge's family residing in the judge's home has more than a *de minimis* interest that could be substantially affected by the proceeding. In this scenario, I believe it would be appropriate to disclose the nature of the interest to the litigants and their attorneys and recuse myself from the case. However, depending on the specific facts of the situation, I would consider hearing the matter if all parties involved and their attorneys asked me to hear the case after disclosing the nature of the interest to them.

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?

I am a firm believer that judges should treat everyone the same way that they want to be treated. This requires the judge to be fair, kind, impartial and respectful. While in the courtroom, the judge should treat all litigants, attorneys, witnesses, and court personnel with kindness and respect. The judge should also be professional and attentive, and give equal opportunity for all litigants to be heard. A judge is a representative of the bench and the state and these same

guidelines should apply at all times and to anyone with whom the judge comes in contact.

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?

Again, a judge is to treat everyone with kindness and respect, regardless of the persons' position, status, or circumstances. A judge should never show anger toward anyone or be disrespectful to anyone. Although a judge's patience may be tested, the judge should never allow this to affect his/her demeanor, nor should the judge to allow this to affect his/her ruling.

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: _____