



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 had the privilege to serve as a Family Court Judge for almost ten years. I have met many interesting people, and had the opportunity to preside over many cases, some of which were complex and mentally challenging. I have always tried to fill my role in a proper and respectful manner, but I also try and make the litigants comfortable and relaxed in a stressful situation. I want to serve another term to enjoy meeting these people and being able to, hopefully, make their lives better.

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? It is important as a judge to be on guard for persons who might try and engage in *ex parte* conversations with the court. Although a judge can always try and exclude from consideration any allegations that may come from such conversations, it is the appearance created by the communication that erodes confidence in an impartial judiciary. It is also important to understand that most lay people don't understand the perils of such conversations, but it is necessary and appropriate to disengage such

conversations if they occur. I have occasionally had someone express "support" for a party in an upcoming action, and I am understanding of that, but it is the judge's responsibility to make sure it doesn't go any further.

6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you? In cases involving lawyer-legislators, I don't generally recuse myself unless one of the parties raises the issue. I make a special effort to treat the lawyer-legislator exactly the same as any other attorney, no better or no worse. I would generally think recusal on a case where a former associate was involved is usually necessary, although this depends partially on how long ago the relationship existed. In a case where a party raises the issue of a conflict, unless I feel the request is made solely for the purpose of delay, I would usually defer to their request, mainly to avoid any appearance of bias.
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 would give recusal strong consideration, unless I felt the request was for the purposes of delay or to gain an advantage.
8. How do you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative? I think this would very likely require recusal.
9. What standards have you set for yourself regarding the acceptance of gifts or social hospitality? I do not accept gifts or hospitality unless it is of nominal value or is in the nature of ordinary hospitality. While visiting other circuits, I try and avoid social interaction with attorneys who are scheduled 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? The obvious answer is that you are required to report misconduct or infirmity of a lawyer or judge. Depending on the circumstances, I might believe it is appropriate to first have a private conversation with this person to make sure they are aware that what

they are doing could be called into question. However, serious infractions must be reported, for the protection of the public.

11. Have you engaged in any fund-raising activities with any social, community, or religious organizations? No
12. Do you have any business activities that you have remained involved with since your election to the bench? No. I used to own a rental house in Due West, but that house was sold several years ago.
13. Since Family Court judges do not have law clerks, how do you handle the drafting of orders? I usually request that one or both attorneys prepare a draft of the order, but I also will issue written instructions to the attorneys in contested cases I take under advisement.
14. What methods do you use to ensure that you and your staff meet deadlines? I personally keep track of my hearings to insure that orders submitted promptly. My administrative assistant and I regularly review my records to follow up on delinquent orders. We also keep track of upcoming deadlines by calendaring upcoming conferences or events I need to be aware of.
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 am aware of what is required of Guardian ad Litem, and I review the court files prior to hearings to insure compliance. If I become aware of a deficiency in the guidelines prior to the day of the hearing, I might conduct a conference call to allow the attorneys to be aware and have the opportunity to make comments.
16. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy? I make a distinction between "judicial activism" and a proper exercise of discretion in the appropriate case. As far as promoting public policy, this is the province of the legislature, although I have spoken with legislators about matters or policies I feel need to be addressed or changed.

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 am frequently asked to speak to specific groups about my job, such as school groups or volunteer groups, and I always try and oblige those requests. I try and give them simple explanations of how the court system operates, and also to answer their specific questions about issues I deal with. I served as a drug court judge for several years, although our county no longer has such a court. I also try and use speaking opportunities to encourage citizens to become involved in activities to benefit others, such as a volunteer Guardian ad Litem.
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 feel there is a high potential for personal relationships to be strained, primarily due to the travel. However, my children are grown and my wife is retired, so this is no longer a consideration for me.
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? Although this is unlikely to be a problem in my particular situation, I think full disclosure and giving the parties the opportunity to comment on this issue is the proper way to handle this.
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 try and maintain an appearance of dignity and professionalism, not only in court, but also in public. I try and avoid appearing to be impatient, or condescending. Basically, I try and treat all people as I would want to be treated, with respect and a smile.
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? Although it is easy to become angry and impatient in a courtroom situation, it is never appropriate to allow this to affect your responsibilities as a judge. I try and identify such a situation early on, and not allow the situation to escalate.

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: _____