



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? Becoming a Family Court Judge has allowed me to have a hands on approach in protecting the State's most vulnerable wards (juveniles, abused or neglected children or adults). Since becoming a Family Court Judge I have gained even more insight and knowledge of Family Court and the impact that being in Family Court can have on a family long term. As a Judge, I have direct involvement in hopefully minimizing the long term affects a Family Court case can have on litigants, especially children. I am able to use my professional skills and natural abilities as a Judge in a way I could not as a lawyer. My talent lies with seeing the whole picture as presented by those before me, and working diligently on an equitable solution for all those involved. I want to have the opportunity to continue to experience the Family Court as a Family Court Judge.

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? Ex parte communications are unacceptable and undermine the integrity and honor of our judicial system. In Family Court, ex parte requests are tolerated and customary in the context of DSS asking that a child be taken into emergency protective custody, and when an attorney believes an emergency hearing is necessary. Orders granting such ex parte relief are sometimes necessary and appropriate to protect

children from harm or a threat of harm or to protect a spouse from imminent physical harm.

6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you? As a sitting Judge, I have a duty to hear and decide the matters assigned to me. I also have to perform my duties without bias, prejudice or partiality. I consider both of these duties in situations concerning recusal. As a sitting Judge, I will not hear cases with any former associates or former law clerks that have become family law attorneys. I do not have former partners practicing family law. With regard to attorney-legislators, I would expect that attorney to advocate for the best interest of his/her client and not try to use the position to influence my decision. In the same manner, I would attend to performing my duties without bias, prejudice or partiality. If I could not do so, I would recuse myself. I have had attorney-legislators appear before me and have not had to recuse myself.
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? Even if my impartiality was not prejudiced, I would protect the integrity of the legal system from the litigant's standpoint and err on the side of caution and likely grant the motion.
8. How do you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative? I have never had the situation occur, but I would recuse myself from the matter.
9. What standards have you set for yourself regarding the acceptance of gifts or social hospitality? I've never been offered a gift and I would not accept a gift if I was offered one. With regard to social hospitalities, I would consider the situation, the extent of the hospitality and the offering party before accepting. If acceptance would conflict with the ethical rules governing members of the judiciary or give the appearance of impropriety, I would not accept.
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 have not had this situation occur with fellow judges. If it did, I would encourage the judge to seek appropriate help and counsel; encourage the judge to self-report if there was misconduct involved, or I would have to report the

misconduct myself. With regard to lawyers, I encourage the lawyer to self-report if misconduct is involved or I would report the misconduct myself.

11. Have you engaged in any fund-raising activities with any social, community, or religious organizations? Please describe. No.
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? One benefit of my extensive experience in family law prior to becoming a Judge was my form and research files which I utilize for drafting orders. At the conclusion of a hearing, I either issue a ruling in the form of a detailed memorandum of instructions to the attorneys for drafting an order, or I draft the order myself.
14. What methods do you use to ensure that you and your staff meet deadlines? I use a shared electronic calendar and docketing system which is reviewed weekly.
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? The guardian is appointed by a detailed order clearly delineating the scope of his/her duties and investigation. When guardians appear before me, I question them about his/her investigation, reports and conclusions. When I was Chief Administrative Judge, my pre-trial orders required guardians to communicate in writing, their interim or final reports to all counsel of record within a certain amount of days before a hearing. Additionally, a guardian's billing statement needs to be detailed and itemized sufficiently for counsel, the litigants and the court to know exactly what the guardian did during a case and how much time a guardian spent on a case. Final reports need to be filed in the time frame delineated in the statute. Guardians testifying in court have to adhere to the applicable rules of family court, rules of evidence and civil procedure.
16. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy? My philosophy has not changed since my last judicial application. I oppose judicial activism. The legislators are vested with the authority to enact statutory law and our appellate courts interpret that law and dictate the common law of our

State. My duty is to administer the law, based on the individual facts of the case before me. If an issue is novel, then I am under an obligation to address it after diligent research and consultation and to make sure my ruling conforms to the public policy of our State as evidenced in other forums or cases and that it conforms with the basic tenets of our statutory and common law. I do not want to set public policy. I am comfortable with promoting the public policy of our State that has already been adopted by the Courts.

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 participate in CLE's and seminars and accept most speaking engagements not only to enhance my legal knowledge but to promote the administration of justice to the lawyers appearing in family court and to help mentor young lawyers. I attempt to be as technologically friendly as possible in my courtroom where appropriate. Whenever I have the opportunity, I order that Guardians in private custody cases are paid in full and on time.
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? The pressure of serving as a Family Court Judge has not strained my personal relationships. I eat well, exercise, take time off when needed and spend time with my family to relieve the pressure of serving as a Family Court Judge.
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? No.
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, impartial, controlled/even tempered, attentive, dignified, professional, courteous, friendly and respectful of other people's time. These rules apply all the time.
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? It is never appropriate to use anger or give the appearance of anger in the courtroom or in chambers. Anger is not an acceptable part of judicial temperament.

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: _____