



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

**Master-in-Equity**  
**(New Candidate)**

Full Name: Michael McKinney Jordan

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1. Do you plan to serve your full term if appointed? Yes
2. If appointed, do you have any plans to return to private practice one day? This position is currently part time for Sumter County and I do intend to continue my private law practice with adjustments as to practice areas and cases accepted.
3. Have you met the statutory requirements for this position regarding age, residence, and years of practice? Yes, I am currently fifty years of age, residing in Sumter County since 1994 and I have practiced law for twenty-three years and eleven months.
4. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated? I could envision same being allowed only in very limited circumstances with notice to the other party as soon as practical thereafter. The limited circumstances would be ex parte communications such as simple scheduling matters and amount of court time necessary, or the need for court reporting services, or circulation of proposed orders and other similar matters not involving the merits of the action, or either party's legal position or a judgment or decision as to the merits involved or the case. In only these limited circumstances ex parte communications can be tolerated, so long as each party has timely equal input and neither party is prejudiced thereby.
5. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you? If my impartiality might be affected, then I would advise each party

of the nature of the relationship and the potential for a conflict or the appearance of a conflict and consider a waiver of same from each party. If I felt strongly about the personal connection, then I would recuse myself, after balancing the need for the dispute to be resolved in a timely manner.

6. 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? I would give that party considerable deference and allow them to articulate their concerns. Would you grant such a motion? I would not grant the motion if I believed that my impartiality was not actually prejudiced. The need to hear and resolve matters timely is an important concern. I would consider all circumstances in the recusal request to include judicial economy and expediency in resolving the matter in controversy.
7. What standards have you set for yourself regarding the acceptance of gifts or social hospitality? I would not accept anything that might lead to an appearance of impropriety, favoritism or impartiality. I have always exercised this practice in my work as a guardian ad litem, even though it was upsetting to the offeror.
8. How would 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 address same with the lawyer or fellow judge first if it was merely the appearance of infirmity. If it was misconduct, I would ask the lawyer or fellow judge to self-report same ahead of my notification to the appropriate commission.
9. Are you affiliated with any political parties, boards or commissions that would need to be evaluated if you are appointed? I am a current member of SCACDL and the Solo and Small Firm Section with the South Carolina Bar. I am not affiliated with any political parties, other boards or commissions that would be impacted by my appointment.
10. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations? Please describe. No.
11. If appointed, how would you handle the drafting of orders? I would either dictate the order myself, or dictate a ruling memorandum, to my secretary. The order would be sent simultaneously to the attorneys or parties

appearing in the action involved. If it was a ruling memorandum then I would request that one of the attorneys appearing in the action draft an appropriate order consistent with my memorandum to be sent to me with a copy to the other attorney or party.

12. If appointed, what method would you use to ensure that you and your staff meet deadlines? I would keep a calendar and my staff would each keep a calendar. There would be redundancy in calendaring.
13. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy? I do not lean toward judicial activism. I believe judges follow the law and precedent, however I do not believe that either party should enter a courtroom believing the decision, process or outcome is perfunctory.
14. 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? The majority of Master-In-Equity cases are foreclosures against non-paying mortgagors. This is troublesome to most defendant litigants. I believe courtroom demeanor is important, as well as courteous, professional treatment of the parties and attorneys. The best way in my mind to improve the legal system and administration of justice is to treat each party involved in a manner that I would want to be treated if I were in that party's shoes. That does not mean or imply a favorable ruling, but rather only that the treatment and consideration was fair and courteous.
15. Do you feel that the pressure of serving as a judge will strain personal relationships (i.e. spouse, children, friends, or relatives)? How would you plan to address this? Yes. I will do my best to balance personal relationships with the nature of the work involved. I will try to avoid situations where my office might impact my personal relationships. I do believe that being a judge can be a lonely occupation, however becoming too distant from the public and those that may appear before you can be equally problematic.
16. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality? No. The only investment I have is my retirement account.

17. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved? No. This is very unlikely as my family resides in other counties a good distance away.
  
18. 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.
  
19. Have you met the mandatory minimum hours requirement for continuing legal education courses for the past reporting period? Yes.
  
20. What do you feel is the appropriate demeanor for a judge and when do these rules apply? The appropriate demeanor for a judge is professional, conscientious, polite and considerate. The law guides the decision but the judge must deliver same in a manner that neither rewards one side nor punishes the other.
  
21. Do you feel that it is ever appropriate to be angry with a member of the public appearing before you? Is anger ever appropriate in dealing with attorneys or a pro se litigant? In a contempt matter, it might be appropriate to express some consternation or disappointment. Possibly also if a member of the public exhibits disrespect for the court. Anger would never be an appropriate emotion or reaction.

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.

\_\_\_\_\_  
 Notary Public for S.C.  
 My Commission Expires: \_\_\_\_\_