



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

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

Full Name: James Camden West

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1. Do you plan to serve your full term if appointed?

ANSWER: Yes.

2. If appointed, do you have any plans to return to private practice one day?

ANSWER: No.

3. Have you met the statutory requirements for this position regarding age, residence, and years of practice?

ANSWER: Yes.

4. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?

ANSWER: Unless permitted by Rule 501, SCACR, or expressly authorized by law, *ex parte* communications generally should not be tolerated. This policy promotes fundamental fairness and reinforces the principle of impartiality. I do believe it beneficial for the exchange of knowledge, wisdom and experience within the judiciary. Having a support structure within the judiciary allows an individual judge to harness the insight and perspective of other judges, without disadvantaging individual litigants.

5. 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?

ANSWER: A judge must be keenly aware of the appearance of bias. The key to such a situation is earnest disclosure to the parties appearing before the bench. A reasonable approach to ascertaining an appearance of bias is that if such an appearance of bias is significant enough to warrant disclosure, then impartiality could reasonably come into question. I would likely grant a motion for recusal under circumstances reasonably calling into question the impartiality of the Court.

6. What standards have you set for yourself regarding the acceptance of gifts or social hospitality?

ANSWER: A judge should find guidance under Rule 4(D)(5) CJC, Rule 501, SCACR. As a judge my personal standard would be not to accept gifts or social hospitality. The acceptance of gifts or social hospitality places the judiciary in a negative light, at a minimum creating a question of favoritism, and should be avoided.

7. 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?

ANSWER: The first step in any situation where misconduct or infirmity could be questioned is to care for the individual. Communication before action. People come first. Ascertain the situation. Determine if there is an urgent need for intervention. If urgent care is needed, help the individual seek appropriate medical attention. Should misconduct by a lawyer or member of the judiciary present a significant question regarding fitness, the Office of Disciplinary Counsel must be informed.

8. Are you affiliated with any political parties, boards or commissions that would need to be evaluated if you are appointed?

ANSWER: No.

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

ANSWER: I have made donations to First Baptist Church, Freedom Church, and Together Church, all of Moncks Corner, South Carolina, during my adult life. During my service as a member of the Board of Directors for

The Center for Heirs Property Preservation, I participated in fundraising activities. I served as a board member from 2016 – 2018.

10. If appointed, how would you handle the drafting of orders?

ANSWER: It has been my experience practicing before the Master-in-Equity for the parties to draft orders and submit to the Master for review and final editing. I believe this approach gives the parties a voice in the final version and complements judicial economy. I would continue this practice should I become the Master-in-Equity. However, under circumstances where I deem it appropriate to draft an order, I would prepare the order personally.

11. If appointed, what method would you use to ensure that you and your staff meet deadlines?

ANSWER: Calendar reminders and deadline dates are an everyday reality of the practice of law. My present practice is to set calendar reminders sufficiently in advance of the deadline date to allow for such deadlines to be met. Calendaring reminders are maintained by me and office staff. Also, in my practice of law, I maintain ongoing spreadsheets of matters and tasks to be accomplished. Checklists are an attorney's best friend. I would continue this practice should I become the Master-in-Equity. Further, I would coordinate with staff and conduct weekly calendar reviews, ensuring deadlines are anticipated and met.

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

ANSWER: My philosophy on "judicial activism" can best be described as knowing your role. Each branch of government serves a specific function. The duty of a judge is to apply the law. The duty of the legislature is to create the law. Activism is best accomplished by members of the legislature, who are elected for the very purpose of being a voice for the public.

13. 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?

ANSWER:

I intend to be engaged. It is important for a judge not to become closed-off or hidden in chambers. The Pandemic, out of necessity, created many hurdles to the concept of community. Coming out of the Pandemic has presented the opportunity to better become a community.

I will continue to foster relationships with members of the Courthouse and local bar. Throughout my legal career, I have strived to develop and maintain professional relationships with the Clerk of Court, Courthouse staff and the local bar. I will regularly engage with the legal community, encourage creative feedback.

While attending Charleston School of Law I had the privilege of observing judges in the Master's Court, Circuit Court and Family Court in Berkeley County. I was able to see the legal world outside of a textbook and see the textbook in practice. I hope to afford the same opportunity to law students in the future by working with law schools to get students in the courtroom. Turning the abstract into reality.

I further intend to develop relationships with USC Law and Charleston Law. Specifically, I want to speak to law students in the classroom. I want to be seen by law students. As a law student, I found real-world experiences shared by visiting judges and attorneys invaluable. Students need to see that the judiciary is a part of the community. Students need to hear how the judiciary functions within the community. Students need to understand that the judiciary serves the community. These concepts can be lost within the pages of a textbook.

14. 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?

ANSWER: I do not believe the pressure of serving as a judge will strain my personal relationships. I have the full support of my spouse, who has been by my side since childhood. My wife has encouraged me to seek the Master's seat. Likewise, my close family has encouraged me to do the same.

15. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?

ANSWER: No. I am not involved in any active investments that might impair my appearance of impartiality.

16. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?

ANSWER: No. I do not believe it to be appropriate to hear a case where I, or a member of my family, held a *de minimis* financial interest in a party involved. While I may ethically be permitted to do so, under specific circumstances, due to the appearance of impropriety or the appearance of bias, I would likely decline to hear such a matter.

17. 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.

ANSWER: No. I am not a member of any such organization or association.

18. Have you met the mandatory minimum hours requirement for continuing legal education courses for the past reporting period?

ANSWER: Yes.

19. What do you feel is the appropriate demeanor for a judge and when do these rules apply?

ANSWER: Persevere to be patient. Kindness and respect must be demonstrated. Decorum can be maintained without anger and without vulgarity. A judge must listen courteously, sit impartially, act promptly, and rule after careful and considerate deliberation. These principles always apply.

20. 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?

ANSWER: No. I do not believe anger is necessary. Nor is anger appropriate. Courtesy, impartiality and patience are appropriate. The courtroom is an inherently hostile environment. Human emotions exist. A judge is the face of the judiciary within the Courthouse, and within the community. Successful judges have the ability to focus natural emotions and inherent hostility into a productive form. It is not the role of a judge to embarrass a litigant, or the judiciary, by expressing anger.

I HEREBY CERTIFY THAT THE ANSWERS TO THE ABOVE QUESTIONS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

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Sworn to before me this 26th day of August, 2024.

Kayla B. Lewis

Notary Public for S.C.

My Commission Expires: 09/25/2029

