

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

**Family Court
(Incumbent)**

Full Name: S. Blakely Copeland Cahoon

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

The few short months I have been able to serve as a Family Court Judge have been professionally rewarding and personally fulfilling. I have learned so much from all the Family Court judges I have been able to work with since taking office on May 6, 2024. I have traveled throughout the state and have enjoyed meeting new people. I hope that I have been able to use my personal and professional experience in Family Court to make good decisions for those litigants who have appeared before me.

Family Court judges make decisions that impact children and families in every case. South Carolina citizens deserve a judiciary that is professional, knowledgeable and who can understand them when dealing with the messy real-life issues that arise in Family Court. It is important to have judges with personal life experience and professional experience who can relate to all litigants while wanting to help children and families. Being a Family Court Judge is a challenge I am engaged in meeting and I would be honored to continue to serve the people of South Carolina.

2. Do you plan to serve your full term if re-elected?

Yes, I would serve my full term if elected.

3. Do you have any plans to return to private practice one day?

Upon retirement from the Judicial Branch, I would likely return to private practice as a mediator. I was a certified Family Court mediator before taking the bench and enjoyed that practice. Being a mediator would allow me to continue to help people involved in Family Court. Mediation is an important tool that allows litigants to craft their own solutions to meet their personal circumstances in a way that a judge is not always able to do.

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?

Canon 3 expressly outlines how a judge is to handle *ex parte* communication. It is important the *ex parte* communication be limited to those exceptional circumstances as outlined within the law. The judicial process has rules to ensure that all parties are treated fairly and impartially. My experience has been that *ex parte* communication may happen in a Family Court matter when the safety and well-being of a child requires immediate judicial action. It may be necessary to protect those who are unable to protect themselves. My administrative assistant and I have set up procedures to follow if improper *ex parte* communications were received.

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? Would you grant such a motion?

I would defer on the side of caution when dealing with the appearance of bias. If a party requested my recusal because of their perception of my position based on my prior practice, the appearance of bias or some other ethical issue I would grant such a motion. When dealing with bias it comes down to the party's perception. If the party has a reasonable perception or belief of bias, then it would be appropriate to recuse myself. The issues being heard in Family Court are too important for a party to believe the judge hearing their case is biased. I have not experienced any issues in my time of the bench related to this type of issue.

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

The Canons of Judicial Conduct, Canon 3 outlines how a judge shall handle the financial or social involvement of a spouse or close relative. I have discussed this issue with my spouse and would continue to monitor these types of relationships of my spouse and minor children. Certainly, any financial or social involvement would be disclosed in a matter for all parties to be aware. If necessary, I would recuse myself. My spouse and I have discussed this potential concern prior to my decision to go through this process. As a Certified Public Accountant my husband is familiar with ethical standards and disclosure requirements.

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

The Canons of Judicial Conduct, Canon 4 outlines the proper way how to address these issues. I would not accept any gift or social hospitality that would lead to a reasonable perception of partiality. I would disclose any close relationship in a matter to all parties.

9. 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?

Whether a lawyer or a judge, our ethical rules require that certain misconduct and infirmities be reported (See Judicial Canon 3 parts E and G, Rule 8.3(c)). These are mandatory reports depending on the type of misconduct or action of the lawyer or judge. If I was to have personal knowledge of behavior that our rules required me to report, then I would follow the appropriate reporting requirements. Reporting misconduct is not something I take lightly but every judge has an ethical duty to report misconduct. As a profession that governs itself it is imperative that participants adhere to the rules set forth for the profession.

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

I previously served as the Chair of Administrative Council for my former church, Northeast United Methodist Church, and I was a member of the Finance committee. As such, I was aware of the general financial status of the church and helped assist in determining financial goals and worked on stewardship campaigns.

I am a former member of the board of directors for Alala Cancer Society. As a board member I had general responsibilities for directing the organization and fund raisers held by the organization.

I previously served on the board of directors for the Blythewood Soccer Club which is a local recreational soccer league. The Club is working with the local community to raise funds for space to practice and play matches. I have participated in those activities in a general manner only with no direct fund raising.

I currently serve on the Board of Directors for Trinity Homeschool Academy. As a board member I had general responsibilities for directing the organization and fund raisers held by the organization. I have participated in those activities in a general manner only with no direct fund raising.

I was a member and President of the St. Peter's Catholic School PTA. I participated in fund raisers and helped direct them for the organization before being elected to the Bench.

11. Do you have any business activities that you have remained involved with since your election to the bench?

No. I closed my law practice to take the Bench.

12. Since Family Court judges do not have law clerks, how do you handle the drafting of orders?

In cases where an attorney or attorneys appear, I direct one of the attorneys to draft the order for review. There are certain matters such as bench orders or form orders for issues that include but are not limited to issues related to contempt actions, child support or drug screening that can be done quickly from the bench. The pro se divorce package includes the order to be completed. I have drafted multiple types of Family Court Orders as needed. I have also taught my

administrative assistant how to assist in drafting orders. I use worksheets to organize my notes from each hearing in such a way that I am able to quickly review them when the proposed order is received. I also have prepared memorandum of findings and decisions in a contested matters that I had taken under advisement to send out to the attorneys for the order to be drafted.

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

My administrative assistant and I consulted with other judges in setting up our internal calendar system that would ensure I receive proposed orders in a timely fashion to review based on the current court administration requirements. We organize my hearing notes so that I am able to quickly review the pertinent information for timely review and execution of the proposed orders. Court administration deadlines are incorporated into my office practice to ensure we are able to complete the necessary reports within the deadline time period. My administrative assistant has a protocol in place to contact the parties regarding the status of the order if it is not received by a certain date. I attempt to be clear in any ruling the time frame for the proposed order to be drafted, reviewed by opposing counsel and provided to my office. This includes how to handle pro se parties to avoid ex parte communications. I follow any established time guidelines of the Circuit in which I heard a matter.

14. 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?

In cases where a Guardian ad Litem is necessary, I review the orders appointing the guardian. There are specific time frames for reports to be filed by guardians that would require checking the file before a hearing. Having served as Guardian ad Litem I am familiar with the current statutes. I would keep up with any changes to the statutes to ensure compliance.

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

There is no role for judicial activism in Family Court. The role of the Family Court judge is to carry out the law as established by the Legislature and to follow prior appellate court rulings interpreting such laws. I study the legal issues that arise in Family Court to ensure I understand the current statute(s) and case law that should be applied to cases heard before me. I attend continuing legal education and reach out for to other judge(s) to discuss novel issues before ruling. I do not believe that judges should set public policy as that is not the role of the judiciary. Our government is separated into the legislative, executive and judicial branches to ensure the individual rights granted to our citizens are protected.

16. 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 hoping to start an Adoption Day in Berkeley County. In addition, I am serving on the Judicial Branch Technology Committee. I am scheduled to speak at the Children's Law Committee's Continuing Legal Education program at the SC Bar Convention in January 2025.

I am currently working on a list of issues I see when new lawyers are before the Court and will be seeking input from others including court reporters as to common issues they see. An example would be marking or placing exhibits into evidence. I hope to compile the information and teach a class or seminar to new lawyers to address some of the issues to help them learn. I like to help young lawyers improve their practice while encouraging professionalism with all participants. I continue to work with the Law Related Education Committee of the SC Bar to help educate students and others about our legal system. It is important to listen and share ideas with others so I would be honored to serve as needed on committees established by the Chief Justice to improve the legal system.

17. 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 am honored to serve as Judge of the Family Court. My spouse and I continue to address how my job may add any strain on our family. The main issue in my short time on the bench has been the almost constant travel. We were not prepared for the amount of travel I have done but we adjusted well working together. We have established a family care

plan with a group of family and friends to help with picking up my children if I am in a late hearing or required to be at court. My family has become accustomed to my full-time work schedule that includes at times evenings and weekends.

Serving as a judge has affected the personal relationships I have with other lawyers but because of my move to Berkeley County it has been minimal thus far. Not having a primary practice in Berkeley County has help alleviate much of the pressure or strain. I have no former co-workers or close friends who practice there so it has been a “fresh start” with me. My lawyer friends understand how our dynamic changes the relationship and we respect each other.

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

No.

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

No.

20. 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.

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

Yes.

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

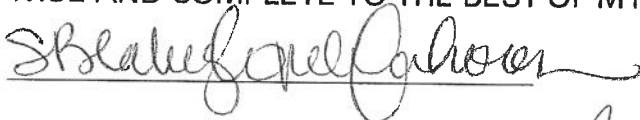
A judge should act in a respectful, professional and courteous manner and be aware that the role of judge transcends the bench. When in the courtroom the judge should be in control of what is happening. The

judge should be attentive and courteous. The judge should show from facial expressions to responses to questions or objections that they are actively engaged in the matter being heard before them. Canon 2 specifically states "a judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary." A judge needs to ensure that the Courtroom is a safe place. Outside of the courtroom, a judge must continue to act in such a way that the public maintains confidence in their integrity and impartiality.

23. 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?

Anger is not appropriate in a courtroom. A judge cannot become personally involved in a matter to an extent that they become angry. Judges are required to carry out their responsibilities with integrity, impartiality and competence – anger is the opposite of those characteristics. I work hard to ensure that my courtroom remains a place where parties are shown respect and under control so that anger from anyone is not an issue. Family Court issues are personal ones, but they must be dealt with in a professional and courteous manner. I try to be cognizant of what is happening overall in their courtroom, not just on the witness stand. If attorneys or parties are becoming frustrated or angry then the Judge should recognize the issue and take appropriate steps to ensure the safety of all involved.

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 22 day of August, 2024.



(Signature)

Nancy W. Foster

(Print name)

Notary Public for South Carolina

My commission expires: July 30, 2029