

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

Family Court
(Incumbent)

Full Name: Michael Scott Rankin

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

I would like to serve another term as a Family Court Judge because I love my job and enjoy public service. Every day is different and I've been afforded an awesome opportunity to serve the citizens of this state. Additionally, I am grateful for the close bonds and comradery of fellow judges, as well as employees of the South Carolina Judicial Branch. Also, I would like the opportunity to improve the court system as it deals with children and their mental health.

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?

Once I'm no longer an active Family Court Judge, I plan on having a mediation practice.

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?

I comply with SC Appellate Court Rule 501 (Judicial Cannons) and I also comply with Rule 3.5 of the SC Rules of Professional Conduct

specifically Rule 3.5(b). There are times when I receive requests for ex parte relief and I address those requests pursuant to the rules. An example would be granting an ex parte order when a child's health and safety is at risk.

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 have had this type of situation occur several times over the past 5 years and have recused myself each time.

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

Fortunately, the only relative I have in South Carolina is my wife and I have not experienced any issues where there is an appearance of impropriety because of her. Obviously, if a situation were to arise creating the appearance of impropriety, I would recuse.

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

I do not accept gifts from anyone other than close friends or family. I have attended the South Carolina Association for Justice Conference in Hilton Head since I was sworn in July 2019 and have attended a few dinners which were provided to myself and other judges. I also have attended receptions offered by the South Carolina Bar and local Bars with other judges.

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?

I believe I have an affirmative duty to protect the judicial system from misconduct or infirmity of a lawyer or judge. I was recently involved in a situation involving a lawyer who appeared to be suffering from dementia. I spoke with some of my colleagues as well as a couple of

lawyers who had reported the questionable behavior. It is my understanding the lawyer is no longer in active practice.

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

Since I became a Family Court Judge, I have not engaged in any fund-raising activities.

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

I own two (2) LLC's with my wife. Those LLC's own and manage three (3) different rental properties.

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

Typically, the prevailing lawyer will draft the order after I have given my ruling orally or by memorandum. When I have matters involving pro se litigants, my administrative assistant will draft the orders with my direction and supervision.

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

My administrative assistant has a calendaring system which keeps track of all outstanding orders and other deadlines. She checks the calendar weekly, as well as communicates with lawyers and Court staff.

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?

I require a detailed guardian ad litem order and I follow-up on the progress of the guardian ad litem investigation at status conferences and subsequent hearings.

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

My role is to apply the facts to the law, not to make law. Like an umpire, I am here to call balls and strikes not create a new strike zone.

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 currently involved in meetings with fellow judges, lawyers, representatives from DSS, DJJ, and the Department of Mental Health, to discuss ways in which to better serve our most vulnerable and troubled youth. Specifically, we are focused on getting the various agencies to communicate and cooperate more effectively with each other.

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 very fortunate that during the past 5 years, my personal relationships have not been impacted by my job. While my social relationships with family law attorneys has changed, my personal relationships are strong.

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?

As long as there was not a reasonable question as to my impartiality, I would still hear the case.

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.

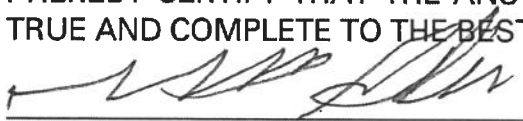
22. What do you feel is the appropriate demeanor for a judge and when do these rules apply?

I believe I must present a calm and friendly demeanor to the parties and their lawyers as soon as they enter the courtroom. I believe it is important to show respect and kindness to those who appear in front of me. It is also important that I display patience. However, I believe it is likewise important for those in front of me to show respect to the court as well.

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?

I do not believe it is appropriate to display anger in court. While there are times when I have been frustrated with a litigant or an attorney, I do not let it rise to the level of anger.

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 20th day of August, 2024.

Nicholas A. Todd

(Signature)

NICHOLAS A. TODD

(Print name)

Notary Public for South Carolina

My commission expires: 12-17-30