

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

Family Court
(Incumbent)

Full Name: Ernest J. Jarrett

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

It has been my professional goal since law school to one day become a Family Court Judge. I interned with Judge Bill Byers my last semester of law school and was fascinated with Family Court. This opportunity allowed me to gain valuable experience, but more importantly, it allowed me to form my professional goal early in my career. I can remember attending a church conference one weekend where we had to write a personal life mission statement as one of our exercises. I do not remember the exact wording of my mission statement, but I remember it being something to the effect of "serving others by helping them through difficult times." I have devoted my life to serving others professionally by representing them during some of the most trying and difficult times in their lives. I enjoy serving others outside of the legal profession as well. I have participated in eighteen mission trips through Kingstree Community Youth, the youth group sponsored by my church, Kingstree United Methodist Church. These mission trips have covered the southeast, and we go into the community, stay in a local school, and serve the residents during the week by repairing homes, painting, and helping to rebuild their lives. Being a Family Court Judge has allowed me to further my life of service to others. I have patterned my career to position me to have the professional, academic and ethical traits along with the proper temperament to do this job well. I deeply care about children's issues as reflected by my professional work with the Department of Social Services and by my volunteer work with children and youth at Williamsburg Academy and my church. I want to see children thrive and grow up in healthy and safe environments. I always want what is best for them. I try extremely hard to be fair and impartial in my rulings and treat each person that comes before the Family Court with dignity and respect. I realize that this is a very trying time in the lives of litigants and a family court judge usually sees the worst side of people and their relationships. However, I think I have had and can continue to have a positive impact on the lives of the litigants and especially the lives of children who are involved in family court proceedings. While attending judges' school in Reno, Nevada, our small group leader asked each of us how we wanted to be remembered as a judge. My response was "he looked out for the children and made their lives better."

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?

Not at the current time. I would like to serve as a Family Court Judge until retirement.

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 am a stickler for limited *ex parte* communication. While practicing law, I hated when other lawyers had multiple *ex parte* communications with a Judge on one of my cases. I believe *ex parte* communications should only be allowed in emergency life/death or bloodshed type situations that require an immediate order when there is no time to consult the other party. Our rules require that the other party should get a copy of whatever is being presented to the judge at the time that it is being presented to the judge, regardless if it is an emergency. I limit *ex parte* communications to times of a true emergency where there needs to be an immediate order to protect the interests of one of the parties' lives or the interests of the children. I sign *ex parte* orders very sparingly when I reasonably believe that no party would gain a procedural or tactical advantage.

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?

My philosophy regarding recusal is that it is always better to recuse oneself from a matter and avoid the appearance of impropriety rather than going forward. I have not had many requests for recusal during my four (4) years on the bench.

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

Again, I would recuse myself if there is any appearance of impropriety. I believe it is better to err on the side of recusal than go forward.

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

I follow the Canons of Judicial Conduct regarding the acceptance of gifts and social hospitality. Essentially, I believe I can accept gifts or social hospitalities that have traditionally been given to me over the years by certain individuals. I am careful when new gifts or new social hospitality is extended since becoming a Judge. In those circumstances, I believe it would be improper, and I would decline from accepting gifts or participating in the hospitality.

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 would follow the applicable Canon of Judicial Conduct and have to report the situation as required under our rules. I would also address it with the individual in a private setting if appropriate.

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

No. My wife organizes fundraisers for Kingstree Community Youth which is the youth group of Kingstree United Methodist Church especially for our yearly mission trip. However, I do not participate and certainly do not sell any tickets. I have maintained my membership with Rotary with the understanding that I cannot participate in any fundraisers.

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

No

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

I draft numerous orders each week with the assistance of my administrative assistant. I would continue the practice of having one of the lawyers draft most detailed orders. I do share a law clerk with the Charleston Chief Administrative Judge and she does assist with the preparation of my orders.

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

I am very organized (almost compulsively) and calendar everything on paper. I also have "To Do" lists and multiple check lists that are coordinated with my administrative assistant and law clerk.

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 am very familiar with the guardian ad litem statute and have served as guardian ad litem in many cases during my practice. I review the guardian report to make sure it complies with the statute as well as question the parties to ascertain

whether or not they feel the guardian ad litem has complied with the statute on record. During Status Conferences, I always remind the guardian ad litem of the statutory time frame for filing the final report.

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

I have a very strict view of judicial activism and always rule based on the existing law. I believe it is the legislature’s and appellate’s courts’ job to establish the law and the judiciary’s job to interpret the law and apply it. I would not allow my personal political considerations to keep me from following the law as enacted by our legislature and set forth by our appellate courts.

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 plan to continue as chairperson of the Bench Bar Committee which strives to improve our child welfare system, as well as serve on various committees for the improvement of the law. I attend as many continuing education classes as possible. I frequently speak at various continuing Legal Education seminars including the “Essentials - Family Court” each year where I bring my robe and we do a mock hearing.

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 do not feel the pressure of serving as judge has strained my personal relationships. My family, friends, and relatives were used to my professional life which involved running an extremely active practice that was very time consuming. I am actually less stressed as a Family Court Judge and enjoy more time with family and friends. I have also enjoyed my new family - my brothers and sisters on the Family Court Bench and feel their love, support, and friendship every day.

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. If there is any financial interest, I would recuse myself from that 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. I exceed the required number of hours each reporting period.

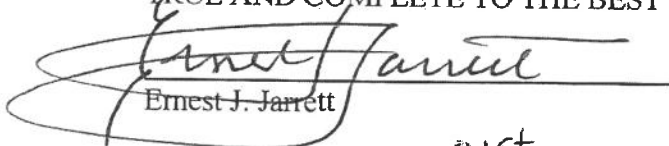
22. What do you feel is the appropriate demeanor for a judge and when do these rules apply?

I believe that a judge should always be kind, patient, and courteous to the litigants before the Court and to all Court personnel. However, I think it is important for me to be able to have and keep control of my courtroom. Thus, it is important for all the litigants, attorneys, and bailiffs to know I am in charge of my court room. However, I am confident that I can continue to do this in a respectful and dignified way.

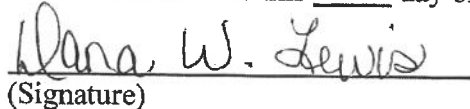
23. Do you feel that it is ever appropriate to be angry with a member of the public, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys or a pro se litigant?

I do not think one should show anger from the bench but rather patience and courtesy. However, I think it is fine to be firm and direct with litigants and attorneys in a dignified manner to let them know you are in charge of your courtroom. A judge should be able to express frustration or displeasure to litigants or counsel in a professional manner.

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


Ernest J. Jarrett

Sworn to before me this 21st day of August, 2024.


(Signature)

Dana W. Lewis
(Print name)

Notary Public for South Carolina

My commission expires: July 23, 2030