



# The Supreme Court of South Carolina

## **MANDATORY SUMMARY COURT JUDGE MENTORING PROGRAM**

### **UNIFORM MENTORING PLAN**

#### **INTRODUCTION**

Pursuant to Rule 512 of the South Carolina Appellate Court Rules establishing the Mandatory Summary Court Judge Mentoring Program, the Supreme Court has set out three objectives for the mentoring plan. These objectives are intended to be a guide to the development of the relationship between the mentor and the new summary court judge and should be addressed on an on-going basis over the course of the mentorship period.

The relationship between the mentor and new summary court judge is not a check-list of items to be covered and then ended. It is intended to be the beginning of a long-term professional relationship that enhances the new summary court judge's ability to perform his or her duties in a responsible and professional manner. The goal of the program is to provide new summary court judges with the tools that will enable them to continually improve and enhance their ability to perform their judicial functions with appropriate levels of professionalism, in an ethical and fair manner, maintaining the dignity and respect which should accompany the office they hold.

## **OBJECTIVES**

The three elements set out by the Supreme Court are as follows:

### **Objective A**

***Before the hearing: prepare yourself for your role in the judicial process.***

### **Objective B**

***In the courtroom: conduct yourself at a high ethical standard.***

### **Objective C**

***Engage in ongoing learning and development in the area of ethics and professionalism.***

Each objective is to be met through a series of action steps over the course of the mentorship year. Suggested action steps are included in this model plan; however, the mentor and new judge should work out a plan that best suits their schedules and workloads. The mentor and new judge must schedule an Initial Meeting within thirty days of being notified of the assignment of a mentor. The mentor and new judge must complete an Individualized Mentoring Plan, which must be submitted to South Carolina Court Administration (Court Administration) for review **within thirty days** of the Initial Meeting.

## **PLEASE NOTE**

- 1. All three elements must be included in your Individualized Mentoring Plan.**
- 2. In order to complete the Mandatory Summary Court Judge Mentoring Program, all three elements in your Individualized Mentoring Plan must be met.**

## **SUGGESTED ACTION STEPS**

***It is important that you establish a clear understanding as to the expectations of both the mentor and the new summary court judge.***

Establishing clear expectations is critical to the success of the mentoring relationship. The mentor and the new judge should meet in person as soon as possible and develop a plan to address completing all the objectives of the program. The goal is a clear plan of action for the course of the next year.

Things to consider include:

- 1. Schedule the Initial Meeting, which may be at the office of the mentor or the new judge, or casually for lunch;**

2. Determine the frequency of "formal" contact, the best methods of communication, to include in-person meetings, telephone conversations, e-mails, or a combination of the three.

### **Objective A**

***Before the hearing: prepare yourself for your role in the judicial process.***

The new judge should be aware of how his or her preparedness and professionalism affects the behavior and attitudes of lawyers, officers, and *pro se* litigants who appear in his or her court.

Things to consider as you set out the steps for meeting this objective include:

1. Periodic discussions on the following: the importance of wearing a robe when conducting court and recording all proceedings;
2. Discuss with the new judge the importance of maintaining control of the courtroom as well as methods for doing so; and
3. Ensure that the new judge gains an understanding of the importance of staying current with recent legislative and case law changes, as well as how to locate this information through the websites of the Judicial Department and the South Carolina Legislature.

### **Objective B**

***In the courtroom: conduct yourself at a high ethical standard.***

The importance of developing professional standards and exercising civility in the courtroom cannot be overstated. Helping the new judge to understand the expectations placed on the judge by the Judicial Canons is critical to meeting this objective. Discuss the challenges that the new judge may encounter in upholding the requirements of the Canons. The mentor should observe the new judge in his or her courtroom initially and then again after at least three months. Additionally, the new judge shall observe the mentor holding court on at least one occasion. The mentor should stress the need to review the Advisory Opinions and Ethics Updates, which will provide guidance concerning the interpretation and practical application of the Judicial Canons.

Things to consider as you set out the steps for meeting this objective include:

1. Periodic discussions on the following: the role of the judge in the legal system; the judge's responsibility in adhering to the Judicial Canons; and the practical challenges in meeting those responsibilities;
2. Review the concept of judicial restraint; and
3. Ensure that the new judge gains an understanding of the local legal community's expectations of professionalism and behavior, including the importance of being on time for court and working all hours assigned.

### **Objective C**

#### ***Engage in ongoing learning and development in the area of ethics and professionalism.***

Common complaints against judges include allegations of bias, mishandling of court funds, and poor supervision of staff. The mentor should stress the importance of compliance with the Chief Justice's Financial Accounting Order, avoiding inappropriate *ex parte* communications, and supervising court staff to ensure compliance with the Judicial Canons.

Things to consider as you set out the steps for meeting this objective include:

1. Review the Financial Accounting Order and disciplinary opinions in which judges have mishandled court funds;
2. Review the provisions of the Judicial Canons that apply to court staff; and
3. Discuss the prohibition against *ex parte* communications as well as methods for avoiding inappropriate communications, including the appearance of impropriety.

### **PROGRAM REQUIREMENTS**

The suggested action steps are offered as a guideline for the development of your Individualized Mentoring Plan. Each mentor and new judge should work out arrangements that best suit their specific professional relationship and work schedule. Given the relationship, other action steps may be more suitable than those suggested above.

The mentor and new judge must complete the Individualized Mentoring Plan and submit a copy to Court Administration for review within thirty days of the Initial Meeting. Periodically throughout the year, the plan should be reviewed and updated to ensure that it is still meeting the objectives of the program and the individual goals as set out by the mentor and new judge. Upon completion of the mentoring experience, a Certificate of Completion, signed by the mentor and new judge, must be submitted to Court Administration.

### **CONCLUSION**

The mentor's relationship with the new judge has the potential to be one of the most influential relationships of the new judge's professional career. It is the goal of the program and the hope of the Supreme Court that the development of strong professional relationships will ensure the successful transition of the new summary court judge as he or she becomes a valuable member of the profession. The Court also hopes the relationships created through this program will help new judges achieve personal and professional success, support the continued civility of the profession, and ensure that judges hold themselves to, and comply with, the highest standards of the profession.