



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

**Circuit Court
(Incumbent)**

Full Name: William Paul Keesley

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1. Why do you want to serve another term as a Circuit Court Judge?
To continue to learn, to be exposed to the courtroom experience, and to apply the knowledge gained over thirty-one years on the bench to assist other judges.
2. Do you plan to serve your full term if re-elected?
I would reach mandatory retirement age on December 31, 2025, so I would not be able to complete the entire term.
3. Do you have any plans to return to private practice one day?
I have no plans to engage in private practice.
4. Have you met the Constitutional 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?
Ex parte communications are only permissible to address matters of a purely administrative nature or for an emergency petition for temporary injunctive relief. Even then, they should be avoided, and opposing counsel/pro se parties should be notified immediately of any contact.
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 always erred on the side of caution regarding recusals. Great deference would be given, and a recusal motion would be granted, unless the motion were made for an inappropriate purpose such as being purely dilatory.

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

8. What standards have you set for yourself regarding the acceptance of gifts or social hospitality?
I do not accept gifts from attorneys or anyone that is likely to have a matter come before me.

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?
It must be reported, and I have had to do so in the past. Programs such as Lawyers Helping Lawyers may be utilized, or someone close to the lawyer or judge may assist in having the situation self-reported.

10. Have you engaged in any fund-raising activities with any social, community, or religious organizations? Please describe.
No

11. Do you have any business activities that you would envision remaining involved with if reelected to the bench?
No

12. How do you handle the drafting of orders?
I personally draft many orders, but often ask the attorney(s) to submit proposed orders in electronic format to serve as drafts. My law clerk and the Clerk of Court's staff sometimes assist in preparing form orders for my approval on administrative or routine matters. My law clerk keeps track of all the outstanding orders.

13. What methods do you use to ensure that you and your staff meet deadlines?
We use a shared online calendar. My law clerk keeps a list of things that are to be done. Most matters involving a deadline are printed and placed on a bulletin board that I pass to enter my office.

14. What is your philosophy on “judicial activism,” and what effect should judges have in setting or promoting public policy?
A judge’s role is to interpret the law. A judge is only permitted to comment upon matters that are for the improvement of the judiciary or the legal profession, as discussed in Question 15. Judges must avoid expressing opinions on matters that are political in nature. We are to follow precedent and clear statutory language.
15. 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 have been contacted about discussing the development of a Veterans’ Court in our circuit, which is a spinoff of the Drug Court concept that our team put in place as the first operational Drug Court in South Carolina in 1995. I would like to help in that effort. I have a longstanding interest in day reporting centers. I proposed them as a member of the advisory committee concerning the Omnibus Crime Bill of 2010. They were favorably received but were determined to be beyond the scope of the initial bill. I want to investigate the existing programs in other states, assess their efficacy, and promote consideration of their implementation. I would like to submit articles on topics that the SC Bar deems appropriate for publication, and I would welcome invitations to speak to attorneys and groups.
16. 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?
Personal relationships are strained at times. The job is often said to be isolating. Others may misconstrue why I do not participate in conversations on certain subjects, or why I cannot assist in fundraising, or why I cannot advise them on a legal matter. Not being able to accept gifts may be perceived as ingratitude or rudeness. I handle those situations by explaining as tactfully and succinctly as possible that judges are not allowed to do those things. Exposure to repetitive emotional trauma observed in court can sometimes be difficult to leave at the office. The workload may require extended hours, and jury deliberations often run late unexpectedly. Separation caused by travel demands can be difficult. Having exceptionally understanding friends and family is helpful. I try to decompress and be mindful of when my work is putting a strain on relationships. I try to engage in activities with my family to separate me from my work for a while.

17. The following list contains five categories of offenders that would perhaps regularly appear in your court. Discuss your philosophy on sentencing for these classes of offenders.
- a. Repeat offenders: These defendants often receive the harshest sentences and most stringent conditions on their sentences. A criminal record is a good indicator of future conduct, particularly if the pattern of criminality is consistent. If they are non-violent and there are programs or placements that appear to offer a realistic opportunity to stop the cycle of recidivism, those programs should be considered.
 - b. Juveniles (that have been waived to the Circuit Court): Judges are required to take into consideration the age and immaturity of a defendant, and there should be a heightened focus on the possibility of rehabilitation through ensuring stability and proper guidance in their lives. If a Youthful Offender sentence is possible, it should be one of the factors considered. Unfortunately, juveniles who are waived to Circuit Court are often charged with acts of extreme violence, and the court must fashion a sentence to protect victims and society.
 - c. White collar criminals: A major consideration in white-collar crimes is the extent of damage done and the duration of the misconduct. I have sometimes sentenced white-collar criminals to lengthy prison sentences. Additional important factors include whether the defendant preyed on victims who were particularly vulnerable, the possibility of repetition, the number of victims, and the possibility of restitution. Victims in these cases frequently express their desire to recoup financial losses as their primary concern, and the court should evaluate whether and to what extent restitution is likely.
 - d. Defendants with a socially and/or economically disadvantaged background: The judge should consider the background of a defendant in fashioning an appropriate sentence, including the resources in that person's life. Courts should look to see what support network the defendant has available, particularly with non-violent offenders. There should be questioning as to whether there is a possible network of people likely to steer the defendant away from crime. The sentence should be fashioned to take advantage of any programs or placements that might be available to promote long-term stability, including job training, education, addiction treatment, mental health

treatment, intensive supervision, and finding a stable residence. Sentences should be designed to require removing the defendant from bad influences and high crime areas. However, the court must be realistic in understanding that sometimes it is necessary to remove violent offenders from society by incarceration.

- e. Elderly defendants or those with some infirmity: Consideration should be given to the age and physical condition of defendants in every instance. Courts should take into account whether a person is unable due to physical condition to pose a threat to commit further crime. Healthcare needs of seriously ill defendants are appropriate considerations. However, there are some instances where a sentence that exceeds the life expectancy of the defendant may be appropriate, such as a child molester or murderer whose crimes went undiscovered until he or she reached advanced age.
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?
If it is truly a *de minimis* interest, a judge may hear the matter, as long as there is no appearance of impropriety. I would disclose the interest to the parties and grant a recusal request, unless the request is made for an inappropriate purpose, such as purely for delay. I would err on the side of recusal.
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.
I am a member of a Masonic Lodge, Concordia Lodge #50, which the Supreme Court has recognized as a permissible fraternal organization for membership. Judges are allowed to participate if they do not hold office. I have not held office, nor have I attended meetings in many years.

21. Have you met the mandatory minimum hours requirement for continuing legal education courses for the last reporting period?
Yes
22. What do you feel is the appropriate demeanor for a judge and when do these rules apply?
A judge is to be courteous, patient, and must project neutrality. The rules always apply.
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?
It is not appropriate for a judge to be angry or demonstrate anger to others, including defendants, attorneys, court personnel, or any litigants.

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

William Paul Keesley

Sworn to before me this ____ day of July _____, 2023.

(Signature)

(Print Name)
Notary Public for South Carolina
My commission expires: _____