



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

Retired Judge

Full Name: Brooks P. Goldsmith

Business Address: (My Home) 7731 Chaplin Garden Ln. Edisto Island , S.C.
29438

Business Telephone: 843-631-0413

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

Yes

2. Do you have any plans to return to private practice?

No

3. Are you engaged in any legal activities other than your service as a retired judge, such as acting as an arbitrator or mediator?

Yes

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

No

5. 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

6. Have you engaged in any partisan political activity since your retirement? Please describe.

No

7. What do you feel is the appropriate demeanor for a judge? When do these rules apply?

A judge should always act as though a spotlight is on him or her at all times and conduct themselves in such a manner that the public will perceive them as being impartial and fair in all dealings, whether in court or in private life.

8. In your position as a retired judge, what methods do you employ to ensure that deadlines for the timely issuance of orders are met?

Initially, when giving instructions for the order, I advise the attorney of a time in which the order should be presented. I keep a copy of rosters with a notation regarding the due date and any extensions that may have been granted.

9. 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?

It is never appropriate to display anger or to act if you are angry be it a member of the public , a defendant in a criminal case or an attorney.

10. How would you handle a situation in which you became aware of misconduct or appearance of infirmity of a lawyer or fellow judge?

I believe a judge is required to report misconduct. If the infirmity is the result of a chemical dependency, an attempt at a referral should be considered before filing a complaint.

11. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?

Such communications should only be permitted as it relates to scheduling issues, a few criminal matters and temporary restraining orders.

12. 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 believe that the appearance of bias is almost as bad as actual bias because how it is viewed by either a litigant or by the public. Only in the most extraordinary case should such a motion not be granted.

13.

I would never intentionally accept a gift from an attorney or a person who might come before me that I could not reciprocate.

As to social hospitality, before accepting, I try to determine if there might be an ulterior motive involved. If accepted, I always try to do something to make certain that I am not the only one receiving hospitality.

14. In order that we might advise court administration on steps that need to be taken, are there any limitations on your sight, hearing, or mobility that should be addressed by the court administrator?

None of which I am aware.

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 ____ day of _____, 2019.

(Signature)

(Print name)

Notary Public for South Carolina

My Commission Expires: _____