

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

Circuit Court
(New Candidate)

Full Name: William Vickery Meetze
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1. Why do you want to serve as a Circuit Court judge?

I believe that the Judges of our State and this Country serve as the protectors of The Constitution. The Constitution is what gives individuals in this Country the rights and liberties that so many people take for granted. I do not take those rights for granted and I don't take the awesome responsibility of protecting those individual rights for granted either. In fact, it is that very responsibility that planted in me the desire to become a Circuit Judge. If I were to be given that opportunity I would dedicate my service to seeing that individual rights are protected and that justice is dispensed with the humility, respect and the fairness for all who come before the Court.

2. Do you plan to serve your full term if elected?

Yes

3. Do you have any plans to return to private practice one day?

No

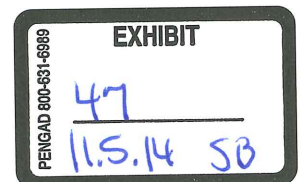
4. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice?

Yes

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

My philosophy on ex-parte communications is that a Judge shall give every person, or their lawyer, who has a legal interest in a proceeding the right to be heard in that proceeding. So, as a judge, I would not initiate, permit or consider ex-parte communications, or consider other communications made to me if the other parties involved were not also present.

However, there are circumstances where ex-parte communications are appropriate. Examples would be for scheduling purposes, administrative purposes or emergencies that do not deal with substantive issues on the merits. In such circumstances then ex-parte communications could be tolerated as long as I reasonably believe that no party will gain a procedural or tactical advantage, and as long as I make a provision promptly to notify all other parties of the substance of the communication and allow an opportunity for them to respond.



Otherwise, I would only engage in ex-parte communications with the express consent of the parties and their lawyers in an effort to mediate or settle a matter pending before me or when such communications are expressly authorized by law.

6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?

A Judge should always avoid the appearance of impropriety and should disqualify him or herself anytime the Judge's impartiality can reasonably be called into question. In a case where a lawyer-legislator were to appear in front of me, that in and of itself would not be cause for me to disqualify myself. However, if the other party believed that my impartiality may reasonably be called into question, then that attorney would have an opportunity to be heard on the matter and if that party felt that recusal would be appropriate, then I would disqualify myself to avoid the appearance of impropriety, even if my personal feeling was that my impartiality was intact.

As it pertains to former associates or law partners appearing, again, a judge shall disqualify himself or herself in a proceeding where the judge's impartiality might reasonably be called into question. It would certainly be reasonable for a judge's impartiality to be called into question where a former associate or law partner was appearing before the judge making it appropriate for the judge to recuse himself or herself. However, I currently work in a public defender's office and I have always worked for a government agency my entire career. A lawyer in a government agency does not ordinarily have an association with other lawyers employed by that agency. With that being the case, I would not automatically recuse myself simply because an attorney I worked with in a government agency appeared before me; however, if my impartiality could reasonably be called into question because of such association then recusal would be appropriate. Also, if a case that I had previously been involved in were called before whether it be during a trial, plea or post-conviction relief hearing then I would recuse myself in any of those situations.

7. 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?

If one or both parties believed that it would be appropriate for me to recuse myself from a case because I had disclosed something that had the appearance of bias, then I would grant any motion made in that regard and recuse myself from the case. The integrity of the Judiciary is of the utmost importance and therefore any case where my impartiality might reasonably be called into question would be a case where I would recuse myself. It would not matter whether or not the impartiality

actually existed.

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

A judge should disqualify himself or herself anytime their impartiality might reasonably be called into question. In a case where I knew that my wife or another close relative that was currently residing in my household has some kind of economic interest in the controversy, or they have some interest more than *de minimus* that could be affected by the proceeding then I would disqualify myself in order to avoid the appearance of impropriety and because that is a situation where my impartiality might reasonably be called into question. That is particularly the case where the relative in question is a party to the proceeding or an officer of the party, is a lawyer in the proceeding, or is a material witness.

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

As a Circuit Court Judge I would not accept a gift, bequest, favor or loan. The reason for that would be to avoid the appearance of impropriety from any such gift could be viewed as an intention to influence me. There are limited exceptions such as a gift incident to a public testimonial, book or some resource material, and invitation to a bar-related function. However, my basic standard would be for neither myself nor anyone in my family to accept gifts.

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

If I were to receive information indicating that a lawyer and/or judge had committed a violation, I would take appropriate action. Specifically, I would first directly talk to the lawyer and/or judge. If I were to have knowledge that judge had committed a violation that raised a substantial question as to that judge's fitness for office, I would inform the appropriate authority. Similarly, if I were to have knowledge of a violation by a lawyer that called into question that lawyer's honesty, trustworthiness or fitness as a lawyer then I would also inform the appropriate authority.

11. Are you affiliated with any political parties, boards or commissions that, if you were elected, would need to be re-evaluated?

No

12. Do you have any business activities that you would envision remaining involved with if elected to the bench?

No

13. If elected, how would you handle the drafting of orders?

As a judge I would take the drafting of orders on a case by case basis. Many orders in both General Sessions and Common Pleas Court are somewhat basic with very little in the way of complications. Those types of orders I would more than likely ask the lawyer who has made

the particular motion draw up that order. However, where the issues are more complex and can be dispositive of the case, whether it be a civil or a criminal case, I would want to do those orders myself to make sure that it was clear and that all the points I wanted to make were in the order.

14. If elected, what methods would you use to ensure that you and your staff meet deadlines?

I would keep a detailed calendar that would be synchronized with both my law clerk and administrative assistant that would have reminders of all deadlines. I would also keep written calendars as well that could be checked to stay on top of deadlines. I would understand that if I missed a deadline that it would be my responsibility. With that being the case, with all the technology we have today there would be no excuse for missing any deadlines and organization would be the key to keeping on top of deadlines.

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

As a judge, decisions should be made based on the law and not on any personal or political considerations. It is not the job of a Circuit Judge to promote an agenda or to set public policy, it is to follow the law and protect the Constitution. Judges should not have an effect in setting or promoting public policy.

16. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. If elected, what activities do you plan to undertake to further this improvement of the legal system?

I would welcome the opportunity to serve on committees that worked toward bettering the judicial and/or legal system. I would also enjoy the opportunity to speak at various conventions and/or conferences to teach on various aspects of the law.

17. Do you feel that the pressure of serving as a judge would strain personal relationships (i.e. spouse, children, friends, or relatives)? How would you address this?

I do not believe that the pressure of serving as a judge would put a strain on my personal relationships with my spouse, friends or other relatives. I am fortunate to have a very supportive spouse and this is an endeavor that we are venturing into together.

18. 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:

There are many considerations that go into sentencing various offenders. However, in general, a repeat offender would be in line for a harsher punishment than a first time offender. For example, a repeat offender would be more likely to receive an active prison sentence rather than some kind of suspended sentence or probation.

b. Juveniles (that have been waived to the circuit court):

By virtue of the fact that the juvenile would be eligible to be waived up to General Sessions Court means that the offense involved would be a very serious matter. With that said, I would take into consideration the seriousness of the crime, the individual's age, and the victims involved and how they were affected to fashion a sentence that reflects all of that and also gives the offender a chance at rehabilitation as long as the charge is not so serious that a decades long sentence would be mandated.

c. White collar criminals:

I would try to sentence white collar criminals the same way I sentence any other individual charged with a crime. I would take into account the individual's prior record, the seriousness of the crime, the victims and the harm they all suffered as well as any recommendation from the attorneys to fashion what I believed the appropriate sentence would be. However, they wouldn't automatically receive probation because they committed a white collar crime just as they wouldn't automatically go directly to jail either.

d. Defendants with a socially and/or economically disadvantaged background:

An individual's background is certainly a factor to consider when sentencing. Being from a disadvantaged background does not excuse criminal behavior and there are many folks in that circumstance that abide by the law. However the fact that there are people who grow up in circumstances where they only have one parent or don't have any parents or where their parents are in jail should not be overlooked and should certainly be a mitigating factor. As is always the case however, those mitigating circumstances should be taken into account along with other factors like prior record and seriousness of the crime charged in order to issue what I believe would be an appropriate sentence. I have heard many Circuit Judges discuss what they believe to be the most difficult part of their job and all of them have said that sentencing in a criminal case is the most difficult thing they have to do. These would be the circumstances that make that statement true.

e. Elderly defendants or those with some infirmity:

I believe that justice should be fair and should be tempered with mercy. Elderly and/or sick individuals should not be excused for their wrongdoings; however, fashioning a sentence that would allow them to be able to seek proper treatment that they need would be a priority whenever possible in cases involving these types of individuals. Obviously some crimes are of such a serious nature that it can limit the judge's discretion. However, if possible, I would try to get people help with their disabilities as part of the criminal justice system is based on rehabilitation and sometimes that involves trying to help those that

- cannot help themselves.
19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?
No
20. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?
I would not. Any financial interest might reasonably call into question my impartiality as well as put forth the appearance of impropriety. Protecting the integrity of the judiciary is of the utmost importance and it would call for a recusal in this situation.
21. Do you belong to any organizations that discriminate based on race, religion, or gender?
No
22. Have you met the mandatory minimum hours requirement for continuing legal education courses?
Yes
23. What do you feel is the appropriate demeanor for a judge?
I believe a calm and even temperament is the appropriate demeanor for a judge. A judge shall be patient, dignified and courteous to litigants, witnesses, jurors, lawyers and other court room personnel. Essentially, a judge should conduct himself or herself according to the golden rule to do unto others as you would have them do unto you.
24. Would the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or would these rules apply seven days a week, twenty-four hours a day?
They should apply twenty-four hours a day seven days a week.
25. 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 pro se litigants?
No
26. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees?
(a) I spent \$154.12 on paper for cover letters, envelopes and stamps, and;
(b) I spent \$85.05 to have information sheets printed to mail to appropriate members of the Legislature.
I have mailed notice of these expenditures to both the Senate and House Ethics Committees.
27. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office?
N/A
28. Have you sought or received the pledge of any legislator prior to this date?
No

29. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening?
No
30. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf?
No
31. Have you contacted any members of the Judicial Merit Selection Commission?
No
32. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges for 48 hours after the draft report has been submitted?
Yes

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

s/ William Meetze

Sworn to before me this 5 day of August, 2014.

Gwendolyn G. James

(Print Name)

Notary Public for S.C.

My Commission Expires: April 15, 2018