

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

**Circuit Court  
(New Candidate)**

Full Name: Robert L. Reibold  
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1. Why do you want to serve as a Circuit Court judge?

Service as a Circuit Court judge is a natural outgrowth of my commitment to public service, but more than that, my desire to serve grows from my belief in the judicial system and its importance. The judicial system protects basic rights we enjoy as citizens. Access to the system allows the victim of crime to seek justice, the injury victim to seek redress, and the corporation to challenge government overreach. Faith in the system and in the law generally allows society to operate in an orderly fashion.

Unfortunately, I believe public faith in the judicial system has faltered.

The best way to restore that faith is to ensure that the courts work as they were intended to work, and if you want something done right, you have to do it yourself. Simply put, I believe in the work and I want to do the job.

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?

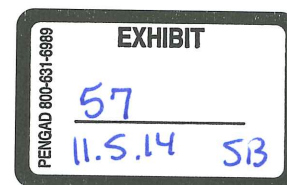
Yes.

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

I believe it is important to protect the appearance of impartiality, and would not engage in *ex parte* communications other than as specifically permitted under the rules; for example, upon application for a temporary injunction or emergency relief.

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

I would recuse myself from matters involving former associates or law partners for a period of one year. After that period of time, I would assess matters on a case by case basis. However, I would inform all parties of the



prior relationship, and be very deferential to the request of a party for recusal on the grounds that a case involved a former legal partner.

I do not believe recusal would ordinarily be required for matters involving lawyer-legislators, unless some additional basis for recusal was present. Such matters would have to be evaluated on a case by case basis.

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?

I would give the party requesting recusal a great deal of deference. As stated above, I believe it is important to safeguard the court's reputation for fairness and impartiality at all times.

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

Each matter would need to be evaluated on a case by case basis, but a connection involving a spouse or close family member would normally result in recusal.

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

In the absence of a pre-existing relationship, I do not believe the acceptance of gifts or hospitality is appropriate if gifts or hospitality are provided by a person or party who regularly appears before the court or is interested in a matter presently before the court.

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

If the misconduct raised a serious question about the lawyer or judge's honesty, trustworthiness or fitness, I would report the misconduct to an appropriate official. If the misconduct did not rise to this level, I would attempt to counsel the lawyer and/or fellow judge to correct the misconduct.

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

I am currently a member of the Advisory Board for the Salvation Army of the Midlands. If elected, I would need to refrain from direct involvement in fundraising, but I do not believe it would be necessary for me to cease all involvement with the Advisory Board.

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

I do not currently have any such business activities.

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

While submissions of the parties or proposed orders can be helpful in drafting orders, I believe that the content of orders should be created primarily by the court.

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

Deadlines would be appropriately calendered, and outstanding matters

would be periodically reviewed.

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

I believe a judge's responsibility is to apply the law as written by the Legislature.

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 have served as a member of the South Carolina Bar Association's House of Delegates, and as a member of the Bar Association's Practice and Procedure Committee. I have also written articles and a legal text. I would plan to continue these activities in a capacity which is permissible for a Circuit Court judge.

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 feel that the pressure of serving as a judge would strain personal relationships. However, service as a Circuit Court judge would take precedence.

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:
- b. Juveniles (that have been waived to the circuit court):
- c. White collar criminals:
- d. Defendants with a socially and/or economically disadvantaged background:
- e. Elderly defendants or those with some infirmity:

#### Repeat Offenders

While a first time offender may sometimes be given a second chance, repeat offenders have exhausted any such second chance.

#### Juveniles Waived to Circuit Court

If a determination has been made that a juvenile should be tried as an adult, the juvenile should be sentenced as an adult.

#### White Collar Criminals

White collar criminals violate the law just as do violent criminals. White collar crime can have devastating effects on its victims. A person convicted of a white collar crime would receive no special leniency simply because of the nature or his or her crime.

Defendants with Socially and/or Economically Disadvantaged

Backgrounds

For a first offense, the background of the offender would be one factor considered in the imposition of a sentence.

Elderly Defendants or those with Infirmary

For a first offense, the age or infirmity of the offender would be one factor considered in the imposition of a sentence.

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 feel that the appearance of impartiality should be safeguarded. If I were aware that a member of my family held a *de minimis* interest in a party involved in a matter before the court, I would inform the parties of such interest, and would give great deference to a party's request for recusal.

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?

The judge is the face of the judicial system. He or she must appear to be courteous, civil, and fair to all who appear before the court.

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?

The rules set forth above would apply at all times when a judge deals with the public. I do believe a judge should be permitted to be somewhat more relaxed in chambers and when among family and friends.

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?

I do not believe anger with parties or counsel is appropriate, except in rare circumstances. Anger is rarely appropriate with pro se litigants.

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?

I have not spent any money on my campaign at this time.

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/ Robert Reibold

Sworn to before me this 4 day of August, 2014.

Thomas E. Anderson III

(Print Name)

Notary Public for S.C.

My Commission Expires: April 16, 2022