

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

**Family Court**  
**(New Candidate)**

Full Name: William Gregory Seigler  
Business Address: PO Box 1852  
McCormick, SC 29835  
Business Telephone: 864 852-9555

1. Why do you want to serve as a Family Court Judge?

As a married father of three, I have always had a great desire to be a Family Court Judge. I focused primarily on Family Law while managing my own law firm for ten (10) years. I feel that I have a good judicial temperament and that I would be a dedicated, fair, and impartial judge that would be a positive influence and make a difference in people's lives. In addition, the grand opportunity to be a family court judge would allow me to continue to improve and serve my community and state. Again, with all humility I have handled every type of case in the Family Court, and I feel that I possess each and every quality necessary to be a good family court judge. I was also a municipal court judge for three (3) years and I believe that experience will also assist me as a family court judge.

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 think that the rules of *ex parte* communications are set forth clearly in Canon 3, Rule 501, SCARC. Paraphrasing the said Canon 3, "A judge shall not permit *ex parte* communications..." It clearly says that all parties and their lawyers shall be included in any communication with the judge. Canon 3 is clear and I would not allow it. However, that being said, there are certain exceptions when expressly authorized to do so. For example, it is permissible when expressly authorized to do so like when considering the issuance of a temporary order related to child custody and support where condition warrant, or in considering cases involving abused and neglected children, and emergency protective orders that involve danger to abuse and neglect. However, I feel that even if a family court judge decides to issue an *ex parte* order or consider *ex parte* information then a hearing should be held immediately



and the opposing party should be given every opportunity to present his case without prejudice. I would consider ex parte communications only in the most extreme situations, and make absolutely certain they were considered pursuant to strict adherence to the canons and rules.

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

The rules in this area provide very specific times when a judge must recuse himself. Canon 3(e) says a judge shall recuse himself if his impartiality might reasonably be questioned. It is very clear when dealing with the situation that includes former associates or law partners. It simply states that you do not have to recuse yourself unless the former partner handled the case at the time the judge was his partner. In regards to the lawyer-legislator, unless you have a personal relationship or prior association with the lawyer-legislator, there is no reason for a judge to recuse himself. The rules are clear, but my personal position would be that if there is any reason to believe that an issue of impartiality may be raised then that should be disclosed on the record to avoid even the appearance of impropriety.

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?

Out of extreme caution I would probably grant the motion. A judge has to consider how gravely important it is that our system of justice maintain the utmost appearance of fairness and impartiality. Obviously, each case would be considered subjectively, but based on the limited information in the question I would grant the motion.

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

Again, at the risk of being repetitive, the canons are clear and unambiguous. If there was a situation involving the appearance of impropriety because of financial or social involvement of my wife or relative I would recuse myself as judge on that case.

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

Based upon my reading of Canon 4 there are certain situations where it appears it would be appropriate to accept gifts; however, my personal standard would be not to accept any gifts from anyone other than family, unless that family member is an attorney who practices before you. I personally would respectfully decline any gifts, loans, or favors from that person/attorney or any other person who could possibly appear before me as a judge.

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

Canon 3 basically says that if a judge has knowledge that a lawyer violated the Rules of Professional Conduct or another member of the judiciary violated the Code of Judicial Conduct, then in either event he will notify the "appropriate authority." As a judge I feel that you have to abide by the Rules and the Code when placed in this situation.

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. Since family court judges do not have law clerks, how would you handle the drafting of orders?

If both parties in the action had lawyers I would instruct the attorney for the moving party to prepare the order immediately, and allow opposing counsel to review the said order before sending it to me for signing. If there is only one lawyer involved in the action, obviously I would have him/her prepare the order. Of course, in either situation I would carefully track the time frame when the order was due, and once received carefully review the said order for accuracy. As a strict disciplinarian and stickler for paying attention to detail, I would ensure that the order was delivered to me in timely fashion. My experience has shown to me that some judges draft orders in certain situations. I personally do not feel that the judge should draft an order unless it is absolutely necessary. I do feel that when appropriate the judge should correct orders in order to accurately reflect the agreement or decision made by the court, but a judge should draft an order only under extreme circumstances. For example, if a judge makes a decision that would include specific findings made by that judge then drafting the order would be appropriate.

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

I would use a similar method that I have used in private practice. I use electronic calendars that inform me of deadlines. The advice of judges on the bench would be invaluable in this area, and I would try to utilize their advice and suggestions.

15. If elected, what specific actions or steps would you take to ensure that the guidelines of the Guardian Ad litem statutes are followed during the pendency of the case?

As the Commission is aware, I represented the South Carolina Guardian ad Litem program for many years, I was also a Guardian ad Litem in many private cases. To be candid, I have rarely had any problems with compliance to the statute. To avoid confusion, I would not use a vague provision in the order. I would be specific in regards to timeframes, deadlines, bills etc.

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

The rules state that a family court judge should follow the law. I do not feel that a family court judge should in any way be influenced by outside factors. A family court judge should apply the law appropriately and try to avoid an attempt to create the law.

17. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. What activities would you plan to undertake to further this improvement of the legal system?

I would encourage, engage, and participate in certain public forums and continuing legal education. It is impossible create a complete separation between being a judge and extra-judicial activities.

18. 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 plan to address this?

I do not feel that it would strain my personal relationships in any negative manner. I do have three handsome young sons and a wonderful wife that I miss when away, but I have accepted that as a lawyer it is unavoidable. I am in court all the time and my family understands my duties. My wife and I are fortunate in that she is able to stay at home with our sons. So, I do not feel that any additional stress will affect me or my relationships.

19. Would you give any special considerations to a pro se litigant in family court?

I believe that you have to give special consideration to pro se litigants. Obviously, you would have to explain to the pro se litigant that he/she would be held to the standard of a lawyer even though they do not have the skills of a lawyer. I do feel that you should apply special attention to the pro se litigant. You as judge may be the only judge he/she ever sees in his life, so I think you have to appear fair, impartial and with the utmost integrity. Justice is suppose to be blind, with or without counsel, and I think every litigant should leave the court room believing in that principal.

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

No

21. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved? No

22. Do you belong to any organizations that discriminate based on race, religion, or gender? No

23. Have you met the mandatory minimum hours requirement for continuing legal education courses? Yes

24. What percentage of your legal experience (including experience as a special appointed judge or referee) concerns the following areas? If you do not have experience in one of these areas, can you suggest how you would compensate for that particular area of practice?

a. Divorce and equitable distribution: 30%

- b. Child custody: 40%
- c. Adoption: 5%
- d. Abuse and neglect: 10%
- e. Juvenile cases: 15%

25. What do you feel is the appropriate demeanor for a judge?

I was a municipal court judge for three years and I never had one problem with any litigant. When you treat people fairly and with respect and honesty no matter what walk of life they come from, then you do not have any problems most of the time. I understand that being a family court judge is not the same as being a municipal court judge, but in my opinion you should have the same demeanor no matter what type of judge you might be. Be honest, fair, calm, polite, and focused on the task at hand, and everything else will take care of itself.

26. 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?

For me the rules I expressed have applied in my every day life both at home and in the court room for many years. It has been my own personal rules 24 hours a day 7 days a week before began the practice of law.

27. Do you feel that it is ever appropriate to be angry with a member of the public who would appear before you, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys or pro se litigants?

No. As I stated earlier I am strict disciplinarian so as a family court judge I would demand appropriate conduct from anyone in the courtroom, but I do not feel that anger is appropriate nor effective.

28. 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? N/A

29. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office? N/A

30. Have you sought or received the pledge of any legislator prior to this date? No.

31. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening? No.

32. 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.

33. Have you contacted any members of the Judicial Merit Selection Commission? No

34. 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.



## Laurie Traywick

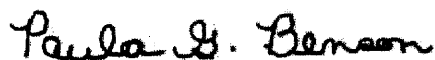
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**From:** Paula Benson  
**Sent:** Thursday, October 25, 2012 12:25 PM  
**To:** Jane Shuler; Laurie Traywick  
**Cc:** 'jgseigler@yahoo.com'  
**Subject:** FW: Information concerning PDQ

Jane and Laurie,

Please find attached Mr. Seigler's amendment to Question #35 that he has asked I forward to you.

Thanks.



**Paula Benson**  
Senior Staff Attorney  
S.C. Senate Judiciary Committee  
P.O. Box 142  
Columbia, S.C. 29202  
(803) 212-6636

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**From:** Jennifer Seigler [mailto:jgseigler@yahoo.com]  
**Sent:** Thursday, October 25, 2012 12:22 PM  
**To:** Paula Benson  
**Subject:** Re: Information concerning PDQ

I, W. Greg Seigler, hereby submit an amendment to question number 35.

1. On or about December 4<sup>th</sup>, 2002, Cullen B. Davis, filed a complaint against me with the Office of Disciplinary Counsel. Mr. Davis arrived at my law office on August 16<sup>th</sup>, 2002, unannounced and without an appointment. I was out of the office and in Court that day. I had never met nor spoken with Mr. Davis. He was advised by my staff that he would have to set up an appointment with me in order to determine if I would agree to take his case, and if so what the fee arrangement would be. I never heard from Mr. Davis again until he set an appointment for December 3<sup>rd</sup>, 2002, when I met with Mr. Davis and his wife. That was the first and last time I ever saw or spoke with Mr. Davis. During our brief meeting he threw a letter on my desk which was the very complaint he intended to mail to Disciplinary Counsel. Evidently Disciplinary Counsel felt as if I should have been more diligent in supervising my staff while conversing with Mr. Davis, because a letter of caution was issued on September 22<sup>nd</sup>, 2003. I did receive a copy of the letter of caution soon thereafter.

2. My office handled a real estate transaction between Mr. & Mrs. Kevin Sides ("Sides") and Mr. & Mrs. Tommy Lowe ("Lowe") on July 22<sup>nd</sup>, 2005. Present at the closing were the Sides, the Lowes, and myself. The Sides were purchasing from the Lowes a home and 2.46 acres of land. All parties involved, including the Sides, the Lowes, the lender, the broker, my staff, and I understood that the Sides were buying the home and 2.46 acres. Some time after the closing, Mrs. Lowe called me and stated that they only intended to sell a portion of the property. Mr. Sides stated he never heard of such and that the contract clearly stated he was to get the whole tract containing 2.46 acres. He refused to deed any land back to the Lowes. Thus, on May 5<sup>th</sup>, 2006, the Lowes filed a complaint against me with Disciplinary Counsel. I had Michael D. Glenn of Anderson assist me in the matter. The notes in my file indicate Mr. Glenn notified me via telephone on July 18<sup>th</sup>, 2008, and stated that the matter had been dismissed. I never again heard from anyone in regards to the matter until Ms. Paula Benson advised me that the matter concluded with a letter of caution. The only letter of caution I have ever seen in regards to this matter was provided to me by Ms. Benson yesterday. It is unsigned by Disciplinary Counsel and addressed to Michael D. Glenn at 121 W. Benson Street, Anderson, South

Carolina 29624. I contacted Disciplinary Counsel today, and they had no explanation as to why I was never mailed a copy. Mr. Glenn's office could not explain why I was never sent a copy nor why I was told it was dismissed with no reference to a letter of caution.

I want to preface this paragraph with me taking full responsibility for any confusion. I apologize for inadvertently omitting from my Personal Data Questionnaire the letter of caution issued on September 22nd, 2003. I was advised by judicial candidates and sitting judges that unless an attorney is sanctioned by a private reprimand or more then it is not considered disciplinary action and should not be listed. Ms. Benson and I in fact did discuss the matter, and I was very honest, forthcoming, and candid with her in regards to the facts surrounding the initial complaint. Again, I have never seen the unsigned letter of caution dated July 18th, 2008, until yesterday, but to be candid with the Commission even if I would have known about it I would not have been aware of the necessity to list it on my Personal Data Questionnaire. All that being said, I take full responsibility for the confusion, because I should have called Ms. Shuler or her staff; they could have properly advised me on the matter as they have so kindly and graciously done throughout this entire process. However, I do want to be clear that I in no way tried to conceal anything from the Commission. I again profusely apologize for the confusion.

**From:** Paula Benson <PaulaBenson@scsenate.gov>  
**To:** "jgseigler@yahoo.com" <jgseigler@yahoo.com>  
**Cc:** Jane Shuler <JaneShuler@scsenate.gov>  
**Sent:** Thursday, October 25, 2012 10:43 AM  
**Subject:** Information concerning PDQ

Dear Mr. Seigler:

Thank you for talking with me yesterday and this morning, and for responding so promptly concerning the Letters of Caution we received. Please send your amendment to Question #35 to [janeshuler@scsenate.gov](mailto:janeshuler@scsenate.gov), [laurietraywick@scsenate.gov](mailto:laurietraywick@scsenate.gov), and myself at the above email address.

Following is my summary of the letters. Please let me know if this is accurate.

Mr. Seigler has received two Letters of Caution from the Commission on Lawyer Conduct. Mr. Seigler disclosed the first letter at his initial interview with the Judicial Merit Selection Commission staff. He indicated that he was not aware of the second letter until notified by the Judicial Merit Selection Commission staff. After talking with staff, Mr. Seigler said he did not realize that he needed to explain the Letters of Caution in his Personal Data Questionnaire answer for Question #35. Upon learning this explanation was needed, Mr. Seigler promptly amended his answer to Question #35 to include an explanation.

The first letter issued September 22, 2003, found that the misconduct was minor and of no or very little harm to the public or the administration of justice so no sanction was warranted. Mr. Seigler was cautioned to be mindful of future duties in his responsibility over non-lawyer staff. He indicated that his staff had dealt with the complainant who had been seeking to employ his services. His staff had informed the complainant that he would have to speak with Mr. Seigler personally. Mr. Seigler saw the complainant for the first time when he came for an appointment with the letter to the Commission on Lawyer Conduct in hand.

The second Letter of Caution was issued on July 18, 2008. Mr. Seigler said he had not been aware of that letter until notified by Judicial Merit Selection Screening staff. The letter received by the Judicial Merit Selection Commission staff was not signed and was addressed in care of another attorney involved in the transaction. The letter was issued concerning a sale of real estate. According to Mr. Seigler, the sales agreement indicated that 2.46 acres were part of the sale. After the closing in 2005, the seller contended that only part of the land was to be sold. The buyer refused to deed back any property. Mr. Seigler's file did not contain a copy of the Letter of Caution, and Mr. Seigler had relied upon the other attorney involved that the matter was closed.

Thank you for your prompt attention to this matter.



If you would like to contact Jane Shuler, her number is 212-6629.

*Paula G. Benson*

**Paula Benson**

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