



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

**Master-in-Equity
(New Candidate)**

Full Name: William Haigh Porter

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1. Do you plan to serve your full term if appointed?
Yes.
2. If appointed, do you have any plans to return to private practice one day?
No.
3. Have you met the statutory requirements for this position regarding age, residence, and years of practice?
Yes.
4. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?

In general *ex parte* communications should not occur. However, there are times for scheduling and other administrative purposes as set forth in Canon 3 where such communications are permitted.

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

Recusal should be exercised in any case of conflict of interest. As to lawyer-legislators, former associates, or law partners in most cases the judge should recuse. However, there may be cases due to circumstances that the litigants and their attorneys agree that they prefer the judge to hear the matter. Caution should be exercised.

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?

Any request for recusal should be carefully considered and generally granted unless it appears to be done merely for delay.

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

I believe that the wording of Canon 4 very clearly covers social events and gifts. As a Special Referee in recent years, I have followed Canon 4.

8. 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?

A report should be made to the appropriate office depending on the nature of the misconduct or appearance of infirmity.

9. Are you affiliated with any political parties, boards or commissions that would need to be evaluated if you are appointed?
No.

10. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations? Please describe.

As Senior Warden of St. John's Episcopal Church, I participated in fund raising about 10 years ago to remodel the church office building. I have donated to various non-profit organizations such as Harvest Hope, American Red Cross and House of Hope among others. When I ran for City Council I did not actively seek donations. When I ran for Mayor, I did seek donations in 1990 – 1991.

11. If appointed, how would you handle the drafting of orders?

Depending on the case I would either draft an order myself or permit the attorneys to draft proposed orders which I would either accept or revise as needed.

12. If appointed, what method would you use to ensure that you and your staff meet deadlines?

I maintain a close calendar and review it regularly.

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

I believe the courts are for interpreting and enforcing the law. I have taken the position that if you want to be an activist then you should run for legislative office.

14. 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?

If requested, I will participate in initiatives promoted by the SC Bar and /or The Supreme Court.

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

No. Past experience as full time Special Referee has not interfered.

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

No.

17. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?

No.

18. 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.

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

Am exempt but for several years have attended Master-in-Equity seminars.

20. What do you feel is the appropriate demeanor for a judge and when do these rules apply?

Courtesy, respect and calmness should be practiced whether a judge or not.

21. Do you feel that it is ever appropriate to be angry with a member of the public appearing before you? Is anger ever appropriate in dealing with attorneys or a pro se litigant?

I do not believe anger is ever appropriate in dealing with the public appearing before me, attorneys or litigants. Situations may call for firmness but anger should be suppressed.

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

William Haigh Porter

Sworn to before me this ____ day of _____, 2017.

Notary Public for S.C.

My Commission Expires: _____