



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

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

Full Name: David Eugene Simpson

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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?  
  
No
5. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?

Only if absolutely necessary. If there is potential for a conflict or there is an appearance of a conflict and the parties desire a recusal after disclosure then it would be necessary, but otherwise a liberal recusal policy just makes for delay and extra costs.

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?

it would, of course, depend upon the specific facts, but I would only do so if I felt that the appearance would be such that a recusal was necessary.

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

I haven't and wouldn't accept gifts at all. As to offers of social hospitality I would have to judge each one to determine whether there was an appearance of or an actual attempt at using that social occasion for some sort of inappropriate influence.

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?

In those situations I would make a report to the correct entity and at the same time offer my assistance to that person if such was appropriate.

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.

Yes. As a member of my church, a member of my civic organization and as a member of the organizing committee for our area Special Olympics I have helped with many different fund raising events. My activities have primarily been yard sales, selling items and seeking donations for participating in polar plunges, golf tournaments, runs and the like.

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

It would depend on the case. Some I would ask one attorney or the other

to write. Some I might ask both sides to draft a proposed order, but in most I would do that myself. Regardless of who wrote the draft I would anticipate making changes to fit my ruling.

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

Calendaring both within the case management system and by manual tickling systems. That would include preliminary deadlines as well as the final due date.

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

I believe in following precedent and, in an equity court, doing equity. I do not believe that a lower court should be setting or promoting policy. The case should be decided on its facts and the law.

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?

I believe that I would be effective as a speaker in schools and in civic and religious groups. If I saw a specific concern that I could affect, I would take those ideas to the correct committees or individuals assigned the duty of assessing such.

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?

I can't think of any reason why that would happen. In my present position

I occasionally have to deal with those types of issues and when necessary I discuss what I can with the offended person and have always been able to continue to enjoy those relationships. Disagreement about facts or law is separate from my relationships. If I ever faced the situation of making a decision that would cost me a relationship, I would have to decide whether the job or the relationship

was more important. In any event I would not let the relationship force me into a wrong decision on the case.

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?

I am exempt from reporting, but I continued to be involved in continuing education, exceeding the number of hours that are normally required.

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

I believe that the demeanor of a judge should permeate that judge's life. He or she should be circumspect and careful in all of their dealings, both on and off of the bench. Specifically I believe the judge should be moral, honest, not given to excesses, a person who watches their language, their jokes and stories, but should have a good sense of humor, be accessible, not demeaning, patient, in control of their temper and hard working.

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?

Anger is not appropriate. Being forceful and forthright may be necessary, but without anger.

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

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Sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_

Notary Public for S.C.

My Commission Expires: \_\_\_\_\_