



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

**Circuit Court
(Incumbent)**

Full Name: William Henry Seals, Jr.

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1. Why do you want to serve another term as a Circuit Court judge?

My two terms have been professionally and personally the most rewarding part of my legal career. I have presided over many trials and hearings throughout this great state, and have enjoyed and appreciated the hard work and challenges that come with the job.

2. Do you plan to serve your full term if re-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 follow the guidelines set out in Rule 501 Judicial Conduct Canon 3 (B) (7) (a)–(e) at all times.

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?

I disqualify myself where my impartiality might reasonably be questioned. Thus in this regard, after the disclosure on the record I ask the parties to consider, out of my presence, whether they would waive the disqualification. If not then I recuse myself.

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

I disqualify myself where my impartiality might reasonably be questioned. I disclose same on the record and ask the parties to consider, out of my presence, whether they would waive the disqualification. If not then I recuse myself. Furthermore, I would discourage family members and close relatives from engaging in dealings that would reasonably appear to exploit my judicial position so as to avoid same in future matters.

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

I follow the guidelines set out in Rule 501 Judicial Conduct Canon 4 (D) (5) (a)-(i).

9. 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?

I would report same to the appropriate authorities.

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

No.

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

No.

12. How do you handle the drafting of orders?

I write most of my orders. However, on some occasions, I have lawyers prepare same. I review those orders and make revisions when necessary. I allow input from all the lawyers before finalizing the order so that it accurately reflects my ruling.

13. What methods do you use to ensure that you and your staff meet deadlines?

I maintain 4 separate calendars which are as follows: my computer calendar, a paper calendar, and my administrative assistant and law clerk maintain my calendar as well.

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

My philosophy is to remain neutral. I rule based on the law.

15. 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?

At this time, I have no plans other than to work very hard at my job. However if the SC CLE division were to ask me to participate in a CLE than I would assist so long as it does interfere with my duties as a Judge. Furthermore, I served on the Civil Docket Task Force at the request of the Chief Justice. If asked to do something along that line again I would be more than willing to serve. I like working and am happy to do what is necessary to improve our system.

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

No.

17. 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:

The sentences for these individuals are normally enhanced and/or tailored to fit the particular circumstance. For example a repeat shoplifter may have as the foundation for the offenses a drug problem whereby Drug Court may be the best solution. I explore all possible avenues of sentencing in order that the appropriate sentence may be ordered to stop the repeat offender from future violations of the law. I take into account the offense, societies' costs of incarceration, and the possibility of a rehabilitating sentence.

- b. Juveniles (that have been waived to the Circuit Court):

I treat them as adults. However if appropriate under the circumstances, I may fashion a sentence that might provide rehabilitation such as a youthful offender sentence with perhaps a

recommendation of shock incarceration or Drug Court. My goal is to protect society and at the same time correct the illegal behavior of the juvenile offender. I make sure to comply with all requirements as set out in *Aiken v. Byars*.

c. White collar criminals:

I place an emphasis on restitution to victims and fashion a sentence accordingly.

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

I would emphasize and address their need for an attorney then proceed according to the laws of this state.

e. Elderly defendants or those with some infirmity:

I would treat and sentence them in accordance to the laws of this state, while being sensitive to their age and any infirmities.

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

No.

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

A "de minimis" financial interest denotes an insignificant interest that could not raise a reasonable question as to the judge's impartiality. Even with this being said I disqualify myself where my impartiality might reasonably be questioned. Thus I disclose on the record the basis for the potential disqualification and ask the parties to consider, out of my presence, whether they would waive the disqualification. If not then I recuse myself. Afterwards, I assist the attorneys in setting the case for trial as soon as possible before a judge that does not have the potential conflict.

20. 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.

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

Yes.

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

A judge that is calm, alert, attentive, patient, respectful, hard worker, and is also is a good listener. These attributes apply at all times.

23. 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 a pro se litigant?

No.

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

Sworn to before me this ____ day of _____, 2020.

(Signature)

(Print Name)

Notary Public for South Carolina

My commission expires: _____