



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

**Circuit Court**  
**(New Candidate)**

Full Name: Robert James Bonds

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

Over the past twenty nine years I have practiced law in the Fourteenth Judicial Circuit. I have represented individuals from all walks of life. I have represented both Plaintiffs and Defendants in civil cases and have tried numerous cases to verdict throughout the circuit. I have represented criminal defendants on a regular basis. I believe that my experience as an attorney as well as having served for eight years on Walterboro City Council has prepared me to continue to serve the citizens of the Fourteenth Circuit as a resident Circuit Court Judge. I believe that serving as a Circuit Court Judge will be challenging, and I look forward to meeting this new challenge head on.

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?

I presently have no plans to return to private practice.

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 would require that both parties and/or their attorneys be present when discussing the merits of any case. The only ex parte communication that would be tolerated would be for scheduling matters and other exceptions as outlined in the Judicial Canons.

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?

Unless all parties agreed to my hearing the matter, a recusal would be the appropriate course of action.

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

I would recuse myself from any case that would lead to the appearance of impropriety because of any financial or social involvement of my spouse or a close relative.

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

The Judicial Canons outline when the acceptance of gifts or other social hospitality is allowed. I will make certain that the acceptance of gifts from friends or relatives is commiserate with the occasion and the relationship.

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?

In the event that I became aware of misconduct or the appearance of infirmity of a lawyer or a fellow judge, I would report such conduct to the Commission on Lawyer Conduct or the Commission on Judicial Conduct. Depending on the circumstances, I might make direct contact with the lawyer or judge provided such direct contact does not conflict with the Judicial Canons.

10. 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.

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

No.

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

No.

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

In routine matters, I would expect to issue a form order. I envision that the majority of orders will be drafted by the prevailing party with a copy of the proposed order sent to opposing counsel prior to being forwarded to me for review and signature. In certain cases, it may be appropriate for each party to submit proposed orders making certain to copy opposing counsel of that which is being forwarded to me for my review and possible signature. Finally, I believe that in certain circumstances it may be necessary for me to draft an order myself.

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

I would use an electronic calendaring system to make certain that my staff and I meet deadlines. I would anticipate periodic meetings with my staff to review upcoming deadlines.

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

I do not believe a Circuit Judge should set or promote public policy. I would not envision myself as being a "judicially active judge."

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?

If elected, I would enjoy participating in bench/bar seminars. Those that I have attended over the years, I have found to be educational. As an attorney, I have found it beneficial to hear directly from judges as to their preferences and expectations. I believe that as a Judge, it would likewise be beneficial to hear from attorneys as it relates to their concerns. Communication between judges and attorneys in settings such as mentioned above improves the entire legal system.

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. Over the past thirty years, I have been able to lean upon my wife, and more recently, my grown children for support and encouragement. I have also been fortunate to rely upon an extended network of friends who have always been there for me. I do not anticipate this changing as a result of becoming a judge and believe that these relationships will assist me as a judge in the same manner in which they have assisted me over the years as a husband, father, and attorney.

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:

I anticipate that countless individuals who appear before me will be repeat offenders. I believe that an individual's prior criminal history should certainly be taken into account at sentencing and repeat offenders can expect to be dealt with more severely particularly if the present crime to which they are appearing to be sentenced is a crime of violence and/or has a victim.

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

I believe that age and maturity must be taken into consideration when sentencing a juvenile. Other questions that would arise at sentencing would be the existence of any prior record that the juvenile may have as well as whether the crime to which they are appearing is one of violence and/or has a victim. Depending on the circumstances, I believe that in certain instances, the law provides for the unique crafting of sentences for juveniles. Pre-trial intervention, youthful offender sentences with and without shock incarceration are all matters to be considered.

c. White collar criminals:

In addition to examining the existence of a prior record, I believe that before sentencing white collar criminals, a thorough examination of the facts is necessary. Of particular importance to me, would be whether the Defendant and the victim had a fiduciary or special relationship. Also to be considered would be the amount of assets stolen or misappropriated as well as the length of time of the Defendant's wrongful actions. Finally, time

would need to be spent examining whether there is the possibility of meaningful restitution. It would also be necessary to hear from the victim of the white collar defendant before passing sentence.

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

Over the years, I have represented dozens of criminal defendants who come from socially and/or economically disadvantaged backgrounds. As an attorney, I have always made judges aware of the challenges that my socially and/or economically disadvantaged clients have faced. Problems over the years have ranged from undiagnosed learning and behavioral issues to physical and emotional abuse by spouses, parents and relatives as well as those ravaged by drug abuse and addiction. I have seen judges craft in certain instances sentences that, in my opinion, benefit individuals who are socially and/or economically disadvantaged. Ordering that a defendant obtain his or her GED, in patient drug and/or alcohol treatment, waiving restitution in certain instances are just a few examples of steps that can be taken to help those who are socially and/or economically disadvantaged. Any decision, however, cannot be made in a vacuum and as a result, regardless of any background, I would have to take into account prior criminal history and whether the present crime for which I am about to enter a sentence is one of violence and also whether there is a victim.

- e. Elderly defendants or those with some infirmity:

I have represented individuals over the years who are elderly and/or have some type of infirmity. As a judge, I believe that taking into account the defendant's life expectancy when sentencing may be appropriate in certain circumstances. In addition, depending on their current state of health, home confinement could be an option in lieu of incarceration. However, as discussed previously, an examination of a prior record, whether the offense is one of violence and whether there is a victim are factors that would have to be taken into account.

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?

No

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

Yes

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

I believe judges should treat all those who enter a courtroom with dignity and respect at all times. Judges should exercise patience, listen diligently and preside with a thoughtful and calm demeanor.

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 pro se litigants?

I do not feel that it is ever appropriate to be angry with a member of the public or a criminal defendant. Anger is not appropriate in dealing with attorneys or pro se litigants. It is appropriate, in many instances, to be firm but to always treat the public, pro se litigants, and attorneys with dignity and respect.

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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)  
Notary Public for South Carolina  
My Commission Expires: \_\_\_\_\_