



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

**Administrative Law Court**  
**(New Candidate)**

Full Name: Robert L. Reibold  
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1. Do you plan to serve your full term if elected?  
Yes.
2. 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?

*Ex parte* communications are addressed by the South Carolina Code of Judicial Conduct. A judge may initiate *ex parte* communications when authorized to do so by law. Such communications are permitted for scheduling or administrative purposes or emergencies which do not involve substantive matters provide the judge reasonably believes no party will gain an advantage as a result of the communication and the judge notifies other parties of the substance of the communication and allows them to respond.

I would follow these requirements with respect to *ex parte* communications, but, such communications are problematic, and I would avoid them if at all possible.

5. 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 would ordinarily be very deferential to a party that requested recusal if a situation existed in which there was a genuine appearance of bias. However, each matter would be decided on a case by case basis.

6. If elected, what standards would you set for yourself regarding the acceptance of gifts or social hospitality?

Acceptance of gifts and social hospitality is another topic addressed in the South Carolina Code of Judicial Conduct. I would comply with the standards contained on Canon 4. To some degree, this is an issue of common sense. If a person gives a judge a gift or social hospitality in excess of similar acts in the past or which is not commensurate with the relationship, and that person or entities affiliated with that person appear before the court, the gift may be viewed as an attempt to influence the judge and should be declined.

7. 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?

Again, this topic is specifically addressed by the South Carolina Code of Judicial Conduct.

I would address these situations in two ways. First, if the misconduct or infirmity did not raise a substantial question about the fitness of the lawyer or judge, I would address the situation in a number of possible ways, including privately speaking to the lawyer or judge.

If the misconduct in question did raise a substantial question about the fitness of the lawyer or judge, I would report the matter to an appropriate authority.

8. Are you affiliated with any political parties, boards or commissions that, if you are elected, would need to be re-evaluated?

I currently serve as a board member for the Advisory Board of the Salvation Army of the Midlands.

I also serve as a member of the House of Delegates of the South Carolina Bar Association.

With the exception of refraining from fund raising activities for the Salvation Army, I do not believe that election to the bench would require my withdrawal from these positions.

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

As a member of the Advisory Board for the Salvation Army, I ring the bell at Christmas as part of the Army's Red Kettle campaign.

10. How would you handle the drafting of orders?

I believe that the manner in which orders would be drafted would be determined to some extent by the nature of the dispute being adjudicated. Simple, routine orders would be drafted either by myself or by my clerk. In more complex matters, or in matters where further consideration of legal issues is necessary before reaching a decision, I may solicit proposed orders from the parties. Even in those situations, however, the proposed orders serve only to assist the court and are not a substitute for the court's independent judgment. Additionally, the parties would be afforded an opportunity to review and comment on any proposed order submitted.

11. What method would you use to ensure that you and your staff meet deadlines?

All deadlines would be calendared. Reminders of approaching deadlines would also be calendared. A monthly review of all outstanding matters would be conducted to identify and adapt to any pressing deadlines.

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

I believe courts should interpret the law, not legislate new policy.

13. 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?

As mentioned above, I currently serve in the House of Delegates of the South Carolina Bar Association. I would hope to continue in that role should the local bar membership elect me to do so.

I have also written several articles for the South Carolina Lawyer Magazine, and am the co-author of a legal text published by the Bar Association. I and my co-author are currently preparing an updated version of this text for publication in 2021. I would hope to continue writing on legal issues.

14. 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 do not feel the pressure of serving as a judge would impose a substantial strain on my personal relationships.

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

No.

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

If I were aware that a family member had a *de minimis* financial interest in a party before the court, I would disclose the interest to the parties. If a party objected to my participation, I would most likely recuse myself.

17. 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.

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

Yes.

19. What percentage of your legal experience has dealt with cases that appear before the Administrative Law Court? Please describe to the Commission your experience in these areas.

I have experience in administrative law. I have (1) assisted business clients in obtaining licenses from state agencies, (2) assisted clients in resolving disputes with various state agencies, to include

investigation of complaints and enforcement actions taken by the Department of Labor, Licensing and Regulation and the Department of Motor Vehicles; and (3) appeared before hearing officers and appellate panels of various state agencies.

Recently, I have assisted other counsel in my firm with two matters which are currently before the Administrative Law Court.

Additionally, I have attended other matters before Judges of the Administrative Law Court to observe proceedings.

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

I believe deeply that a judge should be calm when in the courtroom. Everyone appearing before the court should not only feel that they were treated fairly, but be treated fairly. Anger, inappropriate or demeaning comments, or dismissiveness are inappropriate in the courtroom.

Outside of the courtroom, I believe a judge can be more relaxed, but a judge must always remember that he or she represents the bench in or out of the robe.

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

With the caveat that judges are human, I do not believe anger is appropriate in the courtroom.

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 17<sup>th</sup> day of July, 2020.

  
Notary Public for S.C.

My Commission Expires: 7/31/2028

