



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

**Retired Judge**

Full Name: William James Wylie, Jr.

Business Address: 212 Deming Way, Summerville, SC 29483

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

2. Do you have any plans to return to private practice? No.

3. Are you engaged in any legal activities other than your service as a retired judge, such as acting as an arbitrator or mediator? I am not yet retired, and undecided as to arbitration and mediation.

4. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?  
No.

5. 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.

Summerville Presbyterian Church (P.C.U.S.A.) Neither my church nor its denomination practice any form of invidious discrimination.

6. Have you engaged in any partisan political activity since your retirement? Please describe.

I am not yet retired, but I do not intend to participate in partisan political activities.

7. What do you feel is the appropriate demeanor for a judge? When do these rules apply?

A judge should be mostly serious, but have a good sense of humor. A judge should speak and act responsibly. A judge should be firm but kind, patient, courteous and respectful. These rules apply at all times.

8. In your position as a retired judge, what methods do you employ to ensure that deadlines for the timely issuance of orders are met?

I am not yet retired, but anticipate continuing to record matters taken under advisement on docket sheets, and separately maintaining a list of such matters. I will continue to review my dockets weekly, and continue my practice of trying to issue decisions within a few days of the hearing.

9. 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?

No. The very few times that I have become angry in the courtroom, I have said things that I have regretted. A judge should be in control, and becoming angry implies a loss of control. There is a difference, however, between being angry and expressing disapproval.

10. How would you handle a situation in which you became aware of misconduct or appearance of infirmity of a lawyer or fellow judge?

If the information seems credible, I take appropriate action including talking to the judge or lawyer. If I had actual knowledge of the misconduct or conduct that suggested infirmity of a judge or lawyer that called his fitness into question, I would have to report.

11. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?

My philosophy remains unchanged over the years. *Ex parte* communications should be avoided. I know of little else that can so thoroughly persuade litigants that they are being treated unfairly than having reason to believe the judge is communicating privately with the opposing party or lawyer. I do not allow only one party to be in the courtroom when I am present, or allow only one lawyer to remain in the courtroom to discuss an unrelated matter at the

conclusion of a hearing without the consent or presence of the other. Of course, there are limited instances when emergencies require *ex parte* communications, such as the application for temporary restraining orders or the emergency temporary custody of a child. Even so, it is my practice to limit consideration of such requests to the written pleadings and affidavits filed with the Court, and not to privately discuss the matter with the requesting party or counsel.

12. 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 give great deference to a party requesting my recusal under any circumstances in which my impartiality could reasonably be questioned, and would mostly likely grant such a motion. The test for recusal should be objective, not subjective. However, the delay resulting from a recusal can be detrimental to the litigants and their children. I believe a judge should have the courage to refuse recusal if not required, and when it is not being sought for a valid reason but in an effort to gain an advantage through delay.

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

I do not accept gifts from litigants or lawyers or those whose interests are likely to come before me. I do not allow such persons to buy me lunch or dinner. I do not accept invitations to social events if I believe the host is trying to suggest to others that he is in a position of special relationship or influence over me. I do occasionally attend bar association functions.

14. In order that we might advise court administration on steps that need to be taken, are there any limitations on your sight, hearing, or mobility that should be addressed by the court administrator? No.

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 \_\_\_\_\_, 2021.

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

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