



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

Circuit Court
(Incumbent)

Full Name: Paul Michael Burch

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1. Why do you want to serve another term as a Circuit Court judge?
I still enjoy my job even after 30 years on the bench.
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?
Not at this time
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 try my best to avoid *ex parte* communications; however, sometimes in issuing Rule 65 (b) Orders, you have to make an exception.
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? If a party has a reasonable legitimate concern about the appearance of a possible bias even after I have explained it from my point of view, I would grant recusal.
7. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative? If

the appearance would cause concern to a reasonable person, I would grant recusal.

8. What standards have you set for yourself regarding the acceptance of gifts or social hospitality? I do not accept gifts and only attend functions or meeting approved by the Bar or by the Supreme Court.
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?
Report them to the appropriate disciplinary authority.
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? None
12. How do you handle the drafting of orders? I normally invite proposed Orders from all parties involved unless I rule from the bench and direct the prevailing party to prepare an Order or prepare it myself.
13. What methods do you use to ensure that you and your staff meet deadlines? I require my law clerk to keep a separate docket from mine so that we can check off on any deadlines.
14. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy? I do not consider myself a "judicial activist". The general assembly makes the law, law enforcement enforces the law and a judge should apply and interpret the law in the cases brought before him.
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? I will continue to accept appropriate speaking and teaching invitations

to seminars that may be held in the State, provided the timing does not conflict with my current court schedule.

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? Judging like any other employment has stress and strain. You simply have to treat others, as you would like to be treated under the prevalent circumstances.

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: Generally an active prison sentence or split sentence.

 - b. Juveniles (that have been waived to the Circuit Court): Generally a probationary or youth offender sentence (either active or shock incarceration).

 - c. White-collar criminals: Probationary sentence with fine and restitution and in cases that are more serious, a split sentence with restitution.

 - d. Defendants with a socially and/or economically disadvantaged background: Basically the same as above except public service may have to be substituted for restitution if the defendant is destitute.

 - e. Elderly defendants or those with some infirmity: Same as above except sometimes specialized placement is recommended. You must be careful not to allow such a defendant to play on your sympathy.

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? Only after proper disclosure.

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? Firm but fair and 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? Normally anger towards anyone in the Courtroom would be inappropriate. However, if it means regaining control of Order in the Courtroom, anger may be justified.

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

Paul Michael Burch

Sworn to before me this 7th day of July, 2021.

(Signature)

Dell B. Chapman

(Print Name)

Notary Public for South Carolina

My commission expires: 8/30/2030