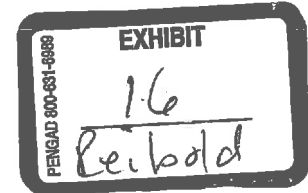


JUDICIAL MERIT SELECTION COMMISSION
Sworn Statement to be included in Transcript of Public Hearings

Circuit Court
(New Candidate)

Full Name: Robert L. Reibold
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1. Why do you want to serve as a Circuit Court judge?
I have run for Circuit Court Judge in the past, and have accordingly had a number of occasions to consider this question. I find that the more I consider it, the more refined my answer becomes. Recently, the Honorable J. Ernest Kinard, Jr., for whom I clerked, passed away. This occasion caused me to reflect more on my time with Judge Kinard, and I had not previously realized the extent to which my time with Judge Kinard influenced me. I now believe that something about that work has caused me to want to serve as a Circuit Court Judge.
I saw first-hand how service as a Circuit Court Judge can affect the lives of South Carolina citizens in a positive manner. Leaving a positive legacy for my family and young daughter is important to me.
Perhaps more importantly, however, I am an idealist when it comes to our justice system. I believe in the system and the goals it seeks to achieve. We are in a time period when faith in all levels of government, including our courts, is low. As a Circuit Court Judge, I would work to restore faith in the judicial system. Life is not fair, but the court room is one place where we can actually strive for fairness. People and businesses need to believe that when they enter the court room, they will be treated fairly. This starts with the manner and decisions of the Circuit Court Judge.
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?
If elected to Circuit Court, I 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 believe it is important to protect the appearance of impartiality, and would not engage in *ex parte* communications other than as specifically permitted by the rules, for example, upon an application for a temporary injunction or emergency relief.
6. What is your philosophy on recusal, especially in situations in which

lawyer-legislators, former associates, or law partners are to appear before you?

I would recuse myself from matters involving former associates or law partners for a period of one year. After that period of time, I would assess matters on a case by case basis. However, I would inform all parties of the prior relationship, and be very deferential to the request of a party for recusal on the grounds that a case involved a former legal partner.

I do not believe recusal would ordinarily be required for matters involving lawyer-legislators, unless some additional basis for recusal was present. Such matters would have to be evaluated on a case to case basis.

7. 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 the party requesting recusal a great deal of deference. As stated above, I believe it is important to safeguard the court's reputation for fairness and impartiality at all times.

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

Again, I believe it is important to maintain the judiciary's reputation for impartiality. If I believed that the appearance of impropriety could not be avoided, I would recuse myself. If I believed that the appearance of impropriety could be avoided, I would disclose the relationship, if known, to the parties involved. I would give substantial deference to a request for recusal made by a party in such a situation.

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

I do not believe the acceptance of gifts or hospitality is appropriate if the gifts or hospitality are provided by a person or party who regularly appears before the court or is interested in a matter presently before the court.

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

If the misconduct raised a serious question about the lawyer or judge's honesty, trustworthiness or fitness, I would report the misconduct to an appropriate official. If the misconduct did not rise to this level, I would attempt to counsel the lawyer and/or fellow judge to correct the misconduct.

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

I am currently a member of the Advisory Board for the Salvation Army of the Midlands. If elected, I would need to refrain from direct involvement in fund raising, but I do not believe it would be necessary for me to cease to be involved with the Advisory Board.

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

I do not currently have any such business activities.

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

While submissions of the parties or proposed orders can be helpful in drafting orders, I believe the content of orders should be created primarily by the court.

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

Deadlines would be appropriately calendered, and outstanding matters would be periodically reviewed.

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

I believe a judge’s responsibility is to apply the law as written by the legislature.

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?

I have served as a member of South Carolina Bar Association’s House of Delegates, and would hope to continue involvement in the Bar Association’s activities, albeit in a capacity which is permissible of circuit court judge. Additionally, I have written legal articles and a legal text, and would continue to do so if elected.

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 the pressure of serving as a judge would unduly strain personal relationships. However, service as a circuit court judge would take precedence over such relationships.

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:

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

(c) White collar criminals:

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

(e) Elderly defendants or those with some infirmity:

Repeat Offenders

While a first time offender may sometimes be given a second chance, repeat offenders have exhausted any such second chance absent special circumstances.

Juveniles who have been waived to Circuit Court

If a determination has been made that a juvenile should be tried as an adult, the juvenile should be sentenced as an adult.

White Collar Criminals

White collar criminals violate the law just as do violent criminals. White collar crime can have devastating effects on its victims. A person convicted of a white collar crime would receive no special leniency simply because of the nature of his or her crime.

Defendants with socially and/or economically disadvantaged backgrounds

For a first offense, defendants with socially and/or economically disadvantaged backgrounds might be given additional consideration on a case by case basis.

Elderly Defendants or those with some sort of infirmity

For a first offense, elderly defendants or defendants with some sort of infirmity

- might be given additional consideration on a case by case basis.
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?
Again, I feel that the appearance of impartiality should be safeguarded. If I were aware that a member of my family held a *de minimis* interest in a party involved in a matter before the court, I would inform the parties of such interest, and would recuse myself if requested to do so by a party.
 21. Do you belong to any organizations that discriminate based on race, religion, or gender?
No.
 22. Have you met the mandatory minimum hours requirement for continuing legal education courses?
Yes.
 23. What do you feel is the appropriate demeanor for a judge?
The appropriate demeanor for a judge is to be courteous, civil, and fair to all who appear before the court.
 24. Would the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or would these rules apply seven days a week, twenty-four hours a day?
The rules would apply when a judge deals with the public, whether in court, in chambers, or any other public setting. However, a judge should be permitted to be somewhat more relaxed in his or her own home and when among family and friends.
 25. 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 believe anger with parties or counsel is appropriate in open court.
 26. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees?
I have spent \$393 in paper and postage. Appropriate disclosure forms have been submitted simultaneously with this application.
 27. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office?
N/A.
 28. Have you sought or received the pledge of any legislator prior to this date?
No.
 29. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening?
No.
 30. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on

your behalf?

I have not asked friends or colleagues to seek a pledge from any member of the General Assembly. I have not asked a friend or colleague to contact any member of the General Assembly since I announced my intention to seek judicial election.

31. Have you contacted any members of the Judicial Merit Selection Commission?

No.

32. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges for 48 hours after the draft report has been submitted?

Yes.

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

S/ Robert Reibold

Sworn to before me this 3rd day of August, 2015.

Thomas Andrews

Notary Public for South Carolina

My Commission Expires: 08/21/2022